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Introduction of “Hostile Working Environment”/ Workplace Bullying

According to Namie (2000), one in every five United States employees was bullied with repeated, deliberately harmful verbal abuse. A recent survey cited that more than half of the working American population has suffered or witnessed workplace bullying including verbal abuse, job sabotage, abuse of authority or destruction of workplace relationships (Cable, 2007). This equates to an estimated 54 million employees – 37 percent of US workers – have been bullied at some point in their work lives, while even more have witnessed acts of workplace bullying.

Workplace bullying is defined as a persistent pattern of negative acts directed at a worker (Baron & Neuman, 1996; Keashly, 1998), any form of harassment whether mental or physical, intentional or not, which is unwanted by the person at which it is aimed (Anonymous, 2006), or a form of interpersonal aggression or hostile, anti-social behavior in the workplace (LaVan & Martin, 2008). It may also involve incivility and aggression with the intention to cause humiliation and distress along with someone’s work being undermined and the individual belittled (Lee & Brotheridge, 2006).

To date, in the United States, there is no single, specific statute that governs workplace bullying (Mack, 2005), although ethically and morally it violates basic human and workplace principles. Specific studies of workplace bullying and ethnicity are rare (Lewis & Gunn, 2007). It was noted, however, in their research study a higher prevalence of bullying amongst non-White groups as compared to White groups with personalized bullying being the most

prominent. When colleagues bully other colleagues the focus of the attack is first and foremost personal.

Unfortunately, as indicated by the Dignity at Work study into bullying, Human Resources has been reluctant to get involved in resolving conflict until it is absolutely necessary and that as a result bullying in the workplace is escalating (Fuller, 2006). The changing face of the Human Resource function itself, with many of the HR departments being centralized or moved off site, functions being outsourced, and HR becoming more strategic is contributing to the demise of the “people’s champion.” In addition to this, although there has been a steady decline of Union membership over the years (Dickens and Leonard, 1985), bargaining units by contract are for the most part obligated to defend their members when dismissed for alleged violence or bullying in the workplace.

Workplace bullying links itself with a lack of trust of management, a poor organizational climate, higher absenteeism and turnover rates, reduced productivity, anxiety, depression, and high litigation costs (Anonymous, 2008). Coaching, awareness, and training of workers, including management at all levels, in addition to a good solid no tolerance policy for bullying that is supported by labor and management is usually a good first step in adjusting employee’s attitudes towards other workers and their colleagues. Understanding the complex dynamics of bullying and aggressive behaviors in the workplace by Human Resources and its impact on the well-being of employees is necessary for proactive action regarding these dysfunctional and conflict-escalating behaviors on the job.

Introduction Of Sexual Harassment

Sexual harassment is so widespread that up to half of working women have reported experiencing some form of it at some point in their careers (Loy, P.H. & Stewart, L.P., 1984; Schneider, B.E., 1982). Sexual harassment negatively impacts employees in many ways, including on the personal level (Merkin, R.S., 2008). Workplace sexual harassment has been shown to increase psychological distress and increase physical illness (Huerta, Cortina, Pang, Torges, & Magley, 2006), increase disordered eating (Cleary & Schmieler, 1994), and result in symptoms of nervousness, anger, depression, weight loss and sleeplessness (Vijayasiri, 2008). Unfortunately few victims of sexual harassment at work file complaints.

Although research definitions of sexual harassment vary (Rospenda, Richman, Ehmke, & Zlatoper, 2005), from a legal perspective it is a form of sex discrimination characterized by “unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature” that affects the terms, conditions, or employment decisions related to an individual’s job (“quid pro quo” harassment) or creates an “intimidating hostile, or offensive working environment” (“hostile environment” harassment) (Gross, 2008).

Employers have a duty of care to provide a safe working environment (Gillen, 2008). Productivity and morale will improve by making employees comfortable in their work environments. What if, however, an alleged harasser claims he/she is from an environment and culture (Jamaica) where warm and friendly, fun-loving, easy going and embracing are all part and parcel of the essence of one’s daily life style? Although Jamaican upbringing is one that instills a sense of caution and constant insecurity (Patterson, 1995), the overwhelming majority

of Jamaican children are well adjusted (Smith & Green, 2007). These value orientations (Gaines, 1997), noted above, are defined as organized sets of beliefs that are communicated by societal agents, e.g. schoolteachers, families, the media, religious leaders. In turn, we all differ in the extent to which we internalize these cultural values (Gaines, Ramkinssoon & Matthies, 2003). As employees we bring these beliefs into our jobs. They can and do affect others, sometimes positively, other times in a negative manner.

Our workplaces have become multi-cultural and diverse more so now than ever before. The challenges Human Resource professionals presently face due to the many varied customs and beliefs brought into organizations is overwhelming. Cookie cutter decisions usually do not work for the long run when faced with the many varied backgrounds, values, and attitudes inhabiting our businesses. It becomes even more critical that Human Resource professionals and Management take the time to learn about the multiplicity of traditions and customs employees bring to their jobs. Without this knowledge a recipe for disaster is eminent.

PROFILES

Anne Brady is the Manager of Employment and Organizational Development at Wheels, Inc. Anne has been with the company for seven years and has served in various Human Resource positions during her tenure. Anne is a straight shooter and believes in following policy and procedure to the letter.

Alex Pascale, the Vice President of Human Resources, joined Wheels, Inc. close to 15 years ago. He has an MBA from Cornell University in Human Resource Management and a MA in Psychology from New York University. Alex and Jane Keegan brought the Human Resource department from being an Administrative function to a dynamic, nationally recognized leader in employee relations.

Jane Keegan is the Human Resource Manager of Wheels Inc. Jane was hired approximately two months before Alex. They shared an office for the initial seven months Alex was on the job learning the culture, creating policies, procedures and programs for employees. Jane's strengths lie in employee selection and retention.

Darrell Howard, Wheel's Inc. Vice President of Operations is a quiet, laid back leader who is well respected by employees throughout the company. Darrell comes from a strong background in manufacturing having been employed by several Fortune 50 companies when he graduated college.

Nancy Nader is one of the nine Plant Supervisors at Wheel's Inc. Nancy always has a positive attitude and continually goes out of her way to help employees both at work and in their personal lives. Nancy came up through the ranks learning each and every product over the years while an assembler, lead person, and quality technician. Nancy is one of the strongest proponents of teams and collaboration at the company. Her consistent upbeat attitude and constant reinforcement of employees has resulted in significant increases in productivity and quality.

Robert Mason, the Production Control Manager of Wheels, Inc., has been in his position for close to 25 years. During that time Robert has gain the reputation of being able to schedule any product request by a customer within 24 hours of its acceptance. Robert's ability to "load" the factory without stretching resources is second to none in the field especially since he rarely uses any of the computer models on the market.

Yvonne Stevens is a recent addition to the Production Scheduling department having been an assembler for two years and then working in shipping and receiving for a year. Yvonne is constantly on the move throughout the plant and works closely with each team in scheduling product for maximum production.

John Ritter has been the Chief Union Steward at Wheels, Inc. for close to 20 years. John is a straight shooter and in meetings with employees "tells it like it is." John has negotiated seven contracts between Wheels, Inc. and the bargaining unit.

Jerrick Tulley is an Employee of Jamaican Ancestry who works in the factory on one of the assembly teams. Jerrick has been with Wheels, Inc. for a little less than a year now and enjoys telling stories to employees about his homeland. Always smiling and chatting, Jerrick had to be told on several occasions to focus his energies on his work and the product.

Bill Nessor the Shipping Supervisor is another long-term employee of Wheels, Inc. having joined the company right out of high school 25 years ago. Bill has been in a variety of positions at the company while learning the flow of product from design to production but found his niche in shipping. On-time deliveries are presently at 96%.

Jeff and Sam are two production employees on the same team as Jerrick.

Wheels, Inc.

Wheels, Inc. (Wheels) is a multi-shift manufacturing company. Its first eight hour shift begins promptly at 6:00 AM. The second shift starts at 3:00 PM. Wheels, Inc. has been in business for approximately 50 years and is located in a low to moderate income neighborhood of residential and industrial real estate. Wheels, Inc. employs 600 individuals from a variety of diverse demographics. Approximately 410 employees work in the factory on assembly lines, in the warehouse, shipping, receiving, tooling, component insertion, packaging, quality, and test. The remaining 190 employees are spread throughout the office and in the field as salespeople and technical support.

Wheels produces an assortment of products for the automobile industry. Business has grown each year along with market share. With the onslaught of electronic and computerized components making up most of the modern automobile, Wheels holds a tight rein on the market of component circuitry that are critical to the braking system. Wheel's ability to claim repeat business is its reputation for quality. Never in its history has it had a recall or has a part failed to perform. Other companies produced similar products but could not boast about the excellence in reliability Wheels possesses. The giant automakers, both American and Foreign, are loyal customers.

Wheels factory employees are unionized. The relationship is positive and productive. This is shown by the lack of grievances, the collaboration in attaining training grants for education of workers, and the willingness of both parties to form a proactive union-management

committee. The committee meets every two weeks to discuss any concerns prior to them growing into unmanageable work challenges. The average tenure of the Wheels employee is around 15 years. It was not uncommon during the yearly employee recognition dinner to award longevity gifts to dozens of 15, 20 and 25 year veterans.

Wheels is proud of its employee relations programs. These range from numerous technical training opportunities offered during work hours, its management development and diversity curriculum, team centered work models, and plenty of incentives for continuous improvements in quality, productivity, delivery, self-development, and sales. Every employee is required to attend a minimum of 50 hours of education each year on company time. A full curriculum of courses is offered from Wheels University, a separate building on the ten acres of land Wheels owns. There are courses which are mandatory like The Elements of Diversity, Hazardous Materials Training, Teambuilding, and Harassment. Within the initial month of employment each employee is required to attend these four classes. Mastery of the material is evaluated by a self-paced test and case study analysis. Any language barriers are alleviated through interpreters the company hires or has on sight. Wheels is dedicated to maintaining a safe, secure, and happy workplace. A large portion of its training budget comes from State Department of Labor grants. The remainder is an allocation within the Human Resource budget itself.

Behind the training and employee relations success is a very proactive Human Resource function and a team of managers who consistently stay abreast of new benchmarks and innovative models used by other companies. At times Human Resources consults with local universities in areas they need some assistance; generational differences, life-style benefits,

compensation programs and diversity challenges. Management feels strongly that they need to be up-to-date on how to work together as a team for the satisfaction of the customer.

OPERATIONS

Productivity and efficiency is on a continuous up tick at Wheels. Attendance is excellent, and the teams are in a constant mode of finding new ways to improve upon anything and everything within their department. Vice Presidents and other top management are very visible and maintain an open door policy. They tour the factory and the office often greeting associates and asking for feedback on almost anything related to the business. By so doing a better pulse on the organization as a whole is gained. Employees are grateful about this approach and it proves beneficial. Communication throughout Wheels appears to be well grounded and up-to-date.

Every day there is a regularly scheduled production update meeting facilitated by Robert Mason, the Production Control Manager. These meetings provide everyone with an opportunity to gain updates on activities, customers, order input, quality, or events that took place the day before. The meetings, held at 2:30 every day, provide critical key employees from both shifts the opportunity to share information.

At about 3:30 on April 6, the Vice President of Human Resources, Alex Pascale, received a phone call from Nancy Nader, a supervisor from the first shift. Both Alex and Nancy had recently left the production update meeting and returned to their offices. Nancy asked Alex if he would come to her office and speak with Yvonne Stevens, a Production Control employee. Nancy was very vague, most likely, he thought, because the assembly lines were just getting up

and running and she was rushed. He found out though, that Yvonne was upset about an employee who inappropriately touched her about 45 minutes ago. Alex dropped what he was doing, left his office, and began to walk into the plant. While in transit several employees stopped him and asked, “Alex, do you know what happened to Yvonne?”

Alex: “No, not yet.”

Alex soon reached his destination. While in Nancy’s office, Yvonne, was sitting in a chair, visibly troubled and in tears.

Nancy: “Hi Alex. I was just told that Yvonne informed several other supervisors that she was sexually harassed by Jerick Tully in the Tool and Dye department right after the second shift started.”

As Yvonne continued to cry. Alex sat in an adjacent chair, waited a moment, looked at Nancy, then back at Yvonne.

Alex: “Nancy, can you go get Yvonne a glass of water please?” While Nancy was out of the office Alex sat as a tearful Yvonne patted her eyes with several tissues from Nancy’s desk. Nancy returned quickly with water in hand and gave it to Yvonne.

Alex: “Yvonne, are you doing okay? Do you want to talk about it?”

Yvonne: “Sure, as long as that pervert stays away from me.” With tears continuing to roll down her cheeks, “My husband is going to kill me.”

Alex: “Would you like to tell us what happened?”

Since Nancy's office is in the middle of the production floor, Alex and Nancy both noticed that other employees on the assembly lines within the area were looking at them. At that point, Alex decided that trying to have some privacy out there would soon become compromised.

Alex: "Yvonne, let's go up to my office and talk about this."

Yvonne: "Whatever."

Alex left Nancy's office and escorted Yvonne back to his office where they could have more privacy and confidentiality. As they were walking Alex was met by Jane Keegan, the Manager of Human Resources. Jane walked alongside both of them. Jane had just returned from a meeting off site. Alex briefed Jane quickly on the little that he knew up to that point.

Alex: "Jane, call Nancy and have her ask Jerrick to go to her office and wait there until I come out to see him. Also call John Ritter, the shop steward, to sit and wait with Jerrick. Nancy can fill John in on the little that we have at the moment. When you are finished meet me in my office. I need to ask Yvonne a few questions about the incident she reported." Jane obliged and went into her office while Alex walked with Yvonne into his.

After a few minutes Jane returned to Alex's office. While there, Alex asked Yvonne to explain more about what happened.

Alex: "Yvonne, tell us what happened. Jane will take notes about what you say. You mentioned in Nancy's office that you were harassed?"

Yvonne: "I am so upset now; I don't want to talk about it. I would rather leave the building now and talk about this tomorrow."

This came as somewhat of a surprise to Alex and Jane since previously Nancy told him that Yvonne reported the incident to several supervisors in the plant.

Alex: “Yvonne, Nancy said you told some supervisors already that Jerrick sexually harassed you. What exactly does that mean?”

Yvonne: staring blankly at Alex, “I want to go home now; I’ll talk about it tomorrow. I just want to go home. I am way too peeved to get into this now.”

Silence prevailed for a few more moments.

Yvonne: “Jerrick, that jerk, put his hand on my butt while we were talking in the tool and dye department right after the second shift began. He hugged me and thanked me for something the team and I did and then he squeezed my butt. Will you please let me go home now? I want to get out of this place. When my husband hears about this he’s going to really be upset. I’m not sure what he’s going to do.”

Alex: “Hang in there Yvonne. While the incident is fresh in your mind let’s talk more about it.”

Yvonne: “No, not now, maybe tomorrow.” “Let me outa here.”

Alex: “Okay Yvonne. Jane, please read back what we heard Yvonne say. Yvonne you can make any changes if you would like. Yvonne, if after you agree, I would like you to sign the notes and Jane will co-sign them.”

Yvonne: “Sure, whatever. I just want to get out of here.”

Jane obliged. She read back the little information that Yvonne provided. Yvonne chose not to change anything. Yvonne signed her name on the bottom of the notes. Jane did the same. Jane left the office to get copies of the notes. Upon her return she provided Yvonne with a copy and Alex with another copy. Then she created a manila file folder and placed a third copy in it, labeled it *Yvonne - Investigation – 04/06/08*.

Yvonne: “Can I go now?”

Alex: “Sure, is there anything else we can do for you now though?”

Yvonne: “Sure, just keep that creep away from me.”

Alex: “Yvonne, when you return tomorrow for work, I want you to call me immediately.

We’ll sit down and continue talking about what happened. We’ll make sure you and

Jerrick are not in the same area. I will be going with Jane soon to talk with him.”

Yvonne: “Why do you have to talk with him? He’s just going to lie about everything. Just ask some of the other women here, they’ll tell you.”

Alex: “Yvonne, please be assured we will do a full and complete investigation of this incident. I am not sure what you mean about other women. What’s that all about?”

Yvonne: “Nothing, just let me outa here.”

Alex: “Yvonne, you’ll be paid for the remainder of the day. But there is one last item I need to impress upon you. Do not talk to any other employee about this, please. We’ll walk you to your car. Go home and we’ll see you tomorrow as soon as you come into work.”

Yvonne: “I don’t want you to walk me to my car. That’ll look pretty obvious that something happened. I can walk by myself. What’s wrong you don’t trust me?”

Alex: “It has nothing to do with trust, Yvonne. We just want to be certain you are able to get home safely.”

Yvonne: “I can get home safely. It’s when I get home what my husband is going to say and do that worries me. He’s not going to like this you know. Like, he’s going get real angry.”

Alex: “I am sure he will, Yvonne. Just tell him we’ll investigate this fully and when it is all over what has to be will be. Ask him not to do anything that he will regret later himself if that is what you are leading up to.”

Yvonne: “Sure, whatever. Let me get out of here.”

Alex: “Okay Yvonne, please again talk to no one. Go to your car and drive home. If you would like we can call you later. Talk to no one about this please. Are you sure you don’t need a ride?”

Yvonne: “Sure, whatever. I can drive by myself. I don’t need any help.”

Yvonne got up, Jane followed and they both walked to the exit. Jane watched Yvonne as she entered her automobile, started it, and pulled away. Jane returned to Alex’s office.

Alex: “Jane is this the same Jerrick employee that was warned a few months ago with what Anne Brady complained about?”

Jane: “I think so.”

Alex: “Pull his file and review it, please. I’m going to talk with him. Meet me in Nancy’s office as soon as possible.”

Alex left the office, Jane went to the employee files and pulled Jerrick’s file. She opened it and in the section marked discipline she noticed a written warning. Jane read the notes and the warning that followed. The last paragraph stated:

“Upon completion of a thorough investigation by Human Resources it was found that Jerrick Tulley did not fully comprehend the harassment policy and procedures here at Wheels, Inc. despite attending the training classes provided. Jerrick continually reported during the investigation that in his home country of Jamaica “they are friendly, warm and fun-loving. It is not uncommon to ask someone to come over his house and have dinner and celebrate.” Although we do not condone what occurred, Human Resources recommends that it is in the best interest of all those involved that Jerrick return to work and:

1. No longer ask any female employee to join him at his residence for celebration and dinner after they have initially refused.
2. Jerrick will attend the upcoming Diversity class for the second time and continue to attend until he has mastered this area of work relationships as proven by the assessment given at the end of the class.
3. Jerrick will read and become familiar with Wheel’s Harassment policy. If an interpreter is needed, one will be provided.

4. Jerrick will no longer make physical contact, e.g., placing his arm around another female employee, hold their hand, brush up against, etc. while talking with them on company property.

5. Jerrick's primary responsibility here at Wheels, Inc is to work according to the guidelines set forth in the contractual agreement between Local 1234 of the ABC Brotherhood and the Wheel's, Inc, Employee handbook.

6. Should Jerrick again physically infringe upon another employee's rights or space or should Jerrick be found in violation of company policy or procedure he will immediately be dismissed without recourse. Should Jerrick consistently ask employees to join him at his house after refusal, dismissal from employment here at Wheels, Inc is in order. We will not tolerate or accept any events that infringe upon the rights and safety and well-being of another employee. This is especially critical in the area of workplace harassment.

While turning the page, Jane also noticed a letter from Anne, Wheels, Inc. Manager of Employment and Organizational Development. It stated:

“Although I do not agree with this decision to retain an employee who blatantly disregarded numerous requests of this person to stay away and not ask me any longer to join him at his residence, I have no choice but to accept the investigation's findings. It is just a matter of time before this employee commits this act again with someone else.”

Anne

1/03/2008

Jane stood there speechless. She remembered the case and the subsequent decision a little more than three months ago. She also remembered how upset Anne was at the decision and the constant verbalization of Anne following the closing of the investigation: "It's only a matter of time before he (Jerrick) does it again."

Returning To the Company

A few minutes had passed since Yvonne had left the building and Alex was walking toward Nancy's office. A page for him came over the intercom. Alex stopped at the nearest phone, dialed, and heard Nancy pick up on the other end.

Nancy: "Alex, I thought you were talking with Yvonne. Are you finished?"

Alex: "Sure am, she didn't want to talk any longer. To make a long story short she left the building to go home. Jane walked her to the door. She got in her car and drove off from what I understand. She'll be back tomorrow and we'll talk then. At least that is what she promised. I'm on my way now to talk with Jerrick. He's still in your office right?"

Nancy: "Sure is, but you got bigger problems now. Yvonne is out on the loading dock talking to the team in Shipping and Receiving. She's telling everyone what happened. Obviously she did not go home."

Alex: "Geez, I cannot believe this. Jane and I told her to go straight home. That is what she continued to say she wanted to do. Jane walked her to the door and saw her pull out of the parking lot. She must have come back through one of the other entrances."

Nancy: "Well she's here now and by the looks of it she's causing a real problem out there."

Alex: “Nancy do me a favor, stay with Jerrick. I’ll be there in a few moments. Call Jane and ask her to meet me in Shipping by the loading dock.”

Nancy: “Sure thing.”

In a matter of minutes, both Alex and Jane were out on the loading dock much to the amazement of Yvonne. Practically the entire department was listening to her talk about what occurred. As they approached, Bill Nesser, the Shipping Supervisor, also was returning from Wheel’s nearby warehouse. Bill also noticed the crowd.

Alex and Jane approached the crowd. They noticed and dispersed quickly. Yvonne looked startled.

Alex: “Yvonne, you had told us you wanted to go straight home and did not want to talk about this today. What are you doing back here in the plant when I specifically asked you not to tell anyone about what occurred?”

Yvonne: “Whatever, like I can’t talk to people now?” “I’m out of here.”

With that Alex and Jane watched Yvonne walked down the steps to the parking lot past Bill and into her automobile. She pulled away quickly. Bill came up the stairs and asked, “Alex, what’s going on?”

Alex: shaking his head, “Bill, I’ll tell you later. Jane, can you make a note of this and place it in the investigation file.”

Celebrating or Getting Too Close?

Alex and Jane walked over to Nancy's office where Jerrick was sitting looking at a magazine with John. Nancy was nearby working with employees on one of the production lines. Alex entered her office, introduced himself and Jane. They then waved Nancy to join them. The five of them were in Nancy's office. Alex closed the door, but again that did not keep employees from looking over through the large glass partitions that afforded little privacy. Jane sat prepared to take notes and Nancy stood by the door in case anyone attempted to enter or knock.

Alex: "Hi Jerrick, how are you doing?"

Jerrick: "Fine sir, great day today. The team broke another record yesterday. I was happy when I came to work today. I shook my team's hands and thanked them for the great jobs we are doing. Why am I here sir? Did we do good again?"

Alex: "I am sure you and the team did well, Jerrick. I do not know at this moment if you broke another record though and I am glad you are happy. Jerrick, when you were shaking your team's hands today was Yvonne in the area?"

Jerrick: "Oh yes sir, so was Jeff and Sam and a whole bunch of other people were passing along. We were all happy. Were we too loud, sir?"

Alex: "I am sure you were not too loud Jerrick. Celebrating is good. Tell us how did you congratulate Yvonne?"

Jerrick: "Oh sir I shook her hand and gave her a big hug. She is the best. She schedules our work fantastic and if it weren't for her our team would not be in the lead for the monthly award. I hugged her sir."

Alex: Did you do anything else while hugging Yvonne, Jerrick?"

Jerrick: “What do you mean sir? I do not understand. We are a friendly people. I hugged her. Maybe I lifted her off the ground a little because we was so happy. Did I hurt her sir? I did not mean to hurt her sir if I did.”

Alex: “I am not sure if you hurt her Jerrick. Yvonne claims you squeezed her butt while you were hugging her. She then had to push you away and also says she asked you to stop but you would not.”

Jerrick: “Oh no sir, I did not squeeze her butt, sir. I did hug her and I shook her hand and others also sir. I did not squeeze her butt sir. Yvonne kept getting close to me and was brushing up against me with her body sir. Would you like me to show you what she did sir? You can ask Jeff or Sam or anyone from the team sir.”

Jane: “Jerrick, remember in January when you were told to not hug people at work or get close to them because of what Anne said and the classes you had to attend again?”

Jerrick: “Oh yes Miss Jane, but we were just celebrating our good work. Here Miss Jane let me show you what I did. I am sorry if I hurt anyone. Here, Miss Jane let me show you.”

Jane looked at Alex and Nancy and saw their nods. Jerrick got up and so did Jane. Jerrick shook her hand and then hugged Jane from around the shoulders for about three seconds. He released. Then he shook Alex’s hand, John’s, and also Nancy’s. Then he hugged Nancy in the same manner. He released and sat once again.

Jerrick: “See Miss Jane. Did I do good? I did not touch your bottom Miss Jane or Miss Nancy.”

Alex: “So you are telling us you did not inappropriately touch Yvonne in any manner? Did you invite her over to your house?”

Jerrick: “Oh no sir, again she was the one brushing and rubbing up against me sir. We are a friendly people sir, so I think nothing of it. I invite everyone over to my house sir to celebrate.”

Alex: “Okay Jerrick, here is what I want you to do. You go back to work now, don’t tell anyone about what we talked about today if they ask. You just tell them we were talking to you about the work you are doing. If they continue to ask you call Miss Nancy here. Is that okay with you Jerrick?”

Jerrick: “Yes sir, I will go back to work now sir. Thank you sir, Miss Jane, Mr. John, and Miss Nancy.”

With that Jerrick rose from his chair, and left the office. Jane, Nancy, John and Alex stood there trying to sort things out. They agreed that the two stories are in conflict. Tomorrow when Yvonne comes to work talking with her is even more critical.

The Next Day

The following morning at 7:00, Alex’s phone rang. He picked it up. It was Darrell Howard, the Vice President of Operations.

Darrell: “Hey Alex, I’m here with Yvonne. She says that yesterday she was harassed by Jarreck and nothing is being done about it. Do you have a few minutes?”

Alex: “Sure Darrell, I’ve been waiting for her to call me. That is not accurate though, let’s you and I meet alone first. I suggest Yvonne waits in the conference room until we are finished.”

Darrell: “Okay, I guess so. I’ll be down in a few minutes.”

Alex took the file containing notes from yesterday’s investigation, opened it up and placed it on the conference table he had in his office. He waited for Darrell. After approximately 10 minutes Darrell entered Alex’s office. They both sat at the table.

Alex: “Hey Darrell, I am not sure what is going on with Yvonne but if what you said over the phone is accurate we have a problem here with this employee. Yesterday during the start of the second shift Yvonne reported to some supervisors on the floor that Jerrick grabbed her butt. She ended up in Nancy’s office. Jane and I thought it best to talk with her here in my office for privacy. When we tried to get something from her she kept saying she wanted to get out of here and would talk with us today. Hey, we tried. It’s all in our notes. Here take a look. She even signed them.”

Doug peered down at the notes and glanced back at Alex.

Alex: “When she finally left the building yesterday, Jane watched her get into her car and drive off site. Then minutes later we get paged by Nancy again who tells us that Yvonne is back in the building on the loading dock telling everyone about what happened. This was after Jane and I repeatedly told her not to discuss this with anyone. When we went back there and asked her what she was doing, she copped an attitude, walked away, got

into her car and drove away. She caused quite a stir out there, Darrell and quite frankly I did not appreciate it that she disregarded my request to not talk to anyone.”

Darrell: “Yea, she can be a bit of a hard head. Just like her mother who works in the circuit board department. She’s been here for 20 years now and sometimes it’s like talking to a wall. Okay, so you got this under control?”

Alex: “I am not sure Darrell. We’ll continue to investigate this claim by Yvonne but now that she says we are not doing anything about it concerns me more”

Darrell. “Oh, don’t let that bother you. She’s probably just reaching out again to get someone’s ear.”

With that Darrell stood up. Alex looked a little perplexed at this last statement. Darrell walked and said, “Hey, keep me up to date on what happens. We have a ton of product to ship today so I need everyone. I’ll send Yvonne over to you. You ready for her? ”

Alex: “Yea sure, let me get Jane.”

Alex called Jane into his office. He briefed her as to what has just occurred. Jane then went to the conference room and asked Yvonne to join them in Alex’s office. They entered Alex’s office sat at the conference table.

Alex: “Yvonne let’s talk about what happened yesterday. You mentioned that Jerrick grabbed your butt. Tell us about that please.

Yvonne: “A bunch of us were standing around the Tool and Dye department. We had just found out that we were on top in productivity and quality and had a great chance of

winning this month's award. I guess we were making a lot of noise. We were happy at the results. Suddenly, Jerrick came over to me placed his arm around me, and gave me a hug. I tried to move away. Then he grabbed my butt and tried to hug me again. He asked me if I would like to come over his house and have dinner and meet the family. I pushed his hands away and said no, don't you ever touch me again. Then I got out of that department and walked over to Jimmy, the Paint Shop Supervisor to tell him what just happened. Like, I need this crap. He's a creep. He's asked about eight other girls to come over his house already to have dinner and meet the family. Just ask them they'll tell you."

Alex: "Thanks Yvonne. We'll get to those eight other women in a moment. Do you remember some of the others that were in the same area when you were talking about your productivity?"

Yvonne: "I think Jeff and Sam were there. There were others also, Monty, Mary, maybe Lucy. Why?"

Alex: "Well, to be honest you are saying he grabbed your butt. When we spoke with Jerrick he told us that you brushed up against him and kept rubbing against him. He did admit to hugging you and wondered if he hurt you. Otherwise we have two different stories now."

Yvonne: "I never brushed up against him. That jerk, who does he think he is? Just ask anyone that was there where his hands went. Also, go ahead ask the other ladies about being invited over to his house. They'll tell you. He's a little too friendly in my opinion."

Alex: “Hey, let’s go over this one more time now. Besides that, can you give Jane a list of those names of the other ladies you are saying were asked by Jerrick to join him at his house?”

Yvonne repeated the same story. Jane took notes. Then Yvonne wrote for Jane a list of eight ladies all of whom Yvonne claims were asked by Jerrick to join him at his house on numerous occasions.

Alex: “Yvonne, now tell us what happened yesterday after we asked you and you agreed to leave the building and go home. That’s what you wanted to do. Then you show up on the loading dock. You caused quite a mess out there. You know I have to write this up and place it in your file. Do you want to explain why?”

Yvonne: “Whatever; do what you gotta do. I will not work with him again though. He better not be in my department when I am there. My husband told me he’s going to take care of things no matter what you do.”

Jane: “Now Yvonne, that’s not the way to help out. Two wrongs don’t make a right. If your husband does anything then it will only cause more problems for you and your family. Is that what you want?”

Yvonne: “Whatever; just keep Jerrick away from me. I do not want him fired, I only want him to stop doing this to us. Is there anything more that you want? I told you everything.”

Once again Jane took a copy of the notes from the meeting to the copy machine. When she returned, she asked Yvonne to read it and then sign them after she makes any changes. Jane signed and dated the copies also. Yvonne went to her desk. Jane and Alex closed the door and went over the notes from the two meetings. They knew at this point they had to call at least Jeff and Sam up to talk with them. They also agreed that this was not turning out as expected. The eight women employees also needed to be talked with over the next few hours. Why would they not report something like this to human resources?

Jane and Alex developed a plan of splitting the interviews so that neither one of them would have to do it all themselves. They also needed to ask someone to be a witness to what was being said in either case. They also had to deal with the fact that in Jerrick's file was a prior violation notice and the note that stated dismissal would be in order should Jerrick violate any of the requirements set forth in the notice.

It was quite a surprise to find out about the other women. No other record of any incident with any of these women has ever been recorded. It was confusing to hear that there were others he has allegedly invited over to his house, made physical contact with by placing his arm around them and hugging them all after the Anne incident. There were eight (8) to be exact. Wheels, Inc. prided itself on the enormous amount of training in diversity and harassment it continually offered and required employees to attend. There was follow-up also by Supervisors and Management to make certain everyone understood the consequences of not abiding by policy. Why then did no one come forward from these eight mysterious women?

Then there were the words of Anne echoing that *“it is only a matter of time.”* More embarrassing is the fact that she worked in the Human Resource Department. Jane and Alex outlined their plan for the next few days. It included calling Jeff and Sam to discuss what they saw. Also they knew they had to call up others from the department who may have been there at the time of the incident. The plan also included sitting with each of the eight women and discussing what they heard from Yvonne about Jerrick. In the end the both of them knew that they would have to make some possibly unpopular decisions once again.

Additional Interviews

Over the next few days the eight alleged other victims were interviewed. In each of the cases similar things occurred. Jerrick would be in a jovial mood because of some success or achievement that had taken place with the team. He would then thank a female that was in the area and who had helped in some manner to achieve the success. Jerrick would hug the woman, place his arm around her, and ask her to join him at his house and meet the family. None of those involved had made a formal complaint about Jerrick. None of the ladies had even let Human Resources know what was going on. ***“He was harmless”*** were the words consistently echoed by each woman employee involved. The touching, hugging, and inviting were part of his approach and they all said “no” to the invite. Each one noted he was a ***“touchy, feeling sort of guy.”*** He would try several more times and their responses were always, ***“No thanks. Go back to work.”*** Each woman was asked if she knew about the harassment policy and what to do if they felt they were compromised? Individually again they all responded they are familiar with it but felt nothing was wrong with him. ***“He is harmless.”*** Each lady gave a report of a “touchy feely”

person who is “harmless.” Never once did Jerrick ask anyone to bring their spouses or significant others with them. Also noted was the fact that Jerrick never asked any male co-workers to join him and his family.

Jeff and Sam were called also and interviewed. Each one told a slightly different story. Jeff reported he saw his hands brush against her buttocks. Sam said he saw Yvonne walk past Jerrick just a little too closely and brushed against him. Maybe it was because of the crowd gathered and there wasn’t much room to pass. Sam really didn’t pay much attention to this. However, they both did say suddenly Yvonne became upset, muttered something and darted out of the department.

Alex and Jane needed to list the priorities and the problems within this investigation. It was apparent there was more than one. Also, since this occurred in the past, there must be a “root cause” as to why this area of behavior has not been quelled as of yet. What was more disconcerting was the fact that the group of female employees felt they could handle it themselves because Jerrick was harmless.

Yvonne initially only wanted an apology from Jerrick along with him never to approach her or come close to her again. She did not want Jerrick dismissed. Jane and Alex reviewed and re-reviewed their notes. Wheels, Inc. had a progressive discipline policy, but was this incident so severe that they should skip the steps and let him go as requested originally by Ann when the initial challenge took place and was documented?

It was 7:00 PM. Alex and Jane decided to call it a day. They had a lot to think about. They planned to meet with Darrell, Nancy and the shop steward early the following morning with a decision.

Additional Resources

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