

Radford University SHRM

RU Newsletter

Office etiquette breaches: Nothing to shout about!

Special points of interest:

- “We have different geographic environments in our office today, and as a result we need different office etiquette.”
- “Employees are more focused on productivity today, They’re trying to eliminate distractions.”
- A [*BusinessWeek* online](#) article offers the idea of using humor to address rude workplace habits by sending a “monk-e-mail” (short for “monkey e-mail”) to the offending co-worker.

Inside this issue:

Legal Issues	2
Activities	2
Notices	2

Forget Seinfeldian “low talkers” such as Kramer’s girlfriend, whose mumbling got Jerry to agree unintentionally to wear a puffy shirt on national TV.

A colleague’s loud talking, cited by 32 percent of poll respondents, is considered among the top pet workplace peeves by U.S. workers—worse than a cell phone ringing at work (30 percent), using speaker phones in public areas (22 percent), colleagues having personal conversations (11 percent) and using personal digital assistants (PDAs) during meetings (9 percent).

That’s according to an etiquette-themed online nationwide survey of more than 2,300 adults. Among respondents, 42 percent worked full time, 12 percent worked part time, 9 percent were self-employed, 20 percent were retired and 13 percent were students.

Loud talkers better not compound the situation by using condescending tones or reprimanding others in public. Being condescending, cited by 44 percent of respondents, was workers’ biggest pet peeve, followed by 37 percent of workers who get really bugged over public reprimands. Harris Interactive conducted the survey for Randstad USA, a global provider of professional

employment services.

“Employees are more focused on productivity today,” Randstad spokeswoman Karen Carlisle told *HR News*. “They’re trying to eliminate distractions.”

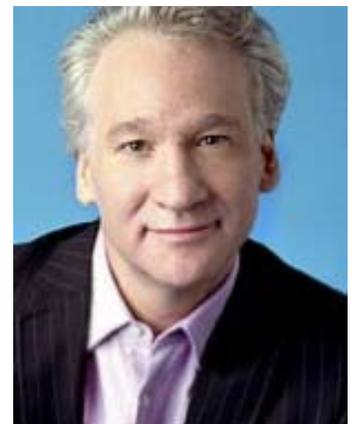
More open work spaces may be a factor, making it harder to keep noise levels down or subjecting others to personal conversations, she said.

“We just have different geographic environments in our office today, and as a result we need different office etiquette,” she observed.

HR can help address pet peeves with reminders in the company newsletter about proper office manners and to show consideration to others, Carlisle said. The best approach when a co-worker is talking loudly, or when cell phone use or other behavior is creating a distraction, is to approach the person in a playful manner and ask him or her to dial it down, she suggested.

A whopping 91 percent find off-color language inappropriate at work, even though another survey released last year, on workplace swearing, found that nearly 80 percent of respondents have grown used to or don’t mind workplace swearing if used sparingly.

Maybe U.S. workers are just cranky from overwork. The



Randstad survey found that 38 percent of U.S. employees do not usually take a lunch break, one-third claim to work overtime without additional pay and 31 percent work Sundays.

“People are cranking so much trying to get everything done, and sometimes they’d be a lot more productive if they’d just give themselves a break,” even if it’s stepping outside for some fresh air, Carlisle said.

“It’s up to HR to say ‘we value you as our employees; have some work/life balance; get your work done but take that lunch break, take that weekend for yourself.’ ”

Above all, she said, be considerate of your colleagues. Otherwise a monk-e-mail could be flying your way.

-Condensed from a SHRM article written by Kathy Gurchiek

Only minimal notice required to initiate EEOC 'charge'

Documents that provided sufficient details of an employer's alleged discrimination and showed a former employee's intent to activate Equal Employment Opportunity Commission's (EEOC) proceedings constituted a 'charge' sufficient to exhaust administrative remedies as required under the Age Discrimination in Employment Act (ADEA), the 2nd U.S. Circuit Court of Appeals held. This was true even though the EEOC never notified or investigated the employer.

In 2002, several current and former couriers of Federal Express Corp. (FedEx) sued the company on behalf of themselves and other similarly situated individuals. The plaintiffs alleged that FedEx violated the ADEA and various related state statutes by establishing policies intended to encourage older workers to leave the company. The district court, however, concluded that no named plaintiff complied with the ADEA's various stated time limits for bringing suit and accordingly dismissed the

plaintiffs' action.

The court considered whether any of three possible individual plaintiffs fulfilled the ADEA's administrative requirements for bringing a timely lawsuit. Patricia Kennedy filed only an EEOC intake questionnaire form along with a corresponding affidavit within the applicable ADEA time limits. The EEOC never followed through with any investigation based on this documentation. The district court held that this was not a proper charge as contemplated by the ADEA.

The court also determined that the charges of two other individual plaintiffs, George Robertson and Kevin McQuillan, were unsatisfactory because they complained of allegedly discriminatory policies that occurred more than 300 days prior to filing. In reviewing this dismissal, the court of appeals examined the circumstances surrounding these individual plaintiffs and disagreed with dismissal of all ADEA claims. The court first noted the importance of the ADEA adminis-

trative time limits, remarking that such time limits "are not to be disregarded by courts out of a vague sympathy for particular litigants." The court then determined, however, that Kennedy's EEOC questionnaire form and affidavit constituted a proper charge under the ADEA. Kennedy's writings were a charge because they provided sufficient details of the employer's alleged discrimination under the ADEA and showed Kennedy's intent to activate the EEOC's administrative process.

Although Kennedy's documentation consisted of several pages of allegations, the court stated that even minimal content could structure a proper EEOC charge. In finding that Kennedy's EEOC form was in fact a charge, the court opened the door to 11 other plaintiffs—who never filed anything with the EEOC—that were then allowed to piggyback and use Kennedy's charge to satisfy the administrative requirements for their own claims under the ADEA.

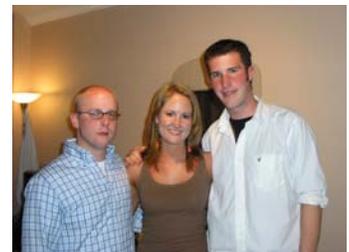
The court also found that the

Robertson and McQuillan charges were satisfactory because they focused on allegedly discriminatory acts occurring within the 300-day ADEA period.

Professional Pointer: This ruling puts pressure on the EEOC to be diligent with every potential charge it receives. Otherwise, employers may be put in the unenviable position of first learning about charges of discrimination from service of a complaint, instead of through the EEOC's administrative procedures.

-Article written for SHRM by Daniel M. Hurst, an attorney with the firm Lehr, Middlebrooks, Price & Vreeland P.C., an affiliate of Worklaw® Network, in Birmingham, Ala.

A couple Spring Break pictures from Chris Ruotolo:



J.J., Sabrina, and Chris get ready for Miami



Herbie the Chickenduck

SHRM Events

03/07: Ashley Robbins presented negotiation tactics.

03/24: A tour was conducted by Mark Jones in the Bonnie, after which members took part in some bowling.

The first year I/O students will be conducting a salary survey for New River Valley SHRM in April, and presenting it on the 20th.

I/Oers also presented research at the 27th annual IOOB conference at George Mason University in Washington D.C. beginning Friday, February 24th, and ending on Sunday the 26th.

RU Presenters: Joanna Colosimo, Shannon Wilson, Jeff Steggert, Sabrina Chrisman, Nick Haap, Carrie Rodriguez, Lesley Feight, George Ferguson, Heather Harmon,

Doreen Peasah, Ashley Robbins, Nora Reilly, Mark Wolkove, James Layman, Chris Ruotolo, and Beth Glotz.

Good luck to all of the second years who are currently looking for jobs, and the first years who are searching for internships!