



Department of Budget and Management  
Office of the Statewide Equal Employment  
Opportunity Coordinator

September 2011

Issue III Volume II

EEO CONNECTION

Inside this issue:

Coordinator's Message

**Welcome** to another issue of the EEO Connection Newsletter. I hope that everyone has recovered from the recent earthquake, hurricane and flooding we experienced here in Maryland. In the midst of these uncontrollable natural events, life continues and I am truly grateful.

The newsletter committee has put together another great issue that features engaging articles focused on enhancing your professional development in Equal Employment Opportunity and Diversity matters.

This issue spotlights EEOC's new regulations on the ADAAA, which became effective May 24, 2011. Read about the many significant changes to this law on page 2. If you've ever wondered why you and some co-workers have interestingly different points of view, find out why in the article, *Generation Me and the Workplace* on page 4.

Governor O'Malley recently signed into law the Maryland Job Applicant Fairness Act, effective October 1, 2011. This law prohibits employers from using an applicant's or employee's credit report or credit history as a means of determining hiring and retention. Read more on this law on page 5. In the Noteworthy Ruling Section, read why AutoZone and Verizon will have to pay out significant sums of money as a result of recent EEO lawsuits.

The agency spotlight in this issue is the Maryland Insurance Administration (MIA). MIA assist consumers and businesses with insurance coverage needs, including life, health, automobiles and homeowners. The MIA has been at the forefront in assisting consumers with weather-related losses resulting from the recent earthquake and hurricane on the East Coast. Read more on page 9.

This issue also includes workplace tips for resolving conflict, training opportunities and much more...

Enjoy!

Glynis Watford  
Statewide EEO Coordinator

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“Effective participation by members of all racial and ethnic groups in the civic life of our Nation is essential if the dream of one Nation, indivisible, is to be realized.”

Justice Sandra Day  
O'Connor

## SPOTLIGHT

# EEOC Announces Final Bipartisan Regulations for the ADA Amendments Act

### *Regulations Implement Congressional Intent to Simplify Definition of Disability*

WASHINGTON – The U.S. Equal Employment Opportunity Commission’s (EEOC) final regulations to implement the ADA Amendments Act (ADAAA) are [now available on the Federal Register website](#). Like the law they implement, the regulations are designed to simplify the determination of who has a “disability” and make it easier for people to establish that they are protected by the Americans with Disabilities Act (ADA).

The ADAAA went into effect on Jan. 1, 2009. In the ADAAA, Congress directed the EEOC to revise its regulations to conform to changes made by the Act, and expressly authorized the EEOC to do so. The EEOC issued a Notice of Proposed Rulemaking seeking comment on proposed implementing regulations on September 23, 2009, and received well over 600 public comments in response. The final regulations reflect the feedback the EEOC received from a broad spectrum of stakeholders.

The ADAAA overturned several Supreme Court decisions that Congress believed had interpreted the definition of “disability” too narrowly, resulting in a denial of protection for many individuals with impairments such as cancer, diabetes or epilepsy. The ADAAA states that the definition of disability should be interpreted in favor of broad coverage of individuals. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA.

The ADAAA and the final regulations keep the ADA’s definition of the term “disability” as a physical or mental impairment that substantially limits one or more major life activities; a record (or past history) of such an impairment; or being regarded as having a disability. But the law made significant changes in how those terms are interpreted, and the regulations implement those changes.

Based on the statutory requirements, the regulations set forth a list of principles to guide the determination of whether a person has a disability. For example, the principles provide that an impairment need not prevent or severely or significantly restrict performance of a major life activity to be considered a disability. Additionally, whether an impairment is a disability should be construed broadly, to the maximum extent allowable under the law. The principles also provide that, with one exception (ordinary eyeglasses or contact lenses), “mitigating measures,” such as medication and assistive devices like hearing aids, must not be considered when determining whether someone has a disability. Furthermore, impairments that are episodic (such as epilepsy) or in remission (such as cancer) are disabilities if they would be substantially limiting when active.

The regulations clarify that the term “major life activities” includes “major bodily functions,” such as functions of the immune system, normal cell growth, and brain, neurological, and endocrine functions. The regulations also make clear that, as under the old ADA, not every impairment will constitute a disability. The regulations include examples of impairments that should easily be concluded to be disabilities, such as HIV infection, diabetes, epilepsy, and bipolar disorder.

Following the dictates of the ADAAA, the regulations also make it easier for individuals to establish coverage under the “regarded as” part of the definition of “disability.” Establishing such coverage used to pose significant hurdles, but under the new law, the focus is on how the person was treated rather than on what an employer believes about the nature of the person’s impairment.

The Commission has released two Question-and-Answer documents about the regulations to aid the public and employers – including small business – in understanding the law and new regulations. The ADAAA regulations, accompanying Question and Answer documents and a fact sheet are available on the EEOC website at [www.eeoc.gov/laws/statutes/adaaa\\_info.cfm](http://www.eeoc.gov/laws/statutes/adaaa_info.cfm).

More information at [www.eeoc.gov](http://www.eeoc.gov)

## SPOT LIGHTS (cont.)

# Generation Me and the Workplace

Understanding generational differences is always an important part of effective management. With Boomers staying on the job longer as more GenMe workers (also known as Generation Y or Millennials) come onboard, understanding what motivates this new crop of American workers will be critical to business success. Unfortunately, popular publications and large companies have been quick to make assumptions about how to best accommodate GenMe workers. Dr. Jean Twenge, Professor of Psychology at San Diego State University and author of the book *Generation Me*, suggests that managers and human resource practitioners really take the time to understand actual differences in work values versus myths and develop strategies accordingly. Here are some tips from Twenge for managers to keep in mind when managing and working with GenMe.

**Give the Gift of Time:** There is little dispute that the U.S. is one of the hardest working countries in the world and the "live to work" mentality of the Boomer generation certainly solidified this reputation. However, the value for leisure has increased substantially across the three generations examined in Twenge's research. According to her recent study, the number of GenMe respondents who rated having more than two weeks vacation as "very important" and wanted "a job with an easy pace that lets you work slowly" was nearly double that of their Boomer counterparts at the same age. The takeaway for managers is that time off can be a valuable reward. In a time where budgets are being slashed and raises are rare, giving young employees the gift of more personal time can be a powerful motivator.

**Remember, Altruism is Timeless:** One of the more fascinating findings from Twenge's research is the fact that altruism is no more important to the GenMe crowd than their predecessors. In fact, the study found that "GenMe placed slightly less emphasis on 'a job that gives you an opportunity to be directly helpful to others' than Boomers did at the same age." Thus, the notion that managers should utilize social responsibility programs and volunteerism as an attractant solely for young candidates is a myth. Social responsibility is, and has always been, important to Americans across all generations.

**Facilitate Social Contact:** When it comes to the workplace as a source of social contact, the GenMe respondents rated the need for social interactions at work as less important than both GenXers and Boomers. This may be due, in part, to the fact that GenMe is the first truly-wired generation and as a result, they have mastered the use of social media as a tool for developing and maintaining relationships. The workplace is no longer as important of a driver of social interaction as it once was. However, social interaction at work is still an important driver of employee engagement and should be emphasized by managers. Dr. Twenge suggests that managers place new GenMe employees with internal mentors of their same generation, but who have a few years of experience in the workplace. The idea is to facilitate a sort of peer mentoring and help drive more engagement between colleagues.

Read more: <http://www.foxbusiness.com>



Courtesy of Media Partners

## SPOT LIGHTS cont.

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### Maryland to Restrict Credit Reports in Employment Decisions

On April 12, 2011, Governor O'Malley signed into legislation the Job Applicant Fairness Act which prohibits most employers from using credit history in determining whether to deny employment to a job applicant, discharge an employee, decide compensation, or evaluate other terms and conditions of employment unless it meets specific timing and job-related requirements. This law goes into effect on October 1, 2011.

The Act applies to employers of any size, but excludes various financial institutions, as well as employers who are required to inquire into an applicant's or employee's credit history under federal or state law.

Limited exceptions to the Act allow employers to request or use credit information where such information is substantially job related. This includes positions involving money handling or other confidential job duties. An employer must disclose its intent to request a credit history check in writing to the applicant or employee.

In a growing trend, Maryland joins Illinois, Washington, Oregon, and Hawaii as states that prohibit the use of credit information for employment purposes. Fifteen other states currently have legislation pending along with the federal H.R. 321: Equal Employment for All Act, which will restrict employers' use of credit reports for employment purposes.

Unlike other states, Maryland's law will not provide a private right of action. Instead, applicants and employees who feel that an employer has violated the Act must file a complaint with the Commissioner of Labor and Industry who will investigate the matter. Penalties may include a civil penalty of \$500 for an initial violation of the Act and up to 2,500 for repeat violations.

For more information on Maryland's Job Applicant Fairness Act and how it affects your business visit <http://mlis.state.md.us/2011rs/billfile/hb0087.htm#Synopsis>

## NOTEWORTHY RULINGS

### EEOC Obtains \$600,000 Verdict Against AutoZone For Failure To Accommodate Disabled Employee

*Jury Finds That Auto Parts Retailer Refused to Accommodate Sales Manager with Neck and Back Impairments*

PEORIA, Ill. – A federal court jury in Peoria has returned a verdict of \$600,000 against AutoZone, Inc. for failing to provide a reasonable accommodation to a disabled sales manager, the U.S. Equal Employment Opportunity Commission (EEOC) announced on June 6, 2011. An additional claim for \$115,000 in back pay will be decided by the presiding judge at a later date.

In the lawsuit brought by the EEOC, AutoZone was charged with requiring a sales manager to perform certain cleaning tasks, including mopping floors, that violated his medical restrictions. The sales manager, who worked at the company's Macomb, Ill., retail store until 2003, is disabled with permanent back and neck impairments. The EEOC presented evidence that mopping floors was a non-essential function of the sales manager position that could have been reassigned to other employees, and that the employee could perform all of the essential functions of his job. The sales manager testified that he asked not to be assigned mopping and supported his request with documentation of his impairment. The EEOC's evidence at trial indicated that in 2003, new store management refused the request and required the employee to mop, leading to further injury and necessitating a medical leave.

The EEOC charged that the company's actions violated the Americans With Disabilities Act (ADA), which requires that employers make rea-

sonable accommodations to the known physical limitations of employees with disabilities. Under the ADA, a reasonable accommodation may include the elimination or modification of a non-essential job duty, or the transfer of a non-essential job duty to another employee.

"Any employer who thinks that the EEOC is reluctant to take cases to trial or that ordinary juries in courts across the country will shy away from returning big verdicts in ADA cases ought to readjust his thinking in a hurry," said John Hendrickson, the EEOC's regional attorney in Chicago. "Juries well understand that providing reasonable accommodations to employees with disabilities is critical to keeping them on the job and moving the economy forward. They get it, and employers should too."

The EEOC filed suit in 2007 after first attempting to reach a pre-litigation settlement through its conciliation process. The case was filed in U.S. District Court for the Central District of Illinois, Peoria Division, was designated Civil Action No. 07 C 1154 and was tried before U.S. Magistrate Judge John A. Gorman. The jury returned its \$600,000 verdict late on Friday, June 3.

The government's litigation effort was supervised by EEOC Supervisory Trial Attorney Gregory Gochanour. At trial, the EEOC was represented by Trial Attorneys Justin Mulaire and Aaron DeCamp.

Mulaire said, "The jury sent an important message today. Employers should take requests for accommo-

dations seriously, and make every reasonable effort to enable qualified individuals with disabilities to do their jobs and earn a living."

EEOC General Counsel David Lopez said, "This is the latest of a string of trial victories for the EEOC this year. Although we are able to resolve most cases through conciliation or settlement, the agency is also prepared to take cases to trial when other efforts to further the public interest do not succeed."

Lopez noted that other recent trials won by the agency are *EEOC v. Boh Brothers Construction*, *EEOC v. Mid-American Specialties*, and *EEOC v. Paul's Big M*, sex harassment cases in which juries in New Orleans, Memphis, and Syracuse returned verdicts ranging from \$451,000 to \$1.5 million.

DeCamp and Mulaire noted that under the Civil Rights Act of 1991, damages are capped at \$300,000 for a claim under the ADA and that the jury's award may be reduced during subsequent proceedings before the judge.

The EEOC Chicago District Office is responsible for processing charges of discrimination, administrative enforcement, and the conduct of agency litigation in Illinois, Wisconsin, Minnesota, Iowa, and North and South Dakota, with Area Offices in Milwaukee and Minneapolis.

Courtesy of [www.eeoc.gov](http://www.eeoc.gov)

## NOTEWORTHY RULINGS cont.

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### New Haven Firefighters Win \$2 Million In Discrimination Case

A group of mostly white Connecticut firefighters whose affirmative action lawsuit made it to the US Supreme Court settled with the city of New Haven for \$2 million, the mayor's office confirmed on July 28, 2011.

The 20 firefighters had sued after a promotion exam was scrapped because no black employees scored well enough to advance.

But the Supreme Court ruled in June 2009 that the city did not show a "strong basis in evidence" that the exam was biased, and so could not be allowed to throw it out under affirmative action laws.

The firefighters will receive between \$27,000 and \$135,000 depending on their position and seniority, The Hartford Court reported earlier. They will also receive three years of pension credit.

Their attorneys will be compensated with \$3 million for costs and fees.

New Haven Mayor John DeStefano, a Democrat, said in a statement that the "resolution al-

lows the City to move forward."

The 5-4 Supreme Court decision received a slew of media attention because of its potential impact on companies who consider race in the workplace, The Wall Street Journal reported.

The case dated to 2003, when New Haven decided to fill 15 slots for lieutenants and captains in its fire department through a test. Of the 19 firefighters who qualified for promotion, none were black and two were Hispanic, WSJ said.

"Whatever the city's ultimate aim -- however well intentioned or benevolent it might have seemed -- the city made its employment decision because of race," Justice Anthony Kennedy wrote for the majority. "The city rejected the test results solely because the higher scoring candidates were white."

Kennedy said an employer cannot negate an exam unless there was strong evidence the test was unfair to minorities. In New Haven's case the evidence was quite the opposite, he wrote, as the city took specific steps to ensure that black and Hispanic firefighters were consulted in designing the ques-

tions.

In dissent, Justice Ruth Bader Ginsburg said the majority overlooked a long history of racial discrimination in fire departments that justified extraordinary deference efforts to promote diversity in the ranks.

Courtesy of Fox News

## NOTEWORTHY RULINGS cont.

### Supreme Court Sides With Wal-Mart In Sex Bias Case

WASHINGTON (AP) -- The Supreme Court blocked a massive sex discrimination lawsuit against Wal-Mart on behalf of female employees in a decision that makes it harder to mount large-scale bias claims against the nation's biggest companies.

The justices all agreed that the lawsuit against Wal-Mart Stores Inc. could not proceed as a class action in its current form, reversing a decision by the 9th U.S. Circuit Court of Appeals in San Francisco. By a 5-4 vote along ideological lines, the court said there were too many women in too many jobs at Wal-Mart to wrap into one lawsuit.

The lawsuit could have involved up to 1.6 million women, with Wal-Mart facing potentially billions of dollars in damages.

Now, the handful of women who brought the case may pursue their claims on their own, with much less money at stake and less pressure on Wal-Mart to settle. Two of the named plaintiffs, Christine Kwapnoski and Betty Dukes, attended the argument. Kwapnoski is an assistant manager at a Sam's Club in Concord, Calif. Dukes is a greeter at the Walmart in Pittsburg, Calif.

In a statement, Wal-Mart said, "The court today unanimously rejected class certification and, as the majority made clear, the plaintiffs' claims were worlds away from showing a company-wide discriminatory pay and promotion policy."

Dukes and Kwapnoski said they were disappointed in the ruling, but vowed to push ahead with their

claims. Both women spoke on a conference call with reporters.

"We still are determined to go forward to present our case in court. We believe we will prevail there," Dukes said.

"All I have to say is when I go back to work tomorrow, I'm going to let them know we are still fighting," Kwapnoski.

Marcia D. Greenberger, co-president of the National Women's Law Center, said "the court has told employers that they can rest easy, knowing that the bigger and more powerful they are, the less likely their employees will be able to join together to secure their rights."

The high court's majority agreed with Wal-Mart's argument that being forced to defend the treatment of female employees regardless of the jobs they hold or where they work is unfair.

Justice Antonin Scalia's opinion for the court's conservative majority said there need to be common elements tying together "literally millions of employment decisions at once."

But Scalia said that in the lawsuit against the nation's largest private employer, "That is entirely absent here."

Justice Ruth Bader Ginsburg, writing for the court's four liberal justices, said there was more than enough uniting the claims. "Wal-Mart's delegation of discretion over pay and promotions is a policy uniform throughout all

stores," Ginsburg said.

Business interests lined up with Wal-Mart while civil rights, women's and consumer groups have sided with the women plaintiffs.

Both sides have painted the case as extremely consequential. The business community has said that a ruling for the women would lead to a flood of class-action lawsuits based on vague evidence. Supporters of the women feared that a decision in favor of Wal-Mart could remove a valuable weapon for fighting all sorts of discrimination.

Said Greenberger: "The women of Wal-Mart, together with women everywhere, will now face a far steeper road to challenge and correct pay and other forms of discrimination in the workplace."

The lawsuit, citing what are now dated figures from 2001, said that women are grossly underrepresented among managers, holding just 14 percent of store manager positions compared with more than 80 percent of lower-ranking supervisory jobs that are paid by the hour. Wal-Mart responded that women in its retail stores made up two-thirds of all employees and two-thirds of all managers in 2001.

The company also has said its policies prohibit discrimination and that it has taken steps since the suit was filed to address problems, including posting job openings electronically.

Courtesy of: [Huffingtonpost.com](http://Huffingtonpost.com)

## NOTEWORTHY RULINGS cont.

### Verizon to Pay \$20 Million to Settle Nationwide EEOC Disability Suit

#### *Largest ADA Settlement in EEOC History for Hundreds of Employees Terminated or Disciplined Based on Rigid Attendance Policy*

BALTIMORE – Telecommunications giant Verizon Communications will pay \$20 million and provide significant equitable relief to resolve a nationwide class disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC). The suit, filed against 24 named subsidiaries of Verizon Communications, said the company unlawfully denied reasonable accommodations to hundreds of employees and disciplined and/or fired them pursuant to Verizon's "no fault" attendance plans.

The consent decree settling the suit, which is pending judicial approval, represents the largest disability discrimination settlement in a single lawsuit in EEOC history. The EEOC charged that Verizon violated the Americans With Disabilities Act (ADA) by refusing to make exceptions to its "no fault" attendance plans to accommodate employees with disabilities. Under the challenged attendance plans, if an employee accumulated a designated number of "chargeable absences," Verizon placed the employee on a disciplinary step which could ultimately result in more serious disciplinary consequences, including termination.

The EEOC asserted that Verizon failed to provide reasonable accommodations for people with disabilities, such as making an exception to its attendance plans for individuals whose "chargeable absences" were caused by their disabilities. Instead, the EEOC said, the company disciplined or terminated employees who

needed such accommodations.

The ADA prohibits discrimination based on disability. The law also requires an employer to provide a reasonable accommodation, such as paid or unpaid leave, to an employee with a disability, unless doing so would cause significant difficulty or expense for the employer.

"Flexibility on leave can enable a worker with a disability to remain employed and productive -- a win for the worker, the employer and the economy," said EEOC Chair Jacqueline A. Berrien. "By contrast, an inflexible leave policy may deny workers with disabilities a reasonable accommodation to which they're entitled by law -- with devastating effects."

The EEOC filed suit in U.S. District Court for the District of Maryland, Civil Action No. 1-11-cv-01832-JKB, after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC filed its lawsuit and the proposed consent decree resolving the suit on the same day. The consent decree resolves the EEOC's lawsuit, an EEOC Commissioner charge, a charge filed by the Communications Workers of America, AFL-CIO, and over 40 individual charges filed with the EEOC.

In addition to the \$20 million in monetary relief, the three-year decree includes injunctions against engaging in any discrimination or retaliation based on disability, and requires the company to revise its attendance plans, policies and ADA policy to include reasonable accommodations for persons with disabilities, including excusing certain absences. Verizon will provide mandatory periodic training on the ADA to employees primari-

ly responsible for administering Verizon's attendance plans. The company will report to the EEOC about all employee complaints of disability discrimination relating to the attendance policy and about Verizon's compliance with the consent decree. The company also agreed to post a notice about the settlement. Finally, Verizon will appoint an internal consent decree monitor to ensure its compliance. The settlement applies to certain Verizon wire line operations nationwide which employ union-represented employees.

In addition to providing meaningful monetary relief for hundreds of former Verizon employees, the settlement contains important equitable relief, including company policy changes and training designed to provide people with disabilities equal opportunities in the workplace."

According to its website, [www.verizon.com](http://www.verizon.com), Verizon Communications Inc., headquartered in New York, is a global leader in delivering broadband and other wireless and wire line communications services to mass market, business, government and wholesale customers. Verizon has more than 196,000 employees and last year generated consolidated revenues of \$106.6 billion.

In fiscal year 2010, private sector workplace discrimination charge filings with the EEOC hit an unprecedented level of 99,922, which included a record-high number of disability charges (25,165) -- an increase of 17.3 percent in disability charges over the prior fiscal year.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the Commission is available on its web site at [www.eeoc.gov](http://www.eeoc.gov).





The Maryland Insurance Administration (“MIA”) regulates Maryland's \$26 billion insurance industry and makes certain that insurance companies, health plans and producers (agents and brokers) comply with Maryland insurance law. The MIA also licenses over 110,000 producers and approximately 1,500 insurance companies, regulates insurance rates, monitors insurer solvency, investigates consumer complaints, and travels across the State providing consumers with educational insurance materials.

The MIA's goal is to provide fast, friendly, efficient and effective service to the citizens and businesses of Maryland. The MIA best serves its two core constituents - the consumers and the sellers of insurance - by assuring fair treatment of consumers. Consumer protection begins by having insurance coverage available at fair prices and extends to issues of solvency and fair sales, claims and settlement practices.

The MIA has been at the forefront in assisting consumers with weather-related losses resulting from the recent earthquake and hurricane on the East Coast. A comprehensive list of frequently asked weather-related loss questions and answers can be found at: <http://www.mdinsurance.state.md.us/sa/docs/documents/news-center/news-releases/faq-afterweatherloss8.25.11.pdf>

The responsibilities of the MIA are to:

- protect Maryland consumers by regulating the State's insurance companies and producers;
- investigate complaints consumers have about their insurance coverage, including life, health, automobile, homeowners, etc.;
- license insurance companies and producers operating in Maryland;
- conduct financial examinations of insurance companies to ensure solvency;
- conduct market examinations to ensure compliance with Maryland's insurance laws;
- investigate acts of insurance fraud; and,
- review and approve rates and contract forms

For the latest news and information about the MIA, visit their website at: <http://www.mdinsurance.state.md.us/sa/jsp/Mia.jsp>

# Tips for the Workplace

## Twelve Steps to Win-Win Conflict Resolution

Conflict is a natural part of business and of life. The natural give and take between people is a healthy way to create constructive discontent and to discover new approaches to challenges. Problems arise in the ways that you deal with these conflicts. Some tend to take an approach that is too direct. Others shy away from confrontations to avoid hurting other people's feelings, to protect their own feelings, or because they lack confidence, which often leads to unresolved issues and lingering problems. There is middle ground.

Using the right approaches, you can deal with conflicts in effective ways that resolve the issues while maintaining positive relationships. This starts with clearly understanding the issues and the personalities involved. When you understand different styles of conflict resolution, you are able to see things from the other person's point of view. Simply having empathy for another person's perspective will go a long way towards resolving those conflicts.

### Step 1: Have a positive attitude.

Your attitude is essential to the outcome. You have a much better chance of coming to an outcome involving mutual gains if you approach the conflict as an opportunity to learn and achieve a win-win outcome.

### Step 2: Meet on mutual grounds.

Find a mutually agreeable, comfortable, and convenient physical space to meet. Agree on when you will meet and how much time you want to devote to the process. Whenever possible, deal with conflict face-to-face.

### Step 3: Clearly define and agree on the issue.

Agree on a statement of the issue using simple and factual terms. If the situation is multifaceted, search for ways to slice the large issue into smaller pieces and deal with one issue at a time.

### Step 4: Do your homework.

Take time to plan. You must not only know what is at stake for yourself, but you need to understand the other side's concerns and motivation. Take into consideration any history or past situations that might affect the resolution. Know the must-haves (non-negotiable items) and nice-to-haves (negotiable items). Determine the best resolution, a fair and reasonable compromise, and a minimally acceptable outcome.

### Step 5: Take an honest inventory of yourself.

Determine your level of trust in the other people and the process. Be conscious of aspects of your personality that can help or hinder the process.

### Step 6: Look for shared interests.

Get on the same side by finding and establishing similarities. Since conflict tends to magnify perceived differences and minimize similarities, look for common goals, objectives, or even gripes that illustrate that you are in this together. Focus on the future, talk about what is to be done, and tackle the problem jointly.

### Step 7: Deal with facts, not emotions.

Address problems, not personalities. Avoid any tendency to attack other people or to pass judgment on ideas and opinions. Avoid focusing on the past or blaming others. Maintain a rational, goal oriented frame of mind. This will depersonalize the conflict, separate the issues from the people involved, and avoid defensiveness.

### Step 8: Be honest.

Don't play games. Be honest and clear about what is important to you. It is essential to be clear and to communicate why organization goals, issues, and objectives are important.

### Step 9: Present alternatives and provide evidence.

Create options and alternatives that demonstrate willingness to compromise. Consider conceding in areas that might have high value to others but are not that important to you. Frame options in

terms of the other people's interests and provide evidence for your point of view.

### Step 10: Be an expert communicator.

Nothing shows determination to find a mutually satisfactory resolution to conflict more than applying excellent communication skills. Ask questions, listen, rephrase what you heard to check for understanding, and take a genuine interest in each person's concerns. Focus on ways in which you can move toward a resolution or compromise.

### Step 11: End on a good note.

Make a win-win proposal and check to make sure that everyone involved leaves the situation feeling they have won. Shake on it and agree on the action steps, who is responsible for each step, how success will be measured, and how and when the resolution will be evaluated. If there is a deadlock on non-critical issues, agree to disagree.

### Step 12: Enjoy the process.

Appreciate the benefits of learning other people's perspective. People report that after overcoming conflict and reaching an agreement, the relationship grew even stronger. Reflect and learn from each experience. Determine the criteria to evaluate the process and the solution.

Courtesy of Dale Carnegie



Courtesy of My Performance Management System

# Training

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## Mental Health and First Aid

Dates: Monday September 26, 2011 and Wednesday September 28, 2011

Military Department  
Office of the Adjutant General  
Fifth Regiment Armory  
29th Division Street  
Baltimore, MD 21201

October 12, 2011 and October 14, 2011

MD Department of Transportation  
7201 Corporate Center Drive  
Hanover, MD 21076

This 12-hour course prepares individuals to provide the initial help given to a person showing symptoms of mental illness or in a mental health crisis until appropriate professional or other help, including peer and family support, can be engaged.

Time: 9:00 a.m. to 4:00 p.m.

[www.mhfamaryland.org](http://www.mhfamaryland.org)

## OSEEOC EEO Group Meeting

Date: October 5, 2011

Topic: Alternative Dispute Resolution

Speaker: Awilda Pina

Time: 9:00 a.m.—11:00 p.m.

Department of the Military, Fifth Regiment Armory, 29th Division Street, 4th Floor—William Donald Schaefer Dining Hall, Baltimore, MD 21201

## Diversity Conference Will Highlight Game Changers

Date: Monday October 24– Wednesday October 26, 2011

Society for Human Resource Management's (SHRM) Diversity & Inclusion Conference & Exposition

Topic: Diversity and inclusion efforts, by their very nature, demand that organizations, business leaders, HR professionals and employees approach their work in a new way.

**That's why the Society for Human Resource Management's (SHRM) Diversity & Inclusion Conference & Exposition, to be held in Washington D.C., and will feature keynote speakers and other experts with demonstrated success in achieving "game changing" outcomes.**

Where: Marriott Wardman Park Hotel

2660 Woodley Road NW  
Washington, DC 20008

Cost—Varies— See link below

<http://www.shrm.org/Conferences/Diversity/Documents/SHRM%202011Diversity-and-Inclusion-Conference-Registration-Form.jpg>

More info: [www.shrm.org](http://www.shrm.org)

**Office of the Statewide Equal Employment Opportunity Coordinator**

301 W. Preston Street  
Baltimore, MD 21201

Phone: 410-767-3800  
Fax: 410-333-5004

**HISTORY FACT****DIVERSITY  
CORNER**

Everything has its wonders, even darkness and silence, and I learn, whatever state I may be in, therein to be content.

—Helen Keller

**Helen Keller (1880-1968)** : Author and educator. Left deaf and blind by illness at the age of 19 months, Helen Keller learned to speak and then to read and write Braille with the help of her remarkable teacher, Annie Sullivan. After graduating cum laude from Radcliffe College in 1904, she devoted her life to writing and social activism, particularly in aid of people with one or both of her disabilities. She traveled throughout the world, spoke out on public issues, and wrote numerous books, including *The Story of My Life* (1902) and *Helen Keller's Journal* (1938). Her extraordinary achievements made her an international heroine and an inspiration to millions.