

Employment Dispute Resolution

University of New Mexico

School of Public Administration

Course number: PA 528

Class day and time: Tuesdays 4:00 to 6:30 pm

Instructor: Craig W. Kelsey, Ph.D.

Email contact:

Office hours: email anytime, zoom appointments as interested

Course Overview

The content of this course is to serve as an overview of dispute resolution in the work place. Its purpose is to acquaint the student with the principles and practices that guide the human resource enterprise [supervisors, managers, and executives] in the management of dealing with the difficult or disruptive employee and the resulting work environment. Legal, ethical, union-compliant, and organizational based procedural and policy metrics will be reviewed. The student will participate in instructor-initiated questions and answers, case study reviews, news report analysis, written assignments and group discussions. This course is designed for PA majors or other students concerned with human resource management.

Course Delivery

This course will be taught using an on-line format supplemented with zoom based instruction. Just before each class meeting the student will receive that evening's lecture notes with associated learning activities. During the class time we will join together for the zoom portion of the course. It is expected that the student will have the needed computer access for this delivery model.

Student Evaluation and Grading

The final grade for this course will consist of student performance coming from three case study exams. These take home exams are scheduled for **February 16, March 30, and May 4**. The instructor will make available to the student at the start of that evenings class the case study test. The student will have a three hour time frame to return their response by the end of that night's class. The materials from the preceding classes are to be used as the basis of a proper response to the case study assignments. Each case study will constitute one-third of the final grade. [See the Case Study Evaluation section for full details regarding this evaluation tool]. The following grade format will be used : A (92-100%), A-(90-91%), B+(88-89%), B (82-87%), B- (80-81%), C+ (78-79%), C (72-77%), C- (70-71%), D+ (68-69%), D (62-67%), D- (60-61%), F (<60%).

Course Readings

There is no required text for this course. However, each student is encouraged to consider building his or her professional library. Here is a list of books that speak on the topics of this course.

Working with Difficult People. Amy Cooper Hakim and Muriel Solomon

Dealing with Difficult Employees. John Woods

Leading the Unleashable. Alan Willet

The Elephant in the Room. Diane A. Ross

Managing Difficult People. Marilyn Pincus

Reading materials will be supplied electronically by the instructor during the course such as academic articles and professional publications that deal directly with the subject matter. These reading resources are embedded within the lecture notes.

Course Schedule

The following identifies the date, overview, objective, assignments and background readings for each class.

January 19: **Overview:** The students will review and discuss two important questions: *what is managerial authority* and *what is employee disruptive behavior?* **Objective:** Students will be able to explain human resource administration, define managerial authority, and clarify employee disruptive behaviors. **Assignment:** Each student will respond to the class discussion activity. **Background reading:** *'Dealing with the Difficult Employee'*

January 26: **Overview:** This week the student will be introduced to the principles of proper *supervisor communication.* **Objective:** Students will be able to list the seven ways that supervisors communicate and define their own communication style. **Assignment:** The student will complete and discuss their self-discovered communication pattern. **Background reading:** [1] *'Workplace Gossip: When Does it Cross the Line?'* [2] *'How to Manage Gossip in the Work Place.'*

February 2: **Overview:** The legal protections afforded both the employee and the organization will be reviewed. **Objective:** Students will review the six most *significant legal statutes* that affect fair employment and will be able to analyze their application to several case study situations. **Assignment:** Students will demonstrate fluency with the EEOC web site. **Background reading:** [1] *'New EEOC Training Helps Employers Create Respectful Workplaces'*

February 9: **Overview:** The week's discussion will concern employee protections and rights through *unions and employee collective bargaining agreements.* **Objective:** Students will be able to define unions and collective bargaining agreements and to list the protection powers available employees during dispute resolutions. **Assignment:** Students will respond to a set of questions regarding union versus management issues. **Background reading:** *'How to Create a Culture of Civility'*

February 23: **Overview:** Students will review and discuss a variety of organizational employee *policies and procedures* that concern proper employee behavior. **Objective:** Students will be able to define policies and procedures and analyze several case study situations where policies are key. **Assignment:** Students will share one example of an employee policy that speaks to the area of employee disruptive behavior. **Background reading:** 'How Rudeness Stops People From Working Together'

March 2: **Overview:** Several sets of profession- based *codes of ethics* will be reviewed and discussed as they apply to employee management. **Objective:** Students will be able to define and utilize professional codes of ethics [ASPA, SHRM, and others] and analyze their application to the management of the difficult employee. **Assignment:** Students will share their professions code of ethics. **Background reading:** [1] The Bully in the Workplace [2] How to Create a Bully Proof Work Place [3] Cyberbullying in the Work Place

March 9: **Overview:** This week the topic will be the multitude of ways that employee *performance appraisals* can and must be completed properly. **Objective:** Students will be able to define employee performance measures and to evaluate the four most common models. The four steps of employee evaluation will be practiced and applied to the management of the difficult employee. **Assignment:** The students will share their response to a short case study issue. **Background reading:** [1] 'Managing Work Place Conflict'

March 16: **Spring Break**

March 23: **Overview:** Students will review and discuss what are appropriate *employee rights and protections*. **Objective:** Students will be able to define employee rights and analyze the use of the five basic protections to several case study situations. **Assignment:** Students will share their response to a short case study involving this issue. **Background reading:** 'Insubordinate Employees May Deserve a Second Chance'

March 30 **CASE STUDY TEST NUMBER TWO**

April 6: **Overview:** This week the topic will be different methods of *proper employee disciplining*. **Objective:** Students will be able to explain the standard employee discipline models and list the steps of progressive disciplining. Employee dispute procedures will be appraised and the benefits to progressive disciplining identified. **Assignment:** Students will share their response to a short case study involving this issue. **Background reading:** 'Can we Discipline an Employee for Facebook Comments?'

April 13: **Overview:** Students will review and discuss how to properly manage the *employee grievance process*. **Objective:** Students will be able to identify employee grievances and analyze these concerns as they apply to the work site. Student interpersonal conflict style will be clarified. The basic steps of dispute resolution will be practiced. **Assignment:** Students will respond with their thoughts concerning a recent employee legal suit. **Background reading:** [1] 'How to Give Feedback to People who Cry, Yell or Get Defensive' [2] *Are you a Toxic Leader?*

April 20: **Overview:** Students will review and discuss the *employee appeals process*. **Objective:** Students will be able to define the employee appeals process and apply the several steps to the needed situation. Appeals prevention steps will be designed. **Assignment:** Students will share their thoughts after reviewing

a number of web sites concerning this area. **Background reading:** *'When a Foul Mouth Might Get Fired – And When it Might Not'*

April 27: **Overview:** This week's topic is how to properly perform the employee *separation and termination* process. **Objective:** Students will be able to perform the employee separation process and list the consequences of each approach. Students will analyze the exit interview process. **Assignment:** Students will respond to a short case study concerning this issue. **Background reading:** *'Disruptive Behavior Justify Employee Discharge'*

May 4

CASE STUDY TEST NUMBER THREE

Case Study Evaluation

For each case study, the student is to: [1] read the assigned case study, [2] think through a response to that case study using the principles covered in the course, [3] prepare a 5 - page or more analysis paper, detailing their solution to that case study. The response paper will be graded on the following basis: [1] *evidence of preparation:* organized, proper flow, clear; [2] *content quality:* knowledgeable, relevant, logical, quality of writing; [3] *discussion:* strategic, solution based, key issues identified, stakeholders perspective addressed; [4] *mechanics:* high quality graduate level writing [word choice, spelling, and grammar].

Course to MPA Learning Objectives

The following 6 learning objectives have been set for this course that corresponds with the overall MPA degree programs Learning Objectives:

1. #1, (c) Employee the principles of human resources for effective and efficient outcomes of public programs
2. #3, (a) Identify problems and challenges in public administration and the public sector
3. #3, (b) Employ administrative, policy, and organizational concepts, distinctions, and analytics
4. #4, (c) Apply the standards fitly in expressing their views and assessments
5. #4, (d) Show aptitude for clear, cogent and persuasive verbal and written communication
6. #5, (c) Comprehend the role of public service values such as accountability, responsibility, equity and diversity