

# Diversity Matters

## 2012 Service Recognition

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[http://uthsc.edu/  
oed/staff.php](http://uthsc.edu/oed/staff.php)

The Thomas Connell Lichterman Employee of the Year and the Chancellor's Exempt Staff Award are two ways that the UT Health Science Center Administration demonstrates support for diversity and inclusion efforts. Specifically, non-exempt staff employees and non-faculty exempt staff employees are nominated each year by students, faculty and staff for the uniqueness and individuality they bring to work at UTHSC each day. You can read more about both award programs below:



### Chancellor's Exempt Staff Award

The Office of Equity and Diversity in conjunction with the Chancellor's Office and the Chancellor's Exempt Staff Award Selection Committee present the Fourth Annual Chancellor's Exempt Staff Award. The Chancellor's Exempt Staff Award evolved during the UT Family Campaign in 2007. This award was created to recognize one deserving non-faculty exempt employee who has demonstrated outstanding service and/or who has made a significant contribution to the university community beyond that normally expected for his/her position. The awardee will receive a plaque and a \$1500 award.

#### NOMINATION PROCESS July 2–August 15, 2012

Please forward your completed nomination form and supporting letters by e-mail ([hsc-oed@uthsc.edu](mailto:hsc-oed@uthsc.edu)), by mail (920 Madison Avenue, Suite 420), or by fax (901-448-1120).

For questions contact Tiffany Trice at [ttrice@uthsc.edu](mailto:ttrice@uthsc.edu) or (901-448-2112)

<http://www.uthsc.edu/oed/exemptstaff.php>

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### Lichterman Award

To honor the memory of Tommy Lichterman and in celebration of his dedicated and enthusiastic service to UT Health Science Center, the Lichterman family and many friends established the Thomas Connell Lichterman Employee of the Year Award. This award is presented annually to a non-exempt UT or UTMG employee who demonstrates the high standards and positive characteristics as they were exemplified by Lichterman. The awardee will receive a plaque and a \$1,500 award.



#### NOMINATION PROCESS July 2–August 6, 2012

Please make nominations on the Web at

[http://www.uthsc.edu/lichterman\\_award](http://www.uthsc.edu/lichterman_award)

For questions contact Marian Harris at [mharri26@uthsc.edu](mailto:mharri26@uthsc.edu) or (901-448-2112).

# Myth Busting: Attendance and Work Performance

## Myth #1:

One no call, no show is considered voluntary termination.

**Fact: Policy No. HR0505 (attendance)** states, Consecutive absences of three (3) work days will be considered voluntary termination, unless prior to the beginning of the fourth work day the employee has notified his/her supervisor of the legitimate basis for the absence under university policy and, if required, has obtained the supervisor's approval of such absence.

## Myth #2:

You can call and report off work after your shift starts as long as you notify your supervisor at some point during the day.

**Fact:** Staff and student employees are expected to be at work on time for their scheduled work period. The employee's supervisor must be informed prior to the beginning of the work period of any absence or variation from the established work schedule.

## Myth #3:

Supervisors do not have to notify HR or OED during the disciplinary action process or

during the termination process.

**Fact: Policy No. HR0525 (disciplinary action)** states, If an employee is to be disciplined or discharged, supervisors must contact the human resources (HR) officer or designee prior to discharging any employee to ensure that such action is appropriate and consistent with university policy. The HR officer must determine university policy has been followed before an employee is disciplined or discharged.

## Myth #4:

Once the employee's work performance is deemed as unsatisfactory, the employee does not have a chance to improve.

**Fact:** Every reasonable effort should be made to secure acceptable work performance and work-related behavior by employees. When disciplining an employee, supervisors should consider the nature of the unsatisfactory work performance or work-related behavior, the past record of the employee, and the appropriate penalties. Therefore, as a general rule, disciplinary action taken for unsatisfactory work performance or work-related



behavior should begin with an oral or written warning, and may be followed by additional written warnings. Written warnings should be presented to the employee and should describe the unsatisfactory work performance or work-related behavior and the necessary corrective action to be taken. Should an employee fail to attain a satisfactory level of work performance or work-related behavior despite such warning, disciplinary action up to and including termination of employment may be taken. Copies of all written warnings and other disciplinary actions should be placed in the employee's official personnel file in the HR office.

## Myth #5:

If an employee is terminated for gross misconduct (theft or dishonesty; gross insubordination, willful destruction of university

property; falsification of records; acts of moral turpitude; reporting for duty under the influence of intoxicants; the illegal use, manufacturing, possessing, distributing, purchasing or dispensing of controlled substances or alcohol; disorderly conduct; provoking a fight; and other similar acts involving intolerable behavior) then the employee will still receive payment for annual leave and COBRA benefits.

**Fact:** An employee terminated for gross misconduct will not receive payment for accrued unused annual leave and is not eligible for state Consolidated Omnibus Benefits Rights Act (COBRA) benefits. If an employee resigns in lieu of termination for gross misconduct, the employee will retain rights to annual leave accruals and COBRA benefits.

## Resources

[www.uthsc.edu/oed](http://www.uthsc.edu/oed)

[https://my.tennessee.edu/portal/page?\\_pageid=34.34235&\\_dad=portal&\\_schema=PORTAL](https://my.tennessee.edu/portal/page?_pageid=34.34235&_dad=portal&_schema=PORTAL)

## ADA

### Accommodations for Students in Student Academic Support Services (SASS)



Students seeking accommodations based on the impact of a disability must self-disclose, register and officially request accommodations with Student Academic Support Services. All requests for accommodations must be submitted with supporting documentation, which is then reviewed for reasonableness. Please refer to the [SASS webpage](#) for information regarding the documentation guidelines and procedures for officially requesting services. To set up an appointment to discuss specific needs, please contact [Laurie Brooks](#), the Disability Coordinator in SASS at (901) 448-5056. All conversations regarding requests for accommodations are confidential.

## EAP

### Promoting a Safer Work Environment

On average, 1.7 million workers are injured each year and more than 800 die as a result of workplace violence. "Assaults and violent acts" represent about 1% of all work place injuries and at a cost of about \$400 million. So, be prepared by noticing indicators and implementing intervention plans that promote a safer work environment.



#### Indicators:

- Yelling
- Cursing
- Threatening language and/or behavior
- Throwing things/destroying property
- No tolerance for mistakes
- Abusive "jokes"
- Pushing/shoving
- Fixation with weapons
- Past violent behavior

#### Interventions:

- Encourage employee to call EAP
- Do not attempt to control a violent person
- Notify relevant management and/or security
- Keep away from a threatening person
- Leave work area if necessary
- Become aware of escape routes
- Use other protective measures (i.e., hiding under desk, barricade)

#### Resources:

EAP: 1-855-437-3486 or [www.here4tn.com](http://www.here4tn.com)

UTHSC Campus Police: 901-448-4444

Domestic Violence Crisis Hotline: (901) 725-4277

Crisis Center: (901)-274-7477

Shelby County Crime Victims Center: (901)-545-4357

## Grief in the Workplace

As an organization, UTHSC strives to acknowledge employing the whole person above his or her job skills. In September 2010, OED responded to several faculty and staff requests encouraging greater campus communication regarding the loss of a team member and a team member's personal loss for support. Specifically, a 'Condolences Listserv' was created and launched on September 15, 2010 for each UTHSC employee to join through a voluntary subscription process.



The purpose of the 'Condolences Listserv' is to provide UTHSC faculty and staff employees a voluntary option to subscribe to a campus-based listserv to announce the loss of a team member and/or communicate when loss occurs in a team members immediate and extended families to include funeral arrangements/services.

There are some guidelines with the subscribed list that will be moderated by the Office of Equity and Diversity and designated staff in

Communications and Marketing. Specifically, the death of a team member, faculty or staff employee's parent or foster parent, sister, brother, spouse, child, step-child, father-in-law, mother-in-law, step-parent, grandparent, and grandchild warrants communication through the 'Condolences Listserv' by subscribers. Subscribers of the 'Condolences Listserv' are also reminded to adhere to the objectives outlined in [Fiscal Policy FI 0805](#) (Information Technology Resources).

Diversity is often described as being similarities and differences, but for each of us grief is a normal part of life that inevitably touches all of us. When an employee is grieving the loss of a loved one, colleague or co-worker, the entire workplace feels the effect. To subscribe to the list, interested parties should go to <http://listserv.uthsc.edu/mailman/listinfo/condolences>. An additional resource for UT employees and their dependents is the [Employee Assistance Program](#) (EAP) . Please call 901.448.2112 for more information.



## Accommodating Religion, Faith and Beliefs at Work



A large number of employers in the United States are beginning to learn how religion and religious differences affect the workplace. For higher education institutions like UTHSC the equation also includes students, staff, faculty, and trainees. As it relates to religion, the Civil Rights Act of 1964 prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment. Specifically, the Civil Rights Act of 1964, Title VII, prohibits discrimination on the basis of race, color, religion, sex or national origin.

According to the Equal Opportunity Employment Commission (EEOC), religious discrimination involves treating a person (an applicant or employee) unfavorably because of his or her religious beliefs. The law, Title VII, protects not only people who belong to traditional, organized religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism, but also others who have sincerely held religious, ethical or moral beliefs. Religious discrimination can also involve treating someone differently because that person is married to (or associated with) an individual of a particular religion or because of his or her connection with a religious organization or group.

Did you know employer's have a responsibility to accommodate employees' religious practice unless doing so would cause an "undue hardship" to the employer? As a government agency, UTHSC should not engage in activities that a reasonable observer would interpret as an institutional endorsement of a particular religion per the federal constitutional prohibition of government promotion. For example, departments are encouraged to give respectful consideration to diversity in beliefs as it relates to displays (i.e., religious symbols; decorations) within public areas that may imply institutional support for a particular religious viewpoint. This includes the appropriateness of seasonal and non-religious symbols in a work environment with an emphasis on public areas. In case you are

wondering a public area would include break rooms, conference rooms, and reception areas in an office. Moreover, students, visitors, staff and faculty may frequent these shared areas within an organization that may or may not cause some degree of discomfort.

In the May/June edition of *Diversity Matters* it was briefly mentioned how religion could be an impetus for employee dress or attire in the workplace. Meaning, the wearing of religious garb or symbols may also be present in an organization with a diverse workforce. Some examples of garb or symbols may be a cross, tattoo, hijab, bindi, burqa, turban, facial covering or yarmulke.

According to the EEOC some specific examples of garb or symbols would encompass a Muslim employee requesting an exception to the company's dress and grooming code allowing her to wear her headscarf or a Hindu employee requesting an exception allowing her to wear her bindi (religious forehead marking). Moreover, the prior EEOC examples would also be viewed as accommodations for a "religious" belief or practice.

An accommodation for religious observances or practices will often address attending worship services, praying, displaying religious objects, adhering to certain dietary rules or refraining from certain activities. The EEOC puts forth the following examples:

- A Catholic employee requesting a schedule change so that he/she can attend church services on Good Friday;
- An atheist asking to be excused from the religious invocation offered at the beginning of staff meetings;

- An adherent to Native American spiritual beliefs seeking unpaid leave to attend a ritual ceremony; or
- An employee who identifies as Christian but is not affiliated with a particular sect or denomination requests accommodation of their religious belief that working on their Sabbath is prohibited.

The most frequent accommodations for religious observances and practices centers around employee work schedules. Some common accommodation responses within organizations that have been extended are flexible scheduling, voluntary substitutes or shift

swaps, lateral transfer, modified job assignments, and modified workplace policies and procedures. As it relates to the display of religious objects in the workplace, an employee's personal workspace that would not be accessible to the public is generally where the right to

exercise one's religious views or display religious symbols often occurs. Moreover, a personal workspace area will typically be occupied by a single employee in an organization.

The Equal Employment Opportunity Commission (EEOC) defines "religious practice" to include moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views, as well as religious observances and practices. The Anti-Defamation League (ADL) advises the law says employers must "reasonably accommodate" employees' "sincerely held" religious practices unless doing so would impose an "undue hardship" on the employer. In short, under Title VII as interpreted by the EEOC ,

an undue hardship defense requires a showing that the proposed accommodation poses more than *de minimis* cost or burden.

As organizations respond to the marketplace, workplace and workforce, they will require inclusive policies and practices that protect and accommodate all dimensions of diversity that students, employees, and visitors bring to the table. To make it all work an organization that espouses a commitment to diversity and inclusion must encourage, educate and require that everyone demonstrate accountability and contributions to providing a welcoming environment for all, regardless of religious affiliation or belief.

### RESOURCES:

- [www.religious-symbols.net/](http://www.religious-symbols.net/)
- [www.huffingtonpost.com/2012/06/09/hasidic-jew-fired-from-nypd\\_n\\_1583394.html](http://www.huffingtonpost.com/2012/06/09/hasidic-jew-fired-from-nypd_n_1583394.html)
- [www.timesledger.com/stories/2012/23/sikhmta\\_all\\_2012\\_06\\_07\\_q.html](http://www.timesledger.com/stories/2012/23/sikhmta_all_2012_06_07_q.html)
- [www.huffingtonpost.com/2012/06/05/walmart-threatened-to-fire-mormon-worker-observing-sabbath\\_n\\_1572088.html](http://www.huffingtonpost.com/2012/06/05/walmart-threatened-to-fire-mormon-worker-observing-sabbath_n_1572088.html)
- [www.aclu.org/religion-belief/veterans-denied-right-post-religious-symbol-headstones-aclu-charges](http://www.aclu.org/religion-belief/veterans-denied-right-post-religious-symbol-headstones-aclu-charges)
- [www.knoxnews.com/news/2011/oct/24/religion-in-the-workplace-is-an-issue-on-the/](http://www.knoxnews.com/news/2011/oct/24/religion-in-the-workplace-is-an-issue-on-the/)
- [www.usatoday.com/news/nation/2007-07-25-muslim-special-treatment-from-schools\\_N.htm](http://www.usatoday.com/news/nation/2007-07-25-muslim-special-treatment-from-schools_N.htm)

## 2012 Religious Holidays

<http://faithinmemphis.com>

### July

Asalha Puja Day, July 3 (Buddhist)  
 Lailat at Bara'ah, July 4 (Islam)  
 Martyrdom of the Bab, July 9 (Baha'i)  
 Obon, July 13 to 16 (Buddhist)  
 Saint Vladimir Day, July 15 (Christian)  
 1<sup>st</sup> Day of Ramadan, July 20 (Islam, Muslim)  
 Pioneer Day, July 24 (Mormon Christian)  
 Saint James the Great Day, July 25 (Christian)  
 Tisha B'Av, July 28 to 29 (Judaism)  
 Feast of St. Ignatius Loyola, July 31 (Spain, Roman Catholic)

### August

Fast begins in Honor of Holy Mother of Jesus, August 1 (Orthodox Christian)  
 Lammas, August 1 (Christian)  
 Raksha Bandhan, August 2 (Hindu)  
 Transfiguration of the Lord, August 6 (Orthodox Christian)  
 Krishna Janmashtami, August 10 (Hindu)  
 Lailat al Kadr, August 14 (Islam)  
 Assumption of Virgin Mary, August 15, (Catholic Christian)  
 Eid al Fitr, August 19 to 21 (Islam)

## Equity & Diversity July/August Training Classes

Sign up on the HR 128 [Training Calendar](#)

Location of all classes: 930 Madison Plaza Conference Room C-1



### July 26 General Office Etiquette:

Are You Committing a Crime or a Courtesy?  
 10:00 to 11:30 a.m.

**August 7** We're All Different: Diversity in the Workplace  
 2:00 to 3:30 p.m.

**August 9** EAP: Congratulations, You're in Charge Now!  
 Go Forth and Supervise  
 (Managers/Supervisors)  
 10:00 to 11:30 a.m.

**August 17** Friday Forum: Diversity and Inclusion 101  
 10:00 to 11:30 a.m.

**August 23** Professional Networking Through Technology  
 1:30 to 3:00 p.m.

**August 28** Diversity and Sensitivity Training  
 9:00 to 10:30 a.m.

**August 30** Hiring and Retaining People with Disabilities  
 (Managers/Supervisors)  
 11:00 a.m. to 12:00 p.m.

**August 31** Friday Forum: Basics of Sexual Harassment  
 10:00 to 11:30 a.m.

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