

CHAPTER 36



A Case of Mistreatment at Work?

Mary M. Meares and John G. Oetzel

Jessica Martinez* stopped at the stoplight and tried to blink back her tears. What was she going to do? This job had started out as her ideal dream job.

A few months ago Jessica had graduated from a well-respected, local university with a degree in communication. She had several job offers, but the most exciting and lucrative, not to mention the one closest to home, was with TechnoloComm. TechnoloComm was a research organization that created a variety of new communications technologies. The location had been one of the best things about the job offer. Jessica was very close to her family, and the thought of moving far away was not attractive. If she worked at TechnoloComm, she could continue to live at home, save money, and have her parents' support as she made the transition from being a student to working full time.

Jessica was hired in the human resources office to work on internal newsletters and publicity. She even knew a few people who worked at TechnoloComm, including her mother's aunt, who had been there for 17 years. Auntie Maria warned her that the organization was not the ideal one that she imagined. Over dinner at her grandmother's one Sunday her great aunt had said, "Don't be too naive, Jessica. TechnoloComm has some good things and some bad. For example, there are a lot of times I've been treated badly there by the higher-ups."

Jessica remembered now that she had discounted this vague warning, thinking every workplace had some people who were not great, but surely it would be only a few. She told her great-aunt, "Oh, I'm sure that I won't have any problems like that—Tom, my new boss, is really nice." Now Auntie Maria's comments seemed more realistic. "I should have paid more attention to what she said," Jessica thought.

*This case has been developed based on real organization(s) and real organizational experiences. Names, facts, and situations have been changed to protect the privacy of individuals and organizations.

Everything had started out fine, even though Jessica quickly noted that she was one of few employees in this part of the organization who was not European American. Jessica had a cubicle in an office with Peter, Alex, and Susan. As the communication team, they were responsible for creating newsletters, press releases, communication training, and maintaining the website. The team was one of several within the HR department, and their office was part of a suite of offices in the building that housed many of TechnoloComm's administrative functions. Jessica liked the fact that she got to see lots of people from different offices, and since her work included writing the newsletter, she had a chance to talk to people about their jobs.

Everything went fine for the first week or two, and then something happened that made her question her job and the organization. She was getting a cup of coffee one Monday morning and joined a conversation between two of her teammates, Peter and Alex. She had not had much of a chance to get to know them because she spent most of her time the first few weeks learning her job and going to mandatory organizational training. In the few instances when Jessica actually did the work her job required, she tended to work more with Susan. Peter and Alex were working together on other projects. So, when she saw them in the break room, she thought this was a great time to talk with them.

"Hi, Jessica," said Peter. "We were just talking about the big street party last weekend."

"Yeah," said Alex. "I was really frustrated because I couldn't get into my neighborhood. Did you experience the same problem?" After pausing, he added, "I guess not, since you probably don't live on the north side of town."

"Yeah, you must live in the *el barrio*, right?" questioned Peter, making sure to try to give a Latin twist to "*el barrio*."

Jessica nodded, felt her face flush, and faked a laugh. She lived with her family in a traditionally Hispanic area of town and would never want to live anywhere else. Her neighborhood was *home*. It was where she had grown up and where she knew everyone.

Before she could think of a good response, the men headed back to their desks, chatting about the day's work, seemingly oblivious to her embarrassment and anger. Jessica sat down at her desk and thought, "Why do they assume I live in the *barrio*? I *could* live anywhere, I just don't want to. And I certainly wouldn't want to live in their neighborhood with people like that!" After thinking about it for a while, though, she decided to try to forget it, thinking, "It might be a misunderstanding and they probably didn't mean anything by it."

Later that afternoon, while Jessica was participating in a seminar to learn about TechnoloComm's retirement package options, Susan, Alex, and Peter used their break to discuss the new addition to their office.

"What do you think of Jessica?" Susan said.

"She seems nice enough and she does great work," Alex replied.

"Yeah. She's a little too serious though," added Peter. "But that's probably because she's new and worried about making a good impression. We'll just have to loosen her up a bit so that she can relax and fit in."

The next week, the four of them were working in the office and Jessica decided to try again to get to know Peter and Alex better. The two of them were talking to Susan when Jessica walked over to join them.

"Hey, guys. How was your weekend?"

Alex replied, "Great! Peter and I got together with our families and had a huge barbecue."

"Oh, sounds good. What did you have?"

Alex said, "We had surf and turf—you know, steak and seafood. It was delicious. Peter really knows how to cue it up."

"Sounds good. I love barbecue."

Peter responded, "I'm surprised to hear that."

"Why is that?" Jessica asked, surprised and innocently.

"Well, you know I always heard that Hispanics don't like to barbecue."

She asked somewhat disgustedly, "And why not?"

"Well, the beans fall through the grill."

Alex and Peter started laughing as Susan grinned and shook her head. "You guys are terrible."

Jessica turned around and walked back to her desk feeling very annoyed. She was really starting to get angry and thought that maybe the exchange last week wasn't a misunderstanding after all. She needed to talk to someone. Luckily, she had already planned to get together with her friend Jennifer over lunch. Jennifer worked in another part of HR. They had been peers at school, graduating the same semester, and they were hired at about the same time. Jennifer was a great listener and Jessica felt really comfortable with her. Over their salads, she told Jennifer about Alex and Peter's comments.

"Wow! I can't believe that they would say something like that. What jerks! You should do something about this."

"What?"

"I don't know, Jess. I hope I've never said anything to offend you. I don't know how to tell you to deal with this kind of problem. I guess maybe you should just confront Alex and Peter and tell them to not say things like that."

"What if I don't feel comfortable doing that? I'm not sure I could say that to them directly. Plus there are two of them and only one of me—and they've both been here a long time and have Susan on their side. She thought their stupid joke was funny."

"Well, then maybe you should talk to Tom. Since he is your boss, maybe he can help you figure out what to do. Maybe he can talk to them for you."

"I would hate to get Peter and Alex in trouble," Jessica replied cautiously. "And I don't want to be labeled a troublemaker. But on the other hand, they made me feel really bad." With renewed confidence in her voice, Jessica concluded, "They had no respect for me. Tom does seem really supportive. I don't want him to fight my battles for me, but maybe he can help me figure out what to do. Thanks, Jen."

"Good luck, Jess."

That afternoon, Jessica tentatively approached Tom's office.

"Um, Tom, do you have a minute?"

"Sure, Jessica. Come on in and have a seat. How is everything going with that newsletter?"

"Well, the newsletter is fine, but there's something else I want to talk to you about."

"What's that?" Tom asked as he motioned for Jessica to sit down.

"Well, I've had a couple of difficult things happen in the office." Jessica explained the conversations over the past week as well as she could without getting too defensive or angry. Then she waited to see his reaction.

"Oh, Jessica. I'm sure they didn't mean anything. Alex and Peter are both great guys. I'm sure they were just joking around. That is their way of including people. You've only been here a short time, so don't take it so personally. They do it to everyone."

"But—"

"No," Tom implored. "Don't worry about it. They're both great guys. When you get to know them better you'll understand. Now, are there any other problems?"

"No."

"Well, you had better get back to work then. That newsletter has to be out by tomorrow."

As Jessica walked back to her desk, she felt frustrated, angry, and discouraged. How could he minimize everything she felt and let those guys totally off the hook? She was even angrier than before she talked to Tom. "Why did I even go to Tom? Now I know that I can't count on him for support," she thought. Jessica sat down at her desk. She had a newsletter to get done. Looking at the pictures of her family that decorated her cubicle, she decided that she would show them—her work would be excellent!

Over the next two months, Jessica received compliments from Tom, Alex, and Peter on the work that she did with the newsletter and the website. However, the compliments did not make her feel better. Although she smiled in response to the praise, internally she kept evaluating the comments for hidden meanings or any sense of their surprise that she, a Hispanic, could do a good job. Jessica found it hard to concentrate and relax. She felt jumpy and anxious, especially when she had to work with Peter and Alex without Susan being present.

As the weeks wore on, Alex and Peter continued to tease her about a lot of things. Many of these were not cultural references, but they still made fun of the barrio and also some of the foods she ate. They worked hard and knew their jobs, but personally she just did not like to be around them.

One day at lunch in the cafeteria, Susan, Peter, and Alex sat together, joking and giving each other a hard time. When there was a lull in the conversation, Susan asked Peter how things were going with Jessica.

"Ah, I get along fine with Jessica. We give her a bit of a hard time, but she really needs to loosen up. She just needs to learn to tease us back."

"I don't know, guys. Your jokes don't bother me, but I get the impression that your teasing may be making things worse," Susan replied. "She really looks

offended by a lot of your comments. I don't know, but maybe you guys should actually *talk* to her, rather than just tease her."

Peter stated, "I think you're crazy, Susan, but we will talk to her."

Except for Susan, who was working on a deadline, Alex, Peter, and Jessica left the office that afternoon at about the same time. As they were heading to their cars, the guys took the opportunity to confront Jessica.

Peter said, "Hey, Jess, Alex and I have been talking and it seems like you're upset with us. Do you have a problem with us?"

Startled, Jessica replied, "I don't have any problem."

Alex added, "Susan thinks you're upset with us."

Jessica felt a little uneasy about confronting them and simply said, "No, not really."

Peter asked, "So, we are cool then?"

"Um, yeah, I guess."

"OK then, we will see you tomorrow."

As Jessica drove away, Peter said to Alex, "I told you nothing was wrong."

Alex nodded. "I guess you are right."

As Jessica was driving home her heart was pounding. She wanted to tell them what was wrong, but she was scared and hadn't prepared anything to say. She felt cornered and didn't feel safe, especially knowing that she was still in her probationary period at work. Even if she wasn't afraid, how could she say exactly what she felt so they would understand? Tom hadn't understood or even really listened. Why could she expect Alex and Peter to understand?

The next afternoon after work, the team—minus Jessica, who didn't want to spend any more time than necessary with them—went to work out in the TechnoComm gym. Alex and Peter were lifting weights and Susan was riding the bike when Tom walked in to work out. Seeing Susan alone, Tom thought, "Great, Jessica's three-month probationary evaluation is coming up next week, and here is a chance to find out how things are *really* working out with her in the communication team." He went over to the stationary bike next to Susan's and climbed on. "Hey, Susan. How's everything going down in your office? Is everyone getting along okay?"

"Well, things are interesting," she replied with a smile.

"I'm not sure I like the sound of that. Interesting in what way?"

"Well, there's a lot of tension, to be honest. I really like Jessica and think she is doing great work, but there is some kind of problem between her and the guys. I can't figure out exactly what it is. She hasn't talked to me about it, but it is clear that there is tension between them. I told the guys that maybe they shouldn't tease her so much... you know how they are," Susan continued. "But they said they talked to her and she said that there is no problem."

"Hmm... with Alex and Peter, teasing is their way of making people feel comfortable. Usually they don't tease people they don't like. Maybe I need to encourage Jessica to be more a part of the group. Well, I appreciate your input, Susan. How many miles are you riding this afternoon?"

The next Friday morning, Jessica had her evaluation meeting with Tom. She was especially anxious as she sat down in the chair across from him and tried to take a deep breath.

"Well, Jessica. I'm not sure what to make of your performance. Your newsletters and websites are great, and I'm ready to give you additional responsibilities. But before we discuss task issues, I want to talk about some relationship issues that have surfaced." Without giving Jessica a chance to respond, he continued, "You don't seem to be part of our team here in human resources. When I talked with your coworkers, a couple of them mentioned that you aren't as much of a team player as we would like. I'm going to recommend a second three-month probationary period. As you know, six months is standard, so no need to get worried. I'm going to mark your evaluation to indicate that you are making satisfactory progress. For me to change it to excellent at the end of six months, well, I will need you to work on your teamwork skills. Let's talk about those."

But instead of letting Jessica explain her perspective or provide a response, Tom continued to talk. First he talked about the importance of the team concept at TechnoComm, and then he addressed the communication team specifically... how well everyone has always gotten along, and how he expects everyone to be a team player.

Jessica just partially listened to Tom as she thought, "I don't get this. I'm doing excellent work, and that is what should matter for my evaluation. He just doesn't understand how hard it is to work with Peter and Alex. I bet they're the ones that told him I wasn't a team player. If I was on a different team, I wouldn't have this problem. I have always prided myself on my teamwork skills. I like this job and I don't want to leave it. But I can't live with the current situation, so I have got to do something. But what?"

At the end of the meeting, Tom asked for Jessica's agreement that she would work on getting along better with her team. Not knowing how else to respond, Jessica agreed by shaking her head up and down... but she couldn't look Tom in the eye. She left Tom's office dejected.

After mulling her evaluation over for a few days, she decided to talk to a few of the other employees whom she thought might share her perspective. She wanted to know about their experiences. First she approached Jamal, who worked in HR. He had spoken to Jessica only once before, but Jessica believed it important to gain insight from someone who had been with TechnoComm so long.

As she told her story, Jamal said, "You're not crazy for feeling angry. This organization is rotten, but then so are most organizations." Then, pausing for effect, Jamal's voice became more dramatic. "We people of color are never going to be treated with respect. It is the system, and the people in power are never going to give up their power and position. They say everyone should be treated fairly and not mistreated, but they don't really mean it. Damn the people and damn the system."

Getting more of a response than she expected, Jessica waited a moment before asking, "So, how do you deal with it?"

"Oh, I'm just waiting to retire. I go up to my cabin and chop firewood. That gets some of it out of my system. I don't talk to anyone about it though—it wouldn't be fair to my family to complain to them. I just deal with it on my own. If you go to your boss or to anyone else in the organization, you get labeled a troublemaker."

"Then why do you stay?"

"The truth? I have a family to support. I can't just quit my job because I don't like the people here. It would be hard to find another job that pays as well as this one, and I have two children who are in college. When I started things were pretty much okay, but in the last few years... well, it has really deteriorated. I'm just not in a position to make a change, though. I will stay here until I can retire. Until then, I just keep to myself as much as possible."

Jessica thought of Auntie Maria's comments about the problems at TechnoComm. That afternoon she stopped by her office and brought up the topic of mistreatment and what had been going on in HR.

"Oh, honey," Auntie Maria said after closing the door to her boss' office so she and Jessica could talk more privately. "People have been disrespectful to me, too. I try to educate them, teach them some manners, but sometimes it doesn't make a difference. You have to realize that when someone has a lot of power, it doesn't matter what they say—powerful people are not going to be fired or disciplined, or even reprimanded. I've seen some of these people really mistreat their support staff, but TechnoComm—for some reason—believes they can't be replaced very easily so they are not going to get fired."

"Is it hopeless then? Should I start looking for another job if I don't want to put up with this?" replied Jessica.

"Well, I don't think it's always hopeless. One time a group of us were able to get together to deal with it. A few of the women in my office were singled out for a problem that was really an overall office problem. We talked about it and we got mad that the men weren't held responsible. We went as a group to the supervisor's manager... because we acted together, they listened to us and took us seriously. If I hadn't had those other women to back me up, I doubt that I would have had the courage... but that time it worked out all right. You have got to pick your battles. Why don't you talk with my friend Rosa in accounting? I think you met her once before. She has worked with the diversity office on some of these issues."

Jessica met with Rosa and described the situation to her.

"You know, we have a policy against mistreatment," Rosa said. "I think this qualifies."

"Is this the diversity policy they talked about in our training?" Without waiting for an answer from Rosa, Jessica continued, "What should I do?"

"Well, that is a really good question—both of them. We don't really have any procedures to go along with the policy. I was talking to one of the women in procurement, and she said she thinks it is ambiguous on purpose, so TechnoComm looks good but no one can really do much. She thinks it is management's strategy to make people happy, but really it masks the problems and keeps people from having a place to report them to."

"Then what should I do?" groaned Jessica.

"Well, maybe you should go to the diversity office and file a grievance claiming that this is a case of mistreatment. Who knows, maybe that would *encourage* their efforts to provide some procedures and some action to go along with the policy."

Jessica couldn't help but notice the way Rosa's voice changed on the word "encourage." She thanked Rosa for her time... but she was still uncertain about what to do. She thought to herself, "This is terrible. Surely I can do something to improve my situation. After all, they hired me to work in the HR office to deal with people. There must be something I can do to convince them to listen to me and everybody else who feels like this. I wonder if I should go to the diversity office?"

As Jessica was pondering her next move on the drive home, Tom, Alex, and Peter were meeting for happy hour. The guys often hung out together after work, and today Tom decided to bring up his concerns about Jessica. "Hey, you guys," he said as he sat down to join them. "What is going on with Jessica?"

Shaking his head, Peter said, "I think she is just too uptight."

Alex added, "We asked her if anything is wrong and she said no."

"Well, you can cut the tension with a knife whenever the three of you are together. I talked with Susan, and she thinks you guys are teasing her too much. Jessica came to me when she first started and said something to the same effect. I dismissed it then... I don't know... something needs to be done. She is pretty uptight, but she is a great worker and I don't want to lose her."

Alex explained, "We don't want her to leave either, but don't blame this on us. We have put a lot of effort into trying to help her fit in with our team. We have treated her like everyone else."

Peter added, "Yeah, and when we did try to talk to her about it, she said everything was okay. What else can we do?"

"I don't know exactly," Tom admitted, "but you need to think of something. Well, I gotta go. See you boys tomorrow."

"Later, boss." Peter turned to Alex and said, "What is going on here? We try to be nice and we just get in trouble. Man, I'm pissed."

"Calm down. Maybe we should talk to her again. She is definitely upset. Maybe we have teased her too much and should back off."

"Maybe you are right, but she needs to meet us halfway and talk to us about what's bothering her rather than just running to the boss."

"Yeah, in a perfect world, I agree. But what should we do?"