

Round Table Event #1 **Thursday, June 29, 2023** Case Scenario:

"Engineered Injustice: A Tale of Corporate Bias and Redemption"

Jessica, a dedicated and talented Research Engineer, had been with Company X for four years. She started as a Junior Engineer, but her potential was quickly recognized by Scott, who joined the company in 2022. Impressed by her abilities, Scott requested that the "Junior" be removed from her title, promoting her to General Research Engineer. Maggie, the Director of Human Resources, approved of the title change but neglected to reconsider Jessica's compensation, despite requests from both Scott and Jessica.

In June 2022, Scott was promoted to Director of Engineering, meaning he would no longer be Jessica's supervisor. Instead, Jessica found herself reporting to Dale, a colleague with whom she had previously worked as a peer. While Jessica held a Ph.D. from Princeton, Dale lacked a formal college education but had been with Company X for seven years.

The unexpected change in management left Jessica feeling upset and blindsided, especially since the news was never formally announced to her. She discovered Dale's new role as her supervisor when she submitted a sick day request in ADP, only to find that Dale was now the approver. Seeking answers and clarity, Jessica requested a meeting with Maggie to discuss the changes and express her concerns about not being considered for promotion despite her qualifications.

As the story unfolds, Jessica confronts the challenges of navigating a corporate environment where bias and unfair practices threaten her career growth. Through a series of dialogues and conflicts, she advocates for herself and strives to make a difference in the company culture. The narrative explores themes of workplace fairness, the importance of inclusivity, and the power of standing up for one's rights.

Maggie rescheduled the meeting 3x before finally meeting with Jessica. Below is the transcript from the Zoom meeting:

Maggie: Good morning, Jessica. I appreciate your patience. I apologize for the two-week run-around. You know how it is here, meetings on meetings that could have been e-mailed. Anyways what's up?

Jessica: It's ok. I understand. I just had a question about the recent management changes. Scott was my manager for six months. I enjoyed working with him; I felt I was growing a lot. Scott has a Ph.D. from Princeton, just like me; only he graduated 12 years before me! We had a lot in common, and he was easy to talk to. Suddenly, he got promoted, and his previous role was given to Dale. However, Dale has 0 knowledge of Research Engineering. He is a Civil Engineer with

no college education, and we're also the same age. I don't know why he was given this opportunity when I was a better fit. Also, I've been asking you for several years to consider me when the time was right for promotion, and even though my title changed, my compensation is still the same as it was four years ago.

Maggie: Dale has been here much longer than you.

Jessica: I understand, but he isn't smarter and doesn't have management experience. He also is a Civil Engineer, so it doesn't make sense why he is now the Manager of Research Engineering. There is nothing he can teach me I don't already know, and honestly, Maggie, you, and I both know I actually have coached him along the way.

Maggie: I understand where you are coming from, but Dale has been here longer again, and Jeff felt it was time to promote him.

Jessica: Jeff is also Dale's best friend and has never liked me. I'm the only woman in engineering, and Jeff never lets me talk in meetings. Ask Scott. He's witnessed how that man treats me. I only stayed around because of Scott and because I have invested so much time in our product and the customers like me, but now I don't have a fighting chance, and I feel like Dale and Jeff are going to start to work against me

Maggie: I'm sorry you feel this way. Jeff is amazing, and everyone loves him. Maybe we all should have a meeting together.

Jessica: No, I don't want a meeting; I want to report to Scott, who respects me and who I can learn from. I also want to be compensated fairly for my work.

Maggie: Scott does not have openings in his department. We can revisit your compensation at the end of the year. Also, we're sponsoring your Visa, so you should consider how much the company does for you. It's not free to sponsor an employee.

Jessica: I appreciate the sponsorship, but it doesn't give anyone the right to factor that into my take-home pay. Also, I don't want to report to Dale. It's weird.

Maggie: You don't have a choice.

Jessica: We all have choices. I'm going to reach out to my attorney. This doesn't seem fair. If I were a white male, you and I know we wouldn't have this conversation.

Maggie: Excuse me?

Jessica: Sorry, Maggie, but it's true. I work 12-hour days. Dale works 5-hour days.

Maggie: Aren't you and Dale friends?

Jessica: Yes, that's precisely why I know he isn't qualified.

Maggie: So, you throw your friends under the bus to get ahead?

Jessica: (Jessica begins to cry) No, I'm trying to make a point. Maggie, seriously, this isn't fair.

Maggie: I have a call in 5 minutes. I'm sorry. I see you are upset. Take the day off, get it together, and come back tomorrow fresh. You'll feel better. Just give Dale a chance; he may surprise you.

Jessica: The only surprise I got was when ADP notified me that Dale was my manager and not by HR. I'm going to take the day off as you requested.

The meeting ends.

On a Wednesday at 10:35 AM, Maggie, the HR Director of Company X, received a letter from a law firm representing Jessica. The letter stated that Jessica was suing the company for Gender and Race Discrimination, Unfair Pay Practices, and a Hostile Work Environment, seeking \$250,000 in damages.

The attorney's letter detailed an incident in March 2022 when Jessica informed Maggie about inappropriate comments by her colleagues Dale, Jeff, and Jason. They had remarked on Jessica's fondness for sushi, linking it to her Japanese heritage. No action was taken despite Jessica's attempts to address these racially insensitive comments with management.

Later that day, Jessica requested a week-long vacation, her first in four years. Her request was promptly denied without explanation. Undeterred, Jessica proceeded with her vacation plans, only to receive a termination letter from Company X, citing work abandonment as the reason for her dismissal.

In the ensuing weeks, an investigation revealed that while the employees admitted to making racially insensitive comments, they claimed the remarks were made in jest during friendly gatherings outside of work. Jessica acknowledged their friendly relationship but insisted that such conduct was inexcusable and that the company's inaction was equally concerning.

Maggie defended herself against accusations of racism and sexism, questioning how a woman could harbor such biases. Dale maintained that Jessica never expressed offense at their comments, which they believed were lighthearted. When questioned by the CEO, Maggie insisted that Jessica had been promoted from Junior Engineer to regular engineer. However, the legal team argued that this change constituted a mere title change rather than a promotion.

In response, Maggie emailed the attorney, asserting that Dale's promotion was based on his long tenure with the company, not solely on qualifications. She further accused Jessica of being the "racist" one.

As the case progressed, Jessica added a retaliation claim to her lawsuit. With her work visa at risk, Jessica could have to leave the country within 45 days if she could not secure sponsorship.

Ultimately, the lawsuit was settled for \$175,000. Scott, Jessica's former supervisor, helped her find a new job in New York City and subsequently resigned from Company X, citing its toxic culture. Following an anonymous Glassdoor post criticizing the company's discriminatory practices, the board terminated Maggie. Still, it provided a \$50,000 severance package coupled with six months of Cobra Subsidiary and appointed a new HR Director who prioritized creating a more inclusive work environment.

This case scenario raises several questions for discussion and reflection, such as the role of management in fostering diversity and inclusion, handling employee complaints, and the potential consequences of inaction in addressing workplace discrimination.

Let's talk about it!

- 1. How could this have been avoided?**
- 2. Was company X in the wrong?**
- 3. Should employees who are being sponsored be paid less because the company is absorbing the cost of visa sponsorship?**
- 4. Can a woman be sexist against another woman in the workplace? Why or why not?**
- 5. Do you think Maggie should have received a severance package?**
- 6. Was Jessica wrong or right?**
- 7. How can making friends at work become a challenge?**
- 8. What do you do when HR isn't on your side?**
- 9. What is a promotion? Does it always mean more compensation?**
- 10. How would you have handled the Glassdoor comment?**
- 11. How do Glassdoor and platforms alike impact recruitment efforts?**
 - a. Do you think companies take it as seriously as they should?**
- 12. How would you, as an HR Professional, have handled Dale once he admitted his part in the claimed racist comment?**
- 13. How do you, as an HR professional, recognize when someone is ready for a promotion?**