

CEP Magazine – July 2018 Strengthening workplace dignity with anti-retaliation monitoring and reporting

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What is the use in thinking about dignity in the business setting? As a compliance professional, you have your code of conduct that you train on. You have your ethics statement and hold people accountable through your compliance program. Your mission and values are posted on the walls everywhere. You have this covered and have achieved an ethical culture. Or have you?

Case in point

The equity division of a major investment firm seems to be waking up after years of favoritism and an “old boys’ club” mentality.^[1] Despite explicit training on “zero tolerance,” the culture allowed bullying, sexual harassment of junior staff, inappropriate comments, and pornography in the workplace. Adding to this atmosphere, the compensation structure allowed colleagues to rate each other, something like a 360 review, that caused jockeying for favors rather than improved performance. In addition, to achieve standing within the favored group, attendance at after-hours events, where sometimes questionable activity occurred, seemed required. This resulted in a culture of cronyism that favored those in the old boys’ club to the detriment and exclusion of others.

An unnamed spokesperson for the firm stated to a Wall Street Journal reporter, “Virtually any company of any size, including The Wall Street Journal, is going to have employees who make poor personal decisions from time to time.”^[2] The investment firm has a formal ethics program well established that did not prevent these activities. The fallout of just the incidences that have become public have damaged the reputation of the firm and spawned civil and criminal actions.

Reflection on dignity in the workplace

Could more have been achieved to remedy, or better yet prevent, the problems if the compliance training had included elements on workplace dignity?

In his 2001 book, *Dignity at Work*, Randy Hodson,^[3] the late, distinguished professor of Ohio State University’s Department of Sociology, defines human dignity as “the ability to establish a sense of self-worth and self-respect and appreciate the respect of others.”

Professor Hodson further argued that dignity is necessary for us to achieve a fully realized life. Dignity at work then is achieved by gaining meaning and self-realization at work. It nurtures pride in productive achievements and allows a level of control over our work lives. Achieving dignity in our work lives is one of the most important challenges we face, especially considering how much time we spend at work. For organizations, ensuring dignity is important to making effective use of human and social resources.^[4], ^[5]

Many policies outline behavior and activity but do not define the standard of dignity. Instead, they tell people what not to do, such as this example from the United Kingdom's Dignity at Work Act⁶¹ :

An employer commits a breach of the right to dignity at work of an employee if that employee suffers any of the following:

1. Behavior on more than one occasion which is offensive, abusive, malicious, insulting or intimidating;
2. Unjustified criticism on more than one occasion;
3. Punishment imposed without reasonable justification, or;
4. Changes in the duties or responsibilities of the employee to the employee's detriment without reasonable justification.

Ethics and compliance professionals need to educate those in the workplace on how and to whom employees need to speak if they are informed or observe any of these behaviors.

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