



JOB BOX TALK INSTRUCTOR GUIDE

Retaliation

1. DEFINE THE TOPIC AND GIVE EXAMPLES

Retaliation: any action taken against an employee to punish the individual for asserting their rights to be free from employment discrimination or harassment.

Adverse Action: An adverse action is an action which would dissuade a reasonable employee from raising a concern about a possible violation or engaging in other related protected activity.

Equal Employment Opportunity Law (EEO): Civil rights act passed that protects applicants and employees from discrimination in hiring, promotion, discharge, pay, based on the basis of age, race, color, religion, sex, national origin, genetics and/or disability.

IMPACT

2. EXPLAIN THE IMPACT OF THE TOPIC

Because an adverse action can be subtle, it may not always be easy to spot. Adverse actions include but are not limited to the following examples:

- Reassignment to a less desirable position
- Reducing pay or hours
- More subtly actions such as isolating, ostracizing, mocking, or falsely accusing employee of poor performance
- Communicating with a supervisor or manager about employment discrimination, including harassment
- Answering questions during an employer investigation of alleged harassment
- Refusing to follow orders that would result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability or for a religious practice
- Asking managers or co-workers about salary information to uncover potentially discriminatory wages.

Retaliation can have a negative impact on overall employee morale. It is unlawful to retaliate against applicants or employees for:



JOB BOX TALK INSTRUCTOR GUIDE

Expectations

3. DESCRIBE EXPECTATIONS FOR ACCEPTABLE BEHAVIOR.

Only changes that have an adverse effect on your employment are retaliatory. If you suspect your employer is retaliating against you:



TALK to your supervisor or human resources representative.



ASK specific questions (your employer may have a perfectly reasonable explanation).



VOICE your concern if no legitimate explanation can be provided.



4. ASK REFLECTION QUESTIONS

How can you identify and/or recognize retaliation happening at your work site? What will you do to voice your concern?



5. END WITH KEY TAKEAWAYS

Participating in a complaint process is protected from retaliation under all circumstances. Document allegedly retaliatory behavior. Keep track of historical information prior to when you made your complaint. If the employer isn't willing to admit it's wrongdoing or correct the problem, you may have to take your concerns to the Equal Employment Opportunity Commission (EEOC) in your state's fair employment agency.