

Racism accusation protocol must be taken

A co-worker friend was accused of using a racial slur and put on administrative leave. I don't know what the alleged slur was, but I do know that the accuser has a powerful position in the company and does not like my friend. I think this accusation could cost my friend her job and possibly jeopardize her career unless she defends herself. And I fear similar consequences should I make a remark that's misinterpreted by this powerful person. Should my friend seek legal advice? Do you have advice for me on how to deal with my own fears?

Amy Lieberman

Insight Employment Mediation
The use of racial slurs could potentially cause a hostile work environment, which is a form of

discrimination or harassment under Title VII of the Civil Rights Act of 1963, as amended. The potential for the company to be held liable exists if an EEOC charge is filed, a finding is made of reasonable cause to believe discrimination occurred and the case goes to court.

When an employee is accused of any kind of conduct that could constitute possible harassment or discrimination under Title VII, an employer is obligated by law to conduct a prompt, thorough and impartial investigation of the complaint.

It is an uncomfortable situation for the accuser, the accused and even for witnesses. For that reason, it is not unusual for an employer to take the measure of placing the accused person on



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paid administrative leave during the investigation.

If your friend is concerned about losing her job, it is not a bad idea for her to seek legal counsel.

A company is required to take appropriate remedial action in the event of a finding of inappropriate behavior and if the company concludes that misconduct occurred sufficient to warrant dismissal. A lawyer

will be able to determine whether the discipline could be challenged and/or may be able to help negotiate an exit with dignity.

Kevin Tucker

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I can understand how you feel. Fear is a strong emotion.

I have coached and counseled many individuals throughout my career and I stand firm on a few key principles, one of those being how to respond to fear.

Dealing with your fear is really not an option. Fear can be powerful. Fear can paralyze you. Fear can drive you. But it's always a choice. Which way will you let it drive you?

In this case, there is a reason that you feel strongly about tak-

ing a stand for what you feel is right.

And here's the dilemma — if you don't face your fear and take a stand, you will regret it for life. Think of it as the compass for the rest of your life. How will this situation affect your next steps?

When you have the courage to face your fear and to take action, you will know, without question, that you have made the right choice. Even if it does end up costing you your job, you will know that you can face others and stand by the decision you made.

Best of success to you on your career journey.

— Compiled by Georgann Yara

Send your questions to asktheexperts1@gmail.com.