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THE RESOURCE

San Diego Society for Human Resource Management

2017 Workplace Strategies

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Wednesday, September 27

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Calendar

August 16
August Membership Mixer

September 5
Fall SHRM-CP/SCP Prep Course Begins

September 14
In Transition Meeting

September 27
Workplace Strategies Conference



August Membership Mixer

August 16
5:30-7:30 p.m.

Hard Rock San Diego
801 4th Ave. San Diego, 92101



From the President

Andy Covell, SHRM-SCP, SPHR

I hope you are all enjoying your summer so far! I have just returned from the SHRM Annual Conference in New Orleans, and what a great time it was. It's always good to connect and re-connect with fellow HR peers, and to learn something new and exciting! If you've never been to the annual conference, make it a point to attend next year in Chicago. The knowledge you can take away from the conference is invaluable. Plus, you get A LOT of recertification credits at once!

Speaking of recertification, are YOU certified? If not, now's the time! San Diego SHRM will be holding a SHRM Certification Prep Course starting on Tuesday, September 5 at Manpower in Downtown. Have you always wanted to become certified, but have never made the time? Well, take advantage of our course and become certified.

We also have some great events coming up this fall that you should take advantage of. In September, we will be holding our annual Workplace Strategies Conference at the amazing University of San Diego, featuring our Keynote Speaker, Collette Carlson. [CLICK HERE TO VIEW A TEASER VIDEO!](#)

In October, we will be holding a breakfast event at the San Diego Zoo featuring Eric Kaufmann, who is the author of the book, "4 Virtues of a Leader." [CLICK HERE TO VIEW A TEASER VIDEO!](#)

We are looking forward to all the exciting programs we have coming up this fall, and hope you can join us! If you're not a member currently, we encourage you to become a member to take advantage of discounted pricing for events, networking opportunities and to have a vast array of HR information at your fingertips.



Andy Covell, SHRM-SCP, SPHR

SPECIAL OFFER for San Diego SHRM members!

SAVE
\$15

on a new or renewal SHRM membership
by August 31 with promo code CH17A,
and get access to the HR tools and resources to help you
be confident, compliant and current on all things HR.

New Members

San Diego SHRM Welcomes All New Members!

Keri Angeles Pari
 Kimberly Avant
 Christian Batista
 Ava Bruce
 Catherine Chapin
 Kenneth Dale
 Claudia Delgadillo
 Erica Dill

Amy Egan
 Lindsey Fiske
 Thompson
 Leila Gagnon
 John Hall
 Amy Harris
 Norma Korkar
 Sari Kosic

Ted Lavin
 Heatherlyn Lopez
 Alma McCorkle
 Raima McDaniel
 Martin Millington
 Cristina Moore
 Adriana Nieman
 Yessenia Perez

Alice Pike
 Celia Reyes
 Elise Rokisky
 Cassie Sparks
 Samara Timms
 Katherine Villena



2017 Board of Directors

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 UCSD Student Liaison

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 Executive Director

San Diego SHRM Legal and Legislative Update July/August 2017

Christine Mueller, Esq., Vice President of Legislation



Christine Mueller, Esq., VP of Legislation

Legislative Update Employers Must Begin Using New I-9 Form by September 18, 2017

In its second revision within the last year, the U.S. Citizenship and Immigration Services revised the Employment Eligibility Verification (Form I-9) that employers must use to verify the employment eligibility of new hires. Employers will be required to begin using the new form, identified as "7/17/17 N," by September 18, 2017, and employers may elect to use it at any time before then. The latest updates to the Form I-9 are technical and not substantive, and will not impact the verification process. A copy of the new I-9 Form is available at <https://www.uscis.gov/i-9>. Even though the form is updated, employers must continue to follow existing storage and retention rules for any previously completed versions of the form.

DOL Withdraws Independent Contractor and Joint Employment Guidance

On June 7, 2017, the U.S. Department of Labor (DOL) withdrew two informal guidance documents which were issued during the Obama administration. These two documents were seen as an effort to expand liability under the Fair Labor Standards Act (FLSA). The first document, issued in 2015, outlined a revised "economic realities" test seeking to limit misclassification of employees as independent contractors. The second document, issued in 2016, expanded the interpretation of joint employment under the FLSA.

The DOL stated that its withdrawal of these two documents does not change the legal responsibilities of employers under federal wage and hour laws. But the withdrawal of these two documents is viewed as a positive development for employers, and may signal changes in the attitude of administrative enforcement agencies under the Trump administration. This indicates that the Trump Administration does not embrace the prior administration's expansive theories of FLSA coverage and will not attempt to enforce them.

OSHA Delays Online Record-Keeping Rule

On June 27, 2017, the Occupational Safety and Health Administration (OSHA) proposed to delay the regulation requiring electronic submission of injury and illness records, along with online public access to such records. The regulation was planned to go into effect on July 1, 2017, but OSHA has published a notice of proposed rulemaking delaying the effective date until December 1, 2017. The delay will allow OSHA an opportunity to further review and consider the rule.

Judicial Update

Ninth Circuit Holds that Employer's Attorney Can Be Sued for FLSA Retaliation

In *Arias v. Raimondo*, the Ninth Circuit Court of Appeals held that an employer's attorney could be held liable for retaliation under the Fair Labor Standards Act (FLSA).

Jose Arias ("Arias") sued his employer, Angelo Dairy, in California state court for a number of wage and hour violations. Arias was an undocumented worker. The attorney for Angelo Dairy, Anthony Raimondo ("Raimondo"), reported Arias to the U.S. Immigration and Customs Enforcement (ICE). Raimondo arranged for ICE to take Arias into custody at Arias' deposition and detain him. Arias filed a federal lawsuit alleging retaliation under the FLSA. His theory of the case was that Raimondo, acting as the agent of the employer, retaliated against him for filing the original state court case. Raimondo admitted that he had set up Arias, and argued that he could not be liable under the FLSA because Arias was not his employee.

The court found in favor of Arias. The court discussed that only the actual employer can be sued for wage and hour violations. However, retaliation is a "different animal." Under the FLSA, it is unlawful for "any person" to retaliate against any employee because that employee has filed a complaint. Moreover, the FLSA defines employer as any person acting in the employer's interest. Thus, a lawyer who helps his client retaliate against an employee may face liability for retaliation. Employers and their legal counsel should carefully consider the risks of taking this type of action against an employee who has sued the company.

California Supreme Court Allows Discovery of Employee Contact Information in PAGA Suits

In a unanimous decision, the California Supreme Court held that a plaintiff in an action under the Private Attorneys General Act (PAGA) can seek companywide employee contact information without any showing that the claims have merit.

In *Williams v. The Superior Court of Los Angeles County*, Michael Williams ("Williams") sued Marshalls of CA, LLC ("Marshalls"), a retailer with approximately 130 stores in the state. Williams brought a PAGA claim on behalf of himself and other aggrieved individuals for a number of alleged wage and hour violations, including failing to provide required meal and rest breaks. Williams sought the name, address, telephone number and company employment history of each nonexempt California employee of Marshalls. Marshalls objected on three grounds: (1) that the request encompassed employees outside the position, job classification and location where Williams had worked; (2) that the request was unduly burdensome because there were approximately 16,500 such employees and Williams had not demonstrated that he was even an aggrieved employee; and (3) that employee contact information was protected by the California Constitution.

The court ruled that companywide contact information must be provided at the outset of the litigation before a determination of the merits of the claims. Such information is within the proper scope of discovery and is the first step in the prosecution of a representative action. There is no requirement in PAGA for a plaintiff to satisfy a proof requirement at the initial stages of the action. Moreover, Marshalls did not establish an undue burden just because of the number of employees involved. Finally, the court addressed Marshalls' privacy objection by stating that the employees could have been protected by a notice allowing them to opt out of disclosure of their contact information.

This case provides leverage to PAGA plaintiffs to secure employee information without any showing that the plaintiff is aggrieved, and can impose significant expense on an employer defending these types of cases. Employers defending PAGA cases will have limited options to avoid a plaintiff's presumptive right to statewide employee information.

California Court of Appeal Allows Case of Worker Who Claimed He Was Fired For Being “Too Gay” To Proceed to Trial

Joseph Husman (“Husman”), who is openly gay, was hired by Toyota Motor Credit Corporation (“Toyota”) in 1997, and held various management-level positions. In 2007, he assumed a newly created job as manager for diversity and inclusion, and in 2010 he was promoted to an executive position as the manager of corporate social responsibility. In early 2011, his supervisor began to express concerns about his frequent absences and he received counseling for his attendance issues. In addition, several of Husman’s coworkers had complained to human resources about him making allegedly inappropriate comments. For example, he allegedly told an employee returning from maternity leave that she was “on the mommy track,” told another employee who recently had a baby that her life was now over and made inappropriate comments about the physical attributes of other employees. After refusing to sign a warning letter, Husman became increasingly uncooperative and his attendance issues worsened. Toyota fired him in September 2011. Husman sued for discrimination under California’s Fair Employment and Housing Act, which prohibits discrimination based on sexual orientation. Toyota filed a motion for summary judgment.

In *Husman v. Toyota Motor Credit Corporation*, the court stated that discrimination can include actions based on stereotypical assumptions about how gay or lesbian employees “should” behave. Husman presented evidence that a manager communicated opinions as to what he considered appropriate gender expression, including making fun of Husman for wearing a scarf as an accessory in warm weather. Even though this manager did not fire Husman, the court found that this manager’s alleged bias could have been an influencing factor in Husman’s firing, and this manager had the capacity to affect management’s perceptions of Husman’s performance. And even though the person who fired Husman was also the person who had advanced Husman in the company, the court was not persuaded by this “same actor” evidence. The court noted that Toyota had legitimate non-discriminatory reasons for firing Husman; however, there was also evidence that a discriminatory motivation - a dislike for Husman being “too gay” - contributed to the termination decision. Thus, Husman was entitled to proceed to trial on his discrimination claim.

The court considered this to be a “close case,” especially in light of the evidence of Toyota’s efforts to promote diversity and inclusion. The court noted that an analysis of the facts on a motion for summary judgment often requires a “nuanced analysis of complex discriminatory behavior.” This case illustrates how difficult it can be for employers to win summary judgment motions when a court performs a nuanced analysis of the facts and is required to construe inferences in favor of the moving party.

Membership Spotlights

Brett Pugliesi, SHRM-SCP, SPHR



How long have you been a member of San Diego SHRM, and in what capacity do you serve?

I have been a member of San Diego SHRM since May 2014, and I am currently the Diversity Chair.

What member benefit do you find of most value?

The member benefit that is of most value to me are the monthly programs, as well as

the webinars. The programs offered are always timely and relevant.

What path has your HR career taken, and how did you come to pursue HR as a career?

I was fortunate to step into an HR role when I was working at a start-up company when they did not have a dedicated HR

person. After being in management for a few years, I was able to move into an HR role and build the department from the ground-up. Once that company made a successful exit, I was ready to expand my knowledge of HR by finding a career in a completely different industry. I am now the Head of People Operations for Reflexion Health, a digital health company that is transitioning from a start-up to a small business.

When did you earn your certification, and how has it benefited your career?

I earned my SPHR in 2013 and my SHRM-SCP in 2016. These certifications helped separate me from other applicants when I was in transition and looking for a new HR role. It helped show that I have dedicated myself to the HR profession and helps earn trust and respect from the leadership team.

What is the area of HR that you most enjoy and why?

The area of HR that I most enjoy is driving a high performing and engaged culture. I like to be in front of the leadership staff to ensure they have the training and skill set to bring out the best of their employees. I like to stay up-to-date on emerging trends and initiatives to help attract and retain great talent.

Kimberly S. Tennent, PHR, SHRM-CP

How long have you been a member of San Diego SHRM, and what member benefit do you find of most value?

I have been a member off/on (mostly on) for more than 16 years. The Annual Law Day Conference is my absolute must each year! The updates in the newsletters are always something I try to stay on top of.

What path has your HR career taken, and how did you come to pursue HR as a career?

While in college I had the opportunity to intern for Helix Water District in their HR Department, and loved what I was doing and my career took off from there. I am now the head of HR for AIG Commercial Companies for the entire Western Region, which encompasses 10-12 states. HR allows people the advantage of working in any type of business industry and to learn all kinds of new things, which I have always loved about my role in HR. I have expanded my knowledge within my craft, but have also expanded my knowledge of different business focuses. I have always loved to learn, and an HR career has supported that passion.

When did you earn your certification, and how has it benefited your career?

I hate to say that I have only had my certification for a few years. I have been fortunate the opportunities I have had through the years, but I knew I would not be able to just relax

on my laurels, so I went back to school and studied hard and obtained my certificate, which has really broadened my outlook on different challenges. I highly encourage people to do it, even if you have 10-20 years of HR experience.

Are there any roles that you found particularly challenging? How did you address the challenge?

I think Business Strategies can be a challenge, as our HR Roles become more business focused. HR is NOT the Personnel Office of yesterday, you must truly understand the business you support, have a clear understanding of the vision, mission and goals of the company you work for, to best provide value to the business as it relates to its human capital plans. This can be challenging at times, but also rewarding, as HR is a position that is becoming more prevalent and valued with business leaders.

What is the area of HR that you most enjoy and why?

Employee Relations/Employment Law. I love digging into issues, challenges, things that require investigation, research, etc. Employee Relations is never the same day twice. Employee's continue to surprise me even with more than 20 years in HR. Employee Relations allows for the most creativity in determining solutions that work for everyone.

I would not change my job in HR for anything!

***San Diego SHRM is excited to announce,
that effective August 1, 2017, we have entered into a
partnership with FSB Core Strategies for executive
and operational management of our association.***

FSB Core Strategies is a highly-accomplished, full-service association management and communications firm with offices in Northern and Southern California.

FSB has been managing trade associations, developing public relations and marketing campaigns and providing strategic communications to private, public and non-profit sector clients since the early 2000s.



Leading the San Diego SHRM management team will be **David Murillo**, an experienced association management professional who has served in membership and executive capacities for a variety of associations including the American Council of Engineering Companies of California, the California Restaurant Association and the California Professional Association of Specialty Contractors. David brings with him experience managing high level membership programs, as well as governance and strategic planning. He possesses a Certified Association Executive (CAE) professional designation and is a board member of the California Society of Association Executives (CalSAE). David will work closely with the San Diego SHRM Board to ensure our strategic objectives are on track and oversee execution of goals and initiatives.

Other team members who will serve as San Diego SHRM staff will include:



Kristy Babb, a named partner of FSB and a seasoned public relations professional and marketing executive, who will be heading up communications and marketing initiatives.



Will Hixson will be responsible for membership and day to day operations.



Megan Robison will be responsible for events and meeting planning and execution.



Rose Smoot, CAE, IOM, will be providing financial operations management and oversight.

There will be other team members who you can expect see at our events and programs as well.

Please help us welcome the FSB Core Strategies team!

2016-2017 Student Merit Award Winners Announced

SHRM wishes to congratulate the following student chapters on receiving a 2016-2017 Merit Award.

Outstanding Student Chapter

5009	Middle Tennessee State University
5017	University of North Texas
5041	Eastern Michigan University
5129	University of Puerto Rico - Rio Piedras Campus
5153	Youngstown State University
5154	Rutgers University
5162	Illinois State University
5207	Lake Washington Institute of Technology (LWTech)
5245	University of Toledo
5262	University of Minnesota Duluth
5297	Purdue University
5333	University of Puerto Rico - Mayaguez
5355	Texas State University
5460	New York Institute of Technology
5583	Wayland Baptist University- Anchorage Campus
5626	University of Texas at Tyler
5665	Texas Tech University
5676	San Diego State University
5720	Fort Hays State University
5741	University of Phoenix



Superior Merit

5005	Auburn University
5012	California State University, Bakersfield
5035	The University of Akron
5042	University of North Carolina Charlotte
5051	Towson University
5054	Texas A&M University
5061	University of Hawaii at Manoa
5062	San Jose State University
5074	Winthrop University
5075	Clemson University
5081	Ball State University
5086	Central Michigan University
5089	University of Arkansas at Little Rock
5094	Michigan State University
5100	North Carolina State University
5104	University of Washington
5114	Oklahoma State University
5117	The University of South Carolina
5118	Temple University
5121	University of South Alabama
5124	Northern Illinois University
5127	West Virginia University
5152	University of Puerto Rico at Bayamon
5157	Rutgers University
5164	University of Wisconsin-Madison

5169	Alvernia University	5358	NYU Tandon School of Engineering/ Polytechnic Institute of NYU
5176	Rollins College	5392	Canisius College
5177	Meredith College	5399	University of Puerto Rico at Humacao
5180	University of West Florida	5408	Clayton State University
5185	University of Memphis	5431	Nicholls State University
5187	Georgia Southern University	5432	Liberty University
5189	Baylor University	5437	University of Puerto Rico in Aguadilla
5192	Indiana Institute of Technology	5446	Murray State University
5194	Colorado State University	5454	Shippensburg University
5201	Central Washington University	5462	Ashland University
5211	University Of Colorado Denver	5489	University of North Carolina Wilmington
5213	Eastern Illinois University	5498	California State University, Pomona
5242	State University of New York at Geneseo	5499	Indiana State University
5243	Portland State University	5503	Washington State University Vancouver
5244	University of Northern Iowa	5506	University of Nevada, Reno
5247	Indiana University Southeast	5512	Inter American University of Puerto Rico - Bayamon Campus
5248	Baldwin Wallace University	5516	St. Norbert College
5249	University of Wisconsin- Whitewater	5535	Cumberland County College
5251	California State University of Fresno	5570	New York University
5254	University of Tennessee	5571	Minnesota State Community and Technical College
5293	University of Texas at Arlington	5577	Bridgewater College
5299	Roanoke College	5579	Indiana University Bloomington
5300	Louisiana State University	5606	Marian University
5303	James Madison University	5616	Cameron University
5311	Indiana University South Bend	5629	California State University at San Marcos
5319	New Mexico State University	5646	Minnesota State University, Mankato
5323	Villanova University	5669	Blackhawk Technical College
5329	Tarleton State University	5670	University of Michigan
5356	University of Guam		



5671	Excelsior College	5232	University of Central Oklahoma
5681	Texas A&M University-San Antonio	5234	California State University, Long Beach
5682	North Carolina Central University	5250	University of Wisconsin - Eau Claire
5689	Bemidji State University	5360	University of New Haven
5695	Athens State University	5361	University of Colorado - Colorado Springs
5710	East Carolina University	5364	Western Michigan University
5715	University of Illinois Springfield	5440	Stony Brook University
5719	Quinnipiac University	5479	Southeastern Louisiana University
5724	The University of Texas at Dallas	5590	Elon University
5733	Moraine Park Technical College	5614	University of California Santa Barbara
5737	University of North Texas at Dallas	5630	City University of New York - Lehman College
5740	Western Illinois University	5637	Walden University
5742	Olivet Nazarene University	5658	St John Fisher
5746	Northwest Florida State College	5688	Mount Mercy University
5751	Florida State College at Jacksonville	5698	Northern Kentucky University
5755	National Louis University	5713	University of Rhode Island

Merit

5037	University of Scranton
5046	Georgia State University
5076	Rowan University
5077	Western Illinois University
5091	University at Buffalo
5123	Boise State University
5130	UW Oshkosh
5148	Kansas State University
5182	Indiana University of Pennsylvania
5198	Rider University
5210	SUNY Oswego
5224	Old Dominion University

Honorable Mention

5204	Wright State University
5731	Rutgers University Newark
5748	Fisher College

Defusing Emotional Bombshells Before They Explode—Communicating Effectively in the Workplace Part III

Gregg F. Relyea, Esq.

Previous articles in *The Resource* have focused on the beneficial effects of the specialized communication techniques of acknowledgment and reframing (neutral reframing and problem-solving reframing). This article will focus on the techniques of re-directing (to help a speaker move from repeating one point or being stuck in the past) and listening styles (which help a listening professional understand the different ways to listen to an employee in a way that facilitates an open and constructive dialogue).

Re-Directing Information often arrives in a jumbled, disorganized mass in one-on-one conversations, meetings and large group presentations. At times, the information is superficial and insufficient to form conclusions and make sound decisions. The challenge becomes how to bring a level of organization and depth to information without being dictatorial and overly authoritarian by forcing a conversation into certain directions.

"Re-directing" is a technique where the listener exercises a high degree of control over the direction of a conversation by selecting one topic of importance that has been raised by the employee and asking the employee to provide more information on that topic. The listener is not changing the subject or using their position to artificially move from one subject to another, because the cardinal rule of re-directing is that the listener always picks a subject the speaker has raised and asks for more detail and depth on that subject. The speaker (employee) most often feels comfortable providing additional details because they raised the subject in the first place. For example: Employee: "My working conditions are terrible. My office space just doesn't work for me, there are problems with co-workers and the projects I'm given just aren't clear." Human Resources

Professional (using re-directing), "Starting with the office space you mentioned, can you tell me a little more about that so I understand your situation a little better?"

At the same time, the human resources professional is demonstrating they are listening and that they care, they have taken the initiative to focus the conversation on one of the topics raised by the employee, thereby avoiding the information free-for-all that can occur when an employee is feeling exasperated and has reached the boiling point. At times, there is a tendency to mix and mingle information, frustrations, complaints and issues; it's partly the responsibility of the human resources professional to organize the conversation by separating the issues an employee has raised and to go into more depth in order to fully understand the issues.

Re-directing can be effectively used in one-on-one interactions. It can also be used very effectively in group interactions, department meetings and executive sessions. It is one of the many specialized communication techniques that subtly guides a conversation in a particular direction without antagonizing or strong-arming the speaker by appearing to change subjects.

Listening Styles A person's listening style can have a profound effect on the willingness and way an employee shares information, yet there is a serious dilemma involved in the process of listening. Some of us may be vaguely aware that we have a certain way of coming across in different situations when we are talking or expressing ourselves. However, very few of us are aware that we also have distinctive and readily identifiable ways of listening. Usually, our attention is focused on the speaker when we listen. We don't give much attention to ourselves, our facial

expressions, our body position, our hand gestures and other personal mannerisms. In fact, most of us would have trouble defining our listening style or describing it in much detail. Unless you are a professional listener, like a therapist, counselor, or mediator, when do you receive training in ways to listen?

To illustrate the impact of listening, consider the following question: During the past month, have you talked to a person who you considered to be a great listener? Can you break down the characteristics and things they said and did that gave you that impression? Or is it just one overall impression that you formed? Have you spoken to a poor listener, one whose skepticism and disagreement with your message shows on their face while you are still talking? Is it difficult to identify the precise elements that lead to your conclusion that the other person was a good listener? Conversely, who have you spoken with in the past month who you felt was not a good listener? Why did they come across that way? Was it their facial expression, eyes, things they said, things they didn't say, body movements or lack of body



movement? Were they paying attention or distracted by their own thoughts? Were they with you in the moment and did they take you seriously? How could you tell? Would you have difficulty breaking it down?

A listening style is a cluster of behaviors, facial expressions, movements and sounds we make while listening. Without special training, most often we fall into well-formed and deeply ingrained patterns of listening of which we are largely unaware. If, like most, we listen on auto-pilot, how will it be possible to adopt different listening styles and to be strategic in using listening skills? Some of the classic styles of listening have been already identified—which one(s) do you use?

- Projector (conveying clear, easy-to-read attitude)
- Reflector (who mirrors the speaker's tone, gestures and movement)
- Receptive (warm and welcoming, open-minded)
- Closed (cool, distant, stoic, hard to read)

- Skeptical (wrinkling your face and tilting your head when listening to an employee explain the reason why a project is late)
- Welcoming (smooth face, smiling, encouraging)
- Impatient (bouncing a foot or knee or ball point pen, tapping fingers, thumbing through a document while someone is talking)
- Patient (no interruptions, allowing time for speaker to finish completely before speaking)
- Distracted (watching people walk by the office, looking at computer or telephone)
- Focused (eliminating incoming telephone calls, close the door, quiet the body)
- Indifferent (flat affect, stone face, going through the motions)
- Caring (tone of voice, appropriate body distance and touching)
- Poker-faced (rigid and controlled, not flinching no matter what is being discussed)
- Showing your emotions (to an appropriate degree, letting your own feelings show on your face and in your body language and tone of voice)
- Encouraging (asks follow-up questions, invites additional information, requests details)
- Discouraging (yes-no answers provided, no follow-up questions asked or entertained)
- Authoritarian (sits behind desk, uses high conference chair, sits at the end of table, moves papers in a brusque manner)
- Egalitarian (sits side by side or close to other person, gentle movements of body and papers/objects)
- Detached (uses very few person pronouns like "I" and "me" and "my")
- Connected (talks in terms of "we," "our," "us")
- Bored (looking for distractions, low energy, acts as if they have heard it all before)
- Animated (uses hands energetically, strong eye contact, dynamic tone of voice)
- Focused (quality of eye contact and quiet body language)
- Unfocused (eyes are unfocused, glazed over, hazy; words are general and non-specific)

- Selfish (“It’s all about me—anything else is irrelevant and will receive no follow-up questions or comments,” turns conversation to self and personal interests and concerns)
- Generous (invites sharing of information, actively inquires about others, shares personal information)
- Interrupting (cuts off sentences, talks over other people)

A skilled listener is aware of their physical orientation (leaning back, forward, or upright), tight/loose/or casual body, hands above, below or on the table, hand movements such as steepling (gesture of confidence with hands touching each other in front of the body with fingers spread), hand positions (fidgeting with fingers, closed fist or fingers, open palm facing up), touching one’s face/nose, hair), covering one’s mouth, tapping your foot or knee, clicking or manipulating your pen, shuffling with papers, eyes that are wide/narrow, focused/unfocused, roaming around/fixed, staring/receptive, soft/hard, looking down or away, squinting, relaxed, facial expression that is positive and upbeat and encouraging (open and smiling at appropriate times) or guarded, judgmental and skeptical (tense, unchanging). In addition, a skilled listener is mindful of the consistency of their message with their body language/tone/facial expressions/eyes/movements.

Being a professional listener involves one’s awareness of several well-documented aspects of the listening process. Effective listening involves listening for the facts, emotions, the context of the conversation, sub-context and implicit message, and the intended message. All professional listeners are on guard against the tendency to listen for what we expect or want to hear. People can think at 400-500 words per minute, but they only speak at about 125 words per minute, which leaves a lot of time to tune out, if a person chooses to do so. About 75 percent of oral communication is ignored, misunderstood, and quickly forgotten. The Chinese symbol for listening is made up of the symbols for ears, eyes, heart and undivided attention. Listening is not a passive exercise that is designed to placate another person or to create the artificial appearance of sincerity. It’s critical to say and do things while listening that demonstrate you are giving the speaker your

full attention. Along the way, it’s important to try to manage the internal dialogue that is on-going in your mind (it’s too hot/cold, these chairs are uncomfortable, I’m hungry/full, I’m comfortable/nervous, I have to many things to do after this conversation, my personal problems are overwhelming, I’m not getting along with my spouse right now, my kids are giving me problems that I can’t resolve, how am I going to pay the vet’s bill for the surgery on my dog, I’m out of shape and these clothes don’t look good on me). The key element of skilled listening is to recognize that we all have a natural listening style, learn to identify the classic listening styles, practice changing your listening style in different situations (e.g., most of us listen to children completely differently than to adults—why, then, don’t we adapt our listening style to meet the needs of adults), and make the choice to use a listening style that is strategic (meaning that the listening style is conducive to a constructive conversation).

Specialized communication skills can be powerful tools when interacting in the workplace with employees, colleagues, managers and executives. Some communication skills involve natural and intuitive elements, while others must be learned and practiced. New and experienced human resources professionals can enhance their workplace interactions with an awareness of the specialized communication skills and how to use them. However, knowledge of communication skills, unfortunately, isn’t enough to become a stronger communicator. Communication skills can only be useful when there is a mindful and deliberate commitment to practice them and to use them in appropriate circumstances.

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