

## **RELATIONAL SOLUTIONS, INC.**

### **INTRODUCTION**

This case will look at a different aspect of dealing with disabilities in the workplace. When an employee with a disability has work performance problems, how do we separate genuine failure to perform from performance issues that could be corrected by a reasonable accommodation of the disability? How do preconceptions about disabilities affect our actions?

### **BACKGROUND**

Relational Solutions, Inc. (RSI) is a mid-tier electronics firm that provides key electronic subsystems to larger firms that are used in a variety of applications: medical imaging devices, flight systems for commercial aircraft, and information security applications. RSI has been in business for 30 years and employs nearly 7,000 people in high-end design and engineering positions, as well as precision manufacturing jobs. The company has developed a valuable reputation for being able to respond quickly to its clients and working with them closely on new system developments in integrated development teams. RSI is a privately-held company. The families of the original founders still hold a majority share of the stock and are still involved in the day-to-day operations. Located in Minneapolis, the company is considered to be an “employer of choice” in the area, drawing a great deal of talent, both regionally and nationally, with its reputation for technical excellence and for being employee-oriented with many innovative employee relations programs.

### **THE CASE**

#### **Monday**

“OK, folks, let’s get started.” Katherine spoke up over the murmur of Monday morning chatter. Every seat at the conference room table was full. Katherine, the manager for RSI’s new project with Woodstine Medical Systems (WMS), had convened the meeting to look at the status of the RSI subsystem. Development of the subsystem had encountered some difficulties in the early stages of the program. The next day, she would be meeting with the WMS development team to discuss the program. It was important to have solutions in hand when she met with WMS.

“Doug, what are our options for the redesign of the circuits on Work Package 2?” Doug began to sketch out a new approach to the work. As he did so, the questions and comments flew across the table in a rapid jumble of high-energy brainstorming. Katherine listened to the discussion for several minutes, then turned to Susan and asked her opinion of the new approach. “Susan, you’ve been quiet, I’d like to hear your perspective,” she said. “You’re the lead engineer on this Work Package.” Susan visibly tensed. “Anybody would have had difficulty with the circuit design! It’s not a standard application on our systems. Everybody knows that!” Katherine sighed, “Susan, it’s not a matter of blame. Problems happen. I just want to know what you think of Doug’s proposal and the comments from the rest of the team.” Susan hesitated. “Well, I didn’t catch all that he said. The conversation was going too quickly and I couldn’t pick it all up.” Katherine and the others knew Susan had a hearing impairment, but Susan hated to bring it up. Susan was not completely deaf and with hearing aids and lip reading, she functioned well in normal one-to-one conversation.

Katherine turned to Doug and asked him to summarize the new approach and the feedback he had just received. Doug started to sketch the details, speaking louder than normal, but after a couple of minutes, he stopped, exasperated. “Tell you what,” he said to Susan. “I’ll put this all in an email, summarize the feedback from our discussion this morning as well, and send it all to you after the meeting.”

The meeting adjourned and the room emptied quickly. Doug, Katherine, and Will (the system engineer for the WMS project) lingered. Katherine broke the silence when they were alone, “Look, tomorrow I need to take a proposal to WMS to recover the schedule delay. I need a proposal in which I have confidence. To do that, I need to know Susan is backing it since she is leading that part of the project. Make it happen!” It was Will who responded, “Doug and I will work with Susan to explain the approach and get her feedback. We’ll have it to you this afternoon.”

As Katherine started to gather her materials, Will spoke again, “Katherine, it’s not just her disability that is causing a problem. Susan is sometimes hard to work with. She snaps at people and ignores other opinions. I honestly think that is part of what caused the problems with Work Package 2. She has a good team. If she listened to them, a lot of the problems wouldn’t have happened.” “Will is right,” Doug said. “A lot of the approach I sketched in the meeting just now is based on ideas from Susan’s team. They came to me and offered them. When I asked why they didn’t go to Susan with the ideas, each one said they had raised the ideas with her during the original design and she had ignored them.” Katherine picked up her notebook and papers, “That’s interesting, but right now, I just need solutions. I’ll expect to hear from you this afternoon.” She left the room shaking her head.

## Tuesday

“Emile, I don’t have time for this right now. I need to prepare for the meeting with WMS this afternoon.” Katherine sat across from the Human Resources Manager in his office. “Katherine, I understand the pressure you’re under, but I need to discuss this with you before we have a bigger problem,” said Emile. “Just hear me out for a few minutes and we can follow up later.” Emile explained that he had been visited by Susan. She felt that her hearing disability was being used to exclude her from project discussions even when she was in the room. At the status meeting yesterday, the whole team was talking too fast, talking over each other, and not sitting so she could see their lips clearly. Her hearing aids could only do so much.

“We’ve accommodated her hearing problems,” Katherine replied. “When she had difficulties on conference calls, we got her specialized phone equipment to make it easy for her to participate without missing anything. Live meetings with all the give and take are a different matter,” she continued. “I can’t grind everything to a halt on a productive brainstorming session on a critical project for a single person. It’s not fair to the rest of the team. Emile, you know that when ideas start to flow, you need to keep it going. Eventually, we’ll stop and summarize and evaluate. Susan can catch up then and send her feedback to the team via email if necessary. Actually, we’ve started sending her written summaries so she can get caught up. I think she’ll appreciate the effort to which we’re going to include her.”

“Susan doesn’t see it that way,” Emile said. “She sees it as being singled out. She sees it as being excluded and treated differently.” Katherine hesitated and then decided to raise the issue. “There’s another side to this, Emile,” she said. “I’m getting feedback from my staff – Doug and Will, specifically, and you know they’re credible sources – on problems that are not related to her disability that are affecting Susan’s performance. She has difficulty working with other members of her team, snaps at them without provocation, and ignores their input. I haven’t had time to follow up on this as thoroughly as I would want to do, but I did check with

some other folks and they support Doug and Will. They also say that she sometimes is too hasty to complete projects and gets careless. It seems it has been going on for a while, but nobody wanted to say anything. It explains some of the rework we've had to do on her assignments."

Emile looked at her from across his desk. "I know that many managers – unfortunately – may look at performance appraisals with all the enthusiasm of a rabbit being chased by a fox. But this is the sort of thing that should have been documented if it's real. It's not fair to Susan and it's not fair to the company." He leaned back in his chair. "You need to prepare for your meeting with WMS, but we need to address all these issues in more detail. I'll have a meeting set up to discuss this when we're not pressed for time."

### Wednesday

Katherine looked up from her keyboard when she heard the knock on the doorframe of her open door. Susan stood in the door. "Do you have a minute, Katherine?" asked Susan. "Sure, come on in," replied Katherine, unconsciously raising her voice and slowing her speech. "I better take control of this encounter," Katherine thought. Before Susan had even sat down, Katherine started to debrief her on the meeting with WMS the previous day, outlining (in much detail) how she had presented the approach to recovering the schedule on Work Package 2 and solving the technical issues. WMS had liked the approach and authorized a revision to the project plan to accommodate it. "Your feedback on Doug's proposal on Monday afternoon was very helpful, Susan. Thanks for working with Doug and Will on it." Katherine quickly followed up with some additional project issues. "Well, thanks for coming by, Susan, to see how it went. I've got to get this report done, so let me get back to work." Susan started to rise from her chair, then stopped. "Katherine," she said, an edge in her voice, "I came in to try and calmly discuss how I'm being treated by the team, but obviously, you're not interested. You just want to get me out of your office as quickly as you can." "That's not it at all." Katherine responded, I'm just.... "Don't patronize me!" Susan was shouting now. "You all think you know what's best for me and my 'little problem'! Did you ever try asking me?" She turned and left the office without another word.

### Thursday

"I've pulled Susan's past performance appraisals," said Emile. "There's not one word about her having difficulties with her co-workers or about her work being anything other than adequate. I'll grant you that they aren't glowing appraisals, but they aren't the stuff of performance improvement plans either." Katherine shifted uncomfortably in her chair. "That may be, but the problem has been identified now. I certainly got a firsthand demonstration yesterday." Katherine recounted Susan's visit to her office on Wednesday. "Katherine, there's more than one way to interpret that encounter," Emile said. "That's true," conceded Katherine, "but how can I ever let her in front of clients with that attitude? And if she can't work in an integrated team environment, she isn't going to go very far in RSI. If that's an outcome of her hearing problem, there's nothing I can do about it."

Emile paused and then spoke very carefully. "Katherine, there are many ways to accommodate a disability. Not all of them are obvious. Not all of them are we obliged to do – the law only requires a 'reasonable' accommodation after all. But this company has built a reputation – a valuable reputation – on taking care of our employees. That's how we attract the best, even with Minneapolis winters. And, yes, those employees also have an obligation to the company. If they don't perform, it affects everyone here. If Susan has genuine performance problems, we need to deal with them and we will. We have a lot to talk about."

## THE ASSIGNMENT

- Consider the facts. How are they open to interpretation?
- Consider the people. How would viewing the facts from different perspectives affect how people act? Is there unconscious bias at work here? Or has Susan provided a basis for the reaction of her colleagues?
- Consider the situation. How should Katherine and Emile proceed? Why?

*This case was written for the Daniels Fund by Charles Chadwick, Senior Advisor, Ethics Research Center (ERC), the research arm of the Ethics & Compliance Initiative (ECI).*

**RELATIONAL SOLUTIONS, INC.**  
**INSTRUCTOR/FACILITATOR CASE NOTES**

**CASE SUMMARY**

An engineering staff member at Relational Solutions, Inc. (RSI), a 7,000-employee high-end electronics firm, experiences difficulties related to her hearing impairment (she is not completely deaf). However, questions arise about her performance separate from her disability. The case follows her manager as she attempts to balance operational needs with the need to make reasonable accommodations for the disability. How do we separate what is genuine failure to perform from issues that could be resolved by reasonable accommodations? Is unconscious bias a factor?

**LEARNING OBJECTIVES**

The learning objectives of this case study are as follows:

- Understand the factors that affect interactions with persons with disabilities in the workplace
- Recognize the assumptions made about performance that are conditioned by background and circumstances
- Develop a principle-based approach to dealing with disabilities and performance issues in the workplace

**ISSUES**

**ADA Requirements**

The instructor/facilitator should be generally familiar with the requirements of the Americans with Disabilities Act (ADA). The case does not turn on a technical requirement of the ADA except for the need to provide “reasonable accommodations” to persons in the workplace with disabilities. The U.S. Department of Justice defines a reasonable accommodation as “any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodations also include adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.”

*Daniels Fund Ethics Initiative Principles involved: Rule of Law and Fairness*

**Organizational Culture**

Many of the individuals in this case make assumptions about Susan without fully understanding her situation. Are her personal interactions in the workplace affected by her disability? Are they affected by how others treat her? Susan’s outburst leaving Katherine’s office should cause Katherine to stop and question her assumptions. The case tells us that RSI has built a reputation for its employee orientation and innovative employee relations programs. RSI views this as a competitive advantage in becoming an employer of choice. Has that stated corporate position been woven into the culture effectively?

*Daniels Fund Ethics Initiative Principles involved: Fairness, Respect, and Viability*

**Organizational Justice**

Susan's performance appraisals show no mention of the difficulties that have been reported to Katherine and that Katherine has related to Emile. It is (unfortunately) not uncommon for appraising managers to avoid confrontation with marginal employees during performance appraisals. This defeats one of the key reasons for the appraisal process: to improve performance. It also creates an atmosphere where other employees see a non-performing employee not held appropriately accountable. Therefore, neither the process nor the outcome is seen as fair. If Susan has performance issues, she deserves the chance to be made aware of them and to correct them.

*Daniels Fund Ethics Initiative Principles involved: Accountability, Transparency, Fairness, and Respect*

**Leadership**

Katherine's actions indicate a lack of understanding of leadership obligations. Her focus on business outcomes is necessary, but not sufficient. She does not attempt to understand the underlying issues that may affect Susan's performance. She actually attempts to avoid the issue (as in Susan's visit to Katherine's office). While immediate goals are important, she does not plan for the necessary follow-up afterwards to understand and remedy the long-term problems. She is forced to consider the issues by the Human Resources manager. If Katherine takes the appropriate actions, it will contribute to a culture where employees trust management to do the right thing. The group should attempt to define the actions that Katherine should be taking and why.

*Daniels Fund Ethics Initiative Principles involved: Integrity, Trust, Accountability, Transparency, and Fairness*

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