

Monkeys, Rocks, Cucumbers and Grapes!

What if you could find one basic concept that would have a powerfully positive impact on all aspects of personnel management at your company? What if it would do more to help you avoid employee lawsuits than any compliance training you could provide to your managers or employees? What if it would do more to improve employee morale and overall performance than any set of policies, evaluation protocols, or progressive discipline system? And what if this concept came as close to “the answer” to successful human resources management as you are likely to ever get? The answer lies in monkeys, rocks, cucumbers and grapes.

The “Fairness Game”

Consider the likely results of a classic party game. You are given ten \$5 bills and asked to share them with someone you’ve never met. You are given one chance to decide how much money to share. If your new acquaintance agrees, you both get to keep the amount to which you both agree. If not, neither of you get anything. Would you share half of the money? That would seem to assure that you walk away with at least \$25.00. But maybe that’s too much. Surely if you kept at least a little extra for yourself, your new acquaintance would say yes to the deal. Something is better than nothing, right? The fairness game is interesting, not just because of the ultimate split of \$50.00, but because of the dynamics, reasoning and motivations that go into deciding how much to share.

Think about what you would do if given the choice. How close to a 50/50 split would you come? How does your answer change if you know that your new partner gets to choose next time? Managers and supervisors should consider the fairness game and related concepts in each and every significant decision made with respect to the employees they manage and are asked to lead. And they should be reminded that while they may have the unilateral ability to decide how much to share in the first round of the game, their employees get to decide the next round and thereby ultimately control the game’s outcome.

You’re starting to wonder about the monkeys, aren’t you?

The lack of fundamental fairness in the workplace – or perhaps, more to the point, the perception of this lack of fairness – is the single greatest cause of the host of human resource problems plaguing managers today. These include problems ranging from baseless employment-related lawsuits, to low productivity, to high absenteeism and runaway turnover. The lack of fairness generates deep conflict even among those with the same goals. And, as such, real and perceived fairness must be actively preserved in the successful workplace.

We all know that the workplace has become a tremendously regulated environment. Employment law issues are not only increasing in complexity, but more and more attempt to regulate an employer’s subjective judgment rather than merely mandate compliance with a precise set of rules. Early employment laws established minimum wage standards, hours of work rules, and thresholds of workers’ compensation and disability insurance. These were relatively simple “yes” and “no” rules. As time passed, employment laws began to invade the realm of employer decision making and activity in the imprecise arena of human interaction. Anti-discrimination legislation and the case law that interpreted and expanded its scope, require an employer to police the attitudes and conduct of

its managers and employees. Today, anti-discrimination/anti-harassment legislation is beginning to give way to the even more imprecise and difficult to manage concepts. Some states are now considering legislation regarding the emotional impact of work-related issues on individuals and even the need for the employer to ensure basic civility between employees. As employment law obligations move further away from mere compliance with a set of rules and more associated with the regulation of human interaction in the workplace, managers will have to respond by incorporating the lessons of the fairness game into every day management.

What does this have to do with monkeys? You'll see.

An effective way to both minimize the risk of employee lawsuits and to enhance the overall human relations environment is to think of the concept of workplace fairness in two distinct parts: "legal fairness" and "perceived fairness."

"Legal Fairness"

The employment law setting of today's regulated workplace is a reflection of legal definitions of fairness. However imprecise, the statutory and judicial framework of harassment law, labor law, employment discrimination law, the Family and Medical Leave Act, and the like, are expressions of prevailing societal opinion as to what is fair in the workplace. Seen in this way, it is essential that employers develop compliance tools and protocols which are responsive to the employment law definition of fairness. Managerial policies, supervisory training and other compliance protocols should be designed to give managers the tools they need to evaluate whether workplace decisions are legally fair or unfair. In other words, managers must learn that all personnel decisions – whether it's hiring, assignment of duties, employee evaluation, discipline or discharge – must be made solely based on legitimate job-related necessities and not the legally protected personal characteristics which form the basis of employment law litigation (e.g., based on race, religion, age, disability, etc.). This must become second nature to them.

The best way we have found to ingrain this mindset in managers is to create standardized practices for all phases in the employee lifecycle, i.e., in recruitment and hiring, every day management, employee evaluation and discipline and discharge. Under this model, for example, a supervisor's documentation of workplace incidents and events becomes more than a detached process of recording what happened and when. Documentation becomes the supervisor's chance to prove that although something bad may have happened to an employee, the decision reached was fair in the context of applicable legal definitions as well as the compliance protocols associated with same.

Don't worry. You're almost to the part about the monkeys.

"Perceived Fairness"

But efforts to create workplace fairness cannot end with legal compliance. While such an approach may certainly reduce an organization's legal risk and offer some useful management tools as well, it focuses more on the expensive and frustrating process of legal defense than on the proactive process of risk avoidance and positive management. And so, the second aspect of managing fairness in the workplace demands an organizational commitment to moving past compliance standards and closer to the standards of perceived fairness in all aspects of organizational activity.

A few years back, a group of behavioral scientists conducted an experiment with a group of monkeys. They trained the monkeys to hand a scientist a rock in exchange for a cucumber chip. This

became their routine over a period of time. The scientists then began giving a different reward to a select few monkeys. Those select few were given the highly-prized reward of grapes for performing the same task as the monkeys who received the less-valued cucumber chips. Observing this change, the monkeys who did not get the grapes, began acting out. They would throw the cucumber chips away without eating them, they wouldn't hand the rock to the scientist, they would ignore the scientist all together, etc. It just wasn't fair that some worked for grapes when others had to settle for cucumbers.

These results suggest that the desire for basic fairness is at the center of all social interaction, not only among humans but also among our closest biological cousins. Many theorize that it is in fact a "hardwired" trait in human beings – part of an ingrained survival instinct relating early human survival to the need to share societal resources. Assuming this theory is correct, employers would be well-advised to avoid even the appearance of "playing favorites" in all aspects of employee management.

Think about your own experience. If a manager socializes with one group of her employees and not another, is her team more likely to be cohesive or fragmented? When one employee sees another "get away" with misconduct, what is the response? When one group of employees gets a coveted assignment, how do the other employees react? If two employees working the same job are paid differently, what happens?

Managing to achieve perceived fairness among employees is not an easy task. It requires managers to be as concerned about their employees – and their perceptions – as they are getting a job done for that important customer. Managers must be positive role models for their employees both in terms of skill and integrity. In other words, they need to know their employees' jobs as well as the employees and demonstrate a highly ethical approach to all aspects of their professional and private lives. Employees are less likely to take direction from someone who "doesn't know what they are talking about" or someone whose personal life is "so messed up" they can't possibly be worthy of respect. Managers must have good communication skills. They must be willing, patient, skilled listeners as well as clear, concise, non-threatening speakers and writers. In short, managers must become good leaders to achieve this level of fairness.

At work as in all other interaction employees remain social beings with an ingrained sense of fairness. This sense must be satisfied to avoid unnecessary and destructive conflict. Give managers the tools they need to comply with the law but also help them to become true leaders. Both approaches are needed to achieve a truly fair and successful workplace.

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