

Boss: It's in the e-mail

Bad news, back pats move on line

By Stephanie Armour
USA TODAY

Mounting evidence shows e-mail is a valuable management tool for delivering bad news and providing fast feedback from the boss.

Such endorsements challenge the long-standing view that e-mail is a questionable management tool used by conflict-shy bosses. Instead, experts say these techno-savvy managers may tackle issues they'd otherwise avoid and meanwhile be more accessible to their employees.

"This is an extremely important issue for companies today," says Frank Carillo, president of Executive Communications Group in Englewood, N.J. "It has its limitations. It's not enough guidance for some. But when used properly, it can be a very good tool and a way to carry on dialogue."

People are more honest when using e-mail to communi-

cate bad news than they are with other methods such as the phone or personal delivery, says a recent study by Case Western Reserve University and New York University.

"We're not talking about (using it) for layoffs," says Stephanie Watts Sussman of the Weatherhead School of Management at Case Western. "People feel more comfortable and do less sugarcoating when they deliver negative feedback via e-mail."

That may be partly why the tool is being used more than ever. Some 73% of executives polled by administrative staffing firm OfficeTeam believe e-mail will be the leading form of business communication for employees in 2005.

And the technology is revolutionizing management styles. Bosses are using e-mail to:

► **Provide faster feedback.** Managers say they can dole out praise quicker, even though an in-person kudo takes on greater significance because it is less common.

"It's one of our best modes of giving a person a pat on the

back," says Orlando Hernandez, a manager at ConEdison Solutions, an energy services firm in White Plains, N.Y. He sometimes sends employees e-mail when ideas strike in the middle of the night. "It's made our company, which is growing, seem smaller."

► **Seem more accessible to employees.** "We use it as a form of communication," says Maggie Dale of Toronto, a manager at PricewaterhouseCoopers who stays in touch with workers throughout the firm via e-mail. "You develop a relationship through e-mail. When you actually meet a person face to face, it's an interesting dynamic. You feel you know them."

► **Let everyone feel a part of the team.** Managers can send e-mail announcements on hiring, earnings and other company matters so employees don't feel they're in the dark.

"E-mail is a powerful tool at eliminating steps in a hierarchy," says Walter Gubert, vice chairman and head of global investment banking at J.P. Morgan in New York.



By Web Bryant, USA TODAY

COVER STORY

'Code words' cloud issue of discrimination at work

By Del Jones
USA TODAY

Words spoken at work that aren't literally racist — such as "you people," "poor people" and "that one in there" — now can be grounds for employment discrimination lawsuits.

They're called "code words."

In overturning a lower court ruling, the 3rd Circuit Court of Appeals in Philadelphia said code words have become the bigot's weapon of choice in the '90s.

The appeals court ruled that a jury should decide whether a pattern of code words used by white workers and managers at a Maple Shade, N.J., furniture rental store was enough to create a workplace so hostile that credit manager Carol Aman, who is black, resigned in 1992.

The case, Aman vs. Cort Furniture Rental, is destined to go down as a landmark in the three decades of employment discrimination law, legal experts say.

Cort Furniture CEO Paul Arnold denies any discrimination at the company and two weeks



By Green Glass, USA TODAY

Plaintiffs: Aman and Johnson, left, are charging Cort Furniture with racial discrimination.

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Subtle racism draws closer look

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ago instructed his lawyers to appeal the decision to the Supreme Court. If the Supreme Court decides to hear Cort Furniture's appeal, it wouldn't determine whether discrimination took place, but only if the case should be heard by a jury.

But the 4-month-old appeals court ruling already is having workplace repercussions, pressuring companies to police more diligently. Corporate lawyers say it will stifle communication by creating an atmosphere of caution just when employees are urged to work more cooperatively.

Civil rights groups see the opposite: an atmosphere more conducive to teamwork. They say the decision was necessary because bigots have figured out how to get their message across and stay out of court.

"Discrimination in this day and age is not blatant. It is almost always subtle," says John Reiman, a lawyer who represented Secret Service agents in a high-profile discrimination lawsuit settled against Denny's in 1993.

The law "does not prohibit racist thoughts," wrote Circuit Judge Timothy Lewis in his opinion. But Cort Furniture's defense clearly expresses concern that the ruling will open the door to lawsuits on the basis of mind reading. Aman merely perceived rude co-workers and demanding managers as racists, lawyers for Cort Furniture argue.

"We're on a collision course with the First Amendment," says lawyer Edward Katze, representing Cort Furniture.

But author Lawrence Otis Graham, who is black, sees no danger of that. "People who use (code words) are well aware of what they mean," says Graham, who has written about his experience posing as a busboy at a country club. "They do all the things that Archie Bunker did."

Few deny there is a perception chasm between black and white workers, and interviews with those who worked alongside Aman at the Cort Furniture store in Maple Shade bear that out.

Jeanette Johnson, a black woman who was Aman's immediate supervisor and is a co-plaintiff in the lawsuit, says white workers would reprimand black workers by saying things such as "if this continues, we're going to have to come up there and get rid of all of you."

Yet, white workers don't seem to remember any code words used at

COVER STORY

all. Pascale Rodriguez, a white woman who still works at the Cort Furniture store in Maple Shade, says there was a "closely knit" atmosphere among all workers, although she sensed Aman was unhappy before her resignation.

"I remember times when she snapped at me," Rodriguez says. But she says she never sensed racial undertones and was on good terms with Aman. "She had a stressful position."

But Aman recalls, "The first day I walked onto the job (1986), they deliberately snubbed me."

Black workers say today's workplace bigots operate by making subtle racist remarks and, when confronted, feign surprise and dismay that offense was taken. During another trial last month in Los Angeles, former Pitney Bowes salesman Akin-tunde Ogunleye, who has a Nigerian accent, testified that a co-worker taunted him with "ooga-booga, jungle-jungle."

The co-worker, who has a French accent, testified that it was all a misunderstanding of accents and that he really said, "bonjour, bonjour."

"You can tell if it's an honest mistake. He was lying," Ogunleye told USA TODAY after the trial. The jury awarded Ogunleye \$11.1 million.

Pitney Bowes officials declined to comment.

Ogunleye said that half the discrimination he faced at Pitney Bowes was blatant. The other half might fall into the appellate court's definition of code words.

For example, Ogunleye says his supervisor asked him four times in two months: "Where are you from?" And when Ogunleye returned from a three-month, stress-related disability leave, the same supervisor said: "You're no good, you're just like Darryl Strawberry," referring to the black professional baseball player who has been in and out of the sport due to substance abuse.

But Ogunleye's case may have been dismissed without getting to a jury, except for the alleged taunts such as "jungle, jungle." The Aman vs. Cort Furniture ruling will let juries decide whether a pattern of more subtle comments are enough to pass the legal test of making a reasonable worker feel threatened.

"I think it's carrying it too far," says Steve Cabot, a white Philadelphia labor relations lawyer, who is advising 8,000 companies in a news-

letter to take precautions. "We need to be sensitive. But workers will be walking on egg shells."

Companies expect a rash of litigation. Cabot says that four of his clients, all Fortune 200 companies, began rewriting policies two weeks ago, sending memos to warn workers and planning sensitivity training courses.

Any company with a healthy fear of lawsuits will at least let employees know that code words are not to be tolerated and complaints will be investigated, Cabot says. However, he said one company with \$750 million in annual revenue has decided to do nothing because it fears that workers who find out that more subtle action is grounds for lawsuits will wind up filing more of them.

"I have some problems with every little thing being grounds for a suit," says Shelby Steele, a black critic of affirmative action and author of *The Content of Our Character*.

Steele says he has been the target of code words, but finds that confronting bigots usually shuts them up. When the courts are used for minor grievances, then they lose their effectiveness, he says. "What happens when I'm denied a house or a promotion" because of race, he says.

But many Hispanic workers are afraid to say, "that bothers me," says Dan Cortez, a Hispanic employee with a Fortune 500 company in Phoenix. Those who complain often get reputations as malcontents.

Cabot says recent sexual discrimination decisions have left men wondering whether it's OK to compliment a woman on her wardrobe and questions whether Aman vs. Cort Furniture Rental will confuse ethnic and racial workplace relations as well.

But while there may be an innocent misunderstanding when a man comments on a woman's hairstyle, there is never an innocent reason for categorizing minority groups with code words, says Reiman, the lawyer who represented black Secret Service agents in the Denny's case.

However, Cortez says there is a confusing gray area. An Anglo co-worker, who also is a good friend, may be able to tease Cortez about his fondness for Mexican food, while it might be offensive coming from a co-worker who is a stranger, he says.

Few believe racism can be extinguished. The debate has shifted to what is actionable at the workplace.

It's not just the words, says Herman Cain, the black CEO of Godfather's Pizza and author of *Leadership is Common Sense*. "It's body language. Tone of voice. How people talk to you. Over the years you can develop a sixth sense."



Cabot

need not bear the onus of helping whites to 'get it.' Except that if we don't do it, who will?"

Efforts to cross language minefield may result in greater understanding



Leonard Pitts Jr.

What's wrong with ... "you people"?

She was a white woman on the telephone and, in all earnestness, she wanted to know why those unassuming words — "you people" — invariably anger blacks. I explained to her what to me was obvious: The phrase reeks of the condescension and patronization of an earlier, uglier day.

It carries none of those connotations for her, though, and she was troubled by her own naivete. She seemed struck by the realization that she might easily offend her black neighbors without meaning to. It's a fear many thoughtful people know.

Once, I wrote what I thought was a compassionate piece about an "AIDS victim" only to be informed by a perturbed gay man that the preferred term is "person with AIDS." A feminist editor of mine once forbade use of the word "ladies," calling it a paternalistic synonym for women.

So it goes. Language, it seems, is a minefield.

Watch your language!

Which would not be news to Billy Packer. As you may know, the CBS Sports basketball analyst was under fire recently for his on-air description of a black Georgetown University player as a "tough monkey." The expression was, of course, an unfortunate echo of all the times whites have described blacks as lower-order animals.

Packer says he meant it as a compliment and seems confused that it was taken otherwise by angry viewers and the Rev. Jesse Jackson, who promptly issued an angry demand for condemnation



Associated Press

ANGRY: The Rev. Jesse Jackson demanded an apology from CBS for a sports analyst's remark.

from CBS. Packer apologized on air shortly after making the remark.

I couldn't pick the guy out of a police lineup, so I won't presume to tell you that he is or isn't a bigot. But his confusion, like that of the white woman on the phone, resonates with me. This wasn't, after all, Al Campanis, Jimmy The Greek or Marge Schott expressing repulsive, archaic world views. This was a phrase — ill-chosen, artless and unfortunate, yes — that could have, in fairness, denoted exactly what Packer said he meant it to: a scrappy competitor.

I'm not suggesting Packer should have been given a free ride. White sports commentators have historically credited black athletes for "natural ability" and white ones for hard work and intelligence. They called the immortal Joe Louis a "jungle cat" and the tenor of the times demanded that

he bear it stoically. We should speak out now precisely because he couldn't then.

Jackson's shrill response

But Jackson's demand that CBS issue the "strongest, quickest condemnation possible" — presumably by firing Packer — struck me as needlessly shrill. There seemed to be less concern with whether the man's gaffe reflected an offensive pattern of thought than with playing "Gotcha!"

But why flay the man if carelessness, not malevolence, is his crime? Packer seemed genuinely open to understanding his error and so, presented what every uninformed person does: a chance to teach. I'll take that over an opportunity to vent any day.

I've heard it occasionally said that blacks need not bear the onus of helping whites to "get it." That's an attractive, even liberating, thought. Except that if we don't do it, who will? If gays don't do it for straights, if women don't do it for men, then what? If a person — be it Billy Packer or a stranger on the phone — wants to understand why something is offensive to people like me and I shun the chance to explain, then whose responsibility is it that this particular bit of ignorance remains in the world? Or that the walls dividing us remain unbreachable?

The new caution demanded on the minefield of words is, yes, a pain in the neck and carries a whiff of the dreaded PC besides. But changing and controlling language is one of the ways marginalized people change and control the way they are seen by the mainstream. People of good will ought to empathize.

Sometimes it's worth crossing a minefield to breach a wall.