



How To Protect Yourself In The Workplace

Claims against employers are rising with allegations of discrimination, harassment, and creating a hostile work environment. Your managers, supervisors, or co-workers will rarely blatantly admit to treating you negatively because of your actual or perceived inclusion in a protected class. Therefore, it is up to you to know to how to best protect yourself in the workplace. Here are a few tips that came in handy for me.

1. **Know that Human Resources Is Not Your Friend!**

Their main priority is compliance and it has a history of protecting the company, not you. And in some cases, like mine while an engineer at Payless Shoesource, HR can work against you. Especially if HR motives are personal, then it turns into a calculated mission to have you terminated from the company.

**This is not
facebook
and I am not
your friend**

As nice and well-meaning as they may be, your colleagues in HR don't work for you. I found that out the hard way. Management signs their paychecks, and their objective is to serve and protect the company; not be an advocate for you. Be your own advocate. If you have a concern don't wait, request your concern to be on company record.

Also, do not rely on your employer's internal grievance process. It will involve a HR professional at the corporate level. Your complaint will be filtered down to the local HR manager, the person who is building the case against you. The corporate HR professional is always going to side and believe whatever the local HR manager tells them. It is in your best interest to seek external sources to resolve your issues.

2. **Take notes.** Document everything, starting from the moment things get weird. I strongly encourage my friends and former co-workers to always BCC or forward to themselves any emails pertaining to performance, time off, complaints about harassment, etc.

I also encourage recording all closed-door conversations. This way you will have a record of exactly what was said. In some states, recording interactions with management without his or her consent is legal. But in others, both parties must have knowledge of the recording, also known as two-party consent. You can find the laws for your state [here](#).

Going forward no conversation is considered "safe". Regardless if it is your supervisor, co-worker, etc. Stay in the mindset that every "safe/casual" conversation will be used and documented against you.

Strong organization is often an effective defense against false accusations. If you're in a situation where you must defend yourself, make sure to meticulously organize all key emails, letters, invoices



and receipts. Make sure these things are always easily accessible if, or more importantly when you need them.

3. **Gather up your evidence.** Periodically, I suggest once a month or at least each quarter, collect information for your personal electronic files because they may come in handy if/when you are fired or downsized:
 - a. Documentation of anything they owe you (commissions, bonuses, contracts, etc.)
 - b. Any evidence of age, sex, race, national origin, religious, disability, or other discrimination or harassment
 - c. Copies of all employment agreements, confidentiality agreements and noncompete agreements you signed
 - d. Your performance reviews, evaluations, commendations, awards, write-ups, disciplines, recommendation letters – anything you can get about your performance, bad or good
 - e. Anything else you think might be useful to a lawyer or to the unemployment office

In my case, I was accused of committing Family Medical Leave fraud because I was posting videos on my social media business site while on approved medical leave. As it turned out, my evidence proved that out of the 42 incidents cited by my HR Manager only 2 were legit and not sufficient as grounds for termination.



4. **DON'T QUIT YOUR JOB.** I don't care how bad things get if you quit you will probably be disqualified from getting unemployment; and you may accidentally give up the opportunity to file a claim for discrimination, whistleblower, or other something similar.

When I walked out of the meeting with Loss Prevention and HR I cleaned out my desk. I didn't quit, but I had no intention of going back. The next day I went to the Dayton Ohio office of Civil Rights and while there I was notified that I had been terminated.

The Family and Medical Leave Act of 1993 (FMLA) is a United States labor law requiring covered employers to provide employees with job-protected and unpaid leave for qualified medical and family reasons. And when Payless Shoesource alleged that I violated this policy as the reason for my termination I knew that I had a case for discrimination. And my attorney felt the same way.

It is also better to file a claim with Civil Rights while still employed if you feel the company is making moves towards terminating you. Once the employer is served with Civil Rights paperwork, it could work in your favor as retaliation if HR is still in pursuit of your termination. Some employers will back off once they are served from Civil Rights.

5. **Have An Exit Strategy.** One of Multi-Billionaire Warren Buffet's 5 tips to live by is: "Never depend on a single income." If you job is your only source of income your doing yourself, and your family, a dis-service. You just never know when that source may dry up. Perhaps the company goes out of business, or you get fired as is the case of Payless Shoesource. With a single source of income, you may one day find yourself income-less.



While you are gainfully employed you need to maximize your income, so you are getting the most out of your paycheck. In 2016 I started using a strategy called **Income Shifting** which is why I was able to walk away from my job March 22, 2018, the day before they fired me.

Now that I have shared with you *How To Protect Yourself In Workplace* you need to know...

What To Expect After You Have Been Wrongfully Terminated.



Cecelia goes by the tagline "Engineer by Education and Home Business Owner By Desire". Since being displaced by Corporate America for the 2nd time in 10 years, she now uses digital marketing strategies to monetize her online business with over 20,000 followers on social media, over 200 training videos and articles, and coaching programs personalized for her client's goals! To schedule a private consultation with Cecelia [click here](#).

Disclaimer: This information is provided for educational purposes only and should not be used as a substitute for legal advice. The legal issues surrounding employment discrimination and harassment claims are complicated and very fact-specific. Questions or concerns should be discussed with an attorney.