



Article from

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# WHAT WOULD YOU DO?

## Responses to “Personal Differences”

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In the March issue of *The Stepping Stone*, I presented the following work situation faced by a consulting actuary managing a large assignment. Here are selected responses and excerpts, edited for space and clarity, followed by the real-life conclusion. Send your own ideas for situations to pose in upcoming issues to [SteppingStone@JHACareers.com](mailto:SteppingStone@JHACareers.com).

### PERSONAL DIFFERENCES

James was managing a multi-office group of actuarial consultants on a large assignment. He was approached by an associate who didn't want to work with a particular consultant based in another city. When James dug into the reasons, he found it was because the other consultant was openly gay.

James' initial reaction was that a person's personal opinion and thoughts are private, but at work, we are obligated to work in a group setting with all of our associates. On the other hand, he couldn't afford friction that might interfere with deadlines.

*Most respondents took the stated problem at face value, but two made the astute observation that there could be more to it:*

I would first talk to both consultants mentioned in the case study and find out if they've worked together in the past and what that experience was like. It's possible that the problem is due to a past unpleasant experience, not necessarily because "he was gay."

Are we assuming this person is "wrong" because he admitted discomfort with working with a gay colleague? Are we assuming the "gay colleague" is without flaw? Maybe there is something else going on. Maybe the consultant has doubts about the "gay consultant's" integrity, or work product, and so on, and was just uncomfortable saying so to his boss.

*To get to the bottom of the issue, this actuary suggested a simple, direct approach:*

I'd have the fellow in my office for a chat. I'd ask why he felt as he felt. After he spoke and then fell silent, I'd remain silent and keep looking quizzically at him until he again spoke. I'd keep listening and listening until he talked himself into a change of mind. At most, I'd ask prodding questions after long silences, which I'll define here as three minutes or more by the clock on the wall behind the refuser's head:

- "Do you fear gayness?"
- "Do you think he might be attracted to you?"
- "How would you feel if it were a woman who does find you attractive, but who has always been professional with you?" and so on.

*Another gave these questions to explore, and suggested perhaps there was another solution:*

Was there a specific incident that made the complainer uncomfortable, maybe something that wouldn't be tolerated regardless of sexuality; or is it pure prejudice? Is there a policy that associates can refuse to work with someone at their discretion, or is it policy that people have to work together? What does the consultant think about working with the complainer?

If James doesn't want to fire the complainer for trying to black-ball colleagues and doesn't want to fire the consultant if something inappropriate had happened to spur the complaint, then could he "bribe" the consultant with a better assignment and avoid the situation entirely?

*One actuary gave this pithy response:*

The associate needs to undergo sensitivity training or be fired.

*Another related this situation back to the actuarial Code of Conduct:*

Refusal to work with an openly gay person is a violation of the Code of Conduct. Precept 10 states, "An Actuary shall perform Actuarial Services with courtesy and professional respect and shall cooperate with others in the Principal's interest." The actuary who is refusing to work with his colleague is acting neither professionally nor courteously. It's up to the Principal to decide if this employee should be counseled, demoted, reassigned or fired for his outrageous conduct.

*While this respondent emphasized trust:*

One never completely knows the background or the "heart" of another. It sounds like the associate reluctantly shared that he didn't want to work with an openly gay consultant. This sharing could have been the result of creating an atmosphere of trust

between James and the associate, and it could have been scary for the associate to share.

The motivation could be upbringing, lack of experience with someone who was openly gay, or something else. We simply don't know, and James likely doesn't either. I would tread lightly because if I react strongly or negatively, then in the future—instead of sharing what is really going on—he could hide the true reason.

I don't think rules, requirements or codes will help this associate to change his point of view or reaction. Rather, I would orient the conversation toward one of personal growth, ideally exemplified by an example from my own career of working with someone different from myself.

*This respondent talked about how personal beliefs and behaviors relate to the workplace:*

Your faith can't be isolated to just your home life—you need to be willing to stand up for what you believe. However, that doesn't mean you treat people unfairly or inappropriately. This isn't a situation where the associate was asked if he thought that lifestyle was "right," just that they needed to work together. James is still able to hold everyone accountable for deadlines, and as issues arise, James could definitely ask the associate what was causing delays.

Walking alongside the staff member to help him deal with personality differences effectively can help. The expectation needs to always be that he finds a way to work with others. In this situation, it was due to "being gay," but in others it could be because they drink, are living with someone, like the Packers instead of the Vikings, or a host of other differences.

*As did this respondent:*

If someone owns and operates a business and they do not want to hire blonde people or serve blonde customers, they have that right. That is, they have the right to personal prejudices, even if they own a business and even if I disagree with them. However, if a company has hired a blonde employee, then no one has the right to refuse to work with that employee. Work is work and personal is personal.

*One looked at longer-term implications:*

What are the consequences of caving to the prejudice? Losing one employee and setting a bad precedent that could be very problematic over time, plus opening the company up to lawsuits. Constantly balancing everyone's prejudices so that no one is offended seems like walking into a minefield.

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*These two actuaries felt that human resources should play a role:*

I'd ask HR for guidance. I imagine they would say discrimination against an employee by another employee is unacceptable under any basis. I'd want to know what to tell the employee and how to say it specifically. I don't think that accommodating the request not to work with the consultant is an acceptable outcome, and the associate probably needs formal or informal training.

Guidelines at my employer would be that as a manager I need to immediately report this to HR. Not reporting would put my own job in jeopardy. I would then follow whatever instructions HR gives me to be compliant with the law and employer guidelines. I think this scenario could lead to termination for the associate ... by refusing to work with the consultant, he is creating a hostile work environment. I would also want to have webinars/training for all employees on how to build an inclusive workplace.

#### WHAT ACTUALLY HAPPENED?

James told the associate that he would not make any changes in the team ... a person's personal opinion and thoughts are private, but at work, we are obligated to work in a group setting with all of our associates. In fact, the firm's diversity and inclusion policy prohibits discrimination based on sexual orientation and mandates that we work with all of our associates. It's up to the engagement manager to ensure that firm policies are upheld and client expectations are met.

The associate continued to work on the project, helping the team successfully meet its client expectations. Shortly thereafter, the associate quit and left the profession. ■



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