Chilled Work Environment Presentation

NAECP

Chilled Work Environment Agenda

- What is a Chilled Work Environment (Chilling Effect)?
- How do you measure/determine if a Chilled Work Environment exists?
- How do you prevent and/or mitigate a Chilled Work Environment

This session is intended to be interactive, so please feel free to ask questions and participate throughout the presentation.

The Ultimate Concern “Chilling Effect”

Fear of retaliation makes individuals reluctant to, or refuse, to identify or raise safety issues or concerns.
Chilling Effect – What is it and what can lead to it?

- A chilling effect creates an atmosphere in which employees are unwilling and/or reluctant to raise questions or concerns. A chilling effect may result when an action by management makes employees feel that people who raise concerns or ideas will suffer a negative consequence.

- To ensure your actions cannot be perceived to be retaliation, you must consider the impact that discipline or other actions will have on the willingness of others to raise concerns.
  - Will the action cause others to be reluctant to bring issues to management?

Examples that could potentially lead to “chilling effect”:
- Excluding an employee from normal activities
- Harassment
- Harassment
- Intimidation
- Retaliation
- Discrimination
- Bullying
- Treating others differently
- Discipline

Chilling Effect – What is it and what can lead to it? (Cont’d)

- Will there be a morale issue as a result of your actions that would undermine open communications?
- If either of these outcomes is likely, your actions may create a “chilling effect.”

What other kinds of things can lead to a potential Chilling Affect?

Q & As
Chilling Effect – How Do You Measure It?

There are several methods to measure Chilled Work Environment:

- Personal Interviews
- Surveys (There are several easy to use survey tools available, ex., Survey Monkey, SCWE survey tools)
- Questionnaire’s
- Annual Refresher Training
- Performance Indicators
- Number / type of ECP Concerns written
- Number / type of Concerns filed with the Regulator
- Number / type of EEO Complaints
- Number of Safety Issues Reported (PER’s)

September 2011
Ed Kennedy, ECP Manager
What are some other ways for measuring if you have a *chilling effect*?

**Q & As**

---

How do you prevent a chilled work environment?

- A chilling effect must be avoided. This is generally done by clearly and proactively communicating the legitimate reasons for why an action is being taken to the audience of employees that could be affected.

- If an action or event has created a potential chilling effect, it must be *quickly addressed*. This is done by responding with mitigating actions that are equal or greater in intensity to the initiating action and include the audience affected by the initial action or event. Actions to mitigate a chilling effect include:

  1. Clearly communicate truthful information to the group of people who may have witnessed or heard about the situation.
  2. Listen to concerns and clarify any misunderstanding of the situation.
  3. Take appropriate action to ensure that employees understand management’s desire and expectation for them to raise any issues and concerns.
  4. Promptly investigate when an action may have been retaliatory.
  5. Recognize and apologize for wrongful behaviors as soon as they are recognized.
  6. Do not tolerate, defend, or ignore bad behaviors or retaliatory conduct – it will rub off on you.
  7. Measure the effectiveness of the actions taken to mitigate a chilling effect – if not effective, keep working on the situation.

---

September 2011

Ed Kennedy, ECP Manager

10

11

12
What are some other ways to prevent or mitigate a chilling affect?

Q & As

Conclusion

- A chilling effect may result when an action by management makes employees feel that people who raise concerns or ideas will suffer a negative consequence.

- Encourage Workforce to come forward
  - If you know of or suspect a chilled work environment, one of your first actions should be to bring the matter to the attention of the ECP or Human Resources. They can provide immediate and longer-term assistance and support in determining if there is a chilled work environment and dealing with the situation, if one is determined to exist.