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# THE KRIZNER GROUP

*AN EMPLOYMENT LAW BOUTIQUE*

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**Don't Jump Without A  
Parachute...  
It's A Long Way Down!**

**The 2026 Employment Law  
Supervisory Training**

## Every Leader In 2026 Must Know Them!

Name the *protected class* based upon the bad behavior...

Intentional mispronunciation of names, speak English! : \_\_\_\_\_

Man up; boys will be boys; that's heavy, let me help; : \_\_\_\_\_

Afraid of dying; it's just cake with our team! : \_\_\_\_\_

*Note: The One Bite Of The Apple Exception*

Tinkerbell; better not to bring him to this event; : \_\_\_\_\_

That is so millennial of you; Having "a senior moment"; : \_\_\_\_\_

Did you play football?; son, boy; better butts; : \_\_\_\_\_

Are you coming back?; remember, she is hormonal; : \_\_\_\_\_

No more excuses; not all there; go see my doctor; : \_\_\_\_\_

## Favored Employee...

Emily's manager, David, has been very understanding as she recently dealt with a family illness. David asks Emily to meet him at the bar near the office before an County networking event. When she arrives, he invites her to sit in a quiet corner for a "brief drink" before heading to the event. They talk about personal struggles in each of their lives and concerns that they have with another one of the County's managers. As he leans in closely and brushes a strand of hair from Emily's face, David praises her skills and tells her he wants to make sure she gets assigned to the better office space that will soon become available. Where did David make a mistake?

## One Easy Step To Protect Your Decisions

Most employment lawsuits result from problems that develop between the time that the supervisor decides to separate an employee and the time that the separation is formally announced.

True \_\_\_\_\_ False \_\_\_\_\_

### → **Everyday Management Expectation #1:**

What is the answer to protect both you and the County?

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Two Considerations In Defending Retaliation:

- (1) precedent; and
- (2) severity of immediate failure(s).

## What Is The Difference???

Which of the following reflect illegal harassment?

- a. Gossip about coworkers' personal lives.
- b. A difficult boss that has unrealistic expectations regarding work quantity and work quality.
- c. Job benefits conditioned on submitting to romantic or sexual advances.
- d. Unwelcome conduct that is severe or frequent and based upon a protected class.
- e. All of the above are correct.
- f. c. and d. are correct.

## Considering Dangers Inherent In Every Termination

After several disciplinary warnings and a disappointing year-end review, management decides to end Michael's employment. Michael has a reputation for being withdrawn and has previously expressed anger toward colleagues and managers. When the termination meeting occurs, Michael remains unnervingly silent as the decision is explained. The manager harshly details Michael's performance failures and questions his dedication to the county's goals. No one informs security or HR about the termination in advance, and three hours later, Michael returns armed with a handgun. What steps could have been taken differently to reduce this risk?

### → **Everyday Management Expectation #2: Four Practical Tips When Terminating Employee...**

1. Keep it simple and use this phrase "We reached a point where this is no longer a good fit".
2. Consider resignation and nicety pay.
3. Discern any points of risk in advance and take proactive steps.
4. Practice, practice, practice!

## **Carrying Work Home With You: It Means Even More Than You Know...**

Carlos, the team leader of his unit, is invited to a coworker's casual farewell party held at an employee's house on a Saturday night. When he arrives, he notices several of the employees are clearly intoxicated. Carlos stays mostly quiet but soon overhears coworkers sharing in a spicy round of two truths and a lie, mostly centered on sexual encounters that they have experienced. One employee, Mary, visibly withdraws and leaves the gathering early, appearing very uneasy. Could the County face any legal risks due to what happened at this event?

### **Leadership Professional Boundaries: Often Hard**

Katrina is Jamar's supervisor. Due to a stringent deadline, Katrina and Jamar have had to work closely over the past three months and they have gradually developed romantic feelings for each other despite both being married. They start an affair. Which of the following are legal concerns associated with this behavior?

- a. Perception of favoritism on the part of other employees.
- b. Possibility of retaliation if the relationship ends.
- c. Conflict of interest between job responsibilities and personal feelings.
- d. Jamar and Katrina will engage in public displays of affection while at work.
- e. Both a. and b. are correct

Follow-up Question: Who loses her or his job here?

**→ Everyday Management Expectation #3: Report Peer Level Relationships & Love Contracts**

## Different Directions

The County can be held responsible for illegal harassment caused by:

- a. Its Supervisors;
- b. Coworkers;
- c. Vendors;
- d. Those That The Organization Serves; or
- e. All Of The Above.

## The Real Catalyst: Poor Leadership

While many lawsuits are truly frivolous in that the County's leader did not act because of a protected class, there are repeated daily leadership failures that often trigger the claim. Which of the following behaviors often leads to claims of discrimination and retaliation?

- a. No evaluation or regular accountability.
- b. Absentee leadership that lacks any regular *meaningful* communication.
- c. Irregular or inconsistent corrective intervention.
- d. Negative or demeaning leadership.
- e. All of the above.

### → **Everyday Management Expectation #4: Three Attributes Of Successful Leadership**

- 1. Weekly affirmation/challenge.
- 2. Leadership log.
- 3. Earlier corrective actions.

## Tardy For A Reason

Herb supervises a team member, Ellen, who frequently misses project deadlines. The delays are starting to frustrate Herb and affect team productivity. When Herb meets with the employee to discuss the issue, she reveals that she has a chronic medical condition causing fatigue and difficulty concentrating. She asks if the County can offer some flexibility with deadlines to accommodate her condition and potential work from home opportunities. Herb relies heavily upon Ellen and is insistent that she now immediately receives a last chance agreement. What concerns exist here?

### → **Everyday Management Expectation #5: The Keys To Unlock A Disability Fact Pattern**

An employee with a d\_\_\_\_\_ must perform the e\_\_\_\_\_ functions of the job with or without r\_\_\_\_\_ a\_\_\_\_\_. The best place to begin in finding the e\_\_\_\_\_ functions is within the j\_\_\_\_\_ d\_\_\_\_\_.

## The Unethical Excellent Performer

Matt is an excellent performer in his work, however, continually smears the reputation of his coworkers, has a terrible habit of rolling his eyes when he disagrees with his supervisor Shawnda, and uses his phone throughout nearly every meeting. His coworkers constantly complain about Matt, but Shawnda does not believe that she can do much since the work is getting done. Finally, at the prompting of a fellow leader, Shawnda tries to issue a corrective action plan, however, Matt refuses to sign it. He states that the behaviors are not prohibited in the handbook and that he is doing everything that his job description requires. Shawnda does not know what to do next...

### → **Everyday Management Expectation #6:**

1. At Will.
2. Insubordination.
3. Making The Intangible Tangible.

## **A Friendly Reminder: Goals Are A Leader's Best Friend**

Which of the following are high-quality performance evaluation goals?

- a. "Complete an approved conflict-management course and apply one technique by August 15."
- b. "Try to improve how you interact with coworkers."
- c. "Your work should be better going forward."
- d. "There will be no substantiated customer complaints for the next six months, and we will review progress in ninety days."
- e. a. and d. are correct.

## **Referring Reference Calls**

Debra, a supervisor at the County, receives two unusual calls in the same afternoon. The first is from an anonymous caller who shares that DeCarlos, one of her current employees, fabricated his educational background and further conveys that he was terminated for pushing a coworker down a set of stairs in his last job. Before she can address this information, Debra receives another call from a prospective employer that wants reference information regarding one of her former employees. The caller indicates that they have a signed release and that the prior employee indicated that Debra would be able to provide a very positive background on her work. What should Debra do in response to such calls?

**→ Everyday Management Expectation #7: The Last 2; 3 Questions; And Redirect To HR!**



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