



Leadership
Series

Learn **Key Skills** to
Transform You from
Supervisor to **Leader**

Communicating with Difficult People and Influencing Change



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WACUBO Business Management Institute
August 3, 2022 1:45 p.m. to 3:15 p.m.

Presented by:

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Practice Areas and Experience

Barbara J. Ginsberg represents school and community college districts, and public agencies in all aspects of labor and employment matters and education law. She serves as chief negotiator for agencies in collective bargaining with certificated, classified, and police/safety units, and is experienced in both traditional and interest-based bargaining methods. In addition, Ms. Ginsberg has more than 28 years of experience investigating charges of harassment and discrimination as well as uniform complaints. She is a member of the firm's Title IX and Clery Act groups. Other areas of Ms. Ginsberg's practice include: classified and certificated employee evaluation and discipline (merit and non-merit); statutory and negotiated leave issues; police and safety matters, including POBOR issues; certificated and classified reductions in force; disability accommodation issues; student and employee privacy, search and seizure, and other constitutional issues; drafting board/agency policies; hiring practices; PERB, EEOC, DFEH, OCR, OAH, and personnel commission matters; and federal and state civil litigation.

Prior to joining AALRR in 2008, Ms. Ginsberg spent seven years as a legal advocate for public and private employee unions, including the Association of Orange County Deputy Sheriffs, Riverside Sheriffs Association, Orange County Firefighters Association, Santa Ana Firefighters, and the San Bernardino Public Employees Association; and eight years as an advocate for school and community college districts. She also served as Deputy City Attorney for the City of Victorville, and as a teacher in elementary, middle school, and high school settings.

Events & Speaking Engagements

Ms. Ginsberg is a popular and highly requested speaker and regularly provides training throughout the nation on a variety of subjects of interest to K-12 school districts, community colleges, universities, cities, counties, governing boards, management teams, administrators, police and safety personnel, supervisors, and staff. In addition to addressing subjects that impact the workplace, the educational

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setting, and collective bargaining, Ms. Ginsberg provides training on the FRISK model for preparing effective documentation regarding employee substandard performance or conduct; leadership and communication skills; conducting investigations in the educational and workplace environments; conflict resolution; Brown Act compliance, and state-mandated sexual harassment training. She regularly lectures at conferences for local, statewide, and national organizations such as AASPA, ACCCA, ACSA, ACHRO, CAAASA, CABE, CALSA, CCLC, CCUPCA, CPCA, CSBA, NSBA, and WACUBO. She is also a regular instructor at various personnel and administrator academies throughout the state, and a guest lecturer at local universities.

Upcoming conferences and speaking events include:

Leadership Series with Barbara Ginsberg – Statewide (virtual)

- Communicating with Difficult People and Influencing Change
- Managing & Addressing Conflicts Between Employees in the Workplace
- Effective Evaluations and Evaluation Meetings
- Preparing, Delivering, and Monitoring Employee Improvement Plans
- Team Building Tips That Will Help You Transform Your Work Site
- From Supervisor to Leader: Responsibilities, Repairing Relationships, and Infusing the Practice of Civility in the Workplace
- Troubleshooting Leadership: How to Lead Notwithstanding Challenging People and How to Lead in Challenging Circumstances

K-12 Performance Management Series (Statewide & Single Districts – virtual)

CCD Performance Management Series (Statewide & Single Districts – virtual)

101 Series

- Negotiations & Contract Administration 101 for Administrators
- Addressing Conflicts Between Employees in the Workplace
- Conducting Legally Compliant Workplace Investigations
- Preparing and Delivering Effective Evaluations
- Introduction to the FRISK[®] Documentation Method

102 Series

- Preparing for the First Negotiation Session
- Managing and Understanding Millennials in the Workforce
- Professionalism in the Education Environment: When Employees Cross Professional Boundaries
- Employee Speech: Guidelines on Restrictions to Maintain the Integrity of the Workplace while Protecting Employee Rights
- Advanced FRISK[®]

2022-2023 AALRR Central Coast Professional Development Consortium

- Sexual Harassment/Abusive Conduct Prevention Training
- An Administrator's Guide to Investigations Involving Students
- Best Practices for Hiring, Recruiting, and Maintaining a Diverse Workforce
- Leading and Building Worksite Culture & Managing Your Team in Challenging Times
- Safety and Threat Assessments & Proactively Managing Workplace and Student Behaviors
- Best Post-Pandemic Practices Regarding Accommodating Employees and Managing Remote Work

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FRISK® Documentation Model for K-12 LEAs & Private Schools (State/National) **FRISK® Documentation Model for Community College Districts (State/National)**

- Preparing and Delivering Effective Documentation Regarding Employee Substandard Performance or Conduct
- Techniques for Effective Communication with Employees About the FRISK® Document & Influencing Employee Improvement
- Advanced FRISK®: Focus on Scenarios and Writing Techniques

Cultural Competence & Sensitivity Institute – Statewide (virtual)

101 Series

- Cultural Sensitivity in the Workplace
- Understanding and Managing Implicit Bias, Gaslighting, and Racelighting
- Managing & Addressing Conflicts Between Employees in the Workplace

102 Series


- Implementing Employment Practices that Support Cultural Competence in the Workplace
- Conducting Investigations and Addressing Complaints with a Culturally Sensitive Lens
- Best Practices for recruiting, Hiring, and retaining a Diverse Workforce

Additional Topics for Individual School Districts, Community College Districts, Charter Schools and Private Schools

- Nurturing the Superintendent-Board Member Relationship
- Creating a Satisfying and Equitable Work Environment
- Exercising Gratitude in the Classroom and Workplace
- Building, Maintaining and Repairing Relationships of Trust in the Workplace
- Leading and Building School Culture
- Leading During Challenging Times
- Techniques for Becoming a Stronger, More Effective Negotiator
- Secrets to Getting Stuff Done
- Infusing the Practice of Civility and Mutual Respect in the Workplace
- Professionalism and Excellence in the Workplace
- Accommodating Employee Disabilities
- Tips for Conducting Better Workplace Investigations
- Sexual Harassment and Abusive Conduct Prevention Training
- Identifying and Responding to Employee Use of Drugs and Alcohol
- Managing Employee Leaves of Absence
- Mandated Reporter Training Regarding Child Abuse and Neglect
- Understanding the Brown Act
- Good Language, Bad Language: Rules for Drafting Contract Language
- Repairing Relationships of Trust and Team Building Tips for Executive Assistants

Community & Professional


- California Bar Association, Labor & Employment Law Section, Member
- California Council of School Attorneys, Member
- Cerritos College Foundation, Past President and Member
- Pacific Symphony Volunteer and Back Stage Guide



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GOALS FOR TODAY

- Reduce your anxiety
- Opportunity for self-awareness
- Build your confidence
- Empower you to control the work environment and situations with difficult people, with tact and skill

POLLING QUESTION #1

DIFFICULT PEOPLE

- People who present a bottleneck in the decision-making process
- Complainers, negative nellyes, bullies, situational hijackers
- People who are disinclined to treat people nicely because they are not afraid of the consequences
- Employees engaged in substandard performance or conduct who have a negative attitude towards changing

Dealing with Difficult People

You must separate the person from the business problem

You can't necessarily change mindsets and attitudes, but you can and must manage behaviors



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TACT/ DIPLOMACY

- The handling of difficult or delicate situations with expertise and proficiency
- The art of letting someone have it your way – influencing change

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FACE THE ISSUE

- Determine the business problem
- Handle it early so your emotions don't take over
- Don't leave the issue unaddressed or expect it will go away or lessen
- Don't be a complainer, be an actor

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DETERMINE THE MOTIVE

- What is making the person act this way?
- What is preventing the person from being cooperative?

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EXAMINE
YOURSELF

- Hot buttons being pushed?
- Your feelings about their behavior
- Overreaction?

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POLLING
QUESTION
#2

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- Be professional, composed
- Focus on business interest, NOT interpersonal issues
- Describe how you are being impacted by the difficult person's actions/behavior
- Listen until you know they feel heard
- Summarize and clarify
- Ask inquiry questions; avoid being reactive or defensive
- Mutually determine what can be done differently moving forward to lessen the impact; invest them in the solution

**DISCUSS
DIRECTLY IN
PRIVATE**

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DISCUSS DIRECTLY IN PRIVATE

- **Be professional, composed**
 - Be prepared
 - Be timely
 - Set an appropriate meeting location
 - Display respectfulness
 - Display trustworthiness
 - Be confident
 - Maintain self-control
 - Avoid escalation

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DISCUSS DIRECTLY IN PRIVATE

- Focus on business interest, NOT interpersonal issues

You can't necessarily change mindsets and attitudes, but you can and must manage behaviors



To influence an individual's cooperation in changing, you must first get the individual to recognize there is a problem

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DISCUSS DIRECTLY IN PRIVATE

- Describe how you, or the college/university, or the educational environment are being impacted by the difficult person's actions/behavior

– Have specific examples ready

To influence an individual's cooperation in changing, you must next get the individual to acknowledge a need to correct the problem

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DISCUSS DIRECTLY IN PRIVATE

- **Listen with intent until you know they feel heard**
 - Goal is to get “matching pictures”
 - Paying attention is a form of respect
 - Giving “attention” requires “attending to” the other person and actively listening
 - Keep eye contact
 - Don’t interrupt or plan rebuttal
 - Don’t divide your attention between a person and an electronic device (don’t fragment your attention)
 - Avoid distractions in order to perceive details

- ✓ Capacity to listen
- ✓ Willingness to listen
- ✓ Listening habits

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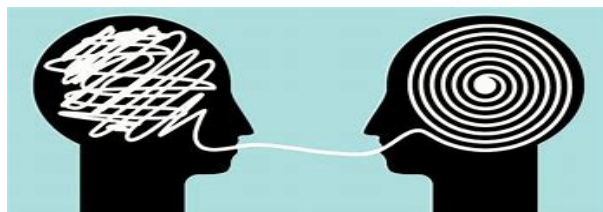
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DISCUSS DIRECTLY IN PRIVATE

- **Summarize and clarify for understanding**
 - Recap back to them after they speak
 - Request recap from them after you speak
 - When there are gaps/inaccuracies, clarify



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PRACTICE

- Person #1: From the time I say go, until I say stop, tell Person #2 about your favorite TV show
 - Tell: Who are the characters? What makes it a good show? What are the general plotlines? How would you feel if you missed the show? How does the show impact you? Why is the show important? Why should it stay on the air? Etc.?
- [Debrief]
- After I call time, Person #2 will have 20-30 seconds to summarize and “play back” his/her understanding of what Person #1 said, starting with **“If I understand you correctly, what you said was ...”**
- [Debrief]

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Key Point

Listening and summarizing is critical for a person who wants to:

- influence change in employee performance
- resolve a situation
- deescalate



***Listening and summarizing leads to “matching pictures”
and effective communication**

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DISCUSS DIRECTLY IN PRIVATE

- **Ask inquiry questions; avoid being reactive or defensive**
 - Where possible, plan ahead
 - Use key points from the difficult person to guide your next question
 - Ask open-ended questions to promote critical thinking and reflection
 - Use words that are free from judgments and negative undertones
 - Ask questions that require self-assessment by the difficult person

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DISCUSS DIRECTLY IN PRIVATE

- Mutually determine what can be done differently moving forward to lessen the impact; invest them in the solution
 - Look at the “business interest” of the problem”
 - Ask questions that engage the difficult person in finding a solution
 - Commit to and follow through on the solution

***A person is more likely to be LESS difficult if he/she feels he/she was HEARD and PART of a solution**

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PRACTICE BACK AT YOUR SITE/DEPARTMENT

- Develop a common scenario where you, as a manager, must deal with a difficult person
- Role play with a partner: one as manager, one as difficult person
- Ask inquiry questions, listen, summarize for understanding, and work together toward a solution

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PRACTICE

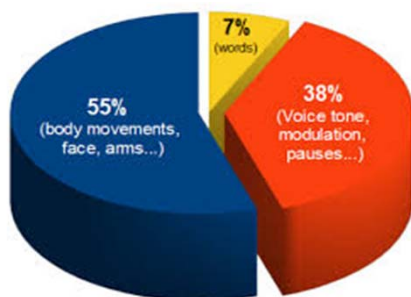
- Person #1: You are the supervisor. You have disciplined an employee for angry outbursts in the workplace, calling co-workers “stupid” and generally exhibiting frustration. You noticed a pattern of the employee walking out on conversations, distancing himself from co-workers, and leaving early from work.
- Person #2 you are the employee.
- Have a conversation with the employee about his behavior in such a manner that it (1) gets to the bottom of what is driving the behavior, and (2) influences the employee to reflect on his conduct and be motivated to change his behavior moving forward.

POLLING QUESTION #3

OTHER CRITICAL SKILLS NECESSARY FOR SUCCESSFUL, EFFECTIVE COMMUNICATION

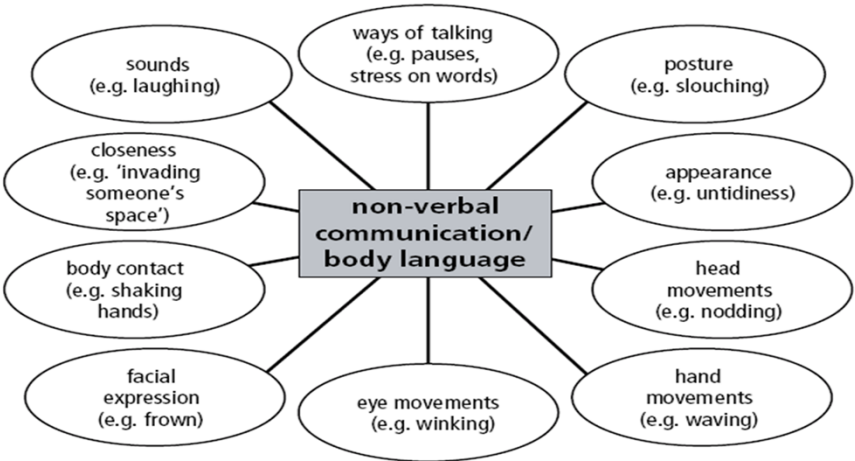
- ✓ Be aware of, control, and optimize your body language
- ✓ Adapt to the individual's communication filter

CONTROL AND OPTIMIZE YOUR BODY LANGUAGE AND TONE



- 93% of communication is body language & tone
- Non-verbal reveals feelings, emotions, attitudes and thoughts
- When listening, your movements, voice quality, posture, gestures, eye contact, facial expressions tell others how available you are to interact and how interested you are in what they have to say.
- When speaking, they influence the way your message is interpreted by the listener
- Be “other” oriented

Elements of Non-Verbal Communication



ELECTRONIC COMMUNICATIONS



- What you say (word choice)
- **How you say it (tone/body language)**
- When you say it (timing)
- **Your own understanding (asking for clarification/listening)**

Consider the message you are trying to communicate and whether electronic communication is the best forum

Remember what the “E” stands for!!

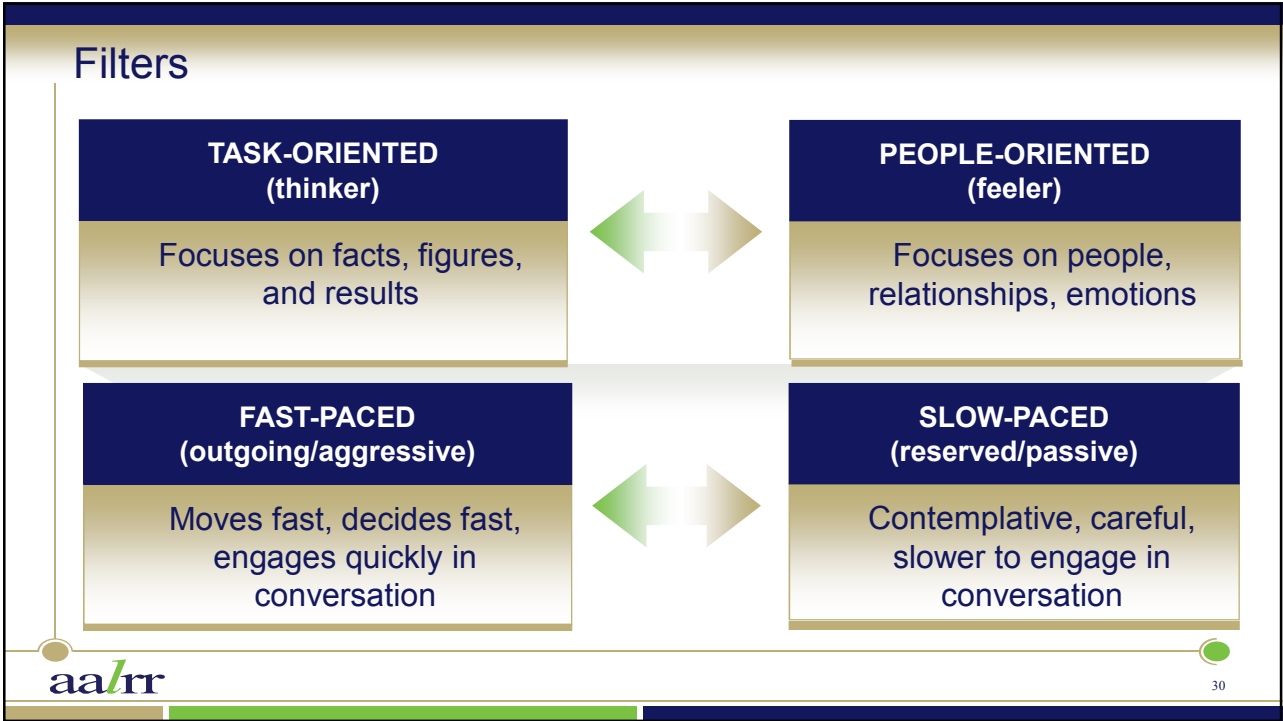
TAKE EXTRA CARE!!!

ADAPT TO THE INDIVIDUAL’S COMMUNICATION FILTER

- Use an appropriate communication filter and adapt to the difficult person’s communication style
- Avoid being reactive, defensive, or judgmental

**KNOW YOUR FILTER, AND
PREDICT THE FILTER OF
THE DIFFICULT PERSON**





Filters & How to Communicate

DOMINANT
“Get it Done”

➔

- Dominant, Direct, Demanding
- Outgoing and task-oriented

Needs: Choices, control, challenge

Strategy: Let them choose when possible; give them big goals and challenges; let them control their work environment to the extent possible.

To Communicate: Speak confidently and directly to them. Don’t beat around the bush. Bottom line it.

Their Perspective: They are thinking, “What do you want me to do?” They want to do things fast. They want you to respect their work and productivity.

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Filters & How to Communicate

INSPIRING
“Get Appreciated”

• Inspiring, Influencing, Impressionable
• Outgoing and people-oriented

Needs: Recognition, approval, popularity

Strategy: Notice them and what they do, publicly if possible; verbally approve of them and their work. Show you like them.

To Communicate: Smile; listen to their stories; use stories and experiences to explain complex concepts; ask them about their families. Be flexible. Be enthusiastic.

Their Perspective: They are thinking, “Who?” They like to do things the “fun” way. They want you to like them as opposed to their work. They want you to be fun and interactive.

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Filters & How to Communicate

SUPPORTIVE
“Get Along”

• Supportive, Stable, Steady, Shy
• Reserved and people-oriented

Needs: Appreciation, assurance, security

Strategy: Show you appreciate them as people as much as you appreciate their work; verbalize the importance of what they do for the team

To Communicate: Speak softly and listen carefully for their concerns. Don’t push for an immediate action or quick decision. They need time to process. Set goals.

Their Perspective: They are thinking, “How?” They like doing things the “easy” way. They want you to slow down and take your time to communicate; they want you to appreciate them as people, not just their tasks.

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Filters & How to Communicate

CAUTIOUS
“Get it Right”

- Cautious, Calculating, Competent, Conscientious, Careful
- Reserved and task-oriented

Needs: Quality answers, value, excellence

Strategy: Provide data and logic to support your decisions and explain your reasoning. Give them time to complete what they start. They hate being interrupted.

To Communicate: Make an appointment. Provide facts and data to support your perspective. Be detailed. Be prepared to give reasons. DON'T try to inspire them with an emotional appeal.

Their Perspective: They are thinking, “Why?” They like doing things the “right” way. Usually not concerned with whether you like them. Their work is an extension of themselves. Want logical and factual communication

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BE ASSERTIVE

- Assertiveness is not the same as aggressiveness
- Don't tolerate disrespectful behavior or bullying
- Conditions for communicating with you
- Point out when your conditions are being violated
- Maintain consequences – be strong

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FOLLOW UP

- Has the behavior changed?
- Has the issue been resolved?
- Better? Worse? Tweak?
- Need another conversation?
- Need to escalate ...
 - to a higher resource?
 - with a different type of response?

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- Limit a difficult person's access to you
- Don't reinforce the negativity (it's their choice to be negative)
- It's not your role to provide therapy
- Document, document, document
- Protect others
- Pick your battles and redirect them
- Keep HR in the loop


OTHER TIPS

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- Foster strong connections
- Build trust
 - Exhibit sincerity
 - Exhibit reliability
 - Exhibit competence
 - Exhibit care



ENGAGE IN PREVENTION

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Techniques to Give You More Power with Difficult People

- Choose the optimal time for the conversation
- Know your hot buttons and be prepared to respond tactfully
- Know the anticipated filters for the conversation
- Avoid backing an opponent into a corner – give them a way out
- Give yourself an out – reconvene at a mutually agreeable time

- Be assertive and stick with the challenge
- If confronted with bad behavior, distance yourself from it
- Summarize and clarify understanding
- Pace or blend (except with an aggressive person)
- Backtrack and use their words

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Disclaimer

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Question & Answer Session

Thank You

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