

When workers and supervisors clash, ask: Is it discrimination or personality conflict?

Sometimes, a supervisor and subordinate just don't get along. While the subordinate may think the reason has something to do with a protected characteristic, that may not be the case. When you receive such a complaint, you obviously must investigate.

But if you find out that it's really a case of personality conflicts, you can close the investigation—perhaps with a warning to the supervisor to check her attitude.

Recent case: Tham, who is of Vietnamese origin, complained that her supervisor, who is Bosnian, spoke to her harshly but was kinder to workers who spoke Bosnian. However, after investigating, the employer concluded that ethnicity wasn't a factor.

After Tham was fired for a series of workplace infractions, she sued, alleging a hostile work environment based on her national origin. She cited the supervisor's harsh tone as evidence.

The court dismissed her lawsuit, reasoning that nothing Tham described seemed related to her national origin. At most, it was a case of clashing personalities. The court noted that employees aren't entitled to a perfectly harmonious workplace and that a supervisor's rude and perhaps unprofessional conduct isn't grounds alone for a lawsuit. (*Lai v. Deiorio Foods*, ND NY, 2018)

Final note: Of course, we should all strive to create a workplace that is as pleasant and harmonious as possible. A supervisor who treats everyone poorly may not be discriminating, but she surely isn't a very good supervisor.