



# Conflicts with Personnel: Professional, not Personal

Ethics Law Update eLearning  
Hosted by Dr. Scott Paine, FLC University  
With Jay Daigneault, Esq. and Randy Mora, Esq.  
Trask Daigneault LLP



## Agenda

- The Ethics of Elected/Staff Relations
- When It Gets Ugly
- Getting It Right
- Termination
- R-E-S-P-E-C-T



## The Ethics of Elected/Staff Relations



## What the Law Says

- City charters define the lines of authority and responsibility of select staff, individual elected officials, and the council/commission
- The Florida Constitution declares the holding of public office to be the holding of a public trust



## What the Law Does Not Say

- Generally speaking, neither the Constitution, nor other state statutes, nor most city charters specify *how* elected officials are to behave toward each other, staff or the public
- Some exceptions:
  - Discrimination
  - Sexual harassment
  - Defamation



## What Ethics Says

- Human beings have ethical obligations toward each other
- People in positions of power have additional obligations



## When It Gets Ugly



## Fundamental Issue – The Process is Public



## Consequences of a Public Process

- Frustration
- Exaggerated emotional expressions
- Public reactions
- Raised stakes



## When It Gets Ugly . . .

- Shouting matches
- Failure to complete basic council tasks
- Staff withholding of information from elected officials
- Elected officials leaving the dais to show displeasure



## When It Gets Ugly . . .

- Staff turnover
- Governmental inaction
- Lawsuits
- Negative media coverage (mainstream and social)
- Reduced economic development
- Public distrust



## Getting It Right



## Civility

*Formal politeness and courtesy in behaviour or speech.*

Origin: "from Latin civilitas, from civilis 'relating to citizens'"



Oxford English Dictionary



## Respect

Due regard for the feelings, wishes, or rights of others.

Oxford English Dictionary



## Principles for Respectful Conflict

- Depersonalize the conflict
  - Criticize the work, not the person
  - Use accurate, but not extreme language
  - Don't use personal pronouns





## Principles for Respectful Conflict

- Make the conflict fruitful
  - State objections clearly
  - Seek points of agreement
  - Offer solutions



## Principles for Respectful Conflict

- Honor the Process
  - Handle staff conflicts privately if possible
  - Acknowledge and abide by the lines of authority
  - Allow the person who has the floor to be heard
  - Accept criticism
  - Seek mediation



# Termination



#1 – Check your charter



#2 – Conduct a fair public deliberation



#3 – Remember that there is life after this



R-E-S-P-E-C-T



Questions???



## Upcoming FLCU Online Learning Opportunities

- July 25 – Sexual Harassment in the Workplace
- August 8 – Communicating Your City’s Budget to the Public
- August 10 – Leadership Lessons from the Safe Cities/Safe Florida Initiative
- August 30 – Preparing for Session: A Preview of the 2018 Legislative Action Agenda
- September 14 – What Our Citizens Are Thinking: Current Public Opinion
- September 19 – Engaging the Community: Grassroots Advocacy
- September 28 – Strengthening Relationships with the Media



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## Upcoming FLCU and FLC Events

- July 13 – Institute for Civic Leadership II
- July 14 - 2017/18 Legislative Policy Committees Meeting
- July 27 – Continuing Education in Ethics (Orlando Training Center)
- August 16 – CMRI Symposium: Medical Marijuana and Your City: Facts, Fiction and Moving Forward
- August 17-20 – FLC Annual Conference
- September 7 – Social Media Training (Orlando Training Center)
- September 21 – Continuing Education in Ethics (Orlando Training Center)



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- Twitter - [@DrScottPaine](https://twitter.com/DrScottPaine)
- Facebook – [Dr. Scott Paine](https://www.facebook.com/Dr.Scott.Paine)



## Thank you

Jay Daigneault, Esq. and Randy Mora, Esq.,  
Trask Daigneault LLP  
Holly McPhail, Florida League of Cities  
and

You!

