

Notes for holding a Private and Confidential conversation with your HR person

Video Guides

We have videos to assist you in absorbing the concepts and steps of this process. They are on TheZunga.com under the “Employment Solutions” tab and comprise 3 videos with John.

Part 1 – How to have a confidential conversation with HR:

Part 2 – How to document Employment Harassment

Part 3 – Employment and EEOC

More videos:

Click on “Employee Solutions Videos” and you will find videos dealing with the process.

“Document Employee Discrimination” which helps you understand the argument and write down the discrimination you are experiencing using the correct terms.

“Discussion with Dr. Steph” this may answer more of your questions.

“Zunga Argument Outlined” takes you through the claims made in your “Notice of Discrimination and Harassment Based Upon Disability” letter.

How to Set up and Conduct a Confidential Intake Session with HR

1. Contact your company’s HR person and request a private and confidential meeting. Tell them you want to discuss discrimination and harassment you are experiencing on the job. This meeting can be a virtual meeting if they will not allow you on the premises.

2. Send them a Confidential “Notice of Discrimination and Harassment Based Upon Disability”

3. At the meeting:

- Request the HR person to take written notes about your concerns. You may have to pace the discussion so that they can write all your points down. Ask them if they read your Notice.
- You should also take notes. This will also help keep you calm and focused in the meeting. Keep this outline with you.
- At the end of the session, request a signed and dated copy of these notes and also request a copy of your current file, they may not give it to you.
- You are documenting the harassment, coercion and retaliation you have experienced.

4. **Issues to cover:**

Present Evidence of Harassment

- Give them a file of the emails you have received with a cover letter that lists the documents by date, author and brief summary of the ADA issues the email presented. If you don't have a file yet, you can give them the latest communication.
- *Ex: August 8, 2021, Peter Paulson, VP of Risk Management sent me an email regarding me as disabled with an infectious disease, coercing me to get injections, and telling me the company wants to make a record of this disability by recording injection status. The email also threatened me with termination if I did not do as I was told.*
- Plan ahead and send a PDF file of all these instances and have it put in your file along with this written statement. If you do not have a file yet, then simply give them a copy of the latest email you received which clearly regards you as disabled and is imposing accommodations upon you (masks, jabs, quarantine, etc).

Discuss the Effects of Harassment

- Describe in detail how this barrage of requests has affected you:
- Tell HR how it has affected you physically, mentally, emotionally and in your interactions:
 Physical Examples: can't sleep, sweating, breathing issues, rashes, feeling sick
 Mental Examples: can't concentrate, disrupts thinking, surrounded by hive mind
 Emotional Examples: feelings of fear, anxiety, anger, worry, frustration, etc.
 Interactions: can't communicate, less productive at work, isolation, segregation, feeling targeted, feeling violated
- Discuss how this situation has affected your ability to perform daily tasks like eating, sleeping, communicating, self-care, etc.

Ask HR to get your Questions Answered

- Ask the HR person to take down these questions and get back to you with answers.
- Who diagnosed me with a contagious disease?
- How can I be required to discuss my medical history with anyone?
- What are the risks or benefits of these measures?
- How can I be required to submit tissue samples and vital statistics?
- How is this data being collected and stored?
- Who has access to it and how is my privacy being protected?

Make any needed Declarations

- If you have been masking, please declare: "I've been participating with the masking against my will and have never waived my rights to informed consent."
- If you have filed an "exemption" please declare:
 "I was tricked and coerced by my employer into assuming that a Religious Exemption or Medical Exemption was the only option and it took me a while to learn and discover that this is not true. I am invoking my rights under the Americans with Disabilities Act as

a qualified individual who is being regarded as having a disability-- a contagious disease.”

Give HR the task of handling all future harassment

- Let HR know that from now on you will be directing all harassing communications and requests to HR to handle.
- End the meeting with this understanding.
- Note: anytime the HR person tries to suggest that the business policy is required, re-direct the conversation. “This policy is regarding me as an infectious threat and harassing me. This policy cannot overrule my rights under the ADA.” Then continue.