Gossip in the laboratory

Q We have an enormous problem with gossiping in our lab. One technologist who delights in passing around the latest rumors about everyone here. This has resulted in many injured feelings — some serious — and a decrease in teamwork. When this issue has been raised with the offender, she brushes it off as harmless socializing. She claims that as long as her work is up to our standards, gossiping is not something for which she can be disciplined because it is not specifically mentioned in the employee manual. Is she right? What are our disciplinary options?

A Your disciplinary options will certainly depend in large part on the language contained in your employee handbook; your technologist is correct on that point. Few disciplinary policies will specifically include “gossiping” as a basis for discipline or discharge. Nearly every list of possible violations of company policy, however, is preceded by those marvelous legal “weasel words”—including but not limited to. This generally gives employers the right to articulate additional bases for discipline as they arise, and acknowledges the reality that a comprehensive and exhaustive list of potential offenses just is not possible.

In this case, the problem of gossiping might be taken as a subtype of another listed offense, such as proscribed harassment of another employee. The argument can be made that the objects of this employee’s gossip are being unfairly targeted, and both the reputation of that employee and her comfort in the workplace are threatened. Similarly, if the gossip takes up inordinate amounts of time and occurs at the bench rather than the break room, it could be argued that it is a misapplication of company resources. Last, but not least, not refraining from gossip in the interest of workplace harmony when asked to do so by legitimate authority might be construed as insubordination.

To try to shoehorn this problem into another setting to address it properly is not really necessary. Addressing gossip for what it is, is probably preferable and — should serious discipline ultimately result — probably more justifiable from the employer’s point of view because it avoids any suggestion of subterfuge or dissembling in the process.

Employers, especially in the private sector, clearly have the right to restrict employee speech during working hours, as long as those restrictions are reasonable and related to a legitimate workplace purpose. Hence, employers may forbid harassing speech, profanity, and commercial solicitation if the speech interferes with employees getting their jobs done or runs afoul of legal prohibitions or regulations applicable in the workplace. In general, the law gives employers relatively broad authority to regulate speech during the workday.

In this particular situation, an excellent argument can be made that this employee’s tendency to gossip is disrupting the work environment, making a compelling argument for employer intervention. Regardless of the fact that your technologist views this as “harmless,” other employees have been adversely affected. Consequently, it is reasonable that some sort of correction be made.

In the absence of clear language in the employee handbook proscribing gossip, a good idea is not to discipline too harshly without first laying some groundwork. Having identified a legitimate interest in reducing workplace gossip, the institution (specifically the laboratory) can now establish what will amount to a supplemental policy for the employee handbook that specifically addresses this problem.

Start by getting administrative permission to address the issue and collect some general outlines of what the new “antigossip” policy should be. To completely stifle casual conversation is not the goal; legitimately dealing with the problem at hand is. The institution needs to develop some reasonable, clear definition of what is and is not permissible. Factors to consider might include both the identity of the subject of the gossip (i.e., it is more damaging to pass on a rumor about the person working next to you at the bench than the latest juicy tidbit about Paris Hilton) and its content (i.e., it is more damaging to suggest your fellow employee is having an affair than to suggest that he enjoys a good game of football).

Once those details have been determined, familiarize your staff with the new policy in a forum that permits an explanation — without naming names — of why the policy is needed, then allow ample time for questions and comments. Once that has been done, a clear and unambiguous basis now exists for disciplining any employee who chooses to ignore the policy.

Given that gossip is an eternal and intractable problem of the human race, a good idea is probably to allow for non-disciplinary reminders to employees as they get used to the idea of eliminating gossip from their daily routine. Most important, if you decide that you are going to tackle gossip from a disciplinary standpoint, discipline has to be fairly applied. If discipline is indicated for chronic and egregious offenders, apply it in the same manner as for any other offense of like magnitude under the prevailing rules of the employee handbook. No one should get a pass if it can be established that a serious violation has occurred. And do not forget the important element of proof if an employee is going to be disciplined for gossiping. To avoid the “he said/she said” trap, having an admission or obtaining extremely solid corroboration from multiple sources is the best proof.

Also consider approaching this from a non-disciplinary standpoint first. Some institutions have found great success by bringing in facilitators to help employees recognize the toxic nature of workplace gossip, and to provide them with easy strategies and scripts to avoid being pulled into gossip in the first place.

Barbara Harty-Golder is a pathologist-attorney consultant in Chattanooga, TN. She maintains a law practice with a special interest in medical law. She writes and lectures extensively on healthcare law, risk management, and human resource management.

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