



# Communication Skills for Regulators

Job Aids

## Job Aids

The following job aids are designed to help you identify and develop effective communication skills.

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## Communication Skills for Regulators: Job Aids

### Establishing Rapport



To establish rapport . . .	Strategies
<b>Be prepared.</b>	<b>Prior to the inspection:</b> <ul style="list-style-type: none"><li>• Brief yourself on the purpose of the visit.</li><li>• Review information on the facility or the industry.</li><li>• Dress and act in accordance with the image of your agency. Determine whether wearing your lab coat may inhibit open communication.</li></ul>
<b>Be professional.</b>	<b>At the start of the inspection:</b> <ul style="list-style-type: none"><li>• Locate the owner, operator, or person in charge of the establishment.</li><li>• Introduce yourself by name, title, and organization.</li><li>• Show your credentials.</li><li>• Explain the purpose of your visit and how long it should take.</li></ul> <b>Throughout the inspection:</b> <ul style="list-style-type: none"><li>• Model appropriate behavior—for example, wash your hands at the beginning of the inspection and throughout the inspection; sanitize your thermocouple probe at the start of the inspection and between taking the temperature of different foods.</li></ul>
<b>Be personable.</b>	<ul style="list-style-type: none"><li>• Use a neutral tone of voice.</li><li>• Engage in conversation. <b>Tip:</b> To keep a conversation going, replace the word “but” with “and.” Using the word “but” can negate what was said, while using the word “and” will continue the conversation and allow you to add your point of view. For example, the operator points out that he has signs to remind his staff when to wash their hands. You say, “I like those signs, <u>and</u> let me show you some new handwashing signs that have been very effective.”</li><li>• Be polite:<ul style="list-style-type: none"><li>○ Make sure to ask the individual for his or her name and use it.</li><li>○ Look for personal clues like a family photo or other items to help you personalize conversations.</li><li>○ Demonstrate you are listening to what they have to say by maintaining eye contact, nodding, and not interrupting.</li></ul></li></ul>

## Communication Skills for Regulators: Job Aids

### Translating Nonverbal Cues

You see . . .	It may mean . . .
 <p>Eye contact avoided</p>	<ul style="list-style-type: none"><li>• Lying, or</li><li>• Withholding information.</li></ul> <p><b>Note:</b> In some cultures making eye contact may be considered disrespectful to authority figures. In those cultures, avoiding eye contact is a sign of respect.</p>
 <p>Crossed arms</p>	<ul style="list-style-type: none"><li>• Lack of understanding (especially if combined with a blank expression or furrowed brow),</li><li>• Disagreement (when combined with a negative head nod),</li><li>• Physically cold, or</li><li>• Indifference.</li></ul>
 <p>Looking at phone or watch</p>	<ul style="list-style-type: none"><li>• Bored,</li><li>• Running late, or</li><li>• A lack of interest in the present situation.</li></ul>
 <p>Unprofessional appearance</p>	<ul style="list-style-type: none"><li>• Lack of credibility,</li><li>• Lack of respect, or</li><li>• Lack of caring.</li></ul>

Translating Nonverbal Cues (Continued)


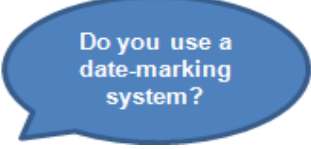
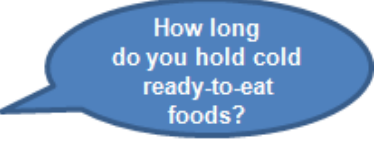
You see . . .	It may mean . . .
 <p data-bbox="293 533 514 569"><b>Raised eyebrows</b></p>	<ul data-bbox="646 289 867 380" style="list-style-type: none"><li>• Disagreement,</li><li>• Concern, or</li><li>• Surprise.</li></ul>
 <p data-bbox="347 869 451 905"><b>Nodding</b></p>	<ul data-bbox="646 611 857 701" style="list-style-type: none"><li>• I am listening,</li><li>• I agree, or</li><li>• I hear you.</li></ul>

## Communication Skills for Regulators: Job Aids

### Asking Effective Questions

Tip	Description	Example
<b>Prepare in advance.</b>	Identify questions you will ask before the inspection.	“Looks like you had a roach problem on the last inspection. How did you get rid of them?”
<b>Start with a simple question.</b>	Make your first question an easy one to answer.	“How many employees do you have?”
<b>Ask strategic questions.</b>	Determine your information goal and identify the best type of question to achieve it.	“How do you prepare your leftovers for hot-holding?”
<b>Offer an explanation.</b>	Provide a reason why you are asking the question.	“I asked about handwashing because a large percentage of foodborne illnesses are linked to improper handwashing.”
<b>Rephrase the question.</b>	To clarify, ask the question another way or ask the individual to demonstrate.	“Please show me how you set up a three-compartment sink.”
<b>Avoid questions that put people on the defensive.</b>	Some questions can make the person angry or defensive; take care to avoid these.	“What were you thinking?”
<b>Avoid questions with obvious answers.</b>	These questions can be a waste of time and may insult the person you are asking.	“Can you explain the process I saw you using to prepare the shrimp?”

Types of Questions

Question Type	Description	Example
<b>Open-ended</b>	<ul style="list-style-type: none"><li>• Requires more than a “yes” or “no” answer.</li><li>• Usually begins with “what,” “how,” “when,” or “why.”</li><li>• Stimulates thinking and encourages discussion.</li></ul>	
<b>Closed-ended</b>	<ul style="list-style-type: none"><li>• Can be answered with “yes” or “no.”</li><li>• Provides little information.</li><li>• Should generally be avoided.</li></ul>	
<b>Direct</b>	<ul style="list-style-type: none"><li>• Requires a simple “yes” or “no” answer or statement of fact.</li><li>• Often begins with “is,” “can,” “how many,” or “does.”</li><li>• Used to confirm facts or stop a discussion.</li></ul>	

## Communication Skills for Regulators: Job Aids

### Active Listening Strategies

Strategy	Description
<b>Focus on the speaker.</b>	<ul style="list-style-type: none"><li>• Minimize distractions.</li><li>• Stop any activities while speaking.</li><li>• Go to a quiet place to talk.</li><li>• Set aside any preconceived thoughts about the speaker or the subject.</li><li>• Take notes.</li><li>• Allow the speaker to finish; do not interrupt.</li></ul>
<b>Pay attention to nonverbal cues.</b>	<ul style="list-style-type: none"><li>• Consider your own and the speaker's body language:<ul style="list-style-type: none"><li>○ Tone</li><li>○ Gestures</li><li>○ Facial expressions</li></ul></li><li>• Ensure your body language encourages interaction.</li></ul>
<b>Check for understanding.</b>	<ul style="list-style-type: none"><li>• Repeat.</li><li>• Paraphrase.</li><li>• Ask for clarification.</li><li>• Ask for a demonstration.</li><li>• Summarize what was said.</li></ul>
<b>Control your emotions.</b>	<p>Be aware of emotional and emotionally provoking comments and questions; for example:</p> <ul style="list-style-type: none"><li>• This is stupid.</li><li>• Don't you get it?</li><li>• Are you kidding?</li><li>• I refuse to . . .</li></ul>
<b>Evaluate what you hear.</b>	<ul style="list-style-type: none"><li>• Think about what you heard.</li><li>• Respond respectfully and as you would want to be treated.</li></ul>



## Communication Skills for Regulators: Job Aids

### Questions To Ask To Help You Prepare for an Inspection

#### Questions To Ask When Preparing for an Inspection

- How did the facility perform during past visits?
- Will the environment be cordial, hostile, or lukewarm?
- What are the objectives of your visit and how will you carry them out?
- What potential communication problems might you face?
- Will language problems be a potential issue? If so, how will you contend with them?
- How is the climate and environment?
- Do you already know that the operator is difficult and will make the visit hard for you?
- What is the noise factor in the business, and will it potentially cause problems for you?
- What are your plans to reduce these and other problems?

## Communication Skills for Regulators: Job Aids

### Self-Assessment: Steps for Active Listening

#### Ability To Focus on the Speaker

- Think about why I am listening.
- Ignore extraneous sounds.
- Concentrate on what the speaker is saying.
- Avoid judgment or criticism.
- Provide verbal and nonverbal indicators that indicate active listening.
- Allow the speaker to finish, and stop yourself from interrupting.
- Take notes.

#### Ability To Listen Beyond Facts

- Listen for cues of what the speaker is feeling (“I am frustrated”, “I am angry”, or “I am not sure”).
- Watch the speaker’s nonverbal actions (body language) for more information on what he or she is feeling.
- Think carefully about the meaning of what the speaker is saying.
- Think of the entire context of the conversation to determine the meaning from the speaker.

#### Ability To Check for Understanding

- Restate or paraphrase to confirm understanding.
- Ask questions for understanding.
- Evaluate how people react to your responses.

#### Ability To Control Emotions

- Practice remaining calm in the face of provocative comments and words.
- Consider where the speaker is coming from—i.e., put yourself in his or her place.

#### Ability To Evaluate What You Hear

- Evaluate what the speaker is saying to determine relevancy.
- Evaluate whether information is current and accurate.
- Be aware of the differences between fact and speculation.
- Look and listen for consistency between what is said throughout the conversation and what is observed.

## Communicating Across Cultures

**These guidelines provide considerations when communicating with people from different cultures. Not every person from the country or ethnic group will have these characteristics or tendencies. Every person is unique.**

### General tips for communicating with people from different cultures:

- Slow down, speak clearly, and enunciate.
- Speak in simple, direct sentences.
- Ask questions one at a time.
- Demonstrate or ask for a demonstration.
- Be careful with humor and jokes.
- Avoid slang and jargon.
- Know your biases and suspend judgment.
- Find areas of commonality.
- Listen carefully.
- Repeat what you heard.
- Show respect for the person's culture, values, and beliefs.
- If possible, learn about the person's culture in advance.

### Considerations when communicating with people of . . .

**American Indian/Alaska Native descent (note there are many different tribes in the United States and these may not apply to all):**

- Prefer a soft handshake.
- Prefer personal space of an arm's length.
- Believe eye contact with an elder is rude.
- Do not like to be stared at.

**Cambodian descent:**

- Avoid touching someone's head.
- Believe pointing your feet at a person to be rude.
- Believe eye contact with someone who is older or someone who is considered a superior is rude.

**Chinese descent:**

- May say "Yes" to acknowledge hearing—not necessarily agreement.
- Avoid eye contact as a sign of respect.
- Are often stoic.

**Eritrean and Ethiopian descent:**

- Are usually soft-spoken.
- Communicate directly.
- Use direct eye contact.
- Avoid showing emotion.
- Consider the left hand unclean.
- Consider motioning to someone with the forefinger as disrespectful.

**Haitian descent:**

- Communicate directly.
- Tend to agree with authority figures.
- Are comfortable with close personal space.

## Communication Skills for Regulators: Job Aids

### Communicating Across Cultures (Continued)

#### Considerations when communicating with people of . . .

**Hmong descent (an Asian ethnic group):**

- Tend to be humble and reserved.
- Consider direct eye contact to be rude.
- Consider laughing and being loud to be rude.

**Korean descent:**

- Avoid direct eye contact until a relationship is established.
- Will often bow first, and then shake hands.
- Prefer to not be touched on the arm, shoulder, or back.
- Consider pointing or calling someone with the index finger to be rude.

**Laotian descent:**

- Consider respect to be important and demonstrate it through politeness.
- Tend to be reserved.
- Avoid loud and overt expressions of emotion.

**Latin American descent:**

- Often avoid eye contact with authority figures.
- View personal relationships as very important.
- Value greetings and being polite.
- Expect formality until a relationship is built.

**Somali descent:**

- Consider the left hand unclean.
- Consider using the finger to gesture as disrespectful.

**Vietnamese descent:**

- Tend to be polite.
- Avoid talking about feelings.
- Avoid confrontation and disagreements.
- Are modest and avoid praise.
- Smile despite what they are feeling.
- Consider it offensive to call someone over using a hand or finger in the upright position.

## Communication Skills for Regulators: Job Aids

### Oral and Print Culture Tendencies

#### Oral culture communicators tend to:

- Believe relationships are most important.
- Consider interruptions and multiple conversations at once to be normal.
- Use stories to increase understanding and to connect.
- Jump from subject to subject, focusing on a lot of ideas at once.
- Show emotions and feelings.
- Be physical and expect physical responses.
- Focus on the immediate.
- Focus on the big picture, not the details.
- Ask people for information.
- Learn best by practicing.

#### Print culture communicators tend to:

- Focus on one idea at a time.
- Believe a plan is essential and stay on task.
- Think abstractly about situations and analyze them carefully.
- Like things in order: first this, then this, etc.
- Approach tasks by breaking them into parts.
- Sort and categorize information.
- Be rigid about time.
- Not show emotions or physical affection except with people well known.
- Not share personal stories.
- Look to a book or article for information.

### Strategies for Communicating With Oral Culture Communicators

#### Strategies for Communicating With Oral Culture Communicators:

- **Tell stories and use vivid examples.** These allow oral culture learners to feel the consequences of actions.
- **Work with trusted sources.** Trusted sources will use familiar words and examples to help communicate key messages.
- **Provide information verbally.** Word your information simply, repeat it, and make eye contact.
- **Focus on the big picture.** Keep the big-picture goals in mind and do not focus on minute details.
- **Allow for two-way communication.** Develop relationships and share information in different ways.
- **Model appropriate behavior.** Model the behavior you want—for example, do not work when you are sick; do use a proper hair restraint; do not touch ready-to-eat foods with bare hands; and do wash your hands at appropriate points.
- **Demonstrate.** Conduct demonstrations of concepts and have concepts demonstrated to you.

## Communication Skills for Regulators: Job Aids

### Oral Culture Learner Project

#### Oral Culture Learner Project

The project provides materials in seven different languages that explain the importance of:

- Using gloves and utensils.
- Not working when sick.
- Proper handwashing.
- Washing, rinsing, and sanitizing equipment and utensils between uses.
- Proper food storage, i.e., keeping hot foods hot, cooling foods properly, cold holding, and date marking.
- Proper use and storage of chemicals.
- Proper cooking procedures.
- Using approved sources for food purchases.

<http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm212661.htm>

### Addressing Communication Challenges

#### Perception

**Perception:** The way people perceive the world can lead to assumptions, confusion, and stereotyping. It is important to be able to see past your perceptions and take time to understand each person. Some steps you can take to address your perceptions are:

- Learn about the people and cultures of the sites you visit.
- Avoid making assumptions based on appearance or other characteristics.
- Be positive and open to other points of view.

#### Language

**Language:** Differences in language can have a negative impact on your ability to effectively communicate. Problems can occur due to lack of fluency, interpreting words differently from the intended meaning, or using terms that are not understood—e.g., slang, clichés, or jargon. Language differences can lead to frustration, errors, and lack of trust. When faced with language differences:

- Never assume the person understands.
- Have patience.
- Show respect.

#### Emotion

**Emotion:** It is important to be aware of your emotions and the emotions of others when communicating. To improve your communication and lessen the impact of emotion:

- Maintain a professional demeanor.
- Avoid reacting to emotional outbursts.
- Focus on the problem and possible solutions.
- Express that you share common goals with the operator or manager or employee.
- Point out positive behaviors you observe.

#### Physical Environment

**Physical Environment:** Communication breaks down when people cannot hear each other or cannot focus due to distractions. Some examples of these distractions are phones; noise from patrons, employees, or equipment; time constraints; and distance between the communicators. Address these environmental distractions by:

- Turning off phones.
- Relocating to a quieter, less distracting location.
- Focusing on the important issues and identifying solutions—have a plan to address important issues concisely.



### Conflict Management Styles

Research has identified the following styles of conflict management and found that each person tends to prefer one style:

- **Competing:** With a competitive style one person wins and the other loses. You use whatever power is appropriate in order to win. This style generally works only if you are in a position of power and can impose your way on others.
- **Collaboration:** With a collaborative style you are both assertive and cooperative. You maintain your own interests while trying to seek solutions that are also in the other person's best interests. This is the approach most likely to lead to win-win situations.
- **Avoidance:** With an avoidance style you are not assertive or cooperative. You want to avoid some conflict. However, when you do so, you give up your goals. This style tends to work if the issue is not that important or regulatory in nature.
- **Accommodation:** With an accommodating style you are not assertive but you are cooperative. You may be concerned that conflict can undermine a relationship in favor of your goals. We all want to be accepted and liked by others. However, conflicts can be discussed without damaging relationships. In a regulatory context you can only take this approach when the issue is something such as the time of day of the inspection. You cannot accommodate when it is a matter of noncompliance.
- **Compromise:** With a compromise style the goal is to find a solution that satisfies both people. You assert your own interests some and cooperate in meeting their interests some. Using this approach, each party gives up part of their goal and meets in the middle. You need to be careful using this style in a regulatory setting.

**Source:** Kenneth Thomas and Ralph Kilmann. An Overview of the Thomas-Kilmann Conflict Mode Instrument (TKI).

## Communication Skills for Regulators: Job Aids

### Conflict Management Strategies

#### Use Active Listening Strategies.

- Paraphrase what the speaker said using your own words.
- Acknowledge the speaker's feelings to help diffuse an emotional situation.
- Control your emotions.

#### Focus on the Present and Future.

- Avoid discussions of the "last" inspection or "last" inspector if they do not have relevance to the current inspection.
- Direct the discussion to the current inspection and future goals.

#### Adopt an Issue Orientation.

- Present why the issue is important.
- Point out the risks of noncompliance.
- Identify who could get sick.

#### Minimize Competition.

- Appeal to the operator's altruistic motives by illustrating the very real harm their actions can cause.
- Remind the operator that the regulatory action is not, in any way, personal. The FDA creates and applies rules to many other regulated businesses.
- Point out that you are an ally, not an enemy.

#### Emphasize the Inevitability of Change.

- Point out when something has to happen.
- Focus on how the required items will be accomplished.

#### Use Productive Criticism.

- Focus on a goal.
- Be specific.
- Focus on the act, not the person.
- Time it for immediate action.
- Stress the end result and the benefits.
- Involve the person in charge by allowing them to identify the best solution.

### Exit Conference Guidelines

#### Ways To Minimize Conflict:

- **Explain public health risks.**
  - Explain the public health rationale behind any violations. When operators know why it is important to carry out a certain food safety practice or procedure, in terms of loss of life or function of customers who could become ill and the resulting loss of income or reputation, they are more likely to stay motivated to fix the problem after you leave.
  - Prioritize your message based on risk factors that cause foodborne illness outbreaks.
  - Discuss specific behaviors that are problematic and have an impact on public health.
- **Offer clear direction to meet compliance.**
  - Identify the criteria for success.
  - Make a realistic appraisal of the potential for change and the amount of time needed for the changes to be made.
  - Acknowledge evaluative comments that are subjective.
- **Involve the operator in the conversation.**
  - Remind the operator of the benefits of compliance.
  - Point out things the facility is doing correctly to reinforce positive behaviors.
  - Hold the exit conference in a quiet location whenever possible.