### Jonestown Jaguars (A), (B), (C)

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### Abstract

This case involves HR issues regarding two undergraduate business students completing an internship with a minor league baseball team. The interns violate a strict "no-fraternization" policy of the organization one evening by interacting with some of the players at a local bar. The managers must investigate the situation and decide whether to fire the interns. The case is divided into two sections: Case A is from interns' perspective, and Case B is from management's perspective. Case C explains management's decision.

# Jonestown Jaguars (A)<sup>1</sup>

Emma's stomach was in knots. She had just received a text message that hinted that she and her fellow intern Sheila might be in big trouble - not only with their internship position, but possibly their upcoming graduation from college! She had expected her internship to be a learning experience, but this was not what she was hoping to learn about. Nervously, she reviewed her present situation.

#### Background

Sheila and Emma had heard from friends during the fall semester about marketing internships with the Jonestown Jaguars to be worked during the Spring and Summer semesters. They sent in their résumés and met with Jack, Video and Marketing Coordinator for the Jaguars, who supervised interns. They both started internships in January, at first just for the work experience. However, after

<sup>&</sup>lt;sup>1</sup> The authors wish to thank the organization and interns for their cooperation in the writing of this case. The names of the organization and all individuals have been changed.

learning that they could receive college credit for their work, they applied for and were each granted a three credit internship for the first summer semester.

The Jonestown Jaguars are an independent minor league baseball team that belongs to a regional league. The team had originated in Ohio but moved to Jonestown in 2001. The franchise has been among the leaders in attendance in its league since moving to Jonestown. Between 2001 and 2006, the Jaguars drew over one million fans.

Each spring, the Jaguars hire interns to help with various game-night activities at Rainforest Stadium, where the Jaguars play their home games. Duties of these interns included:

- Assisting in the implementation of Jaguars special events, including season ticket holder parties, Fan Appreciation Night, and pre-game parties
- Assisting with on-field and in-stands promotions
- Helping with pre-game and/or post-game ceremonies
- Assisting with handouts/giveaways pre-game and/or post-game
- Assisting customers and season ticket holders at the Fan Appreciation Booth
- Assisting the mascot with game night duties
- Serving as a liaison with local baseball organizations for intermission games
- Coordinating with Jag (the mascot) and ticket sales department for execution of birthday parties on game nights

As part of the orientation for the internship, the Jaguars require their interns to sign two written statements. The first was the "field waiver", which states that interns could not sue the organization for incidents arising out of games or events. The second statement, called "the contract", includes various policies about interns' attendance and work at games, including a "no fraternization" rule which reads:

"You are not allowed to fraternize with the players while you are at work, or when you are off duty. Remember you represent the Jaguars at all times – and you are expected to conduct yourself in a professional manner. There is a no-tolerance policy in this regard."

The statement also made clear to the interns that they were expected to attend all home games. If they were unable to attend a game, they would have to provide at least one week notice, and make up the time for that game doing other work.

#### **The Internship**

At the first game, Emma and Sheila met other interns that they would be working with as well as their game coordinator, Abigail. Abigail was working for the Jaguars as an intern for a second year. This year her internship was paid. All the interns were energetic, eager to learn, and excited to have a good experience. The major part of their work was interacting with fans, soliciting volunteers from

the audience for various games, and running the many events and promotions (like the t-shirt toss) that occurred before, during and after the games. Events were scheduled tightly before each game, and the interns had to stay on their toes to make sure they completed their tasks on time. The first game went very well. Emma and Sheila were nervous about speaking to the general public but soon learned that it was easy to do. April through June went smoothly. Sheila and Emma became familiar with the promotions, working under time pressure during the games and working with the public.

A few games into the season, an incident occurred. One of their fellow interns, Andrea, who at the time was receiving credit, was unaware of a game. Andrea was in New York City for a school trip, having completely overlooked the game. Management dismissed her from her internship for not having given sufficient notice.

Around June events at the Jaguars games started to change, but not for the better. Personal matters from outside of the Jaguars' games started to change how Emma and Sheila perceived that they were being treated during the games. The personal reasons involved Emma and Sheila's friendship with Abigail's boyfriend Ken, who also worked for the Jaguars as an intern, in a different part of the organization. At one point Abigail told Emma that she was going to act as professionally as possible despite "how I feel about you." Following that time, Emma noticed that she was no longer given jobs that had her report directly to Abigail via radio or to in fact be near her at all. Sheila had also felt animosity from Abigail. She was told that Abigail did not care for her for personal reasons as well.

The rest of the semester proceeded with Sheila and Emma perceiving that they were always treated a little differently than the rest of the interns. They just put those matters aside and came to the games with one thing in mind, to do their job correctly and efficiently and always with a smile on their faces. Near the end of August, Emma received a call from her internship advisor, Professor Beswick, stating that she was planning to visit the interns at their workplace before the last regular season game to see firsthand what the interns did and what their jobs involved during the games. Sheila and Emma met her at a side entrance of the stadium and walked her around the park and introduced her to their boss, Jack, so she could thank him for providing internships and ask a few questions about how the interns were performing.

#### The Last Game

Later that night their whole experience changed. It began like any other game night, with Abigail calling all the interns together to go over the schedule of events and promotions for the night, making sure everyone understood his or her responsibilities, and also inviting them to attend a post-game party at The Corner, a local bar, where the season ticket holders and all the staff and players would together celebrate the ending of the regular season. As staff members, they would receive vouchers for free drinks at that bar.

When the game was almost over and the interns were completing their tasks for the night, Sheila, Emma and Nate, another intern, talked about going to the post-game party and that it might be fun to be able to be with all the different members of the Jaguars organization. Emma and Sheila were unsure if they wanted to stay because of the long drive home. Nate suggested that it might be fun to stay at the party for a little while, have a drink or two, and then afterwards they could all follow each other to The Factory (another bar a few miles away) to hang out. Sheila and Emma decided to stay

mainly because they were able to have a few free drinks with everyone. Going to The Factory sounded like fun because it was a 30,000 square foot complex with several bars and places to eat, with hundreds of video games and lots of music and activity in a renovated factory.

At The Corner, when Emma and Sheila headed to the bar to get their drinks, they were approached by the Jaguars' catcher. He suggested that after the party, they should meet up at The Factory, because that was where a lot of the players were going to be after the post-season party. Sheila and Emma then told him that they already planned to go there with Nate.

At one point during the party, Emma, Nate and Sheila were sitting at a table in the Jaguars' section of The Corner, when the final call was announced. Abigail, their game coordinator, came over and joined them. Emma and Sheila were talking about how the three interns might go out to The Factory to have a drink or two and to hang out together for the first time. Abigail then started talking about how she knew which players were "dirty" and who had what disease and was sharing that she has seen their medical records many times. She then commented, "So you guys better be careful."

The thought that going out afterwards maybe wouldn't be a good idea never really sank in with Sheila and Emma. Emma and Sheila had tuned into the discussion of the players' health issues and wondered how Abigail knew so many private health details about the players when she was the marketing intern coordinator and not on the baseball team's medical staff.

After leaving the post-game party at The Corner, Emma and Sheila headed over to The Factory, several miles away. There, the interns headed up to the upper level bar to meet up with Nate. Jaguars' players were also there, and some conversation occurred.

### The Situation

The next day, Emma started getting text messages from Ken, Abigail's boyfriend, joking about how she and Sheila had "voided the contract." This came as a surprise because she never suspected that they had potentially violated the contract in any way. Emma called Sheila and told her about receiving the text messages and about how, according to Ken, they were "most likely going to be talked to about the situation." They talked it over and decided that their fate was now out of their hands and that they would have to face whatever might come their way.

Thinking back on the night, Emma did not remember seeing any of the Jaguars' management people at the bar. And sure, she and Sheila had talked to some of the players, but had done nothing more than that. Nothing of a sexual nature had occurred. She wondered what information management had in their possession, and how they had gotten it – and of course, what would happen next.

## Jonestown Jaguars (B)

Jack Healy, Video and Marketing Coordinator for the Jonestown Jaguars minor league baseball club, poured himself a fresh cup of coffee and shook his head ruefully as he considered the decision he needed to make. The Jaguars' regular season had ended last night with a win, putting them into the playoffs, an unexpected result after a disappointing season. That meant at least three more games that the Jaguars' organization would have to manage.

This could be made difficult, however, by the decision that Jack had to make. The decision had to do with three interns. Interns were a critical part of running game-night events for the Jaguars: running parties, giveaways, in-game events, and pre- and post-game activities. The Jaguars have a group of interns who carry out these activities for every game.

Interns sign on in January to work, unpaid, over the course of the season, which lasts into August. As part of signing up, interns sign the Jaguars' description of the Game Operations job and responsibilities. Part of that agreement is a clause that states that interns are not allowed to fraternize with players at work or off duty. Jack had just learned from George, General Manager of the Jaguars, that he had seen the three interns last night at The Factory, a local restaurant and bar, after the game, having drinks with some of the Jaguars' players.

### Background

The Jonestown Jaguars are an independent minor league baseball team that belongs to a larger association of teams that support baseball's major leagues. The franchise has been among the leaders in attendance in their association since moving to Jonestown; within five years of moving to Jonestown, the Jaguars had drawn their one millionth fan. The Jaguars play a regular season schedule of 36 home games per season, beginning in April and lasting into late August. Extra games may be played if the team makes it into the playoffs.

Each spring, the Jaguars bring in about six interns to help with game-day duties. Their jobs entail:

- Assisting in the implementation of Jaguars special events, including season ticket holder parties, Fan Appreciation Night, and pre-game parties
- Assisting with on-field and in-stands promotions
- Helping with pre-game and/or post-game ceremonies
- Assisting with handouts/giveaways pre-game and/or post-game
- Assisting customers and season ticket holders at the Fan Appreciation Booth
- Assisting the mascot with game night duties
- Serving as a liaison with local baseball organizations for on-field games

• Coordinating with Jag (the mascot) and ticket sales department for execution of birthday parties on game nights

Interns are college students, often marketing or sports management majors, who benefit from seeing the operation of a sports franchise from the inside. Interns are expected to work at least 150 hours over the course of the season. They are expected to attend and work at every home game unless they have obtained permission at least a week in advance. Some but not all interns receive college credit for working for the organization.

While Jack is the interns' formal boss, the interns work closely with Abigail, a paid intern, who coordinates game activities. She worked as an intern the previous year, and was intimately familiar with all the different kinds of game activities that were conducted pre-game, during timeouts and breaks in the game, and after the game. Last Spring, Jack's boss had been laid off, and Jack had taken over significant additional responsibilities; he was very glad to have Abigail on board to take over the planning and hands-on management of the interns' duties.

### The Jaguars' Expectations of Interns

Upon being "hired" by the Jaguars, all interns read and sign off on the "Jonestown Jaguars Game Operations Job Description and Responsibilities," which includes the job description as well as a statement of what the Jaguars expect. Interns are expected to be at the park at least three hours before each game for a mandatory Game Operations meeting. During that meeting, Abigail hands out and orally reviews a schedule of activities for the night that assigns each intern to specific duties at specific times and places. Interns have a chance to ask questions and clarify their responsibilities for that night.

Interns are given uniforms to wear to games, as well as game credentials, which they are expected to wear at all times. The Jaguars also expect interns to "Have fun and smile! Working for the Jaguars is hard and serious work, but very rewarding and fun."

Finally, interns sign a written document stating the following policy:

"You are not allowed to fraternize with the players while you are at work, or when you are off duty. Remember you represent the Jaguars at all times – and you are expected to conduct yourself in a professional manner. There is a no-tolerance policy in this regard."

### What Interns Can Expect from the Jaguars

In return for their time and work, interns gain valuable experience in game operations. Some get college credit. They receive two ticket vouchers for each game they work, dinner in the Media Room for each game, and parking. Successful completion of the internship looks great on the resume for those students pursuing careers in sports management, and good recommendations from managers in the sports business can be extremely helpful.

### Sheila, Emma, and Nate: The Three Interns

Sheila, Emma and Nate joined the Jaguars in January. At first, they were doing the work without credit, but in February, Sheila and Emma applied to have their work in the first summer semester be given course credit as a formal internship, which was granted. Both had proven to be productive and responsible interns, rated good or very good on most aspects of their job performance.

### **The Situation**

Saturday night – two nights ago - was the last regular season game of an almost four month season. Prior to the game, in the Game Operations meeting, Abigail ended her review of the night's assignments with handing out free drink tickets for an after-game celebration of the end of the season for Jaguars' employees, players, and season ticket holders, to be held at The Corner, a bar two blocks from Rainforest Stadium, where the Jaguars play their games. Many players, employees, and fans showed up at the party and had a couple of drinks. Jack didn't attend, as he had business to finish at the park. Abigail, who was at the party, called him during the party and told him that she had overheard Emma and Sheila talking with a player about meeting up at The Factory, another restaurant/bar several miles away, after the after-game party.

Jack knew that Abigail didn't want to confront Sheila and Emma directly about this, partly because previously some interpersonal issues between her and the two interns had arisen. The issues revolved around Abigail's boyfriend Ken, who was also an intern with the Jaguars in a different part of the organization. Apparently, Ken had become friends with Emma and Sheila, and Abigail felt awkward about dealing with them. She had come to Jack earlier in the spring to discuss how to handle the situation, and resolved to treat the Sheila and Emma professionally.

After arriving at work on Monday, Jack had called his general manager George to get the phone number of one of the team's coaches whom he hoped would tell him what had or had not gone on at The Factory on Saturday night. In the conversation George remarked that he had personally seen the interns at The Factory, hanging out with some players. He gave Jack the number of the Jaguars' head coach, who then told Jack that the interns had been a topic of conversation all that morning in the clubhouse.

Jack sipped his coffee, now gone cold. Should he fire the interns for violating organizational policy? This would leave him short of labor for the playoff games that would be held at the Center. Should he counsel them, and let them off with a warning? Should he ask them to explain? Should he ignore the whole thing? And why did the Jaguars have this policy, anyway?

## Jonestown Jaguars (C)

Now that Jack had corroborated Abigail's description of the situation, he felt that he needed to decide what to do about the interns violating the non-fraternization policy they signed. Jack understood the ramifications of termination – Emma and Sheila were working as interns for credit, and were in the last semester of their senior year. If he fired them, they possibly would not be able to graduate as they planned. Jack decided to consult with his General Manager, George, regarding the decision. George told Jack that firing the interns was justified. They had knowingly violated a condition of their employment which they specifically agreed not to do. Jack decided that based on the circumstances, and the position of the general manager, that he would have to fire the three interns.

Jack notified Professor Beswick, Sheila and Emma's advisor, to make her aware of the situation. Then, with Abigail in his office and the speaker phone on, Jack called Emma, Sheila, and Nate in turn, telling them each that he had no choice but to let them go, that this type of behavior could not be condoned. The interns had a mixed reaction – one (Nate) said he knew they should not have socialized at The Factory with the players, but the others seemed surprised that they were being let go.

Even though it was part of his position to supervise the Jaguars' interns, firing the interns was still difficult for Jack. He wrestled with making the right decision knowing that they might not graduate. However, looking at the big picture, he believed it was a necessary decision to maintain appropriate conduct in the workplace and to minimize possible liability for something that could happen should a player and an intern become involved in some type of relationship. This had happened in the past, and the non-fraternization policy was created to eliminate (or at least reduce the possibility of) a relationship from happening in the future. Additionally, Jack believed that if other interns saw the policy was not being enforced consistently, they too might attempt to socialize with players.

## Resources

Bennett-Alexander, D. & Hartman, L. (2009). <u>Employment Law for Business</u>. 6<sup>th</sup> ed. New York: McGraw-Hill Irwin, 678-681.

Klassk, B. & Dell'omo, G. (1997). Managerial use of dismissal: Organizational level determinants, *Personnel Psychology*, 50, 927-953.

<u>McCavitt v. Swiss Reinsurance America Corp</u>. (2001). 237 F. 3d 166, 2001 U.S. App. LEXIS 168 (2d Cir. 2001).

Muhl, C. (2001). The employment at will doctrine: Three major exceptions, *Monthly Labor Review*, *124*(1), 3-11.

Pagnattaro, M. (2004). What do you do when you are not at work?: Limiting the use of off-duty conduct as the basis for adverse employment decisions, 6 U. *Pennsylvania Journal of Labor and & Employment Law* 625.

Woodward, N. (2007). Smoother separations, HR Magazine, 52(6), 94-97.

Skarlicki, D. & Folger, R. (2003). Fairness and human resources management, *Human Resources Management Review*, 13(1), 1.

Sonne, J. (2008). Monitoring for quality assurance: Employer regulation of off-duty behavior. *Georgia Law Review*, *43*, 133-172.



## **Biographies**

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### **Teaching Note/Instructor Manual available from the authors.**