



Human Resource and Management Services

April 2006

HUMAN RESOURCE EXCHANGE

Human resource issues and topics impacting employers

◆ **FROM CCH NETNEWS** ◆

“More Active Job Market Expected in 2006”

The U.S. job market is expected to be more active in 2006 as organizations boost recruitment and more individuals seek new positions, revealed a survey of 3,100 senior HR executives by Novations, a global consulting and training organization based in Boston.

Three-quarters of organizations will maintain or increase hiring in 2006, revealed the survey. "26% will step up hiring, while 48% will continue to hire at the same pace as in 2005," said Mike Hyter, Novations president and COO. "Such prospects reflect rising confidence in the U.S. economy. Only 14% of companies foresee reduced hiring."

Improved business conditions will inevitably prompt more employees to look for new jobs. "Two-thirds of organizations surveyed expect increased employee defections in the year ahead. Moreover, 9% predict a 'great many' of their employees will probably leave," continued Hyter. "This increased employee mobility will itself require more recruitment to fill vacated positions."

In recent years, many organizations froze hiring, eliminated positions, reduced headcount and demanded more of remaining employees. "Not surprisingly, employees often felt trapped and may well want to move on once the job market rebounds. There's a lot of pent-up frustration in the workplace," noted Hyter.

Optimism about business conditions and hiring is encouraging, but the findings of the Novations survey should serve as an alert to senior management. "Companies mustn't be complacent about their workforce."

◆ **FROM DOL WEBSITE** ◆

“Careerbuilder.com Pays Over \$½ Million to Resolve Overtime Violations”

Internet employment recruiter Careerbuilder.com, headquartered in Chicago, has paid \$524,216 to 677 workers to resolve allegations of overtime pay violations of the Fair Labor Standards Act (FLSA) brought by the U.S. Department of Labor's Wage and Hour Division.

"We have recovered over half-a-million dollars for these workers," said Secretary of Labor Elaine L. Chao. "We are committed to ensuring that workers are paid all the wages they have earned."

The Labor Department alleged that violations occurred when the company improperly classified some workers as exempt from overtime pay provisions of the FLSA, and therefore failed to compensate those workers at time and one-half their normal pay rate, including commissions, for hours worked over 40 in a single workweek. The department's investigation covered a two-year period beginning January 2003 through January 2005.

◆ **FROM PLA E-LERT** ◆

“Discrimination Charges Down, Monetary Benefits Up”

Earlier this month, the EEOC released data for fiscal year 2005, which ended September 30. The number of discrimination charges filed against private employers declined by 5% from the previous year. However, the EEOC collected a record-setting \$271.6 million in pre-litigation monetary relief for charging parties (including \$115 million through mediation). In addition, it obtained \$107.7 million in litigation monetary benefits.

◆ **FROM YOU & THE LAW** ◆
“Nonsexual Bullying Can Equal Harassment”

Three female office workers complained that their boss berated them in public and swore at them. The boss reserved his abuse for female employees, while generally treating male employees with respect. The women sued and won.

The court concluded that the boss's bullying, although not sexual in nature, was discrimination based on sex. Had he treated everyone badly, the company would have had a defense.

◆ **FROM EXECUTIVE LEADERSHIP** ◆
“3 Ways to Shut Down a Motor-mouth”

1. **Keep absolutely quite.** Any verbal response (even sounds like ‘um’ and ‘uh-huh’) will encourage more chatter. Make a nonstop talker feel self-conscious through total silence.
2. **Speak at an especially slow tempo.** Most chatterboxes are fast talkers. Your goal is to make them think, “Gee, I’m talking too much here.”
3. **Never restate what you hear.** Typically a good way to confirm understanding, this is a bad idea with a chatterbox. A better approach: When they’re through, say, “Got it.” Then say goodbye.

◆ **A REAL LIFE SITUATION** ◆

Situation: An employee was a known ‘playboy’. Although he was married, he was constantly flirting with the female staff and even asking some of them out on a date.

One day he came in and asked for FMLA forms because his girlfriend was pregnant and she needed help when she delivered and convalesced. He said he was her sole provider, he was the father, and he wanted to also bond with the baby. He said he met all the criteria required by FMLA, including having proof that he financially supported her.

Observation: Nice try! The only thing he has proven is that he has financially supported a girlfriend while being married at the same time.

He is not eligible for FMLA, however, if he wants to bond with the baby or go to the movies, then he can. He can simply take any accrued and earned vacation leave. In the meantime, the company

probably needs to look at all of his flirting and shenanigans because:

- he could be causing disruption in the workplace
- he could be preventing other employees from performing their jobs
- he is apparently not doing his own job.

FEATURED SERVICE
Supervisory/Management Training

The biggest challenge in the working environment is today's employees. They are exposed to more information, motivated by more different means than ever before, more challenging when decisions are made, and feel more entitled than in all previous generations combined.

HR&M conducts supervisory/management training to help the organization in meeting these challenges by training on issues concerning an employee's life-cycle, from:

- **How to Effectively Interview** (probe, ask the proper questions, knowing what you *can* ask as opposed to what you *can't*);
- **How to Motivate** (Money? Recognition?)
- **How to Discipline** (Fair, consistent)
- **How to Terminate** (determine if documentation is sufficient; what to say and how to say it; when to use employment-at-will doctrine; and so on)

HR&M can prepare your supervisory staff with *customized training* regarding your policies, your procedures, your forms, discussing your specific situations, all under your particular culture.

◆ **REMEMBER! WE CAN HELP!!** ◆

Consulting on employee problems is just one of the areas of our expertise.

We also provide:

- supervisory/management training, ranging from brown bag luncheon training to ½ or full day sessions
- employee handbook development, from creating to updating
- responses to discrimination charges and unemployment claims
- on-line performance review forms and processes
- guidance on coaching, counseling, and disciplining in employee relations matters