



# Human Resource and Management Services

June 2006

## HUMAN RESOURCE EXCHANGE

Human resource issues and topics impacting employers

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### ◆ FROM CCH HR MANAGEMENT ◆

#### “1 in 5 workers fib about tardiness”

A new survey by CareerBuilder.com found some workers are suffering from a lack of punctuality. One-in-ten workers say they arrive late to work at least once a week and 24% say they arrive late at least once a month. One-in-five admit to making up fake excuses to explain their tardiness.

"30% of hiring managers say they don't care if their employees come in late as long as their work is completed on time with good quality. However, one-in-ten hiring managers say they would consider terminating an employee if he/she arrives late once or twice in a given year. One-in-five say a pink slip may be in order if an employee is late three times in a year."

When asked to identify the primary cause for coming in late, 27% of workers cited traffic. 10% pointed to getting their kids ready for school or day care, while 11% said falling back asleep was the main culprit. Other popular reasons included forgetting something at home, feeling sick, and the inability to find house or car keys.

Not surprising, Monday is the most popular day for late arrivals, according to 64% of hiring managers. While the majority of hiring managers don't typically question the validity of the reasons provided, 35% say most of the time they don't believe the excuses.

### ◆ FROM EEOC WEB SITE ◆

#### “Cracker Barrel to pay \$2 million”

Federal District Judge Charles R. Norgle, Sr. entered a \$2 million consent decree resolving a workplace discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC) challenging sexual and racial harassment

and retaliation at Cracker Barrel restaurants in Bloomington, Mattoon, and Matteson, Illinois, under Title VII of the Civil Rights Act of 1964 (*EEOC v. Cracker Barrel Old Country Store, Inc. and CBOCS West, Inc.*, N.D. Illinois No.04-C-5273).

Under the terms of the consent decree, 51 current or former employees at the three Cracker Barrel restaurants will share in the \$2 million settlement fund. Additionally, Cracker Barrel will be required to train all employees at those stores regarding harassment, to post a notice regarding the outcome of the lawsuit, and to periodically report any complaints it receives about sex or race discrimination to the EEOC. The decree also prohibits Cracker Barrel from retaliating against employees for complaining about illegal harassment or accepting benefits under the decree.

EEOC said, "...Cracker Barrel employees at the three restaurants were subjected to unwelcome and offensive sexual comments and touching from male co-workers and managers, and that complaints about it to management were not taken seriously."

EEOC added, "But this case wasn't just about sexual harassment, it was also very clearly about race. Black employees said that they experienced racially charged language in the workplace, including 'spear chucking porch monkey,' 'you people,' 'ghetto' and the 'n-word.' They said that the discrimination they experienced took other forms as well, including being required to wait on African American customers when white servers refused to do so, and being assigned to work in smoking sections."

◆ **FROM HR HERO LINE** ◆  
“Blog Policies”

In a recent poll to members of HR Hero:

- 87% have a policy covering Internet and e-mail use, but only 9% reported having a policy on employees' personal blogs.
- 77% don't use blogs as part of the business.
- 79% give employees notice that their Internet and e-mail use will be monitored.

*Editor's note – this appears to be an up and coming problem, especially since many employees use blogs to disparage and ‘put down’ their company and/or the company’s management.*

◆ **A REAL LIFE SITUATION** ◆

**Situation:** A long time employee announced that he would need to take a few days off to attend his grandmother’s funeral out of state. After offering condolences and the employee left the office, the manager sensed some strong Déjà vu, and decided to look up his attendance record. What he found was that the employee had taken bereavement leave two times in the last two years for the death of his grandmother; this would be the third time he has been out for this reason. The manager did not know if he could say anything because he has never questioned anyone else’s loss.

**Observation:** It is important to remain as compassionate, objective, and non-accusatory as possible. Perhaps there was a mistake in the attendance record; or maybe the employee has a non-traditional family, which explains how he has three grandmothers.

One way to address this situation is to have a private discussion with the employee after his return, present the record to him showing his past absences, and ask him to explain how he could need bereavement leave for the death of a grandmother three times in the span of two years.

The employee’s past history with the company, demonstration of trustworthiness, and his full explanation will help you determine your response, which may involve some or all of the following actions:

- you offer your condolences again and welcome the employee back, or,
- you ask for some verification of the death, such as an obituary notice or other such documentation, or,

- you place the employee under administrative leave with pay (suspension) while you investigate this further, or
- you terminate the employee for falsifying information and violating company policy by providing information to illegitimately gain a certain company benefit.

**FEATURED SERVICE**  
**Customized Management Training**

Although HR&M presents workshops and seminars on a regular basis, many companies have requested that the workshop/seminar be presented at their location.

The reason for these requests due to the need for customized training – either because of unique situations which they don’t want to publicize in front of others, or because they want to ensure that their own specific forms and processes are all understood, interpreted, and enforced consistently.

In these situations, many companies also want HR&M to review their policies, procedures, forms, and processes for appropriateness, compliance to any particular legal or company regulation, and any prevailing practice.

So if you’re looking for customized training that also looks at your forms and processes, HR&M has the human resource expertise to inform and educate your supervisory/management staff and to also advise if your organization is in compliance with all of the requirements that it should.

◆ **REMEMBER! WE CAN HELP!!** ◆

Consulting on performance, attendance, FMLA, Wage & Hour, management accountability, and other unique issues 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