



Human Resource and Management Services

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HUMAN RESOURCE EXCHANGE

Human resource issues and topics impacting employers

◆ FROM SHRM ◆

“Wildfires close businesses, send employee packing”

Wildfires continued to ravage parts of southern California ... High winds prompted Robert Mann Packaging Inc. to close its warehouse, located in the foothills of Oceanside, Calif., at noon on Oct. 22 ... The next day, falling ash and smoke prompted ... to send all 35 production workers home in the morning because of concern over air quality at the warehouse...

Two employees had to evacuate their homes; one has been able to return and the other remained with relatives. A third employee “is stuck in his home as they are not allowing anyone to go anywhere at this point.” Employees will fill in lost hours with vacation time and work the following Saturday to make up lost production time...

◆ FROM HR SPECIALIST EMPLOYMENT LAW ◆

“Keeping I-9s in separate file: is it necessary?”

- Q. I've read that we shouldn't keep employees' I-9s in their personnel files. Is this a suggestion or are there laws that require them to be in separate files?
- A. There's no federal law that tells employers where or how they must keep their I-9s. However, we recommend that you maintain the forms in a confidential I-9 file separate from the employees' personnel files. This policy will help maintain the confidentiality of sensitive employee information concerning national origin, citizenship and residency status, and reduce the chance of a discrimination claim.

◆ FROM CAREERBUILDER.COM ◆

“Workplace taboos: are you guilty?”

According to a new CareerBuilder.com survey, 35% of those surveyed have puckered up with a co-worker and 31% have tipped the bottle while on the job. Not to mention the 19% of workers who have spread a rumor about a fellow employee.

"As companies continue to embrace more casual environments, employees may develop a false sense of informality when it comes to the office behavior," says Rosemary Haefner, Vice President of Human Resources at CareerBuilder.com. "Employees should make sure they are aware of company policies, so something that initially seems 'harmless' doesn't end up negatively impacting a career."

Other workplace taboos that American workers have committed include:

- Falling asleep at work (42%)
- Stealing from the office (21%)
- Snooping after hours (17%)
- Lying about an academic background (4%)
- Taking credit for someone else's work (2%)

◆ FROM TEXAS EMPLOYMENT LAW LETTER ◆

“When bosses are the problem”

An on-line survey summarized the following of what makes a bad boss:

- 40% - bosses that belittle people in front of others
- 34.2% - bosses that lie
- 31.5% - the condescending or demeaning boss
- 23.9% - the boss that humiliates or embarrasses
- 21.9% - the boss that micromanages

◆ FROM PERSONNEL LEGAL ALERT ◆

“We couldn't make this up if we tried”

This will make employees think twice about asking for a raise. The owner of a car dealership in Georgia confessed to shooting to death two employees who kept asking for more money. The owner claimed he was under a lot of stress due to financial problems and just snapped.

◆ FROM CCH HR MANAGEMENT ◆

“HMOs propose highest rate increases in four years”

An analysis from Hewitt Associates, a global human resources services company, indicates that initial HMO premium rates will increase by approximately 14.1% in 2008—the highest rate increase in four years... Preliminary analysis shows an 18.2% increase for the Southeast in 2008 compared with 11% at this time last year, and an 18.4% increase for the Midwest, compared with 11.5% last year.

Employers are considering a number of strategies to help mitigate the impact of high HMO premium increases on their health care budgets this year, including:

- *Shifting Costs to Employees*
- *Moving to Self-Insured Plans*
- *Aggressively Negotiating With Health Plan*
- *Implementing Strategies for Keeping Employees Healthy*

◆ FROM HRHERO ◆

“Take that employee out for a test drive”

At the risk of falling into a male gender stereotype, we're not shoppers; we're buyers. We don't browse. We know what we

want, go directly to it on the store shelves, grab it, and head for the cash register – almost always without trying it on.

Most employers feel the same way about hiring. No one wants to spend any more time than necessary recruiting, interviewing and selecting new employees. You want to get your new employee in the door and on the job.

The cost of a bad hiring decision is much more than some of the fashion disasters that have resulted from our impatient shopping technique. Sure, careful hiring can take time away from your many other responsibilities, but putting just any warm body in a vacant position may cause you a lot more work down the road. Take a little extra time to pick the right (and avoid the wrong) person for the job.

◆ **A REAL LIFE SITUATION** ◆

Situation: An employee was having trouble finding a reliable babysitter. After going through several babysitters, missing a lot of time from work, and still not finding that ‘right’ babysitter, the employee asked her boss if she could bring her baby to work. The employee promised that her baby would be quiet and would not be a problem. The boss wondered whether he should do this and if he did, for how long he should allow it.

Observation: Several times we have seen this occur. An employee asks to bring his/her child to work, or the employee is somehow ‘forced’ to bring his/her child to work, and management approves it.

Unfortunately, with our experience, this arrangement does not work. A child cannot and should not be expected to stay quiet for 8 hours. A child is a big responsibility that should not be taken lightly. To bring a child into the workplace is not only disruptive and non-productive to everyone within close proximity, but it is also dangerous, since a workplace is not set-up with children in mind.

In all of our experiences, the following occurred:

1. Everyone spoke ‘goo-goo and gaga’ throughout the day.
2. The baby/child screamed, cried, was restless and created disruption. The parent would rush in and try to quiet the situation. When the parent was out of the office, other employees would rush in and try to quiet the situation.
3. The baby/child would not play with the toys brought from home, but rather, would play with the phone, file cabinets, printer, files, and anything else to keep entertained. The parent and other employees were constantly keeping an eye on the baby/child for fear of injury.
4. Other employees started to ask if they could bring their child to work.
5. Not only did the employee/parent get interrupted on a constant basis, but the other employees got interrupted constantly, and thus, everyone was negatively affected by what started out as a family/friendly gesture by the employer.

Although this is a case-by-case basis, an organization needs to realize that statistically, having a child at work creates more problems than it does to fix one particular situation.

FEATURED SERVICE

Consultation

Today’s environment is much more challenging than it ever has been. Although there are several reasons for this, one of these reasons is because employees are much more exposed to what is right and wrong and thus more exposed to the rights that they have as employees. As a result of employees getting more exposed, coupled with the way employment laws are written, situations arise that normally would have been easy to address years ago.

A simple example of this is when an employee is seen staggering, has blood-shot eyes, his speech is slurred, is sitting in his truck during his entire one-hour lunch break, and his breath reeks of alcohol. In the past, the employee was confronted and fired. Today, there has to be verifiable proof, and under ADA, there could be protection and accommodation requirements.

HR&M consults on this and other situations in which there might be a simple and logical approach, but today’s environment requires more than just logic.

Contact HR&M for further information.

◆ **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
- responses to discrimination charges and unemployment claims
- on-line performance review forms and processes
- guidance and consultation on coaching, counseling, and disciplining in employee relations matters
- succession and strategic planning programs
- consultation on issues regarding attendance and performance and guidance on terminations
- development of OFCCP compliant Affirmative Action Plans