

Human Resource Handbook

A Guide to Effective Employee Management



**Russell R. Mueller Retail
Hardware Research Foundation
5822 West 74th Street
Indianapolis, IN 46278**

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By **Raymond A. Parker**

Chief Executive Officer, PHRST & Company Inc.

Vice President of Human Resource Outsourcing, SOI (Strategic Outsourcing Inc.)



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Organization

The Russell R. Mueller Retail Hardware Research Foundation was established in 1968 as a living memorial to Russell R. Mueller, managing director of the North American Retail Hardware Association from 1952 through 1967. Mr. Mueller made major contributions to the hardware industry as an advocate for the independent retail hardware dealer.

Objectives

The purpose of the Mueller Foundation is to conduct continuing research and educational activities for the improvement of hardware retailing. According to the Foundation's charter, all such research and education activities must fulfill a basic need, must not duplicate projects or programs of the North American Retail Hardware Association or any other industry organization, must be of industry-wide interest and application, must have retention value over a period of years and must serve to perpetuate the causes for which Russ Mueller worked. All information developed by the Foundation is made available throughout the industry.

Financial

Funded by an initial grant of \$50,000 from the Board of Directors of the National (now North American) Retail Hardware Association, the Mueller Foundation is organized as a non-profit business league. Continuing research projects are funded by voluntary contributions from individuals, companies and organizations at all levels of distribution throughout the hardware industry and by grants.

Administration

The Board of Directors of the Mueller Foundation consists of representatives of the major segments of hardware distribution, including retailing, wholesaling and manufacturing. All Board members serve without compensation, assuring that 100 percent of the Foundation's income is available to finance research and education projects.

■ About the Author

Raymond A Parker, SPHR, is senior vice president/human resources outsourcing for SOI (Strategic Outsourcing Inc.) of Flagler Beach, Florida. He is also founder and chief executive officer of PHRST & Company Inc., a full-service human resource outsourcing company.

Mr. Parker has been in human resource management since 1972; he incorporated PHRST (Professional Human Resource Service Teams) in 1993 and has been its CEO since 1997. He also has experience in corporate human resource management.

Mr. Parker has experience in all areas of human resources with concentrations in international human resources, labor relations and compensation. He holds a bachelor's degree in motivational research psychology from Pennsylvania State University and a master's degree in management science and psychology from the College of New Jersey.

Mr. Parker is available to answer questions or for consultation at 1-800-285-8380 Code 14; ray.parker@soi.com or www.soi.com.

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■ Introduction

The purpose of the Russell R. Mueller Retail Hardware Research Foundation is “to conduct continuing research and education activities dedicated to improving hardlines retailing.”

The *Human Resource Handbook*, first published in 2000, was developed as a practical desktop guide and reference for small and medium-size businesses in the hardware/home improvement industry. It was designed primarily for owners and managers who deal with human resource management matters without the support of large, corporate-style human resource departments.

It was an immediate success, with more than 5,000 copies going into distribution within weeks of publication. During the intervening years, some of the information became outdated and the *Human Resource Handbook* was taken out of circulation. But requests for it continued. This current edition of the *Human Resource Handbook* contains the same kind of helpful information as the original but has been updated to ensure that information is current.

The *Handbook* is designed to provide accurate and authoritative information with regard to the subject matter covered. It is provided with the understanding that the publisher is not engaged in rendering legal, accounting or other professional services. If legal advice or other expert assistance is required, the services of a competent professional person should be sought.

General topic areas discussed include hiring, compensation and benefits, discipline, regulatory issues, training and development, recordkeeping and related subjects. Numerous forms, charts and resource lists are included.

The *Handbook* follows the logical employment progression beginning with recruitment, through career development to termination of service. Throughout, the *Handbook* explains how to apply common and correct principles of human resource management in a simple, straightforward manner.

The Mueller Foundation, the author and those contributing to its development are pleased to offer this revised and updated *Human Resource Handbook* as a practical and valuable tool to facilitate and enhance the effectiveness of hardware/home improvement owners and managers in their everyday dealings with employees.

How to Use the Human Resource Handbook

This electronic version of the *Human Resource Handbook* is designed to make it easy to navigate from chapter to chapter and section to section. It can be printed out in its entirety or by individual page. The Appendix at the end of the *Handbook* contains forms that can be easily downloaded for your use. Many of these forms are available in Microsoft Word documents that can be customized with your company's name and logo, or printed out on company letterhead. Simply click on the forms in the Appendix to download these forms.

IN CHAPTER ONE:

- WHAT KIND OF EMPLOYEES DO YOU WANT?
- WHAT JOB ARE YOU OFFERING?
- WHERE TO LOOK FOR EMPLOYEES
- HOW TO CONTACT PROSPECTIVE EMPLOYEES
- ETHICAL CONSIDERATIONS
- WHAT PROSPECTIVE EMPLOYEES LOOK FOR

1

■ Attracting Employees

Finding the best employees is an ongoing process requiring thorough planning and careful execution. It involves figuring out what jobs need to be done, what education, training or skills are necessary to do them and what pay levels are appropriate and matching the employee to the job.

WHAT KIND OF EMPLOYEES DO YOU WANT?

Owners and managers are quick to answer this question with, "The best and most qualified people available." It is a good general answer. Yet it is not specific enough for our real job needs.

We need to describe the person we want by specifically identifying the knowledge, skills and abilities required for the job. In doing so we must be fair, accurate and objective. Fairness is necessary for legal and regulatory compliance. Accuracy is needed so we get what we need and do not overstate or understate the job. And we need to be objective so we can decide between candidates based only upon specifically what is needed for the job.

We need a basic description of the job and the person we want. We can do this easily using Table 1-1. Later we will discuss developing a detailed job description.

Begin by developing two simple lists. Five items for each is enough. Identify the primary functions of the job. Think in terms of "What does the job (person) get done?" Avoid just listing tasks.

Next, insert the prerequisites for the job. These should answer the question, "What does the person need to bring to the job to do the job?"

Consider:

- Background
- Experience
- Education
- Special skills - example: speaking another language
- Purpose for seeking the job - example: wanting to own his/her own company
- Only the knowledge, skills and abilities specific to the job you wish to fill

This is easy as we think about what we really need in the job. Review the sample in Table 1-1a. Fill in what you need in Table 1-1b.

Remember not to over- or under-represent the position. Doing so may lead to a mismatch for the person filling the job. And it can lead to more difficulty finding the best person for the job, if, for example, you put too many requirements on the person's background.

There is more to decide about the job. An employer needs to decide if the position is to be management or non-management and if it is to pay hourly wages or a salary.

By definition, employees are paid salary when they are paid a consistent amount from pay period to pay period regardless of the number of hours they work. "Hourly" pay means the employee is paid only for hours worked. As an example, if an employee is paid hourly pay and misses work for one hour for a dental appointment on Monday, s/he would receive 39 hours of pay for the week. As a salary-paid employee, s/he would be paid 40 hours even though the hour was not worked. More information on hourly vs. salaried employees is in Table 1-2 and the Glossary.

These are important points. The federal government provides guidelines under the Fair Labor Standards Act (FLSA) to determine the classification of a position. There is a distinction made between management and non-management personnel. Management jobs are referred to as exempt. Non-management jobs are referred to as non-exempt.

Management jobs do not get (are exempt from) overtime pay. Non-management jobs do get paid

overtime (they are not exempted from overtime pay). Basically the classes and pay are shown in Table 1-2.

Employers make the decision whether personnel are paid a salary or hourly wages for non-exempt employees. Deciding if an employee is exempt or non-exempt can be more difficult. And there can be legal consequences. It is improper to classify a job and person as exempt just to avoid overtime.

So how do we make the right decision? Table 1-3 is helpful in deciding whom

we can classify as exempt. Note the Department of Labor Internet site where there is additional helpful information for determining management versus non-management status.

If there is a question on the employee's exempt or non-exempt classification, it would be wise to seek professional assistance. The Wage and Hour Division of the U.S. Department of Labor (see your local phone book for numbers) can be helpful. Check with a legal adviser for additional help.

Many employers hire independent contractors. We must take care in the way we designate and manage contract personnel working for us, too. If an issue arises, a legal investigation may take place. Sometimes those we think are contractors really are not. Table 1-4 is a guide for a basic decision on contractor status.

We are beginning to develop a good picture of the job. Next we need to decide if we will make it a full-time or part-time job. There are many pieces of information we are evaluating. A simple table like Table 1-5 can help us. Here we used the example of a salesperson and selected the relevant factors which indicate that the job is a non-exempt salary job, that it is paid overtime, and that it is a full-time position.

Now we have an idea of the job. How many people do we need to fill the job? This sounds easy, but what if we want to do some creative planning for coverage? Maybe we can use job sharing, which is where two or more people perform the same job for a varied number of hours, perhaps splitting the day or working different days of the week.

Or what if we have to cover shifts or heavy sales periods? Plan ahead. Do not misrepresent the vacancies. This can have an impact on morale, cause too many applicants to apply and/or have other consequences.

WHAT JOB ARE YOU OFFERING?

At this point we have good answers to this question. In our example we would

Table 1-1 (A)	
SAMPLE: SALESPERSON	
PRIMARY FUNCTIONS	PREREQUISITES
1. Greets customers	High school or equivalent
2. Displays and explains items	3 months retail experience
3. Estimates customers' needs	Able to speak one-on-one
4. Solves customers' problems	Able to relate needs to products
5. Maintains department inventory	Willingness to learn, take responsibility

Table 1-1 (B)	
YOUR JOB REQUIREMENTS: SALESPERSON	
PRIMARY FUNCTIONS	PREREQUISITES
1.	
2.	
3.	
4.	
5.	

Table 1-2			
JOB CLASSIFICATION AND PAY			
CLASSIFICATION	TYPICAL FUNCTION	PAY METHOD	OVERTIME
Exempt	Owners, executives, managers, supervisors	Salary	No overtime
Non-exempt (salary)	Clerical, technical, sales, etc.	Salary	Paid overtime
Non-exempt (hourly)	Operations, maintenance, labor	Hourly	Paid overtime

MANAGEMENT (EXEMPT) AND NON-MANAGEMENT (NON-EXEMPT) STATUS FACTORS

SALARY BASIS REQUIREMENT

- FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional, outside sales and certain computer employees.
- To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week.

EXECUTIVE EXEMPTION - To qualify for exemption all of the following tests must be met:

- Must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$455 per week.
- Primary duty must be managing the enterprise, or managing a customarily recognized department or subdivision of the enterprise.
- Must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent.
- Must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

ADMINISTRATIVE EXEMPTION - To qualify for exemption all of the following tests must be met:

- Must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week.
- Primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers.
- Primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

LEARNED PROFESSIONAL EXEMPTION - To qualify for exemption all of the following must be met:

- Must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week.
- Primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment.
- Advanced knowledge must be in a field of science or learning.
- Advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

COMPUTER EMPLOYEE EXEMPTION - To qualify for exemption the following tests must be met:

- Must be compensated either on a salary or fee basis at a rate not less than \$455 per week or, if compensated on an hourly basis, at a rate not less than \$27.63 an hour.
- Must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field performing the duties described below.
- Primary duty must consist of:
 - 1) *Application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;*
 - 2) *Design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;*
 - 3) *Design, documentation, testing, creation or modification of computer programs related to machine operating systems;*
 - 4) *A combination of the aforementioned duties, the performance of which requires the same level of skills.*
- Exemption does not include employees engaged in the manufacture or repair of computer hardware and related equipment. Employees whose work is highly dependent upon, or facilitated by, the use of computers and computer software programs (e.g., engineers, drafters and others skilled in computer-aided design software), but who are not primarily engaged in computer systems analysis and programming or other similarly skilled computer-related occupations identified in the primary duties test described above, are also not exempt under the computer employee exemption.

OUTSIDE SALES EXEMPTION - To qualify for exemption all of the following tests must be met:

- Primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer.
- Must be customarily and regularly engaged away from the employer's place or places of business.

Source: US Department of Labor. (See <http://www.dol.gov/elaws/esa/flsa/overtime/menu.htm>)

CONTRACTOR VS. EMPLOYEE STATUS

To help taxpayers determine whether an individual is an employee under the common law rules, the Internal Revenue Service (IRS) has identified 20 factors, which are used as guidelines to determine whether sufficient control is present to establish an employer-employee relationship.

These factors should be considered guidelines. Not every factor is applicable in every situation, and the degree of importance of each factor varies depending on the type of work and individual circumstances. However, all relevant factors are considered in making a determination, and no one factor is decisive. It does not matter that a written agreement may take a position with regard to any factors or state that certain factors do not apply, if the facts indicate otherwise. The 20 factors indicating whether an individual is an employee or an independent contractor are:

Source: Internal Revenue Service, (<http://www.ustreas.gov/tigta/auditreports/reports/190303fr.html#AppIV>)

Instructions. An employee must comply with instructions about when, where, and how to work. Even if no instructions are given, the control factor is present if the employer has the right to control how the work results are achieved.

Training. An employee may be trained to perform services in a particular manner. Independent contractors ordinarily use their own methods and receive no training from the purchasers of their services.

Integration. An employee's services are usually integrated into the business operations because the services are important to the success or continuation of the business. This shows that the employee is subject to direction and control.

Services Rendered Personally. An employee renders services personally. This shows that the employer is personally interested in the methods as well as the results.

Hiring Assistants. An employee works for an employer who hires, supervises, and pays workers. An independent contractor can hire, supervise, and pay assistants under a contract that requires him or her to provide materials and labor and to be responsible only for the result.

Continuing relationship. An employee generally has a continuing relationship with an employer. A continuing relationship may exist even if work is performed at recurring although irregular intervals.

Set hours of work. An employee usually has set hours of work established by an employer. An independent contractor generally can set his or her own work hours.

Full-time required. An employee may be required to work or be available full-time. This indicates control by the employer. An independent contractor can work when and for whom he or she chooses.

Work done on premises. An employee usually works on the premises of an employer, or works on a route or at a location designated by an employer.

Order or sequence set. An employee may be required to perform services in the order or sequence set by an employer. This shows that the employee is subject to direction and control.

Reports. An employee may be required to submit reports to an employer. This shows that the employer maintains a degree of control.

Payments. An employee is paid by the hour, week, or month. An independent contractor is usually paid by the job or on a straight commission.

Expenses. An employee's business and travel expenses are generally paid by an employer. This shows that the employee is subject to regulation and control.

Tools and materials. An employee is normally furnished significant tools, materials, and other equipment by an employer.

Investment. An independent contractor has a significant investment in the facilities he or she uses in performing services for someone else.

Profit or loss. An independent contractor can make a profit or suffer a loss.

Works for more than one person or firm. An independent contractor is generally free to provide his or her services to two or more unrelated persons or firms at the same time.

Offers services to general public. An independent contractor makes his or her services available to the general public.

Right to fire. An employee can be fired by an employer. An independent contractor cannot be fired so long as he or she produces a result that meets the specifications of the contract.

Right to quit. An employee can quit his or her job at any time without incurring liability. An independent contractor usually agrees to complete a specific job and is responsible for its satisfactory completion, or is legally obligated to make good for failure to complete it.

Table 1-5

JOB CLASSIFICATION AND STATUS PLANNER

CLASS/STATUS	FULL-TIME	PART-TIME	TEMP. FULL-TIME	TEMP. PART-TIME
Exempt salary				
Non-exempt salary	●			
Non-exempt hourly				
Contractor				
Paid overtime	●			
No overtime				

say we want one full-time, non-exempt salary salesperson for our hardware store. It is best to do a thorough job of defining our sales position. For this we can use a Job Evaluation Questionnaire and develop a formal Job Description.

(In this chapter and throughout the text content, we offer charts, samples and helpful tools. For the convenience of owners and managers, many of these items are included in an appendix so that users can easily access, adapt and adopt the materials.)

These tools are very helpful and comprehensive. The questionnaire guides us through an analysis of the job factor by factor. We then write a description of the job based upon the information developed in the questionnaire. We included key point explanations for completing the form. You may reproduce the blank Job Evaluation Questionnaire and use it as often as you need to analyze your own jobs.

We developed a sample job description for a retail salesperson (Fig. 1-1).

The blank job description form (Fig. 1-2) can be reproduced and used to develop job descriptions for your employees. We will use the information we developed earlier and the sample job description material as we go forward in this handbook. You will notice how the pieces of information come together as we proceed with our hiring process.

We still have another item to determine which is very important to employees. What will be the pay for the job? Prudent employers determine an appropriate pay range ahead of time.

To do this we must consider pay levels inside the company and outside the business. Paying fair wages will attract, retain and motivate employees. In today's market there is keen competition for employees not only from direct competitors in other hardware establishments, but also from other businesses seeking employees to fill similar jobs and possessing similar skills. For example, a good salesperson can sell other product lines in other retail establishments.

Establish the *minimum*, *midpoint* and *maximum* base pay range for the job. Base pay is the basic compensation a person receives as hourly or salary pay. It does not include overtime, bonuses, incentives or other benefits. We use a range because different people bring different knowledge, skills and abilities to a job.

Normally we set the *midpoint* of the range at what is average for the market (among other hardware establishments as well as similar companies). This recognizes that most people in a job have "average" time on the job, experience, etc.

The *minimum* may be set at approximately 75% of the midpoint. This position in the range recognizes, for example, that a person on the job is new to the work and probably does not have much relevant experience. A person just out of school appropriately may be placed at minimum at hire.

The *maximum* of the range is used for persons who have been on the job for some time or for those who have special backgrounds and skills for the job or for a person who moves laterally into the job from another position which is high in pay. The maximum may be set at approximately 120% of midpoint.

Inside the company, make sure the new job pay is at par with existing jobs. Outside, determine the market value by checking surveys, trade associations, competitors, job advertisements and other sources for pay and benefits.

Carefully consider your pay range. Note it in Table 1-6 and keep it for use in the future.

Reviewing and using the tables and forms shown here and in the Appendix as guides can be very helpful. They take time to complete up front, but they can save a great deal of time later by eliminating misunderstandings by job seekers, quick decisions for lack of planning and overstatements or understatements of job facts.

Table 1-6

PAY RANGE FOR RETAIL SALESPERSON		
MINIMUM	MIDPOINT	MAXIMUM
\$ /hour or week	\$ /hour or week	\$ /hour or week

These forms can be valuable in case of a dispute over the job content, how we filled the job, how we decided the wages for the job and many related matters. It is prudent to retain records of position development materials including the pay range set in Table 1-6.

WHERE TO LOOK FOR EMPLOYEES

In today's marketplace, identifying the job is just the beginning. Finding people to fill the position can be challenging. We can consider candidates inside and outside the store. Too often we look outside the organization to fill an opening without considering internal personnel. Often people want to move between jobs. Often they want to advance to a better-paying job with more responsibility.

There are advantages and disadvantages to internal and external sources as shown in Table 1-7.

Regardless of whether we go inside or outside the organization, the job must be communicated. Again, the job should be represented as accurately as possible. Also, it must be communicated fairly among all who might be considered for the job. We cannot be discriminatory in the manner we advertise for the position or in the way we select candidates.

Internally, job postings may be used. Externally, advertisements may be our solution. In either case, the information we developed should be noted.

An informative job posting or other advertisement is critical to getting good

INTERNAL VS. EXTERNAL CANDIDATE SOURCES	
INTERNAL SOURCING	
ADVANTAGES	DISADVANTAGES
Often costs less	Does not bring in new people
Improves morale	"Political" fighting for position
Performance motivator	Requires development programs
Leads to additional promotions	Morale down for those not selected
Candidate's abilities are known	
Requires hiring only at entry level	
EXTERNAL SOURCING	
ADVANTAGES	DISADVANTAGES
Cheaper/faster than training internal employee	Extended orientation/adjustment time
Eliminates "political" support group	Person may not fit job or organization
New/fresh perspective with new person	Morale of non-selected employees
Source of industry insight	

results. Such a communication should answer the basic questions, who, what, where, when, why. Refer to Table 1-8 and Table 1-9 in the Appendix for sample job announcements. In our electronic format of the job ad and the internal posting, you may easily go into the form, erase the sample information and replace it with your own.

Components of an effective recruiting ad (Table 1-9) include:

- Candidate information

- Years of experience
- Three to five characteristics of the successful candidate
- Job information and application process information
- Job title
- Location of job
- Starting pay range
- Job responsibilities
- Closing date for applications
- Where to mail applications and resumes
- Whether to include a resume and/ or cover letter

- Whether phone calls and/or personal visits are welcome
- Organization information
- That it is an equal opportunity employer (EOE)
- The primary business

Job description questionnaires and formal job descriptions are helpful when filling out internal job posting forms and when writing ads.

Internal job postings and external ads may be well developed, but they need to be put into the right places. They need to use the best channels to get the desired response. Plan your advertising campaigns. Decide:

- What should be the medium?
- What is the target group to be reached?
- How should the message be conveyed?
- What does the store want to accomplish?
- What message should the advertising relate?

HOW TO CONTACT PROSPECTIVE EMPLOYEES

Selecting the best sources may require some creativity. Schools, colleges, temporary staffing firms, employment agencies, professional employer organizations (sometimes referred to as “employee leasing”) and executive search firms are traditional sources. Trade associations may publish magazines or newsletters in which employers can advertise job vacancies. Or they may offer formal or informal assistance in finding employees.

Local personnel/human resources associations also may serve as a clearinghouse for information on potential employees. Some groups maintain employment databases or resume-sharing networks for their members.

Community organizations, such as the Chambers of Commerce, YMCA and

YWCA, churches, charitable and public service organizations such as the United Way, clubs and social groups are additional recruiting sources. Many such organizations provide employment counseling or training as a community service that directly benefits business. Some have a well-developed grassroots network of contacts with individuals in special interest categories, such as retirees, Hispanics or other minority groups and women.

Already in the 21st century many organizations are encountering major difficulties finding appropriate job candidates. Table 1-10 is a listing of resources for finding prospective employees.

ETHICAL CONSIDERATIONS FOR RECRUITING EMPLOYEES

Along with legal and regulatory guidelines, there are several practical considerations including:

- All applicants for employment should receive equal access to the application process. This includes disabled individuals. If the location for applicants to apply for a job is not set up to receive disabled applicants, other accommodations must be made which will allow disabled applicants equal access.
- Avoid the practice of recruiting employees from competitors. If you have a compelling job opportunity and a fine working environment, job applicants will respond to professional notices of job openings and respond without the need to “steal” them. If the situation arises where a competitor has a concern about employees leaving that company for yours, it is wise to address the matter head-on and arrive at a businesslike solution.
- Do not exaggerate or fail to fully describe the job. This confuses applicants and leads to many problems when hiring employees. It could lead to charges of misrepresenting the job.

- Carefully consider how you will use and communicate the decision to use inside and outside applicants. Be sure all applicants understand they must meet the job criteria and will have a fair shot at the job.
- Do not practice “bait and switch” tactics when hiring. To the best of your ability, communicate the job and its specifications effectively and accurately. If a change arises, consider a new advertisement and/or a new internal posting for the job. In this case be prepared to thoroughly explain your reasons for change.
- Be fair, firm, consistent and professional in your recruiting.

Table 1-11 charts by year the increasing and accelerating number of labor laws which owners and managers must consider during the hiring and selection process. In Chapter 5 we discuss many of these laws, including what each law entails, when the laws go into effect by number of employees, the year, documentation requirements, etc. For current, detailed federal and state legal and regulatory updates, the following Internet sites are particularly valuable:

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

101 JOB APPLICANT TARGETS, SOURCES AND TIPS

Use these as suggestions to mix, match and spur new ideas and suggestions.

A. Review internal databases or files

1. Current employees
2. Employee referrals
3. Former applicants
4. Former employees

B. Review external source alternatives

5. AARP postings and recruiting services
6. Academy companies/organizations; billboards; billing inserts (Seek source/editor and post ads [often free of charge])
7. Advertise for soon-to-rotate personnel who seek to "down-shift" but still work
8. Billboard advertising along roads near locations
9. Bumper stickers ("We're growing, hiring and want you! 800-xxx-xxxx")
10. Canvass and post opportunities at mass/fleet buyers/customers
11. Canvass and post opportunities at suppliers/vendors
12. Chamber of Commerce listings and sourcing down-sized organizations
13. Churches, synagogues, mosques, etc. Ads and job listings are usually free
14. Civic organizations in general to get word out via participation Rotary, Kiwanis
15. College alumni magazines. Depends upon prerequisites for jobs; however, valuable source
16. College and university career services or placement centers. These are for full time, part time, temporary, intern, co-op, etc. Listings are often free
17. Commercial schools where job experience is valued in retail, service, customer service
18. Community awareness — Get the name out and listings of jobs. There are many programs such as blood drives or Habitat for Humanity. Often these organizations will announce the event in the newspaper giving your company exposure. In small towns, events like these go a long way
19. Community colleges. Job postings in student centers, specific departments, school newspapers, etc.
20. Community special schools and colleges. Job postings in student centers, specific departments, school newspapers, etc.

21. Company home page on the World Wide Web. Keep current job listings up for all cities
 22. Consider flexible staffing or options
 23. Consider getting specialized training for your recruiting staff on Internet recruiting
 24. Consider job rotation
 25. Consider job-sampling
 26. Consider job-sharing
 27. Consider the job-sharing underutilized current incumbents
 28. Consider using a program (Spider or Web crawler) that will search many databases at the same time
 29. Contact/recruit competitors directly or through a third party. Seek persons who declined jobs, soon-to-rotate, retirees seeking different hours, etc.
 30. Contract job groups rather than looking merely for single incumbents to fill needs (team/group of employees sourced from outside)
 31. Counselor direct contact and listing at high schools, technical schools, colleges, seniors groups
 32. Cross train and move personnel between peak hours, jobs, departments and locations
 33. Cultural and ethnic centers for postings, ads, presentations, job fairs
 34. Customer list advertising
 35. Direct competition and close competitor "spin-offs"
 36. Direct mail advertising
 37. Disabled persons organizations
 38. Downsizing organizations for direct personnel and spouses
 39. Dual-track job career ladders
- C. Dynamic sourcing**
40. Ethnic organizations
 41. Fraternities
 42. Government downsizing programs
 43. Government programs (JTPA etc.); independent search and recruitment contractors
 44. Highly visible media advertising
 45. Hire bonus
 46. Contact local real estate departments and directors of relocation services

Continued from page 1-8.

47. Identify the core workers and employees
48. Identify the fast-trackers and high-potential employees
49. Immigration office for applicants
50. Immigration sources - international alliance partners
51. Independent contractors
52. In-store placard at checkout
53. Internet ads; Internet bulletin boards; Internet career hubs; Internet newsgroups
54. Interns, co-op students, work-study programs, management trainee programs
55. Job fairs
56. Contact high community involvement practitioners to advertise listings, e.g., doctor's and dental offices
57. Job hotline
58. Letters/flyers/check-attachments to employee family
59. Local military recruiting stations (Army, Marines, Air Force, Navy, Coast Guard)
60. Local van transportation to bring employees to work site
61. Military placement centers (DORS, ACAP, etc.)
62. Movie previews; new employee referrals; newspaper ads
63. Newspaper articles; open houses; other companies who are downsizing.
64. Occupational therapists, offices, organizations and networks
65. On-the-street advertising near store (creative costume, placard, flag, sign, etc)
66. Open houses
67. Opinion survey; enhance social benefits for retention
68. Opinion survey; publicize job positives
69. Outplacement organizations for direct personnel and spouses, e.g. Right Associates, Drake-Beam-Morin, Curtiss Group and similar local organizations
70. Own-location parking lot windshield flyers (low-end but effective)
71. Post jobs on specialty sites that cater to a regional, technical or a functional area of interest
72. Post jobs on the major hubs such as Monster, CareerPath or CareerMosaic
73. Postings for "spin-offs" at LaborPool, LaborReady, Workforce, etc. for personnel who may want different environment or work schedules
74. Postings in stores such as discount stores, supermarkets, etc.
75. Private employment agencies; professional associations
76. Professional conferences; professional journal ads
77. Professional networks of the hiring manager, human resources and recruiters
78. Public employment agencies; radio ads; radio reports
79. Re-review current prospects, and candidates
80. Retention bonus
81. Scholarships and grants "work-to-school" program
82. School-to-work programs; search and recruitment firms.
83. Senior citizen groups; television ads; television reports targeting these sources
84. Set up career academy
85. Setting up an organization profile on web sites which are linked to your organization's web site
86. Sororities
87. Staffing firm spin-offs who seek varied schedule or other alternatives
88. State employment services
89. Step-rates retention pay schemes (incremental increases for time on job)
90. Step-rate pay with time and advancement
91. Subscribe to a Web based resume management system
92. Subscribe to databases that let you access posted resumes
93. Temporary help agencies; trade associations
94. Trade or professional journal ads or articles
95. Trade organizations and distributions
96. Trade school placement centers; insert in direct mail packets.
97. Transfer/rotate/cross-train personnel
98. TV ads in general noting jobs and value of working at organization
99. Word-of-mouth among all employees
100. Contact HR practitioners nationally and in local chapters via www.SHRM.org
101. Specialty Sourcing: Minority, Female, Veteran
a. Special efforts may be required to ensure that

Continued from page 1-9.

qualified applicants from specific groups are represented in the applicant pool. There are the schools with a traditional minority enrollment or community groups with employment resources. Professional organizations can be a source of targeted candidates. There are many Internet sites devoted to diversity. Networking, whether formal or informal, is another way to target certain groups such as a businesswomen's networking organization. There are organizations that help transitioning military personnel to find jobs in the private sector. Labor departments and other state/local agencies, often overlooked, are mostly free sources of candidates.

- b. Diversity Sites - Many diversity sites can be helpful in locating quality applicants. These sites work with numerous applicants in placement and skill advancement. The following are a sample of sites accessible: American Association of Hispanic Certified Accountants (<<http://www.aahcpa.org>>); Asia, Net Inc. (<<http://www.asia-net.com>>); Bilingual Jobs

(<<http://www.bilingual-jobs.com>>); Black Collegian Online

(<<http://www.black-collegian.com>>), National Hispanic Business Association (<<http://www.nhba.org>>), Native Web (Nativeweb.org), EmployUs (<<http://www.employus.com>>) and Latin American, Professional Network (<<http://www.latpro.com>>). When researching diversity sites, please be aware that many sites will claim to be minority sites but feed into larger job boards. Be sure that you review the site and it is an actual non-profit organization.

- c. Government Sites - Don't forget about the many sites offered as a resource by our government. Call your local state unemployment office and access their site. You can also use America's Job Bank (<<http://www.ajb.dni.us>>) to post jobs and access links to state sites. Another resource is the Army's Career and Alumni Program (<<http://www.army.mil/acap/acap.htm>>) or the Defense Outplacement Referral System (DORS) (<<http://www.dod.jobserach.org>>).

Table 1-11

US Federal Labor Laws by Year Enacted

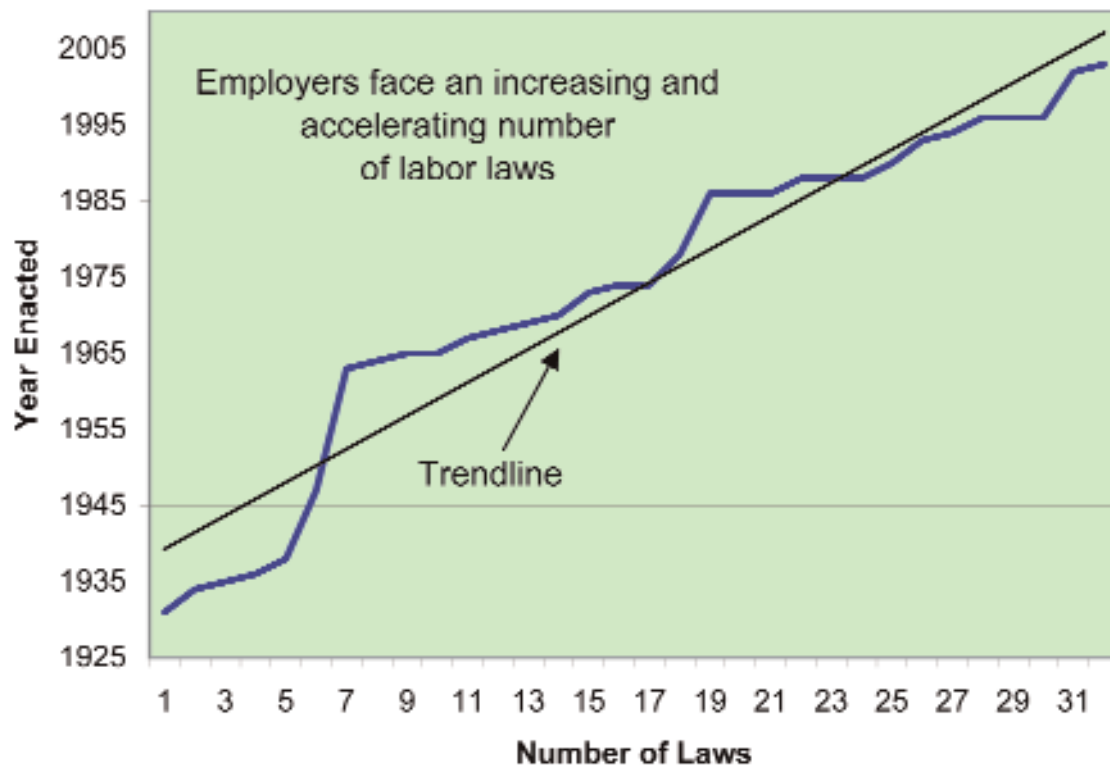


Table 1-12

GENERAL WORK VALUES AND THEIR DEFINITIONS

VALUE	MEANING
Creativity	“Work which permits one to invent new things, design new products or develop new ideas.”
Management	“Work which permits one to plan and lay out work for others to do.”
Achievement	“Work which gives one a feeling of accomplishment in doing a job well.”
Surroundings	“Work which is carried out under pleasant conditions — not hot, cold, noisy, dirty, etc.”
Supervisory Relations	“Work which is carried out under a supervisor who is fair and with whom one can get along.”
Way of Life	“Work which permits one to live the kind of life and be the type of person s/he chooses.”
Security	“Work which provides one with the certainty of having a job even in hard times.”
Associates	“Work which brings one into contact with fellow workers whom s/he likes.”
Esthetics	“Work which permits one to make beautiful things and to contribute beauty to the world.”
Prestige	“Work which gives one standing in the eyes of others and evokes respect.”
Independence	“Work which permits one to work in her/his own way, as fast or as slowly as s/he wishes.”
Variety	“Work that provides an opportunity to do different types of jobs.”
Economic Return	“Work which pays well and enables one to have the things s/he wants.”
Altruism	“Work which enables one to contribute to the welfare of others.”
Intellectual Stimulation	“Work which provides opportunity for independent thinking and learning how/why things work.”

Source: Donald E. Super, Ph.D., *Work Values Inventory*

WHAT PROSPECTIVE EMPLOYEES LOOK FOR

So far we have looked at what we want in our employees. But employment is a mutual relationship. There are two sides to the relationship — what the employer wants and what the employee wants in the job.

We are all motivated by different things in our lives and in work. Motivating factors have differing degrees of importance for each employee. A large part of management and a field of psychology, motivation research

psychology, revolves around getting people to do what we want them to do in a manner such that they want to do it for us.

We can be very successful employers if we know our people well and understand what motivates them. Much employee analysis attempts to identify work motivators. A major contributor was Donald E. Super, Ph.D., who developed the Work Values Inventory and identified 15 fundamental work values. Although times change, these fundamental work values remain constant. We can use

these as an aid to help us determine what motivates our employees. Super's work values are shown in Table 1-12. Various tests are available to measure similar characteristics. These and other aspects of testing will be discussed in Chapter 3.

There is great value in knowing an employee's work ethic. By knowing a person's values, we can structure the job and our interaction with the employee in the way which is most appealing to the employee and most effective for managing the employee.

WHAT IS IMPORTANT IN A JOB ACCORDING TO HR PROFESSIONALS					Table 1-13
"Very Important" Aspects of Job Satisfaction per HR Professionals	2002	2004	2005	2006	2007
Relationship with immediate supervisor	61%	70%	71%	72%	70%
Compensation/pay	54%	58%	62%	60%	67%
Management recognition of employee job performance	62%	68%	69%	71%	65%
Benefits	53%	60%	61%	62%	62%
Communication between employees and senior management	77%	59%	60%	62%	60%
Career development opportunities*	48%	51%	50%	56%	49%
Opportunities to use skills/abilities		57%	52%	53%	49%
Flexibility to balance life and work issues	46%	53%	53%	50%	48%
Job security	59%	50%	49%	50%	48%
Career advancement opportunities*	43%	43%	47%	49%	46%
Average	56%	57%	57%	59%	56%
* Not on comparison listing					
Source: SHRM (Society for Human Resource Management) 2007 Job Satisfaction Report					

WHAT IS IMPORTANT IN A JOB ACCORDING TO EMPLOYEES					Table 1-14
"Very Important" Aspects of Job Satisfaction per Employees	2002	2004	2005	2006	2007
Benefits	64%	68%	63%	65%	59%
Compensation/pay	59%	63%	61%	67%	59%
Job security	65%	60%	59%	59%	53%
Flexibility to balance life and work issues	62%	57%	60%	59%	52%
Communication between employees and senior management	62%	54%	50%	48%	51%
Feeling safe in the work environment*	36%	62%	55%	54%	50%
Management recognition of employee job performance	49%	47%	45%	47%	49%
Relationship with immediate supervisor	49%	49%	46%	47%	48%
Autonomy and independence*	46%	42%	41%	44%	44%
Opportunities to use skills/abilities		47%	44%	51%	44%
Average	55%	55%	52%	54%	51%
* Not on comparison listing					
Source: SHRM (Society for Human Resource Management) 2007 Job Satisfaction Report					

Additionally, we can enhance work among employees when we bring people together who work well with one another. It is particularly effective to team employees with complementary values. That is, assign an employee with one set of values to work with another employee who has different values. Together they bring to the work environment a strong team and often they enjoy working together.

Work values are fundamental and change little in content. However, they do shift in priority. Sometimes hiring authorities and management have a different perception of what employees and applicants value. Owners and managers should be attentive to trends in employee satisfaction and among applicants when recruiting so as to emphasize and offer work opportunities which are appealing. They should have a good "feel" for what their employees and applicants value to attract, retain and motivate the best and most qualified people.

Demographics, legislation and competition impact employee job satisfaction and indeed what applicants are looking for in jobs. Table 1-13 shows aspects of job satisfaction by percentage as HR professionals see it over the past years. Table 1-14 compares the perception by employees themselves on job satisfaction and percentage satisfaction for the same years.

With recruiting as well as overall HR strategy, which external trends should owners and managers monitor? Where can hiring authorities and HR administrators go to gather information to plan a productive, meaningful and strategic future for their organization?

Observing external trends and conditions to forecast their impact on the organization is part of an environmental scanning process. This process is vital to current and future success of the business. Broad areas, issues and changes to monitor include:

- Demographics
- Economic change
- Employment
- Legal and regulatory changes
- Political changes
- Social change
- Technological changes

For specific information on trends and resources owners and managers may consult the Society for Human Resource Management (SHRM):

- 2007 SHRM Workplace Forecast [<http://www.shrm.org/trends/061606/WorkplaceForecast.pdf>]
- Updated annually
- Local and national newspapers
- Monitor both national and local political environments
- Local Chambers of Commerce
- Local municipal departments for economic development
- Local sources
- Cost-of-living indexes
- Health insurance surveys and projections
- Local housing market projections
- Local pay projections
- Local SHRM chapters
- These local groups with HR practitioners are helpful for monitoring more localized or regional trends and can be reached via phone book listings or SHRM's Internet site, www.shrm.org
- SHRM/Rutgers LINE Reports [<http://www.shrm.org/line>]
- The Bureau of Labor Statistics [<http://www.bls.gov>]
- The League of Women Voters [<http://www.lww.org/AM/Template.cfm?Section=Home>]
- Nonpartisan information on political issues
- Workplace Trends [<http://www.shrm.org/trends/>]

In summary

We have accomplished quite a bit in our hiring process. We have:

- Defined the job
- Classified the job
- Established the pay
- Communicated the vacancy

- Suggested avenues to source applicants
- Identified work values we can look for in existing employees and applicants
- Described job characteristics
- Recognized individual motivators for people
- Begun to receive applications for the job

We are at the point of receiving walk-in applicants, phone calls expressing interest, letters inquiring about the job and probably word-of-mouth referrals. Now we must begin to select the candidate best suited for our vacancy. Chapter 2 takes us through the selection process and offering the job using a letter of offer. ■

IN CHAPTER TWO:

- HOW TO READ A RESUME OR APPLICATION FORM
- HOW TO CONDUCT AN INTERVIEW
- INTERVIEW QUESTIONS TO ASK ... AND NOT TO ASK
- EVALUATING PROSPECTIVE EMPLOYEE ANSWERS
- MAKING A JOB OFFER WITHOUT MAKING PROMISES THAT WILL GET YOU IN TROUBLE
- FACTORS TO INCLUDE IN A JOB OFFER
- CHECKLIST FOR AN EFFECTIVE HIRE

2

■ Making the Job Offer

Job applicants come to us in many ways. We need a fair, objective and effective method to select the person best suited for the job. We need to make our selection in a professional manner complying with our legal and regulatory requirements.

We pick up our hiring process where we begin to sort through our applicants.

HOW TO READ A RESUME OR APPLICATION FORM ... WARNING SIGNALS

Application forms are a primary source of initial information about job applicants. A well-designed form helps owners and managers select applicants to be interviewed. It also identifies applicants who do not meet the requirements for the job. Applications are an important tool that ALL persons applying for the job should complete. A sample application is included in the Appendix has an electronic blank which owners and managers can easily adapt and adopt.

Sometimes people apply for positions using a resume or bring a resume with them to the interview. It is best to have these candidates fill out an application form as well.

Following are reasons to ensure that all applicants completely fill out applications:

- Applications are in a standard company format to save review time.
- Applications can be the basis for not hiring.
- Applications indicate applicants' reading, writing and comprehension skills.
- Applications may include acknowledgement for background checking.
- Applications may include certification statements and required signatures.
- Applications may include organization disclaimers (e.g., employment-at-will).
- Applications may lead to termination if information is misrepresented.
- Resumes do not always include all needed information.
- Resumes sometimes show the person in only the best light.

A typical employment application is shown at the end of this section. This or a similar form should be completed if the applicant is to be hired.

Applications are considered to be legal documents. Resumes are not.

Note that it is important to ensure your applications are current in format. Local, state and federal legal and regulatory requirements change. As noted earlier, reference to the following Internet sites is helpful for up-to-date and comprehensive information:

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws and the State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

Application forms can be out of date and out of compliance within your area. Employers should get professional advice on the employment application forms they are using.

Remember the following about applications:

- Applications should become a part of the employee's permanent record.
- Do not permit applicants to attach resumes to applications or write in

"...see attached resume" in any application question.

- Only the applicant should write on the application.
- Place a time limit on how long applications will be accepted.

• You may set a certain number of applications to be accepted.

- Accept applications only for specific jobs, not "any job."
- Accept applications only when there are vacancies.

Fig. 2-1a

PREVIOUS EMPLOYMENT INQUIRY

REFERENCE CHECK FORM

NAME I. M. A. Newbee

ADDRESS 1010 Carpenter Lane, Hardwareville, ST 98765-4321

SSN 123-45-6789

HIRE DATE 1-Jan-XXXX

TERM. DATE 15-Oct-##

TITLE Sales Associate

PAY RATE \$11.50/hr

The above person applied for a position with us and has given your name as a former employer. S/he stated the above facts in our employment application. Your verification of this and other information concerning the applicant will be valuable to us. Information given will be in confidence. Thank you for your help.

CONSIDERATIONS

Please check your rating below

	Excels	Good	Fair	Poor
Dependability and trustworthiness	X			
Provided satisfactory services	X			
Fit with co-workers (well liked, cooperative)	X			
Your satisfaction with work habits	X			
Why did this person leave your organization?	<i>Sought better pay</i>			
Would you re-employ this person?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		

Why? *Dependable, good at service, gets along, good work habits*

Please indicate below any corrections to information and any comments you have about this person.

All is correct.

Thank you for your assistance. Please sign and date this form below.

Signature: Been Good

Title: Old Boss

Date: 18-Oct-##

Sending organization: MyStore, Inc.

Signature: I. Ownit

Title: Owner

Date: 15-Oct-##

Job applicants should be screened by comparing the information provided by the candidate with the job requirements. Applicants who do not satisfactorily complete an application should not be considered further.

Employers need to carefully consider the following with applications:

Completing the Application. Most applicants take extra time to make sure the application is filled out neatly and completely. When an applicant who reads, writes and speaks the language of the form does not complete the application, or it is done in a sloppy manner, it may raise concern for effective performance on the job.

Consistent Work Record. Make sure the applicant's work record is consistent. Has the person held a job on a regular basis? You should be concerned if the applicant has two or more periods of about 90 days without a job in a three-year period. Determine if the applicant can satisfactorily account for the time. Investigate these reasons.

Consistent Pay. Good candidates will have a pay history showing a steady increase over time. A poor applicant will show a steady decrease in pay with each job. Some may have the same pay. There may be a valid reason for this. Some industries have pay freezes or simply are not known to be career growth industries. But, if an applicant has not had an increase in more than two years, you should inquire as to why and investigate the reason.

Employment Dates. Always contact references to verify the dates of employment. Often applicants will not or cannot account for lost time and will misrepresent their dates of employment. The Previous Employment Inquiry Form (Fig. 2-1a) offers a helpful tool for checking references. An

alternative version of this item is available in the Appendix. Please see "Reference Information Request." The worksheet questions (Table 2-2) may also be used by owners and managers when making reference calls.

Listed References. Have all applicants sign a request for references. A "Reference Check Authorization and Release" is in the Appendix. This may be a duplication of what is covered in our sample application, "fine print" at the bottom of the form.

Employers checking references should obtain the applicant's written consent authorizing former employers to provide employment-related information. A signed waiver agreeing not to sue anyone providing a factual reference should be included. Sending the signed consent form and waiver to reference contacts may overcome prior employers' concerns about discussing former employees. The following is sample language.

I agree to allow EMPLOYER to contact the people I have listed as references on this application. I also agree not to hold any references listed on this application liable for damages relating to any truthful information they provide regarding my qualifications for employment at EMPLOYER.

The Fair Credit Reporting Act (FCRA) is a federal law governing the acquisition and use of background information on applicants and employees. It is lawful for owners and managers to obtain and use background information, such as credit reports, on applicants and employees. However, several important steps need to be followed when gathering information.

Step 1: Disclosure and authorization -- The person being checked is to be given written notice that we will request an investigative report and obtain the person's signed consent. Also, we must provide a summary of

the rights under federal law. If the person investigated wants a copy of the report, then s/he must request a copy.

Step 2: Certification -- If owners and managers are using a background check or investigation company, the store must certify that it will comply with federal and state laws. The company conducting the background check normally furnishes these forms.

Step 3: Providing copies and notice of adverse action -- Stores must provide a copy of the report with a letter to the person investigated if: 1) the investigated person requests a copy; 2) an employer in California obtains consumer information that is a matter of public record; or 3) adverse action is taken based on information in the report. Owners and managers are urged to review local laws which may change and be applicable for their worksites. Professional legal assistance is recommended to comply with these requirements.

Step 4: Summary of rights -- With the letter from Step 3, owners and managers are to provide a summary of federal rights. If adverse action is anticipated, the letter should also describe the action to be taken, e.g., withdrawing the offer, denying promotion, termination or other action. Owners and managers should indicate a reasonable period of time before adverse action will take effect so that the individual has time to correct any inaccurate information in the report. A reasonable amount of time may be 14-21 work days.

The Appendix includes an electronic sample of an Authorization to Obtain a Consumer Credit Report and Release of Information for Employment Purposes.

It is the responsibility of applicants to provide all contact information for each job held previously. The sample

Table 2-1

INTERVIEW TYPES AND DETAILS			
INTERVIEW TYPE	DESCRIPTION	ADVANTAGES	DISADVANTAGES
Behavioral Description	Applicants give specific examples of how they performed and dealt with situations in the past	<ul style="list-style-type: none"> • More valid than unstructured interview • Candidate is drawn out and explains work approach 	<ul style="list-style-type: none"> • Candidate can move off the point with answers • Tendency for long, explanation-type answers
Non-directive	Interviewers ask general questions about the candidate, which lead to other questions about topics brought up by the candidate	<ul style="list-style-type: none"> • Much learned about the candidate personally • Easy to use general and specific questions 	<ul style="list-style-type: none"> • Candidate guides the interview based on his/her responses • Tends toward non-job related responses
Panel	Several interviewers speak with candidate, usually one at a time	<ul style="list-style-type: none"> • Interviewers can compare consistency of responses • Candidate is given a perspective of store personnel 	<ul style="list-style-type: none"> • Often candidates are uncomfortable with several interviewers • Questions become redundant
Situational	The interviewer asks candidates how they might handle specific job situations	<ul style="list-style-type: none"> • Specific job knowledge and work sample information is gathered • Three types of questions asked: job knowledge, hypothetical and requirements-related 	<ul style="list-style-type: none"> • Questions need to be prepared carefully • Candidates from different industries sometimes do not relate transferable skills
Stress	The interviewer attempts to cause stress for the candidate to see how the candidate reacts	<ul style="list-style-type: none"> • Useful where the job itself is stressful • Indicates ahead of time exactly how the candidate reacts to stress 	<ul style="list-style-type: none"> • Compounded stress often does not enable candidate to show true value • Candidates often react by refusing the job based upon the interview
Structured	The interviewer asks a set of standardized questions of all candidates	<ul style="list-style-type: none"> • Easy to make objective comparisons of candidates • Standardized job related questions can be asked using script or evaluation form • Excellent documentation generated for future issues • Superior accuracy and consistency in questioning 	<ul style="list-style-type: none"> • Not as flexible as other interviews • Requires preparation • Does not lend itself well to 2nd and 3rd interviews • Interviewer must follow pre-set questions

application in the Appendix has space for this contact information.

Applications completed without listing references can mean the applicant does not want the prospective employer to make a contact or the applicant may not have worked there. In some cases applicants will list reference names without phone numbers.

You should contact a minimum of two references from the applicant before a decision to hire is made. An exception to this would be applicants who have just left school and have not held a job.

Reason for Leaving. Review each reason for leaving for the existence of trends. Comments such as “Need more money” typically indicate the applicant will leave a new position after about the same amount of time s/he spent on the last job.

Job Compatibility. Does the person have experience working in a similar environment? For example, is s/he accustomed to working outdoors? Is the applicant used to working with his/her hands or working in an office eight hours a day? Does the applicant have any related experience?

Previous Jobs’ Longevity. An applicant who averages one job every 14 months will likely last approximately 14

months in a new position. This is a concern only after the applicant has a track record of at least three jobs.

Meeting Minimum Requirements. Does the applicant clearly meet the minimum requirements of the job? If two years of retail experience are required, does the candidate show two years of retail experience on the application?

Resume Versus Application. If the applicant provides a resume, cross check the resume with the application. Ensure that all dates, positions and other pertinent information are the same on each document. Remember not to permit a resume to take the place of an application. Avoid considering inappropriate information on a resume. For examples of such, see Table 2-3 which lists appropriate and inappropriate information to consider.

Employer Documentation Requirements. Employers are required to examine identification documents for new employees. The person reviewing the applicant’s documents must sign verification forms. The form, often referred to as an I-9 form, indicates the applicant’s eligibility to work legally in the United States. The person completing the I-9 must ask for proof of identity. Make completion of the I-9 form part of the application process.

The I-9 form must be completed within 72 hours of employment. A candidate who does not satisfactorily comply with the requirements of the I-9 should not be hired. Terminate anyone who cannot provide the proper documentation in 72 hours. Additional instructions for completing this required form are available with the I-9.

As this handbook is being written, immigration in the U.S. is a high interest topic. In 2006 the Center for Immigration Studies (CIS) based in Washington, DC, (www.cis.org) estimated that some 11,000,000 illegal aliens live in the U.S. Final resolution for dealing with immigration and employment as well as verification methods is not yet in place.

In compliance with I-9 requirements, businesses are utilizing various means to verify employment status. An electronic approach was the Federal Basic Pilot Program. Currently the Department of Homeland Security’s (DHS) U.S. Citizenship and Immigration Services Bureau (USCIS) and the Social Security Administration (SSA) are offering E-Verify, which is taking the place of the Basic Pilot. E-Verify performs verification checks of the SSA and DHS databases, using an automated system to evaluate the employment authorization of all newly hired employees.

Table 2-2

WORKSHEET FOR QUESTIONS TO ASK OF EACH CANDIDATE	
JOB-SPECIFIC QUESTION	WRITTEN QUESTIONS
1.	
2.	
3.	
4.	
5.	
(Use additional sheets for additional questions)	

Table 2-3

ACCEPTABLE PRE-EMPLOYMENT INQUIRIES UNDER EEOC GUIDELINES

Federal EEO laws do not specifically prohibit any pre-employment questions. However, the EEOC is particularly sensitive to questions about age, color, disability, national origin, race, religion, gender or veteran status. Furthermore, many state fair employment laws forbid certain types of questions. Example acceptable and unacceptable questions are noted in the following table. This list is NOT all-inclusive. Owners and managers should check with competent professionals on specific questions to be asked.

SUBJECT AREA	ACCEPTABLE	UNACCEPTABLE
Addresses	Current address only.	What was your previous address? How long did you reside there? How long have you lived at your current address? Do you own your own home?
Attendance	What days and hours can you work? What responsibilities other than work will interfere with the specific job requirements such as travel? What times are you not able to work?	Do you have pre-school age children at home? Do you own a car? Number of children? What religion are you? Who is doing your baby-sitting?
Credit Record	Use credit references if in compliance with the Fair Credit Reporting Act of 1970 and the Consumer Credit Reporting Reform Act of 1996.	Do you own your own home? Have your wages ever been garnished? Have you ever declared bankruptcy?
Citizenship/ National Origin	Are you legally eligible for employment in the United States? Have you ever worked under a different name?	What is your maiden name? What is your national origin? Where are your parents from?
Criminal	Have you ever been convicted of a crime? If so, when, where and what was the disposition of the case?	Have you ever been arrested?
Disability	Can you perform the duties of the job you are applying for?	Do you have any job disabilities?
Education	Do you have a high school diploma or equivalent? Do you have a university or college degree?	When did you graduate from high school or college?
Emergency	(Request only after the individual has been employed.) What is the name and address of the person to be notified in case of an emergency?	What is the name and address of the relative to be notified in case of an emergency?
Gender	Ask no such questions.	Do you wish to be addressed as Mr.?, Mrs.?, Miss?, or Ms.?

SUBJECT AREA	ACCEPTABLE	UNACCEPTABLE
Language	Languages applicant speaks and writes fluently if the job requires additional languages.	What is your native language? Inquiry into how applicant acquired ability to read, write or speak a foreign language.
Marital	Ask no such questions at interview.	Are you married? Do you have children?
Military	What type of education, training and work experience did you receive while in the military?	What type of discharge did you receive?
Organizations	Applicant's membership in organizations which the applicant considers relevant to his or her ability to perform job.	What clubs, societies and lodges do you belong to?
Other areas	Ask only items specifically relevant to the job.	Questions which are not relevant to the specific job.
Personal	Only permissible if there is a bona fide occupational qualification.	What color are your eyes and hair? What is your weight?
Photographs	Ask no such questions during hiring process.	May we take your picture?
Race or Color	Ask no such questions.	Color of skin or complexion
Religion or Creed	Ask no such questions.	Identify your religious denomination, religious affiliations, church, parish, pastor or religious holidays observed.
Reference Checking	Follow appropriate legal and regulatory guidelines.	What are the names of your relatives? What is your father's surname?

There are four ways to use E-Verify:

- An employer can access a web-based program which provides means to electronically verify the employment authorization of all newly hired employees, regardless of citizenship.
- An employer's designated agent can access a web-based program to verify the employment authorization of all newly hired employees on behalf of other companies.
- A corporate administrator can access a web-based program which allows companies having multiple sites to use E-Verify and provides the functionality to create and manage multiple accounts. Because this is an oversight program, corporate administrators are provided the ability to view reports and administer new and existing

Table 2-4

FACTORS TYPICAL INTERVIEWERS CONSIDER

Maturity	Initiative
Confidence	Enthusiasm
Appearance	Career Goals
Body Language	Outside Activities
Work Experience	Emotional Stability
Grade Point Average	Ability to Deal with Others
Communication Skills	Appropriate Responsiveness

There are several types of interviews to use. Table 2-1 identifies each and cites advantages and disadvantages. The structured interview is recommended for owners and managers because of its effectiveness and defensibility.

Although the structured interview is recommended, other formats may better serve you and you should not be afraid to use them. Regardless of the format, there are some interviewing basics that must be planned ahead.

user accounts; however, they cannot perform actual employment eligibility verifications. To verify the employment eligibility for corporate newly hired employees, the corporate office must also register for the employer access method.

- Web-Services allows the company to extract information from the company's existing system or an electronic Form I-9 and transmit the data to SSA and USCIS to verify the employment authorization of newly hired employees. The Web-Services access method requires your company to develop software to interface between your company's system and USCIS' database.

Participation in E-Verify currently is voluntary and free to employers.

Employers must register online and accept the electronic Memorandum of Understanding (MOU) which sets forth the responsibilities of the SSA, USCIS and the employer.

Methods for evaluating applicants' employment status are evolving. Similarly, the legal and regulatory environment for immigration is evolving. Owners and managers should check with state and local sources to determine current requirements. Assistance in

completing the registration process and additional information relating to E-Verify is available at 1-888-464-4218.

HOW TO CONDUCT AN INTERVIEW

Many owners and managers are uncomfortable with interviews. They tend to become self-conscious and forget that the purpose of the interview is to find the best person for the job.

We have reviewed ideas that will help acquire necessary information about candidates. Persons making hiring decisions must be able to identify the factors which contribute to making a candidate selection. Sometimes the selection process may be challenged legally. Five tips will contribute to a good hire:

- Identify objective, job-related criteria to evaluate in the interview.
- Record these criteria in writing.
- Have several interviews for hard hiring decisions.
- Have more than one person interview the candidate.
- Use an interview process where all of the candidates are asked the same questions in as much the same manner as possible (this is called a structured interview).

- *Appropriate location for the interview.* It should be quiet, private and comfortable.
- Sufficient time and at the appropriate time. Candidates need to answer all interview questions. And the candidate should have an opportunity to give full answers. A reasonable time of day should be chosen to interview. Sometimes it is appropriate to interview at the candidate's convenience because s/he may be working elsewhere.
- *Applications and other materials should be reviewed ahead of time.* If there are issues and questions, the interviewer is able to investigate application information. Remember the need for the I-9 form compliance if it has not been completed.
- The interviewer must remain in control of the interview. If not, the candidate may take over the interview and/or it may be an unproductive interview. Preparation is the solution here.
- Know what must be asked.
- Systematically ask and evaluate the information.
- Stop the interview as planned on schedule.

Table 2-5

SAMPLE INTERVIEW RESPONSE RATING SHEET

QUESTION	CAND. # 1 (1=LO, 5=HI)	CAND. #2 (1=LO, 5=HI)	CAND. #3 (1=LO, 5=HI)	CAND. #4 (1=LO, 5=HI)
1. Explain how you greet customers	1 2 3 ④ 5	1 ② 3 4 5	① 2 3 4 5	1 ② 3 4 5
2. Tell me about displays you have set up in the past	1 2 3 ④ 5	1 ② 3 4 5	1 ② 3 4 5	1 2 ③ 4 5
3. Give examples of how you estimate customers' needs	1 2 3 4 ⑤	1 2 ③ 4 5	1 2 ③ 4 5	1 2 3 ④ 5
4. Explain how you have solved customers' problems	1 2 ③ 4 5	① 2 3 4 5	1 2 3 ④ 5	1 2 3 4 ⑤
5. Explain how you have kept inventory at proper levels	1 2 3 ④ 5	1 2 3 ④ 5	1 2 3 4 ⑤	1 2 3 ④ 5

Table 2-6

TOTAL WEIGHTING FOR CANDIDATES FOR QUESTIONS 1 - 5

TOTAL WEIGHTED RATING PER CANDIDATE	59	39	55	60

- Interviewers should speak no more than 25% of the time. The interview is to provide information about the candidate.

Being prepared, polite, professional, compliant with legal and regulatory requirements and in control will result in successful interviews. There are some cautions in interviewing:

- Listen to your candidate and evaluate if s/he is giving genuine responses. Often candidates give the answer they think their future employer wants to hear just to get the job.
- Do not be swayed or overwhelmed with one or two negative items. Sometimes interviewers allow one bad response to overwhelm much of the positive information collected.
- Keep personal biases out of the interview decision. There may be a tendency to hire clones of the

current staff or the interviewer. This does not allow objective evaluation of what the candidate brings to the job.

- On the other hand, do not be taken in by the "halo effect" where one characteristic or accomplishment outweighs and overwhelms other facts found in the interview.
- Consider all the information given and how and what is said. Quick decisions on a candidate are hazardous. Be thorough and objective with decisions.

INTERVIEW QUESTIONS TO ASK ... AND NOT TO ASK

Interviewing candidates can be difficult and time consuming. Selecting the right questions to test job fit takes thought. Asking the questions to get the information needed is challenging. This task is further complicated by legal and regulatory

constraints on what we are permitted to ask.

Here are some general pointers on developing questions:

- Use job-specific questions to determine ability to perform the work. Use the *job description*, *job description questionnaire* and the table of primary functions and prerequisites for the job to develop questions.
- Use past performance as an indicator of future performance.
- Gather candidate information with questions starting with *who*, *what*, *when*, *why*, *where*, *how*, *tell me*, *which*, *etc.*

Ask all candidates the same job-specific questions.

Write out your questions ahead of time. Use these questions in your

interviews. Save the questions for future use.

Use Table 2-2 and additional sheets of paper to prepare your questions ahead of time.

In addition to job-specific questions, you need to ask general questions. These might include:

Why do you want to work at our company?

When did you take over your last position?

Who did you have working for you by title?

Where was your work area on your last job?

Which duties were most enjoyable in your last job?

Were you supervised closely or in a general manner?

What were four primary functions of your last position?

How do you work with co-workers on day-to-day tasks?

Tell me what is most important to you in a job and a career.

Using acceptable pre-employment questions is critical. Use Table 2-3 as a handy guide to help you develop your own questions.

Questions about an applicant's arrest record are improper. Questions about an applicant's conviction record may be asked, if the questions are job related. The Equal Employment Opportunity Commission (EEOC) and many states prohibit use of arrest records for employment decisions. This is because they may be inherently biased against applicants in protected classes. The EEOC has issued a

Revised Policy Statement covering the use of conviction records by employers in making employment decisions:

Employers must establish a business necessity for use of an applicant's conviction record in their employment decisions. Employers must consider three factors to justify use of a conviction record:

- Nature and gravity of the offense for which convicted;
- Amount of time that has elapsed since the applicant's conviction and/or completion of sentence;
- The nature of the job in question as it relates to the nature of the offense committed.

The EEOC's Revised Policy Statement eliminated the existing requirement that employers consider the applicant's prior employment history along with rehabilitation efforts, if any. The Revised Policy Statement requires that employers consider job-relatedness of the conviction, plus the lapse of time between the conviction and current job selection process.

EVALUATING PROSPECTIVE EMPLOYEE ANSWERS

Of course we are interested in what the applicant has as background and experience for the job. And generally, employers seek candidates who are well rounded, competent and successful. Yet there are overall characteristics of the person that help us decide between applicants. Many of these are shown in Table 2-4.

We need to be careful how we ask questions. Under federal law it is illegal to make hiring selections based upon certain factors including:

Age (40 years or older)
Citizenship
Disability

Pregnancy
Race, color, national origin
Religion
Sex
Vietnam era veterans and qualified special disabled veterans

States and local governments may prohibit discrimination on the basis of other categories including:

Ancestry
Appearance
Marital status
Medical condition, including AIDS
Sexual orientation
Smoking

It is the employer's responsibility to comply with legal and regulatory requirements. Once again, hiring authorities are referred to:

[http://www.dol.gov/esa/
programs/whd/state/state.htm](http://www.dol.gov/esa/programs/whd/state/state.htm)

[http://www.law.cornell.edu/topics/
Table_Labor.htm](http://www.law.cornell.edu/topics/Table_Labor.htm)

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

If there are questions on any of the aforementioned selection prohibitions, competent counsel should be sought.

When interviewing candidates, ask all applicants the same questions for the same job. Listen carefully to answers. Use written questions if necessary. It is helpful to note answers and to grade the answers.

For example, you might have the questions on a sheet for each candidate and rate the answer 1 - 5 right in the interview. Then you can compare each candidate when finished with all interviews. This method assists you in being objective and fair in your ratings. A useful sample tool is shown in Table 2-5. Here it is easy to circle a rating for each candidate on each question. You will quickly see a pattern emerge.

One question may be more important or have more weight for your decision. Use the following method to weight the responses to find the best candidate.

1. Note that the highest score on each item is 5.
2. Let's say we rate the items in importance as follows - item 1 = 1, item 2 = 2, item 3 = 3, etc. in importance.
3. For the weighted rating, multiply the item rating times the score you gave each candidate on each item (e.g. candidate #1 would have a weighted score of 20 on item 5, calculated as weight of 5 times score of 4 = weighted rating of 20).
4. Calculate the weighted ratings for each question and for each candidate.
5. For each candidate add up all the weighted ratings (e.g. candidate #1's total weighted rating would be 4+8+15+12+20=59).
6. Select the candidate who has the highest total weighted rating. See the results in Table 2-6. Our selection would be candidate #5 with 60 total points.

In Table 2-5 we applied an objective approach to subjective answers. As owners and managers, we are required to be as fair and objective as possible in our methods for selecting our new employees.

MAKING A JOB OFFER WITHOUT MAKING PROMISES THAT WILL GET YOU IN TROUBLE

So far, we stressed being fair and firm in our hiring process. We reviewed ethical considerations and legal and regulatory requirements. We provided samples of tools that will assist in protecting the employer in the hiring process including:

- *An objective summary of prerequisites and primary functions.*
- *A job description questionnaire.*
- *A job description.*
- *A market-based pay scale.*
- *An internal job posting.*
- *An external advertisement.*
- *Broad and equitable applicant sourcing and communications suggestions.*
- *The suggestion to use background checking release forms.*
- *An application with protections that applicants sign indicating acknowledgement and acceptance.*
- *An interview question sheet to write questions ahead of time.*
- *A guide to what interview questions to ask and those not to ask.*
- *A suggestion to use the structured interview format based upon job-specific questions.*
- *An Interview Response Rating Sheet.*

A review of the sample employment application reveals several disclaimers and certifications which protect employers. As previously noted, the employment application should be

completely filled out by all applicants. The applicant should sign the application. By doing so the applicant acknowledges s/he understands and agrees to the terms as set forth in the application including:

- All the information supplied in the application and any other information oral or written is true and accurate.
- Any misstated, misleading, incomplete or false information may be grounds for the application being rejected, refusal to hire, withdrawal of an employment offer or grounds for immediate discharge without recourse whenever and however discovered.
- The store (employing organization), its agent or assigns is authorized to contact previous employers to request references.
- The candidate holds the store (employing organization) and any previous employer harmless for disclosure.
- The candidate authorizes previous employers to release any and all information pertaining to the candidate and candidate's prior employment.
- The employer may maintain a drug-free workplace and if so, the candidate will be given a copy of the store's drug-free policy to review at the time application is made.
- S/he may be required to submit to a drug/alcohol test, undergo a post-job offer medical examination or pencil and paper test designed to determine suitability for the position.
- Under a drug-free work policy, from time to time, the candidate may be required to take subsequent tests during the course of employment and consent to such post-job offer and post-hire testing.

- S/he understands that, subject to applicable law, the store (employing organization) shall be the sole judge of acceptability of any test results.
- The candidate's employment is at-will (if it is) and the candidate may be discharged for any reason without notice.
- The candidate may be subject to a 90-day evaluation period.
- Successful completion of the evaluation period does not change an at-will employment relationship.
- S/he will be required to comply with the policies and protocols set forth in employee handbooks.
- Work schedules may vary, can be unpredictable and that s/he may be required to work a different shift, to work weekends or work overtime.
- The store (employer) reserves the right to amend, change and/or modify the policies and procedures set forth in its handbooks.
- The store (employer) may conduct background checks to include criminal, educational, driver's license, employment history, professional licenses, credit, references, etc.
- The candidate certifies s/he will contact the store (employer) if s/he feels s/he has been unlawfully discriminated against by an employee, supervisor or manager in connection with employment at the store (employer).
- The new employee agrees s/he will give the store (employer) an opportunity to resolve the situation before the new employee files a claim with a governing agency or files a lawsuit.

Employers should use similar protections in the employment offer letter.

More details about the offer letter are discussed in the following section.

Offer letter protections for the store (employer) should include the following statements:

- Employment eligibility will be established using the I-9 form.
- There is a drug-free workplace program in place if indeed there is one.
- The candidate is not bound in any manner that would interfere with employment.
- The offer is confidential.
- Indicate primary functions of the job and that the employee is to fulfill those requirements.
- The offer letter does not create a contract and that the relationship is at-will.
- The offer will remain in effect for a specified period of time.
- The person is to sign and return the offer letter to indicate acceptance.
- The date the offer letter is to be received by the store indicating acceptance.
- If the person chooses to decline the job offer, s/he is to note such on the letter, sign the rejection and return the letter to the store (employer).

Employers are well advised to seek competent advice regarding contents of offer letters to ensure compliance with local legal and regulatory requirements.

FACTORS TO INCLUDE IN A JOB OFFER

As a last step in the hiring process we need to develop an offer letter. It is

best to make offers in writing because there is a clear record of the transaction and details. Moreover, it is professional and a compliment to the new employee as well as the quality of the store.

Offer letters should be brief, positive and restricted. Information in the offer letter should include:

- Position title.
- Starting pay rate (show smallest dollar amount as is possible).
- To whom position reports.
- Work location.
- Normal hours of work.
- If the job offer is contingent upon physical exam and/or reference checks.

Seek legal advice if an employment contract is to be written.

As restrictions for offers of employment, consider the following:

- Make no guarantee of continued employment, career, etc.
- Avoid employment contracts unless specifically required.
- Place limitations on how long the offer will remain open.
- Clarify the offer is complete and that no other promises, benefits or perquisites are included.
- An at-will-employment statement should also be included. For example:

"I understand that my employment is not for a specified or definite term and that I may be discharged, or I may resign, at any time, for any reason, with or without good cause and with or

without prior notice. I further understand that this policy cannot be changed or amended except by written agreement signed by me and by the (president/owner) of the company.”

A sample offer of employment letter is in the Appendix.

CHECKLIST FOR AN EFFECTIVE HIRE

We are coming to the close of our hiring process. We have gone through the steps of sourcing, screening, selecting, interviewing and recruiting our new employee. With the new employee joining our store, it is important to double-check the steps in our process. At the same time, it is valuable to check the plan for our next steps to welcome and familiarize our new employee with the store.

Following is a final checklist for our hiring process and plan.

- The application and related materials are correct and complete
- The I-9 form information is verified and valid
- Our new employee understands:

1. Start date
2. Pay
3. Title
4. Who the supervisor is
5. The job site location (including alternative stores)
6. Hours of work
7. Working conditions
8. Employment terms and conditions (overtime requirements, extra-duty assignments, breaks or rest periods, lunchtime, etc.)

9. A company orientation process includes:

Company history, philosophy, values, goals and objectives

Nature of the business and its financial status

Traditions, customs, norms and standards

Products and services and how they are provided

Customer and competitor profiles, products and services

10. Organizational structure, reporting relationships, names and positions of personnel key to the new employee and names of top executives

11. Primary functions of the store, departments and units

12. Basic company policies, procedures and programs

13. Pay practices (pay rates and ranges, overtime, holiday and shift differential pay, deductions, company discounts, job expense reimbursements, pay advances, etc.). Pay should be quoted in the lowest amount possible. For example, in terms of dollars per hour, dollars per week, or dollars per payroll period. Avoid indicating annual pay because there is a possibility this may be perceived as a guarantee.

14. Benefits (medical-dental, life, disability, and workers' compensation insurance, holidays and vacations, sick leave, training opportunities, counseling services, etc.)

15. Store expectations, standards for performance and behavior guidelines

16. Specific job requirements and performance review considerations

17. Opportunities for training, development and advancement

18. Safety information and precautions are understood

19. It is understood the job is “at-will” with no employment guarantee

With our hiring process finished, we are ready to move on to other aspects of the human resource management function. ■

IN CHAPTER THREE:

- **WHAT IS LEGAL AND WHAT ISN'T?**
- **HOW MUCH WEIGHT TO GIVE TESTS IN HIRING DECISIONS**
- **HOW TO EVALUATE RESULTS**
- **WHAT IS EFFECTIVE AND WHAT ISN'T?**
- **MORE HIRING CONSIDERATIONS**

3

■ Screening/Testing

In Chapters 1 and 2 we looked at the steps in the hiring process and at some of the mechanics. In this section we will evaluate a variety of tools helpful in hiring and evaluating current employees. First we will review employee tests (also called assessment instruments).

What can tests do for us? They do quite a bit. They can:

- Be a cost-effective means to reduce future losses from employee turnover, workplace accidents, theft, property damage, absenteeism and lost productivity.
- Classify new hires.
- Help ensure that the right people are matched to the right positions.
- Identify learning deficiencies or the need for remedial training.
- Screen out unqualified candidates before interviews and background investigations, thereby saving employers time and money.
- Verify a person's ability to do well in a job.

Many tests are available to use as hiring tools and for employees whom we might want to promote, transfer, train,

etc. Table 3-1 summarizes the general test categories.

There are several important things employers should consider if planning to use tests:

- Will the test measure key responsibilities of the job in terms of ability, knowledge and skill?
- Will our test measure or predict job performance?
- Is a protected class adversely impacted?
- If there is adverse impact, can a business necessity for use of the test be shown? We discuss adverse impact and business necessity on page 3-3.
- Will we test every candidate the same way?
- Will we test in an equitable and fair manner?

No single test or group of tests can determine who is the best candidate for a position. This goes for pre-employment as well as for existing employees. Tests should be only one of the considerations for hiring. Interviews, background checking and other

considerations should also be used to make selections.

Owners and managers should seek the advice of a professional to set up a testing program. And they should be familiar with what each test measures and how each test relates to the job. Trade associations may be of assistance in finding the proper kind of testing.

For more in-depth information on test validation and related matters contact:

The American Psychological Association, 750 First St. NE, Washington, D.C. 20002; telephone (202) 336-5500; www.apa.org

The Association of Personnel Test Publishers, 1201 Pennsylvania Ave. NW, Ste. 300, Washington, D.C. 20005; telephone (866) 240-7909; www.testpublishers.org

The Society for Industrial and Organizational Psychology, P.O. Box 87, Bowling Green, Ohio 43402; telephone (419) 353-0032; www.sio.org

IN TESTING, WHAT IS LEGAL AND WHAT ISN'T?

This question is important for all employers in dealing with people. State and federal laws control how

Table 3-1

TEST TYPES AND USES

ASSESSMENT CATEGORIES	INDICATES / MEASURES
1. Ability, clerical, dexterity, mechanical	Skills already learned
2. Assessment centers	Job content interview, exercise and test with multi-assessors
3. Honesty	“Yes”-“No” to practice or propensity
4. Industrial skills	Skills already learned
5. Knowledge	Insight/knowledge already learned
6. Management skills	Profiled skills; use assessment center
7. Mechanical aptitude	Mechanical ability to learn, acquire skill
8. Mental ability/general aptitude	Spatial orientation, comprehension, retention, general/conceptual reasoning; ability to learn, acquire skill
9. Psychological/personality	Emotional stability, extroversion, agreeableness, openness/experience, conscientiousness
10. Work sample	Sampling of job tasks
11. Graphology	Handwriting analysis (questionable effectiveness)
12. Psychics	Intellectual and emotional suitability (questionable effectiveness)

It is legal and helpful to use pre-employment as well as current employee tests. It is *not legal* to discriminate against any protected class with use of a test.

Testing candidates before offering them a job can help us be objective in our selection process. But we must abide by some guidelines:

- All candidates for the same position must take the same test.
- The test must be given under the same conditions.
- The test must accurately measure skills essential to job performance.

A basic consideration for selecting tests or developing tests is that they be job-related or “valid.” This is a statistical term but it is critical for good testing instruments.

We need a brief understanding of what validity means. Basically, a test is valid when it measures what it is meant to measure. For example, if we want to test or measure whether a person can give change for a sale at checkout, we might have him or her actually do a mock sale, collect the money and give back the correct change. This would be a valid test because it measures what we are testing for in the person.

and/or to what extent we may use tests for screening purposes. In Chapter 1 we cited the relevant laws affecting the employment relationship. Many of these apply to the use of screening and testing methods. Laws and regulations change and are updated on a regular basis. For the most up-to-date information owners and managers should refer to primary sources of information. Primary resource Internet sites with additional information and helpful links include:

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

An invalid test to measure the same skill (to count change) might be if we merely had the person take rolls of change, break them and place the coins in the proper cash drawer bins. Here the person deals with the change and separates it, yet s/he does not count out change as required.

There are several types of validity.

A test can be valid when it measures knowledge or skills that are directly job-related. This is called *content validity*. Here a test may be an actual job performance such as counting out change.

A test can be valid when it gives scores or results that statistically can be related to, or are predictive of, successful job performance. This is called *criterion-related* validity. As an example, a candidate who is shown to be effective in mathematics (e.g. by school grades or math tests) may be successful as the store accountant. We can determine this validity two ways:

- “*Concurrent validation*” or where current workers are tested and the test scores are related to their actual job performance.
- “*Predictive validation*” where applicants’ test scores are not used in making hiring decisions, but later are compared with actual job performance to determine whether the test accurately predicts performance.

A test can be valid when there is a strong relationship between a characteristic or personal trait and job performance. This is *construct validity*. An example here would be: if the person is shown to have strong leadership skills, s/he may be a good store manager.

A test’s validity affects its legality. Following are pertinent considerations for testing from the legal and regulatory perspective. As we discuss this information, you can see the value in getting professional advice on selection and use of tests.

The federal government issued non-binding “Uniform Guidelines on Employee Selection Procedures” in 1978. It is an attempt to impose a single set of employment standards on all employers covered by either Title VII or Executive Order 11246. The guidelines, which apply to any paper-and-pencil or performance measure used as the basis for an employment decision, detail the government’s interpretation of validation standards.

Among other things, these guidelines require employers to maintain detailed records for the purpose of determining whether a selection procedure either is or is not discriminatory. Again, reference to the following legal and regulatory resources can be helpful:

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

“Adverse impact” is a consideration for test use. This concept declares that employer policies or practices that have a “disproportionate adverse impact” on the employment opportunities of any race, sex or ethnic group are not permitted under Title VII or Executive Order 11246, unless they can be justified by “business necessity.”

Employers can avoid applying this guideline if their selection procedures have no adverse impact on minorities or women, as determined by what is called the “4/5ths” or “80%” rule. To determine whether a selection procedure violates this rule, selection rates for different groups are compared. If the rate for a protected group (defined by race, ethnic origin, sex, etc.) is less than 4/5ths (or 80%) of that for the group with the highest selection rate, the procedure is considered discriminatory and therefore illegal.

Federal equal employment opportunity regulations require employers to prove the validity of any employee selection tests which have a “disproportionate adverse impact” on the hiring of any members of protected groups. Local offices of the U.S. Employment Service can help employers design tests which are directly related to job requirements. To make our job easier and effective, these professionals can also provide trade and work samples that have been validated with large groups of workers.

If the test screens out a person who has a disability or a class of such individuals on the basis of disability, its use must be job-related and consistent with business necessity. A test most likely will be an accurate predictor of the job performance of a person with a disability when it most directly or closely measures actual skills and ability required to do a job. Recall our example above about counting change for content validity.

Employers are well served to seek assistance if there are questions in this particular area. Contact: EEOC Office of Communications and Legislative Affairs, 1801 L St., NW, Washington, D.C. 20507; or telephone (800) 669-4000 (voice) or (800) 800-3302.

Under the Americans with Disabilities Act (ADA), employers may:

- *Make pre-employment inquiries about an applicant’s ability to perform specific job-related functions. Recall that we identified good and bad questions to use. (Chapter 2, Table 2-3)*
- *Test to determine illegal use of drugs because it is not considered a medical examination under the law.*
- *Require, without justification, a post-job offer medical examination or inquiry to determine that an*

individual currently has the physical or mental qualifications needed to perform a job. Note that our sample application addresses tests and examinations after a conditional job offer is made.

Polygraph or lie detector testing often comes up if items are missing or cash drawers are short. But their use is restricted by the Employee Polygraph Protection Act (EPPA) of 1988. Under the act employers may not:

- *Ask or require employees or job applicants to take a polygraph test.*
- *Accept, ask about, request or use results of a polygraph test of an employee or prospective employee.*
- *Discharge, discipline or discriminate against an employee or prospective employee based upon polygraph results or refusal to take a polygraph test.*
- *Discharge, discipline or discriminate against an employee or prospective employee based upon his/her filing a complaint pertaining to use of a polygraph or for testifying in proceedings or exercising his/her rights pertaining to polygraphs.*

There are situations where a polygraph may be used. Employers must exercise extreme caution here and definitely seek professional advice under the following circumstances if polygraphs are to be used:

- *When employers are conducting an ongoing investigation associated with economic loss or injury to the business. This has tight definitions of an on-going investigation.*
- *When the employer is a security service provider, e.g. Brinks, Pinkerton, Wells Fargo, etc. (including pre-employment situations).*

- *When the employer is authorized by the Drug Enforcement Administration (DEA) to manufacture controlled substances (including pre-employment situations).*

HOW MUCH WEIGHT SHOULD TESTING BE GIVEN IN HIRING AND SELECTION DECISIONS?

With many tests available it may be easy to rely heavily upon the results alone. However, as already noted, the test should be only one part of a multi-part process.

Owners and managers can put more weight on an assessment which has a direct and concrete relationship between the position and the test. Normally, the more specific the test, the more effective it is at measuring a skill or factor.

A math test, which has problems to determine if a person can calculate total board feet or convert metric measures to troy measures, can be very effective. On the other hand, a test which attempts to measure the many factors which go into customer service skills is more broad and less effective.

We would not rely upon the customer service test as much as the math test because it is not as focused. Yet we understand customer service is important. Customer service skills can be further determined from the interview and questions about past experience. This is a clear example of why various considerations and methods need to be used when selecting candidates.

Employers need to be cautious not to use test result scores to “split hairs” or resolve initial decisions between candidates. The reason is that tests are not precise enough. Very high scores or low scores should be considered in light of the other tools used in the hiring and selection decision process.

We would be correct to be concerned if an experienced, well-qualified candidate scored very low on a job-related test. We would be prudent to investigate if the test answers, for example, were recorded incorrectly. We cannot emphasize enough to use multiple tools and resources to make selection and hiring decisions.

HOW TO EVALUATE SELECTION AND TEST RESULTS

Hiring new employees and selecting employees for promotion is highly subjective. Yet, as owners and managers we have the responsibility to be as fair and objective as possible.

In earlier sections we were encouraged to keep a record of how we made our hiring decisions or what our decisions were along the way to hiring and selecting new employees. This information is useful should an issue arise about the way we selected.

An effective way to bring objectivity to these subjective decisions is to use a simple comparison table to evaluate candidates for a job, promotion or even a layoff should it occur. Table 3-2 helps us objectively evaluate information we have collected and compare it among the people we are considering. Use such a chart for all persons considered as part of your decision making.

Let’s discuss a sample case where we are deciding between two candidates to hire. Using Table 3-2 as a guideline, do the following for each candidate.

- Rate the application based on the considerations in Chapter 2 under How To Read A Resume. Note if the application was satisfactory or not and note if you accept or reject the person on the basis of the application in the Decision column. In Table 3-2a, we decided the application was satisfactorily filled out so we

Table 3-2 (A)

SAMPLE SELECTION DECISION TOOL (CANDIDATE #1)

CONSIDERATIONS	CIRCLE NUMBER FOR EACH SATISFACTORY ITEM	DECISION	
Application	■ Satisfactory □ Unsatisfactory	■ Accept □ Reject	
Prerequisites	① ② ③ 4 5	□ Accept ■ Reject	
Primary Functions	① ② 3 ④ 5	□ Accept ■ Reject	
References	① ② 3	■ Accept □ Reject	
Test used	① ② 3 ④ ⑤ 6 7 8 ⑨ ⑩	□ Accept ■ Reject	
Results	Conclusion: No hire	2 accept	3 reject

Table 3-2 (B)

SAMPLE SELECTION DECISION TOOL (CANDIDATE #2)

CONSIDERATIONS	CIRCLE NUMBER FOR EACH SATISFACTORY ITEM	DECISION	
Application	■ Satisfactory □ Unsatisfactory	■ Accept □ Reject	
Prerequisites	① ② ③ 4 5	■ Accept □ Reject	
Primary Functions	① ② ③ ④ 5	■ Accept □ Reject	
References	① ② ③	■ Accept □ Reject	
Test used	① ② 3 ④ ⑤ 6 ⑦ ⑧ ⑨ ⑩	■ Accept □ Reject	
Results	Conclusion: Hire	5 accept	0 reject

marked “satisfactory” and on this one factor our decision is to accept the candidate.

- Using the employment application and your interview, confirm the candidate has the prerequisites you required for the job. (We covered these in Table 1-1 in Chapter 1). Circle the numbers of all prerequisites considered acceptable. Note if you accept or reject the person on this basis. In Table 3-2a, we noted that the candidate fulfills prerequisites # 1, 2 and 3, but we require all five prerequisites. So here we noted our decision to reject the candidate on this one consideration.
- Based upon the interview and/or other sources, circle the number of each primary function which the person can fulfill. Note your acceptance or rejection in the

Decision column. On this consideration, our decision was to reject the candidate because the candidate can perform only three of the five functions.

- Using the reference information gathered (details in More Hiring Considerations on page 3-6), note the number of each which was satisfactory. Note if your decision is to accept or reject. Two of three references for this consideration are good, therefore we decided to accept the candidate on this specific consideration.
- If we used a test with 10 factors, for example, circle all the factor numbers which were satisfactory for the person. Note if these yield a decision to accept or reject. For the test results consideration, the applicant was satisfactory on only six of 10 factors so we decided to

reject. We rejected candidate #1 in Table 3-2 (A) because three of five decisions we made were rejections. So we would not hire candidate #1.

- Review Table 3-2 for each candidate and choose the candidate who has the most numbers and acceptances noted. In our simplified example, our decision would be to select candidate #2 (Table 3-2 B). Clearly this process is not completely objective; however, it adds an amount of objectivity and clarity to aid our decisions. Where there are ties in the results, close review of the information must be made. Additionally, we might use several raters.
- We are reminded again to give careful consideration to all legal and regulatory requirements in our selection process.

SAMPLE PREFERRED EMPLOYEE PROFILE

Table 3-3

FUNCTIONAL QUALITIES	
Reseller	Able to and continues to demonstrate and prove the value of company services, capability and value to clients and contacts
Knowledgeable	Accomplished in area of responsibility, certified where applicable and able to resolve 85% and more of functional issues
Problem-solver	Clarifies problems, sources solutions, initiates actions, documents actions and shares solutions with others
Relationship builder	Able to identify and coordinate the complimentary characteristics of individuals, groups, departments and resources to build synergy for maximum achievement of goals and potential
PERSONAL QUALITIES	
Flexible	Open to and able to take alternate courses of action and adjust for changes
Decisive	Able to make objective decisions and come to a decision promptly
Empathetic	Able to sense another's point of view, to assist others and build win-win relationships
Responsive	Takes prompt, decisive and positive action to resolve issues and complete job
Team player	Works well with people in leadership as well as participative roles
Enthusiastic	Sparked by opportunity, cheerful and able to recognize the positive aspects of situations
Knowledgeable	Has functional know-how, builds on experience and background, uses "street-smarts"
Positive attitude	Takes a can-do approach, moves forward rather than dwelling on past, seeks opportunities
Presentation skills	Able to speak in front of groups of any size, level or make-up
Professional in appearance and demeanor	Leads by example, takes pride in self, dresses appropriately, handles self well with others at any level, leads by example

WHAT IS AND WHAT IS NOT EFFECTIVE

To be effective in selection of new and existing employees we must be fair, consistent and non-discriminatory. We must comply with all legal and regulatory requirements. We should be as objective as possible. As owners and managers we should strive to use as many as possible of the most effective resources and tools available to assist us in our decisions. In our example in Table 3-2, we used five considerations or input sources: the application, our identified prerequisites, the primary

functions we noted, references that we checked, and the test that we used.

We are ineffective when we rely upon misinformation, no information and/or only one information source. We are ineffective for our company, the people involved and ourselves if we are discriminatory and fail to comply with regulations and sound management principles.

MORE HIRING CONSIDERATIONS

Completing our examples for Table 3-2 we referred to background and refer-

ence information. Our reference-checking sample in Chapter 2 is helpful for information gathering. But there are some considerations for collecting such information.

Legal and regulatory guidelines apply to information release. Generally a formal policy to give truthful information, and in restrictive states information believed to be truthful, enables owners and managers as well as prior employers to give effective references.

There is often reluctance for prior employers to give information on

employees. This is because of the number of lawsuits brought for defamation and invasion of privacy.

When giving truthful information, the reference giver:

- *Must be able to prove the information is accurate.*
- *Should have documentation of the information.*
- *Should limit the information to only those who have a need to know.*
- *Should use direct and non-inflammatory language.*
- *Should base opinions only upon truthful information.*
- *Should give facts, not conclusions; e.g. “the employee was terminated for failing a drug test,” not “the employee was terminated for drug usage.”*

Various state, federal and local statutes, as well as court decisions, do accept giving only name, employment dates and job title. This is factual and objective information which is documented in the employee file.

Selected states have passed statutes granting employers immunity from civil liability. Employers should verify appropriate action for gathering and giving reference information in their states. The sample application shown in Chapter 1 includes reference to information being gathered. Owners and managers should refer to:

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

Chapter 5 summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

As always, competent professional advice should be sought for appropriate interpretation and application.

If there is a problem with an employee, most states provide for action to be taken against an employer who makes a hire and should have known to conduct a reasonable pre-employment investigation of the person.

Liability based upon negligent hiring may be imposed as a result of employee actions outside the scope of employment and even after an employee is discharged. Employers are prudent to conduct background checking.

Written authorization for release of information should always be provided (see Chapter 2).

In Chapter 2, Table 2-4, we noted some of the characteristics employers look for in job candidates. In managing the business, including recruiting, employers may be well served to clarify a profile of an ideal employee. This complies with legal and regulatory requirements.

The profile can be an aid to recruiting, helpful in clarifying the working culture of the company, valuable in demonstrating the values of the company and in other useful areas. Such a profile need not be formal and may include functional and personal qualities as outlined in Table 3-3.

Used properly— and legally— pre-employment testing and screening can lead to informed hiring decisions and help evaluate current employees for performance reviews and for promotion potential.

Testing is another useful tool in the hiring and evaluation process.

Information on legally compliant and valid pre-employment testing is available from Bay State Psychological Associates Inc., 225 Friend St., Boston, MA 02114, (800) 438-2772 or www.eri.com. Here owners and managers can find tools to evaluate the likelihood of reliable and productive behavior on the job.

For tools to evaluate specific job skills, owners and managers may wish to investigate Kenexa as a resource. Information can be found at The Wolf Building, 340 N 12th Street, Suite 309, Philadelphia, PA 19107, (800) 935-6694 or www.kenexa.com. ■

A HELPFUL TIP TO KEEP INTERVIEWS FOCUSED

Ask candidates to “Speak to my EARs,” that is, “Tell me about the **E**nvironment you encountered, the **A**ctions you took and the **R**esults of what you did.”

IN CHAPTER FOUR:

- **WHAT'S REQUIRED**
- **WHAT'S HELPFUL**
- **WHAT'S DANGEROUS**
- **HOW LONG TO KEEP RECORDS**

4

■ Building a Personnel File

WHAT'S REQUIRED

Organizations keep a variety of records and forms. Federal and state legal and regulatory guidelines dictate what and how long records are to be kept. Specific items to be kept are shown in Table 4-2 where we discuss record retention. This is a sample listing and not intended to be comprehensive.

Improper maintenance and retention of employee information and failure to respect the right to privacy in personnel records, particularly medical records, can open employers to a variety of legal problems.

Employers must check state and local requirements for their companies. In this section we will review suggested employee file make-up, items to include in the files and furnish suggested periods of time to keep materials, including selected non-human resource management items.

What goes into an employee's personnel file should be carefully considered in terms of need, confidentiality, retention duration and other factors. Typical items kept for current, former and retired employees are listed here.

As an example, we broke the content into two files. The first we refer to as an employee working file. The second file we refer to as an employee confidential and medical information file. Note that the working file includes private payroll information. Some organizations keep this as a separate file also.

For practical purposes, we suggest color coding the files, green for the working file and red for the confidential and medical file. Thus, it is easy to identify files which should be promptly returned to confidential file cabinets. The following is not an exhaustive listing, and allocations may vary.

Employee Working File Information & Content (for example, green folder color)

- Additional oral communication skills
- Additional written communication skills.
- Change of address, phone, status, title, etc.
- Company job history
- Company job title history
- Company service date
- Company-provided training and education records
- Confidentiality agreement
- Current position title

- Demotion records
- Department, unit section, etc. designation
- Disciplinary warnings
- Discipline history
- Discipline/suspensions
- Education and skills
- Education assistance considerations
- Education information, schools attended
- Educational degrees
- eMail address as appropriate
- Emergency contact's address
- Emergency contact's eMail
- Emergency contact's name
- Emergency contact's phone number
- Employee identification number
- Employment application
- Equipment, computer, computer program, etc. skills
- Exempt or non-exempt status
- Expatriate considerations
- Home address
- Information release form
- Interview considerations and records
- Job descriptions, specifications, titles and locations
- Job service date
- Job transfer records
- Leave requests
- Letters of commendation
- Letters of complaint
- Licenses
- Military status and leave considerations
- Name, first, middle and last

- New employee hire information form (by state)
- New employee information summary sheet (non-pay info)
- New employee orientation checklist
- Non-medical benefits materials
- Notes on or results of exit interviews
- Older documents
- Performance evaluations
- Phone numbers, home, emergency, work location phone
- Prior company position titles
- Promotion records
- Recognition awards
- Reduction-in-force records
- Relevant jobs and training of prior work history
- Resumes
- Selection and placement records
- Skills inventory
- Social Security number
- Spouses name, employer, emergency information
- Supervisor
- Training and professional certificates
- Training records
- Vacation requests
- Vacation, sick, personal leave, sabbaticals, etc.
- Work schedules
- Work status—regular, full time, part time, temporary, contractor, student, cooperative, management trainee, intern, co-operative student.

Working File Payroll Section Content

- Basic payroll records, including wage and salary data
- Bonus earnings plan
- Current pay rate
- Date and amount of last bonus, incentive, award
- Date and amount of last pay increase
- Date and amount of next bonus, incentive, award
- Date and amount of next pay increase
- Deductions, withholdings, child support, garnishments
- Direct deposit form, voided check
- Education assistance and reimbursement considerations

- Employee loans
- Employee-specific perquisites
- Employment Agreements comprising pay considerations
- Expatriate pay considerations
- Garnishments
- Incentive earnings plan
- Incentive, bonus, perquisite participation
- Materials pertaining to 1099 pay
- Pay adjustment history
- Pay adjustment record (merit, promotion, special)
- Pay history
- Pay scale job grade and rating points/factors
- Prior pay history
- Tax and other withholdings
- Tax withholdings
- W-4 and related tax materials

Employee Confidential & Medical File (for example, red folder color)

- Attendance and leave records
- ADA materials, information on disabilities
- Background checks materials
- Benefits elections
- Counseling and discipline (selected considerations)
- Credit information
- Date of birth-related materials
- Disability and insurance claims records
- Disability information
- EEO information, plans issues
- Employee issues write-ups
- Employee-volunteered information which may enable discrimination
- Family Medical Leave (FMLA) time considerations
- FMLA certificates and collateral
- Fringe benefits (insurance provider, pension plan)
- General medical records
- Grievance records, including arbitration awards
- Health care provider records
- I-9 (completed and forwarded from yellow folder)
- Incident investigations
- Information on dependents and beneficiaries

- Interview evaluation information
- Legal action materials
- Marital status materials
- Medical expense reimbursement forms
- Medical related information
- Number/names of dependents, health insurance coverage
- Occupational exposure records
- Occupational screening records
- Performance evaluations, commendations, merit awards
- Performance management summaries
- Physical exams
- Picture and EEO/affirmative action information
- Pre/post-employment physical exams
- Pre-employment background/reference checks
- Promo ability assessments
- Reference letters
- Requests for accommodation
- Results of drug testing
- Safety records, including accident reports
- Test information, scores, selection/promotion info
- Test results
- Unemployment insurance records
- Work status and visa records
- Worker' compensation collateral
- Youth employment certificate for employees under 18

(Note: These are example items only and do not represent a comprehensive listing. Items appropriately may be included in other files pertaining to the employee)

WHAT'S HELPFUL

This is a great deal of information that requires filing space and organization. There is not a required filing order or system. Useful methods include:

- Functional order — for example “Recruitment,” “Training,”

“Payroll,” “Insurance,”
“Employee Relations,” etc.

- Report order — for example, information on numbers of new-hires by age, sex, etc. in a file labeled “EEO/Affirmative Action”
- Legal requirement order — for example by report specifically required by law; EEO-1, OSHA-300, etc.

Employers keep records for several reasons:

- To comply with governmental recordkeeping and reporting requirements. See Table 4-2 for information retention required by federal regulations.
- To document and justify employment-related decisions (hiring, promotion, compensation, training, discipline, etc.).
- To help evaluate human resource department activity and to examine causes of store problems such as employee turnover.

There are several actions we can take to ease the job of maintaining the files and finding information within them.

- Consult with legal counsel on specific requirements for our locations.
- Develop and communicate recordkeeping and disclosure policies to include:
 - *Informing employees about the types of records maintained.*
 - *Permitting workers access to their records.*
 - *Protecting the confidentiality of records, including computerized records.*

- *Responding to third-party inquiries only on a “need-to-know” basis.*

- Establish and adhere to a schedule for reviewing, removing and destroying records.
- Flag records subject to state or federal confidentiality laws.
- Keep a log of the information. It is helpful to note the following:
 - *How long the records must be retained.*
 - *Location of each.*
 - *Which documents can be seen only by certain categories of employees.*
 - *List the date each particular document is scheduled for destruction.*
 - *List the date the document actually is destroyed.*
- Log external requests for company documents.

- Provide for security and confidentiality.

We emphasize developing a policy for records and information handling. But what should go into a policy and what should we consider? Following are key questions to resolve in planning a records program:

- How long do we have to keep the information and in what form? As companies grow so do their employee rolls and the file space required. Consider the alternatives of electronic storage.
- How will collected information be used?

- How will we safeguard our records? Employers might consider a business continuation planning analysis. Fires, natural disasters and other circumstances can be devastating to the myriad records of information.

- What information about current or former employees will be disclosed to persons outside the store?
- What procedures will we set up for reviewing employee records?
- What records must we keep on applicants, employees and former employees? How will we gather the information?
- Where will our records be kept?
- Will we allow employees the right to review their employment records? Note that various states have specific requirements on this issue.
- Within the store, who will have authorized access to personal or job-related information on employees?

WHAT'S DANGEROUS

Mishandling of information is dangerous. Employers must walk a tightrope to protect the privacy of employees and to avoid issues with discrimination and retaliation.

One way to protect employees' confidential information is to keep a second, separate file. Good practice is to keep confidential employee files in a separate, locked file cabinet. This separate, confidential file cabinet should be inaccessible to supervisors, hiring authorities and others who do not have specific reason to know the information. This separate file is where we suggest keeping the red files identified above which include the confidential medical, etc., information.

The fundamental reason for this physical and color separation is that information which may in some manner contribute to discrimination in employment or other employee-related matters should not be available without express authority to persons who do not have a specific need to know. Table 4-3 is a helpful guide to who should have access to employee information.

Increased focus on content and handling of confidential employee information came with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Retention of medical information poses many questions. This area is given special attention with questions and answers. The Equal Employment Opportunity Commission (EEOC) issued Enforcement Guidelines to help employers comply with the Americans with Disabilities Act (ADA). Table 4-5 offers helpful questions and answers from these 1995 guidelines.

HOW LONG TO KEEP RECORDS

Certain laws require us to keep records. Table 4-2 summarizes what records should be considered for retention and for how long. Not all employers will be affected by all of these regulations. As a rule of thumb for records retention, review common law statute of limitations for tort, contract and fraud in each state in which you operate. Generally, personnel records should be retained in accordance with the longest statute of limitations in the applicable state. These regulations should be reviewed periodically for additions, deletions and changes.

Also refer to Table 4-2. Here typical human resource management content and information are shown at the beginning of the table. These are followed by typical HR content areas of payroll, pension, safety, etc.

Often in human resource management aspects of the business have impact and are impacted by more general business documents and actions. The Sarbanes-Oxley Act of 2002 has numerous provisions affecting accounting and financial reporting. Some of these can affect human resource management action and records keeping. Accordingly, for the convenience of owners and managers, selected additional retention items are included in Table 4-2.

We have seen that access should be limited to employee information. As an aid to determine who should see what information, please see Table 4-3.

In addition to files and records maintenance, a variety of posters are required. Table 4-4 identifies key federal posting requirements. However, there are many state specific posters which are also required. In Chapter 5 we go into more detail for pertaining to the states.

By law, employers should be acutely aware they have to be familiar with a great deal of information. It is important to remain current on this and new information that is enacted. It is prudent to consult with legal and other professionals on requirements for managing employees. ■

Table 4-2

RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
ADVERTISEMENTS FOR JOB OPENINGS	2 years from date of hiring decision	Personnel			Personnel office
AFFIRMATIVE ACTION PROGRAMS	5 years after superseded	Personnel	X		
APPLICATIONS - WHETHER SOLICITED OR UNSOLICITED;	2 years from date of hiring decision; 4 years if file contains any correspondence which might be construed as an offer	Personnel		X	
BACKGROUND INVESTIGATIONS RESULTS	2 years from date of hiring decision; 4 years if file contains any correspondence which might be construed as an offer	Personnel	X		
CORRESPONDENCE WITH EMPLOYMENT AGENCIES	2 years from date of hiring decision	Personnel			Personnel office
EEO-1 EMPLOYER INFORMATION REPORTS	2 years after superseded or filing	Personnel			Personnel office
EEO-2 EMPLOYER INFORMATION REPORTS	2 years after superseded or filing	Personnel			Personnel office
EMPLOYEE AWARDS	7 years	Personnel		X	
EMPLOYEE BONUSES & INCENTIVES	7 years	Personnel		X	
EMPLOYEE EARNINGS RECORDS	Termination + 6 years	Personnel		X	
EMPLOYEE EXPOSURE TO HAZARDOUS SUBSTANCES SAFETY RECORDS MONITORING	Recommend permanent; may be discarded 30 years after termination of employee	Personnel	X		
EMPLOYEE INCENTIVES	7 years	Personnel		X	
EMPLOYEE MEDICAL RECORDS	Termination + 6 years	Personnel		X	
EMPLOYEE POLICY MANUALS; ONE RECORD COPY IN ORIGINATING DEPARTMENT	Perpetual (one copy of each version)	Personnel			Personnel office
EMPLOYMENT CONTRACTS - INDIVIDUAL	7 years after termination	Personnel	X		

Continued on page 4-6

Continued from page 4-5

RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
INDIVIDUAL ATTENDANCE RECORDS	6 years after termination	Personnel		X	
INVENTION ASSIGNMENT FORMS	Permanent	Personnel			Personnel office
JOB DESCRIPTIONS	3 years after superseded	Personnel			Personnel office
JOB OR STATUS CHANGE RECORDS	6 years after termination	Personnel		X	
NON-HIRED APPLICANTS	2 years from date of hiring decision; 4 years if file contains any correspondence which might be construed as an offer	Personnel			Personnel office
PAY SURVEYS	3 years	Personnel			Personnel office
PERFORMANCE EVALUATIONS	6 years after termination	Personnel		X	
PERSONNEL HEADCOUNT REPORTS	3 years	Personnel			Personnel office
PRE-EMPLOYMENT PHYSICALS	2 years from date of hiring decision; 4 years if file contains any correspondence which might be construed as an offer	Personnel	X		
RESUMES - WHETHER SOLICITED OR UNSOLICITED	2 years from date of hiring decision; 4 years if file contains any correspondence which might be construed as an offer	Personnel		X	
SAFETY/INJURY FREQUENCY REPORTS	10 years	Personnel			Personnel office
TEST RESULTS	6 years after termination	Personnel	X		
TRAINING & QUALIFICATION RECORDS	6 years after termination	Personnel		X	
WITHHOLDING INFORMATION	6 years after termination	Personnel		X	
YOUTH EMPLOYMENT CERTIFICATES FOR EMPLOYEES UNDER AGE 18	2 years	Personnel	X		
EMPLOYEE DEDUCTION AUTHORIZATIONS	4 years after termination	Payroll		X	

RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
EMPLOYEE EARNINGS RECORDS	Termination + 6 years	Payroll	X		
GROSS PAYROLL REGISTERS	7 years	Payroll			Payroll office
HOURS WORKED EACH WEEK	3 years post termination	Payroll			Payroll office
LABOR DISTRIBUTION COST RECORDS	7 years	Payroll			Payroll office
NET PAYROLL REGISTERS	7 years	Payroll			Payroll office
PAYROLL ASSIGNMENTS	3 years after payment or settlement; disposal requires written CFO approval	Payroll			Payroll office
PAYROLL ATTACHMENTS	3 years after payment or settlement; disposal requires written CFO approval	Payroll			Payroll office
PAYROLL GARNISHMENTS	3 years after payment or settlement; disposal requires written CFO approval	Payroll		X	Payroll office
PAYROLL REGISTERS (GROSS & NET)	7 years	Payroll			Payroll office
TIME CARDS	2 years	Payroll			Payroll office
TIME SHEETS	2 years	Payroll			Payroll office
UNCLAIMED WAGE RECORDS	6 years	Payroll			Payroll office
FORMER EMPLOYEE PAYROLL RECORDS (NAME, ADDRESS, HOURLY/SALARY STATUS)	Termination + 6 years	Pension			Pension office
PENSION DOCUMENTS & SUPPORTING EMPLOYEE DATA	Retain appropriately, and for an appropriate period so organization can resolve whether or not any pension is payable to any person and the amount of the pension.	Pension			Pension office
PENSION ELIGIBILITY RECORDS (HOURS WORKED & SERVICE BREAKS)	Termination + 6 years	Pension			Pension office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
PENSION EMPLOYEE PAYROLL RECORDS (NAME, ADDRESS, HOURLY/SALARY STATUS)	Termination + 6 years	Pension			Pension office
PENSION EMPLOYEE SERVICE RECORDS (HOURS WORKED & SERVICE BREAKS)	Termination + 6 years	Pension			Pension office
PENSION PAYMENT RECORDS (RECORD OF PENSION PAID TO EMPLOYEES OR BENEFICIARIES)	6 years after final payment	Pension			Pension office
PENSION PLAN - PLAN ADMINISTRATOR RECORDS (SETTING FORTH AUTHORITY TO PAY)	Termination + 6 years	Pension			Pension office
PENSION PLAN DETERMINATION LETTERS	Termination + 6 years	Pension			Pension office
PENSION PLANS/ AMENDMENTS	6 years	Pension			Pension office
REPORTS OF PENSIONS OR PENSION PLANS FILED WITH THE DOL OR IRS	6 years after filing	Pension			Pension office
ACCIDENT CLAIMS	7 years	Health & Safety			Safety office
ACCIDENT REPORTS	7 years	Health & Safety			Safety office
ENVIRONMENTAL SITE FILES	7 years	Health & Safety			Safety office
HAZARDOUS WASTE DISPOSAL RECORDS	7 years	Health & Safety			Safety office
INSURANCE CLAIMS INVOLVING ENVIRONMENTAL SITE FILES	7 years	Health & Safety			Safety office
OCCUPATIONAL INJURY OR ILLNESS FILES	5 years	Health & Safety	X		Safety office
OSHA ANNUAL SUMMARIES	5 years	Health & Safety			Safety office
SAFETY RECORDS - HAZARDOUS SUBSTANCE EXPOSURE	7 years	Health & Safety			Safety office
SAFETY RECORDS; GENERAL	5 years	Health & Safety			Safety office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
ANNUAL LOSS SUMMARIES	10 years	Insurance			Co. insurance ofs.
AUDITS & ADJUSTMENTS	2 years after final adjustment	Insurance			Co. insurance ofs.
CERTIFICATES ISSUED ON BEHALF OF THE COMPANY	3 years	Insurance			Co. insurance ofs.
CERTIFICATES ISSUED TO THE COMPANY	Permanent	Insurance			Co. insurance ofs.
FIDELITY & CRIME INSURANCE POLICY	Current	Insurance			Co. insurance ofs.
FIRST PARTY CLAIMS FILES	5 years after last correspondence or contact with claimant	Insurance			Co. insurance ofs.
GENERAL LIABILITY INSURANCE POLICY	Current	Insurance			Co. insurance ofs.
GROUP INSURANCE PLANS - ACTIVE EMPLOYEE	Until plan is amended or terminated	Insurance			Co. insurance ofs.
GROUP INSURANCE PLANS - RETIREES	Permanent or until 6 years after death of last eligible participant	Insurance			Co. insurance ofs.
GROUP LIFE CLAIMS FILES	5 years after close	Insurance			Co. insurance ofs.
INSPECTIONS	3 years	Insurance			Co. insurance ofs.
JOURNAL ENTRY SUPPORT DATA	7 years	Insurance			Co. insurance ofs.
LONG-TERM DISABILITY CLAIMS FILES	10 years after return to work, retirement, or death	Insurance			Co. insurance ofs.
LOSS RUNS	10 years	Insurance			Co. insurance ofs.
OTHER THIRD PARTY CLAIMS FILES	5 years after last correspondence or contact with third party	Insurance			Co. insurance ofs.
OTHER THIRD PARTY INSURANCE POLICY	Current	Insurance			Co. insurance ofs.

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
PRODUCT LIABILITY CLAIMS FILES	5 years after last correspondence or contact with claimant	Insurance			Co. insurance ofs.
PROPERTY INSURANCE POLICY	Current	Insurance			Co. insurance ofs.
RELEASES & SETTLEMENTS	25 years	Insurance			Co. insurance ofs.
WORKERS COMPENSATION CLAIMS FILES	10 years after close of matter	Insurance	X		
CONTRACT REVIEW RECORDS	6 years post-expiration or termination (includes warranty/service periods, if in project files)	Legal & Contracts			Legal office
CONTRACTS & RELATED CORRESPONDENCE	6 years post-expiration or termination (includes warranty/service periods, if in project files)	Legal & Contracts			Legal office
LEGAL MEMORANDUMS	6 years after close of matter; disposal to be with written CFO approval	Legal & Contracts			Legal office
LEGAL OPINIONS	6 years after close of matter; disposal to be with written CFO approval	Legal & Contracts			Legal office
LEGAL SUBJECT MATTER FILES	6 years after close of matter; disposal to be with written CFO approval	Legal & Contracts			Legal office
LICENSING & DISTRIBUTION AGREEMENTS	6 years post-expiration or termination (includes warranty/service periods, if in project files)	Legal & Contracts			Legal office
LITIGATION FILES - MAJOR LITIGATION	Retention period determined by General Counsel on a case by case basis	Legal & Contracts			Legal office
LITIGATION FILES - OTHER LITIGATION	1 year after expiration of appeals or time for filing appeals	Legal & Contracts			Legal office
PROPOSALS RESULTING IN CONTRACT (PLUS SUPPORTING COLLATERAL)	6 years post-expiration or termination (includes warranty/service periods, if in project files)	Legal & Contracts			Legal office
RECORDS RETENTION SCHEDULE	Current	Legal & Contracts			Legal office
REQUEST FOR DEPARTURE FROM RECORDS RETENTION PLAN	Current	Legal & Contracts			Legal office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
REQUEST FOR DEPARTURE FROM RECORDS RETENTION PLAN	10 years	Legal & Contracts			Legal office
ACCOUNTS PAYABLE INVOICES - ELECTRONIC MEDIA	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ACCOUNTS PAYABLE INVOICES - ORIGINAL	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ACCOUNTS PAYABLE INVOICES - MICROFILM	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ACCOUNTS RECEIVABLE CASH RECEIPTS FILES	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ACCOUNTS RECEIVABLE INVOICES	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ANNUAL AUDIT & FINANCIAL STATEMENTS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
ANNUAL AUDIT WORKPAPER PACKAGE	7 years; disposal requires written approval	Accounting, Finance, Tax			Act-Fin-Tax office
ANNUAL PLANS & BUDGET	2 years	Accounting, Finance, Tax			Act-Fin-Tax office
ANTIBOYCOTT REPORTS	5 years from date of related request	Accounting, Finance, Tax			Act-Fin-Tax office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
APPROPRIATION REQUESTS	1 year from post completion review	Accounting, Finance, Tax			Act-Fin-Tax office
BANK STATEMENTS & CANCELED CHECKS	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
EXCISE TAX RECORDS	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
CENSUS BUREAU & OTHER GOVERNMENT SURVEYS	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
FIXED ASSET SCHEDULES	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
CHARITABLE CONTRIBUTIONS COLLATERAL	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
FRANCHISE TAX RETURNS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
DEPRECIATION SCHEDULES	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
GENERAL JOURNALS & OTHER POSTING	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
EMPLOYEE EXPENSE REPORTS	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
GENERAL LEDGER SUBSIDIARY CONTROL COLLATERAL	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
GENERAL LEDGERS	Permanent; Records to be maintained until tax losses are utilized/examined by the IRS or statute of limitations expires. Disposal requires CFO written approval	Accounting, Finance, Tax			Act-Fin-Tax office
HOUSEHOLD MOVES	3 years after move	Accounting, Finance, Tax			Act-Fin-Tax office
INCOME TAX RETURNS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
NORMAL TRADE PAYABLES	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
INVENTORY CONTROL REPORTS	3 years	Accounting, Finance, Tax			Act-Fin-Tax office
MONTHLY FINANCIAL STATEMENTS	7 years; disposal to be by written approval of CFO	Accounting, Finance, Tax			Act-Fin-Tax office
ORIGINAL/MICROFILM	To be determined	Accounting, Finance, Tax			Act-Fin-Tax office
PAYROLL TAX RECORDS	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
PHYSICAL INVENTORY RECORDS	7 years; disposal to be by written approval of CFO	Accounting, Finance, Tax			Act-Fin-Tax office
PRODUCTION SCHEDULES	1 year	Accounting, Finance, Tax			Act-Fin-Tax office
PROPERTY TAX RETURNS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
PURCHASE ORDER REGISTER	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
SALES TAX RECORDS	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
STRATEGIC PLANS	2 years after termination of plan period	Accounting, Finance, Tax			Act-Fin-Tax office
TAX BILLS	Permanent	Accounting, Finance,			Tax Act-Fin-Tax office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
TAX STATEMENTS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
TAX RECEIPTS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
TAX WORKPAPER PACKAGES; ORIGINALS	Permanent	Accounting, Finance, Tax			Act-Fin-Tax office
TAX WORKPAPER PACKAGES; UNIT COPIES	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
USE TAX RECORDS	7 years	Accounting, Finance, Tax			Act-Fin-Tax office
VENDOR CORRESPONDENCE	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
VENDOR CREDIT CHECKS	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
VENDOR PURCHASE ORDERS	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
VENDOR QUOTATIONS	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
VENDOR REQUISITIONS	6 years	Accounting, Finance, Tax			Act-Fin-Tax office
ACQUISITION FILES REVIEW	after 20 years	Corporate & General			Designated office
ANNUAL REPORTS	after 20 years	Corporate & General			Designated office
BOARD COMMITTEES MINUTE BOOKS REVIEWS	after 20 years	Corporate & General			Designated office
BOOKS (TEXTS)	20 years	Corporate & General			Designated office
CHRONOLOGICAL CORRESPONDENCE FILES	1 year OR retained for the same period as the document they pertain to.	Corporate & General			Designated office
COLLECTION LETTERS AFTER ACCOUNTS ARE PAID	5 years	Corporate & General			Designated office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
COPIES OF INTERDEPARTMENTAL CORRESPONDENCE	With copy in originating department file, read and destroy, unless content provides reference or direction to other documents and must be kept for project or product tracking	Corporate & General			Designated office
COPIES OF INTERDEPARTMENTAL OR OTHER COMPANY CORRESPONDENCE WITH LOCAL UNIT FILE COPY	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
COPIES OF OTHER COMPANY CORRESPONDENCE & DOCUMENTS	With copy in originating department file, read and destroy, unless content provides reference or direction to other documents and must be kept for project or product tracking	Corporate & General			Designated office
CORPORATE & SUBSIDIARY BOARDS MINUTE BOOKS REVIEWS	After 20 years	Corporate & General			Designated office
CORPORATE BYLAWS	After 20 years	Corporate & General			Designated office
CORPORATE MINUTE BOOKS REVIEWS	After 20 years	Corporate & General			Designated office
CORPORATE RECORDS REVIEWS	After 20 years	Corporate & General			Designated office
CORPORATE SEALS	After 20 years	Corporate & General			Designated office
CORRESPONDENCE FOR QUALIFICATION TO DO BUSINESS IN STATES	After 20 years	Corporate & General			Designated office
CREDIT AGREEMENTS	10 years after satisfaction	Corporate & General			Designated office
DEPARTMENTAL BUDGETS & RELATED WORK SHEETS	2 years	Corporate & General			Designated office
DIVESTITURE FILES REVIEW	After 20 years	Corporate & General			Designated office
DIVIDEND RECORDS REVIEW	After 20 years	Corporate & General			Designated office
FINANCING COMMITMENTS	10 years after satisfaction	Corporate & General			Designated office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
FORM LETTERS WHICH REQUIRE NO FOLLOW-UP	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
ITEMS OF HISTORICAL VALUE TO THE COMPANY	Permanent	Corporate & General			Designated office
LETTERS ASSOCIATED WITH ESTABLISHING CREDIT	5 years	Corporate & General			Designated office
LETTERS EXPLAINING, NOT SETTING COMPANY POLICY	5 years	Corporate & General			Designated office
LETTERS OF COMPLAINT NEEDING SPECIFIC ACTION WITH NO VALUE AFTER ACTION TAKEN	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
LETTERS OF GENERAL INQUIRY COMPLETING CORRESPONDENCE CYCLE	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
LETTERS OF GENERAL REPLY COMPLETING CORRESPONDENCE CYCLE	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
LOAN AGREEMENTS	10 years after satisfaction	Corporate & General			Designated office
OTHER LETTERS OF LITTLE CONSEQUENCE OR WHICH FINALIZE CORRESPONDENCE	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
POLICY & PROCEDURES MANUALS - COPIES	Retain current version only	Corporate & General			Designated office
POLICY & PROCEDURES MANUALS - ORIGINAL	Current version with revision history	Corporate & General			Designated office
PROFESSIONAL PERIODICALS	20 years	Corporate & General			Designated office
PROJECT FILES (NOT CLASSIFIED ELSEWHERE)	Review at close of project	Corporate & General			Designated office
PROXIES (ELECTION OF DIRECTORS)	10 years	Corporate & General			Designated office
PROXY REVIEW COLLATERAL	After 20 years	Corporate & General			Designated office
PUBLISHED REPORTS	20 years	Corporate & General			Designated office
QUARTERLY REPORTS	After 20 years	Corporate & General			Designated office
RECORDS OF INCORPORATION	After 20 years	Corporate & General			Designated office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
RECORDS OF QUALIFICATION TO DO BUSINESS IN STATES REVIEW	After 20 years	Corporate & General			Designated office
REPORTS BY CONSULTANTS	2 years	Corporate & General			Designated office
ROUTINE LETTERS & NOTES WHICH REQUIRE NO ACKNOWLEDGMENT OR FOLLOW-UP	1 year OR retained for the same period as the document they pertain to	Corporate & General			Designated office
IMPORTANT SPEECHES BY CORPORATE OFFICERS	4 years (review yearly for historical value)	Corporate & General			Designated office
STOCKHOLDERS MEETINGS MINUTE BOOKS REVIEWS	After 20 years	Corporate & General			Designated office
SUBSIDIARY MINUTE BOOKS REVIEWS	After 20 years	Corporate & General			Designated office
TRADE ASSOCIATION MATERIALS	Review annually for usefulness	Corporate & General			Designated office
FIXED ASSET LEDGERS - YEAR-END RUN MORTGAGES	Permanent; keep until tax losses have been utilized/examined by the IRS or the statute of limitations has expired. CFO to provide written approval of disposal	Facilities & Property			Facilities office
ORIGINAL PURCHASE/SALE/LEASE AGREEMENT	Permanent	Facilities & Property			Facilities office
PLANT INSPECTION & SAFETY AUDIT REPORTS	3 years	Facilities & Property			Facilities office
PROPERTY & FACILITIES ASSESSMENTS	10 years	Facilities & Property			Facilities office
PROPERTY & FACILITIES CORRESPONDENCE	10 years	Facilities & Property			Facilities office
PROPERTY & FACILITIES LICENSES	10 years	Facilities & Property			Facilities office
PROPERTY & FACILITIES MISCELLANEOUS DOCUMENTS	10 years	Facilities & Property			Facilities office
PROPERTY & FACILITIES RIGHTS OF WAY	10 years	Facilities & Property			Facilities office
PROPERTY DEEDS	10 years	Facilities & Property			Facilities office
PROPERTY INSURANCE POLICIES	Current	Facilities & Property			Facilities office
WASTE DISPOSAL RECORDS	3 years	Facilities & Property			Facilities office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
COLLECTION CORRESPONDENCE	2 years	Credit			Credit office
COLLECTION LITIGATION FILES	3 years after legal settlement and satisfaction of legal judgment	Credit			Credit office
CREDIT APPLICATIONS	1 year after account becomes inactive	Credit			Credit office
CREDIT APPROVAL FORMS	1 year after account becomes inactive	Credit			Credit office
CREDIT FINANCING STATEMENTS	3 years after satisfaction	Credit			Credit office
CREDIT QUALIFICATION REPORTS	1 year after account becomes inactive	Credit			Credit office
CREDIT SECURITY AGREEMENTS	3 years after satisfaction	Credit			Credit office
CUSTOMER FINANCIAL STATEMENTS	Until superseded	Credit			Credit office
GUARANTEES AGREEMENTS	3 years after termination or settlement of account	Credit			Credit office
SUBORDINATING AGREEMENTS	3 years after termination or settlement of account	Credit			Credit office
BILLS OF LADING	2 years after delivery	Mfg. & Production			Mfg-Prod office
COPYRIGHT	Original for life of copyright + 6 years	Mfg. & Production			Mfg-Prod office
CUSTOMER COMPLAINTS	5 years	Mfg. & Production			Mfg-Prod office
CUSTOMER SERVICE RECORDS	10 years	Mfg. & Production			Mfg-Prod office
DESIGN CONTROL & REVIEW RECORDS	Project completion + 6 years	Mfg. & Production			Mfg-Prod office
DUTY DRAWBACK RECORDS	5 years from date of liquidation	Mfg. & Production			Mfg-Prod office
EQUIPMENT CALIBRATION RECORDS	Life of product +3	Mfg. & Production			Mfg-Prod office
FREIGHT BILLS	3 years	Mfg. & Production			Mfg-Prod office
FREIGHT CLAIMS	2 years after settlement	Mfg. & Production			Mfg-Prod office
IMPORT ENTRY SUMMARIES	5 years from date of entry	Mfg. & Production			Mfg-Prod office
INDUSTRY STANDARDS	20 years	Mfg.& Production			Mfg-Prod office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
INDUSTRY STANDARD PARTICIPANT RECORDS & NOTES	20 years	Mfg. & Production			Mfg-Prod office
INSPECTION RECORDS	Life of product + longest warranty	Mfg.& Production			Mfg-Prod office
INSTRUMENT CALIBRATION RECORDS	Life of product +3	Mfg. & Production			Mfg-Prod office
INVENTION NOTEBOOKS	Life of patent + 6 years	Mfg. & Production			Mfg-Prod office
INVENTION RECORDS	Life of patent + 6 years	Mfg. & Production			Mfg-Prod office
LABORATORY NOTEBOOKS	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
LABORATORY SUPPORTING & TEST DATA	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
MANUFACTURING COSTS RECORDS ON PRODUCT ASSEMBLED ABROAD WITH U.S. COMPONENTS	5 years from date of re-entry	Mfg. & Production			Mfg-Prod office
MANUFACTURING QUANTITY RECORDS ON PRODUCT ASSEMBLED ABROAD WITH U.S. COMPONENTS	5 years from date of re-entry	Mfg. & Production			Mfg-Prod office
MANUFACTURING SHIPMENT DATE RECORDS ON PRODUCT ASSEMBLED ABROAD WITH U.S. COMPONENTS	5 years from date of re-entry	Mfg. & Production			Mfg-Prod office
MANUFACTURING SOURCES RECORDS ON PRODUCT ASSEMBLED ABROAD WITH U.S. COMPONENTS	5 years from date of re-entry	Mfg. & Production			Mfg-Prod office
MATERIAL SUBSTITUTION RECORDS	10 years	Mfg. & Production			Mfg-Prod office
NEW PRODUCT CONCEPTS - EXTERNALLY SOURCED	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
NEW PRODUCT INSPECTION & TEST REPORTS; ALSO SOFTWARE & FEATURES	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
NON-CONFORMING PRODUCT RECORDS	3 years	Mfg. & Production			Mfg-Prod office
PATENT	Original for life of patent + 6 years	Mfg. & Production			Mfg-Prod office
PRODUCT CHANGE NOTICES	Life of product + 5 years	Mfg. & Production			Mfg-Prod office

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RECORDS RETENTION REQUIREMENTS

CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
PRODUCT DESIGN DATA	Life of product + 20 years	Mfg. & Production			Mfg-Prod office
PRODUCT RESEARCH DATA	Life of product + 20 years	Mfg. & Production			Mfg-Prod office
PRODUCT SPECIFICATIONS DATA	Life of product + 20 years	Mfg. & Production			Mfg-Prod office
PROJECT COMPLETION CORRECTIVE ACTIONS	Project completion +6 years	Mfg.& Production			Mfg-Prod office
PROJECT COMPLETION PREVENTIVE ACTIONS	Project completion +6 years	Mfg. & Production			Mfg-Prod office
PROPOSED PRODUCT INSPECTION TEST REPORTS, SOFTWARE & FEATURES	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
QUALITY AUDIT EXTERNAL RECORDS	5 years	Mfg. & Production			Mfg-Prod office
QUALITY AUDIT INTERNAL RECORDS	5 years	Mfg. & Production			Mfg-Prod office
QUALITY CORRECTIVE ACTIONS	5 years	Mfg. & Production			Mfg-Prod office
QUALITY PREVENTIVE ACTIONS	5 years	Mfg. & Production			Mfg-Prod office
QUALITY PROGRAM MANAGEMENT REVIEW RECORDS	5 years	Mfg.& Production			Mfg-Prod office
QUALITY PROJECT DOCUMENT CONTROL RECORDS	Project completion + 6 years	Mfg. & Production			Mfg-Prod office
RATES & TARIFFS	1 year after superseded	Mfg. & Production			Mfg-Prod office
RETURNED GOODS RECORDS	10 years	Mfg. & Production			Mfg-Prod office
TECHNICAL MEETING MINUTES	Life of product + 5 years	Mfg. & Production			Mfg-Prod office
TEST RECORDS	Life of product + longest warranty	Mfg. & Production			Mfg-Prod office
TRADEMARK	Original for life of trade-mark + 6 years	Mfg. & Production			Mfg-Prod office
VALIDATED EXPORT LICENSES	5 years from validation date	Mfg.& Production			Mfg-Prod office
WAYBILLS	2 years after delivery	Mfg. & Production			Mfg-Prod office
ADVERTISING COPY	5 years	Marketing & Sales			Mkt-Sls office
CUSTOMER CORRESPONDENCE FILES	5 years from creation date	Marketing & Sales			Mkt-Sls office

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RECORDS RETENTION REQUIREMENTS					
CONTENT	SUGGESTED RETENTION	BUSINESS CATEGORY	EMPLOYEE CONFIDENTIAL	EMPLOYEE WORKING	COMPANY FILES
CUSTOMER ORDER FILES	4 years	Marketing & Sales			Mkt-Sls office
DUTY DRAWBACK RECORDS	4 years	Marketing & Sales			Mkt-Sls office
MARKETING PROGRAMS	5 years	Marketing & Sales			Mkt-Sls office
PACKAGING MATERIALS/ INSTRUCTIONS - COPIES	5 years	Marketing & Sales			Mkt-Sls office
PRICE LISTS	5 years	Marketing & Sales			Mkt-Sls office
PROPOSALS NOT PROCEEDING TO CONTRACT	5 years	Marketing & Sales			Mkt-Sls office
SALES DEPARTMENT INVOICE COPY	1 year	Marketing & Sales			Mkt-Sls office
SALESPERSON REPORTS	2 years	Marketing & Sales			Mkt-Sls office

Table 4-3

GENERAL ACCESS TO EMPLOYEE INFORMATION	
INFORMATION TYPE	RECOMMENDED ACCESS
Confidential/medical information	<ul style="list-style-type: none"> • First aid/emergency personnel as needed • Government/legal personnel conducting investigation relevant to medical issues • Person handling human resources • Persons as needed to conduct workers' compensation/ other claims • Supervisor with need to know about reasonable accommodation
I - 9 information	<ul style="list-style-type: none"> • Auditing/investigating authority • Staff handling human resources
Payroll information	<ul style="list-style-type: none"> • Auditing/investigating authority • Payroll staff • Staff handling human resources
Personnel information	<ul style="list-style-type: none"> • Employee • Former employee • Person handling human resources • Supervisor with need to know

Table 4-4

MANY LEGAL AND REGULATORY ITEMS HAVE REQUIREMENTS FOR POSTING FOR ALL EMPLOYEES TO SEE. THESE INCLUDE:

POSTER	DETAILS	POSTING PERIOD
Minimum Wage Poster (WH 1088)	Most employers are required to post	Continuously
Notice to Employees Working on Federal or Federally Funded Construction Projects (WH 1321)	Required by employers engaged in federal or federally funded construction projects	Continuously
Notice to Employees Working on Government Contracts (WH 1313)	Required by employers doing business with the federal government under Service Contracts Act	Continuously
Notice to Employee Polygraph Protection Act (WH 1462)	Most employers are required to post	Continuously
Notice to Employees	Statement that employer carries workers' compensation insurance under the Longshore and Harbor Workers' Compensation Act. (Available through nearest Office of Workers' Compensation Programs)	Continuously
Certificate that Employer has Secured Payment of Compensation	Notice certifying employer has insurance coverage for liability under the Longshore and Harbor Workers' Compensation Act or its extensions. (Available through nearest Office of Workers' Compensation Programs)	Continuously
Equal Employment Opportunity is the Law	Required to be posted by all private employers. Several non-discrimination laws are covered including Title VI & VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act, Equal Pay Act and Section 504 of the Rehabilitation Act of 1973	Continuously
Family and Medical Leave Act	Explains rights and responsibilities under the federal Family and Medical Leave Act	Continuously
Job Safety and Health Protection (OSHA)	Advises employees on OSH Act provisions	Continuously
Agricultural Minimum Wage. Entitled "Agricultural Employees" (WH 1386)	Required of agricultural employers only	Continuously
OSHA - Summary Poster (Form 300A)	Summary of injuries and illnesses for the worksite. Some employers, such as hardware stores, are not required to keep OSHA 300 records; lumber/building materials stores must keep OSHA records. Some state laws may vary from federal.	To be posted from February 1 st to April 30 th each year. States may have other posting requirements

CONFIDENTIALITY OF MEDICAL INFORMATION UNDER THE AMERICANS WITH DISABILITIES ACT (ADA)

Q - MAY MEDICAL INFORMATION BE GIVEN TO DECISION MAKERS INVOLVED IN THE HIRING PROCESS?

A - Yes. Medical information may be given to and used by appropriate decision-makers involved in the hiring process so they can make employment decisions consistent with the ADA. In addition, the employer may use the information to determine reasonable accommodations for the individual. For example, the employer may share the information with a third party, such as a health care professional, to determine whether a reasonable accommodation is possible for a particular individual. The information certainly must be kept confidential.

Of course, the employer may only share the medical information with individuals involved in the hiring process (or in implementing an affirmative action program) who need to know the information.

Q - CAN AN INDIVIDUAL VOLUNTARILY DISCLOSE HIS/HER OWN MEDICAL INFORMATION TO PERSONS BEYOND THOSE TO WHOM AN EMPLOYER CAN DISCLOSE SUCH INFORMATION?

A - Yes, as long as it is really voluntary. The employer cannot request, persuade, coerce or otherwise pressure the individual to get him/her to disclose medical information.

Q - DOES THE EMPLOYER'S CONFIDENTIALITY OBLIGATION EXTEND TO MEDICAL INFORMATION THAT AN INDIVIDUAL VOLUNTARILY TELLS THE EMPLOYER?

A - Yes. For example, if an applicant voluntarily discloses a medical condition and the need for reasonable accommodation, the employer may not disclose the condition or the applicant's need for accommodation to the applicant's references.

Q - CAN MEDICAL INFORMATION BE KEPT IN AN EMPLOYEE'S REGULAR PERSONNEL FILE?

A - No. Medical information must be collected and maintained on separate forms and in separate medical files. An employer should not place any medical-related material in an employee's non-medical personnel file. If an employer wants to put a document in a personnel file, and that document happens to contain some medical information, the employer must remove the medical information from the document before putting it in the personnel file.

Q - DOES THE CONFIDENTIALITY OBLIGATION END WHEN THE PERSON IS NO LONGER AN APPLICANT OR EMPLOYEE?

A - No. An employer must keep medical information confidential even if someone is no longer an applicant or is no longer an employee.

Q - IS AN EMPLOYER REQUIRED TO REMOVE FROM ITS PERSONNEL FILES MEDICAL INFORMATION OBTAINED BEFORE THE ADA'S EFFECTIVE DATE?

A - No.

Q - WHEN IS IT TIME TO DESTROY ALL OF THOSE OLD PERSONNEL FILES?

A - Refer to Table 4-2 for specific retention schedules. Beyond those, it is up to the employer. An important point here is to be consistent in handling all similar information the same way. Don't keep some and burn others of the same material.

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Continued from page 4-23

Q - WHERE SHALL WE KEEP ALL OF THE RECORDS?

A - A central location is best. It should be as safe and secure as possible. Such a location contributes to quality control, standard treatment for all employees, making quick comparisons and spotting problems and bolstering the employer's position on potential legal matters.

Q - WHAT ABOUT ALL OF THOSE "PERSONAL NOTES" AND "SATELLITE" PERSONNEL FILES THAT END UP BEING KEPT BY MANAGEMENT?

A - This can be a dangerous practice for a number of reasons:

- *Complaints and legal actions may result in investigators looking through unrelated and inappropriate materials.*
- *Confidential material may be kept there.*
- *Defamatory, harassing and/or discriminatory material may be kept.*
- *Illegal and/or irrelevant information is kept.*
- *Information and items may be a surprise to employees.*
- *Information and items may be a surprise to management.*
- *Satellite storage may not be safe and secure.*
- *The wrong persons may have access.*
- *There can be inconsistency in files and recordkeeping.*

IN CHAPTER FIVE:

- **FEDERAL LAW SUMMARY**
- **DISABILITIES**
- **DISCRIMINATION**
- **DOWNSIZING**
- **INJURIES**
- **HARASSMENT**

5

■ It's the Law

In earlier sections of this handbook we highlighted and summarized key legal and regulatory items. As we noted in Chapter 1, and depicted in Table 1-11, the volume of federal laws as well as legal and regulatory compliance considerations owners and managers are to deal with is increasing at an accelerated rate. Here we will summarize 33 federal employment laws. Following the summaries, information is provided for dealing with aspects of the laws in the practice of human resource management.

It is understood that stores are operated across the United States and that numerous state and local laws come into play. However, owing to the number, diversity and continuing changes in state and local legal and regulatory guidelines, we cannot go into greater detail in this handbook. We will cover the key points, issues and actions that are important for all employers. Owners and managers are referred to the following Internet resources for detailed and current information.

<http://www.dol.gov/esa/programs/whd/state/state.htm>

http://www.law.cornell.edu/topics/Table_Labor.htm

<http://www.dol.gov/elaws/>

This chapter summarizes federal laws. The State Resources Appendix provides state-by-state contact information and resources for state requirements, postings and general state-specific human resource management information.

We caution that the following information is designed to be accurate and authoritative on the federal legislation covered. We also caution that federal laws can be – and frequently are – changed by Congress. The information here is as current as publishing schedules permitted.

It is provided with the understanding that the publisher is not engaged in rendering legal, accounting or other professional service. If legal advice or other expert assistance is required, the services of competent professional counsel should be sought.

FEDERAL LAW SUMMARY

In preparing an updated summary, we chose to present information in concise tabular format. In Table 5-1 federal laws are listed in alphabetical order. The table comprises:

- A reference number to locate

additional information in the summaries in column 1.

- The title of the law
- The year of inception in column 3. Readers may sort the cited laws by date.
- The workforce size by number of employees where the law applies. Readers may sort the cited laws by workforce size with this electronic format of the handbook.

On the following pages, in Table 5-2, are the selected laws by reference number and in alphabetical order. The table is current at this writing; however, users are encouraged to check for updates.

Information for each federal law includes:

- The law's title, date of enactment and number of employees at which the law becomes effective (EE).
- A concise summary of the law
- Consequences for non-compliance
- Applicable materials to be kept in support of the law

Table 5-1

REF. #	LAW	DATE ENACTED	EFFECTIVE AT NUMBER EMPLOYEES
1	Age Discrimination in Employment Act (ADEA),	1967	20 - 49
2	Americans with Disabilities Act (ADA)	1990	15 - 19
3	Consolidated Omnibus Budget Reconciliation Act (COBRA)	1986	20 - 49
4	Consumer Credit Protection Act	1968	1 - 14
5	Contract Work Hours and Safety Standards Act (CWHSSA)	1986	50+
6	Copeland Act	1934	50+
7	Davis Bacon Act	1931	50+
8	Drug Free Workplace Act	1988	50+
9	Employee Polygraph Protection Act	1988	1 - 14
10	Employee Retirement Income Security Act (ERISA) (if company offers benefits)	1974	1 - 14
11	Equal Pay Act	1963	1 - 14
12	Executive Order 11246	1965	50+
13	Fair and Accurate Credit Transactions Act (FACT)	2003	1 - 14
14	Fair Credit Reporting Act	1969	1 - 14
15	Fair Labor Standards Act	1938	1 - 14
16	Family and Medical Leave Act	1993	50+
17	Federal Insurance Contributions Act (FICA) (Social Security)	1935	1 - 14
18	Health Insurance Portability and Accountability Act (HIPAA) (if company offers benefits),	1996	1 - 14
19	Immigration Reform and Control Act	1986	1 - 14
20	Mental Health Parity Act (for employers who offer mental health benefits)	1996	50+
21	National Labor Relations Act	1947	1 - 14
22	Newborns' and Mothers' Health Protection Act	1996	1 - 14
23	Pregnancy Discrimination Act	1978	15 - 19
24	Occupational Safety and Health Act	1970	1 - 14
25	Sarbanes-Oxley Act	2002	1 - 14
26	Service Contract Act	1965	50+
27	Title VII of the Civil Rights Act	1964	15 - 19
28	Uniform Guidelines on Employee Selection Procedures	1978	1 - 14
29	Uniformed Services Employment and Reemployment Rights Act	1994	1 - 14
30	Vietnam-Era Veterans Readjustment Act	1974	1 - 14
31	Vocational Rehabilitation Act	1973	50+
32	Walsh-Healy Act	1936	50+
33	Worker Adjustment and Retraining Notification Act (WARN)	1988	50+

- Duration of retention of materials to be kept in support of the law
- Key human resource management areas which may be affected by the law.

There are seven fundamental HR areas comprising:

- *Employment practices* (considerations in hiring and employee placement)
- *Management practices* (considerations in policies and operating the business)
- *Health, safety and security* (self-explanatory)

- *Compensation and benefits* (considerations of pay, health care benefits and social benefits such as vacation time)
- *Employee and labor relations* (day-to-day dealing with personnel and considerations pertaining to union activity)

- *Human resource development* (often generically referred to as “training”)
- *Staffing and recruitment practices* (considerations of sourcing, screening, interviewing, selecting and recruiting)

A smaller number of businesses may have involvement with government contracts and union contracts. However, because of the changing workforce, the growth of business and expansion of markets served, several applicable laws are included. The HR areas involved are included to alert owners

and managers to the fact a law may have broad impact on an organization and that, in HR management, a variety of areas can be involved in one situation.

Continued on page 5-20

		Table 5-2
1	Age Discrimination in Employment Act (ADEA) of 1967, 20-49EE	
1.1	Summary: Protects workers age 40 and over by prohibiting discrimination against workers 40 and over in any employment or employment-related decision. Key provision is that employers, with few exceptions, may no longer force an employee to retire. Voluntary retirements are permitted; however, specific conditions must be met in order to avoid violation.	
1.2	Non-compliance penalty: Employees may be awarded back pay, reinstatement, retroactive seniority and attorney’s fees. If willful, liquidated damages equal to the amount of back pay may be awarded.	
1.3	Relevant records: Payroll or other, including temporary positions, showing employees’ names, addresses, birth dates, occupations, pay rates and weekly pay. Applications (including temporary employment), personnel records relating to promotion, demotion, transfer, selection for training, layoff, recall or discharge; job advertisements and postings; copies of employee benefit plans, seniority system and merit systems.	
1.4	Records retention: 3yr = payroll or other records with basic employee information. 1yr = applications and other personnel records. Until “final disposition” = all relevant records if charges or lawsuit.	
1.5	HR area(s) impacted: Employment practices Compensation & benefits Human resource development Staffing & recruitment practices	
2	Americans with Disabilities Act (ADA) of 1990, 15 - 19EE	
2.1	Summary: Prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training and other terms, conditions and privileges of employment. Intended to remove barriers which prevent qualified individuals with disabilities from like employment opportunities that are available to persons without disabilities. If an individual’s disability creates a barrier to employment opportunities, the ADA requires employers to consider whether a reasonable accommodation could remove the barrier. Persons have a disability under ADA when they 1) have a physical or mental impairment that substantially limits one or more major life activities, 2) have a record of such impairment or 3) are regarded as having such impairment. A qualified person is one who, with or without a reasonable accommodation, can perform the essential functions of a job. Reasonable accommodations are modifications to a job which allow a person with a disability to perform the job’s essential functions. An employer is required to make a reasonable accommodation to a known disability of a qualified applicant or employee. A reasonable accommodation does not include lower production and quality standards. Also the employer need not provide an accommodation that would impose an “undue hardship” on the business.	
2.2	Non-compliance penalty: With intentional discrimination, employees may seek a jury trial, with compensatory and punitive damages up to the maximum limitations established by the Civil Rights Act of 1991 according the employer’s number of employees: 15-100 employees, a maximum of \$50,000; for 101-200 employees, a maximum of \$100,000; for 201-500 employees, a maximum of \$200,000; and for over 500 employees, a maximum of \$300,000. Remedies of back pay, reinstatement, and retroactive seniority are available for all types of discrimination, whether intentional or disparate impact.	
		<i>Continued on page 5-4</i>

2.3	Relevant records: Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations); requests for reasonable accommodation.
2.4	Records retention: 1yr = from making the record or taking the personnel action. Until “final disposition” = all relevant records if charges or lawsuit.
2.5	HR area(s) impacted: Employment practices Health, safety & security Compensation & benefits Human resource development Staffing & recruitment practices
3	Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, 20-49EE
3.1	Summary: When employees terminate employment, the employee is entitled to continue participating in the company’s group health plan for a prescribed period of time, usually 18 months. (In certain circumstances, such as an employee’s divorce or death, the length of coverage period may be longer for qualified dependents). COBRA is not extended to employees terminated for gross misconduct. If a former employee chooses to continue group benefits under COBRA, s/he must pay the total applicable premium plus a 2% administrative fee. Coverage ceases if the employee fails to make premium payments as scheduled, becomes covered by another group plan that does not exclude pre-existing conditions or becomes eligible for Medicare.
3.2	Non-compliance penalty: Investigate individual state requirements in states where the company does business.
3.3	Relevant records: Provide written notice to employees and their dependents of their option to continue group health plan coverage following certain “qualifying events,” such as the employee’s termination, layoff or reduction in working hours,
3.4	Records retention: Investigate individual state requirements in states where the company does business.
3.5	HR area(s) impacted: Employment practices Management practices Health, safety & security Compensation & benefits Employee & labor relations Human resource development Staffing & recruitment practices
4	Consumer Credit Protection Act of 1968, 1 - 14EE
4.1	Summary: Prohibits employees from being terminated for garnishments for any one indebtedness. Two or more do allow an employer to terminate; however, care should be exercised to prevent disparate impact if the employees being terminated are mostly women and minorities.
4.2	Non-compliance penalty: Fine of up to \$1,000, 1 year imprisonment or both.

Continued on page 5-5

4.3	Relevant records: Investigate individual state requirements in states where the company does business.
4.4	Records retention: Investigate individual state requirements in states where the company does business.
4.5	HR area(s) impacted: Employment practices Management practices Compensation & benefits Staffing & recruitment practices
5	Contract Work Hours and Safety Standards Act (CWHSSA), 50+EE
5.1	Summary: Requires employers with government contracts to pay laborers and mechanics employed in the performance of the contracts one and one-half times their basic rate of pay for all hours worked over 40 in a workweek. Prohibits unsanitary, hazardous, or dangerous working conditions on federal and federally financed and assisted construction projects. Applies to contracts and federal and federally assisted construction contracts over \$100,000.
5.2	Non-compliance penalty: The Wage and Hour Division (WHD) of the Employment Standards Administration (ESA) within the U.S. Department of Labor (DOL) enforces the compensation requirements of this act, while DOL's Occupational Safety and Health Administration (OSHA) enforces the safety and health requirements.
5.3	Relevant records: Investigate individual state requirements in states where the company does business.
5.4	Records retention: Investigate individual state requirements in states where the company does business.
5.5	HR area(s) impacted: Health, safety & security Compensation & benefits
6	Copeland Act of 1934, 50+EE
6.1	Summary: Pertains to kickbacks from public works employees. "Whoever, by force, intimidation, or threat of procuring dismissal from employment, or by any other manner whatsoever induces any person employed in the construction, prosecution, completion or repair of any public building, public work, or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract of employment, shall be fined..."
6.2	Non-compliance penalty: Fines not to exceed more than \$5,000 or imprisonment of not more than five years, or both.
6.3	Relevant records: Investigate individual state requirements in states where the company does business.
6.4	Records retention: Investigate individual state requirements in states where the company does business.

Continued on page 5-6

6.5	<p>HR area(s) impacted: Employment practices Management practices Compensation & benefits Employee & labor relations</p>
7	<p>Davis Bacon Act of 1931, 50+EE</p>
7.1	<p>Summary: Contracts in amounts of more than \$2,000 to which the U. S. or the District of Columbia is a party involving construction, alteration, or repair of public buildings or public works shall contain a clause setting forth the minimum wages to be paid to various classes of laborers and mechanics employed under the contract. Contractors or their subcontractors are to pay workers employed directly upon the site of the work no less than the locally prevailing wages and fringe benefits paid on projects of a similar character. Congress added prevailing wage provisions to approximately 60 statutes which assist construction projects through grants, loans, loan guarantees and insurance. These involve construction in such areas as transportation, housing, air and water pollution reduction and health. If a construction project is funded or assisted under more than one federal statute, the act's prevailing wage provisions may apply to the project if any of the applicable statutes requires payment of Davis-Bacon wage rates.</p>
7.2	<p>Non-compliance penalty: Determined in case</p>
7.3	<p>Relevant records: For each employee: 1) basic employee data to include name, address, Social Security number, gender, date of birth, occupation and job classification; 2) compensation records to include amounts and dates of actual payment, period of service covered, daily and weekly hours, straight time and overtime hours/pay, fringe benefits paid, deductions and additions.</p>
7.4	<p>Records retention: Three years from the end of the contract.</p>
7.5	<p>HR area(s) impacted: Employment practices Compensation & benefits</p>
8	<p>Drug Free Workplace Act of 1988, 50+EE</p>
8.1	<p>Summary: Act applies to each contract or grant on a case-by-case basis. Requires some federal contractors and all federal grantees to agree they will provide drug-free workplaces as a condition of receiving a contract or grant from a federal agency. This does not apply to those who do not have, nor intend to apply for, contracts/grants from the federal government. This does not apply to subcontractors or subgrantees. Employers need to determine coverage for each federal contract or grant. If the employer has a grant that is covered under the act and a contract that is not, the act does not cover the entire company – only employees working on the covered grant must comply.</p>
8.2	<p>Non-compliance penalty: Contractors or grantees failing to carry out the requirements of the act can be penalized in one or more of the following ways: 1) payments for contract or grant activities may be suspended, 2) contract or grant may be suspended or terminated, 3) contractor or grantee may be prohibited from receiving, or participating in, any future contracts or grants awarded by any federal agency for a specified period, not to exceed five years.</p>
8.3	<p>Relevant records: Investigate individual state requirements in states where the company does business.</p>

Continued on page 5-7

8.4	Records retention: Investigate individual state requirements in states where the company does business.
8.5	HR area(s) impacted: Employment practices Management practices Health, safety & security Staffing & recruitment practices
9	Employee Polygraph Protection Act of 1988, 1 - 14EE
9.1	Summary: Prohibits most private employers from requiring employees or candidates for employment to submit to a lie detector test. Exception: an employer may ask (but not require) an employee to take a polygraph test during conduct of an ongoing investigation into theft, embezzlement or a similar economic loss; or if the employee had access to property that was lost and the employer has a reasonable suspicion that the employee was involved. Employees taking a polygraph test may not be discharged or suffer any other negative consequences solely on the basis of the test, without other supporting evidence.
9.2	Non-compliance penalty: Aggrieved candidates for employment may be re-employed. Aggrieved employees may be awarded reinstatement, promotion, back pay, and benefits. An aggrieved action must be brought within 3 years of the alleged violation.
9.3	Relevant records: Polygraph test results and the reasons for administering.
9.4	Records retention: 3yr = polygraph test results and the reasons for administering.
9.5	HR area(s) impacted: Employment practices Management practices Employee & labor relations Staffing & recruitment practices
10	Employee Retirement Income Security Act (ERISA) of 1974 (if offer benefits), 1 - 14EE
10.1	Summary: Sets requirements for the provision and administration of employee benefit plans. These plans include health care benefits, profit sharing and pension plans. ERISA requires organizations meeting certain criteria to file Form 5500 annually disclosing basic information about each benefit plan, such as plan expenses, income, assets and liabilities. Filing is with the Internal Revenue Service.
10.2	Non-compliance penalty: Willful violations result in criminal and civil penalties.
10.3	Relevant records: Related records including summary plan descriptions, annual reports and reports of plan termination.
10.4	Records retention: 6yr = related records, summary plan descriptions, annual reports and reports of plan termination.
10.5	HR area(s) impacted: Compensation & benefits

Continued on page 5-8

11	Equal Pay Act of 1963, 1 - 14EE
11.1	Summary: Prohibits discriminating between men and women by paying one gender more than the other “for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.”
11.2	Non-compliance penalty: 2yr = back pay and liquidated damages in an amount equal to back pay 3yr = back pay if action was willful, and liquidated damages in an amount equal to back pay
11.3	Relevant records: Investigate individual state requirements in states where the company does business.
11.4	Records retention: Investigate individual state requirements in states where the company does business.
11.5	HR area(s) impacted: Employment practices Management practices Compensation & benefits Employee & labor relations Staffing & recruitment practices
12	Executive Order 11246 of 1965, 50+EE
12.1	Summary: Prohibits federal contractors from discriminating against employees on the basis of race, color, religion, gender or national origin. Similar to the Civil Rights Act and has the further requirement that federal contractors with contracts exceeding \$50,000 and a workforce of more than 50 employees maintain an affirmative action plan regarding the utilization of people in the protected classes.
12.2	Non-compliance penalty: Employer’s contract may be suspended or cancelled and employer may be declared ineligible to compete for future federal contracts.
12.3	Relevant records: Preparation of an affirmative action plan (AAP) for minorities and women. Applications and other personnel records that support employment decisions (e.g. hires, promotions, and terminations) are considered “support data” and are to be maintained.
12.4	Records retention: Annual = AAPs must be updated. 1yr = if less than 150 employees or contract is less than \$150,000. 2yr = AAPs and documentation of good faith efforts. 2yr = personnel or employment records.
12.5	HR area(s) impacted: Employment practices Compensation & benefits Human resource development Staffing & recruitment practices

Continued on page 5-9

13	Fair and Accurate Credit Transactions Act (FACT) of 2003, 1 - 14EE
13.1	Summary: Provisions impacting the credit reporting system and prevention of identity theft require that any persons who maintain or otherwise possess consumer information coming from consumer reports for a business purpose must properly dispose of such information by taking “reasonable measures” to protect against unauthorized access to or use of the information in connection with its disposal. “Prescreened” solicitations sent to consumers are required to contain a simple and easy-to-understand notice providing information about the offer and instructions on how consumers can opt out of receiving future offers by calling a toll-free telephone number or writing to a specified address.
13.2	Non-compliance penalty: Organizations may be examined for compliance to protect the safety and soundness of system institutions and to assist the Federal Trade Commission if material non-compliance is evident. Failing to obey the shredding provisions can result 1) in civil liability where an employee can recover actual damages from his/her employer for all damages incurred from identity theft, 2) statutory damages of up to \$1,000 per employee, 3) an employer may open itself to class action liability if a large number of employees are affected, 4) federal fines of up to \$2,500 for each violation and 5) state fines of up to \$1,000 per employee.
13.3	Relevant records: Consumer credit reports.
13.4	Records retention: Employers with one or more employees are to shred any and all documents that contain information derived from a credit report.
13.5	HR area(s) impacted: Employment practices Compensation & benefits Staffing & recruitment practices
14	Fair Credit Reporting Act of 1969, 1 - 14EE
14.1	Summary: Employers need to evaluate and monitor employee credit problems. If they use credit reports to do so and deny employment on the basis of a credit report, employers are to notify the applicant and to provide the name and address of the consumer reporting agency used.
14.2	Non-compliance penalty: Penalties include actual damages, punitive damages and attorneys’ fees.
14.3	Relevant records: Investigate individual state requirements in states where the company does business.
14.4	Records retention: Investigate individual state requirements in states where the company does business.
14.5	HR area(s) impacted: Employment practices Compensation & benefits Staffing & recruitment practices

Continued on page 5-10

15	Fair Labor Standards Act (FLSA) of 1938, 1 - 14EE
15.1	Summary: Covers public agencies and businesses engaged in interstate commerce or providing goods and services for commerce. Provides guidelines on employment status, child labor, minimum wage, overtime pay and recordkeeping requirements. Determines which employees are exempt from the act (not covered by it) and which are non-exempt (covered by the act). Establishes wage and time requirements when minors can work. Sets the minimum wage that must be paid. Mandates when overtime must be paid.
15.2	Non-compliance penalty: Employers willfully or repeatedly violating the act may be penalized up to \$10,000 per violation. Second convictions can impose \$10,000 and/or imprisonment up to 6 months.
15.3	Relevant records: Payroll or other records containing following for each employee: 1) employee's name, home address, date of birth (if under 19 years of age), gender and occupation; 2) time of day/day of week for beginning of workweek; 3) regular hourly rate of pay or other basis of payment (hourly, daily, weekly, piece rate, commission on sales, etc.); 4) daily hours worked and total hours for each workweek; 5) total daily or weekly straight-time earnings (exclusive of overtime premiums); 6) total additions to and deductions from wages for each pay period; 7) total wages per paid period; 8) date of each payment of wages and the period covered by the payment; 9) basic employee data such as name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation; 10) dates of leave taken by eligible employees (appropriate leave must be designated as FMLA leave); 11) for intermittent leave taken, the hours of leave; 12) copies of employee notices and documents describing employee benefits or policies and practices regarding paid and unpaid leave; 13) records of premium payments of employee benefits; 14) records of any dispute regarding the designation of leave; 15) for executive, administrative and professional employees or those employed in outside sales, employers are to maintain records showing the basis on which wages are paid in enough detail to permit calculations of the employee's total remuneration and perquisites, including fringe benefits.
15.4	Records retention: 3yr = for above collateral.
15.5	HR area(s) impacted: Employment practices Management practices Compensation & benefits Staffing & recruitment practices
16	Family and Medical Leave Act (FMLA) of 1993, 50+EE
16.1	Summary: Employees who meet minimum service requirements (12 months employed by the company with 1,250 hours of service in the preceding 12 months) may take up to 12 weeks of unpaid leave for: (1) a serious health condition, (2) to care for a family member with a serious health condition, (3) the birth of a child or (4) the placement of a child for adoption or foster care. There are 6 general categories to consider to determine if an employee (or their family member) has a serious health condition. Selection of the category is made by the employee's (or family member's) doctor on the "Certification of Health Care Provider" form. Reasons #3 and #4 are considered family leave; therefore, there is no medical issue attached to the request for leave. In such case the certification form does not need to be completed, although the employee must usually provide at least 30 days advance notice before the leave is to begin.

Continued on page 5-11

	<p>FMALA extends leave coverage to families of service members under certain circumstances. Covered employers must extend FMLA protected leave to: 1) family members caring for injured service members and 2) family members who face a “qualifying exigency” (to be defined by the Department of Labor) arising out of a spouse, child, or parent being called to active duty in the Armed Forces. An employee who qualifies for leave to care for an ill or injured family service member may take up to six months off. Employees who qualify for leave because an immediate family member has been called to active duty may take up to 12 weeks off from work. Service member FMLA runs concurrent with traditional FMLA leave and any other leave entitlements provided under federal, state or local law.</p> <p>Employers are to: 1) permit eligible employees to take up to 12 weeks of unpaid leave for identified circumstances; 2) provide continued health benefits during leave; 3) restore employees to the same position upon return from leave (or to a position with the same pay, benefits and terms and conditions of employment) and 4) appropriately notify employees of their rights and responsibilities under the act. Employees may take 12 weeks of leave in 1) one block of time, 2) in smaller blocks as needed (intermittent leave), or 3) on a reduced work schedule (i.e. part-time for 24 weeks). Employers may need to rearrange the duties of other workers or hire a temporary to cover the responsibilities of a worker on leave.</p> <p>Employers are entitled to reasonable notice and may exercise some control in cases of intermittent or reduced work schedule leave. Employers have responsibility to designate leave as FMLA leave, whether the employee mentions FMLA or not. Employees are to be promptly notified that leave will be counted as FMLA leave so as to limit the total amount of time the employee may be away from work. Employees are responsible to notify the employer of the need for leave and to provide sufficient information so the employer can determine if the leave qualifies. When employees are ready to return from leave, as long as it has not exceeded the 12 week maximum, they are to be restored to an equivalent position with equivalent pay, benefits and terms and conditions of employment (such as work schedule, eligibility for promotions, bonuses, etc.). Normally employers restore the employee to their original position.</p> <p>Employers may not interfere with, restrain or deny any rights provided by the federal FMLA. They may not discharge or otherwise discriminate against anyone who seeks to take or takes FMLA leave, files a proceeding or a lawsuit under FMLA or testifies or otherwise participates in FMLA-related proceedings.</p>
16.2	<p>Non-compliance penalty: Employees may recover back pay and benefits with interest and be granted reinstatement and/or promotion. Attorney’s fees and costs may be awarded.</p>
16.3	<p>Relevant records: Employee data including 1) name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation; 2) dates of leave used where leave is designated as FMLA leave; 3) in cases of intermittent leave, the hours of leave; 4) copies of employee notices and documents describing employee benefits or policies and practices regarding paid and unpaid leave; 5) records of premium payments of employee benefits and 6) records of any dispute regarding the designation of leave.</p>
16.4	<p>Records retention: 3yr = collateral above.</p>
16.5	<p>HR area(s) impacted: Employment practices Health, safety & security Compensation & benefits</p> <p style="text-align: right;"><i>Continued on page 5-12</i></p>

17	Federal Insurance Contributions Act (FICA) of 1935 (Social Security), 1 - 14EE
17.1	<p>Summary: Employers are responsible for several federal, state, and local taxes and must withhold certain taxes from the employees' pay checks: federal income tax withholding (FITW), Social Security and Medicare taxes (FICA) as well as federal unemployment taxes (FUTA). Employers are to withhold and deposit the employee's part of the taxes and pay a matching amount. Employers are to report federal income taxes, Social Security, and Medicare taxes on Form 941, Employer's Quarterly Federal Tax Return. Federal unemployment tax is part of the federal and state program under the Federal Unemployment Tax Act (FUTA) that pays unemployment compensation to workers who lose their jobs. FUTA tax is reported and paid separately from FICA and FITW. FUTA tax is paid only from an organization's own fund. Employees do not pay this tax or have it withheld from their pay.</p>
17.2	<p>Non-compliance penalty: Investigate individual state requirements in states where the company does business.</p>
17.3	<p>Relevant records: Records containing the following for each employee: 1) employee data to include name, address, Social Security number, gender, date of birth, occupation and job classification; 2) compensation collateral including amounts and dates of actual payment, period of service covered, daily and weekly hours, straight time and overtime hours/pay, annuity and pension payments, fringe benefits paid, tips, as well as deductions and additions; 3) tax records to include amounts of wages subject to withholding, agreements with employees to withhold additional tax, actual taxes withheld and dates withheld, reasons for any difference between total tax payments and actual tax payments and withholding forms such as W-4, W4-E.</p>
17.4	<p>Records retention: 4yr = from date tax is due or tax is paid.</p>
17.5	<p>HR area(s) impacted: Management practices Compensation & benefits</p>
18	Management Practices and Accountability Act (HIPAA) of 1996 (if company offers benefits), 1 - 14EE
18.1	<p>Summary: Enhances health care "portability" from one employer to another via procedures for new hires and for existing employees who are leaving the company. New employees may use evidence of previous health care coverage provided by their former employer to reduce or eliminate the new employer's pre-existing condition requirements (within 63 days of the loss of prior coverage). Employees leaving a company must be provided a certificate of prior creditable health care coverage to use similarly. Provisions regarding restrictions on pre-existing conditions, special enrollment rights and protections against discrimination are included. Subject employers are required to provide a notice of the patient's privacy rights as well as a notice of the privacy practices of a covered entity. Providers who are providing treatment to patients are to make a good faith effort to obtain the patient's written acknowledgment of the notice.</p>
18.2	<p>Non-compliance penalty: Penalties for non-compliance are \$100 per day for each affected employee. Actions against non-complying plans may be brought both by participants and by the Department of Labor.</p>
18.3	<p>Relevant records: Investigate individual state requirements in states where the company does business.</p>
18.4	<p>Records retention: Investigate individual state requirements in states where the company does business.</p>

Continued on page 5-13

18.5	HR area(s) impacted: Employment practices Health, safety & security Compensation & benefits
19	Immigration Reform and Control Act of 1986, 1 - 14EE
19.1	Summary: Prohibits employment of persons not legally authorized to work in the United States or in an employment classification that they are not authorized to fill. Using the I-9 form, employers must certify within three days of employment the identity and eligibility to work of all employees hired. Prohibits discrimination in employment-related matters on the basis of national origin or citizenship. Discriminatory actions include, but are not limited to, requesting additional documents beyond those required, refusing to accept valid documents or consider an applicant who is suspected of being an illegal alien or harassing or retaliating against employees for exercising their rights under the law.
19.2	Non-compliance penalty: Civil fines of \$100 to \$10,000 per violation for recordkeeping and employment violations. Back pay/front pay and attorney's fees for discriminatory actions. Criminal penalties may be imposed for repeated violations.
19.3	Relevant records: I-9 form.
19.4	Records retention: 1yr = I-9 forms following termination. 3yr = I-9 forms following and during employment.
19.5	HR area(s) impacted: Employment practices Compensation & benefits Human resource development Staffing & recruitment practices
20	Mental Health Parity Act of 1996 (for employers who offer mental health benefits), 50+EE
20.1	Summary: For employers with mental health benefits: prohibits group health plans and insurance companies offering mental health benefits from setting annual or lifetime limits on mental health benefits which are lower than those limits set for other conditions. Two exemptions to this law are: 1) it does not apply to employers with 2 to 50 employees or 2) to group health plans where costs would increase one percent or more as a result of compliance.
20.2	Non-compliance penalty: \$100 per day for each day a failure occurs.
20.3	Relevant records: Investigate individual state requirements in states where the company does business.
20.4	Records retention: Investigate individual state requirements in states where the company does business.
20.5	HR area(s) impacted: Compensation & benefits

Continued on page 5-14

21	National Labor Relations Act (NRLA) of 1947, 1 - 14EE
21.1	Summary: Establishes employees' right to form, join, and assist labor organizations and to bargain collectively with their employers. Enforced by the National Labor Relations Board (NLRB) with a body of decisions and regulations from the board which form an extensive set of standards for electing and decertifying unions, for negotiating bargaining agreements and for defining activities as fair or unfair labor practices.
21.2	Non-compliance penalty: Violations are addressed by the National Labor Relations Board, and a wide variety of penalties may be applied, depending on the type of violation.
21.3	Relevant records: Consult bargaining agreements and collateral materials.
21.4	Records retention: Investigate individual state requirements in states where the company does business.
21.5	HR area(s) impacted: Employment practices Management practices Health, safety & security Compensation & benefits Employee & labor relations Human resource development Staffing & recruitment practices
22	Newborns' and Mothers' Health Protection Act of 1996, 1 - 14EE
22.1	Summary: Requires a minimum length of hospital confinement associated with childbirth. Applies to health plans and health insurance companies that provide hospital stays for childbirth in their policies. Provides that coverage for a hospital stay following a normal delivery may not be limited to less than 48 hours for both the mother and newborn and for a Cesarean section not less than 96 hours. Prevents health plans from charging greater deductibles, coinsurance or other cost sharing measures for benefits relating to hospital stays for childbirth.
22.2	Non-compliance penalty: \$100 per day for each day a failure occurs.
22.3	Relevant records: Investigate individual state requirements in states where the company does business.
22.4	Records retention: Investigate individual state requirements in states where the company does business.
22.5	HR area(s) impacted: Compensation & benefits
23	Pregnancy Discrimination Act of 1978, 1-14EE
23.1	Summary: Amended Title VII such that pregnant women are treated the same as other employees who are disabled. Employer policies for taking leave, health benefits during leaves and reinstatement after leave are to apply equally to pregnant women and other employees. <i>Continued on page 5-15</i>

23.2	<p>Non-compliance penalty: Intentional discrimination = employees may seek a jury trial, with compensatory and punitive damages up to the maximum limitations established by the Civil Rights Act of 1991 according the employer’s number of employees: 15-100 employees, a maximum of \$50,000; for 101-200 employees, a maximum of \$100,000; for 201-500 employees, a maximum of \$200,000; and for over 500 employees, a maximum of \$300,000. Remedies of back pay, reinstatement and retroactive seniority are available for all types of discrimination, whether intentional or disparate impact.</p>
23.3	<p>Relevant records: Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations), including records for temporary or seasonal positions. See Title VII.</p>
23.4	<p>Records retention: 1yr = from making the record or taking a personnel action. See Title VII.</p>
23.5	<p>HR area(s) impacted: Employment practices Health, safety & security Compensation & benefits Staffing & recruitment practices</p>
24	<p>Occupational Safety and Health Act (OSHA) of 1970, 1 - 14EE</p>
24.1	<p>Summary: “General duty clause” guideline requires most employers to maintain a workplace that is free from recognized hazards that would cause injury or death to employees. Covered employers must comply with OSHA workplace safety and health standards that apply to their workplaces. Employers are to 1) maintain a log of certain injuries and illnesses, 2) report certain deaths and multiple hospitalizations and 3) post supplementary records on an annual basis. Employers may not discharge employees who refuse to do a job that, by their reasonable apprehension, places them at risk of injury or exposes them to a hazardous workplace condition.</p>
24.2	<p>Non-compliance penalty: Civil penalties up to \$1,000 for individual violations; up to \$10,000 for repeated and willful violations; back pay and reinstatement for employees who suffered discrimination.</p>
24.3	<p>Relevant records: 1) Records related to medical exams along with toxic substances and blood-borne pathogen exposure, 2) log of occupational injuries and illnesses, 3) supplementary record of injuries and illnesses, 4) post a completed annual summary of injuries and illnesses (OSHA No. 300A). Note: In general, hardware stores are not required to keep workplace injury and illness records; lumber and building material stores, distributors and manufacturers are; state OSH laws may have other requirements.</p>
24.4	<p>Records retention: 5yr = records of job-related injuries and illnesses. 30yr + employee job tenure = records related to medical exams along with toxic substances and blood-borne pathogen exposure.</p>
24.5	<p>HR area(s) impacted: Health, safety & security</p>
25	<p>Sarbanes-Oxley Act of 2002, 1 - 14EE</p>
25.1	<p>Summary: Increases accountability of corporations to their shareholders as a result of accounting scandals. Many financial</p> <p style="text-align: right;"><i>Continued on page 5-16</i></p>

	<p>considerations are not relevant to HR matters; however, two have impact. 1) Whistleblower protection provisions prevent public companies from discriminating against whistleblowing employees and give whistleblowers a private right of legal action. Employees are protected if they reasonably believe a violation of federal securities law, rules or regulations of the Securities and Exchange Commission or any provision of federal law relating to fraud against shareholders has been committed. For employee protection, the employee must report the violation to a federal agency, a member of Congress, any person with supervisory authority over the employee or any person working for the company who has the authority to investigate, discover, or terminate misconduct.</p> <p>2) The 401(k) blackout provision is intended to give plan participants and beneficiaries 30 days notice when they cannot a) direct or diversify assets credited to their accounts or b) obtain loans or distributions for a period of three consecutive business days. If the blackout period prevents at least 50% of the plan participants from engaging in transactions involving company stock held in their accounts, directors and executive officers of the company may not engage in trading involving company stock held outside the plan during the blackout period. Notice is to include a) the reason for the blackout, b) identification of the investments, c) participant rights that are affected, d) expected beginning date, e) length of the blackout period and f) a statement that participants should review their investment decisions in light of their inability to direct or diversify their accounts during the blackout period.</p>
25.2	<p>Non-compliance penalty: Whistleblowers = violators subject to criminal penalties including fines and imprisonment to 10 years. 401(k) = plan administrators failing to provide the blackout notice may be fined up to \$100 a day per affected participant or beneficiary.</p>
25.3	<p>Relevant records: Investigate individual state requirements in states where the company does business.</p>
25.4	<p>Records retention: Investigate individual state requirements in states where the company does business.</p>
25.5	<p>HR area(s) impacted: Management practices Compensation & benefits</p>
26	<p>Service Contract Act (1965), 50+EE</p>
26.1	<p>Summary: Provides labor standards for certain persons employed by federal contractors to furnish services to federal agencies and for other purposes.</p>
26.2	<p>Non-compliance penalty: Enforcement proceedings may be instituted by the associate solicitor for fair labor standards or a regional solicitor by issuing a complaint and causing the complaint to be served upon the respondent. An administrative law judge will notify parties of the time and place for a hearing</p>
26.3	<p>Relevant records: Investigate individual state requirements in states where the company does business.</p>
26.4	<p>Records retention: Investigate individual state requirements in states where the company does business.</p>
26.5	<p>HR area(s) impacted: Management practices</p>

Continued on page 5-17

27	Title VII of the Civil Rights Act of 1964 15 - 19EE
27.1	Summary: Prohibits discrimination in almost every employment circumstance on the basis of race, color, religion, gender, pregnancy or national origin. In general, encourages employers to consider only objective job-related criteria in making employment decisions. Noted classes of individuals are considered “protected” under Title VII because of the history of unequal treatment which has been identified in each class.
27.2	Non-compliance penalty: Intentional discrimination = employees may seek a jury trial, with compensatory and punitive damages up to the maximum limitations established by the Civil Rights Act of 1991 according the employer’s number of employees: 15-100 employees, a maximum of \$50,000; for 101-200 employees, a maximum of \$100,000; for 201-500 employees, a maximum of \$200,000; and for over 500 employees, a maximum of \$300,000. Remedies of back pay, reinstatement and retroactive seniority are available for all types of discrimination, whether intentional or disparate impact.
27.3	Relevant records: Applications and other personnel records (e.g. promotions, transfers, demotions, layoffs, terminations), including records for temporary or seasonal positions. Filing of an annual EEO-1 Report (for federal contractors with 50 or more employees, non-contract employers with 100 or more) is required.
27.4	Records retention: 1yr = from making the record or taking a personnel action. Current = EEO-1 Report must be retained. Until “final disposition.” = where a charge or lawsuit is filed, all relevant records must be kept
27.5	HR area(s) impacted: Employment practices Health, safety & security Compensation & benefits Staffing & recruitment practices
28	Uniform Guidelines on Employee Selection Procedures of 1978, 1 - 14EE
28.1	Summary: Pertains to use of interviewing, testing, training and other employee selection tools and their impact on discrimination based on race, color, religion, sex or national origin. Focus is adverse impact, measured by the 80% test, which states that if a selection practice yields less than 80% of a protected group as compared to the most frequently selected group, there may be evidence of discrimination.
28.2	Non-compliance penalty:
28.3	Relevant records: Employers are required to maintain records on their selection procedures and any adverse impact noted, as well as records of the employer’s workforce broken down by race and ethnic groups.
28.4	Records retention: Unspecified time = records on their selection procedures and any adverse impact noted, as well as records of the employer’s workforce broken down by race and ethnic groups.
28.5	HR area(s) impacted: Employment practices

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	<p>Management practices Health, safety & security Compensation & benefits Employee & labor relations Human resource development Staffing & recruitment practices</p>
29	Uniformed Services Employment and Reemployment Rights Act of 1994, 1 - 14EE
29.1	<p>Summary: Replaces the Veterans' Reemployment Rights Act and generally prohibits employers from discriminating based upon past, present or future membership in a uniformed service (including periods of voluntary training and service). Specifically: 1) prohibited is discrimination in employment, job retention and advancement; 2) employers are to provide retraining opportunities; 3) requires health care and pension benefits to continue during leave; 4) permits an employee to take military leave up to five years; 5) provides additional protection for disabled veterans; 6) requires employees to provide notice of their need for leave; and 7) requires service members to notify their employers of their intention to return to work. Persons reemployed after military service are generally required to a) be allowed to return to work, b) returned to all the benefits and c) credited with seniority they would have had if they had remained continuously employed.</p>
29.2	<p>Non-compliance penalty: Back pay and benefits and liquidated damages (if conduct was willful).</p>
29.3	<p>Relevant records: Investigate individual state requirements in states where the company does business.</p>
29.4	<p>Records retention: Investigate individual state requirements in states where the company does business.</p>
29.5	<p>HR area(s) impacted: Employment practices Management practices Compensation & benefits Human resource development</p>
30	Vietnam-Era Veterans Readjustment Act of 1974, 1 - 14EE
30.1	<p>Summary: Contracts in the amount of \$25,000 or more entered into by employers with any department or agency for the procurement of personal property and non-personal services (including construction) for the United States are to contain a requirement that the party contracting with the United States shall take affirmative action to employ and advance in employment qualified special disabled veterans, veterans of the Vietnam era and any other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The provisions of this section shall apply to any subcontract entered into by a prime contractor in carrying out any contract for the procurement of personal property and non-personal services (including construction) for the United States.</p>
30.2	<p>Non-compliance penalty: Eligible personnel who believe their rights under any law or regulation relating to veterans' preference have been violated may seek information or file a complaint with the Department of Labor's Veterans' Employment and Training Service (VETS). Complaints must be filed in writing and within 60 days after the date of the alleged violation.</p>

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30.3	Relevant records: VETS-100 form must be filled out annually by all contractors and subcontractors with a federal contract that exceeds \$25,000. This form shows the number of targeted veterans in their work force by job category, hiring location and number of new hires, including targeted veterans hired during the reporting period and the maximum number of employees of such contractor during the period covered by the report.
30.4	Records retention: Annual = VETS-100 form update.
30.5	HR area(s) impacted: Employment practices Compensation & benefits Human resource development Staffing & recruitment practices
31	Vocational Rehabilitation Act of 1973, 50+EE
31.1	Summary: Contracts in excess of \$10,000 entered into by employers with any federal department or agency for the procurement of personal property and non-personal services (including construction) for the United States shall contain a provision requiring that the party contracting with the United States shall take affirmative action to employ and advance in employment qualified individuals with disabilities.
31.2	Non-compliance penalty: Employees may file DOL complaints. DOL will investigate and interview. Mediation may be utilized. Consequences may be specific to complaint findings.
31.3	Relevant records: Investigate individual state requirements in states where the company does business.
31.4	Records retention: Investigate individual state requirements in states where the company does business.
31.5	HR area(s) impacted: Management practices Health, safety & security Compensation & benefits
32	Walsh-Healy Act of 1936, 50+EE
32.1	Summary: In any contract (contracts for materials, etc., exceeding \$10,000) made and entered into by any executive department, independent establishment or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation there shall be included the following representations and stipulations: 1) minimum wages, 2) fringe benefits, 3) overtime, 4) child labor, 5) safety and health, 6) union dues and 7) complaints.
32.2	Non-compliance penalty: Contract terminations and liability for any resulting costs to the government, withholding of contract payments in sufficient amounts to cover wage and fringe benefit underpayments, legal action to recover the underpayments and debarment from future contracts for up to three years.
32.3	Relevant records: Investigate individual state requirements in states where the company does business. <i>Continued on page 5-20</i>

32.4	Records retention: Investigate individual state requirements in states where the company does business.
32.5	HR area(s) impacted: Management practices Health, safety & security Compensation & benefits
33	Worker Adjustment and Retraining Notification (WARN) Act of 1988, 50+EE
33.1	Summary: Requires employers with 100 or more full-time employees to provide 60 days written advance notification of plant closings and mass layoffs to employees, bargaining unit(s) and state and local government officials. Plant closings are defined as 1) single site of employment that is permanently or temporarily shut down; 2) shutdown must result in an employment loss of 6 months or a 50% reduction in hours over a 6-month period; and 3) shutdown must impact 50 or more full-time employees during any 30-day period. Mass layoffs are defined as a workforce reduction at a single employment site that impacts either 1) at least 33% of full-time employees and 2) at least 50 full-time employees; or 3) at least 500 employees. Notice is to be in writing and provided 60 days in advance to employees (mailed to their last known address or enclosed with their paycheck), the employees' bargaining unit, the state dislocated worker unit and the chief elected official of the governmental body where the plant closing or layoff will occur. Limited circumstances exemptions to WARN may be available.
33.2	Non-compliance penalty: Employers are liable for back pay and lost benefits, including medical expenses which would have otherwise been paid, for up to 60 days, as well as attorneys' fees. Class action suits are specifically allowed; however, punitive damages will not be awarded.
33.3	Relevant records: Investigate individual state requirements in states where the company does business.
33.4	Records retention: Investigate individual state requirements in states where the company does business.
33.5	HR area(s) impacted: Employment practices Compensation & benefits

Continued from page 5-3

DISABILITIES

Americans with Disabilities Act (ADA)

- Most complaints are filed by current employees as opposed to new applicants.
- Common disabilities cited include back-related issues, diabetes and heart, mental and neurological issues.
- Disability means a mental or physical impairment that substantially limits one or more of the major life activities of a person, or a record of such impairment; or being regarded as having such an impairment (for example, being obese, cosmetically disfigured or perceived as being at high risk of having a work-related injury).
- Persons with AIDS are protected under the act. Persons with contagious diseases who do not pose a direct threat to others are protected.
- Persons with infectious or communicable diseases that are transmitted through handling of food and which cannot be reasonably accommodated

- may be refused an assignment or continued assignment where food is handled.
- Rehabilitated drug addicts and alcoholics are considered disabled under the law.
- Excluded disabilities comprise current use of illegal drugs, bisexuality, compulsive gambling, exhibitionism, homosexuality, kleptomania, pedophilia, pyromania, transsexuality, transvestitism and voyeurism.
- ADA does not preempt any existing state or federal laws.
- Employers are not permitted to use employment tests or similar selection tools which tend to screen out persons with disabilities unless the test is related to the job and consistent with business necessity.
- Applicants or employees are expected to advise employers of their need for accommodation. Employers are required to make reasonable accommodations to the known physical or mental limitations of a qualified person unless such would impose an undue hardship (significant difficulty or expense) on the organization.
- Reasonable accommodation may include making existing facilities used by employees readily accessible to the disabled. Also included are reassignment, flexible work schedules, obtaining or modifying equipment or devices, examination modifications, training materials and policy modifications, qualified readers and interpreters provisions.
- If a person requires reassignment to another position, the incumbent on that job need not be “bumped.”
- Pre-employment inquiries about a person’s disability status are prohibited by ADA. Employers may give a conditional offer of employment and evaluate suitability for the job if all entering employees are treated the same, medical information gathered is held confidential and examination results are handled in accordance with the ADA.
- Pre-employment drug screening examinations are permitted under the ADA. They are not considered medical examinations.
- Employers may conduct medical examinations of current employees and inquire about their disability status as long as the questions and examinations can be shown to be job related and proven as a business necessity. Again, information should be

Sample Letter to the EEOC

(YOUR COMPANY) LETTERHEAD PAPER

Date

Name of person sending you the charge

Title

Address

City, State, ZIP

Re: (Cite the charge and any identifying information)

Dear Mr./Ms. (Name of person sending you the charge)

I am representing (your company) in this matter. I will investigate the allegations indicated in the charge and respond on behalf of (your company). All communications regarding this case should be directed to me. (Please make sure mail addresses, phone and/or fax numbers or other means of contact are included.)

Respectfully

(Your name)

(Your title)

kept confidential and not used to discriminate.

- Employers are required to alert applicants and employees of the provisions of the ADA. Posting of federal notices is required and there may be local and state provisions for certain postings. It is strongly recommended that employers seek competent advice from appropriate sources to determine what postings may be required.

We have emphasized the ADA. What do employers need to do to comply with the law? Here are the key points:

- Look for, identify and evaluate physical impediments. Possible physical barriers should be removed or altered in a manner to grant access to all persons.
- Review and redefine existing job descriptions. Disabled persons are considered qualified if, with or without a reasonable accommodation, they can perform the essential elements of the job.
- Review the essential functions in job descriptions and evaluate them with the following in mind:
 - *Evaluate exactly what skills are required for the job.*
 - *Determine what specific duties go along with those jobs.*
 - *Establish how much flexibility is required of a specific job.*

Ensure that job descriptions:

- *Include the most consistent and important aspects of the job.*

- *Are not exaggerated.*
- *Are realistic.*
- Review application forms making sure there is no discriminatory language.
- Follow closely and consistently guidelines for medical examinations.
- Determine if in-use pre-employment tests should be eliminated or used differently under the ADA.
- Put in place a communications and training program to address employee issues.
- Make sure training programs are equally accessible to all participants.
- Consider carefully how reasonable accommodations are handled.

For assistance, you may contact the Job Accommodation Network (JAN) which is a federally funded service giving advice concerning available accommodations. They can be reached at (800) 526-7234.

DISCRIMINATION

Title VII and others

Try though we may, sometimes we are not able to avoid charges of discrimination. There are some important actions and considerations for employers when charges are brought. The best plan of action is to check with a legal adviser. Before doing so, you might want to prepare yourself by considering:

- All relevant documents should be collected and reviewed.
- As appropriate, consult an attorney.

- Be attentive to all facts and details.
- Be business-like and professional in all dealings with the EEOC, state and similar agencies.
- Do assert your rights.
- Investigate the matter thoroughly. Facts to determine when we receive a charge:
 - Decide if the charge was filed in a timely manner. If not, alert the EEOC in writing.
 - Determine if the charge specifies the person complaining and the specific nature of the alleged discrimination. If not, then ask the EEOC to give you more information. Make sure you understand the full extent of the complaint. If you do not, ask the EEOC for specifics on the complaint, get answers to who, what, where, when, how and why in the complaint.
 - Note the date of the communication to you and respond promptly. Respond to the EEOC in writing. (See sample letter in this chapter.)
 - Consider certified or similar mail for this kind of letter. Keep a copy of this letter and all correspondence.
 - Determine if you are able to resolve the matter to the satisfaction of the parties. The EEOC often is cooperative in resolving matters to settle the case.
 - Determine what alternatives the EEOC can offer for resolution of the matter.

- Gather your evidence:
 - Assemble and review the complainant's complete personnel file.
 - Gather all other records in the case before any action is taken.
 - Objectively read and review the files and information.
 - Collect all materials written by company representatives including notes and correspondence between the representatives and the person bringing the charge.
 - Collect and review all of your organization's relevant policies and procedures.
 - Determine if there is any additional important information relevant to the case and gather it.
 - Once notice of a charge is received, all records which are relevant must be preserved as a matter of law.
 - Learn about those persons in your organization who made the decisions being cited in the charge and the reasons for their decisions.
- If evidence is gathered by testimony:
 - Assess the credibility of witnesses.
 - Carefully listen to the facts given. Determine if the facts make sense. Clarify the statements until they are clear and make sense.
 - Determine exactly why the person is giving information and what s/he said and did. Collect details and not just characterizations or opinions.
 - Determine if the witnesses were in positions to see and hear what was claimed.
 - Note if there are conflicts in the testimony and attempt to resolve them.
 - When speaking with witnesses, find out if there were others who also could possibly be a witness and who can clarify discrepancies.
- About signed statements:
 - Get them whenever possible.
 - If a written statement is not obtained, take detailed notes.
- Evaluating evidence relating to similar matters:
 - Was the complainant in this case treated differently than others in similar situations?
 - If there was different treatment, why was it so?
 - Find out the type of decision being challenged by the complainant and gather statistics about all relevant decisions.
- Evaluate the motives of the decision-maker:
 - Does anything indicate the decision-maker was discriminatory in other actions?
 - Does anything indicate the decision-maker was discriminatory in other decisions?
- Is there anything in other writing or comments by the decision-maker that indicates s/he demonstrates clear or even subtle discriminatory behavior?
- Regarding confidentiality in the matter:
 - Clarify to witnesses that statements made by them cannot be kept confidential. Regardless, strive to maintain as much confidentiality in handling information and statements as is possible.
- Making formal statements to investigating agencies:
 - Collect documentation for each point made by the complainant. Copy it as appropriate and include it with your response.
 - Give a concise background of your organization indicating the type of business, the number of employees (including full- and part-time, outside salespeople, etc.) and how your business is organized.
 - Give brief information pertaining to the complainant including job title, employment dates, pay history, job descriptions and discipline history in general.
 - Identify and review other instances where the same and/or other decision-makers treated the complainant favorably while employed.
 - Review the matters that led up to the personnel action that brought about the

claim. Based upon your findings, end your statement with a firm denial of the allegations.

- Support your case by comparing it with other situations and actions in your organization where persons were treated similarly.

Women who are pregnant and/or have related conditions must be treated the same as other applicants and employees on the basis of their ability or inability to work.

Women are protected against practices such as being fired or being refused a job or promotion merely because of pregnancy or abortion. Normally, women cannot be forced to go on leave as long as they can still work. (A competent medical professional should make such a determination.)

If other employees who take disability leave are entitled to return to their jobs when they are able to return to work, so are women who have been unable to work because of pregnancy.

Women unable to work for pregnancy-related reasons are entitled to the same disability benefits or sick leave as employees unable to work for other medical reasons.

Health insurance provided must cover expenses for pregnancy-related conditions on the same basis as expenses for other coverage.

Under the employment provisions of the ADA, there may be several defenses if a case arises. As example, the organization may be deemed a religious corporation, association or educational institution or organization where individuals of a particular religion are preferred as employees to perform work in

connection with the mission of the religious entity.

It may be possible to demonstrate that the application of tests, qualification standards and similar selection criteria do not screen out or discriminate against individuals. We need to show that the contested item is consistent with business necessity, is job related and that the job cannot be performed by a reasonable accommodation.

We may show that the employee handles food in his or her work and suffers from an infectious or communicable disease. If the U.S. secretary of Health and Human Services has identified the disease to be one transmitted by handling of food, we may be upheld in disallowing the employee to perform the work.

We might show that the alleging employee poses a direct threat to the safety and health of other individuals in the workplace.

We need to be attentive to the potential for discrimination in hiring. Advise staffing, recruiting and executive search firms of affirmative action and EEO requirements if they are set out for the specific organization.

Do not rely solely upon employee networking and word-of-mouth recruiting.

Make sure minorities and women are considered for accountability assignments. Make sure senior management and executives are accountable and responsible for EEO.

DOWNSIZING

Worker Adjustment and Retraining Notification (WARN) Act

When dealing with the WARN Act (Ref. 33), *disparate impact* is a

hazard and a form of age discrimination where employers appear neutral in the treatment of different groups but are found to have practices that fall more harshly on one group than another and are not a business necessity. This situation does not require proof of discriminatory motive.

Disparate treatment is a form of age discrimination where employers treat some workers better than others based upon, for example, age. If a claim is brought, a plaintiff must prove the employer had discriminatory motives. Downsizing organizations can have devastating effects if mishandled for age discrimination. Employers must plan carefully and evaluate all alternatives to downsizing.

Consider the following when downsizing:

- Be considerate in handling the reduction in force.
- Consider outplacement assistance, severance pay, etc.
- Develop a fair and effective method to appraise employee performance and to rank employees for selecting those to leave.
- Select employees for jobs based only upon their knowledge, skill and ability to perform the specific requirements of the job.
- Identify the job functions which are surplus or unnecessary without naming the employees working in the affected positions.
- If not all employees in the unit are expected to be affected by the reduction in force, still evaluate all employees of the unit before selecting anyone to leave.
- Inside the organization, develop a written list of selection criteria

that is objective, performance-based and well defined.

- Ensure the people responsible for making the decisions understand the policies for your reduction in force and follow set procedures.
- Make out a written list of the business reasons why you will downsize. Include efficiency improvements and economic savings.
- Plan out the people responsible for selecting employees to be affected and establish a decision sequence.

INJURIES

OSHA, ADA and Workers' Compensation

As employers review the legal and regulatory requirements for running their businesses and information summarized in this manual, it may seem that the ADA and workers' compensation guidelines are at odds. ADA says that an employee with a disability may work. Workers' compensation is an avenue for the same employee to not work. ADA is an anti-discrimination law while workers' compensation is a benefits law. As managers, we are left to integrate the two.

Here are a few suggestions:

- As a result of these laws, we may no longer require that an employee returning to work be 100% able to perform the job (note importance of job descriptions.)
- Consider other legal and regulatory factors which may interact with ADA such as FMLA and OSHA.
- Fairly and objectively monitor workers' compensation "light duty" assignments by setting target dates for completion to

ensure they do not become ADA long-term "reasonable accommodation" situations.

- Injured or ill employees who can do the tasks and duties required should be at work, get to work and stay at work. Take the initiative to share the job description with the physician and ask specifically what the employee cannot perform and what restrictions are required. Don't ask merely when the employee can return to work.
- Employers should be prepared to promptly and effectively provide claims personnel with the specific, essential functions of jobs via job descriptions and the company's written policy for return-to-work.
- Remember that employees with an occupational injury are not to be considered disabled automatically under the ADA.
- Understand that both laws are different systems. Awarding an employee a permanent disability does not mean that obligations under ADA disappear.
- We must be familiar with the ADA and be prepared to deal with ADA matters as they come up. The adage "Ignorance is no excuse" applies here.
- We should actively strive to integrate ADA and workers' compensation for compliance, improved employee relations and any possible impact on unions, if they are involved.
- With any employee injury or illness, be prepared to address the ADA with reasonable accommodation in terms of light duty, modified return-to-work, reassigned jobs and similar options.

HARASSMENT

Title VII and related legal and regulatory guidelines

Harassment violates non-discrimination laws. Employers are responsible to maintain a workplace free of harassment. Where necessary, positive action must be taken to eliminate the harassment.

In harassment cases the perspective of the individual claimant's race, color, religion, gender, national origin, age or disability is given consideration. Recently, sexual harassment gained considerable attention. The state of California has enacted assertive laws and procedures for sexual harassment. Owners and managers should investigate local legal and regulatory requirements on harassment. With harassment, the standard is if a reasonable person in the same or similar circumstances would find the challenged conduct intimidating, hostile or abusive.

Unlawful harassment includes creating an intimidating, hostile or offensive working environment. It includes unreasonably interfering with a person's work performance or otherwise adversely affecting a person's employment opportunities.

Employers are liable for supervisors causing harassment regardless of whether the employer knew or should have known of the harassment.

Employers are liable when they knew or should have known of the conduct and failed to take immediate and appropriate action.

Employers are responsible for acts of harassment by co-workers if the employer or supervisor knew or should have known of the conduct but failed to take immediate and appropriate corrective action.

Employers may have liability with non-employees where employers knew or should have known of the conduct and failed to take immediate and appropriate action.

Keeping abreast of and applying legal and regulatory requirements can be a daunting task. However, with the brief summaries in this handbook, resources available via the Internet and competent legal and similar advice, management can effectively work within the legal framework. Laws are path markers to keep us in compliance, to protect us and our employees.

The importance of up-to-date knowledge of laws and regulations is emphasized by a common rule-of-thumb that owners and managers as well as employees are protected by whichever legal or regulatory guideline is more in favor of the company or the employee. A common example is minimum wages. State and municipal “living wage” amounts may be higher than the federal minimum wage. In such cases, the higher, local minimum wage applies.

Initial and continuing training can be a means to keep up-to-date on compliance. We move into Chapter 6 now to explore the fundamentals of training. ■

IN CHAPTER SIX:

- ORIENTATION
- INITIAL EVALUATION PERIOD
- TRAINING FOR NEW EMPLOYEES
- WORK RULES
- CONTINUING LEARNING FOR EXISTING EMPLOYEES
- TRAINING SCHEDULE
- EDUCATION/TRAINING RESOURCES

6

■ Creating a Training Program

ORIENTATION

Once employers have devoted time and effort to sourcing, screening and selecting new employees, they have completed the first step in the typical human resource activity, attracting new employees. The next steps are to retain and motivate these employees.

A critical component of retention and motivation is an effective orientation program. New employees very often find the start of a new position a trying experience. There is much they don't know about the job tasks and responsibilities, the company and its operations, the organization and reporting structure, the operational rules and procedures they should follow and what they are expected to do and not to do.

All new employees want to be successful, and we as employers want them to succeed. A new hire orientation program must be planned and implemented carefully to ensure that success. This program already began with the employment interview when we provided an explanation of the job, salary, benefits and other terms of employment. Prudent owners and managers will double-check that the checklist in Table 6-1 is completed,

understood and signed for, as appropriate, by each new employee on the first day of work.

Completing this checklist clarifies for the new hire the nature of the job and its requirements. It also provides documentation for disciplinary action if such is required.

With acceptance of the job, an employee policy manual can be a helpful tool for the new employee to understand aspects of the job, the company, the business and the industry. A listing of sample employee policy manual topics is included at the end of this chapter.

In developing a new employee program, there are several points that can assist in making it a success:

- Determine if the employee feels at ease and a part of the organization.
- Encourage new employees to share concerns and problems.
- Encourage new employees to ask questions about any information covered in orientation sessions.
- Ensure that all new personnel read the employee policy manual, understand its content and acknowledge, in writing, that they understand the manual.

- Evaluate if new employees can benefit from repeat orientation sessions, more training or assistance in a particular area.
- Encourage new employees to utilize your "open door" policy.
- Praise new employees often for success in their new jobs.
- Frequently review progress-to-date with the employee. Owners and managers should offer constructive criticism, suggestions to avoid mistakes, ideas on how to avoid conflicts and suggestions on how to improve work performance to ensure success.

When employees understand what is required of them and why they are asked to perform activities in a certain way, they have a much greater opportunity for success on the job. Still, corrective and disciplinary action may be required during the evaluation period. Managers need to understand that discipline is designed to "mold and correct" the behavior of employees. Discipline in business is not intended to punish.

Employers should discuss evaluation procedures and considerations with new employees. Review

NEW EMPLOYEE CHECKLIST

Table 6-1

- "At-will" status with no guarantee of employment
- General expectations, standards for performance and behavior guidelines
- Hours of work, working conditions, employment terms and conditions (overtime requirements, extra-duty assignments, breaks or rest periods, lunch time, etc.) and special circumstances
- Organizational policies and procedures, compensation practices (pay rates and ranges, overtime, holiday and shift differential pay, deductions, company discounts, job expense reimbursements, pay advances, etc.), and benefits (medical-dental, life, disability, and workers' compensation insurance, holidays and vacations, sick leave, training opportunities, counseling services, etc.)
- Safety information and precautions
- Specific job requirements and performance review considerations

specific items to be evaluated and how these items will be measured.

INITIAL EVALUATION PERIOD

Normally, employers establish an initial evaluation period for new employees where they are exposed to the job and evaluated on their performance. Typically, evaluation periods extend to 90 calendar days of work.

Ninety-day evaluation periods often are established to coincide with state unemployment compensation considerations. In some states, if an employee is terminated within the 90-day evaluation period, the terminating organization is not charged for unemployment compensation. The compensation may revert to the prior employer. Employers should consult appropriate sources about local legal and regulatory matters.

Reviewing 90-day evaluation forms as well as standard evaluation forms with employees is helpful for management and employees because it confirms our desire to develop employees. Also, it shows our desire to help employees through advice and formal evaluation.

Three general areas that may be considered for evaluation are:

1. Achievement in work performed
2. Potential for advancement
3. Accomplishment of specific objectives

Management and non-management evaluations differ in their focus on achievement and potential. Non-management evaluation primarily centers on achievement. Management evaluation, on the other hand, includes information on achievement and contains more detail on potential for advancement.

Typical non-management factors may include, among others:

- *Attendance*
- *Cooperation*
- *Dependability*
- *Initiative*
- *Planning work*
- *Quality of work*
- *Quantity of work*
- *Safety*
- *Versatility*
- *Work skills*

Management evaluation factors may include, among others:

- *Accepting responsibility*
- *Controlling costs and operations*
- *Directing and developing employees*

- *Flexibility*
- *Interpersonal skills*
- *Job knowledge*
- *Judgment and decision-making*
- *Oral and written skills*
- *Planning and organizing work*
- *Thinking constructively*

Any evaluation to indicate whether a person has the characteristics necessary for success on the job should be based on as comprehensive criteria as possible. Employers may select alternative and/or additional items to the above, as appropriate. These factors can be determined and evaluated adequately during a 90-day evaluation period. Usually, achieving specific goals is not a consideration for the initial evaluation period. Rather, it is an aspect to be considered when the new employee is more established in the job.

As we noted, supervisory personnel should evaluate and assist new employees as frequently as possible to ensure the person's success. Key considerations include:

- Identifying unacceptable behavior early-on is most effective.
- Promptly identifying performance problems and assisting in corrective action.

For routine, brief evaluations, oral review is helpful.

For overall evaluations and at appropriate times, evaluations should be written, reviewed with the employee and retained in appropriate files.

Ample time should be allowed for the employee to correct behavior.

If a 90-day evaluation period is in effect it would be appropriate to have a formal, written evaluation approximately at 60 to 70 days into the period.

Oral evaluations and assistance can be weekly, bi-weekly, at the end of projects and monthly. Managers must use discretion for the most effective schedule.

When evaluating early employee performance, managers must be aware of employee rights. These rights may be the result of laws, traditions or nature and must be taken into account in disciplinary actions. Successful owners and managers are those who are fair, firm and consistent in administering policies and procedures.

Employee rights are offset by employee obligations to be accountable for actions. Again, when employees know and understand their obligations, they can best meet their obligations and they are best held accountable for their actions.

Throughout the evaluation period and thereafter, employers must be aware of laws involving employment-at-will. If such is in effect in the state of employment, the employer has the right to hire, fire, promote or demote unless there is specific law or a contract. Still, even during the evaluation period, managers should make every effort to retain employees by correcting misbehavior. An investment of time, effort and expense here makes good business sense. Although a reason may not be needed in an at-will employment decision, managers must be careful that decisions do not violate federal, state or local laws.

Opportunity for training, development and education during the orientation period brings benefits to the business as well as the employee. Following are key considerations for an effective new employee orientation program.

DEVELOP A FORMAL PLAN AND MONITOR ITS PROGRESS

Answer these questions:

- Is there a genuine need for the training?
- Who needs to be trained?
- Who will be the trainer?
- In what form will the training be presented?
- How will workers transfer the new knowledge to their jobs?
- How and who will evaluate the training?

Determine the objectives for the program in terms of the new employee, the employee's supervisor and the business as a whole.

Identify barriers, issues and solutions for a successful program.

Decide the duration and what can be effectively covered in the timeframe.

Identify and prepare the persons to be involved in the orientation/evaluation process.

Determine and/or develop the manuals, handbooks and handouts to be used and issued to employees.

Develop effective checklists for orientation/evaluation periods.

Determine areas where there were past successes in orienting employees and utilize what worked.

EVALUATE YOUR PROGRAM AND MODIFY AS NEEDED

Mostly, we will be training adult learners. There are five key points we should consider to enhance adult learning:

- Adults need to know why they are being taught the material.
- Adults prefer to be more self-directed in their work.
- Adults use more work-related experience as they go through the learning process.
- Adults prefer a problem-centered approach to learning.
- Adults are motivated by their own internal desire to master something as well as by outside factors such as the need to learn new skills for the job, peer pressure, licensing requirements, etc.

Determine what, how much and how often follow-up is required.

Select and prepare rooms appropriately for orientation and other training sessions.

Identify and watch for key indications that a new employee is having difficulty. Conversely, identify what works best and apply it again.

Review your programs repeatedly and routinely to keep them current, accurate and effective.

Select effective evaluation methods and tools to critique orientation and new employee evaluation period programs.

Highlight how new employees will be integrated into the workforce and culture of the organization.

Plan a full department tour and a company-wide tour to help the new employee understand how his/her role is important and how s/he makes a contribution.

Benchmark your orientation and evaluation period programs with those of other companies in your community and your industry.

NEW EMPLOYEE ORIENTATION

Table 6-2

TYPICAL HUMAN RESOURCES RESPONSIBILITIES

Developing and monitoring the orientation program and checklists
Evaluating orientation programs
Explaining employee benefits
Installing the employee in the payroll system

TYPICAL SUPERVISORY AND MANAGEMENT RESPONSIBILITIES

Evaluating new employee performance
Introducing the new employee to other employees
Preparing co-workers to welcome and assist the new employee
Presenting the job overview and work rules

ENSURE CRITICAL CONTENT IS INCLUDED IN THE PROGRAM

Determine what items are to be presented orally, what must be in written form.

Include topics that protect the new employee and those that protect the organization, such as legal and regulatory requirements, i.e., EEOC, OSHA, ADA, and others.

Use charts, guides, audio/video tapes, CDs, online sources etc. to ensure consistent, accurate information is given.

Use experts and qualified personnel to present certain topics, e.g. employee benefits where organization representatives are not permitted to advise on benefits selections.

Vary delivery techniques to ensure material addresses all learning styles.

Provide opportunity and encouragement for new employees to ask questions.

Effective new employee orientation and evaluation period programs bring bottom-line value.

- Productivity is improved.

- Turnover is reduced.
- Comprehensive and consistent understanding of the company and the markets served leads to customer satisfaction.
- Favorable new employee impressions are created.
- Interpersonal acceptance of new employees is enhanced.

New employee orientation is a shared responsibility between those responsible for human resource management matters and the managers and supervisors for whom the new employee works. Often senior managers take on the responsibility for planning and developing the training (the typical human resource responsibility) and supervisors take on the delivery responsibility.

Generally this leads to more effective planning and delivery, spreads training tasks over a wider staff so it is not so burdensome and enables several people to be involved in training to ensure comprehensive topic coverage and shared expertise. These two general divisions are shown in Table 6-2.

TRAINING FOR NEW EMPLOYEES

Key to an effective orientation process, and indeed the success of new employees on the job, is a clear and comprehensive understanding of the business. In the excitement of a new employee joining a business and with all that needs to be accomplished, it is easy to miss some important items and topics along the way. Inadvertently skipping some points is even more likely if there has been a lapse of time since the employee joined the company.

Table 6-3 is a simple checklist of orientation items that should be reviewed, completed, included in employee records and clearly understood by the new employee. To assist employers, the items covered and presented are broken into a two-day listing to parallel the typical first two days of an orientation period.

This checklist is presented more to highlight items to cover than to establish a schedule. The schedule depends upon the worksite, activities of the day and the time of day. Employers will add to and delete items on this listing as appropriate.

NEW EMPLOYEE ORIENTATION CHECKLIST

Table 6-3

FIRST DAY OF WORK: DATA COLLECTION

Important information for employee records and key points for new employee to know promptly. Complete upon new employee first reporting if this has not already been done.

Name
Starting and period ending dates
Department
Employee number
Job title
Supervisor's name and title
Employee sign-off on accuracy and understanding of information (affirms completion of all items)
Supervisor responsible for orientation sign-off on accuracy and understanding of information (affirms completion of all items)

FIRST DAY: SUPERVISOR'S GENERAL ORIENTATION (TYPICAL RESPONSIBILITIES)

Job introduction

Familiarize with job material and equipment
Familiarize with safety equipment
General explanation of job and how it fits in the over-all company
Review accident reporting
Review job description
Review safety policies

Job overview

Co-worker introductions
Department tour
Organization tour

Handling emergencies

Fire
Medical
Power
Weather
Other

Worksite

Dress codes and special items
Employee lockers and personal items storage
Restroom facilities
Telephones and usage
Transportation and parking

FIRST DAY: HUMAN RESOURCES AND ADMINISTRATION RESPONSIBILITIES

First day afternoon

Organization overview

Organization business units
Organization charts and employee directory
Organization history

Hours of work

Mealtime and breaks
Policies for overtime
Time worked reporting and recording
Work start and finish times, preparation time

Pay

SECOND DAY: HUMAN RESOURCES AND ADMINISTRATION RESPONSIBILITY

Human resources policies

Complaints, concerns and grievances
Drug and alcohol programs
Equal employment opportunity
Harassment

Health care benefits

Disability
Group health
Life insurance
Workers' compensation

Social benefits

Activities and employee programs
Civic duty leave
Clubs and memberships
Family and medical leave
Funeral leave
Personal leave
Sick leave
Vacation and holidays
Other

Retirement programs

Pension plans
401(k)

Generally the orientation period is one where there is considerable on-the-job training, supervisory guidance and assistance, suggestions and help from co-workers and individual review of written materials and procedures. Businesses vary on how,

when, where and by whom to present the initial orientation.

One typically overlooked method of new employee orientation is mentoring. Mentoring is a long-term, future-oriented developmental

process in which an experienced manager aids a subordinate in developing the skills and abilities necessary to succeed in the job. This is usually an informal, one-on-one arrangement that can serve as an early identification

and correction of problems and an early identification of high-potential employees.

The emphasis in any such program is on enhancing the level of satisfaction of the new hire and the mentor to speed up learning opportunities and effectiveness with which new hires feel comfortable in the business, add value to the company and improve retention rates.

A successful mentoring program requires training in the intellectual, emotional, interpersonal and tactical aspects of effective mentoring. It is not to be taken lightly and training of mentors should be provided before such a program is implemented. However, once in effect, it can be a powerful retention tool.

WORK RULES

Most employers have rules of conduct. Normally these are formalized in writing, communicated and distributed to employees. It is good practice to include these rules in employee manuals and identify penalties that may be imposed if rules are broken. Similarly, it is good to identify the steps that will be followed in administering discipline.

There are several aspects to developing and administering effective work rules.

Be flexible and consider all factors in a disciplinary matter.

Consider a system for handling complaints or disputes.

Develop and follow equitably a review procedure to give both management and employees opportunity to present the facts.

Have a top manager or executive approve decisions to terminate an employee.

Ensure all employees are informed about the rules. Monitor employees in rule compliance. Monitor management in rule enforcement.

Plan, develop and implement firm and fair procedures for enforcing your rules.

Plan, develop and implement a firm and fair set of rules for employee conduct.

- *State rules in writing.*
- *Use simple and clear terms that all employees can understand.*

Teach management how to hand out fair and consistent discipline.

Train management in the company's discipline policies.

In Chapter 9 we discuss discipline more in-depth. Sample infractions are included there.

CONTINUING LEARNING FOR EXISTING EMPLOYEES

In today's fast-paced business world, one thing is certain — change. Adapting to change requires a lifelong learning mindset. As owners and managers, we can foster a learning mindset in our employees through continuing learning programs.

There are five basic areas to consider in any continuing learning program:

- *Technical skills*
- *Interpersonal skills*
- *Product and service knowledge that is specific to your company, products and customers*
- *Customer knowledge*
- *Personal skills*

All are critical to the success of the business as well as personal success for the employee.

There are various delivery methods for the five basic areas cited above. On-site classes and seminars, manuals, video programs, online training programs, Webinars and in-person demonstrations, attendance at conferences and markets, group projects and case studies are but a few.

Another method, cross-discipline training, is probably one of the best, for it often results in better communication among departments and more strategic personnel management decisions. Cross-discipline training helps managers plan for the future, provides immediate replacement for short-term vacancies, is a cost-effective aid to planning and scheduling, helps employees identify their particular interest areas and gives the employee a better understanding of the overall operations of the company.

Effective continuing learning for existing employees is based on a needs assessment of the business and an inventory of the skills and competencies of the employees. The programming should be tailored to meet the individualized needs and interests of employees and the needs of the owner or manager to meet business goals.

Wherever possible, employees should be involved in all phases of continuing learning — planning, implementing, participating and evaluating.

By implementing continuing learning programs, we reap an added benefit for employee loyalty. By presenting such programs we make it clear to employees that the company is making an investment in the employee him/herself.

In the field of continuing learning there are actually three general approaches:

TRAINING

This is often more along the line of skills building and familiarization with specific details of products and procedures. An example may be a vendor updating store personnel on new methods and equipment for computer matching of paint colors. Training focuses more on the “how” of a topic.

EDUCATION

More formalized and often presented in a classroom format, education provides students with the conceptual and theoretical aspects of a topic. Programs presented in a store or a classroom on merchandising may fall into the category of education. Education relates heavily to the “why” of a topic.

DEVELOPMENT

As almost a cross between training and education, development provides practical topics routinely needed to get a job done. It provides specific skills, often through example and practice, and it summarizes some of the basic concepts behind the topic taught. Programs in management are an example where various techniques for dealing with people are presented along with specifics of certain tasks such as how to close the store cash drawer daily and how to close the books monthly. Development gives an overview of the “how and why” of a function. This handbook is primarily a development tool.

With these three approaches in mind, owners and managers can more accurately determine the type of training needed. Moreover, they can more effectively search for and locate resources for the programs needed. With so many products and services available throughout the

home improvement/hardware industry, often owners and managers go directly to product vendors for skills training.

Hardware/home improvement industry associations are a logical first step to look for programs as well as professionals who can assist and guide owners and managers to additional resources. The advantage to these programs is that they are specific to the hardware/home improvement industry.

At the end of this chapter we have included a selected listing of non-industry specific resources that provide training, education and development programs and materials. In this listing, we provide important areas for training and human resource management, vendor names, the primary location from which the vendor operates and a contact phone number. Owners and managers may click on the vendor name to initiate a hot link to summary information. The hot link is supported by the American Society for Training and Development (ASTD)

Before jumping into contacting numerous resources, let’s consider some of the planning aspects of this broad field of training so we can better assemble our programs.

TRAINING SCHEDULE

Scheduling is an important aspect of any continuing education program. Unless the training is planned in advance and scheduled appropriately, it can fail miserably.

Of paramount importance in any training program is that continuing education should not be left to chance. It must occur routinely. Employees should know that, for example, once every quarter, they will be expected to attend a workshop, seminar or training program, be asked to view an educational video/CD or complete a self-study course. Employees can work with their supervisors to plan an

appropriate schedule to coincide with the business’s needs, the employee’s areas for development and the employee’s interests.

The timing of training sessions may be of concern to employers. Many managers schedule training sessions during normal work hours. Under federal wage-hour law, these sessions must be counted as hours worked. If the training is scheduled before or after the normal workday, care should be taken to ensure that attendance is clarified for employees.

If attendance at the training session is mandatory, the time must be considered as hours worked.

If attendance at the session is voluntary, time need not be counted as hours worked. It is imperative, however, that with voluntary attendance, employees must not perceive their absence will adversely affect their employment.

Training often is above and beyond the normal work activity. Therefore, it is important to keep certain considerations in mind.

Lecture-type sessions should last no longer than one hour. Discussion groups and the like may be longer if periodic breaks are scheduled. Training professionals find that adult learning is more successful in frequent, shorter sessions than in fewer, longer sessions.

Learning occurs best when training groups have 20 or fewer members.

Whenever possible, the training should be activity-based, i.e. employees should become involved in the session via discussions, demonstrations, small group or hands-on activities, etc.

EVALUATION OF TRAINING

Training is successful when it contributes to improved employee performance in

the workplace. Unfortunately, training often does not immediately result in improved performance. Managers must allow sufficient time for employees to implement strategies learned in training, modify previous practices and realize the value of their own progress.

Objective measurements may be used as pre- and post-assessments to determine each training course's effectiveness. In-person interviews or training evaluation forms may be completed by attendees after each training session. See pages 6-30 and 6-31 for effective program/course evaluation forms. There are two types of forms which can be used as appropriate for your company. Finally, managers may conduct cost-benefit analyses to measure the value received.

RECORDKEEPING

Recordkeeping is another integral part of the scheduling process. Records provide documentation that training was completed, the timing of the training, any follow-up activity needed and an individual's progress. Moreover, thorough documentation may be an especially invaluable defense against a business liability claim for failure to train. It is also critical for OSHA-mandated training. For the convenience of owners and managers, a sample attendance sheet and a certification of completion template are included. The certificates can be edited and printed on 8 1/2"x 11" paper. Users can usually purchase certificate paper stock at local office supply stores.

REWARDS

Finally there are the rewards. There are the rewards to the business for what the employee can contribute and the rewards to the customer with the new knowledge and information learned.

More important is the sense of accom-

plishment the employee realizes in completing a training program and the new confidence the person brings to his/her job. The value of this can not be overlooked, and, in fact, should be publicized and communicated to the employee and others with certificates, letters of congratulations or public recognition in local newspapers. To many employees this recognition is of paramount importance.

SPECIAL SCHEDULING CONSIDERATIONS

A special consideration for scheduling may be dealing with part-time employees such as high school, vocational or other students. Such students, anxious to develop a career, are a valuable resource of future employees. The prudent employer can train the student in the specific requirements of the job and the business and can develop the student in the ways best suited for the company. It is a tremendous opportunity to instill work values.

Work-study programs benefit both the student and the employer. The student learns to apply course studies to real-life situations and the employer can open a new channel for interested, well-trained candidates. An added benefit is the positive community and customer relations inherent in such a program.

To promote work-study programs, employers should stress the valuable on-the-job training, experience and career guidance given to the student.

Work-study programs generally fall under the domain of state and local governmental agencies. Employers must check with authorities on what are permissible hours of work, duration of work and wages.

Note: Under the federal wage-hour laws, full-time students employed by retail, school or agricultural employers may be paid 85% of the minimum wage; distributive education or vocational education students and learners

may be paid 75% of the minimum wage. Employers must apply for and be authorized by the Department of Labor to pay sub-minimum wages.

EDUCATION/TRAINING RESOURCES

Audio-visual training is becoming more and more common in business today. The limits on time and costs of on-site trainers can be overcome by using pre-recorded programs presented by professionals. Audio-visual aids include digital video discs (DVDs), television, 35mm slide/tape programs, and various films; online resources are also valuable.

Commercial organizations publish descriptive brochures about these tools and lend, rent or sell their products directly to users. Owners and managers may make direct contact with ASTD at www.astd.org. A second helpful organization for training resources as well as general HR topics is the Society for Human Resource Management (SHRM), www.shrm.org, which contributed materials to the listing at the end of the chapter.

The local library can be an invaluable resource for materials. Most libraries have a wide selection of audio-visual training appropriate for businesses of all types. Brochures and summaries can be found in the library.

Organizations should take time and care to evaluate training resources. Providers are eager and accustomed to responding to requests for proposals (RFPs) for training. It is prudent for organizations to prepare RFPs to assist them in selecting training materials. Proposals from vendors need not be lengthy or complex. In the Appendix you will find a concise, two-page RFP format which may be adapted and/or adopted and forwarded to potential vendors.

We now move to Chapter 7 where we use many of the tools discussed here to develop our employees. ■

SELECTED PROVIDERS OF TRAINING SERVICES

AREA	PROVIDER
Assessment	<i>ALeSys (Applied Learning Systems, Inc.)</i> Alachua, Florida 386.462.5562 <i>Baker & Daboll, LLC - Executive Coaching</i> Cincinnati (Mason), Ohio 513.339.1007 <i>Bernard Hodes Group</i> New York, New York 888.438.9911 <i>BEST Instruments, LLC</i> Niceville, Florida 850.678.7623 <i>CCi Assessment Group International</i> Edina, Minnesota 952.944.3738 <i>ClientSkills LLC</i> Littleton, Colorado 978.640.0906 <i>DecisionWise, Inc.</i> Provo, Utah 801.374.6232 <i>Envisia Learning</i> Santa Monica, California 310.452.5130 <i>Examiner Corporation, The</i> St. Paul, Minnesota 651.451.7360 <i>Hogan Assessment Systems</i> Tulsa, Oklahoma 918.749.0632
Apprenticeship & internship	<i>Task Trainers, Inc.</i> Freeport, Illinois 815.563.4634
Business development	<i>Caras Training</i> Lynnfield, Massachusetts 978.531.2022 Ext: 55 <i>Janek Performance Group, Inc.</i> Las Vegas, Nevada 800.979.0079 <i>Lore International Institute</i> Durango, Colorado 970.385.4955 <i>Martin Training Associates</i> Cincinnati, Ohio 513.563.3512 <i>Richardson</i> Philadelphia, Pennsylvania 215.940.4255
Business etiquette	<i>BRODY Professional Development</i> Jenkintown, Pennsylvania 215.886.1688 <i>Telephone Doctor Customer Service Training</i> St. Louis, Missouri 314.291.1012
Career development	<i>CCi Assessment Group International</i> Edina, Minnesota 952.944.3738 <i>IPAT, Inc.</i> Savoy, Illinois 217.352.4739

	<p>Nova Southeastern University Education & Human Services North Miami, Florida 954.262.8513</p> <p>CCi Assessment Group International Edina, Minnesota 952.944.3738</p> <p>IPAT, Inc. Savoy, Illinois 217.352.4739</p> <p>Nova Southeastern University Education & Human Services North Miami, Florida 954.262.8513</p> <p>Crystal Point Solutions, Inc. New York, New York 212.340.9040</p> <p>iB4e Sharpsburg, Georgia 770.463.2232</p> <p>Joyce A. Kozuch, Ph.D. Arlington, Virginia 703.243.1052</p> <p>Martin Training Associates Cincinnati, Ohio 513.563.3512</p> <p>Metrus Group Somerville, New Jersey 908.231.1900</p> <p>OFFICE DYNAMICS Las Vegas, Nevada 702.360.4904</p> <p>OKA (Otto Kroeger Associates) Fairfax, Virginia 703.591.6284</p> <p>OnPoint Consulting New York, New York 203.254.2193</p> <p>Spencer Johnson Partners Provo, Utah 801.655.0200</p>
Change management	<p>Baker & Daboll, LLC - Executive Coaching Cincinnati (Mason), Ohio 513.339.1007</p> <p>Caras Training Lynnfield, Massachusetts 978.531.2022 Ext: 55</p> <p>CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300</p> <p>DecisionWise, Inc. Provo, Utah 801.374.6232</p> <p>Envisia Learning Santa Monica, California 310.452.5130</p> <p>Grammar Group (The) Valparaiso, Indiana 219.548.0519</p> <p>IWCC Training In Communications Richmond Hill, ON L4B 1J2 905.764.3710</p> <p>Kravetz Associates Scottsdale, Arizona 480.538.1888</p>

Communication skills	<p>Leadership Training Systems Inc. Tampa, Florida 813.818.1883</p> <p>APREND A Group Ltd. Dallas, Texas 940.725.0057</p> <p>Aptient Research and Training State College, Pennsylvania 814.689.2167</p> <p>ASTD Buyers Guide Alexandria, Virginia 703.683.8100</p> <p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Booher Consultants, Inc. Grapevine, Texas 817.318.6000</p> <p>Caras Training Lynnfield, Massachusetts 978.531.2022 Ext: 55</p> <p>CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300</p> <p>Clusterazzi Reston, Virginia 703.431.6181</p> <p>CONTENTED Wellington 644.384.7106</p>
Conflict management	<p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p> <p>Center for Management Effectiveness, Inc. Pacific Palisades, California 310.459.6052</p> <p>ICONS Project/University of Maryland College Park, Maryland 301.405.4172</p> <p>Management Concepts Vienna, Virginia 703.790.9595</p> <p>Martin Training Associates Cincinnati, Ohio 513.563.3512</p> <p>Negotiating Edge Scotts Valley, California 831.461.1112</p> <p>Thin Book Publishing Co Bend, Oregon 541.382.7579</p> <p>Trainingcontent.com Marco Island, Florida 239.389.2000</p> <p>WORKPOINTS, Inc. Swansea, Massachusetts 508.567.0506</p>
Corporate culture	<p>Nova Consulting, Inc. Bristol, Rhode Island 401.253.1997</p> <p>Thin Book Publishing Co Bend, Oregon 541.382.7579</p>

Customer service	<p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p> <p>American Bankers Association Washington D.C. 202.663.5490</p> <p>APRENDA Group Ltd. Dallas, Texas 940.725.0057</p> <p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Cambridge Consulting Wakefield, Rhode Island 401.782.9222</p> <p>Caras Training Lynnfield, Massachusetts 978.531.2022 Ext: 55</p> <p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>HumanR, Inc. Herndon, Virginia 703.435.5911</p> <p>OFFICE DYNAMICS Las Vegas, Nevada 702.360.4904</p> <p>Pathways to Performance, Inc. Hopkins, Minnesota 763.745.7907</p>
Decision making	<p>Action Management Associates, Inc. Dallas, Texas 972.386.5611</p> <p>Center for Management Effectiveness, Inc. Pacific Palisades, California 310.459.6052</p> <p>Great Circle Learning Marco Island, Florida 239.389.2000</p> <p>Martin Training Associates Cincinnati, Ohio 513.563.3512</p> <p>Trainingcontent.com Marco Island, Florida 239.389.2000</p>
Diversity training	<p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p> <p>Bernard Hodes Group New York, New York 888.438.9911</p> <p>Brightline Compliance, LLC Washington D.C. 202.639.9500</p> <p>CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300</p> <p>Griggs Productions San Francisco, California 415.750.5100</p> <p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p> <p>VisionPoint Des Moines, Iowa 515.334.9292</p>

Electronic learning	<p>ALeSys (Applied Learning Systems, Inc.) Alachua, Florida 386.462.5562</p> <p>Allen Communication Learning Services Salt Lake City, Utah 801.537.7800</p> <p>Allen Interactions Inc. Mendota Heights, Minnesota 651.203.3700 Ext: 703</p> <p>Amy Smith Consulting LLC Vienna, Virginia 703.847.3645</p> <p>ASTD Buyers Guide Alexandria, Virginia 703.683.8100</p> <p>Bodine Training Games LLC Lenexa, Kansas 913.492.7709</p> <p>Business Training Library Chesterfield, Missouri 636.534.1000</p> <p>Chalk Washington D.C. 703.564.7720</p> <p>CONTENTED Wellington 644.384.7106</p> <p>Corporate Training Consultants, Inc. Cary, North Carolina 919.467.0800</p>
Employee opinion surveys	<p>CCi Assessment Group International Edina, Minnesota 952.944.3738</p> <p>DecisionWise, Inc. Provo, Utah 801.374.6232</p> <p>HumanR, Inc. Herndon, Virginia 703.435.5911</p> <p>Kravetz Associates Scottsdale, Arizona 480.538.1888</p> <p>Metrus Group Somerville, New Jersey 908.231.1900</p> <p>SurveyConnect, Inc. Boulder, Colorado 303.449.2969</p>
Employee orientation	<p>Seminars Express Merritt Island, Florida 321.453.8133</p>
Employee rewards	<p>Astron Solutions New York, New York 646.792.2517</p>
Employee selection	<p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>Hogan Assessment Systems Tulsa, Oklahoma 918.749.0632</p> <p>IPAT, Inc. Savoy, Illinois 217.352.4739</p> <p>Metrus Group Somerville, New Jersey 908.231.1900</p>

	<p>Nova Consulting, Inc. Bristol, Rhode Island 401.253.1997</p> <p>Peak Performance Consultants Omaha, Nebraska 402.334.1676</p> <p>EHS Consulting Services, Inc. Gastonia, North Carolina 704.813.8574</p> <p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p> <p>BEST Instruments, LLC Niceville, Florida 850.678.7623</p> <p>CCi Assessment Group International Edina, Minnesota 952.944.3738</p> <p>Examiner Corporation, The St. Paul, Minnesota 651.451.7360</p> <p>Performance Challenges Corporation Toronto, Ontario 416.964.5666</p> <p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p> <p>Baker & Daboll, LLC - Executive Coaching Cincinnati (Mason), Ohio 513.339.1007</p> <p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p> <p>CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300</p> <p>DecisionWise, Inc. Provo, Utah 801.374.6232</p> <p>IPAT, Inc. Savoy, Illinois 217.352.4739</p> <p>Lore International Institute Durango, Colorado 970.385.4955</p> <p>Management Concepts Vienna, Virginia 703.790.9595</p> <p>Nova Consulting, Inc. Bristol, Rhode Island 401.253.1997</p> <p>Power Presentations, Inc. Cleveland, Ohio 440.526.4400</p> <p>American Bankers Association Washington D.C. 202.663.5490</p> <p>APRENDIA Group Ltd. Dallas, Texas 940.725.0057</p> <p>Baker & Daboll, LLC - Executive Coaching Cincinnati (Mason), Ohio 513.339.1007</p> <p>Better Communications® Waltham, Massachusetts 781.895.9555</p>
Environmental training	
Ethics	
Evaluation design & tools	
Executive coaching	
Executive development	

	<p>ClientSkills LLC Littleton, Colorado 978.640.0906</p> <p>DecisionWise, Inc. Provo, Utah 801.374.6232</p> <p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>Envisia Learning Santa Monica, California 310.452.5130</p> <p>Lore International Institute Durango, Colorado 970.385.4955</p> <p>Nova Southeastern University Education & Human Services North Miami, Florida 954.262.8513</p>
Facilitation	<p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p> <p>IWCC Training In Communications Richmond Hill, ON L4B 1J2 905.764.3710</p> <p>Peck Training Allen, Texas 214.495.9499</p> <p>Power Presentations, Inc. Cleveland, Ohio 440.526.4400</p>
Goal setting	<p>TrainingPros Atlanta, Georgia 404.239.0414</p> <p>Loyalty Group (The) Sherman Oaks, California 818.981.8806</p>
Group process skills	<p>OFFICE DYNAMICS Las Vegas, Nevada 702.360.4904</p> <p>Aptient Research and Training State College, Pennsylvania 814.689.2167</p> <p>Cambridge Consulting Wakefield, Rhode Island 401.782.9222</p> <p>Responsive Management Systems® Seattle, Washington 206.523.4603</p>
Influencing skills	<p>Thin Book Publishing Co. Bend, Oregon 541.382.7579</p> <p>APRENDA Group Ltd. Dallas, Texas 940.725.0057</p>
Human resource information skills	<p>OnPoint Consulting New York, New York 203.254.2193</p> <p>PILAT Lebanon, New Jersey 908.823.9417</p>
Interviewing skills	<p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>Kramer Consulting Solutions, Inc. Bernardsville, New Jersey 908.696.1776</p>

Job and task analysis	<p>ALeSys (Applied Learning Systems, Inc.) Alachua, Florida 386.462.5562 Joyce A. Kozuch, Ph.D. Arlington, Virginia 703.243.1052 Task Trainers, Inc. Freeport, Illinois 815.563.4634</p>
Labor management relations	<p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847 The Mulvaney Group, Inc. New York, New York 212.755.2236</p>
Leadership development	<p>Action Management Associates, Inc. Dallas, Texas 972.386.5611 Alexander/Hancock Associates Davidson, North Carolina 704.892.5097 Alpine Link Corporation Breckenridge, Colorado 970.453.4924 ASTD Buyers Guide Alexandria, Virginia 703.683.8100 Baker & Daboll, LLC - Executive Coaching Cincinnati (Mason), Ohio 513.339.1007 BEST Instruments, LLC Niceville, Florida 850.678.7623 Better Communications® Waltham, Massachusetts 781.895.9555 Boston University Corporate Education Center Tyngsboro, Massachusetts 978.649.9731 BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688 Carlson Marketing Worldwide Plymouth, Minnesota 763.212.6948</p>
Legal matters	<p>Brightline Compliance, LLC Washington D.C. 202.639.9500 Cerulean Associates LLC Williamsburg, Virginia 757.645.2864 Fair Measures, Inc. Santa Cruz, California 831.458.6007 Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p>
Listening skills	<p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688 Corporate Training Consultants, Inc. Cary, North Carolina 919.467.0800 Telephone Doctor Customer Service Training St. Louis, Missouri 314.291.1012</p>

Management development	<p>WORKPOINTS, Inc. Swansea, Massachusetts 508.567.0506</p> <p>Action Management Associates, Inc. Dallas, Texas 972.386.5611</p> <p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p> <p>Allwood & Associates, Inc. Mentor, Ohio 440.951.1380</p> <p>APRENDA Group Ltd. Dallas, Texas 940.725.0057</p> <p>Aptient Research and Training State College, Pennsylvania 814.689.2167</p> <p>ASTD Buyers Guide Alexandria, Virginia 703.683.8100</p> <p>Baker & Daboll, LLC - Executive Coaching Cincinnati (Mason), Ohio 513.339.1007</p> <p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Boston University Corporate Education Center Tyngsboro, Massachusetts 978.649.9731</p> <p>Cambridge Consulting Wakefield, Rhode Island 401.782.9222</p>
Management style	<p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p> <p>Pathways to Performance, Inc. Hopkins, Minnesota 763.745.7907</p> <p>Porter Henry & Company, Inc. New York, New York 212.953.5544</p> <p>Teleometrics International Waco, Texas 254.776.2060</p>
Managerial competencies	<p>ClientSkills LLC Littleton, Colorado 978.640.0906</p> <p>Kramer Consulting Solutions, Inc. Bernardsville, New Jersey 908.696.1776</p> <p>Management Concepts Vienna, Virginia 703.790.9595</p> <p>Peak Performance Consultants Omaha, Nebraska 402.334.1676</p> <p>Quest Consulting & Training Corporation Pacific Palisades, California 310.454.2754</p>
Meeting planning	<p>Allwood & Associates, Inc. Mentor, Ohio 440.951.1380</p> <p>Specialty Training Services, Inc. New York, New York 212.628.1188</p>

Mentoring	<p>Nova Consulting, Inc. Bristol, Rhode Island 401.253.1997 Trainingcontent.com Marco Island, Florida 239.389.2000</p>
Motivation	<p>OFFICE DYNAMICS Las Vegas, Nevada 702.360.4904 Peak Performance Consultants Omaha, Nebraska 402.334.1676 Richard Chang Associates, Inc. Lake Forest, California 949.727.7477</p>
Needs analysis	<p>Allen Communication Learning Services Salt Lake City, Utah 801.537.7800 Conger Resources Benicia, California 707.751.1608 Inquestra Learning Mississauga, Ontario 905.338.7316 Kramer Consulting Solutions, Inc. Bernardsville, New Jersey 908.696.1776 Performance Challenges Corporation Toronto, Ontario 416.964.5666 Teleometrics International Waco, Texas 254.776.2060 TrainingPros Atlanta, Georgia 404.239.0414</p>
Negotiation skills	<p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097 APRENDIA Group Ltd. Dallas, Texas 940.725.0057 ICONS Project/University of Maryland College Park, Maryland 301.405.4172 Negotiating Edge Scotts Valley, California 831.461.1112 Porter Henry & Company, Inc. New York, New York 212.953.5544 Richardson Philadelphia, Pennsylvania 215.940.4255</p>
On-the-job training	<p>ABILITY Performance Solutions Oakland, California 510.533.4552 NetOp Tech, Inc. Chicago, Illinois 312.376.0510 Task Trainers, Inc. Freeport, Illinois 815.563.4634</p>
Organization development	<p>Business Management Consultants Houston, Texas 281.440.0455</p>

	<p>ClientSkills LLC Littleton, Colorado 978.640.0906</p> <p>Crystal Point Solutions, Inc. New York, New York 212.340.9040</p> <p>ebb associates Norfolk, Virginia 757.588.3939</p> <p>Joyce A. Kozuch, Ph.D. Arlington, Virginia 703.243.1052</p> <p>Leadership Training Systems Inc. Tampa, Florida 813.818.1883</p> <p>Lore International Institute Durango, Colorado 970.385.4955</p> <p>OKA (Otto Kroeger Associates) Fairfax, Virginia 703.591.6284</p> <p>OnPoint Consulting New York, New York 203.254.2193</p> <p>Pinnacle Performance Improvement Worldwide Wayland, Massachusetts 508.358.8070</p>
Performance appraisal	<p>CCi Assessment Group International Edina, Minnesota 952.944.3738</p> <p>DecisionWise, Inc. Provo, Utah 801.374.6232</p> <p>PILAT Lebanon, New Jersey 908.823.9417</p> <p>Sales Training International The Woodlands, Texas 281.367.5599</p>
Performance management	<p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p> <p>Carlson Marketing Worldwide Plymouth, Minnesota 763.212.6948</p> <p>CCi Assessment Group International Edina, Minnesota 952.944.3738</p> <p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>Element K Rochester, New York 585.214.6327</p> <p>Evoke Development LLC Jacksonville, Florida 904.424.3545</p> <p>HumanR, Inc. Herndon, Virginia 703.435.5911</p> <p>Kramer Consulting Solutions, Inc. Bernardsville, New Jersey 908.696.1776</p> <p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p>

	<p>Loyalty Group (The) Sherman Oaks, California 818.981.8806</p>
Personality instruments	<p>BEST Instruments, LLC Niceville, Florida 850.678.7623</p> <p>IPAT, Inc. Savoy, Illinois 217.352.4739</p> <p>OKA (Otto Kroeger Associates) Fairfax, Virginia 703.591.6284</p> <p>Peak Performance Consultants Omaha, Nebraska 402.334.1676</p> <p>Peck Training Allen, Texas 214.495.9499</p>
Policy development	<p>Cerulean Associates LLC Williamsburg, Virginia 757.645.2864</p> <p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p>
Presentation skills	<p>BEST Instruments, LLC Niceville, Florida 850.678.7623</p> <p>Booher Consultants, Inc. Grapevine, Texas 817.318.6000</p> <p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p> <p>CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300</p> <p>IWCC Training In Communications Richmond Hill, ON L4B 1J2 905.764.3710</p> <p>J-K International Ltd Angel Fire, New Mexico 505.377.6293</p> <p>Peck Training Allen, Texas 214.495.9499</p> <p>Power Presentations, Inc. Cleveland, Ohio 440.526.4400</p> <p>Specialty Training Services, Inc. New York, New York 212.628.1188</p> <p>Stitelman Associates New Haven, Connecticut 203.387.2025</p>
Recruitment & placement	<p>Bernard Hodes Group New York, New York 888.438.9911</p>
Safety matters	<p>Emergency Skills, Inc. New York, New York 212.564.6833</p> <p>PureSafety Nashville, Tennessee 615.367.4404</p>
Sales training	<p>Alexander/Hancock Associates Davidson, North Carolina 704.892.5097</p>

	<p>APRENDA Group Ltd. Dallas, Texas 940.725.0057</p> <p>ASTD Buyers Guide Alexandria, Virginia 703.683.8100</p> <p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Caras Training Lynnfield, Massachusetts 978.531.2022 Ext: 55</p> <p>Carlson Marketing Worldwide Plymouth, Minnesota 763.212.6948</p> <p>Corporate Training Consultants, Inc. Cary, North Carolina 919.467.0800</p> <p>Intrepid Learning Solutions Seattle, Washington 206.838.9363</p> <p>Janek Performance Group, Inc. Las Vegas, Nevada 800.979.0079</p> <p>KLA Group Centennial, Colorado 303.773.1285</p>
Sexual harassment	<p>Brightline Compliance, LLC Washington D.C. 202.639.9500</p> <p>Fair Measures, Inc. Santa Cruz, California 831.458.6007</p> <p>Litigation Management & Training Services, Inc. Scottsdale, Arizona 480.607.5847</p> <p>The Miller Guide -- www.millerguide.com Los Angeles, California 310.475.8800</p> <p>The Mulvaney Group, Inc. New York, New York 212.755.2236</p>
Strategic planning	<p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Great Circle Learning Marco Island, Florida 239.389.2000</p> <p>Intrepid Learning Solutions Seattle, Washington 206.838.9363</p> <p>Metrus Group Somerville, New Jersey 908.231.1900</p> <p>Pinnacle Performance Improvement Worldwide Wayland, Massachusetts 508.358.8070</p> <p>Richard Chang Associates, Inc. Lake Forest, California 949.727.7477</p> <p>Strategic Action Associates Danville, California 925.820.8838</p> <p>Tuck Executive Education at Dartmouth Hanover, New Hampshire 603.646.0206</p>

Stress management	Center for Management Effectiveness, Inc. Pacific Palisades, California 310.459.6052
Succession planning	Kramer Consulting Solutions, Inc. Bernardsville, New Jersey 908.696.1776 PILAT Lebanon, New Jersey 908.823.9417
Supervisory skills	APRENDA Group Ltd. Dallas, Texas 940.725.0057 BEST Instruments, LLC Niceville, Florida 850.678.7623 Responsive Management Systems® Seattle, Washington 206.523.4603 WORKPOINTS, Inc. Swansea, Massachusetts 508.567.0506
Team building	CIRCLES OF EXCELLENCE INC. Dallas, Texas 972.370.1300 Corporate Management Developers, Inc./ Health Management Consultants, Inc. Hollywood, Florida 954.961.1663 EJP Training Dynamics Brockton, Massachusetts 508.583.0918 HRDQ King of Prussia, Pennsylvania Martin Training Associates Cincinnati, Ohio 513.563.3512 Nova Consulting, Inc. Bristol, Rhode Island 401.253.1997 OFFICE DYNAMICS Las Vegas, Nevada 702.360.4904 OKA (Otto Kroeger Associates) Fairfax, Virginia 703.591.6284 Pinnacle Performance Improvement Worldwide Wayland, Massachusetts 508.358.8070 TD Consulting Group White Plains, New York 914.948.8065
Technical skills	ALeSys (Applied Learning Systems, Inc.) Alachua, Florida 386.462.5562 Industrial Training Consultants, Inc. Pelham, Alabama 205.663.4960 Learning Tree International Reston, Virginia 800.843.8733 One Course Source El Cajon, California 858.689.2773 Ext: 27 APRENDA Group Ltd. Dallas, Texas 940.725.0057

Tests	<p>Caras Training Lynnfield, Massachusetts 978.531.2022 Ext: 55 Janek Performance Group, Inc. Las Vegas, Nevada 800.979.0079 Telephone Doctor Customer Service Training St. Louis, Missouri 314.291.1012</p>
Time management	<p>Bodine Training Games LLC Lenexa, Kansas 913.492.7709 Peak Performance Consultants Omaha, Nebraska 402.334.1676</p>
Train-the-trainer	<p>Pathways to Performance, Inc. Hopkins, Minnesota 763.745.7907 ...etc!</p>
Training manuals	<p>Fremont, California 510.304.4476 Heacock, Perez, and Associates Gainesville, Florida 702.270.3407 HRDQ King of Prussia, Pennsylvania IPAT, Inc. Savoy, Illinois 217.352.4739 IWCC Training In Communications Richmond Hill, ON L4B 1J2 905.764.3710 Loyalty Group (The) Sherman Oaks, California 818.981.8806 OKA (Otto Kroeger Associates) Fairfax, Virginia 703.591.6284 Pathways to Performance, Inc. Hopkins, Minnesota 763.745.7907 Peck Training Allen, Texas 214.495.9499 Power Presentations, Inc. Cleveland, Ohio 440.526.4400</p>
	<p>Allwood & Associates, Inc. Mentor, Ohio 440.951.1380 CramerSweeney Instructional Design Mount Laurel, New Jersey 856.787.9100 Ext: 604 EZ-REF Courseware Big Bear Lake, California 909.584.4937 ISC Technology, Inc. Torrance, California 310.618.0200 One Course Source El Cajon, California 858.689.2773 Ext: 27 PCM Courseware Shorewood, Wisconsin 800.693.7040</p>

Training videos	<p>Business Training Library Chesterfield, Missouri 636.534.1000</p> <p>Magnum Group, Inc. Philadelphia, Pennsylvania 215.413.1614</p> <p>Spencer Johnson Partners Provo, Utah 801.655.0200</p> <p>VisionPoint Des Moines, Iowa 515.334.9292</p>
Translation services	<p>International Communication by Design, Inc. Milwaukee, Wisconsin 414.265.2171</p> <p>Magnum Group, Inc. Philadelphia, Pennsylvania 215.413.1614</p> <p>SH3 Translations Kansas City, Missouri 816.767.1117</p> <p>Welocalize Frederick, Maryland 301.668.0330</p>
Web conferencing	<p>Seminars Express Merritt Island, Florida 321.453.8133</p>
Web-based training	<p>ABILITY Performance Solutions Oakland, California 510.533.4552</p> <p>Allen Communication Learning Services Salt Lake City, Utah 801.537.7800</p> <p>Brightline Compliance, LLC Washington D.C. 202.639.9500</p> <p>Chalk Washington D.C. 703.564.7720</p> <p>CONTENTED Wellington 644.384.7106</p> <p>Development Dimensions International (DDI) Bridgeville, Pennsylvania</p> <p>HCI Training Austin, Texas 512.479.7166</p> <p>Inquestra Learning Mississauga, Ontario 905.338.7316</p> <p>Intrepid Learning Solutions Seattle, Washington 206.838.9363</p> <p>ISC Technology, Inc. Torrance, California 310.618.0200</p>
Writing skills	<p>Better Communications® Waltham, Massachusetts 781.895.9555</p> <p>Booher Consultants, Inc. Grapevine, Texas 817.318.6000</p> <p>BRODY Professional Development Jenkintown, Pennsylvania 215.886.1688</p>

CONTENTED

Wellington

644.384.7106

Grammar Group (The)

Valparaiso, Indiana

219.548.0519

ISC Technology, Inc.

Torrance, California

310.618.0200

IWCC Training In Communications

Richmond Hill, ON L4B 1J2

905.764.3710

Manage Your Writing

Indianapolis, Indiana

317.616.1810

Specialty Training Services, Inc.

New York, New York

212.628.1188

Stitelman Associates

New Haven, Connecticut

203.387.2025

TRAINING PROGRAMS FOR HARDWARE/HOME IMPROVEMENT RETAILERS

The North American Retail Hardware Association offers a full range of retail training programs covering product knowledge, project knowledge and sales training. These programs are available online or in traditional paper format. They include online testing.

Full information is available at www.nrha.org or call the NRHA Member Services Department toll-free at 1-800-282-1642.

SAMPLE EMPLOYEE MANUAL POLICY TOPICS

CATEGORY	TOPIC
Benefits	Benefits Coverage for Domestic Partners
"	COBRA Health Care Continuation
"	Flexible Spending Accounts
"	Short Term Disability Benefits
(Employee manuals may reference summary benefits plan documents in lieu of including the details in the manual to facilitate updates)	
Business Expense Reimbursement	Entertainment Expenses
"	Expense Reimbursement Policy
"	Travel Expenses
Compensation	Communicating Salary Rates and Ranges
"	Compensation Program Overview
"	Direct Deposit
"	Overtime Compensation
"	Pay Procedures
"	Shift Premiums
Discipline and Appeals Procedures	Mediation Policy
"	Non-union Dispute Resolution Procedures
"	Progressive Discipline
"	Union Grievance Procedures
Employee Classifications and Status Changes	Employee Classifications
"	Job Sharing
"	Leased Workers
"	Non-exempt and Exempt Employee
"	Promotion
"	Temporary Employees
"	Transfers
Employee Conduct	Alcohol Use and Possession
"	Cellular Phones
"	Dress and Grooming
"	Drug Use and Testing
"	E-Mail and Electronic Communications
"	Employee Attendance
"	Non-business Use of Employer Facilities
"	Physical and Verbal Altercations
"	Smoking
"	Solicitations and Distribution of Literature

CATEGORY	TOPIC
"	Telephone Use
"	Wage Garnishments and Assignments
"	Workplace Searches
Employee Services/Fringe Benefits	Adoption Assistance Plan
"	Child Care Assistance
"	Child Care Referral Service
"	Educational Assistance
"	Elder Care Referral Service
"	Employee Assistance Programs
"	Employee Loan Plans
"	Employee Suggestion Program
"	Employee Wellness Plan
Equal Employment Opportunity	Affirmative Action Plans
"	AIDS Policy
"	Dating Policy
"	Reasonable Accommodations
"	Religious Accommodation
"	Serious Illness or Disability of Employees
"	Sex Discrimination
"	Sexual Harassment
"	Statement of EEO Policy
Ethical Conduct	Conflicts of Interest
"	Entertainment, Gifts, Favors, and Gratuities
"	Outside Employment
"	Political Contributions and Activities
Introduction and Disclaimers	Employment at Will and Contract Disclaimers
"	Welcoming Statement
Layoffs	Layoffs and Workforce Reductions
"	Seniority-based Layoff Policy
"	Temporary Workforce Reductions
Performance Appraisal	Merit Pay and Promotional Increases
"	Performance Appraisal
Personnel Files	Employee Access to Personnel Files
"	External Requests for Employee Information
"	Personnel Information and Employee Privacy
Relocation	Eligibility for Relocation Benefits
"	Homes Sales Assistance

CATEGORY	TOPIC
"	Moving Expenses
"	Spousal and Family Relocation Assistance
Retirement and Post Termination Issues	Noncompete Agreements
"	Separation Agreement and General Release
"	Standard and Early Retirement
Safety and Occupational Health	Accident Investigation
"	Driver Safety
"	Hazard Assessment
"	Hazard Communication Program
"	Lockout/Tagout
"	Refusing Unsafe Work
"	Safety and Health Policy Statement
"	Safety Training
Selection and Hiring	Employee Referrals
"	Employment of Relatives
"	Employment Tests
"	Hiring Policy and Procedures
"	Interviewing Procedures
"	Job Posting Procedures
"	Job Requisitions and Descriptions
"	Immigration Act Requirements for New Hires
"	New Hire Orientation
"	Physical and Medical Examinations
"	Recruitment Policy and Procedures
"	Reference and Background Checks
Termination	Exit Interviews
"	General Policy on Employee Terminations
"	Rehire Policy
"	Resignation
"	Severance Benefits
Time Off and Leaves of Absence	Benefits During Family and Medical Leave
"	Bereavement Leave
"	Family Medical Leave (FMLA) Overview
"	Holidays
"	Jury and Witness Duty Leave
"	Leave for Union Business
"	Leave-Sharing Programs

CATEGORY	TOPIC
"	Military Leave
"	Paid Sick Leave
"	Reemployment Following Military Leave
"	Sabbaticals
"	Vacations
"	Voting Leave
Worker's Compensation	Return-to-Work Policy
"	Workers' Compensation
Working Hours	Compressed Workweek
"	Flextime
"	Telecommuting
"	Meal and Rest Periods
"	Timekeeping
"	Work Schedules
Workplace Security and Emergency Planning	Computer Security
"	Emergency Medical Procedures
"	General Security Policy
"	Internet Use
"	Intranet Use
"	Severe Weather Emergencies
"	Workplace Violence

COURSE EVALUATION

Please rate **(Name)** _____ as presenter, and the presentation, **(Topic)** _____, from 1 to 5 on the following factors, with 1=strongly disagree, 2=disagree, 3=neutral, 4=agree 5=strongly agree.

Por favor evalúe la presentación realizada por **(Nombre)** _____ y la presentación, **(Tema)** _____ de 1 a 5 respecto de los siguientes factores, siendo 1=muy en desacuerdo, 2=en desacuerdo, 3=neutral, 4=de acuerdo, 5=muy de acuerdo.

FACTOR	RATING				
The information provided was valuable. La información provista fue valiosa.	1	2	3	4	5
The information presented was easy to understand. La información presentada fue fácil de entender.	1	2	2	2	5
The presenter was knowledgeable of the topic. La facilitadora demostró su conocimiento de los temas.	1	2	3	4	5
Visual aids used were helpful. Las ayudas visuales empleadas fueron útiles.	1	2	3	4	5
Follow-up information offered through SOI is valuable. La información adicional ofrecida en SOI es valiosa.	1	2	3	4	5
The presenter modeled the behavior advocated. La facilitadora se comportó de acuerdo al modelo presentado.	1	2	3	4	5
I learned something from the presentation. Aprendí algo de la presentación.	1	2	3	4	5
Material presented can enhance my skills. El material presentado puede mejorar mis habilidades.	1	2	3	4	5
Material presented will help me work with prospects/clients. El material presentado me ayudará a trabajar con los clientes actuales/ potenciales.	1	2	3	4	5
My behavior changed/will change as a result of this session. Mi comportamiento se modificó / modificará como consecuencia de esta presentación.	1	2	3	4	5

Additional comments/Comentarios adicionales:

PROGRAM EVALUATION

Program Title _____ **Date** _____
Presenter Name _____ **Started** _____ **AM PM**
Presentation Location _____ **Ended** _____ **AM PM**

Please give an anonymous program evaluation. Rate items by highlighting one number in the columns to the right. One (1) is a low rating and four (4) is a high rating.

Considerations	Opinion			
	Low	—————→	—————→	High
The Textbook/Materials				
The text/materials adequately explain the concepts presented.	1	2	3	4
The text/materials were appropriate for the subject taught.	1	2	3	4
The lessons in the text/materials were too short.	1	2	3	4
The text/materials were adequately readable.	1	2	3	4
The text/material is applicable to my situation.	1	2	3	4
The Presenter				
The presenter provided adequate explanation of textbook/handout materials.	1	2	3	4
The presenter gave the program in an easy-to-understand manner.	1	2	3	4
The presenter provided adequate examples to illustrate key points.	1	2	3	4
The presenter provided ample time for questions and discussion.	1	2	3	4
The presenter is interesting.	1	2	3	4
The Program				
The program taught me how to apply the information presented to me.	1	2	3	4
The program provided ideas on how to handle work-related situations.	1	2	3	4
I can adapt the program material to my work situation.	1	2	3	4
I learned in the program.	1	2	3	4
I enjoyed the program.	1	2	3	4
The Audio/Video				
The audio/video gave adequate explanation of the concepts presented.	1	2	3	4
The audio/video material presented is applicable to my work situation.	1	2	3	4
The audio/video was appropriate for the material being taught.	1	2	3	4
The audio/video lessons are too short.	1	2	3	4
The audio/video is understandable.	1	2	3	4
Overall, I rate the program as:	1	2	3	4

Comments:

EMPLOYEE DEVELOPMENT SEMINAR SERIES

TOPIC PRINTED NAME	DATE/TIME TITLE	PRESENTER SIGNATURE

MODERATOR SIGNATURE _____

Dealing with Sexual Harassment

Name

Has completed an overview of sexual harassment situation management and has demonstrated an appreciation of effective interventions in the functional areas of:

Recognizing sexual harassment, Responding to sexual harassment situations and Dealing with sexual harassment incidents

via a 60 minute course presentation, individual participation, review of practical managerial tools and involvement in questions and answers on considerations and organization-specific examples for effective handling.

Presenter _____ Date _____

EMPLOYEE HARASSMENT PRESENTATION SEMINAR

PHRST & Company

Key Point information for course planning and implementation

PRESENTER(S)

Name: Raymond A. Parker, SPHR
Title: Chairman
Address: 1201 N. Oceanshore Blvd.
Flagler Beach, FL 32136

Organization Name: PHRST & Company, Inc.

Phone: 800-285-8380-code-14

Fax: 704-426-1252

E-Mail: ray.parker@soi.com

Classification: Human Resource Outsourcing Provider

Co-presenter: None

PRESENTATION TITLE

Recognizing, Responding To And Dealing With Harassment

LEVEL

Targeted Audience: Entry through senior level

EARNING OBJECTIVES

At the end of the seminar participants will be able to demonstrate knowledge of two basic types of harassment and provide examples of each by successfully completing a post course quiz.

During the second half of the session participants will demonstrate an understanding of the basic issues and misconceptions about harassment by participating in a frequently asked questions discussion of material presented.

At the conclusion of the session, participants will be able to suggest a variety of strategies for preventing sexual harassment in the workplace, as evidenced by successful performance on a post session quiz.

DURATION / GROUP SIZE / LOCATION / SETUP

Duration is 90 minutes for the base course with a 30 minute "actions" section available. The presentation is most effective for groups of 12 to 20, although larger sessions can be accommodated with less participant interaction. Delivery may be at the worksite or provider-arranged facilities in any major city area. A "U" shape classroom setup is appropriate with presenter accommodations at the front.

METHODOLOGY

Definitions and basic concepts related to sexual harassment will be presented in lecture format. Examples will be provided to illustrate harassment situations. After basic material is presented, attendees will participate in a discussion related to frequently asked questions about harassment. A post course quiz of session material will be given. Successful completion in the class and on the quiz will qualify the participant for receipt of a course certificate.

CEU = 1.0

SESSION FOCUS

A practical tools-of-the-trade approach is utilized to clarify and communicate key points and their application. The objective is to equip attendees with fundamental insight into recognizing, responding to and dealing with harassment in and outside of the workplace. Presentation is applicable to all levels of employees and fulfills management's "general duty" responsibility to inform and acquaint employees with harassment policy and action awareness. Emphasis for supervisory personnel on actions to take is provided in an extended session.

AV/EQUIPMENT NEEDS

Computer projection capability (PowerPoint format), overhead projector back-up capability, projection screen, large group audio address capability, lavalier microphone capability, and sample/handout distribution method/capability.

PROGRAM PRICING

A minimum one half-day fee of \$700.00 is charged with travel, room, board and miscellaneous expenses added at cost. A per-participant fee is not charged. Program recording has an additional fee of \$3,500; the provider reserves all rights.

BIOGRAPHICAL SKETCH

Raymond A. Parker, SPHR, is Chairman for PHRST & Company. Beginning his business career in 1971, he has held senior positions with U.S. Steel, Ryder System, Rodime, ADP, SOI and private companies. Experienced in all areas of HR management, he is author of a text on HR applications. He teaches, writes and speaks extensively and is recognized internationally as an authority on dealing with workplace violence.

(TRAINING TOPIC) PRESENTATION SUMMARY

(Provider Organization Summary)
Key point information for course planning and implementation

PRESENTER(S)

Name: _____

Title: _____

Address: _____

Organization Name: _____

Phone: _____

Fax: _____

E-Mail: _____

Classification: _____

Co-presenter: _____

PRESENTATION TITLE

LEVEL:

Targeted Audience:

LEARNING OBJECTIVES:

1. At the end of the seminar participants will be able to demonstrate
2. During the session participants will
3. At the conclusion of the session, participants will be able to

DURATION/GROUP SIZE/LOCATION/SETUP

Duration _____

Group Size _____

Delivery location _____

(TRAINING TOPIC) PRESENTATION SUMMARY

(Provider Organization Summary)
Key point information for course planning and implementation

METHODOLOGY

SESSION FOCUS

AV/EQUIPMENT NEEDS

PROGRAM PRICING

BIOGRAPHICAL SKETCH

IN CHAPTER SEVEN:

- **CREATING CAREER OPPORTUNITIES**
- **MANAGEMENT TRAINING**
- **PERFORMANCE MANAGEMENT**
- **PERFORMANCE REVIEWS**
- **FREQUENCY OF APPRAISALS**
- **PAY AND APPRAISAL**

7

■ Developing Effective Employees

CREATING CAREER OPPORTUNITIES

To this point in our handbook we have focused generally upon our employees. We have hired them, trained them and developed their various jobs throughout the company. With time, often we begin to recognize that there are employees who want more from their work and those who are willing to put more into their work to make it into an enjoyable and rewarding career.

This circumstance can be very satisfying and rewarding to owners and managers. It is a compliment to us because it reinforces us as leaders. And it can be flattering to us to have employees seek our personal assistance in choosing their steps along a career path. We owe it to our employees to create career opportunities. The results and the rewards are better employees who are interested in doing more and doing better.

By developing employees we are rewarded as owners and managers with growth of the business and increased earnings. With development we give ourselves a competitive edge because of the expanded abilities of our own workforce. An added advantage is that we develop our employees the way we want them perfected in terms of our specific

product lines, business goals and policies and procedures.

Creating career opportunities is creating the opportunity to, and our employees' abilities to, perform a wider variety of assignments. It is going beyond just training in the basics. It is providing opportunity for development. This is a process requiring planning, time, commitment and investment. But the rewards frequently maximize the return on our investment. There are clear differences between training and development as shown in Table 7-1.

Today's work environment is changing, and attitudes toward work are changing. In the past, employees first and foremost were loyal to their employer. Loyalty to the industry then followed with loyalty lastly to the employees themselves. Today, owners and managers may note that the loyalty continuum has changed to the following order: 1) loyalty to one's self; 2) loyalty to the industry; 3) loyalty to the company. It is important to keep this in mind.

As we provide development opportunities, employees can enhance themselves to satisfy this "self loyalty." At the same time, owners and managers can be building the employee's loyalty to the company by providing career enhancement.

In the past, employees often relied upon their boss to provide a career for them. Today, employees more aggressively seek development and often take it upon themselves to get it through changes in occupational fields, varied educational experiences, specific training and personal projects. By providing the opportunity for development within our companies, we give our employees an immediate option.

There is no "best way" to develop employees. There are too many variables that enter into the situation from the perspective of the employee as well as the business. Key questions to consider are:

Are there available and capable training and development people on staff who can assist with internal and external materials and resources?

Do the owners and senior managers support the development?

Is the timing right for a development program in terms of the employee and the organization?

Is there a genuine need and will there be opportunity to practice and apply what is learned?

What are current and future needs of the business?

Table 7-1

TRAINING VERSUS DEVELOPMENT		
BASIC JOB TRAINING	← DIFFERENCES →	CAREER DEVELOPMENT
Short timeframes.	← Duration →	Long timeframes.
Employees learn distinct ways to do things and to act through demonstration.	← Concentration →	Broadening assignment capabilities. Gaining understanding of meanings and concepts. Developing judgment.
Achievement on tests, award of certificates, appraisal ratings and material improvement to cost of work performed.	← Measured by →	Better qualified employees, advancement inside company and deeper and broader ability.

What are the business objectives and the strategic direction of the company?

These questions can help owners and managers perform a basic needs assessment for the development of both non-management and management employees.

Non-management development programs serve the purposes of:

- Increasing employees' knowledge, skills and abilities to perform their jobs more effectively.
- Improving workers' advancement potential into or outside management.
- Assisting personal development in areas not directly related to work at the store.

These purposes contribute to a more productive and loyal workforce. Non-management development resources may include:

- Adult remedial and general education (GED certification, for example)
- Apprentice training
- Customer relations

- Language training
- Office skills
- Retraining and upgrading
- Safety/security training
- Sales training
- Self-development
- Services training
- Specific operations skills
- Total quality management (TQM) programs, such as leadership and team training
- Training for the disadvantaged

MANAGEMENT TRAINING

Many employees think they want to move into management or run their own businesses. But management status is not for everyone. So often we hear of a situation where an employee was "encouraged" to go into a supervisory role because s/he was so good at his/her job as non-management, only to fail because the person did not want to be a manager. Or possibly the

person did not possess the skills to manage other people or operations.

It is important to carefully assess the skills and desires of the chosen employee for management development and then to ensure s/he is given the right assignments.

Among these skills and desires are:

- Ability to set direction and to direct
- Character and temperament to deal with the difficulties in managing
- Dealing with people effectively
- Making decisions
- Training and developing employees
- Flexibility and dealing with uncertainty
- Desire for high activity
- Knowing oneself, confidence and sensitivity to how others see the person
- Skills and technical business knowledge
- Taking responsibility

- Team building

- Values of effective management

The methods and tools for development are wide-ranging.

“ASSISTANT-TO” ASSIGNMENTS

The person serves in a staff role reporting to a manager who can show the person the workings of the job. The person may fill in for the manager for a short time.

Advantage: exposure to superior managers.

Disadvantage: superior managers and opportunities may be limited.

BEHAVIOR MODELING

The person is given the opportunity to observe how another person handles a situation and what behaviors to use.

Advantage: superior skills of effective manager are passed on; relevant experience is given.

Disadvantage: difficult to find good models; critical issues and situations may come up infrequently.

BUSINESS GAMES

The person analyzes a situation and determines the best course of action; similar to “simulation” identified later in this chapter. However, here an actual game situation with fictitious names and situations is bought or made up from outside the organization.

Advantage: activity can be real and may fit into the business environment.

Disadvantage: available games may not be relevant or it may be perceived as “just a game.”

CASE STUDIES

The employee may be in a classroom and go over the application and analysis of a fictitious or real-life situation to gain experience.

Advantage: very applicable experience where actual management is seen.

Disadvantage: there may not be enough information for making the correct decisions.

COACHING

Feedback and training daily from immediate supervisor.

Advantage: job-specific and a common, well-received practice.

Disadvantage: good coaches are difficult to find.

COLLEGE DEGREE PROGRAM ENROLLMENT

Employees take college courses to enhance progress.

Advantage: common practice, gives “status”, accepted method.

Disadvantage: performance is not always improved, costs and availability of relevant programs.

COMPUTER SIMULATIONS

Similar to business games and simulations, but use computer programs.

Advantage: can be real-life situation, transferable to the business and easily accessible at the employee’s own pace.

Disadvantage: can be costly, not on point and possibly perceived as only a game.

DEVELOPMENT IN CLASSROOMS

Formal instruction in a class (similar to college courses).

Advantage: common practice, gives “status”, accepted method.

Disadvantage: performance is not always improved, costs and availability of relevant programs.

DEVELOPMENT ON THE JOB

The person is moved into the job to learn as s/he goes. “(OJT)”– on the job training).

Advantage: experience is relevant. Employee learns the approach and methods which the company wants.

Disadvantage: lack of skills can be overwhelming.

FILM, INTERNET, WEBINARS AND VIDEO AND ONLINE PRESENTATIONS

The employee studies situations, methods and behaviors from prepared situations.

Advantage: self-paced, specific information presented and consistent presentation across all participants.

Disadvantage: programs not on point, cost, impersonal.

INVOLVEMENT WITH TRADE OR PROFESSIONAL ASSOCIATIONS

Programs, presentations and materials supplied through industry-specific trade associations.

Advantage: current, relevant to the industry, often cost effective.

Disadvantage: not enough programs on topics needed.

JOB ROTATION

The person is moved among various jobs not only to fill an imminent need, but also to give an understanding of what is involved in the various jobs.

Advantage: broad exposure to the overall organization, cross-trained cadre of employees.

Disadvantage: takes time to put into operation, seasonal situations affect assignments and not all assignments may be relevant to the employee.

LEAVES OF ABSENCE TO GAIN SPECIFIC TRAINING OR EXPERIENCE

Paid time, e.g.: at a product vendor to learn the product in detail and sometimes to get re-energized.

Advantage: provides development as well as an opportunity away to learn in a different environment.

Disadvantage: costly, difficult to organize relevant experiences and sometimes allows contact with the business to be lost.

LECTURES AND DISCUSSIONS

These may be presented by vendors or by other businesses. Topics may include broad areas such as effective retailing or targeted subjects like endcap merchandising.

Advantage: specific information is learned and new ideas are shared.

Disadvantage: programs may be limited in scope and in availability, plus often it is time away from work at peak times.

MENTORING

Senior managers develop a close helping relationship with new managers to help in the earlier stages of their careers.

Advantage: development is personal and tailored to the specific individual.

Disadvantage: difficult to find good mentors.

ROLE-PLAYING

The person assumes the role of a manager in a particular situation and demonstrates the actions needed on the job.

Advantage: very good for changing attitudes and presenting difficult interpersonal situations.

Disadvantage: participants may be uncomfortable in the situation and there may be difficulty finding the appropriate role model.

SELF-DEVELOPMENT/ SELF-STUDY PROGRAMS

Planning and conducting one's own development through a variety of means.

Advantage: specific to the wants of the employee. The Internet is expanding in this realm.

Disadvantage: development may not be relevant to needs of the business.

SIMULATIONS

The person analyzes a situation and determines the best course of action. Similar to business games, but often real-life situations in the business are recreated for analysis.

Advantage: activity can be real and may fit into the business environment.

Disadvantage: available simulations may not be relevant or it may be perceived as "just a game."

WORK GROUP OR TASK FORCE ASSIGNMENTS

Working on important projects helps the person become acquainted with the organization's policies and processes, key issues about the project and the different personalities of co-workers.

Advantage: situations critical to the business can be worked on; projects are relevant.

Disadvantage: time may be lost because of the "group decision" process often practiced.

Each of these developmental approaches serves a different purpose and enables the manager to select from a variety of resources. In Chapter 6 we listed specific resource providers who are helpful for both management and non-management.

PERFORMANCE MANAGEMENT

Good management is getting people to do what we want them to do in a manner that they want to do it for us. But we need to look at the work being done because it does not usually happen on its own.

We need to:

- Describe the work we want completed.
- Ensure the worker understands the job and level of performance desired.
- Encourage employees to accomplish the job.
- Gauge how well work was done.
- Assess the work.
- Refine where necessary.

APPRAISAL APPROACHES

Table 7-2

No matter what evaluation system is used, the employer is responsible for the final evaluation. This means, for example, if customers rate a male employee more highly than a female because of gender bias, the employer must take that into account or be liable for a charge of discrimination.

360° RATINGS

Growing in popularity is the 360° or multi-source rating. With this method, the source for the performance appraisal is feedback from an employee's peers, co-workers, etc. Ratings are collected from these sources by the supervisor or manager who, in combination with his/her own ratings, compiles a complete picture of an individual's performance. However, when this method is used for disciplinary measures or pay decisions, the multi-source method has the potential for bias. Differing standards among raters, the additional time investment needed and the complexity of involving so many people make this a less effective approach. A 360° evaluation form sample is included in the Appendix.

EMPLOYEES RATING MANAGERS

A less-used method of appraisal in which employees rate their supervisors is popular in a number of organizations today. This approach is common in the academic world where college and university students rate their professors, but with a continuing trend toward higher accountability, more corporate entities may use this system. There are advantages and disadvantages to this method. Its inherent problems — such as fear of reprisals by supervisors, the feeling among employees that appraisals are not part of the employee's job, upsetting the "normal" manager-employee relationship — seem to limit its usefulness. Top executive and manager evaluation tools are included in the Appendix.

OUTSIDE RATERS

In certain instances, an outside expert may be called in to review managers or executive management. Although an expert may provide professional assistance in the appraisal process, there are obvious disadvantages. These include not fully understanding the organization and the time and the expense involved in such a process. In the case of a retail or service organization, customers are the obvious outsider raters. Their reactions may be the best indication of customer satisfaction. They can contribute a unique perspective on employee performance.

RATINGS BY TEAMS/PEERS

Participative management approaches such as total quality management often rely upon this type of appraisal system, since teamwork is emphasized rather than individual performance. Again, there are pros and cons to appraisal ratings by teams or peers, including negative effects on the teamwork efforts. As with the employees rating managers approach, team or peer appraisals, if used, are best utilized for developmental purposes. An intra-departmental evaluation tool is included in the Appendix.

SELF-RATINGS

Self-ratings can be considered developmental tools, forcing employees to consider their strengths and weaknesses. However, since standards among employees and supervisors differ, as an appraisal method, its usefulness is limited to unique situations where an employee is the only one qualified to rate his/her own performance. The method, however, can provide a valuable source of performance information and open a dialog that can pinpoint possible communications breakdowns.

SUPERVISORS RATING SUBORDINATES

This is the traditional method for appraisal, based on the assumption that immediate supervisors are best qualified to evaluate an employee's performance. Performance logs kept by the supervisors serve as memory joggers and specific examples when doing ratings. Supervisory appraisals are in turn reviewed by management to ensure proper appraisal procedures have been followed. Individual employee evaluation forms for management and non-management personnel are included in English and in Spanish at the end of this chapter. (D)

- Compensate the employee for the work done.

Good direction is when we make clear to our employees:

- Exactly what we want done.
- Who is to do it.
- Where it is to be done.
- When it is to be completed.
- How it is to be accomplished.
- How it will be measured or evaluated.
- Why the work is to be done and how the task fits into the “big picture.”

Successful managers set follow-up dates and due dates to check progress, to ensure that work is advancing and to ensure that there will be no unexpected delays or problems.

With this in place, we have established a workable performance management system to oversee the work as it is completed.

PERFORMANCE REVIEWS

Evaluating employee performance is useful for employee development as well as the administrative purposes of planning work, gathering materials, assigning people and establishing procedures, setting pay and other aspects of a job. Performance appraisal is determining how our employees performed their work compared to the standards we set and then informing the employees how well they did.

Appraisal in today’s business has evolved from the traditional single critique from an employee’s immediate supervisor. There can be many dimensions and sources for evaluation.

CONSIDERATIONS FOR SELECTING EFFECTIVE APPRAISAL METHODS AND CONTENT

Table 7-3

- Costs of developing/acquiring appraisal instruments
- Expertise available inside the organization to perform appraisals
- Management versus non-management status
- Purposes of the evaluation and its value as a productivity improvement and performance management tool
- Relationships between employees and managers
- Relationships between employees and co-workers
- Relationships with other internal personnel or external customers
- Relationships with subordinates
- The appraisal’s appropriateness for use in mentoring, coaching, etc.
- The appraisal’s ease of use
- Types of jobs performed that are to be appraised

Leading managers today say the multi-source assessment (MSA, sometimes called 360 evaluation) is the most effective means to gather information for an employee’s appraisal. With the MSA an employee’s superiors, peers, subordinates, other inside staff and even outside individuals such as customers give input to the evaluation.

But not all performance appraisal methods and techniques work equally well in every organization. Considerations for selecting between appraisal systems is outlined in Table 7-3. Appraisal approaches are summarized in Table 7-2 and Table 7-4 compares evaluation methods.

FREQUENCY OF APPRAISALS

New employees should be evaluated routinely, weekly, for example, as they move through their initial evaluation period. This frequency is valuable because it can serve as a learning experience.

It is an opportunity to change unwanted actions and behaviors early on.

It demonstrates the organization’s genuine interest in and concern for the individual employee that can cement a long term, positive relationship.

These frequent, initial evaluations normally are brief and verbal. If management determines unwanted trends are emerging, it may be prudent to document these frequent reviews.

Normally the initial evaluation period extends to 90 days from date of hire. It is useful to, at minimum, have an interim evaluation some 60 days into the evaluation period so the new employee has an opportunity to adjust behavior and improve actions as required before the end of the evaluation period. Often a standard evaluation form is used in its base form or modified form for this 90-day evaluation.

Routine evaluations normally are given, at minimum, semi-annually or annually. Managers can select the appropriate date to evaluate. This may be:

- Hire date anniversary

Table 7-4

COMPARISON OF EVALUATION RECORDING METHODS

FORMAT	METHOD	CONSIDERATIONS
Category ratings	Factor checklists Scales with graphic ratings	<p>Simple recording of rating on standard form with levels of performance for job criteria and behavioral factors.</p> <p>Factor checklists enable the rater to check-off a statement describing the rating representing the employee's performance.</p> <p>Disadvantage: varying meanings of statements to different persons and difficulty with weighting.</p> <p>Scales with graphic rating scales employ a continuum on which the rater merely marks the employee's position on a scale.</p> <p>Advantage: easy and yields a strong visual indication of performance.</p>
Comparisons	Forced distributions Rankings	<p>Employees are compared one against the other in the same or similar work situation.</p> <p>Forced distributions use the concept of a "bell curve" where a certain percentage of employees would be rated at the lower end, a greater percentage in the middle area, and again a lesser percentage at the upper end of the scale.</p> <p>Disadvantage: not all raters are familiar with this curve concept, the reluctance to place employees at the low end, usefulness in small groups, rater perception that they must distinguish between employees rated.</p> <p>Rankings have the rater list all evaluated employees in top-to-bottom performance order. There cannot be two employees rated at the same level.</p> <p>Disadvantage: it may be difficult for the rater to choose between two employees because the differences are so small.</p>
Narratives	On-site reviews Summary critical incidents Written composition	<p>Raters write out descriptive statements and explanations concerning performance.</p> <p>On-site reviews have a person outside the immediate reporting relationship become part of the rating process. The outsider interviews the employee's supervisor and develops a written rating based on the supervisor's comments. Problems here include the outsider not knowing the situation well and the amount of control the outsider has.</p> <p>Summary critical incidents is where the supervisor keeps notes on incidents that occur over time and how the employee performed. These incidents are then reviewed and rated. Difficulties include different interpretations of critical situations, the amount of time required to record incident notes, employees' concern that the supervisor is "keeping notes" on them.</p> <p>Written composition is where the evaluator begins with a blank sheet and writes a short summary of the employee's performance usually in several suggested factor areas. This method offers maximum flexibility for the rater.</p>

FORMAT	METHOD	CONSIDERATIONS
Objectives and behaviors	"MBOs" or management by objectives Behavioral ratings	<p>MBOs are performance goals set ahead that are to be attained during the performance period. The employee is evaluated by the supervisor on levels attained. Used mainly for management personnel, this method can be effective in attaining planned business goals.</p> <p>Behavioral ratings are intended to evaluate how the employee behaves in situations. Alternatives are: 1) to have the rater match the employee's typical behavior with a certain descriptive statement (BARS method), 2) record the number of times the employee exhibits a captioned behavior (BOS method) or 3) rate the employee behavior acceptability on a scale (BES method).</p> <p>Disadvantages: setting factors is difficult and multiple forms may be required.</p>

- Current job start date anniversary
- Completion of major project or activity milestone
- Others based upon work and situation

The advantages of doing evaluations on selected anniversary dates are that usually the practice spreads the activity out across the calendar year. The manager is not overwhelmed with a whole series of evaluations. More time can be devoted to developing the evaluation, discussing the evaluation with the employee and establishing development/modification plans.

Alternatively, a set period, for example the month of April (after taxes), may be established to do evaluations on all employees. This concentrated effort signals the importance of the process to employees, gives evaluators focused time to get the activity completed and directs evaluators' attention to the matter so they can "brush up" on evaluation practices and work with one another to resolve evaluation problems.

Typically, businesses get more internal consistency on the relative ranking of employees if appraisals are done at the same time rather than spreading them out over the year. Again, the evaluation time period selection is at the discretion of managers and generally is dictated by the business operation and related matters specific to individual stores and worksites.

Notwithstanding these scheduled evaluations, effective managers make a point to routinely evaluate work, progress on a job, development opportunities and career interests. This practice continuously reinforces the business's interest in and concern for the employee. In today's market this strong positive message can form a powerful bond that in itself attracts, retains and motivates valuable employees.

PAY AND APPRAISAL

Routinely, the question of whether to discuss and award pay adjustment at the time of performance evaluation comes up. Pay may be discussed and adjustments made at the time of employee evaluation at management's

discretion. However, this is not a recommended practice because it tends to focus the employee's attention on the monetary adjustment rather than the content of the evaluation.

The recommended course of action is to conduct evaluations separately from pay adjustment activity.

Reasons include:

Enabling managers to make pay adjustments at intervals other than the evaluation cycle (e.g., awarding increases at 6-9-12-or 18-month intervals).

Enabling the business to utilize alternative awards (other than money) as recognition.

Enabling the employee to concentrate on the evaluation content.

Enabling the manager to effectively plan and administer pay programs.

Reducing opportunity for continuous discussions of pay adjustments as they are allocated through the year with evaluations.

Table 7-5

EFFECTIVE EVALUATIONS AND EVALUATION COMMUNICATIONS

EVALUATIONS SHOULD BE:	COMMUNICATIONS SHOULD BE:
Accurate and truthful	Conducted in privacy and in a comfortable place (preferably in a neutral place other than the evaluator's or employee's office)
Comprehensive	Directed at counseling and development
Fair, consistent and without bias, discrimination or any disparate impact	Face-to-face discussions
Job-related	Inclusive of good and poor performance
Kept confidential	Positive
Objective	Professional (readable, understandable, clean, etc.)
Prepared ahead of time by the evaluator in a planned, thoughtful manner	Presented in a manner that the employee can comment on the evaluation and that the comments are acknowledged
Prepared in a format that is appropriate to the organization and job	Timely (within days)
Recorded on paper with space for the evaluator and employee to sign and date	Unemotional
Thorough	Un-rushed and at a convenient time

Separating disappointment with low pay increases, which may be affected by business conditions, from evaluations, which may be very high.

There are legal and regulatory considerations relevant to employee evaluations. Owners and managers should utilize legal counsel as required. Because legal action can crop up around appraisal issues, the following steps should be taken to reduce problem potential:

Ensure evaluations are based upon job analyses for the position being evaluated.

Ensure evaluations are based upon specific and objective evaluation criteria.

Ensure evaluators have reviewed, have been trained on and understand written instructions on how to evaluate employees.

Ensure employees are familiar with and understand job standards.

Ensure employees are given an opportunity to effectively review results of the evaluation.

Ensure a higher level (or top level as required) of management reviews the evaluation before it is discussed with the employee.

Here are some final considerations for evaluations and discussing them with employees.

Keep in mind that many employees are sensitive to and interested in effective evaluations.

Plan for and schedule evaluation review meetings in advance.

On a continuing basis, prepare the employee for his/her evaluation by giving constant, effective communication as to how s/he is doing so there are no surprises at evaluation time.

Be prepared to justify ratings and substantiate them with specifics.

Set the right tone for the evaluation discussion by making the meeting comfortable, objective, conversational, constructive, developmental and fair but firm.

Applying the considerations included in this chapter and throughout this handbook, owners and managers can effectively present development opportunities, guidance and tools to non-management and management employees seeking personal growth and career enhancement.

Various evaluation tools are included in the Appendix. They can be duplicated for use. Consider printing the individual employee evaluation sheets on to 8/5"x 11" paper and then photocopying the four sheets on to 11"x 17" paper and folding them in half to make a personalized four-page evaluation booklet. ■

IN CHAPTER EIGHT:

- COMPENSATION
- TRADITIONAL INCENTIVES AND BENEFITS
- NON-TRADITIONAL INCENTIVES AND BENEFITS
- FINDING OUT WHAT EMPLOYEES WANT ... AND GIVING IT TO THEM

8

■ Rewarding Employees

Earlier in our handbook we mentioned that a key function of owners and managers is to attract, retain and motivate employees. In Chapter 1 we briefly discussed setting a pay range for employees and targeting pay for new employees.

In this chapter, we will explore in more depth how to establish pay and remain competitive. We will highlight what are typical incentives and benefits so you can plan for your organization. We will look at non-traditional benefits and incentives because there are alternatives to pay-based rewards. And we will discuss determining what employees want. We will see that money is not always the primary motivator for many employees.

COMPENSATION

Determining what is a fair and competitive wage is not all that easy. We can scan newspapers for what others are paying; we can ask our contacts or even competitors what they pay; and we can look elsewhere for sources of pay data by job, industry, geographic area, etc.

A useful source is the local library. Take the time to speak with the librarian and explain that you are establishing the pay for a job in your

organization and that you would like current data. The librarian may refer you to various sources including the Bureau of National Affairs Inc. (BNA), 1801 S. Bell St., Arlington, VA 22202, (703) 341-4000, www.bna.com.

For our discussion, we are assuming that the owner or manager has developed a job description or has a good idea of exactly what the job entails using the job description questionnaire outlined in Chapter 1. The primary requirements of and prerequisites for a job assist us in determining a job's "weight." This is an indication of the job's importance and value to our organization. Three factors contribute to weight:

- Accountability — What are the major areas, employee groups and budgets the employee oversees?
- Authority — What is it that the person and job influence and what is the level of decision making?
- Responsibility — What are the primary activities, tasks and objectives for the employee?

To determine value and set the wage to pay, we can think of this a little differently and consider:

- Problem-solving — The original, self-starting thinking required to identify, define and resolve problems.
- Know-how — All skills needed for acceptable job performance.
- Accountability — In this context, the effect the employee and job have on end results.

Using these three value considerations and what we established as the typical wage for a job, we can set a pay range. As we gather pay information, we see that not all jobs pay the same amount. This is for a number of reasons, including differing amounts assigned to the factors above.

The pay range would typically have a minimum amount that can be the lowest amount paid for the job we found in our research. A midpoint may be exactly the middle amount paid in the field (median), the average paid (mean) or an amount we set somewhere close to the middle of the range. The maximum of the range is, as we would think, the top amount paid by the field or what we feel is the top pay.

Pay for jobs changes from year to year, generally as our economy

changes. The usual trend is for pay to increase. Again, referring to www.bna.com, owners and managers may locate references to annual pay adjustments for employees. BNA reports pay adjustment information based upon such sources as Mercer Human Resource Consulting (www.mercer.com, (317) 261-9400).

Because jobs differ, they are paid differently. Earlier in this handbook we noted, for example, the difference between management (exempt) and non-management

reveals a significant increase in annual pay from the minimum pay in Grade 0 of \$12,631 to the maximum of Grade 40 which is \$243,699 per year. Interested in what this means in terms of dollars per hour? A simple, accurate way to figure this is to divide the annual pay by 2,080, the typical number of hours in a year for a 40-hour work week.

For example, the minimum hourly pay shown in Table 8-1 for Grade 1 is \$7.50.

with assigned grades shown in grade order starting at 0 and going through grade 40.

A wide variety of jobs is shown. Not all are specific to the hardware/home improvement industry. The titles are generic. This means that the title indicates only a general function. For example,

POSITION TITLE	SUGGESTED GRADE
Clerk 1, Starting	11
Clerk 2	13
Clerk 3, Intermediate	15
Clerk 4, Senior	18

GRADE 1 PAY PER YEAR / HOURS PER YEAR = DOLLARS PER HOUR		
\$15,603	/ 2,080	= \$7.50

review the alphabetical order listing and find "clerk." You will see:

(non-exempt) jobs. We are at a point in our discussion where it would be helpful to have a "typical" pay scale. We would want this to show various levels of jobs, their classification (exempt or non-exempt) and a pay range for each. For our discussion here, sample pay scales are included in Table 8-10 for various cities across the United States.

The sample pay scales (Table 8-10), prepared by PHRST & Company Inc., are based upon surveys of actual pay. These sample pay scales are representative of the South Florida and other sample cities for the year 2008. Locations across the country may pay different amounts from those shown for the same jobs. Check local sources or visit your library to find the pay for your area.

The 2008 base pay scale tables show grade (for job level), minimum, midpoint and maximum in dollars per year; classification and overtime (which indicates if the job typically is paid overtime). The Florida table

Note that this hourly wage is above the 2008 federal minimum wage. Recently enacted federal minimum wages are as follows: \$6.55 effective July 24, 2008, and \$7.25 effective July 24, 2009. State minimum wage levels may be higher than federal. Owners and managers should visit their local state minimum wage Internet sites for current updates to state minimum wages. Also, they should keep abreast of local minimum wage trends, e.g., those affected by "living wage" actions.

Now we have a pay scale, but what do the grades represent and how do we find what to pay for specific jobs? Don't we need a list of typical or generic job titles with a means to determine what range to pay? Of course, and that is precisely what is shown in Tables 8-12 and 8-13. One table has generic job titles with assigned grades shown in alphabetical order (Accountant 1, Starting through Vice President 3, Group). The other has generic job titles

There are four listings for the same job title. Why? Different employees and jobs may be at different levels. We noted this above in our discussion of know-how, accountability and problem-solving that affect the level. The table enables the owner or manager to select from several levels to effectively grade the job. Note that each job in the table has its own assigned grade.

Generic titles help managers tie the job to a specific function or area as appropriate for the company. For example, an owner may want to hire a stock clerk. This may be an entry-level clerk's job so the owner might assign the title stock clerk 1 (or starting stock clerk). Note that the owner may already have a 20-year veteran stock clerk who could be graded as senior stock clerk.

As another example, a retailer may need an accounting person with several years of experience. The retailer may define the position as accounting clerk-intermediate to a

new hire. As a new employee, this person could be assigned to work with a senior accounting clerk during the initial orientation period.

The job listing tables are developed to provide flexibility for managers. Add a functional definition (e.g. accounting) to the generic title and the job will be specific to your company.

All titles in the tables have associated grades that are the key to interpreting pay scales. Routinely, managers are faced with the question, "What should we pay in wages for a ____ (any title) ____ position?" With the pay scale and a grade, the manager can make an informed decision.

In our example of the manager hiring an entry-level stock clerk, the process would be as follows:

1) Consider the job and its value.

- a) *Know-how*
- b) *Problem-solving*
- c) *Accountability*

2) Decide on a title (clerk).

3) Add a functional area (stocking).

4) Decide the level ("starting" or higher).

5) Find the generic title in the alphabetical listing (Clerk 1, Starting).

6) Note the grade (11).

7) Refer to the 2008 base pay scales. In our discussion here we will use the South Florida scale.

- a) *Look under grade in consecutive order down to 11.*
- b) *Note the category is administrative and technical*

employees.

- c) *Note the classification is non-exempt salary.*
- d) *Note that the job is paid for overtime.*

8) Note the pay range: min. \$15,931 mid. \$19,914 and max. \$23,897.

9) Establish your pay.

- a) *For example, assume the applicant has graduated from high school and has six months' experience as a clerk in a lumber mill.*
- b) *Because of the prior experience, you might select a starting pay of \$16,250.*

10) Convert the annual pay to hourly pay.

- a) *In Chapter 1 we recommended quoting wages in the smallest amount possible so as not to incur any potential liability.*
- b) *Calculate the hourly salary as \$16,250 / 2,080 hours = \$7.81 per hour.*

This same process can be used as guidance in deciding what to pay for merit and promotion increases.

To make pay adjustment decisions for existing employees, additional tools may be used. Table 8-14 includes the 2008 Pay Planning Guideline and the year 2008 Compensation Examples. These tables indicate:

- Recommended ranges for promotion increases.
- Recommended ranges for merit increases.
- Average percent of promotion increases based upon surveys.
- Average percent of merit increases based upon surveys.

• What percent increase to grant based upon:

- *Appraisal rating*
- *Position in the pay range*
- *Time lapsed since last pay increase*

• Examples for making pay adjustments.

Many trade associations do compensation studies that help pinpoint pay ranges for a specific industry. These studies may also be helpful in evaluating local area pay ranges.

We have now set the dollar amount of wages for a job in our company. Yet, how do we know the wage is competitive and that it will attract, retain and motivate our employees? Are there additional simple tools and measures to establish pay and evaluate the health of our pay plan?

Three simple ratios will quickly reveal the health of a pay scheme. For illustration purposes, we will assume the company is a hardware store called MyStore Inc. in South Florida. Additionally, we will assume the store has developed a pay scale similar to the 2008 base pay scales with minimum, midpoint and maximum pay shown for various levels or grades. Note that a pay scale need not have as many grades as the 2008 base pay scales. Some organizations use "bands" which essentially group several pay grades together and show a broadened range for minimum, midpoint and maximum.

The three "pay health" ratios are calculated as follows:

- *Store Pay/Range Midpoint (compa-ratio)*
- *Store Midpoint/Market Average Pay*
- *Pay/Market Average Pay*

Store pay may be pay of an individual

**SAMPLE ORGANIZATION AND PAY AT MYSTORE, INC., SOUTH FLORIDA
JANUARY 1, 2008**

LEGEND**ABBREVIATION****MEANING**

Title	Job title (in organization structure order)
Jb #	Job number
# EE	Number of incumbents
Dollars / Year	Annual base pay
Dollars / Hour	Hourly base pay
Str Grd	Store grade
Str Mid	Store "midpoint" (see 2008 South Florida pay scales)
Mkt Pay	Average yearly pay for the market job
Str / Mid	Store job pay divided by store "midpoint"
Mid / Mkt	Store "midpoint" divided by market job pay
Str / Mkt	Store job pay divided by market job pay

TITLE	JB#	#EE	DOLLARS/ YEAR	DOLLARS/ HOUR	STR GRD	STR MID	MKT PAY	STR MID	MID MKT	STR MKT
Owner	1	1	\$91,143	\$43.82	35	\$110,268	\$97,204	83%	113%	94%
I- Store Mngr	2	1	\$70,200	\$33.75	30	\$67,354	\$72,928	104%	92%	96%
I I- Paint SlsPrns	6	1	\$31,328	\$15.06	23	\$33,185	\$30,069	94%	110%	104%
I I- Garden Spvrs	7	1	\$47,073	\$22.63	25	\$40,549	\$49,526	116%	82%	95%
I I I- Sls Person	12	1	\$22,216	\$10.68	11	\$19,914	\$22,252	112%	89%	100%
I I I- Sls Person	13	1	\$24,570	\$11.81	13	\$24,585	\$27,211	100%	90%	90%
I I- Tool Spvrs	8	1	\$38,347	\$18.44	25	\$40,549	\$42,251	95%	96%	91%
I I I- Sls Person	14	1	\$22,885	\$11.00	11	\$19,914	\$22,252	115%	89%	103%
I I I- Sls Person	15	1	\$19,539	\$9.39	11	\$19,914	\$22,252	98%	89%	88%
I I- Plumbing Sls Prsn	9	1	\$29,215	\$14.05	23	\$33,185	\$34,515	88%	96%	85%
I I- Electrical Spvrs	10	1	\$51,357	\$24.69	27	\$49,722	\$60,302	103%	82%	85%
I I I- Sls Person	16	1	\$29,894	\$14.37	15	\$30,352	\$33,228	98%	91%	90%
I I I- Sls Person	17	1	\$35,077	\$16.86	15	\$30,352	\$33,228	116%	91%	106%
I I- Merchandise Sls Prsn	11	1	\$34,281	\$16.48	23	\$33,185	\$35,334	103%	94%	97%
I- Accounting Clerk	3	1	\$26,939	\$12.95	13	\$24,585	\$25,506	110%	96%	106%
I- Delivery Driver	4	1	\$28,958	\$13.92	7	\$29,714	\$29,537	97%	101%	98%
I- Cashier	5	1	\$23,517	\$11.31	12	\$22,127	\$24,974	106%	89%	94%
Headcount = 15	Sums =		\$626,537	\$301.22		\$629,454	\$662,569			
	Averages =		\$36,855	\$17.72	17	\$37,027	\$38,975	102%	94%	95%

TYPES OF PAY INCREASES

Table 8-3

METHOD OF PAY INCREASE	MEANING AND EFFECT
Merit	Increases to base pay normally based upon performance evaluation and measurable results attained. In the accompanying pay scales, as a person is given merit increases, s/he moves across a job grade increasing base pay from minimum through midpoint to maximum pay for the grade.
Promotion	Increases to base pay normally recognizing that a person assumes greater accountability, authority and responsibility. In the accompanying pay scales, as a person moves and increases from job grade to job grade, normally base pay is increased.
Economic adjustment	Adjustments to base pay often granted to a full grouping or class of jobs to bring base pay in line with typical market amounts for the same job.
Incentive	A planned cash award often closely tied to specific objectives which an individual, group or organization attains. Incentive pay does not adjust base pay.
Bonus	Often an impromptu cash award granted for measured achievement which does not affect base pay.
Step-rate increase	Repetitive increases to base pay generally associated with time on the job, e.g.: every six months.
Commission	Compensation computed as a percentage of sales in units or dollars. Here often an employee is granted a lower fixed base pay amount which is supplemented by the commission.
Cost-of-living adjustments (COLA)	A standard increase to base pay which often is related to the Consumer Price Index or similar economic indicator. (See http://www.ssa.gov/OACT/COLA/latestCOLA.html)

employee or it may be an average of pay for all employees on a particular job.

In respective order, these ratios concisely and objectively answer the key compensation questions:

How does MyStore Inc.'s actual pay compare with established pay ranges?

How does MyStore Inc.'s pay scale compare with the market?

How does MyStore Inc.'s actual pay compare with the market?

As a rule of thumb in compensa-

tion planning, when any of these ratios dips below 85%, turnover and employee dissatisfaction can be anticipated.

Conversely, when any of the ratios exceed 115%, a company may be paying employees too much for the job responsibilities.

Experience indicates that the ideal quotient is 93% to maximize employee motivation and cost effectiveness for the typical 12- to 24-month pay planning cycle. These ratios should be reviewed annually with current data.

As an example for applying these ratios, consider the Table 8-2

How pay healthy is the store in the example? Let's look at the key numbers:

Overall, MyStore fares well with the pay planning scheme.

MyStore is at 102% on the first ratio, which indicates the store pay is higher than the midpoint of the pay range.

It is somewhat below on the second ratio at 94%.

On the third ratio, the one most people watch, MyStore is below the market with its 95%.

The first ratio is near 100% because the owner kept personnel close to the midpoint with pay adjustments. The remaining two ratios indicate that overall MyStore is paying competitively with the market.

Several positions have a low ratio trend. Other positions appear high in terms of the rule of thumb. These

would be individual anomalies which the owner can resolve with planned pay adjustments using the tools we provided. They do not have a significant impact on the overall pay plan. Future market surveying, refinement of position analysis and planned pay adjustments can smooth out these imbalances.

To be effective in current and future compensation planning, MyStore should establish a compensation objective. In a typical market, establishing a pay objective to be at 105% of all local businesses and 108% of direct competition for the third ratio (Store Pay/Market Pay) would be effective.

TYPES OF INCENTIVES	Table 8-4
TYPE OF SPECIAL INCENTIVE AWARDS	
<ul style="list-style-type: none"> Cash awards Gift certificates Merchandise Individual travel Group travel Debit cards 	
CRITERIA FOR SALES PERFORMANCE AWARDS	
<ul style="list-style-type: none"> Sales related to quota Division profitability New customer sales Sales of new products Sales expense control Account retention Customer satisfaction 	
EXECUTIVE PERKS	
<ul style="list-style-type: none"> Annual medical physical Company vehicle Vehicle phone Personal financial planning Vehicle allowance Tax planning / tax return service Membership at country club First class air travel Membership at health club Membership at lunch club Use of employer airplane Legal counseling No- or low-interest loans 	

USE OF BENEFIT DOLLARS		Table 8-5
BENEFIT	% OF BENEFITS MONEY	
Insurance Payments (medical premiums, vision care, dental care, life insurance, etc.)	appx. 25%	
Payment for Time Not Worked (leaves, vacations, holidays, etc.)	appx. 25%	
Legally Required Contributions (Social Security, unemployment and workers' compensation)	appx. 20%	
Paid Rest Periods (coffee breaks, lunch periods, travel time)	appx. 10%	
Retirement Plans (pensions, 401(k) plans, etc.)	appx. 15%	
Miscellaneous Benefits (education assistance, child care, severance pay, etc.)	appx. 5%	

U.S. Department of Labor, Bureau of Labor Statistics studies, (Washington, DC, U.S. Chamber of Commerce, 2004)

MANDATED VS. DISCRETIONARY BENEFITS			Table 8-6
DESIGNATION	CLASSIFICATION	BENEFIT	
Government Mandated	Family-Oriented	Family & Medical Leave Act (FMLA)	
Government Mandated	Health Care	COBRA & HIPAA requirement	
Government Mandated	Retirement Security	Social Security	
Government Mandated	Security	Workers' compensation	
Government Mandated	Security	Unemployment compensation	
Government Mandated	Time Off	Military reserve time off	
Government Mandated	Time Off	Election time off	
Government Mandated	Time Off	Jury leave	
Employer Discretion	Family-Oriented	Alternative work arrangements	
Employer Discretion	Family-Oriented	Dependent care	
Employer Discretion	Financial, Insurance, etc.	Company car	
Employer Discretion	Financial, Insurance, etc.	Credit unions	
Employer Discretion	Financial, Insurance, etc.	Disability insurance	
Employer Discretion	Financial, Insurance, etc.	Education assistance	
Employer Discretion	Financial, Insurance, etc.	Expense accounts	
Employer Discretion	Financial, Insurance, etc.	Financial counseling	
Employer Discretion	Financial, Insurance, etc.	Legal insurance	
Employer Discretion	Financial, Insurance, etc.	Life insurance	
Employer Discretion	Health Care	Dental insurance	
Employer Discretion	Health Care	HMO / PPO plans	
Employer Discretion	Health Care	Medical insurance	
Employer Discretion	Health Care	Prescription drugs	
Employer Discretion	Health Care	Psychiatric insurance	
Employer Discretion	Health Care	Vision insurance	
Employer Discretion	Health Care	Wellness programs	
Employer Discretion	Retirement Security	Early retirement	
Employer Discretion	Retirement Security	Pre-retirement counseling	
Employer Discretion	Retirement Security	Disability retirement benefits	
Employer Discretion	Retirement Security	Retiree health care	
Employer Discretion	Retirement Security	Pension plans	
Employer Discretion	Retirement Security	Individual retirement accounts	
Employer Discretion	Retirement Security	401(k) and 403(k) plans	
Employer Discretion	Security	Supplement unemployment benefits	
Employer Discretion	Security	Severance pay	
Employer Discretion	Social and Recreational	Bowling	
Employer Discretion	Social and Recreational	Cafeteria and food services	
Employer Discretion	Social and Recreational	Court game facilities	
Employer Discretion	Social and Recreational	Employer sponsored events	
Employer Discretion	Social and Recreational	Recreation programs	
Employer Discretion	Social and Recreational	Service awards	
Employer Discretion	Time Off	Bereavement	
Employer Discretion	Time Off	Funeral	
Employer Discretion	Time Off	Holiday	
Employer Discretion	Time Off	Meal breaks	
Employer Discretion	Time Off	Rest breaks	
Employer Discretion	Time Off	Vacation	

Managers should consult local legal and regulatory requirements.

This goal, which can be targeted for the next 12 to 18 months, should attract, retain and motivate the best, most qualified employees available in the area for MyStore Inc.

This discussion is only a summary of the many considerations which go into compensation planning. For more detailed explanations and examples, contact professionals in the human resource management field and/or visit the business department of your local library.

TRADITIONAL INCENTIVES AND BENEFITS

So far in this section, our discussions have dealt with base pay. There are other forms of compensation, summarized in Table 8-4 and Table 8-9.

The Sarbanes-Oxley Act has had impact on pay. Owners and managers may refer to the following sources for up-to-date considerations:

Pay:
<http://www.bls.gov/ect/>

<http://stats.bls.gov/news.release/eci.t06.htm>

<http://www.epi.org/content.cfm/ib234> (State Minimum Wage table)

<http://www.ssa.gov/OACT/COLA/latestCOLA.html> (COLA adjustments).

Benefits:
<http://www.ebri.org/resources/index.cfm?fa=referenceShelf>

<http://www.uschamber.com/press/releases/2007/february/07-33.htm>

http://ohcm.gsfc.nasa.gov/sup_info/toolbox/Awards/Incentive.htm (Guidelines for incentive awards)

Employers should be alert not to offer rewards that may penalize employees. Benefits such as bonuses and cash discounts may be taxable. A \$100 bonus check intended for an employee may net only \$66.63 in the employee's

under \$25 are considered "de minimus" and possibly will not be taxed.

Sometimes employers may choose to award a "night on the town" for an accomplishment. Here too, the

PAID TIME-OFF/BENEFIT PERCENT OF COMPANIES OFFERING BENEFIT		COMMON HOLIDAYS	
Holidays	94%	New Year's Day	January
Vacation	93%	Martin Luther King, Jr. Day	January
Bereavement	91%	Presidents' Day	February
Jury Duty	85%	Good Friday	March or April
Sick	67%	Memorial Day	May
Military	60%	Independence Day	July
Personal	36%	Labor Day	September
Voting	20%	Columbus Day	October
Source: U.S. Bureau of Labor Statistics, 2004		Veteran's Day	November
		Thanksgiving	November
		Day after Thanksgiving	November
		Christmas Eve	December
		Christmas Day	December
		New Year's Eve	December

YEARS SERVICE	DAYS OFF
After 1 year	9 days off
After 3 years	11 days off
After 5 years	14 days off
After 10 years	16 days off
After 15 years	17 days off
After 20 years	18 days off
After 25 years	19 days off

Source: Bureau of Labor Statistics

pocket. The simple solution to this is to "gross-up" the bonus to cover the taxes so the employee does receive \$100 net. Awards of

prudent manager should gross up the cost so no tax payment is required. Seeing the impact of taxes can be demotivating to employees.

INCENTIVES

Table 8-9

PLAN TYPE

Salary, commission and bonus
Salary and bonus
Salary and commission
Commission, no draw
Base salary

PLAN ELEMENTS

Variable payments, no commission/override
Commissions and overrides
Variable payment decided by management
Guaranteed or non-recoverable draw
Variable payment based upon performance

PLAN VARIABLES

Individual performance
Individual and group performance
Group performance

There are productive alternatives to award employees. Employee training, for example, can be rewarding to the employee and productive to the store. Travel to such training is a legitimate business expense which is non-taxable. Sending the employee to a desired location can be motivational. If the employee's family were to travel, their company-paid expenses would be taxed.

Other examples of tax-free alternative incentives include:

- *On-site child care*
- *Wellness programs*
- *Health care centers*
- *Dry cleaning services*

Work-related perks that can save time for employees may be tax-free.

Here the employer may choose to pay for a service and the employees use it, tax-free. Consider other work-related perks that are not cash, but have financial value, such as time off or concierge services.

More detailed consideration of various traditional incentive programs is outside the scope of this handbook. Further information can be supplied through competent human resource management professionals.

Often when referring to compensation, practitioners are considering the total of what is granted to an employee in terms of base pay, incentives, health care benefits, social or other benefits, perquisites (perks) and others.

In 2007, the U.S. Chamber of Commerce estimated that for the years 2005 and 2006, employee social benefits and health benefits equaled approximately 44% of base pay.

Therefore, an employee paid \$40,000 per year received an additional equivalent of \$19,360 worth of benefits for total compensation of \$59,360. A breakdown of traditional benefits is shown in Table 8-5.

Many commonplace benefits are not required by law, but are at the discretion of the employer. Only mandated benefits or those required by the U.S. government must be granted. Table 8-6 clarifies the distinction.

Time off is a particular area of interest for employees. Common holidays and traditional months of celebration are shown in Table 8-7.

Frequently, holidays are celebrated on Mondays. With double holidays, some employers split the days as Friday and Monday. A suggestion may be to look to the federal government and the U.S. Postal Service to determine when to schedule time off to coincide with celebrated holidays.

Retail store owners and managers may need to give special consideration to time off on holidays. Because retail stores are open on most holidays, you might want to consider giving employees extra time off during less busy periods.

NON-TRADITIONAL INCENTIVES AND BENEFITS

Money is not the only motivator in work and in life. Although it is a key consideration for many people, it is not always the most important.

The professional human resource

management consulting firm authoring this handbook began studying what motivates people in their work in 1971. Our research took us across the U.S., Europe and Southeast Asia and touched a variety of industries. Findings clearly indicate motivators are different among people and generally fall into the following priority order for the top five:

- Intellectual stimulation found in doing the job.
- Freedom to plan and be responsible for one's own work.
- Freedom to plan one's own time at and away from work.
- Pay for work performed.
- Recognition for work performed.

Managers can use information about what motivates workers to their and the employees' advantage. The employer may be able to reward employees with things which do not have a direct or high cost. In many cases, the perceived value of a reward given to an employee increases because it is exactly what the employee wants and needs at the time.

The list of non-traditional incentives and benefits can be extremely long. It is limited primarily by a manager's ability to think creatively. Often the only things that limit the list are cost and practicability. Following is a list of inexpensive, easy-to-administer considerations that may be used or modified to motivate employees.

- Adopt or support an employee or family member in athletic competition.
- Cross train at all levels and among departments.

- Premiums for schools (lunch boxes, carry bags, T-shirts).
- Put a priority on a suggestion award program.
- Appraisal objectives to show/reward Individual contribution.
- Provide transportation to and from work.
- Give monthly handouts on family health, safety, etc.
- Bonus plan.
- Certificates recognizing major accomplishments.
- Child care.
- Assistance in developing a career in the hardware/home improvement industry.
- Store mottoes.
- Continuing education.
- Cost-of-living adjustments.
- Sponsor activities for teenage children of employees.
- Education annuity fund.
- Employee of the month recognition.
- Support employee participation in community events or projects.
- Feature employees in local newspaper advertisements or articles.
- Ask employees to demonstrate new products or present new ideas at company meetings.
- Have open houses, parties, dances or dinners for employees and their families.

- Immediate cash awards.
- Incentive program.
- Cafeteria type plan for company-paid benefits.
- Offer a retirement income plan.
- Lease billboards and other media at high visibility locations, on buses, etc., to identify the store name and picture employees.
- Management development training.
- Post employee photos where customers will see them.
- Give employees opportunity to participate in local school events such as career days.
- Employee discounts on products sold by the company.
- Promotion plan.
- Provide store clothing (vests, jackets, aprons, etc.) with employees' names.
- Recruit people with leadership qualities.
- Rotate employees among departments to develop additional knowledge and skills.
- Ask employees to visit stores and report on ideas found during the visits.
- Pay to send employees to training courses sponsored by vendors and associations.
- Develop a library of training resources for employee use.
- Sponsor "brown bag" lunch sessions to discuss operational issues or present training information.

- Ask employees to fill in when managers are on vacation.
- Delegate responsibility and the authority to carry out those responsibilities.
- Help employees understand where their careers may lead them.
- Assign a mentor to new employees.
- Have brief daily staff meetings to review the day's events and assignments.
- Use constant signs, banners and handouts.
- Use positive rather than negative reinforcement.
- Yearly recognition awards.
- Many more ideas may be found in the local library.

FINDING OUT WHAT EMPLOYEES WANT ... AND GIVING IT TO THEM

Sometimes the most practical way to find out what motivates employees is to very frankly and genuinely ask them. This sounds almost too simple to be true; however, it can be very effective in getting a true answer and at the same time showing sincere interest in the employee. The Benefits Interest Inventory in the Appendix provides a comprehensive survey tool to assist in rating the value of and prioritizing employee social and health benefits. The self-explanatory tool can guide owners and managers in planning benefits and/or be utilized as a questionnaire to be completed by employees.

Managers should be talking with employees on a continuing basis, evaluating their progress and determining

how best to facilitate their work. This is an opportunity to inquire with simple questions such as:

- You've done a really fine job here today. How can we recognize you for what you have done?
- What can we do that will make you enjoy your work more?
- What can we give you more of in recognizing you for the work you do?
- What do you enjoy most in working with your co-workers?
- What do you want most from your work here?
- What in your work is most helpful to you and your career?
- What is it that you enjoy most about your work?
- What is most important to you in your work?
- What is most rewarding for you?
- What makes you feel good about your work?

Asking these questions in the work environment and verifying the response frequently gives an immediate indication of motivators for an employee. Acting on employees' comments encourages them to do a better job and engenders trust in management and loyalty to the company.

Another good time to inquire about what motivates an employee is at first hire. Often new employees are more candid about their desires. Also, an appropriate time is during an employee evaluation session. In this situation, employees are often more serious and reflective on themselves and

will respond candidly.

Inquiring appropriately of other co-workers and family members also often gives insight into an employee. Again, it takes double checking most of the time to verify the information is accurate. Once known, this can be very helpful and powerful information which, when used appropriately, can significantly improve performance, output and morale. But be careful not to violate confidences or privacy.

There are more formal means of determining interests, skills, aptitudes and attitudes that affect work and motivation. We discussed some points on this in Chapter 3. Managers can learn more about these factors by speaking with guidance counselors in local high schools, colleges and universities. Again the local library can be a resource.

Also there are various tests that are available. A highly reputable and well-known test provider is Wonderlic®, Inc., 1795 N. Butterfield Rd., Libertyville, IL 60048, (800) 963-7542, www.wonderlic.com, which offers a wide variety of tests for recruiting, evaluating potential, measuring skills, identifying compatibility and determining reliability. Also check with your trade association. Many offer testing that is specific to your industry.

A related method to gather insight into employees' opinions is through formal opinion or attitude surveys. These, usually short, questionnaires can give a snapshot indication of employee feelings about the work, the organization, pay, benefits and other factors. A sample employee opinion questionnaire is included in the Appendix.

Owners and managers may administer the opinion survey included in the

Appendix (Sample Opinion Survey) and gather general data and trends. Advanced evaluation of an opinion survey and various recommendations to address employee concerns often are better prepared by professionals. Following are sources:

<http://www.infosurv.com/employee-opinion-survey.htm>
Infosurv, Inc.
3340 Peachtree Road, Suite 1450
Atlanta, GA 30326
Phone: 888.262.3186

http://www.isrinsight.com/?gclid=CP6Wr7_JwowCFReRgQodwlr4Vw
Towers Perrin
Chicago - World Headquarters
303 East Ohio Street
Chicago, IL 60611
Phone: 800.300.0750
Fax: 312.828.9742

http://www.hrsolutionsinc.com/employee_opinion_surveys.cfm
312-236-7170
HR Solutions International, Inc.
25 East Washington St.
Suite 600
Chicago, IL 60602
Phone: 312.236.7170
Fax: 312.236.3959
E-Mail: info@hrsolutionsinc.com

Owners and managers should take care in the way they use opinion surveys. They can be powerful motivators, but, mishandled, they can be demotivators. Some points to keep in mind when using opinion surveys include:

- Keep individual responses confidential. Summarize results as a group.
- Often it is better not to use such surveys for groups or departments of less than four participants because individual responses may be identified.

- Use a third party or outside evaluator when possible to ensure confidentiality and objectivity.
- Always report results back to the survey participants.
- Identify strengths as well as development areas brought out by the survey.
- Identify actions to be taken to resolve development areas.
- Treat results seriously and professionally.
- Make time for reporting of and response to information gathered.

Remember that using such tools raises the expectations of employees. Taking the initiative to survey requires taking action to respond and address issues.

Other means are available to gather information and may be sourced through research in the local library, school counselors and professional human resource management practitioners. ■

Table 8-10

2008 BASE PAY SCALES — SOUTH FLORIDA

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,631	\$15,248	\$16,010	Hourly Wage	Paid overtime
1	\$15,603	\$16,773	\$17,612	Hourly Wage	Paid overtime
2	\$17,163	\$18,450	\$19,373	Hourly Wage	Paid overtime
3	\$18,879	\$20,295	\$21,310	Hourly Wage	Paid overtime
4	\$20,767	\$22,325	\$23,441	Hourly Wage	Paid overtime
5	\$22,844	\$24,557	\$25,785	Hourly Wage	Paid overtime
6	\$25,128	\$27,013	\$28,364	Hourly Wage	Paid overtime
7	\$27,641	\$29,714	\$31,200	Hourly Wage	Paid overtime
8	\$30,405	\$32,686	\$34,320	Hourly Wage	Paid overtime
9	\$33,446	\$35,954	\$37,752	Hourly Wage	Paid overtime
10	\$36,790	\$39,550	\$41,527	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$15,931	\$19,914	\$23,897	Nonexempt Salary	Paid overtime
12	\$17,701	\$22,127	\$26,552	Nonexempt Salary	Paid overtime
13	\$19,668	\$24,585	\$29,502	Nonexempt Salary	Paid overtime
14	\$21,854	\$27,317	\$32,781	Nonexempt Salary	Paid overtime
15	\$24,282	\$30,352	\$36,423	Nonexempt Salary	Paid overtime
16	\$26,980	\$33,725	\$40,470	Nonexempt Salary	Paid overtime
17	\$29,678	\$37,097	\$44,517	Nonexempt Salary	Paid overtime
18	\$32,942	\$41,178	\$49,414	Nonexempt Salary	Paid overtime
19	\$36,895	\$46,119	\$55,343	Nonexempt Salary	Paid overtime
20	\$41,692	\$52,115	\$62,538	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$21,504	\$26,880	\$32,256	Exempt Salary	Not paid overtime
22	\$23,893	\$29,867	\$35,840	Exempt Salary	Not paid overtime
23	\$26,548	\$33,185	\$39,822	Exempt Salary	Not paid overtime
24	\$29,214	\$36,518	\$43,822	Exempt Salary	Not paid overtime
25	\$32,439	\$40,549	\$48,659	Exempt Salary	Not paid overtime
26	\$35,994	\$44,993	\$53,991	Exempt Salary	Not paid overtime
27	\$39,778	\$49,722	\$59,667	Exempt Salary	Not paid overtime
28	\$44,107	\$55,134	\$66,161	Exempt Salary	Not paid overtime
29	\$48,767	\$60,959	\$73,150	Exempt Salary	Not paid overtime
30	\$53,883	\$67,354	\$80,825	Exempt Salary	Not paid overtime
31	\$59,546	\$74,433	\$89,319	Exempt Salary	Not paid overtime
32	\$65,767	\$82,209	\$98,651	Exempt Salary	Not paid overtime
33	\$72,877	\$91,097	\$109,316	Exempt Salary	Not paid overtime
34	\$80,432	\$100,540	\$120,647	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$88,215	\$110,268	\$132,322	Exempt Salary	Not paid overtime
36	\$97,918	\$122,398	\$146,877	Exempt Salary	Not paid overtime
37	\$109,668	\$137,085	\$164,502	Exempt Salary	Not paid overtime
38	\$123,925	\$154,907	\$185,888	Exempt Salary	Not paid overtime
39	\$141,275	\$176,593	\$211,912	Exempt Salary	Not paid overtime
40	\$162,466	\$203,082	\$243,699	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — DAYTON, OH

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,631	\$15,248	\$16,010	Hourly Wage	Paid overtime
1	\$15,603	\$16,773	\$17,612	Hourly Wage	Paid overtime
2	\$17,163	\$18,450	\$19,373	Hourly Wage	Paid overtime
3	\$18,879	\$20,295	\$21,310	Hourly Wage	Paid overtime
4	\$20,767	\$22,325	\$23,441	Hourly Wage	Paid overtime
5	\$22,844	\$24,557	\$25,785	Hourly Wage	Paid overtime
6	\$25,128	\$27,013	\$28,364	Hourly Wage	Paid overtime
7	\$27,641	\$29,714	\$31,200	Hourly Wage	Paid overtime
8	\$30,405	\$32,686	\$34,320	Hourly Wage	Paid overtime
9	\$33,446	\$35,954	\$37,752	Hourly Wage	Paid overtime
10	\$36,790	\$39,550	\$41,527	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$15,931	\$19,914	\$23,897	Nonexempt Salary	Paid overtime
12	\$17,701	\$22,127	\$26,552	Nonexempt Salary	Paid overtime
13	\$19,668	\$24,585	\$29,502	Nonexempt Salary	Paid overtime
14	\$21,854	\$27,317	\$32,781	Nonexempt Salary	Paid overtime
15	\$24,282	\$30,352	\$36,423	Nonexempt Salary	Paid overtime
16	\$26,980	\$33,725	\$40,470	Nonexempt Salary	Paid overtime
17	\$29,678	\$37,097	\$44,517	Nonexempt Salary	Paid overtime
18	\$32,942	\$41,178	\$49,414	Nonexempt Salary	Paid overtime
19	\$36,895	\$46,119	\$55,343	Nonexempt Salary	Paid overtime
20	\$41,692	\$52,115	\$62,538	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$21,504	\$26,880	\$32,256	Exempt Salary	Not paid overtime
22	\$23,893	\$29,867	\$35,840	Exempt Salary	Not paid overtime
23	\$26,548	\$33,185	\$39,822	Exempt Salary	Not paid overtime
24	\$29,214	\$36,518	\$43,822	Exempt Salary	Not paid overtime
25	\$32,439	\$40,549	\$48,659	Exempt Salary	Not paid overtime
26	\$35,994	\$44,993	\$53,991	Exempt Salary	Not paid overtime
27	\$39,778	\$49,722	\$59,667	Exempt Salary	Not paid overtime
28	\$44,107	\$55,134	\$66,161	Exempt Salary	Not paid overtime
29	\$48,767	\$60,959	\$73,150	Exempt Salary	Not paid overtime
30	\$53,883	\$67,354	\$80,825	Exempt Salary	Not paid overtime
31	\$59,546	\$74,433	\$89,319	Exempt Salary	Not paid overtime
32	\$65,767	\$82,209	\$98,651	Exempt Salary	Not paid overtime
33	\$72,877	\$91,097	\$109,316	Exempt Salary	Not paid overtime
34	\$80,432	\$100,540	\$120,647	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$88,215	\$110,268	\$132,322	Exempt Salary	Not paid overtime
36	\$97,918	\$122,398	\$146,877	Exempt Salary	Not paid overtime
37	\$109,668	\$137,085	\$164,502	Exempt Salary	Not paid overtime
38	\$123,925	\$154,907	\$185,888	Exempt Salary	Not paid overtime
39	\$141,275	\$176,593	\$211,912	Exempt Salary	Not paid overtime
40	\$162,466	\$203,082	\$243,699	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — ATLANTA, GA

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,513	\$15,105	\$15,860	Hourly Wage	Paid overtime
1	\$15,456	\$16,615	\$17,446	Hourly Wage	Paid overtime
2	\$17,002	\$18,277	\$19,191	Hourly Wage	Paid overtime
3	\$18,702	\$20,104	\$21,110	Hourly Wage	Paid overtime
4	\$20,572	\$22,115	\$23,221	Hourly Wage	Paid overtime
5	\$22,629	\$24,326	\$25,543	Hourly Wage	Paid overtime
6	\$24,892	\$26,759	\$28,097	Hourly Wage	Paid overtime
7	\$27,381	\$29,435	\$30,907	Hourly Wage	Paid overtime
8	\$30,119	\$32,378	\$33,997	Hourly Wage	Paid overtime
9	\$33,131	\$35,616	\$37,397	Hourly Wage	Paid overtime
10	\$36,444	\$39,178	\$41,137	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$15,782	\$19,727	\$23,672	Nonexempt Salary	Paid overtime
12	\$17,535	\$21,919	\$26,303	Nonexempt Salary	Paid overtime
13	\$19,483	\$24,354	\$29,225	Nonexempt Salary	Paid overtime
14	\$21,648	\$27,060	\$32,472	Nonexempt Salary	Paid overtime
15	\$24,054	\$30,067	\$36,080	Nonexempt Salary	Paid overtime
16	\$26,726	\$33,408	\$40,089	Nonexempt Salary	Paid overtime
17	\$29,399	\$36,749	\$44,098	Nonexempt Salary	Paid overtime
18	\$32,633	\$40,791	\$48,949	Nonexempt Salary	Paid overtime
19	\$36,549	\$45,686	\$54,823	Nonexempt Salary	Paid overtime
20	\$41,300	\$51,625	\$61,950	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$21,302	\$26,627	\$31,953	Exempt Salary	Not paid overtime
22	\$23,669	\$29,586	\$35,503	Exempt Salary	Not paid overtime
23	\$26,299	\$32,873	\$39,448	Exempt Salary	Not paid overtime
24	\$28,940	\$36,175	\$43,410	Exempt Salary	Not paid overtime
25	\$32,134	\$40,168	\$48,202	Exempt Salary	Not paid overtime
26	\$35,656	\$44,570	\$53,484	Exempt Salary	Not paid overtime
27	\$39,404	\$49,255	\$59,106	Exempt Salary	Not paid overtime
28	\$43,693	\$54,616	\$65,539	Exempt Salary	Not paid overtime
29	\$48,308	\$60,386	\$72,463	Exempt Salary	Not paid overtime
30	\$53,377	\$66,721	\$80,065	Exempt Salary	Not paid overtime
31	\$58,986	\$73,733	\$88,480	Exempt Salary	Not paid overtime
32	\$65,149	\$81,436	\$97,724	Exempt Salary	Not paid overtime
33	\$72,192	\$90,240	\$108,288	Exempt Salary	Not paid overtime
34	\$79,676	\$99,594	\$119,513	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$87,385	\$109,232	\$131,078	Exempt Salary	Not paid overtime
36	\$96,998	\$121,247	\$145,497	Exempt Salary	Not paid overtime
37	\$108,637	\$135,797	\$162,956	Exempt Salary	Not paid overtime
38	\$122,760	\$153,450	\$184,140	Exempt Salary	Not paid overtime
39	\$139,947	\$174,933	\$209,920	Exempt Salary	Not paid overtime
40	\$160,939	\$201,173	\$241,408	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — CHICAGO, IL

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$13,257	\$16,003	\$16,803	Hourly Wage	Paid overtime
1	\$16,375	\$17,603	\$18,484	Hourly Wage	Paid overtime
2	\$18,013	\$19,364	\$20,332	Hourly Wage	Paid overtime
3	\$19,814	\$21,300	\$22,365	Hourly Wage	Paid overtime
4	\$21,796	\$23,430	\$24,602	Hourly Wage	Paid overtime
5	\$23,975	\$25,773	\$27,062	Hourly Wage	Paid overtime
6	\$26,373	\$28,351	\$29,768	Hourly Wage	Paid overtime
7	\$29,010	\$31,186	\$32,745	Hourly Wage	Paid overtime
8	\$31,911	\$34,304	\$36,019	Hourly Wage	Paid overtime
9	\$35,102	\$37,735	\$39,621	Hourly Wage	Paid overtime
10	\$38,612	\$41,508	\$43,583	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$16,720	\$20,900	\$25,080	Nonexempt Salary	Paid overtime
12	\$18,578	\$23,223	\$27,867	Nonexempt Salary	Paid overtime
13	\$20,642	\$25,803	\$30,963	Nonexempt Salary	Paid overtime
14	\$22,936	\$28,670	\$34,404	Nonexempt Salary	Paid overtime
15	\$25,484	\$31,855	\$38,226	Nonexempt Salary	Paid overtime
16	\$28,316	\$35,395	\$42,474	Nonexempt Salary	Paid overtime
17	\$31,147	\$38,934	\$46,721	Nonexempt Salary	Paid overtime
18	\$34,574	\$43,217	\$51,861	Nonexempt Salary	Paid overtime
19	\$38,723	\$48,403	\$58,084	Nonexempt Salary	Paid overtime
20	\$43,756	\$54,696	\$65,635	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$22,569	\$28,211	\$33,853	Exempt Salary	Not paid overtime
22	\$25,077	\$31,346	\$37,615	Exempt Salary	Not paid overtime
23	\$27,863	\$34,829	\$41,794	Exempt Salary	Not paid overtime
24	\$30,661	\$38,326	\$45,992	Exempt Salary	Not paid overtime
25	\$34,046	\$42,557	\$51,069	Exempt Salary	Not paid overtime
26	\$37,777	\$47,221	\$56,665	Exempt Salary	Not paid overtime
27	\$41,748	\$52,184	\$62,621	Exempt Salary	Not paid overtime
28	\$46,291	\$57,864	\$69,437	Exempt Salary	Not paid overtime
29	\$51,182	\$63,977	\$76,773	Exempt Salary	Not paid overtime
30	\$56,552	\$70,690	\$84,828	Exempt Salary	Not paid overtime
31	\$62,495	\$78,119	\$93,742	Exempt Salary	Not paid overtime
32	\$69,024	\$86,280	\$103,536	Exempt Salary	Not paid overtime
33	\$76,486	\$95,608	\$114,729	Exempt Salary	Not paid overtime
34	\$84,415	\$105,518	\$126,622	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$92,583	\$115,729	\$138,874	Exempt Salary	Not paid overtime
36	\$102,767	\$128,459	\$154,151	Exempt Salary	Not paid overtime
37	\$115,099	\$143,874	\$172,649	Exempt Salary	Not paid overtime
38	\$130,062	\$162,577	\$195,093	Exempt Salary	Not paid overtime
39	\$148,271	\$185,338	\$222,406	Exempt Salary	Not paid overtime
40	\$170,511	\$213,139	\$255,767	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — DALLAS, TX

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,810	\$15,463	\$16,236	Hourly Wage	Paid overtime
1	\$15,823	\$17,009	\$17,860	Hourly Wage	Paid overtime
2	\$17,405	\$18,710	\$19,646	Hourly Wage	Paid overtime
3	\$19,145	\$20,581	\$21,610	Hourly Wage	Paid overtime
4	\$21,060	\$22,639	\$23,771	Hourly Wage	Paid overtime
5	\$23,166	\$24,903	\$26,149	Hourly Wage	Paid overtime
6	\$25,483	\$27,394	\$28,763	Hourly Wage	Paid overtime
7	\$28,031	\$30,133	\$31,640	Hourly Wage	Paid overtime
8	\$30,834	\$33,146	\$34,804	Hourly Wage	Paid overtime
9	\$33,917	\$36,461	\$38,284	Hourly Wage	Paid overtime
10	\$37,309	\$40,107	\$42,113	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$16,156	\$20,195	\$24,234	Nonexempt Salary	Paid overtime
12	\$17,951	\$22,439	\$26,927	Nonexempt Salary	Paid overtime
13	\$19,946	\$24,932	\$29,918	Nonexempt Salary	Paid overtime
14	\$24,624	\$30,780	\$36,936	Nonexempt Salary	Paid overtime
16	\$27,360	\$34,200	\$41,040	Nonexempt Salary	Paid overtime
17	\$30,096	\$37,620	\$45,144	Nonexempt Salary	Paid overtime
18	\$33,407	\$41,759	\$50,110	Nonexempt Salary	Paid overtime
19	\$37,416	\$46,770	\$56,124	Nonexempt Salary	Paid overtime
20	\$42,280	\$52,850	\$63,420	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$21,807	\$27,259	\$32,711	Exempt Salary	Not paid overtime
22	\$24,230	\$30,288	\$36,345	Exempt Salary	Not paid overtime
23	\$26,922	\$33,653	\$40,384	Exempt Salary	Not paid overtime
24	\$29,626	\$37,033	\$44,439	Exempt Salary	Not paid overtime
25	\$32,897	\$41,121	\$49,345	Exempt Salary	Not paid overtime
26	\$36,502	\$45,627	\$54,753	Exempt Salary	Not paid overtime
27	\$40,339	\$50,423	\$60,508	Exempt Salary	Not paid overtime
28	\$44,729	\$55,911	\$67,094	Exempt Salary	Not paid overtime
29	\$49,454	\$61,818	\$74,182	Exempt Salary	Not paid overtime
30	\$54,643	\$68,304	\$81,965	Exempt Salary	Not paid overtime
31	\$60,386	\$75,482	\$90,579	Exempt Salary	Not paid overtime
32	\$66,695	\$83,368	\$100,042	Exempt Salary	Not paid overtime
33	\$73,905	\$92,381	\$110,857	Exempt Salary	Not paid overtime
34	\$81,566	\$101,957	\$122,349	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$89,458	\$111,823	\$134,188	Exempt Salary	Not paid overtime
36	\$99,299	\$124,123	\$148,948	Exempt Salary	Not paid overtime
37	\$111,215	\$139,018	\$166,822	Exempt Salary	Not paid overtime
38	\$125,673	\$157,091	\$188,509	Exempt Salary	Not paid overtime
39	\$143,267	\$179,083	\$214,900	Exempt Salary	Not paid overtime
40	\$164,757	\$205,946	\$247,135	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — EL PASO, TX

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$11,619	\$14,025	\$14,727	Hourly Wage	Paid overtime
1	\$14,351	\$15,428	\$16,199	Hourly Wage	Paid overtime
2	\$15,787	\$16,971	\$17,819	Hourly Wage	Paid overtime
3	\$17,365	\$18,668	\$19,601	Hourly Wage	Paid overtime
4	\$19,102	\$20,534	\$21,561	Hourly Wage	Paid overtime
5	\$21,012	\$22,588	\$23,717	Hourly Wage	Paid overtime
6	\$23,113	\$24,847	\$26,089	Hourly Wage	Paid overtime
7	\$25,425	\$27,331	\$28,698	Hourly Wage	Paid overtime
8	\$27,967	\$30,065	\$31,568	Hourly Wage	Paid overtime
9	\$30,764	\$33,071	\$34,725	Hourly Wage	Paid overtime
10	\$33,840	\$36,378	\$38,197	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$14,654	\$18,317	\$21,981	Nonexempt Salary	Paid overtime
12	\$16,282	\$20,352	\$24,423	Nonexempt Salary	Paid overtime
13	\$18,091	\$22,614	\$27,137	Nonexempt Salary	Paid overtime
14	\$20,101	\$25,127	\$30,152	Nonexempt Salary	Paid overtime
15	\$22,335	\$27,918	\$33,502	Nonexempt Salary	Paid overtime
16	\$24,816	\$31,020	\$37,224	Nonexempt Salary	Paid overtime
17	\$27,298	\$34,122	\$40,947	Nonexempt Salary	Paid overtime
18	\$30,301	\$37,876	\$45,451	Nonexempt Salary	Paid overtime
19	\$33,937	\$42,421	\$50,905	Nonexempt Salary	Paid overtime
20	\$38,349	\$47,936	\$57,523	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$19,780	\$24,725	\$29,669	Exempt Salary	Not paid overtime
22	\$21,977	\$27,472	\$32,966	Exempt Salary	Not paid overtime
23	\$24,419	\$30,524	\$36,629	Exempt Salary	Not paid overtime
24	\$26,872	\$33,590	\$40,308	Exempt Salary	Not paid overtime
25	\$29,838	\$37,297	\$44,757	Exempt Salary	Not paid overtime
26	\$33,108	\$41,385	\$49,662	Exempt Salary	Not paid overtime
27	\$36,588	\$45,735	\$54,882	Exempt Salary	Not paid overtime
28	\$40,570	\$50,713	\$60,855	Exempt Salary	Not paid overtime
29	\$44,856	\$56,070	\$67,284	Exempt Salary	Not paid overtime
30	\$49,563	\$61,953	\$74,344	Exempt Salary	Not paid overtime
31	\$54,771	\$68,464	\$82,157	Exempt Salary	Not paid overtime
32	\$60,493	\$75,617	\$90,740	Exempt Salary	Not paid overtime
33	\$67,033	\$83,792	\$100,550	Exempt Salary	Not paid overtime
34	\$73,982	\$92,477	\$110,973	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$81,141	\$101,426	\$121,711	Exempt Salary	Not paid overtime
36	\$90,066	\$112,583	\$135,099	Exempt Salary	Not paid overtime
37	\$100,874	\$126,093	\$151,311	Exempt Salary	Not paid overtime
38	\$113,988	\$142,485	\$170,981	Exempt Salary	Not paid overtime
39	\$129,946	\$162,432	\$194,919	Exempt Salary	Not paid overtime
40	\$149,438	\$186,797	\$224,157	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — LOS ANGELES, CA

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$14,005	\$16,906	\$17,751	Hourly Wage	Paid overtime
1	\$17,299	\$18,597	\$19,527	Hourly Wage	Paid overtime
2	\$19,029	\$20,456	\$21,479	Hourly Wage	Paid overtime
3	\$20,932	\$22,502	\$23,627	Hourly Wage	Paid overtime
4	\$23,025	\$24,752	\$25,990	Hourly Wage	Paid overtime
5	\$25,328	\$27,228	\$28,589	Hourly Wage	Paid overtime
6	\$27,861	\$29,950	\$31,448	Hourly Wage	Paid overtime
7	\$30,647	\$32,945	\$34,593	Hourly Wage	Paid overtime
8	\$33,711	\$36,240	\$38,052	Hourly Wage	Paid overtime
9	\$37,083	\$39,864	\$41,857	Hourly Wage	Paid overtime
10	\$40,791	\$43,850	\$46,043	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$17,664	\$22,080	\$26,496	Nonexempt Salary	Paid overtime
12	\$19,626	\$24,533	\$29,439	Nonexempt Salary	Paid overtime
13	\$21,807	\$27,259	\$32,711	Nonexempt Salary	Paid overtime
14	\$24,230	\$30,288	\$36,345	Nonexempt Salary	Paid overtime
15	\$26,922	\$33,653	\$40,383	Nonexempt Salary	Paid overtime
16	\$29,914	\$37,392	\$44,870	Nonexempt Salary	Paid overtime
17	\$32,905	\$41,131	\$49,357	Nonexempt Salary	Paid overtime
18	\$36,525	\$45,656	\$54,787	Nonexempt Salary	Paid overtime
19	\$40,907	\$51,134	\$61,361	Nonexempt Salary	Paid overtime
20	\$46,225	\$57,782	\$69,338	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$23,842	\$29,803	\$35,764	Exempt Salary	Not paid overtime
22	\$26,492	\$33,114	\$39,737	Exempt Salary	Not paid overtime
23	\$29,435	\$36,794	\$44,153	Exempt Salary	Not paid overtime
24	\$32,391	\$40,489	\$48,587	Exempt Salary	Not paid overtime
25	\$35,967	\$44,958	\$53,950	Exempt Salary	Not paid overtime
26	\$39,908	\$49,885	\$59,862	Exempt Salary	Not paid overtime
27	\$44,103	\$55,129	\$66,155	Exempt Salary	Not paid overtime
28	\$48,903	\$61,129	\$73,355	Exempt Salary	Not paid overtime
29	\$54,070	\$67,587	\$81,105	Exempt Salary	Not paid overtime
30	\$59,743	\$74,678	\$89,614	Exempt Salary	Not paid overtime
31	\$66,021	\$82,526	\$99,032	Exempt Salary	Not paid overtime
32	\$72,919	\$91,149	\$109,378	Exempt Salary	Not paid overtime
33	\$80,802	\$101,002	\$121,203	Exempt Salary	Not paid overtime
34	\$89,178	\$111,472	\$133,767	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$97,807	\$122,259	\$146,710	Exempt Salary	Not paid overtime
36	\$108,566	\$135,707	\$162,849	Exempt Salary	Not paid overtime
37	\$121,594	\$151,992	\$182,390	Exempt Salary	Not paid overtime
38	\$137,401	\$171,751	\$206,101	Exempt Salary	Not paid overtime
39	\$156,637	\$195,796	\$234,955	Exempt Salary	Not paid overtime
40	\$180,132	\$225,166	\$270,199	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — MEMPHIS, TN

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,143	\$14,659	\$15,392	Hourly Wage	Paid overtime
1	\$15,000	\$16,125	\$16,931	Hourly Wage	Paid overtime
2	\$16,500	\$17,737	\$18,624	Hourly Wage	Paid overtime
3	\$18,150	\$19,511	\$20,487	Hourly Wage	Paid overtime
4	\$19,965	\$21,462	\$22,535	Hourly Wage	Paid overtime
5	\$21,961	\$23,609	\$24,789	Hourly Wage	Paid overtime
6	\$24,158	\$25,969	\$27,268	Hourly Wage	Paid overtime
7	\$26,573	\$28,566	\$29,995	Hourly Wage	Paid overtime
8	\$29,231	\$31,423	\$32,994	Hourly Wage	Paid overtime
9	\$32,154	\$34,565	\$36,294	Hourly Wage	Paid overtime
10	\$35,369	\$38,022	\$39,923	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$15,316	\$19,145	\$22,974	Nonexempt Salary	Paid overtime
12	\$17,018	\$21,272	\$25,526	Nonexempt Salary	Paid overtime
13	\$18,909	\$23,636	\$28,363	Nonexempt Salary	Paid overtime
14	\$21,009	\$26,262	\$31,514	Nonexempt Salary	Paid overtime
15	\$23,344	\$29,180	\$35,016	Nonexempt Salary	Paid overtime
16	\$25,938	\$32,422	\$38,906	Nonexempt Salary	Paid overtime
17	\$28,531	\$35,664	\$42,797	Nonexempt Salary	Paid overtime
18	\$31,670	\$39,587	\$47,505	Nonexempt Salary	Paid overtime
19	\$35,470	\$44,338	\$53,205	Nonexempt Salary	Paid overtime
20	\$40,081	\$50,102	\$60,122	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$20,673	\$25,842	\$31,010	Exempt Salary	Not paid overtime
22	\$22,970	\$28,713	\$34,456	Exempt Salary	Not paid overtime
23	\$25,523	\$31,903	\$38,284	Exempt Salary	Not paid overtime
24	\$28,086	\$35,107	\$42,129	Exempt Salary	Not paid overtime
25	\$31,186	\$38,983	\$46,779	Exempt Salary	Not paid overtime
26	\$34,604	\$43,255	\$51,906	Exempt Salary	Not paid overtime
27	\$38,241	\$47,801	\$57,362	Exempt Salary	Not paid overtime
28	\$42,403	\$53,004	\$63,605	Exempt Salary	Not paid overtime
29	\$46,883	\$58,604	\$70,324	Exempt Salary	Not paid overtime
30	\$51,802	\$64,752	\$77,703	Exempt Salary	Not paid overtime
31	\$57,246	\$71,557	\$85,869	Exempt Salary	Not paid overtime
32	\$63,227	\$79,033	\$94,840	Exempt Salary	Not paid overtime
33	\$70,062	\$87,578	\$105,093	Exempt Salary	Not paid overtime
34	\$77,325	\$96,656	\$115,987	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$84,807	\$106,009	\$127,210	Exempt Salary	Not paid overtime
36	\$94,136	\$117,669	\$141,203	Exempt Salary	Not paid overtime
37	\$105,432	\$131,790	\$158,148	Exempt Salary	Not paid overtime
38	\$119,138	\$148,922	\$178,707	Exempt Salary	Not paid overtime
39	\$135,817	\$169,772	\$203,726	Exempt Salary	Not paid overtime
40	\$156,190	\$195,237	\$234,285	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — NEW YORK, NY

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$14,962	\$18,061	\$18,964	Hourly Wage	Paid overtime
1	\$18,481	\$19,867	\$20,861	Hourly Wage	Paid overtime
2	\$20,330	\$21,854	\$22,947	Hourly Wage	Paid overtime
3	\$22,362	\$24,040	\$25,242	Hourly Wage	Paid overtime
4	\$24,599	\$26,444	\$27,766	Hourly Wage	Paid overtime
5	\$27,059	\$29,088	\$30,542	Hourly Wage	Paid overtime
6	\$29,764	\$31,997	\$33,597	Hourly Wage	Paid overtime
7	\$32,741	\$35,196	\$36,956	Hourly Wage	Paid overtime
8	\$36,015	\$38,716	\$40,652	Hourly Wage	Paid overtime
9	\$39,616	\$42,588	\$44,717	Hourly Wage	Paid overtime
10	\$43,578	\$46,846	\$49,189	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$18,871	\$23,588	\$28,306	Nonexempt Salary	Paid overtime
12	\$20,967	\$26,209	\$31,451	Nonexempt Salary	Paid overtime
13	\$23,297	\$29,121	\$34,946	Nonexempt Salary	Paid overtime
14	\$25,886	\$32,357	\$38,829	Nonexempt Salary	Paid overtime
15	\$28,762	\$35,952	\$43,143	Nonexempt Salary	Paid overtime
16	\$31,958	\$39,947	\$47,936	Nonexempt Salary	Paid overtime
17	\$35,153	\$43,942	\$52,730	Nonexempt Salary	Paid overtime
18	\$39,020	\$48,775	\$58,530	Nonexempt Salary	Paid overtime
19	\$43,703	\$54,628	\$65,554	Nonexempt Salary	Paid overtime
20	\$49,384	\$61,730	\$74,076	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$25,471	\$31,839	\$38,207	Exempt Salary	Not paid overtime
22	\$28,302	\$35,377	\$42,452	Exempt Salary	Not paid overtime
23	\$31,446	\$39,308	\$47,169	Exempt Salary	Not paid overtime
24	\$34,604	\$43,256	\$51,907	Exempt Salary	Not paid overtime
25	\$38,424	\$48,030	\$57,637	Exempt Salary	Not paid overtime
26	\$42,635	\$53,294	\$63,953	Exempt Salary	Not paid overtime
27	\$47,117	\$58,896	\$70,675	Exempt Salary	Not paid overtime
28	\$52,245	\$65,306	\$78,368	Exempt Salary	Not paid overtime
29	\$57,764	\$72,205	\$86,646	Exempt Salary	Not paid overtime
30	\$63,825	\$79,781	\$95,737	Exempt Salary	Not paid overtime
31	\$70,532	\$88,165	\$105,799	Exempt Salary	Not paid overtime
32	\$77,901	\$97,377	\$116,852	Exempt Salary	Not paid overtime
33	\$86,323	\$107,904	\$129,485	Exempt Salary	Not paid overtime
34	\$95,271	\$119,089	\$142,907	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$104,490	\$130,613	\$156,735	Exempt Salary	Not paid overtime
36	\$115,984	\$144,980	\$173,976	Exempt Salary	Not paid overtime
37	\$129,902	\$162,378	\$194,853	Exempt Salary	Not paid overtime
38	\$146,789	\$183,487	\$220,184	Exempt Salary	Not paid overtime
39	\$167,340	\$209,175	\$251,010	Exempt Salary	Not paid overtime
40	\$192,441	\$240,551	\$288,661	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — PHOENIX, AZ

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$12,319	\$14,871	\$15,615	Hourly Wage	Paid overtime
1	\$15,217	\$16,358	\$17,176	Hourly Wage	Paid overtime
2	\$16,739	\$17,994	\$18,894	Hourly Wage	Paid overtime
3	\$18,413	\$19,793	\$20,783	Hourly Wage	Paid overtime
4	\$20,254	\$21,773	\$22,861	Hourly Wage	Paid overtime
5	\$22,279	\$23,950	\$25,148	Hourly Wage	Paid overtime
6	\$24,507	\$26,345	\$27,662	Hourly Wage	Paid overtime
7	\$26,958	\$28,980	\$30,429	Hourly Wage	Paid overtime
8	\$29,654	\$31,878	\$33,471	Hourly Wage	Paid overtime
9	\$32,619	\$35,065	\$36,819	Hourly Wage	Paid overtime
10	\$35,881	\$38,572	\$40,500	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$15,538	\$19,422	\$23,306	Nonexempt Salary	Paid overtime
12	\$17,264	\$21,580	\$25,896	Nonexempt Salary	Paid overtime
13	\$19,182	\$23,978	\$28,773	Nonexempt Salary	Paid overtime
14	\$21,313	\$26,642	\$31,970	Nonexempt Salary	Paid overtime
15	\$23,682	\$29,602	\$35,522	Nonexempt Salary	Paid overtime
16	\$26,313	\$32,891	\$39,469	Nonexempt Salary	Paid overtime
17	\$28,944	\$36,180	\$43,416	Nonexempt Salary	Paid overtime
18	\$32,128	\$40,160	\$48,192	Nonexempt Salary	Paid overtime
19	\$35,983	\$44,979	\$53,975	Nonexempt Salary	Paid overtime
20	\$40,661	\$50,827	\$60,992	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$20,972	\$26,216	\$31,459	Exempt Salary	Not paid overtime
22	\$23,303	\$29,128	\$34,954	Exempt Salary	Not paid overtime
23	\$25,892	\$32,365	\$38,838	Exempt Salary	Not paid overtime
24	\$28,492	\$35,615	\$42,738	Exempt Salary	Not paid overtime
25	\$31,637	\$39,547	\$47,456	Exempt Salary	Not paid overtime
26	\$35,104	\$43,881	\$52,657	Exempt Salary	Not paid overtime
27	\$38,794	\$48,493	\$58,192	Exempt Salary	Not paid overtime
28	\$43,017	\$53,771	\$64,525	Exempt Salary	Not paid overtime
29	\$47,561	\$59,452	\$71,342	Exempt Salary	Not paid overtime
30	\$52,551	\$65,689	\$78,827	Exempt Salary	Not paid overtime
31	\$58,074	\$72,593	\$87,111	Exempt Salary	Not paid overtime
32	\$64,142	\$80,177	\$96,212	Exempt Salary	Not paid overtime
33	\$71,076	\$88,845	\$106,614	Exempt Salary	Not paid overtime
34	\$78,443	\$98,054	\$117,665	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$86,034	\$107,542	\$129,051	Exempt Salary	Not paid overtime
36	\$95,498	\$119,372	\$143,246	Exempt Salary	Not paid overtime
37	\$106,957	\$133,697	\$160,436	Exempt Salary	Not paid overtime
38	\$120,862	\$151,077	\$181,293	Exempt Salary	Not paid overtime
39	\$137,782	\$172,228	\$206,674	Exempt Salary	Not paid overtime
40	\$158,450	\$198,062	\$237,675	Exempt Salary	Not paid overtime

Table 8-10

2000 BASE PAY SCALES — SEATTLE, WA

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$13,660	\$16,490	\$17,314	Hourly Wage	Paid overtime
1	\$16,873	\$18,139	\$19,046	Hourly Wage	Paid overtime
2	\$18,561	\$19,953	\$20,950	Hourly Wage	Paid overtime
3	\$20,417	\$21,948	\$23,045	Hourly Wage	Paid overtime
4	\$22,458	\$24,143	\$25,350	Hourly Wage	Paid overtime
5	\$24,704	\$26,557	\$27,885	Hourly Wage	Paid overtime
6	\$27,175	\$29,213	\$30,673	Hourly Wage	Paid overtime
7	\$29,892	\$32,134	\$33,741	Hourly Wage	Paid overtime
8	\$32,881	\$35,348	\$37,115	Hourly Wage	Paid overtime
9	\$36,170	\$38,882	\$40,826	Hourly Wage	Paid overtime
10	\$39,786	\$42,770	\$44,909	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$17,229	\$21,536	\$25,843	Nonexempt Salary	Paid overtime
12	\$19,143	\$23,929	\$28,715	Nonexempt Salary	Paid overtime
13	\$21,270	\$26,588	\$31,905	Nonexempt Salary	Paid overtime
14	\$23,633	\$29,542	\$35,450	Nonexempt Salary	Paid overtime
15	\$26,259	\$32,824	\$39,389	Nonexempt Salary	Paid overtime
16	\$29,177	\$36,471	\$43,766	Nonexempt Salary	Paid overtime
17	\$32,095	\$40,118	\$48,142	Nonexempt Salary	Paid overtime
18	\$35,625	\$44,532	\$53,438	Nonexempt Salary	Paid overtime
19	\$39,900	\$49,875	\$59,850	Nonexempt Salary	Paid overtime
20	\$45,087	\$56,359	\$67,631	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$23,255	\$29,069	\$34,883	Exempt Salary	Not paid overtime
22	\$25,839	\$32,299	\$38,759	Exempt Salary	Not paid overtime
23	\$28,710	\$35,888	\$43,065	Exempt Salary	Not paid overtime
24	\$31,594	\$39,492	\$47,390	Exempt Salary	Not paid overtime
25	\$35,081	\$43,851	\$52,622	Exempt Salary	Not paid overtime
26	\$38,926	\$48,657	\$58,388	Exempt Salary	Not paid overtime
27	\$43,017	\$53,772	\$64,526	Exempt Salary	Not paid overtime
28	\$47,699	\$59,624	\$71,549	Exempt Salary	Not paid overtime
29	\$52,738	\$65,923	\$79,108	Exempt Salary	Not paid overtime
30	\$58,272	\$72,840	\$87,408	Exempt Salary	Not paid overtime
31	\$64,396	\$80,494	\$96,593	Exempt Salary	Not paid overtime
32	\$71,123	\$88,904	\$106,685	Exempt Salary	Not paid overtime
33	\$78,812	\$98,516	\$118,219	Exempt Salary	Not paid overtime
34	\$86,982	\$108,728	\$130,473	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$95,399	\$119,248	\$143,098	Exempt Salary	Not paid overtime
36	\$105,893	\$132,366	\$158,839	Exempt Salary	Not paid overtime
37	\$118,600	\$148,250	\$177,900	Exempt Salary	Not paid overtime
38	\$134,018	\$167,522	\$201,027	Exempt Salary	Not paid overtime
39	\$152,780	\$190,975	\$229,170	Exempt Salary	Not paid overtime
40	\$175,697	\$219,621	\$263,546	Exempt Salary	Not paid overtime

Table 8-10

2008 BASE PAY SCALES — WASHINGTON, DC

GRADE	MINIMUM	MID POINT	MAXIMUM	CLASSIFICATION	OVERTIME
PRODUCTION AND MAINTENANCE EMPLOYEES					
0	\$13,170	\$15,898	\$16,693	Hourly Wage	Paid overtime
1	\$16,268	\$17,488	\$18,362	Hourly Wage	Paid overtime
2	\$17,894	\$19,236	\$20,198	Hourly Wage	Paid overtime
3	\$19,684	\$21,160	\$22,218	Hourly Wage	Paid overtime
4	\$21,652	\$23,276	\$24,440	Hourly Wage	Paid overtime
5	\$23,817	\$25,604	\$26,884	Hourly Wage	Paid overtime
6	\$26,199	\$28,164	\$29,572	Hourly Wage	Paid overtime
7	\$28,819	\$30,980	\$32,529	Hourly Wage	Paid overtime
8	\$31,701	\$34,078	\$35,782	Hourly Wage	Paid overtime
9	\$34,871	\$37,486	\$39,360	Hourly Wage	Paid overtime
10	\$38,358	\$41,235	\$43,297	Hourly Wage	Paid overtime
ADMINISTRATIVE AND TECHNICAL EMPLOYEES					
11	\$16,610	\$20,763	\$24,915	Nonexempt Salary	Paid overtime
12	\$18,456	\$23,070	\$27,684	Nonexempt Salary	Paid overtime
13	\$20,506	\$25,633	\$30,760	Nonexempt Salary	Paid overtime
14	\$22,785	\$28,481	\$34,177	Nonexempt Salary	Paid overtime
15	\$25,317	\$31,646	\$37,975	Nonexempt Salary	Paid overtime
16	\$28,129	\$35,162	\$42,194	Nonexempt Salary	Paid overtime
17	\$30,942	\$38,678	\$46,414	Nonexempt Salary	Paid overtime
18	\$34,346	\$42,933	\$51,519	Nonexempt Salary	Paid overtime
19	\$38,468	\$48,084	\$57,701	Nonexempt Salary	Paid overtime
20	\$43,468	\$54,335	\$65,203	Nonexempt Salary	Paid overtime
MANAGERS AND SUPERVISORS					
21	\$22,420	\$28,025	\$33,630	Exempt Salary	Not paid overtime
22	\$24,911	\$31,139	\$37,367	Exempt Salary	Not paid overtime
23	\$27,679	\$34,599	\$41,519	Exempt Salary	Not paid overtime
24	\$30,459	\$38,074	\$45,689	Exempt Salary	Not paid overtime
25	\$33,822	\$42,277	\$50,732	Exempt Salary	Not paid overtime
26	\$37,528	\$46,910	\$56,292	Exempt Salary	Not paid overtime
27	\$41,473	\$51,841	\$62,209	Exempt Salary	Not paid overtime
28	\$45,987	\$57,483	\$68,980	Exempt Salary	Not paid overtime
29	\$50,845	\$63,556	\$76,267	Exempt Salary	Not paid overtime
30	\$56,179	\$70,224	\$84,269	Exempt Salary	Not paid overtime
31	\$62,083	\$77,604	\$93,125	Exempt Salary	Not paid overtime
32	\$68,570	\$85,712	\$102,854	Exempt Salary	Not paid overtime
33	\$75,983	\$94,978	\$113,974	Exempt Salary	Not paid overtime
34	\$83,859	\$104,824	\$125,788	Exempt Salary	Not paid overtime
EXECUTIVE EMPLOYEES					
35	\$91,973	\$114,967	\$137,960	Exempt Salary	Not paid overtime
36	\$102,090	\$127,613	\$153,136	Exempt Salary	Not paid overtime
37	\$114,341	\$142,927	\$171,512	Exempt Salary	Not paid overtime
38	\$129,206	\$161,507	\$193,808	Exempt Salary	Not paid overtime
39	\$147,294	\$184,118	\$220,942	Exempt Salary	Not paid overtime
40	\$169,389	\$211,736	\$254,083	Exempt Salary	Not paid overtime

Table 8-12

JOB TITLES/GRADES: ALPHABETICAL

ALPHABETICAL JOB TITLE/	GRADE	ALPHABETICAL JOB TITLE/	GRADE	ALPHABETICAL JOB TITLE/	GRADE
Accountant 1, Starting	11	C.E.O and/or C.O.O.	40	Operator 3, Intermediate	5
Accountant 2	13	Director 1	33	Operator 4, Senior	7
Accountant 3, Intermediate	15	Director 2, Senior	34	Planner 1, Starting	22
Accountant 4, Senior	17	Director 3, Group	35	Planner 2	23
Administrator 1, Starting	12	Draftsperson 1, Starting	12	Planner 3, Intermediate	25
Administrator 2	14	Draftsperson 2	13	Planner 4, Senior	27
Administrator 3, Intermediate	16	Draftsperson 3, Intermediate	16	President	39
Administrator 4, Senior	18	Draftsperson 4, Senior	20	Programmer 1, Starting	14
Analyst 1, Starting	14	Engineer 1, Starting	22	Programmer 2	16
Analyst 2	19	Engineer 2	24	Programmer 3, Intermediate	18
Analyst 3, Intermediate	24	Engineer 3, Intermediate	26	Programmer 4, Senior	20
Analyst 4, Senior	29	Engineer 4, Senior	28	Receptionist 1, Starting	11
Apprentice 1, Starting	0	Engineer 5, Principal	32	Receptionist 2	12
Apprentice 2	3	Engineer 6, Group	34	Receptionist 3, Intermediate	13
Apprentice 3, Intermediate	6	Entry 1, Starting	0	Receptionist 4, Senior	14
Apprentice 4, Senior	9	Entry 2	2	Representative 1, Starting	12
Assembler 1, Starting	2	Entry 3, Intermediate	11	Representative 2	14
Assembler 2	4	Entry 4, Senior	13	Representative 3, Intermediate	16
Assembler 3, Intermediate	6	Expediter 1, Starting	14	Representative 4, Senior	18
Assembler 4, Senior	8	Expediter 2	16	Sales Executive 1, Starting	11
Assistant 1, Starting	14	Expediter 3, Intermediate	18	Sales Executive 2	13
Assistant 2	16	Expediter 4, Senior	20	Sales Executive 3, Intermediate	15
Assistant 3, Intermediate	18	Group Leader 1, Starting	4	Sales Executive 4, Senior	17
Assistant 4, Senior	20	Group Leader 2	6	Secretary 1, Starting	12
Associate 1, Starting	14	Group Leader 3, Intermediate	8	Secretary 2	13
Associate 2	16	Group Leader 4, Senior	10	Secretary 3, Intermediate	14
Associate 3, Intermediate	18	Handyperson/Janitor 1, Starting	0	Secretary 4, Senior	15
Associate 4, Senior	20	Handyperson/Janitor 2	2	Specialist 1, Starting	21
Auditor 1, Starting	12	Handyperson/Janitor 3, Intermed.	4	Specialist 2	22
Auditor 2	14	Handyperson/Janitor 4, Senior	6	Specialist 3, Intermediate	23
Auditor 3, Intermediate	16	Inspector 1, Starting	3	Specialist 4, Senior	24
Auditor 4, Senior	20	Inspector 2	5	Storesperson 1, Starting	4
Buyer 1, Starting	21	Inspector 3, Intermediate	7	Storesperson 2	7
Buyer 2	23	Inspector 4, Senior	9	Storesperson 3, Intermediate	10
Buyer 3, Intermediate	25	Manager 1	30	Storesperson 4, Senior	13
Buyer 4, Senior	27	Manager 2, Senior	31	Supervisor 1, Starting	23
Chief Financial Officer	39	Manager 3, Group	32	Supervisor 2	25
Clerk 1, Starting	11	Material Handler 1, Starting	3	Supervisor 3, Senior	27
Clerk 2	13	Material Handler 2	4	Supervisor 4, Group	29
Clerk 3, Intermediate	15	Material Handler 3, Intermediate	5	Technician 1, Starting	11
Clerk 4, Senior	18	Material Handler 4, Senior	6	Technician 2	13
Computer Operator 1, Starting	11	Mechanic 1, Starting	4	Technician 3, Intermediate	15
Computer Operator 2	14	Mechanic 2	6	Technician 4, Senior	17
Computer Operator 3, Intermediate	18	Mechanic 3, Intermediate	8	Tester 1, Starting	2
Computer Operator 4, Senior	22	Mechanic 4, Senior	10	Tester 2	3
Controller	31	Officer 1, Starting	24	Tester 3, Intermediate	4
Controller Assistant	29	Officer 2	26	Tester 4, Senior	5
Controller Financial	33	Officer 3, Intermediate	28	Treasurer	36
Coordinator 1, Starting	12	Officer 4, Senior	30	Vice President 1	36
Coordinator 2	14	Operator 0 (/Temporary Starting)	0	Vice President 2, Senior	37
Coordinator 3, Intermediate	16	Operator 1, (/Temporary)	1	Vice President 3, Group	38
Coordinator 4, Senior	18	Operator 2	3		

Table 8-13

JOB TITLES/GRADES: NUMERICAL

TITLE IN GRADE ORDER /	GRADE	TITLE IN GRADE ORDER/	GRADE	TITLE IN GRADE ORDER/	GRADE
Apprentice 1, Starting	0	Coordinator 1, Starting	12	Analyst 2	19
Entry 1, Starting	0	Draftsperson 1, Starting	12	Assistant 4, Senior	20
Handyperson/Janitor 1, Starting	0	Receptionist 2	12	Associate 4, Senior	20
Operator 0 (/Temporary Starting)	0	Representative 1, Starting	12	Auditor 4, Senior	20
Operator 1, (/Temporary)	1	Secretary 1, Starting	12	Draftsperson 4, Senior	20
Assembler 1, Starting	2	Accountant 2	13	Expediter 4, Senior	20
Entry 2	2	Clerk 2	13	Programmer 4, Senior	20
Handyperson/Janitor 2	2	Draftsperson 2	13	Buyer 1, Starting	21
Tester 1, Starting	2	Entry 4, Senior	13	Specialist 1, Starting	21
Apprentice 2	3	Receptionist 3, Intermediate	13	Computer Operator 4, Senior	22
Inspector 1, Starting	3	Sales Executive 2	13	Engineer 1, Starting	22
Material Handler 1, Starting	3	Secretary 2	13	Planner 1, Starting	22
Operator 2	3	Storesperson 4, Senior	13	Specialist 2	22
Tester 2	3	Technician 2	13	Buyer 2	23
Assembler 2	4	Administrator 2	14	Planner 2	23
Group Leader 1, Starting	4	Analyst 1, Starting	14	Specialist 3, Intermediate	23
Handyperson/Janitor 3, Intermediate	4	Assistant 1, Starting	14	Supervisor 1, Starting	23
Material Handler 2	4	Associate 1, Starting	14	Analyst 3, Intermediate	24
Mechanic 1, Starting	4	Auditor 2	14	Engineer 2	24
Storesperson 1, Starting	4	Computer Operator 2	14	Officer 1, Starting	24
Tester 3, Intermediate	4	Coordinator 2	14	Specialist 4, Senior	24
Inspector 2	5	Expediter 1, Starting	14	Buyer 3, Intermediate	25
Material Handler 3, Intermediate	5	Programmer 1, Starting	14	Planner 3, Intermediate	25
Operator 3, Intermediate	5	Receptionist 4, Senior	14	Supervisor 2	25
Tester 4, Senior	5	Representative 2	14	Engineer 3, Intermediate	26
Apprentice 3, Intermediate	6	Secretary 3, Intermediate	14	Officer 2	26
Assembler 3, Intermediate	6	Accountant 3, Intermediate	15	Buyer 4, Senior	27
Group Leader 2	6	Clerk 3, Intermediate	15	Planner 4, Senior	27
Handyperson/Janitor 4, Senior	6	Sales Executive 3, Intermediate	15	Supervisor 3, Senior	27
Material Handler 4, Senior	6	Secretary 4, Senior	15	Engineer 4, Senior	28
Mechanic 2	6	Technician 3, Intermediate	15	Officer 3, Intermediate	28
Inspector 3, Intermediate	7	Administrator 3, Intermediate	16	Analyst 4, Senior	29
Operator 4, Senior	7	Assistant 2	16	Controller Assistant	29
Storesperson 2	7	Associate 2	16	Supervisor 4, Group	29
Assembler 4, Senior	8	Auditor 3, Intermediate	16	Manager 1	30
Group Leader 3, Intermediate	8	Coordinator 3, Intermediate	16	Officer 4, Senior	30
Mechanic 3, Intermediate	8	Draftsperson 3, Intermediate	16	Controller	31
Apprentice 4, Senior	9	Expediter 2	16	Manager 2, Senior	31
Inspector 4, Senior	9	Programmer 2	16	Engineer 5, Principal	32
Group Leader 4, Senior	10	Representative 3, Intermediate	16	Manager 3, Group	32
Mechanic 4, Senior	10	Accountant 4, Senior	17	Cointroller Financial	33
Storesperson 3, Intermediate	10	Sales Executive 4, Senior	17	Director 1	33
Accountant 1, Starting	11	Technician 4, Senior	17	Director 2, Senior	34
Clerk 1, Starting	11	Administrator 4, Senior	18	Engineer 6, Group	34
Computer Operator 1, Starting	11	Assistant 3, Intermediate	18	Director 3, Group	35
Entry 3, Intermediate	11	Associate 3, Intermediate	18	Treasurer	36
Receptionist 1, Starting	11	Clerk 4, Senior	18	Vice President 1	36
Sales Executive 1, Starting	11	Computer Operator 3, Intermediate	18	Vice President 2, Senior	37
Technician 1, Starting	11	Coordinator 4, Senior	18	Vice President 3, Group	38
Administrator 1, Starting	12	Expediter 3, Intermediate	18	Chief Financial Officer	39
Auditor 1, Starting	12	Programmer 3, Intermediate	18	President	39
		Representative 4, Senior	18	C.E.O and/or C.O.O.	40

2008 COMPENSATION PLANNING GUIDE

The following pay increase guidelines are recommended for the 2008 compensation planning period based upon market survey data.

EMPLOYEE CATEGORY	AVERAGE PROMOTION %	AVERAGE RANGE %	AVERAGE MERIT	AVERAGE RANGE
Owner, Board & Executive	8-10%	7.5 - 12%	3.9%	3 - 9%
Manager/Supervisor	8-10%	7.5 - 12%	3.8%	3 - 9%
Non-exempt Salary	7-8%	5 - 12%	3.7%	3 - 9%
Non-union, Non-exempt	6-7%	Mid-point to mid-point %	3.6%	3 - 9% Hourly

Based upon Mercer Human Resource Consulting, 2007 projection

The recommended timing of promotion and merit increases is a 12-month period beginning whenever you establish the pay scales and evaluation process.

The following table is a guide for determining how much of an increase to give to an employee while considering:

1. Appraisal rating
2. Position in the pay range
3. Time lapsed since last increase

PERFORMANCE RATING	RANGE 1ST QUARTILE	RANGE 2ND QUARTILE	RANGE 3RD QUARTILE	RANGE 4TH QUARTILE
Outstanding Performance	11% (6 - 9 mos.)	8% (9 - 12 mos.)	6% (12 mos.)	To range Max. (12 - 15 mos.)
Consistently Exceeds Standards	9% (6 - 9 mos.)	6% (9 - 12 mos.)	4% (12 - 15 mos.)	Discretion (15 - 18 mos.)
Consistently Meets Standards	6% (6 - 9 mos.)	4% (9 - 12 mos.)	Discretion (12 - 15 mos.)	No increase
Meets Standards Occasionally	Only to range if below minimum	No increase	No increase	No increase

The foregoing promotion and merit increases are merely guidelines based upon sound pay planning principles, commitment to pay for performance and maximum cost effectiveness. Merit adjustments are defined as increases to base pay within the current pay range. Promotions are increases to base pay that accompany an employee moving between grades. Generally, promotions are two or more grades. Movement from one grade to the next can be accomplished with economic adjustments or pay alignment adjustments. Other forms of pay increases, e.g., bonuses, do not go into base pay.

IN CHAPTER NINE:

- **FIGURING OUT WHEN IT'S TIME TO TERMINATE**
- **LEGAL ISSUES ON TERMINATION**
- **PROPER TERMINATION PROCEDURES**
- **PROTECTING YOURSELF FROM LAWSUITS**
- **EMOTIONAL ISSUES ON TERMINATION**
- **EXIT INTERVIEWS**

9

■ When It's Time to Part

Throughout the handbook we have been discussing the very positive aspects of employment, working with employees, developing them and assisting them to build a career. As all owners and managers know, there comes a time when we must take action to terminate employees. In this section we will focus on situations where we must terminate employees for cause. We will not deal with normal retirements, resignations, etc.

Of course, when we hire employees we should strive to select the best, most qualified persons available for the job. Use of the selection techniques mentioned earlier and pre-employment testing can reduce the amount of turnover on a job. It is important to remember the time and effort we invest in employing new people and those who are with us for years. The cost of turnover is high.

In Table 9-1 that is listed the appendix handbook, we provide a rule of thumb calculation of turnover costs and also detailed worksheets for estimating the turnover costs for below manager as well as at and above manager level. These estimates are based upon the sum of base pay plus direct turnover costs, plus indirect turnover costs. As a rule of thumb, for personnel below manager level, the potential cost of turnover can be as

high as 1-1 1/2 times the employee's total pay. For selected managers and those above the manager level, potential turnover costs can be as high as 2 1/2 times total pay.

Direct and indirect turnover costs affect the business's bottom line, as well as other workers. A key consideration is that morale is negatively impacted by turnover. Since Table 9-1 is an electronic spreadsheet, owners and managers are able to enter their own actual costs, item-by-item, to more accurately estimate their location's cost of turnover. The worksheets emphasize the high cost of turnover.

On the other hand, there is value to turnover. New employees bring new ideas and different skills. Vacancies can mean promotions for other employees. We will be examining when an employee's behavior, work or other factors warrant discipline that eventually leads to discharge.

FIGURING OUT WHEN IT'S TIME TO TERMINATE

New and long-term employees sometimes have difficulties in organizations and positions. These difficulties may be noted immediately or may occur over time. Circumstances and people change, and management must be vigilant to performance that begins to

deteriorate. Owners and managers should first take considered action to mold and correct the behavior of employees with unsatisfactory behavior and/or performance. Often employees truly may not understand what is expected of them or work assignments may be beyond their abilities.

When it is time to take action to mold and correct the behavior of workers, use a three-step approach:

- 1. COACHING.** This is a future-oriented action. The supervisor establishes a partnership to plan and get the desired performance. The employee is encouraged to contribute and participate in changing behavior. The supervisor sets the expectations, gives guidance, trains, advises and leads the employee in reaching the expectations.
- 2. COUNSELING.** Here the supervisor and employee focus on what went wrong and what is needed to improve. The supervisor must question and find out what are the problems and barriers to expected performance. The employee is given the primary responsibility for change.
- 3. DISCIPLINE.** At this stage, the supervisor describes clearly what performance or behavior cannot

continue. In Table 9-2, we summarize a number of inappropriate behaviors. The consequences of the employee not changing are described (in writing when appropriate). We have included examples of a completed discipline slip (Table 9-3) and a blank form in the Appendix for owner or manager use. The supervisor gives the employee choices within limits of the desired behavior.

When using this or a similar discipline form, it is good procedure to review the worker's prior disciplinary history with the person.

You may include a formal "action plan."

- Make sure the worker understands the rule, infraction and required action.
- Review the policy, rule or practice violated (if separate from slip).
- Steps the employee agrees to follow.
- To correct the problem.
- To meet the desired level of performance.
- Assistance/support commitments supervisor made.
- Time frame to be followed in achieving improvement goal.
- Consequences if performance, attendance or behavior is not improved within the specified time frame.
- Explain the worker's signature indicates receipt of the slip and not agreement with the action.

The purpose of discipline is to correct the behavior or performance and not to punish the person. Effective discipline begins with active listening and proper identification of the problem. Discipline cannot be effective if we do not demonstrate to the employee the benefit of changing the unwanted behavior. Discipline should always be noted, indicating relevant facts, and appropriately kept for future reference. Include both sides of the issue.

Successful discipline focuses upon improving future performance rather than punishment for past actions. Our approach should be problem-solving rather than fault-finding. Discipline is most effective when the employee understands the consequences of his or her actions and the options available to him/her. Ultimately, the employee must be given the responsibility to make a change.

An effective course of action to mold and correct employee behavior is progressive discipline. By this we mean taking more severe disciplinary action if the worker does not change behavior. However, owners and managers should guard against establishing a perceived or concrete promise or process of following a set, step-by-step disciplinary action sequence. Management should reserve its right to give what discipline it deems appropriate. Accordingly, owners and managers should consider a discipline policy which is similar to the following:

Company policies and rules violations may result in disciplinary action. Types of discipline the company may use include verbal warnings, written warnings, final written warnings, suspensions with or without pay and termination. The sequence of giving discipline is not formal.

At its sole and absolute discretion, the company may deviate from any order of progressive disciplinary actions and utilize whatever form of discipline it deems appropriate for the circumstances, up to and including immediate termination. The company's discipline policy in no way limits or alters the at-will employment relationship.

Our responsibility as managers is to assist and lead our employees to perform the best work they can. We should give reasonable opportunity for re-instruction, correction and improved performance.

When sincere effort to improve performance or behavior fails, successive discipline normally follows this course:

1. Verbal caution or warning for first offense
2. Written reprimand for second offense
3. Suspension for third offense
4. Dismissal for fourth offense

Some circumstances warrant immediate discharge without use of progressive discipline. These may include:

- Drug or alcohol use at work
- Falsifying employment information
- Fighting on work premises
- Possessing weapons at work
- Theft
- Working while intoxicated

The owner or manager determines the appropriate discipline to deal with such situations.

LEGAL ISSUES ON TERMINATION

Whether the person is a new or long-service employee, employers should follow a practice of ensuring there is just cause for termination. Check and verify that the following steps are followed in the discipline process leading to discharge:

1. Management conducted an effective investigation before disciplining.
2. Rules and penalties were applied on a fair basis.
3. The employee was warned of the consequences of the conduct.

4. The employer's rule was reasonable.
5. The investigation was impartial.
6. The penalty was reasonable for the offense.
7. There was clear evidence of guilt.
8. Determine if the person is in a protected group and determine how similarly situated employees or applicants outside the protected group have been treated in similar situations.

Employers can ensure that disciplinary action is effective by using the following fundamentals:

1. Consistent discipline
2. Impersonal discipline
3. Prompt discipline
4. Supervisory training for handling disciplinary actions
5. Written record of discipline

PROTECTING YOURSELF FROM LAWSUITS

In business today, many people are inclined to take legal action if discipline and/or termination occur(s). A wrongful discharge, discrimination or harassment charge can wind up in court. Following are concise steps to take to ensure proper handling of disciplinary action or an effective termination process. These steps will assist in avoiding wrongful discharge of employees and protect employers in the event of legal action.

1. Conduct effective performance evaluations — ensure evaluation gives an accurate picture of the employee's performance.
2. Keep written records —

document behaviors leading to dismissal.

3. Use written warnings — before dismissal, warn employees in writing. It is advisable to use phrases such as "including but not limited to" and "among other things."
4. Have group involvement in dismissal decision — more than one person should be involved in the dismissal decision to assure fairness, accuracy, concurrence and that all alternatives to discharge are explored.
5. Grounds for dismissal are clear — put grounds for dismissal in writing.
6. A final warning should make it clear that the employee's job is in jeopardy.
7. When appropriate, employers can use a "suspension pending further investigation" approach to allow more time for consideration.

Normally, it is not a requirement that a termination letter be written and tendered to the terminated employee. Employers should confirm what is necessary in accordance with legal and regulatory requirements. If a termination letter is required, written language should be brief, factual and to the point.

EMOTIONAL ISSUES ON TERMINATION

Our emotions should not be allowed to enter into disciplinary action. We must be fair and firm. And we must be objective and consistent in our handling of discipline for all employees. Failure to follow these guidelines can lead to legal mishandling of the situation as well as erode the morale of employees and their confidence in us as managers.

Still there is subjectivity that enters into discipline decisions, especially when termination is involved. This can be in the areas of:

- **COMPANY SERVICE.** Long-term company service can be a heavy factor when deciding to terminate.
- **DURATION.** Has there been a long period of time since prior infractions? Overcoming a long history of routine absences is admirable but when it does happen, it is still a rule violation and it causes business disruption.
- **INDIVIDUAL CONSIDERATION.** Special factors such as personal issues and family considerations, for example, may have a bearing on termination.
- **PRECEDENT.** Was handling of a prior situation different? Many factors may affect a discipline decision. Employees will often remind management of handling in a prior case. Employers should strive to be as consistent as possible.
- **PRIOR RECORD.** A clean record weighs heavily against severe initial discipline or discharge, particularly with a long-service employee.
- **SEVERITY.** Does the employee's action warrant discharge? Theft of a light bulb in terms of cost is difficult to put on par with termination. But it is still a clear violation of rules.
- **TIMING.** Often discharge decisions crop up during peak seasons or when special skills are needed.

In each discipline case, and especially termination situations, employers should be mindful of these considerations when deciding the final outcome.

Discharged employees, whether new or long-service, should be treated with dignity, courtesy and

SAMPLE RECORD OF VIOLATION OF CONDUCT RULES AND/OR REGULATIONS		
Johnny B. Good	Slacker	Outback Warehouse
Worker's Full Name	Title	Department
00000	December 17, 2007	0700Hours, 7-3 shift
Worker Identification Number	Infraction date	Incident time/shift
My Territory	Rule #1.1	1Day suspension no pay (Code 3)
Facility/Location	Policy Violated (Code#)	Discipline Issued (Code#)
CONCISE EXPLANATION OF INFRACTION		
<p>On December 17, 2007, during the 7-3 shift, you reported to work late by 47 minutes without permission. Your action is in violation of Rule 1.1. As a result you are hereby issued discipline of one day's suspension (8.0 hours) without pay to take place December 18, 2007.</p> <p>Further infraction of rules and/or regulations may result in more severe disciplinary action.</p>		
<i>Time Keeper, Sr.</i>	<i>17Dc07</i>	
Signature of Worker's Supervisor	Date	
<i>U. Net Head</i>	<i>17Dc07</i>	
Signature of Superior	Date	
** Jon B. Good 21Mr06		
Signature of Worker	Date	
<p>**Worker's signature acknowledges issue of discipline. Signature does not indicate agreement with facts presented or company actions taken.</p>		

professionalism. Again, there is no place for emotional outbursts or any action directed at the person. Follow these steps to ensure dignity and professionalism in termination situations:

1. Make arrangements for a dignified exit from the premises.
2. Allow employees to collect personal items.
- Arrange to do so with the least disruption to other employees.
- Do so with a member of management alert to the employee's actions.

- If the employee is to leave immediately, have a management person and a witness inventory the employee's items, sign the inventory, seal them in a container and have it shipped to the employee.
 - Avoid touching the employee during their departure or as they are escorted from the premises.
 - Arrange transportation for employees unable to make their own way from the organization. As appropriate, request the assistance of authorities and/or professionals for removal of employees.
3. Consider if an appropriate statement to co-workers or oth-

ers about the employee is required. Avoid letting rumors spread among employees.

4. Consider and take action for the potential for repercussions while the employee is still at work and after the person leaves.
5. After the termination, promptly consolidate all related materials and employee records for proper handling.
6. Be prepared to deal with people who may break down into crying, become angry, show hostility, become completely silent and unresponsive, etc. A key consideration is to not hold any employee against his

ITEMS TO INCLUDE IN A WRITTEN WARNING

- The purpose of the warning
- The problem or violation (very briefly include who, what, where, when, why, how as appropriate)
- A statement of how the employee's action or performance had a negative effect on the business
- The policy or customary practice regarding the incident
- Reference to prior warnings about the same or related problems
- Summary of the agreement reached for corrective action or notation of no agreement reached
- Statement of the action management will take
- Warning of what the consequences will be if there is no improvement

or her will. Prepare to and/or contact authorities if this is considered. For example, if a person is apprehended stealing material and refuses to remain on premises for investigation, contact the authorities for assistance and guidance. Here again, competent legal counsel may be appropriate. Prepare also for actions where males and females may be alone during discussion of discipline or termination. Prudent employers have an appropriate member of the opposite sex present during the meeting if the employee is not the same sex as the person disciplining or terminating. Seek advice and counsel from competent legal counsel as required.

EXIT INTERVIEWS

Exit interviews are an opportunity for an employee to meet with a manager or responsible person representing the business to discuss the employment experience and to identify good and bad points in the mind of the person leaving. Employees should be encouraged but not forced to have exit interviews. The person's immediate supervisor should not conduct the interview.

There is not a fixed time when an exit

interview should be conducted. It may be convenient upon departing; however, at that time the employee often is not as forthright as s/he may be two to three weeks afterward when they are in a new position and/or after tension of a discharge has passed. Even after discharge, the interview is valuable because:

- It is another opportunity to meet with the former employee to discuss such things as COBRA, collecting business items, final pay, etc.
- The opportunity to "blow off steam" may be sufficient to settle the employee and avert a legal action.
- The prior employee may disclose that there is an impending legal action.
- Undisclosed problems or issues may be admitted.

Exit interviews can be in person, on the phone or via mail-in response. No matter the medium, they can provide owners and managers with valuable information about the business. Their content should not be taken lightly.

A sample exit interview form is included in the Appendix.

During a personal interview, items to cover include:

- Are there enough people in the company who were the same job classification as you?
- How do you feel about the adequacy of the equipment we gave you to do your job?
- What do you feel about the maintenance on the equipment you used?
- How did management help you when you had personal as well as job challenges?
- How did the number of people in your same job affect your success on your job?
- How do you feel about "pay for performance" as a way to reward people?
- How do you feel about the benefits program?
- How do you feel about the fairness of pay for the work you did?
- How do you feel about the safety practiced on the job?
- How do you feel about the training given for your job?

EXAMPLES OF INAPPROPRIATE BEHAVIOR**ATTENDANCE**

- Absences, including failure to comply with procedures for notifying management of and receiving permission for time off
- Tardiness
- Quitting early, including leaving the work area or facility without a supervisor's knowledge
- Taking excessive breaks or extended leaves

ATTENTION TO WORK

- Conducting personal business on the job (doing personal work or receiving personal mail, telephone calls, or visitors while working)
- Disturbing co-workers by "visiting" during work hours, talking excessively, or whistling or singing
- Sleeping, loafing, or loitering

QUALITY/QUANTITY OF WORK

- Carelessness or negligence
- Defective work
- Inefficiency or incompetence
- Low productivity

HEALTH AND SAFETY

- Endangering one's own or others' safety through horseplay or carelessness
- Failing to use personal protective equipment
- Improperly using safety devices
- Not complying with accident and injury reporting procedures
- Not practicing good housekeeping or sanitation
- Not wearing required safety garments

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- | | |
|---|---|
| <ul style="list-style-type: none"> • How do you feel about the way we measured your performance? | <ul style="list-style-type: none"> • supervisor and management helped you? |
| <ul style="list-style-type: none"> • How do you feel about the way you were supervised? | <ul style="list-style-type: none"> • What do you think are five reasons employees leave the company, in priority order? |
| <ul style="list-style-type: none"> • How do you feel about the way you were treated? | <ul style="list-style-type: none"> • What are your feelings about the way we recruit at the company? |
| <ul style="list-style-type: none"> • How do you feel about the work hours per day and per week? | <ul style="list-style-type: none"> • What do you feel about the way we scheduled work? |
| <ul style="list-style-type: none"> • In one word, how do you feel about the company? | <ul style="list-style-type: none"> • What is it that made you want to be a (subject position, e.g. driver)? |
| <ul style="list-style-type: none"> • Prioritize five bad things about the business. | <p>This is a detailed listing. Using or selecting from these items can be very helpful in identifying areas to concentrate on to attract, retain and motivate future employees. ■</p> |
| <ul style="list-style-type: none"> • Prioritize five good things about the business. | |
| <ul style="list-style-type: none"> • What are examples of how your | |

PERSONAL CONDUCT

- Discourtesy toward customers and co-workers,
- Dishonesty, including falsifying employment applications or work records, punching a co-worker's time card, and theft
- Disloyalty to the employer, including moonlighting among competitors
- Fighting with and displaying other abusive behavior toward co-workers
- Financially burdening the employer through wage attachments or garnishments
- Insubordination
- Misuse of or damage to company property
- Off-duty misconduct that is immoral or leads to arrest and conviction
- Refusing to comply with standards of dress or grooming codes
- Sexual harassment
- Substance abuse
- Worksite gambling or loan sharking

POLITICAL/ORGANIZATIONAL ACTIVITY

- Distributing written political materials on company time and property
- Engaging in violence on a picket line
- Instigating or participating in work slowdowns or unauthorized stoppages
- Posting items without permission or defacing company property
- Soliciting on company time or property, including making unauthorized speeches or wearing political buttons or other campaign material

SECURITY/PRIVACY

- Accepting or offering bribes
- Carrying unauthorized or concealed weapons
- Disclosing confidential information, such as trade secrets, or taking unauthorized photographs
- Misusing identification badges or passes
- Violating posted speed limits or parking rules on company property.

SAMPLE TERMINATION LETTER LANGUAGE

"As a result of violating company _____(Infraction)_____ regulations on _____(Date)_____, the employment of _____(Employee Name)_____ is terminated effective _____(Date)_____."

PROPER TERMINATION PROCEDURES

When the decision has been made to terminate an employee, the supervisor who will perform the termination should take the following steps.

STEP 1

Carefully review each of the following items and resolve any issues or uncertainties:

- *A jury hearing the case would come to the conclusion that the treatment of the employee was just and proper.*
- *A minimum of one warning of possible termination was given to the employee.*
- *All facts and actions are documented.*
- *All mitigating and/or special circumstances have been considered.*
- *An exit interview is planned and alternate means are set up.*
- *Any records of special actions are assembled and reviewed.*
- *Attendance records are assembled and reviewed.*
- *All facts are accurately recorded.*
- *Final pay is prepared and can be explained in detail to the employee by the terminating supervisor.*
- *Higher management has been part of the termination decision and discussion of all facts.*
- *Notice to the employee will be done in private.*
- *Restricted statements to be made to other employees are decided.*
- *Samples of unsatisfactory work, performance records and/or production records are assembled and reviewed.*
- *The employee fully understood standards for behavior and responsibilities of the job.*
- *The employee understands fully his or her shortfalls in the work or behavior.*
- *The employee understood prior warnings and the consequences of continued activity.*
- *The employee was given a full hearing of his or her side of the matter.*
- *The employee will not be surprised by the termination.*
- *The employee's evaluations are assembled and reviewed.*
- *The employee's group insurance is understood by the person terminating and s/he can explain it in detail to the employee.*

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- The employee's point of view was considered.
- The termination decision is based upon facts and not hearsay, inferences, emotion or merely suspicion.
- The termination is consistent with handling of prior similar situations.
- The termination meeting is scheduled when there will be little contact with other employees upon leaving the work-place.
- The termination will be handled objectively and professionally.
- The treatment of the employee will be justified even if s/he brings claims of unjust termination or discrimination.
- There was ample time for the employee to correct the action bringing on the discipline.
- Warning and disciplinary records are assembled and reviewed.
- Where appropriate, consideration was given to transferring the employee.

STEP 2

Gather all the documentation concerning the problem employee and ensure that all the progressive discipline steps have been taken. In the event of criminal conduct, this will not be necessary.

STEP 3

Set up a time to meet with the problem employee. The termination should take place at the end of the workday. Notify the problem employee as soon as you have set up the time and place and simply ask him or her to meet with you at the end of the day.

STEP 4

Select a witness to be in attendance. Preferably, this should be a management employee. The witness should not be someone within the same department and should never be a peer of the problem employee. Management should have a witness present who is of the same gender as the worker receiving discipline.

STEP 5

It is helpful to have the final paycheck cut and available to give to the employee at the time of termination.

STEP 6

Make a list of all the items to be collected from the terminated employee, i.e.: keys, credit cards, time card, tools, etc.

STEP 7

Terminate the employee. The actual termination should not take more than two or three minutes. Do not labor over past mistakes made by the employee. This may escalate the temper of the problem employee. Choosing the best words can be difficult. The following may be typical of the short conversation.

SAMPLE TERMINATION MEETING SCRIPT

"_____(Name)_____ you are aware we have had several discussions about your _____ (Infraction, e.g.: attendance)_____ problem. None of the actions we have taken seem to have worked. We had to make a decision. This was a difficult decision, but it is a final decision. As a result of your _____(Infraction)_____ we are terminating your service with the company effective immediately (or the date selected).

At this time I want to collect from you your _____(keys, credit cards, tools, other company items)_____. You are to leave the premises immediately and you are not to return without appropriate authorization."

IN CHAPTER TEN:

- **WHAT MAKES A HAPPY, PRODUCTIVE STAFF?**
- **WHY ARE SOME EMPLOYERS SUCCESSFUL AT KEEPING EMPLOYEES?**
- **WHAT OWNERS AND MANAGERS SAY**
- **WHY DO GOOD EMPLOYEES LEAVE?**

10

■ When All Is Said and Done

Throughout the *Human Resource Handbook* to this point we have discussed tools, tips and techniques used in applying human resource management. In Chapter 10 we will discuss the consequences and the value of being familiar with and utilizing the practice of effective human resource management.

WHAT MAKES A HAPPY, PRODUCTIVE STAFF?

This is an age-old question for employers. Recently the question has been amplified by the difficulties of attracting, retaining and motivating employees in a changing employment market. Studies on employee satisfaction continue. Today the research is accelerating due to increased employee mobility, changing demographics, characteristics of new generations in the workplace, flexible work arrangements, the impact of technology and, most recently, innovations to foster a “green” work environment and approach.

Fortune magazine’s “100 Best Companies to Work For” compiles annual rankings of companies based upon employee input. Today the foundation trend for rating employers as “best” is work and family balance. Business is finding ways to satisfy employee needs and at the same time

enhance work output. Most common business approaches are flexible work schedules and telecommuting. The Great Place to Work® Institute, which annually researches and compiles the “best” companies list for *Fortune*, notes that highly rated businesses are more flexible, more supportive of employees raising families and more fun to work for today.

Significant changes in the workplace include compressed workweeks, job sharing programs and telecommuting considerations. Employers use compressed workweeks with employees who are able to effectively complete their work with schedules other than the normal eight-hour, five days per week. For example, an employee may work four, 10-hour days to put in a normal 40-hour workweek. This approach can be convenient for the employer who needs work coverage during specific times of the week, e.g. late hours to restock. At the same time this arrangement may aid a student going to school a full day during the week.

Job sharing is a practice where two employees do the work of one full-time job. This is becoming popular for employees “downshifting” to fewer hours worked as they approach retirement. For the owner and manager, this arrangement can offer more flexi-

bility in hours of the day covered to meet customer demand.

Telecommuting is working by means of telecommunications equipment and electronic computing. Often this is accomplished with the employee being off-site. For the employer this can save workspace, reduce interruption to the employee and attract employees who may have difficulty traveling to or working at the worksite. For the employee it can be a money saver in travel, clothing and food away from home. Telecommuting is evolving in today’s business and should be considered carefully for implementation. Not everyone is suited to work from a remote location or home. In a retail setting there may be few jobs that would accommodate telecommuting. Costs, logistics, policies and how to manage telecommuters are important points to consider.

Other key changes are in the realm of employee benefits. Domestic partner and same-sex couples participating in health care plans are growing trends. Other enhancements and alternatives to health care are evolving at an accelerated rate. At the same time, “social” benefits such as time off, parking, holidays, etc., are attracting employer attention and employees to employers offering them. Programs for increased racial and gender diversity, improved

LEADING COMPANIES TO WORK FOR

SMALL COMPANY (50-250 EMPLOYEES)

1. Badger Mining Corporation
2. InsureMe
3. Analytical Graphics, Inc.
4. Heinfeld, Meech & Co., P.C.
5. Professional Placement Resources, LLC
6. Triage Consulting Group
7. Root Learning, Inc.
8. Insomniac Games, Inc.
9. Dixon Schwabl Advertising
10. McMurry, Inc.

MEDIUM (251-999 EMPLOYEES)

1. Holder Construction Company
2. The Beryl Companies
3. Ultimate Software
4. Stark Investments
5. ACUITY
6. Nevada Federal Credit Union
7. EILEEN FISHER
8. The Integer Group
9. Sage Products, Inc.
10. Orange County Teachers Federal Credit Union

Source: Society for Human Resource Management, 2007

internal communications and increased use of employee stock ownership programs are cited among top companies to work for. More in-depth discussion of these benefits is outside the scope of this handbook.

Employees rating “best” companies also focus on management practices. A key finding is that employees feel “best” management encourages them to balance their work lives and their personal lives. Findings indicate that employees are attentive to management’s competence. Generally, in higher rated companies, employees rate management higher on competence. Further in the realm of management practices, employees’ perceptions of opportunities to receive special recognition rate higher in “best” companies.

Owners and managers should note that as they improve the employee work experience and work/family balance, the “best” companies continue to outperform their peers. The HR return on investing in people is growing the company and increasing earnings. The adage “happy employees make happy customers” is proving itself in

today’s marketplace.

Businesses realize they cannot compete successfully unless they attract, retain and motivate the best and most qualified personnel. And what brings these people is attention to the employee and work practices.

The churning workforce today proves employees will not tolerate a poor workplace. Employees seek, and are finding, work situations they prefer. And if employees do not like the work situation, they do not hesitate to leave the employer. In particular, women workers are demanding a more family-friendly work environment. Women will set out to find and change to an environment and job which suits them.

In June 2007, the Society for Human Resource Management (SHRM) announced its selections for 50 Best Small & Medium Companies to Work for in America. The top 10 in each of these two categories are listed in Table 10-1.

As with the *Fortune* magazine listing, these were selected and ranked by the Great Place to Work® Institute, Inc. (GPTW). The list and related stories appeared in the July 2007 HR Magazine and online at http://www.shrm.org/press_published/CMS_022027.asp.

The top ten SHRM highly rated companies are listed here so owners and managers can learn more about their specific successful characteristics via Internet contacts directly to the company sites. Many best practices may be adapted and adopted by small as well as larger organizations. The SHRM survey notes that best practices include environments where:

- Employees can trust management.
- Employees take pride in their work.
- Generous salaries and benefit packages are provided.
- Leaders communicate clearly with employees and encourage shared opinions.
- Owners and managers encourage fun at work.
- There is open, clear communication with employees.

Table 10-2

QUALITIES FOR SUCCESS	
FUNCTIONAL QUALITIES	
RESELLER Able to and continues to demonstrate and prove the value of products, services and value to customers.	KNOWLEDGEABLE Accomplished in area of responsibility, certified where applicable and able to resolve at least 85% of job issues on own.
PROBLEM-SOLVER Clarifies problems, suggests solutions, initiates actions, documents actions and shares solutions with others.	RELATIONSHIP BUILDER Able to identify and coordinate the complementary characteristics of individuals, groups, departments and resources to build synergy for maximum achievement of goals and potential.
PERSONAL QUALITIES	
FLEXIBLE Open to and able to take alternate courses of action and adjust for changes.	DECISIVE Able to make objective decisions and come to a decision promptly.
QUICK STUDY Promptly understands functional area as well as business in general.	EMPATHETIC Able to sense another's point of view, to assist others and build win-win relationships.
RESPONSIVE Takes prompt, decisive and positive action to resolve issues and complete a job.	TEAM PLAYER Works well with people in leadership as well as participative roles.
ENTHUSIASTIC Sparked by opportunity, cheerful and able to recognize the positive aspects of situations.	KNOWLEDGEABLE Has functional know-how, builds on experience and background and uses street-smarts.
POSITIVE ATTITUDE Takes a can-do approach, moves forward rather than dwelling on past and seeks opportunities.	PRESENTATION SKILLS Able to speak and act in front groups of any size, level or make-up.
PROFESSIONAL IN APPEARANCE AND DEMEANOR Leads by example, takes pride in self, dresses appropriately, handles self well with others at any level and "walks their own talk."	

Retention of good employees is only as good as the selection of the right employees.

If we compare a prospective employee with some of our most effective, long service employees, is there a profile which may indicate maximum success and longevity? This would be a valuable tool because we could use the profile to select the candidates with the greatest potential for success in our organization. Table 10-2 details characteristics which have been shown through research studies to contribute to the longevity and

success of employees in smaller and mid-size organizations.

We can evaluate these characteristics in an employment interview and we can corroborate a candidate's success potential using some of the test instruments discussed in Chapter Three.

Using the considerations above, owners and managers can maximize their employee retention by:

- Applying effective management and leadership skills
- Matching their employees to a preferred employee profile

- Recognizing and responding to individual factors which retain employees
- Recognizing generational characteristics and using them to deal with employees

WHY ARE SOME EMPLOYERS SUCCESSFUL AT KEEPING EMPLOYEES?

Success in attracting, retaining and motivating employees comes with 1) knowing the human resource management trends in our workplace, 2) being aware of and applying best practices and 3) knowing our employees.

Successful owners and operators watch and respond proactively to the trends in business. The “SHRM Workplace Forecast 2006” targeted and prioritized 10 key trends in HR management for the next several years which large and small businesses need to monitor:

- 1) Increasing health care costs
- 2) Expanded use of outsourcing/offshoring of jobs
- 3) Increased health care/medical costs on U.S. economic competitiveness
- 4) Increased demand for work/life balance
- 5) Large group retiring at approximately the same time
- 6) Changing attitudes on aging and retirement
- 7) Increase in the number of employees and families without health insurance
- 8) Increase in identity theft
- 9) Work intensification due to increased productivity goals with fewer employees
- 10) Vulnerability of technology to attack or disaster

In SHRM’s “Strategic Research on Human Capital Challenges, Final Report, October 2007”, researchers identified 13 key human resource management challenges in priority order—

- 1) Succession planning
- 2) Providing leaders with the skills they need to be successful
- 3) Recruiting and selecting talented employees to fill positions
- 4) Engaging and retaining talented employees
- 5) Rising health care costs
- 6) Managing the people side of change
- 7) Creating and maintaining a performance-based culture
- 8) Building and sustaining a diverse workforce
- 9) Measuring the financial and

non-financial impact of human capital initiatives

- 10) Managing a global workforce
 - 1.1) Integrating people and systems during mergers and acquisitions
 - 1.2) On-boarding and integrating new employees into the organization
 - 1.3) Setting up and implementing HR systems and processes across countries

To review the Human Capital Challenges report, visit <http://www.shrm.org/foundation/07chro.pdf>.

These trends affect the business as well as individual employees. To learn more about best practices, to keep up with them and to apply them, we need to keep up with the human resource management sources. Information on interventions to address these trends can be found by sourcing and reading HR studies and suggestions, e.g., at www.shrm.org, www.bna.com, www.BLR.com, and other resources local libraries can suggest.

Contacting and discussing interventions with local human resource practitioners can yield direct solutions as well as additional resources. Trade associations have helpful resources and information resources available. Civic organizations sponsor talks, roundtables and seminars on relevant HR matters. And business contacts can be invaluable in sharing experience and best practices.

WHAT OWNERS AND MANAGERS SAY

Owners and managers who are successful at attracting, retaining and motivating good employees use an overall positive approach to the everyday operation of their business. We corroborated this by personally interviewing a variety of business owners and asking the question, “What are some of the best employee management practices you find

to be successful in dealing with your employees?”

The following summarizes candidly shared best practices directly from owners and managers. Readers will note a common thread across these ideas is “stick to the basics.”

Sourcing, Screening and Selecting

Selecting the right people for the specific job, worksite and company culture reduces turnover. Numerous methods and resources are used to advertise positions. Internet job boards are an effective innovation; however, additional lead sources should be used. Internal referrals were the most effective way to enhance job tenure. This is because the referring employee has a personal interest in the success of the referred employee and they strive to enhance success.

A formalized interview process which uses a structured interview format with pre-written interview questions asked of each candidate is effective in matching the most qualified and most suitable candidate to the job.

Training and Development

The first six to 12 months “make or break” the new employee in the owners’ opinions. Close attention needs to be focused on the new employee during this period. Planned, sequential and comprehensive orientation training and continued challenges retain employees. Owners realize the value of rewarding successful completion at each step in the training process.

The concept of “step-rate pay,” where employees are given a modest pay increase at fixed (often six-month) increments, increases retention, motivates employees and encourages learning. “Competency based” pay, where employees are awarded pay increases for successfully

completing instruction and/or earning certifications also is a strong employee motivator.

Continuous training motivates and retains employees and also stimulates better service to customers. Owners noted that when training ceases, employees leave.

Compensation

Pay and benefits are two critical components of compensation. Both serve individual employees, but in varying ways. The proper mix of pay and benefits increases employee loyalty. Many of today’s stores have employees in two main groups: a younger generation group and second career or nearing retirement generation group. Often pay is more important to the younger generation, while benefits may be more important to employees approaching retirement. The key is to offer the right mix to each employee.

Pay must be monitored routinely and effectively — at least annually. Benefits are evolving in the manner in which they are offered (e.g., health care options such as PPOs, HMOs and POSs), in their breadth of services offered and in the depth or extent of a particular benefit. Similar to pay, health care as well as social benefits should be evaluated at least annually. Many new-concept benefits are highly valued by employees and effectively serve as retention tools.

Effective Management

Good management practices as identified throughout this handbook are fundamental to retaining employees. Employers must practice and encourage continuous improvement of management skills among supervisors, managers and executives...or employees will leave. Continual, people-oriented management in the form of leading rather than managing has a better retention effect on

employees across generations and across the map.

Careful attention needs to be paid to management selection. Too often the age-old trap of advancing a stellar worker into management backfires because s/he does not possess the management skills, abilities, disposition or desire to lead others. Succession planning to identify new managers as well as other candidates for advancement must be planned and practiced

Evaluation

Performance evaluations and routine feedback are key factors in employee retention. In particular, newer generations of employees seek frequent, candid input on how they are doing. Still, carefully prepared semi-annual and annual evaluations using written forms are most effective.

Owners and managers offered mixed opinions on whether to award pay increases at the time of evaluation or shortly after the evaluation. The chief reported reasons to combine the appraisal and the pay adjustment are ease of administration, time savings and fewer meetings with employees.

Respondents did acknowledge the value of separating the evaluation from the pay adjustment is that the employee can focus on the developmental aspects of the evaluation.

Owners emphasize the retention value of two-way feedback. This gives employees an opportunity to critique the business and management and to expect genuine, effective response from the company to change for the better.

Good Practice

Knowing key HR trends and tapping various sources for proactive actions to take, our next step is to ensure we know and understand our employees. And then we need to lead them in the direction we want our business to go.

Basic good management is often cited as fundamental to retaining employees. This is not only putting into practice the theories and practices needed for everyday operations, but also knowing and understanding employees and people in general. Failure to do so can have catastrophic effects on a business.

Today’s workforce is fluid and competitive — it is constantly changing. As

Table 10-3

MANAGING VS. LEADING EMPLOYEES	
YESTERDAY’S MANAGER	TODAY’S LEADER
Did the creative thinking	Inspires creativity
Directed and controlled	Supports employees
Implemented technology	Humanizes technology
Listened	Ensures employee understanding
Made the decisions	Empowers employees
Solved the problems	Resolves conflicts

a result, to retain and motivate employees we are required to change with it. A major change in approach is the move from the old practice of managing people to today's need to lead people. Table 10-3 highlights some of the differences between these two approaches.

By leading employees, we demonstrate our commitment to the success of the business, the professional life of the employee and the employee's personal development.

Understanding our employees, young and older, can feel like a daunting task. We need to understand human nature and the characteristics and culture in which our employees grew up. Many employers and worksites have a healthy mix of younger and older employees or, in sociological terms, workforce generations.

Table 10-4 suggests some of the differences among the generations. We can use our knowledge of these differences and similarities to approach, manage, lead and even conduct meetings with our employees in the most generation-effective way.

It is not uncommon in many organizations to have four different employee generation groups working side by side— Traditionals, Baby Boomers, Generation Xers, and Millennials. Executives, managers and supervisors need to understand where their employees fall in the generational scheme when giving instruction, coaching, mentoring and leading.

Table 10-4 juxtaposes the three most recent generations in our workforce. Comparisons between the generations on these factors give insight on how to successfully approach people coming from widely differing perspectives.

How does an employer with a multi-generational workforce maintain harmony, maximize productivity, and

retain employees? Experts interviewed by the Bureau of National Affairs (BNA) offer employers the following advice:

- Let Generation Xers (born between 1965 and 1980) and Generation Y/Millennials (born after 1981) mentor Baby Boomers (born between 1946 and 1964) and Traditionals (workers born before 1946) on technology.
- Have older generations instill younger employees with a sense of the living history of an organization.
- Build cross-generational project teams.
- Execute principled leadership, consistency of execution and consistency of enforcement of expectations.
- Communicate without generational assumptions.
- Perhaps most importantly, understand and tolerate each generational group's predilections.

WHY DO GOOD EMPLOYEES LEAVE?

When employers in smaller and mid-sized organizations were asked why employees left their companies, owners most frequently noted dissatisfaction with workday scheduling, limited career opportunity and pay dissatisfaction.

There are practical, easily implemented and cost effective ways to deal with termination situations. Table 10-5 details common issues and offers several solutions.

Today, with more of a generation mix of Gen Xers and Millennials, employee reasons to leave and to stay are more consistent across groups.

In June of 2007 the Canadian Management Centre, an affiliate of

the American Management Association (AMA) International cited seven reasons why employees leave organizations and seven reasons why they stay (Table 10-6).

As owners and managers work with employees, they should be attentive for signs of dissatisfaction among employees. Again the Conference Board of Canada is helpful in identifying dissatisfaction warning signs and the phases employees move through as they disengage from their employer (Table 10-7).

There are several factors which may contribute to an employee leaving the business. Often good employees leave because they want to expand and develop themselves. Owners may be providing top-notch opportunities within the store or organization, but the person may still want to gain experience in another environment, industry or situation.

More often good employees do not leave for money; they go for self-development. Sometimes employees will resign or threaten to leave to gain more attention or to focus management's actions on development.

To understand the general reasons why employees leave a job, we should consider three concepts involving job structuring — job specialization, job enlargement and job enrichment.

Job specialization, which occurs when work is divided so that proficiency at a particular task increases, can lead to boredom and dissatisfaction, a low sense of achievement and an early departure. Jobs may become narrow and restrictive, providing the employee with limited opportunities to take the initiative, increase responsibility or exercise control.

Job enlargement can be a solution to the problem of specialization. Enlargement involves expanding the

CHARACTERISTICS OF TODAY'S WORKFORCE GENERATIONS

Table 10-4

	CHARACTERISTICS	BABY BOOMERS	GENERATION X	GENERATIONS Y & Z
	Era	1946 –1964	1965 – 1980	1981 – 20??
	Referred to as	Boomers	Gen-Xers	Millennials
	U.S. Population	52 Million	68 Million	To be determined
1	Respond to leaders who are:	Visionary, confident, puritanical, virtuous	Cautious, open to suggestion, practical	Imposing, comprehensive
2	Technical aids used	Rooted in main-frame computers with local, connected terminals	Began with personal computers which are stand-alone	Comfortable with Internet, networking and multimedia
3	Technological evolution	Specialization in science; fewer general theories	Extreme specialized scientific fields	Emphasis on minute aspects of specialized science
4	Educational approaches	Use conceptual knowledge and try to make things the way they "should" be	Secondary education stepping stone for advanced degrees	Pursue technical rather than practical education
5	Communications tools	Satellite communications and TV	Computer networks, cell phone and faxes	Internet
6	Patience	Intolerant	Tolerant	Even more tolerant
7	Focus	Self-centered	What's best for situation	Focus on others
8	Social interaction	Coffee shops, drug-stores	Extreme activities	Relaxed, informal friendships
9	Media sources	Initial, local TV programming	Satellite and cable TV; CNN, world networks	MTV; young viewer targeted programs; fully international
10	Life – work concerns	Inflation a concern, capitalism growing	World moving from socialism to democracy	Rich get richer, poor get poorer notwithstanding capitalism
11	Job market	Many new jobs mainly for males	Few jobs available; few promotions; earn less than parents	Limited career opportunities and advancement
12	Family relationships	Absent, busy father; strong mother attachment; marriage optional; marry when older; rebel against elders; retirement seen as time for creative pursuits	Single parents; dual-parent working providers; independent of parents; low/negative perception of marriage; marry at oldest age; no interest in elders; retirement seen as slide from opportunity poverty	Father attachment; begin younger marriages; seek elder interaction; obedient; retirement seen as effort just to live in polluted environment
13	Work environment	Large corporations	Service oriented, small companies	Undetermined

14	Future view	High activity due to optimism	Wait-and-see attitude because pessimistic	Increasing activity because practical and matter-of-fact
15	Male-female roles	Fight for equality	Androgynous	Male-female roles begin re-separating
16	Right vs. wrong	In youth tested limits; mid-life reform	True to self; circumvent traditional morality	Undetermined
17	Shopping habits	Local shops	Boxes, supermarkets and hypermarkets	Fast service outlets
18	Attitude	Foreboding, seek to challenge	Individualistic, unscrupulous	Gravitate to group, gallant in acts
19	Positive attitudes	Idealistic, determined, inventive, scrupulous	Practical, aware, separate, street-smart	Altruistic, proficient, sensible
20	Negative attitudes	Conceited, egotistic, hypocritical, merciless	Amoral, fatalistic, mercenary, unrefined	Arrogant, capricious, heartless
21	Meeting preferences	Meetings with long breaks; awards nights with dinners, motivational speakers and celebrities; golf and spa, group activities; dislike trendy hotels	Short meetings with no breaks; eating while meeting; speakers with relevant information not available elsewhere; no team activities; demonstrated value of meeting; dislike award meetings	Short meetings with no breaks; techie friendly (wi-fi, PDA and IM opportunity); opportunities to show confidence and empowerment; opportunities to ask questions and get involved at any level; opportunity for interactivity (My Space, You Tube); dislike not being pampered
22	Perception of changing jobs	Job change puts me behind	Job changes is a necessity	My daily routine involves job change
23	Feedback preference	Annual review with much documentation	Quick, impromptu updates on "How am I doing?"	Available feedback whenever the Millennials themselves want it
24	Training perception	"Give them too much and they will leave"	"The more I learn, the more reason for me to stay"	"Constant learning is a way of life to me"
25	Work – life balance	"What is work life balance?"	"I want balance now, not when I retire"	"I want flexibility to fit in what I want to do"

WAYS TO REDUCE EMPLOYEE TURNOVER	
TERMINATION REASON	POTENTIAL INTERVENTION
Co-worker problems	<ul style="list-style-type: none"> • Conduct routine opinion surveys, exit interviews and focus groups to discern issues. • Address the matter directly with co-workers in attendance and work for solutions. • Meet individually with employees to determine issues, what each seeks and how each feels the matter can be resolved.
Terminated for cause	<ul style="list-style-type: none"> • Use progressive discipline with the intent of molding and correcting behavior rather than punishing. • Counsel and work with problem employees before the point of termination. • Ensure employees have a clear understanding of what is required and that management understands why things are going wrong.
Retirement	<ul style="list-style-type: none"> • Use succession planning to identify who will be leaving, who will replace them and who will replace that person. Plan it before it happens. • Automate if possible; fan-out other duties across the remainder of employees. • Explore how the retiree may want to work fewer hours, days or tasks.
Dissatisfaction with work	<ul style="list-style-type: none"> • Clearly explain the job prior to hiring candidates. • Implement effective, comprehensive orientation programs. • Use pre-employment testing to match the candidate with the job.
New job/better benefits	<ul style="list-style-type: none"> • Survey your market to determine competitiveness of pay and benefits. • Review demographics of workforce to determine what benefits are best for your specific employees; shop for same with benefits providers. • Use a suggestion box and ask for employee input on social and health benefits suggestions.
New job/better working conditions	<ul style="list-style-type: none"> • Benchmark working conditions with other retailers and make adjustments. • Survey, inspect and improve working conditions and equipment. • Strive to implement new innovations in the work area.
Unhappy with working conditions	<ul style="list-style-type: none"> • Respond to employee comments and suggestions on conditions. • Establish a safety committee and encourage appropriate enhancements. • Meet with work group to determine issues and solutions.
Lack of work	<ul style="list-style-type: none"> • Cross train employees in other departments or jobs. • During slack periods utilize vendor training and in-house skills training. • Consider alternative work schedules.

<p>Job elimination</p>	<ul style="list-style-type: none"> • Explore all alternative work arrangements to maximize flexibility; e.g., temporaries, contractors, students, leased employees, etc. • Strive to phase-down rather than abruptly eliminate the job so as to facilitate employees into other jobs.
<p>Relocation to another city/family need</p>	<ul style="list-style-type: none"> • Constantly keep job candidates in the pipeline to fill vacancies and/or hire ahead of opening so a trained replacement is available. • Know employees well enough to know of changes before they happen. • Ask for replacement referrals from departing employee.
<p>Health/medical problems</p>	<ul style="list-style-type: none"> • Explore light work, reduced hours, working from home/telecommuting, other accommodations for health matters. • Always have doctors' and workers' compensation authority input. • Consider alternatives such as job sharing, other employee assistance on selected tasks and seek advice on what other organizations have done.
<p>No advancement opportunity</p>	<ul style="list-style-type: none"> • Determine employee aspirations and plan a career path. • Employ cross-training, job rotation, job enlargement and similar means. • Establish advancement levels in jobs, e.g., starting, intermediate, senior; set requirements for each and have employees advance through the levels.
<p>Took another job</p>	<ul style="list-style-type: none"> • Determine from co-workers what may have been the issues. • Encourage candid exit interviews. • Use opinion surveys and suggestion boxes.
<p>Other</p>	<ul style="list-style-type: none"> • Determine what the reasons were using exit interviews, opinion surveys and other employee feedback means. • Genuinely use an open door policy to keep abreast of what is on employees' minds. • Seek out best practices at other employers.

STAY OR LEAVE?

	WHY EMPLOYEES LEAVE	WHY EMPLOYEES STAY
1	It's not what they expected	Have realistic expectations of job/workplace
2	Bad person-job fit	Are in the right jobs and challenged
3	No feedback and coaching	Receive ongoing feedback and coaching
4	No career growth	Learning and growth opportunities
5	Feel devalued/unrecognized	Feel valued and acknowledged
6	Feel overworked/stressed-out	Have sustainable work-life balance
7	They don't trust senior leaders	Have confidence and trust in leaders

(Source: How Canada Performs [A Report Card on Canada] Conference Board of Canada, summary at http://www.cmc-training.org/events/reasons-employees-leave/reasons_employees_leave.pdf)

scope of a job by widening the number and types of tasks performed. With an enlarged job, the employee not only performs additional duties but also learns additional skills to meet new demands.

We may enrich the job as well as expand it. Enrichment involves increasing the depth of a job by increasing the employee's responsibility for job planning, organization, control and evaluation. Enriched jobs empower the employee to:

- Determine a way to attain performance objectives
- Establish his or her own work pace identify and correct errors
- Monitor and inspect output

There are specific items we can evaluate and actions we can take to prevent future unexpected turnover and loss of good employees. Key areas to check include:

- Do we conduct exit interviews to gain insights into workers' reasons

for leaving the business?

- Are supervisors empowered to be in a position to facilitate their employees' advancement?
- Do we encourage and assist each employee to develop a realistic career path that capitalizes on talents and abilities needed by the business?
- Can we improve communications upward, downward and between departments with useful tools such as:
 - employee opinion surveys?
 - suggestion programs?
 - complaint or open-door practices and procedures?
- Do all new employees attend an effective orientation that incorporates a discussion of company policies and procedures and emphasizes programs or activities to enrich work life?
- Are supervisors properly trained in recruitment and other company procedures? Are they familiar with and have an understanding of business policies?

- Do we monitor and analyze wage and salary scales and compare them to those of competitors or benchmark industry data? We face competition from other companies in our industry as well as competition from similar job opportunities in other industries.
- Do we offer monetary and non-monetary incentives for superior performance, acting upon what is most appropriate for the individual employee?
- Is it possible that our selection methods and procedures need revision and improvement?

In the case of a good employee leaving, a prudent employer recognizes the positive value of the employee and the contribution s/he made to the company. If the business is unable to retain the employee, it is appropriate to genuinely offer the person an opportunity to return in the future if they wish and if they have the requisite knowledge, skill and ability.

Consider the expanded experience

Table 10-7

WARNING SIGNS OF EMPLOYEE DISENGAGEMENT	PHASES OF DISENGAGEMENT
Body language	Start with enthusiasm
Fewer hours	Question decision
More frequent absence	Disillusioned
Overworked	Consider quitting
Paid less	Search for options
Performance issues	Receive offer
Report to bad boss	“Quit or stay?”
Tenure patterns	Quit-stay
Under-challenged	

(Source: How Canada Performs [A Report Card on Canada], Conference Board of Canada, summary at http://www.cmctraining.org/events/reasons-employees-leave/reasons_employees_leave.pdf)

with which the employee may return to the company. Take the opportunity to ask the employee for referrals who may have interest in the company. It can be particularly flattering and positive to ask a departing employee to recommend persons internally and externally to fill the job or other opportunities which may occur as the company fills the vacancy.

If it is a situation where the person leaves because of difficulties in the job or with a supervisor, management should make every effort to determine the problem, the cause of the problem and effect a prompt solution.

There may be reasons completely outside of the control of the business that require the person to leave. When an employee leaves a company, for whatever reason, his/her departure should be dealt with in the most professional and positive manner possible. Employees leaving a business can carry strong positive or negative messages about the company into the community and into the marketplace.

Of course we want the message to be positive.

Going Forward

This *Human Resource Handbook* is intended to be an overview of the key points in effective human resource management. It is provided as general information and is not a substitute for legal or other professional advice. It is a jumping off point and it includes resources for examining and going into greater depth on specific matters which arise day-to-day for today's managers. We encourage further study of the field of human resource management, discussing best practices in human resource management among colleagues and contacts and devising and designing solutions best suited for your worksite to attract, retain and motivate the best and most qualified people available. ■

■ Glossary of Terms Used in This Handbook

360 Degree Evaluation

Employee evaluation process where an employee's superiors, peers, subordinates, other inside staff and sometimes outside personnel such as customers give input to the evaluation (*see also multi-source assessment*)

4/5ths or "80 Percent" Rule

A "rule-of-thumb" stating that discrimination often is thought to happen if the selection rate for a protected group is less than 80% of the selection rate for the majority group

A

Ability Test (Clerical, Dexterity, Mechanical)

One of various selection tests or assessments used to evaluate learned skills

Ability to Deal with Others

A factor interviewers consider in selecting among job candidates

Acceptable Pre-employment Questions

Questions used by interviewers which comply with legal and regulatory requirements

Acceptance Rate

A measurement of hiring effectiveness—the percentage of applicants hired divided by the total number of applicants

Access to Employee Information

Authority to review confidential employee information

Accommodation

Also referred to as "reasonable accommodation;" an adjustment or modification to a job or work environment which enables a qualified person with a disability to have equal employment opportunity

Accountability

In classifying and describing a job, the answerability for action and for the consequences of the action. It is the measured effect of the position on end results

Adaptability

Assessment factor indicating a person who sees others' points of view and adapts to different situations and people

Administrative Exemption

Definition of factors designating a job as exempt status including: responsible primarily for non-manual or office work related to management policies; routinely uses discretion and independent judgment and makes important decisions; routinely assists executives and works under general supervision

Adverse Impact

A consideration for test use which states that employer policies or practices that have a "disproportionate adverse impact" on the employment opportunities of any race, sex or ethnic group are not permitted under Title VII of the Civil Rights Act or Executive Order 11246, unless they can be justified by "business necessity"

Adverse Selections

Circumstance where only higher risk employees select and use certain benefits

Affirmative Action

Program where employers are encouraged to hire selected groups of people on the basis of their age, race, gender or national origin to mitigate historical discrimination

Affirmative Action Plan (AAP)

Written program prepared annually dealing with affirmative action and submitted to enforcement agencies

Age Discrimination

Improperly disallowing opportunity for employment, advancement or other considerations on the basis of age

Age Discrimination in Employment Act (as amended in 1978 and 1986)

Prohibits discrimination against persons over age 40 and restricts mandatory retirement requirements, except where age is a bona fide occupational qualification

Agents or Assigns (Employment Application)

Persons or entities used by employers to assist in the employment function, including requesting information and providing information on behalf of the employer; e.g. services retained to perform background checks on applicants

Alternative Applicant Sources

Any of a wide variety of different means and avenues to find job applicants which are non-traditional in nature

Americans with Disabilities Act (ADA)

A 1990 act which requires employer accommodation of individuals with disabilities

Ancestry

A person's line of descent. In employment, it is illegal for an employer to discriminate on the basis of ancestry

Appearance (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to how appropriately the person was dressed and groomed in terms of the needs of the job

Applicant

Persons expressing interest in and applying for jobs

Applicant Pool

In recruiting, all people who are evaluated for employment selection

Applicant Population

A subgroup of the labor force population available for selection using a specific recruiting method

Applicant Rating Grid

A simple table filled in by an employer indicating how a job candidate rates on a pre-employment test and the prerequisites for a specific position

Applicant-to-Hire Ratio

Measure of hiring efficiency where the number of persons hired for a job is divided by the number of applicants for the job

Application

Employer-developed document used to collect and record background and qualification information on job candidates

Application Verification

Action in the application process for employment where the employer investigates and verifies information provided by the applicant

Applications as Legal Documents

Concept that the information presented on an employment application is to be accurate, complete and correct and that by signature of the applicant such information may be used for business and legal action (including termination for misrepresentation)

Appraisal, Evaluation, Reviews

Various terms used for the process of evaluating an employee's performance on a job

Apprentice Training

A method of training where one person is assigned to work under the direction of a skilled worker to learn by practical experience a skill, trade, art, etc.

Appropriate Responsiveness

A factor interviewers consider in selecting among job candidates which refers to how the person responds to questions in terms of being on point, well structured and informative. Can also refer to how a candidate deals with others and situations under varying circumstances

Approved Pay Range

The final, authorized pay parameters for a job; used in establishing what the pay will be for positions

Aptitudes

General learning ability or ability to acquire a skill needed to perform a job. May include mental, mechanical and verbal components

Arbitration

Resolution process where a neutral third party makes a decision

Assertiveness

Pre-employment assessment factor indicating person with an outgoing nature and one who is comfortable dealing with people

Assessment Centers

One of various tests or assessment methods used as part of the selection process where a series of assessments are used for selection

Assessment Instruments

Any of a variety of paper-and-pencil, oral, electronic or similar tests used as a part of the hiring, development and career planning and evaluating process

Assistant-to (Management Development Technique)

Training or development technique where a person serves in a staff role reporting to a manager who can show the person the workings of a particular job

Attitude Survey

An employee survey designed to evaluate feelings and beliefs about jobs and the organization

At-Will

A doctrine in common law which states employers have the right to hire, fire, demote or promote whomever they choose unless there is a law which disallows such action

Authority

The power to influence people or situations; it is a consideration in establishing the weight or value of a job for pay purposes

Authorization for Job

Official, appropriate approval for filling of a vacancy with the terms established for the specific job

Authorization to Release Information

Written permission from a job applicant permitting a prospective employer to check background information. Often this is a pre-printed form with a statement from the employer disclosing a check will be conducted and that the applicant will receive a copy of the report. Is also a form signed by job applicants granting permission for previous employers and similar persons to release information to a prospective employer

Availability Analysis

The number of people of a protected class available to work in a designated labor market for specific jobs

B

Background Check

Process of verifying information provided by applicants regarding prior employment, education, experience and related information

Bargaining Unit

Employees eligible to choose a single union to represent and bargain collectively on their behalf

Base Pay

The basic pay employees receive as salary or wage exclusive of additives such as overtime, holiday pay, shift premium, etc.

Behavior Modeling

Where one person copies and acts similar to another person

Behavioral Interview

A type of employment interview where applicants give specific examples of how in the past they performed a particular task or dealt with a work situation

Behavioral Ratings

An employee evaluation recording method used to evaluate how the employee behaves in situations

Benefit

Indirect rewards given to a group of employees or single employee based upon organization membership

BFOQ

Acronym for Bona Fide Occupational Qualification

Body Language (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to the gestures and mannerisms used to communicate and how they support or affirm the words spoken or information given

Bona Fide Occupational Qualification (BFOQ)

Consideration which is a legitimate reason for an employer to exclude people on what would normally be an illegal consideration

Bonus

Payment which is not considered part of base pay

**Business Games
(Management Development Technique)**

Training or development technique where the learner analyzes a situation and determines the best course of action (*see also simulation*)

Business Necessity

Necessary practice for the safe, orderly and efficient operation of business

C

Candidate

Person who has passed initial qualification for a job and awaits final screening and selection

Candidate Information

General information included in a job posting or ad about years of experience required for a job, characteristics of a successful person for the job and similar information

Career

The work-related positions a person works in throughout life

Career Development

Long-term career broadening assignments given to an employee with the objective of better qualifying the person for advancement

Career Goals (as Interview Factor)

A factor interviewers consider in selecting among job

candidates which refers to the ultimate occupation or vocation to which s/he aspires

Career Paths

Job sequences employees follow over time

Case Studies (Management Development Technique)

Training or development technique where the learner may be in a classroom and go over the application and analysis of a fictitious or real life situation to gain experience

Cash Balance Plan

Retirement plan where benefits are calculated on the basis of accumulated annual company contributions and shown as percentage of pay plus annual interest

Category Ratings

An employee evaluation recording method using a simple notation of rating on standard forms with levels of performance for job criteria and behavioral factors

Certification (Employment Application)

Statements included on the employment application indicating that, with signature by the applicant, information given is true and accurate, and that certain considerations may be in place (e.g. a drug-free workplace policy) which the applicant agrees to abide by

Checklist for Effective Hire

A summary check-off listing of items and considerations to review and accomplish to insure a comprehensive and completed hiring process which includes training, forms to complete, etc.

Citizenship

Being a citizen of a country. In employment, organizations must determine if U.S. residence is legal. Applicants must provide proof of authorization to work in the United States

Civil Rights

The rights of personal liberty guaranteed to U.S. citizens by the Constitution and Congress

Civil Rights Act of 1991

Overtures several past Supreme Court decisions and changes damage claims provisions

Classification

In defining a job, an indication of whether a job is exempt (management) or non-exempt (non-management)

Closing Date for Applications

Pre-determined date when an organization will stop accepting applicants for a specific job opening

Coaching (Management Development Technique)

Feedback and training on performing work given to employees

Cognitive Ability Test

Developed tool to measure a person's mathematical, memory, reasoning, thinking and verbal skills

Commission

Pay in dollars computed as a percentage of sales

Compa-ratio

Employee's pay divided by the dollar amount midpoint of his or her pay range

Comparisons

An employee evaluation recording method where employees are compared against each other in the same or similar work situation

Compensation

Pay or wage provided for work performed. An area of human resource management associated with planning and administering how employees are paid

Compensation Planning

The overall process of evaluating, comparing, adjusting and updating pay programs to ensure internal and external pay equity

Compensatory Time Off

Time off given to an employee in place of pay for extra time worked by the employee

Competencies

An employee's or group of employees' specific capabilities which correspond to enhanced performance

Competency-Based Pay

Basing amount of pay a person receives upon the capabilities they demonstrate and acquire

Competent Legal Counsel

Professionals practicing law or similarly certified and entitled to practice law and counsel on relevant legal and regulatory requirements

Competitive Wage

An amount paid for work performed which is typical of the market for the same work performed

Complaint

An expression of employee dissatisfaction which has not been put into writing

Compressed Workweek

Arrangement in which a full week's work is completed in fewer than the typical five eight-hour days

Conciliation

Resolution process where a third party intervenes to keep two parties such as management and union negotiators talking so that the parties can reach a voluntary settlement

Concurrent Validation

A procedure showing validity where current employees are tested and their scores are compared (correlated) with their job performance ratings

Confidence (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to the person's feelings about his or her own powers and abilities to succeed

Confirming the Job Need

Verifying the requirement for filling a job and defining the relevant information necessary to hire personnel

Consistent Pay

On an employment application, similar or increasing wages over time in a job or with changes between jobs

Consistent Work Record

On an employment application, a continuous work history and continuing dates of employment without extended periods of no work

Construct Validity

A procedure showing validity where a relationship between an abstract characteristic and job performance is established

Constructive Discharge

Intentionally making work conditions intolerable for an employee to the point that the employee quits

Content Validity

A non-statistical, logic-based measure of an assessment's validity; identifies the knowledge, skills, abilities and other characteristics necessary to perform a job

Contingent Offer of Employment

Formal offer of employment made to a job candidate by an employer with certain conditions which must be met by the new employee; can include qualifying

with certain job-related tests, meeting certain appearance requirements, having required equipment, etc.

Contingent Workers

Non-permanent employees including temporary employees, contractors, leased employees, part-time employees and similar alternative work force personnel

Contract (Employment Contract)

A written document explaining the working relationship of a person who provides services to an organization but who is not an employee of the organization

Contractors

Persons not employed by an organization who by contract or agreement provide services to the organization and receive pay for work performed

Contractual Rights

Rights of an employee based upon a specific contract between an employer and employee

Co-payment

Program where employees pay a designated portion of the cost of prescription drugs, insurance premiums and medical care

Convictions

With hiring, this refers to actual court convictions where a court decision is given. Convictions rather than arrest records are to be used to avoid disparate treatment

Core Responsibilities

Primary functions of a job

Cost of Employee Turnover

Costs resulting from replacing employees who terminate service

Cost-of-Living Adjustment (COLA)

An adjustment to base pay for work performed related to the cost of purchasing certain goods and services included in an accepted standard level of consumption

Cover Letter

An applicant-written letter to a prospective employer introducing the applicant, highlighting key background and qualification points; often accompanies a resume

Criminal Record

A person's recorded conviction record. At hire it is acceptable for employers to inquire about convictions other than misdemeanors

Criterion-Related Validity

A procedure showing validity where a test is used as the predictor of how well a person will perform the job

Cross Training

Training employees to perform more than one job

D

Defined-Benefit Plan

Retirement program where employees are promised an amount of pension which is based upon company service or age

Defined-Contribution Plan

Retirement program where employers make annual payments to the employees' pension accounts

Defining the Position

Analyzing jobs, clarifying the specific needs and parameters of the job and developing a written description of the job

Dependability

Pre-employment assessment factor indicating a person who performs what is expected and follows directions without close supervision

Development

Company actions and programs to improve an employee's ability to perform various assignments and to enhance the employee's capabilities beyond the abilities required in the current job

Disability

A physical or mental impairment which substantially limits a person in some major life activity

Disability Discrimination

Improperly disallowing opportunity for employment, advancement or other considerations on the basis of a candidate's disability

Disabled Person

A person with a mental or physical impairment which substantially limits life activities, who has a record of such impairment or who is regarded as having such impairment

Discipline

A form of training to mold and correct behavior to comply with organization rules

Disclaimer (Employment Application)

Statements included on the employment application which qualify inclusion of information or indicate actions to be taken or clarify extent of legal considerations (e.g. holding a prior employer harmless for presenting background information)

Discrimination

Making a distinction between individuals. Such distinction may or may not be improper based upon legal and regulatory requirements

Dismissal Discipline

Disciplinary action, normally at the end of the progressive discipline process (or immediately for certain infractions), which is issued and detailed in writing, results in termination from work and normally is retained in an employee discipline log

Disparate Impact

Circumstance where members of a protected class are substantially under-represented due to employment decisions which disadvantage the class members

Disparate Treatment

Circumstance where members of a protected class are treated differently from others

Disproportionate Adverse Impact

Consideration pertaining to test use which states that employer policies or practices that have a significantly high impact on the employment opportunities of any race, sex or ethnic group are not permitted under Title VII or Executive Order 11246, unless justified by "business necessity"

Draw

Advance in employee pay from future commissions earned which is repaid

Drug-Free Workplace

An organization and workplace which has a program directed at eliminating employee drug use. Such programs may be regulated by state law

Dual-Career Ladder

Job sequence or ladder which enables an employee to advance up either management rungs or up non-management professional/technical rungs during career advancement

E

e-Learning

Using the Internet or an internal intranet to participate in on-line training

Economic Adjustment

A change in base pay, normally for only selected employee groups, made to align pay with the typical market pay for a job

Education as Continuing Learning

A process during which employees acquire capabilities to assist in the accomplishment of the goals of an organization. As a process, "education" refers to the learning and application of concepts and theories (*see training and development*)

EEO-1

An employer general information and employee data report filed annually to the Equal Employment Opportunity Commission by employers meeting certain requirements

EEOC (Equal Employment Opportunity Commission)

A federal enforcement agency created by Title VI of the Civil Rights Act of 1964 and charged with ending discrimination and promoting voluntary action with equal employment

Emotional Stability

A factor interviewers consider in selecting among job candidates which refers to various indicators of how the person interacts with others, work and life

Employee Assistance Program (EAP)

Counseling and other assistance provided to employees via external practitioners to help personnel with emotional, personal and physical difficulties

Employee File

The various documents and information pertaining to an employee which an employing organization keeps

Employee Loyalty

Faithfulness and showing allegiance to an employer and remaining employed by an organization for a long period of time

Employee Polygraph Protection Act (EPPA) of 1988

A federal law defining permissible limits for use of polygraph testing

Employee Sources

Various origins, channels and providers for job applicants

Employee Stock Ownership Plan (ESOP)

Program providing employees with significant ownership in their employer's company

Employer Documentation Requirements

Applicants are required to prove eligibility to work in the U.S. via the I-9 Form and employers are to examine the acceptability of the materials presented as verification

Employing Organization

The official organization employing a person. Employees may be hired by an organization's headquarters and assigned to another work site

Employment Agencies

Businesses which source, screen, select, train and place employees into other organizations for a fee

Employment Contract

Formal arrangement outlining the details of employment

Employment Dates

On an employment application, dates which represent when jobs were begun and when they terminated. Often given as month and year, they may be shown as year only or day, month and year

Employment Function

Process and persons involved in hiring personnel including initial recordkeeping, assignment and various other aspects of handling new employees for jobs

Employment Test

An employment procedure used to make employment-related decisions

Employment-at-Will

Common law doctrine stating employers have the right to hire, fire, demote and promote whomever the employer chooses unless there is a law or contract barring the practice

Enthusiasm (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to the overall excitement the person has for the job, work as a whole and advancement in a career

EOE

Acronym for Equal Opportunity Employer which indicates persons are given equal treatment in all employment-related actions

Equal Access

Consideration and/or accommodation for all potential job applicants to be able to fulfill the application process

Equal Employment

Employment involving no illegal discrimination

Equal Employment Opportunity

The consideration that persons should have equal treatment in all actions associated with employment

Equal Opportunity Employer (EOE)

Affirmation by organizations indicating compliance with legal and regulatory requirements for non-discrimination. Often included in advertisements as “EOE”

Equal Pay Act

Requires equal pay for men and women performing substantially the same work

Ergonomics

Analysis and design of work environments focusing on physiological considerations and physical demands on people

Essential Job Functions

Primary functions of a job

Evaluating Employees

Determining relevant qualifications to fill jobs by comparing background, experience, education, scores on tests and other relevant information

Evaluation Period

Initial period of time during which a new employee’s performance is evaluated on a job

Executive Exemption

Definition of factors designating a job as exempt status; includes primary duty of managing; regularly directs work of minimum of two others; recommends or can hire/fire

Executive Order 11478

Prohibits discrimination in the U.S. Postal Service and in the various government agencies on the basis of race, color, religion, sex, national origin, disability or age

Executive Orders 11246 and 11375

Require federal contractors and subcontractors to eliminate employment discrimination and prior discrimination through affirmative action

Executive Search Firms

Businesses which source, screen, select, train and place usually higher level management and executive employees into other organizations for a fee

Exempt Employee

A classification of employees identified under the Fair Labor Standards Act (FLSA) who need not be paid overtime

Exit Interview

Post-employment interview where employees are asked to provide information on their perception of their work experience and the reasons for leaving the job

Expatriate

A citizen of one country working in another country who is employed by a headquartered organization in the first country

External Advertisement

Ad or process of identifying job applicants from outside an organization using advertisements of job vacancies placed in various media and locations

External Equity

Reference to fair, equitable and consistent pay for similar jobs outside an organization

External Sourcing

Identifying job applicants from outside the organization for employment vacancies

F

Factor Checklists

A employee evaluation recording method for category ratings

Fair Labor Standards Act (FLSA)

Federal law defining exempt and non-exempt status positions, child labor protection, payment of overtime after 40 hours and minimum wage

Federation

A grouping of autonomous national and international unions

Feedback

Information employees receive concerning their work performance

Flexible Benefits Plan

Arrangement enabling employees to select their preferred benefits from a group of benefits included in a plan offered by their employer

Flexible Spending Account

Benefits arrangement allowing employees to contribute pre-tax dollars to purchase selected additional benefits

Flexible Staffing

Situations where employers use non-traditional employees

Flextime

Work schedules where employees work a set number of hours per day with various beginning and ending times

Fluency (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to the person's ability to appropriately communicate orally and/or in writing for the specific needs of the job

FMLA

Acronym for Family and Medical Leave Act which requires that individuals be given 12 weeks of family leave without pay and be allowed to return to jobs

Forced Distributions

An employee evaluation recording method where employees are compared one against the other in the same or similar work situation

Full-Time

Work performed in accordance with the standard number of regular hours in a work week (normally 40 hours)

Full-Time Employee

An employee who performs work in accordance with the standard number of regular hours in a work week (normally 40 hours)

Full-Time Temporary

Person working a regular work schedule (e.g. 40 hours per week) for a limited duration (e.g. 12 weeks)

Functional Definition

Associating a specific task or function to a generic job title, e.g. "production supervisor" as opposed to "supervisor"

Fundamental Work Values

Satisfying factors about a job which have been studied by psychologists and are determined to be job motivators and reasons why people like their jobs

G

Gainsharing

Program where an employer's greater than expected productivity and/or profit gains are shared with employees

Garnishment

Court action where a portion of an employee's wages is set aside to pay for a debt owed to a creditor

GED Certification

Graduation Equivalency Diploma referring to certification of equivalent proficiency for a standard U.S. high school education curriculum

General Summary

A brief description of the primary purpose of a job

Generic Job Titles

General job titles indicating authority, accountability and responsibility in their functioning without specifically associating the job to a task, e.g. "supervisor" as opposed to "production supervisor"

Good Interview Questions

Questions used by interviewers which comply with legal and regulatory requirements, are open-ended so as to require explanation and which require the candidate to give appropriate information for the specific job

Grade (for Job Level)

An index number or letter associated with a pay range selected for a job

Grade Point Average (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to college or other school grades usually represented by averages earned versus the maximum grade possible

Graphology (Test Type)

One of various selection assessments where analysis of an applicant's handwriting is used to reveal aspects of the person's personality and potential suitability for a job

Green-Circle Employee

An employee in a job where s/he is paid below the minimum of the pay range for the job

Grievance

Complaint stated formally in writing

Grievance Procedures

Formal procedures and channels of communication for solving grievances

Gross-Up

To give an additional sum of money equivalent to the amount of tax to be paid by a person on wages. For example, if a person is to be awarded \$100 and must pay \$15 in tax, the amount given would be \$115 which nets \$100 to the person after taxes

H

Halo Effect

Situation arising when a person rating another person scores the rated person highly on all job criteria based upon the rater's perception of one performance area

Harassment

Persistently annoying actions directed at a person which may be rooted in race, color, religion, gender, national origin, age or disability as well as that of one's relatives, friends or associates; it may take the form of epithets, intimidating or hostile acts, negative stereotyping or threatening, slurs, graphic or written material on the employer's premises or circulated in the workplace which denigrates or shows hostility or aversion

Health Maintenance Organization (HMO)

Benefit plan providing services on a pre-paid basis for a fixed period of time

Hiring

Process of bringing new employees into an organization

Hiring Authority

A person charged with the authority, accountability and responsibility to hire personnel. Management may delegate certain aspects of the hiring function to others who may perform certain aspects of the hiring process

Hiring Process

Actions carried out in an effort to source, screen, select, interview and offer jobs

Honesty

Pre-employment assessment factor indicating a person who refrains from stealing and follows rules and procedures

Hostile Environment

Circumstance in sexual harassment situations where an employee's work performance or psychological welfare is unreasonably impacted by intimidating or offensive working conditions

Hourly Pay

Term referring to wages or payments for work specifically calculated on the amount of time worked

Hourly-Paid

Work group designation or pay method where payment is calculated based upon the amount of time worked

Hours of Work

Reference to the time employees perform work. Employers set hours of work. Generally this term refers to "normal" times of work

HR

Acronym referring to the human resource function

HR Audit

Formal analysis of the current state of human resource management in an organization

HR Management

Planning and administration of human resource activities within an organization

Human Resource Management System

An integrated information system used by HR management and others in decision making

I-9 Form

A document developed by the federal government used to indicate an applicant's eligibility to work legally in the U.S. Eligibility verification is required by the Immigration Reform and Control Act (IRCA) of 1986

Immigration Reform and Control Act

Establishes penalties for employers who knowingly hire illegal aliens; prohibits employment discrimination on the basis of national origin or citizenship

Incentive

Pay for work performed which is based upon individual, team or organization performance

Independent Contractor

Workers providing special services based upon a contract

Individual Response Profile

A written summary and/or graphic representation of how a person responds on a test and how the person compares with a norm or other measure

Individual Retirement Account (IRA)

Special account into which an employee may set aside monies which are not taxed until the employee retires

Industrial Skills

One of various selection tests or assessments used to evaluate learned skills, in this case specifically industrial skills

Informal Training

Training which takes place by means of feedback and interaction among employees

Information Certification Statement

Statement often included on employment applications attesting that information given by the applicant is accurate, complete and correct and is affirmed by signature of the person completing the application

Initiative (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to demonstrated actions or indicators of enterprise, taking the first step, ambition, etc.

INS (Immigration and Naturalization Service)

A department of the federal government involved with the flow of immigrants into the U.S.

Internal Equity

Reference to fair, equitable and consistent pay for similar jobs and appropriate establishment of pay for a job in a structure of other jobs within an organization

Internal Job Posting

Process of communicating job opportunities to existing employees

Internal Sourcing

Identifying job applicants from within an organization

Interview

Process where an employer communicates with and evaluates persons who have relevant qualifications to fill jobs

Interview Sourcing

Process and methods used to identify applicants for jobs

J**Job “Weight”**

A job’s importance and value to an organization which may be a consideration of how much to pay for the work performed

Job Advertisement

A concise, often-abbreviated announcement of a job vacancy or position wanted circulated to the public via the Internet, news media, circulars, etc.

Job Analysis

Process and system for collecting and analyzing job information including content, context and requirements

Job Applicant

Person applying for a position in an organization. Technically this may be any person who has applied for a job, but who has not been evaluated for job suitability considering the functions and prerequisites for the job. With evaluation acceptance, persons are often referred to as “candidates”

Job Characteristics

Attributes of a job which have been studied by psychologists and found to affect a person’s comfort and satisfaction in performing the job

Job Classification

Process of evaluating positions to determine exempt salary, non-exempt salary or non-exempt hourly status as defined by the Fair Labor Standards Act classification

Job Compatibility

A measure or indication of how well suited a person is for a job

Job Criteria

Important job components

Job Description

Identifying the duties, responsibilities and tasks of a job

Job Design

Compiling and organizing job duties, responsibilities and tasks into a productive unit of work

Job Enlargement

Widening a job’s scope of activity by expanding the number of different tasks to be performed

Job Enrichment

Adding to the depth of a job by adding responsibility for planning, organizing, controlling or evaluating the job

Job Evaluation

Formal means to systematically identify the relative worth of jobs inside an organization

Job Evaluation Questionnaire

A worksheet used to gather and record information including primary functions, education, supervision, physical requirements and other considerations needed to write job descriptions. Also referred to as a job description questionnaire

Job Family

Grouping of jobs possessing common organizational characteristics

Job Longevity

How long a person works on a job

Job or Pay Grade

A number or letter indicating grouping of positions having approximately the same job worth

Job Pay Table

A concise table indicating minimum, midpoint and maximum pay amount for a position

Job Posting

Procedure where employers give notice of job openings and employees indicate their interest by applying

Job Rotation (Management Development Technique)

Training or development technique where the learner is moved between various jobs to fill an imminent need and gain an understanding of what is involved in each job

Job Satisfaction

Positive emotional state resulting from evaluating an employee's job experience

Job Sharing

Work schedule where two employees perform the work of one full-time employee

Job Specification

Knowledge, skill and ability (KSA) a person needs to satisfactorily perform a job

Job Start Date

The date a person begins work on a job; it may be different from hire date

Job Title

Official name given as title to a job

Job-Specific Questions

Interview questions which specifically relate to a particular job or position as opposed to questions about work in general

Just Cause

Reasonable justification for taking employment-related action

K

Keogh Plan

Specialized and individualized pension plan for self-employed workers

Key Ratios

Important or revealing calculations used in pay planning to indicate a relationship in quantity, amount or size

Know-how

In classifying and describing a job, the sum total of every kind of skill needed for acceptable job performance

Knowledge (Test Type)

One of various selection tests or assessments used to evaluate specific knowledge possessed by an applicant

L

Labor Market

External worker supply pool from which employers attract employees

Language Development

Requirements for using various levels of reading and writing skills in performing a job. A consideration in analyzing job requirements

Legal and Regulatory Requirements

Actions and activities performed in accordance with laws, regulations and other established guidelines to avoid infraction

Letterhead Paper

Formal stationery used by organizations usually bearing the name, logo and contact information for the organization

Listed References

Persons or organizations identified by applicants on an application who, with written approval of the applicant, may be contacted to gather and confirm information about an applicant

Living Wage

Wage considered adequate to fulfill the basic needs of a worker's family

Lock-out/Tag-out Procedure

Requirement and procedure for using locks and tags to make equipment inoperative during adjustment and repair

Lump Sum Increase

All or part of an annual pay increase paid at one time

M

Managed Care

Health care methods which apply restrictions and market system alternatives to monitor and reduce medical costs

Management Skills (Test Type)

One of various selection tests or assessments used to evaluate specific management skills possessed by an applicant

Market Banding

In compensation planning, grouping jobs into pay grades based upon similar market survey amounts

Market Pricing

Using survey data in identifying the relative value of jobs based upon what other organizations pay for similar jobs

Marital Status

Whether a person is married, single, separated, etc. In employment, it is illegal for an employer to discriminate on the basis of marital status

Mathematics Development

Requirements for using various levels of mathematics in performing a job. A consideration in analyzing job requirements

Maturity (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to the person's development personally and in terms of background and experience for the specific job

Maximum of Pay Range

The highest amount of compensation to be paid for work performed

MBO

Acronym for management by objectives. Performance goals which are to be attained during the performance period

Mechanical Aptitude Test

Measure or indicator of the ability to make or fix things. A consideration in analyzing job requirements

Mediation

A method of dispute resolution in which a third party assists negotiators in reaching a settlement

Medical File/Record

Certain documents collected pertaining to employees which are to be confidential and often kept separate from other employee records and information

Mental Aptitude

Measure or indicator of the amount of reasoning capability necessary in a job. A consideration in analyzing job requirements

Mental/General Ability Test

One of various selection tests or assessments used to evaluate an applicant's general ability to learn or acquire a skill

Mentoring (Management Development Technique)

Training or development technique where a more experienced manager assists and guides a newer manager and/or selected others in the early developmental stages of their careers

Merit Increase

Increase affecting base pay for work performed recognizing performance

Mid-Point of Pay Range

The approximate half-way point amount of compensation to be paid for work performed. In pay planning this may be arbitrarily selected and/or equate to the mean average, median or mode of a pay range

Military Service

Service in the U.S. armed forces. At hire, it is inappropriate for an employer to request or inquire about military service records, military service for any country other than U.S., type of discharge, membership in reserves, intent to join military

Minimum of Pay Range

The lowest amount of compensation to be paid for work performed

Minimum Requirements

The basic or least qualifying factors required by a person to successfully perform a job

Motivation

A person's desire to take action

Motivator

Something of desire for a person which causes him or her to act

Multi-Source Assessment

Employee evaluation process where an employee's superiors, peers, subordinates, other inside staff and sometimes outside personnel such as customers give input to the evaluation (*see also 360 degree evaluation*)

N

Narratives

An employee evaluation recording method where raters write out descriptive statements and explanations concerning performance

National Origin

The nation from which a person comes. In employment, it is illegal for an employer to discriminate on the basis of national origin

Needs Assessment

Identifying, defining and cataloging what is to be achieved in training, a particular activity or project, the primary functions of a job, etc.

Negligent Hiring

Outcome when employers fail to check the background of employees and an employee injures another person

Negligent Retention

Outcome when employers are aware that an employee is unfit for employment but permits the employee to continue employment and the employee injures another person

Nepotism

Allowing an employee's relatives to work for the employee

Non-Compete Agreement

Formal agreement disallowing an employee leaving a company to compete against that company in the same line of business for a specified period of time

Non-Contributory Plan

A pension plan where all pension benefits funds are provided by the employer

Non-Directive Interview

An interview method where interviewers ask general ques-

tions about the candidate which lead to other questions about topics brought up by the candidate

Non-Discriminatory

A distinction made between individuals which is in compliance with legal and regulatory requirements

Non-Exempt

Employees who must be paid overtime under the Fair Labor Standards Act (FLSA)

Non-Supervisory Status

Designation of a person in a job which does not direct the activity of other personnel. Such persons may be classified as management

Non-Traditional Incentives and Benefits

Actions and awards granted to persons for work-related performance which do not follow the typical pay or related award themes; e.g. employee-of-the-month parking space

O

Objectives and Behaviors

An employee evaluation recording method where the employee is evaluated by the supervisor on levels attained on pre-set goals

Offer Letter

A formal letter written to job candidates informing them they have been selected for a job

Offering Jobs

Process where a formal offer of employment is made to selected candidates

Older Workers Benefit Protection Act of 1990

Prohibits age-based discrimination in early retirement and other benefits plans

On-Site Reviews

An employee evaluation process where a person outside the immediate reporting relationship becomes part of the rating process

Open-Ended Questions

Questions used in an interview which generate more than one word and/or "yes" "no" answers. Such questions bring out more information about a job candidate

Opinion Survey

A survey or collection of information focusing upon employ-

ees' beliefs and feelings about their jobs and employer (same meaning an attitude survey)

Orientation

For new employees, a planned introduction to co-workers, their jobs and the company

Orienting Employees

Welcoming, assisting and informing employees new to an organization

OSHA 300A

A summary report of accidents and illnesses completed annually by an employing organization which meets certain requirements

Outside Activities (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to what the person does when not working, including social activities, hobbies, sports, etc.

Outside Raters

An employee evaluation method where an outside expert may be called in to review managers or executive management

Outside Sales Exemption

Definition of factors designating a job as exempt status; includes routinely works away from employer site and sells tangible or intangible items or obtains orders or contracts for services

P

Panel Interview

An interview method where several interviewers speak with candidate, usually one at a time

Paid Time Off (PTO)

A social benefits arrangement where benefits components such as holiday pay, sick time, vacation time, etc., are combined into a total number of hours or days the employee may take off with pay

Part-time

Work assigned of less than the normal work schedule (e.g. 24 hours as opposed to 40 hours per week)

Part-time Employee

An employee who works less than the normal work schedule (e.g. 24 hours as opposed to 40 hours per week)

Part-time Temporary

Person working a less than a regular work schedule (e.g. 24 hours per week) for a limited duration (e.g. 12 weeks)

Pay Compression

A situation where employees with little difference in experience and performance have little difference in amount of pay

Pay Equity

In pay planning, a concept that employees should be paid the same amount if they possess the same knowledge, skill and ability, even though they perform significantly different duties

Pay for Performance

A method of determining amount of pay to be granted to an employee based upon how well the person performed a job

Pay Grades

Numbers or identifiers assigned to groupings of different jobs which have approximately the same job worth

Pay per Hour Conversion

The process of converting pay for a period of time to a standard timeframe, e.g. dollars per year equated to dollars per hour

Pay Range

A series of pay amounts, generally minimum, midpoint and maximum, indicating how much a group of jobs may pay

Pay Rate

The amount of pay for performing work on a specific position and generally expressed in dollars per hour, per week, per month, etc.

Pay Scale

A tabulation of job grades or levels with an associated pay range of minimum, mid-point and maximum pay for each job in an organization

Pay Survey

Data compiled on compensation rates for workers performing similar jobs across organizations

Pension Plan

Formal retirement program funded by the employer and employee

Performance Appraisal

Process where employees are evaluated on their job performance and advised of their performance

Performance Management

A formal process for identifying, measuring, communicating, developing and rewarding employees for performance

Performance Review

A process for evaluating how well employees performed on their jobs as compared to a set of standards. The performance is generally discussed with the employee

Performance Standards

Key indicators in a job description identifying what a job does and how performance on the job is measured

Perks (Perquisites)

Special benefits granted most often to executives which are usually non-cash

Personal Information

Employer documents and information about an employee which are kept on file with the employer and pertain to specific details about the individual as opposed to job or similar information

Phased Retirement

Work arrangements where employees gradually reduce their amount of work and pay

Physical Ability Test

Test measuring an employee's endurance, muscular movement and strength

Physical Data

Information pertaining to an applicant's physical ability to perform the minimum requirements of a job. At hire employers may ask if the applicant can perform the essential functions of the job with or without reasonable accommodation

Physical Requirements

Requirements for physical actions in a job including standing, walking, sitting, bending/stooping/squatting, climbing, lying down, pushing/pulling and finger dexterity. A consideration in analyzing job requirements

Polygraph Testing

A physiological method of testing a person for honesty using equipment which detects the person's stress shown by physical changes in the body when lying

Poor Interview Questions

Questions used by interviewers which fail to comply with legal and regulatory requirements, which can be answered with simple one-word responses and which do not require the candidate to give relevant information for the specific job

Portability

Feature of a pension plan allowing employees to move pension benefits from one employer to another

Position Description

A written summary of the tasks, duties and responsibilities of a specific position. Often used synonymously with job description

Position Description Questionnaire

A document used to gather and analyze information about the content and the human requirements of jobs and the framework in which the jobs are performed

Position/Job Code

Numbers or letters representing a job and title. Some job coding systems indicate classification and other job factors with the code

Position/Job Title

An "official" and approved name given to a job

Post-Job Offer

Term referring to actions or circumstances which take place after a job candidate has been formally offered a position

PPO, HMO and POS

Various types of medical care health benefits plans referring respectively to Preferred Provider Organization, Health Maintenance Organization and Point of Service

Precedent

Something said or done which serves as an example or rule to authorize or justify a later act of the same or similar nature

Predictive Validation

A process where applicants' test scores are not used in making hiring decisions, but later are compared with actual job performance to determine whether the test accurately predicts performance

Pre-Employment Testing

Various types of selection instruments administered before an employment offer is made which are used as a part of the selection process

Pre-Employment Work Behavior Skills Testing

Paper and pencil or similarly administered tests taken by persons applying for jobs; used by the employer to select among candidates meeting the requirements of the position

Preferred People Profile

A example of personal characteristics indicating potential success on a job

Preferred Provider Organization (PPO)

Health care provider which contracts with a group of employers to provide health care at a competitive rate

Pregnancy Discrimination Act

Prohibits discrimination against women affected by pregnancy, childbirth or related medical conditions; requires that they be treated as all other employees for employment-related purposes, including benefits

Prerequisites

Specific background, experience, education or similar factors identified as a requirement for a job

Previous Jobs Longevity

How much continuous time a person spent in a prior job; a person may have longevity on several jobs with the same employer

Primary Functions

The main or fundamental activities in a job

Prior Record

In discipline handling, any prior disciplinary action which remains on file in an employee's discipline log

Problem-Solving

In classifying and describing a job, the original, self-starting thinking required by the job to identify, define and resolve problems

Procedure

Usual methods for handling activities

Productivity

Quantity and quality measures of work performed based upon the cost of resources used

Professional Associations/Societies

Formal organizations representing like-businesses, generally of a professional nature, which publish journals and newsletters, have annual meetings or conferences and provide other services to their membership

Professional Employer Organizations (PEO)

Businesses which enter into a shared employment arrangements with organizations where the employees have typical human resource activities handled by the PEO firm and day-to-day management/direction activities handled by the work site organization

Professional Exemption

Definition of factors designating a job as exempt status; include performs work which requires knowledge of an advanced field or creative and original artistic work or works as a teacher in an educational system, performs work which is predominantly intellectual and varied

Profit Sharing

Allocating a portion of company profits among employees

Progressive Discipline

Successively more severe disciplinary measures taken with a person as a result of continuing infractions

Promotion

Progression to a position of greater authority, accountability and responsibility usually with an associated pay increase

Promotion Increase

Increase affecting base pay recognizing an increase in the know-how, accountability and/or responsibility required by a job

Proof of Identity

Documents and other means to establish who a person is and his or her eligibility for employment

Proposed Pay Range

Recommended dollar amounts, often the minimum, mid-point and maximum, associated with a job which set limits to the amount to be paid for work performed

Protected Class of People

Persons falling into a group identified for protection under equal employment laws and regulations

Psychics (Test Type)

One of various selection assessment methods used by some organizations to select job candidates

Psychological/Personality (Test Type)

Paper and pencil or similarly administered tests used to determine developmental potential and needs. Factors can include interpersonal skill, job preference, leadership style, motivation, reasoning, etc.

Q

Qualified Special Disabled Veterans

Persons identified as qualified veterans with disabilities who are entitled to hiring and advancement opportunity under the Vietnam-Era Veterans Readjustment Act of 1974

Quid Pro Quo

Situation with sexual harassment where employment outcomes are linked to an individual granting sexual favors

R

Race

Human traits transmitted by descent which characterize persons as a distinct human type. In employment, it is illegal for an employer to discriminate on the basis of race

Ranking

Method of performance appraisal where all employees are listed from highest performance rating to lowest

Ratings by Teams/Peers

A participative management approach where management often relies upon peer evaluation since teamwork is emphasized rather than individual performance

Reason for Leaving

On an employment application or in an interview, the explanation given for why an applicant stopped working at another employer

Reasonable Accommodation

Job or work environment modification or adjustment for a qualified person with a disability

Reasoning Development

Requirements for using common sense and understanding, applying principles and solving problems in performing a job. A consideration in analyzing job requirements

Record Retention

Guideline indicating what records are to be kept and for how long

Recruiting

Creating a group of qualified applicants for jobs in an organization

Recruiting Incentives

Rewards granted to persons, whether employees or not, for referring job candidates

Red-Circle Employee

Job incumbent who is paid above the pay range maximum for the job

Reference Check

A request by a prospective employer for oral and written comments, observations and information from prior employers, personal acquaintances and other contacts used in make hiring decisions

Reference Check Authorization

Written approval by an applicant for a prospective employer to contact prior employers and similar named references and verify application information and job-related details

References

Oral and written comments, observations and information from prior employers, personal acquaintances and other contacts provided to prospective employers as background to make hiring decisions

Rejection Letter

A formal letter written to job candidates informing them they have not been selected for a job

Religion/Creed

Commitment or devotion to a religious faith or observance. In employment, it is illegal for an employer to discriminate on the basis of religion

Responsibility

Potential for being held accountable for actions and circumstances as a consideration in establishing the weight or value of a job for pay purposes

Resume

A written summary of a person's background and qualifications for a job; prepared by the applicant

Retaliation

Penalizing action of employers taken against individuals who exercise their rights

Return on Investment (ROI)

Calculation indicating the value of HR expenditures

Reverse Discrimination

Circumstance where an individual is denied opportunity due to preference given to protected-class individuals who may

be less qualified

Right to Privacy

Freedom of an individual from unauthorized and unreasonable intrusion into the individual's personal affairs

Rights

An individual's interests, powers, privileges, as established by law, nature or tradition

Right-to-Work Laws

State laws disallowing requiring employees to join unions as a condition of being employed or continuing employment

Role-Playing**(Management Development Technique)**

Training or development technique where the learner actually assumes the role of a manager in a particular situation and demonstrates the actions needed on the job

Rules

Specific guidelines restricting and regulating behavior of individuals

S

Sabbatical

Time off from work with pay for a person to develop or rejuvenate

Safety

Conditions protecting the physical well-being of employees

Salary

Payments for work which are consistent from period to period regardless of the number of hours worked

Scales

Graphic rating scales employing a continuum on which the rater merely marks the employee's position on a scale

Screening

Choosing among applicants for jobs by identifying those who possess the prerequisites and abilities to perform the primary functions of the job

Selection

Process for selecting persons possessing qualifications needed for a job

Selection Criteria

Characteristics a person needs to perform a job successfully

Selection Interview

A conversation with a job candidate to identify and clarify information pertaining to the candidate and how s/he will fulfill the requirements of the job

Selection Process

The process of choosing from among those who have the necessary qualifications for a job to determine who will become the final candidate

Self-Directed Team

Group of individuals in an organization who are assigned to accomplish a collection of duties, responsibilities and tasks

Self-Ratings

An employee evaluation approach where an employee rates him or herself on job performance

Seniority

Time spent on a particular job or in an organization

Separation Agreement

Formal agreement where a terminating employee receives specified benefits or payment for agreement not to sue an employer

Serious Health Condition

Condition of health necessitating in-patient continuing physical, hospice, hospital or resident medical care

Service Orientation

Pre-employment assessment factor indicating a person who is suitable for jobs with customer contact and who balances between customer and organization needs

Severance Pay

Voluntary, employer-provided benefit granted to employees who lose their jobs

Sex Discrimination

Improperly disallowing opportunity for employment, advancement or other considerations on the basis of gender

Sexual Harassment

Unwanted sexually-directed actions which subject a person to adverse employment conditions or create a hostile work environment

Simulations**(Management Development Technique)**

Training or development technique where the learner analyzes a situation and determines the best course of action. Similar to business games, but often real life situations in the business are recreated for analysis

Situational Interview

An interview method where the interviewer asks candidates how they might handle specific job situations

Sociability

Pre-employment assessment factor indicating a person with a pleasant personality and who values harmony

Social Benefit

Employer-provided considerations generally outside the realm of health care provided to employees such as holiday pay, vacation, tuition assistance, etc.

Sourcing Applicants

The varied and comprehensive process of identifying applicants for jobs

Start Date

The official date when a person begins a job

Statutory Rights

Rights based upon laws or statutes

Step Rates

Routine, planned increases to base pay generally associated with time on the job and acknowledging increased knowledge and/or competency

Steps in Employment

Various planned activities carried out in an effort to source, screen, select, interview and offer jobs

Stock Option

Employee right to purchase a specified number of company stock shares at a specific price for a limited period of time

Stock Purchase Plan

Plan where a corporation provides matching funds equal to the amount employees invest to purchase stock in the corporation

Straight Piece-Rate

Calculation of worker pay derived by multiplying the piece-rate for one unit times the number of units produced

Stress Interview

An interview method where the interviewer attempts to cause stress for the candidate to see how the candidate reacts

Structured Interview

An interview with a job candidate which uses standardized questions which are asked similarly of all candidates for the job

Substance Abuse

Misuse of alcohol, drugs or substances or illicit substance use

Substance Non-Abuse

Pre-employment assessment factor indicating a person who refrains from using illegal drugs and abusing alcohol

Succession Planning

Identifying replacements for key personnel for the long-term future using a planned process

Summary Critical Incidents

An employee evaluation process where the supervisor keeps notes on incidents which occur over time and how the employee performed

Supervision Received

Refers to how frequently and closely work is monitored by a supervisor or other employees

Supervisory Status

Designation of a person in a job in which s/he directs the activity of other personnel

Suspension Discipline

Disciplinary action, normally nearing the end of the progressive discipline process, which is issued and detailed in writing, results in time off of work with or without pay and normally is retained in an employee discipline log

T

Task

Motions of work activity which are distinct and identifiable

Team Orientation

Pre-employment assessment factor indicating a person who works well in a team environment

Telecommute

Working by means of computing and telecommunications equipment

Temporary Employee

Persons hired by an organization or supplied through an outside service firm for normally a short period of time (e.g. less than 6 months)

Temporary Part-Time Employee

Persons hired by an organization or supplied through an outside service firm for normally a short period of time (e.g. less than 6 months) and who work less than the normal number of hours (e.g. 4 hours per day)

Temporary Staffing Firms

Businesses which supply workers on a rate-per-day or week basis to organizations

Termination Date

The effective date when work ceases for an employee

Test Interpretation

An overall summary of how a person scored on a test, including strengths, development areas and selected recommendations

Title I of the ADA

Employment provisions which disallow employment-related discrimination affecting persons with disabilities

Title II of the ADA

Public participation and service provisions which disallow discrimination pertaining to participation of disabled persons in government programs and for public transportation

Title III of the ADA

Public access provisions requiring accessibility of public and commercial facilities

Title IV of the ADA

Telecommunications provisions requiring telecommunications capabilities and television closed captioning for persons with hearing and speech disabilities

Title V of the ADA

Administration and enforcement provisions detailing accountability, authority and responsibility as well as who is not covered

Title VII, Civil Rights Act of 1964

Federal law which prohibits discrimination in employment on basis of race, color, religion, sex or national origin

Trade Associations

Formal organizations which represent like-businesses or entities on a group basis to provide information, marketing

and public relations, advice and counsel, guidance, training, leadership, resources and/or similar services

Training

Process during which people acquire capabilities to perform jobs

Training as Continuing Learning

A process during which employees acquire capabilities to assist in the accomplishment of the goals of an organization. As a process, training refers to skills acquisition and development (*see education and development*)

Turnover

Procedure where employees leave an organization and need to be replaced

Turnover Cost

The total expense of all factors associated with replacing a person who leaves a job

U

Undue Hardship

Significant expense or difficulty experienced by an employer with making accommodations for individuals with disabilities

Uniform Guidelines on Employee Selection Procedures

Non-binding procedures issued by the federal government in 1978 in an attempt to impose a single set of employment standards on all employers covered by either Title VII or Executive Order 11246

Union Authorization Card

A document employees sign designating a union as their collective bargaining agent

Union Contracts

Formal bargaining agreements established between union-represented employees and an organization in accordance with National Labor Relations Board guidelines

Utilization Analysis

Process to identify and quantify protected-class employees and the types of jobs they hold

Utilization Review

Audit of the costs and services charged by health care providers

V

Vacancy

Positions or jobs which are open and identified as waiting to be filled

Validity

The extent to which an assessment measures what it is intended to measure

Variable Pay

Compensation based upon individual, team or organization performance

Verbal Aptitude

Measure or indicator of the ability to understand and use written and spoken language. A consideration in analyzing job requirements

Verbal Caution or Warning

Disciplinary action, normally early in the progressive discipline process, which is communicated orally and normally not detailed in writing. A notation may be made merely that a warning was issued

Vesting

Employee right to receive selected pension plan benefits

Vicing (Management Development Technique)

Training or development technique where a person temporarily takes over the function of an absent manager by filling in for the manager and by performing selected activities of the manager and thus learns through practice. Often a pay differential is associated with the assignment to recognize the added responsibility

Vietnam Era Veterans

Persons identified as qualified veterans of the Vietnam era who are entitled to hiring and advancement opportunity under the Vietnam Era Veterans Readjustment Act of 1974

Vietnam Era Veterans Readjustment Act

Prohibits discrimination against Vietnam era veterans by federal contractors and the U.S. government and requires affirmative action

Vocational Rehabilitation Act of 1974

Prohibits employers with federal contracts over \$2,500 from discriminating against individuals with disabilities

W

Wage

A payment of money for labor or services which generically may refer to wages and salary (as distinguished from “wages”)

Wage & Hour Requirements

Legal and regulatory stipulations put into place, by state and/or the federal government which dictate how pay is to be handled, e.g. overtime. Federal stipulations are included in the Fair Labor Standards Act (FLSA)

Wages

Pay for work performed based upon amount of time worked (as distinguished from “wage”)

Wellness Program

Program intended to improve or maintain employee health prior to health conditions developing

Well-Pay

Extra pay for not using sick time

Whistle-Blower

Person who reports perceived or actual misdeeds committed by their employer

Word-of-Mouth Advertising

Communicating job vacancies from one person to another, inside and outside an organization, in a formal or informal manner

Work Behavior Skills

Factors and characteristics in a person which have been found to be important for effective performance on a job

Work Experience (as Interview Factor)

A factor interviewers consider in selecting among job candidates which refers to all work the person has performed during a career

Work Group or Task Force (Management Development Technique)

Training or development technique where the learner works on important projects which help the person become acquainted with the organization’s policies and procedures, key issues about the project and the different personalities of co-workers

Work Sample (Test Type)

One of various selection tests or assessments used to evaluate an applicant’s ability to perform a job where an actual

sample or aspect of the job is presented to the person to complete

Work Schedule

Plan of hours to be worked by employees during a payroll period

Workers' Compensation

Benefits which are provided to a person injured on the job

Workers' Compensation Qualification

A period of time, generally established by the state (and often 90 days), for which, if the employee has terminated service, the new employer's workers' compensation account is not charged

Written Composition

An employee evaluation process where the evaluator begins with a blank sheet and writes a short summary of the employee's performance usually in several suggested factor areas

Written Reprimand

Disciplinary action, normally midway in the progressive discipline process, which is issued and detailed in writing and normally retained in an employee discipline log

Wrongful Discharge

Terminating an employee for improper or illegal reasons

■ Frequently Asked Questions

Am I permitted to monitor my employees' telephone calls?

Am I permitted to terminate employees for moonlighting?

Am I required to give employees access to their records?

Are there legal issues related to reference checking?

Are we liable if we serve employees alcohol at parties or other events?

Are we permitted to reassign employees who are or were romantically involved with co-workers?

Are we required to grant employee requests to have another employee or person present during investigative meetings?

Are we required to provide vacation or holiday time off for our employees?

Can I collect the cost of damaged, lost or stolen company equipment?

Can our company prohibit our employees from dating one another?

Can we unintentionally create employment contracts?

Do I have to provide benefits to employees I terminate?

Do states regulate termination payments?

How can an employment agreement help us?

How can I get temporary work visas for prospective employees?

How can I protect my company when providing employment references?

How do I know if the identity and employment eligibility documents of my new hires are authentic?

How do immigrant and non-immigrant visas differ?

How do we handle unused vacation time?

How long must I keep resumes and applications?

How should I respond to reference checks on employees we fired?

How should we approach an employee whose dress is inappropriate for our workplace?

If we want to develop a dress and grooming policy involving wearing body-piercing jewelry or openly displaying tattoos, what must we consider?

Is it mandatory to perform background checks on candidates I intend to hire?

May I ask for an applicant's Social Security number on a job application?

May I assign employees to a different job than what was offered when I hired them?

May I decide for my employees when to take their vacation?

May I have job applicants take drug tests?

May I monitor my employees' e-mail and Internet use?

Must businesses post workplace notices in multiple languages?

Must I help my foreign employees get their visas?

Must I pay a severance?

Must we provide termination letters to terminated employees?

Must we send rejection letters to applicants we interview and reject?

Once we verify our employees' employment eligibility documents, must we periodically follow up to make sure they're still valid?

We are planning a reduction-in-force. What should I consider?

What actions should I take if we detect employees distributing illegal drugs in the workplace?

What are my chances of obtaining a candidate's salary history from a previous employer when doing a reference check?

What are my requirements for reporting independent contractors and freelancers as new hires?

What can I do with an applicant tracking system?

What does constructive discharge mean?

What effect does the Employee Polygraph Protection Act have on employers?

What goes into non-compete agreements?

What holidays are typically observed?

What is meant by an employment agreement?

What is pay in lieu of notice and must we provide it?

What must I do to bring a non-citizen into the U.S. for permanent employment?

Which federal posters are we required to post in the workplace?

Which visas authorize non-U.S. residents to work in the U.S.?

Who should be present when we take disciplinary action with an employee?

AM I PERMITTED TO MONITOR MY EMPLOYEES' TELEPHONE CALLS?

Yes, when they are made to or from company-provided phones. But owners and managers must comply with federal and state requirements. With phone monitoring, it is prudent to consult competent legal practitioners.

Under federal law, we may monitor employee calls in one of two ways. First, we may use listening and recording devices provided by telephone service providers. We may monitor only business-related calls. If we determine the call is of a personal nature, we must cease monitoring that call.

The second federally permissible means for monitoring calls requires that we secure employees' prior consent to monitor. To accomplish this we should have a telephone policy in place stating that employee calls are monitored. We must have each employee read and understand the policy. Also, we need to have each employee sign a statement at hire acknowledging that the employee understands the policy.

Several states require consent from all parties prior to monitoring. With requirements such as this we should play an announcement at the beginning of all calls informing the parties that the call is being monitored or recorded for quality or training purposes.

AM I PERMITTED TO TERMINATE EMPLOYEES FOR MOONLIGHTING?

Check state requirements on this. Some states have moonlighting laws. At-will employees may be terminated at any time and for any reason. If there is union representation, the labor agreement may have restrictions on company actions in the matter. If company policy forbids employees from moonlighting, you may discipline them for violating your rules within the limitations above. If there are not contrary guidelines, at-will employees may be terminated for any reason and at any time.

AM I REQUIRED TO GIVE EMPLOYEES ACCESS TO THEIR RECORDS?

State laws vary on this subject. We should check for guidance before taking action. Some states may require employers to provide access to employee records upon request, require that employees be allowed to make copies of file contents, guarantee employees access to their records a limited number of times within a given period or may limit what employees may see. Other states may not address the matter at all.

ARE THERE LEGAL ISSUES RELATED TO REFERENCE CHECKING?

To avoid discriminatory treatment, the same safeguards we apply in interviewing applicants should be applied in checking references. We should ask only those questions which are directly related to the position being filled when contacting an applicant's references. Inappropriate questions asked of a former employer can be cause for discrimination. Also, we must ensure that we check references for all candidates so there is no potential for discrimination or inequitable handling. Checking references for only certain classes, e.g., women applicants, can be cause for sexual discrimination. Employers are best served to have candidates provide written releases to perform reference checks.

ARE WE LIABLE IF WE SERVE EMPLOYEES ALCOHOL AT PARTIES OR OTHER EVENTS?

Yes, we may be liable for harm caused by employees who get drunk at company-hosted or sponsored events where alcohol is served. If serving of alcoholic beverages is required, a prudent caution to take is to provide free taxicab rides to employees who have had too much to drink.

ARE WE PERMITTED TO REASSIGN EMPLOYEES WHO ARE OR WERE ROMANTICALLY INVOLVED WITH CO-WORKERS?

Owners and managers are free to transfer employees as long as the transfers aren't discriminatory or retaliatory. When addressing this situation, be certain to treat employees equally so as not show preference by gender, for example. Preferential or inconsistent treatment may lead to claims of discrimination.

The prudent action is to have in place a policy for office romance. With such, management's response is standardized, documented, disseminated and not subject to charges of arbitrary action if the policy is followed.

ARE WE REQUIRED TO GRANT EMPLOYEE REQUESTS TO HAVE ANOTHER EMPLOYEE OR PERSON PRESENT DURING INVESTIGATIVE MEETINGS?

No. This is not required unless the employee is represented by a union. Even in union environments we only have to allow representation during meetings which may result in discipline.

ARE WE REQUIRED TO PROVIDE VACATION OR HOLIDAY TIME OFF FOR OUR EMPLOYEES?

No, these are employer-provided benefits. No law requires the time off. It is up to the employer to establish their vacation policy and determine what holidays will be observed. Vacation and holiday time off often is highly valued by employees and they are valued benefits which can attract, motivate and retain employees.

The Bureau of Labor Statistics (BLS) indicates that more than 90% of medium and large organizations offer annual vacation time. Surveys indicate that the national standard for medium and large companies is approximately two weeks off after one year of service. Normally, as employees increase company service, they are granted more vacation time. Typical practice for larger organizations is to add weeks of vacation after five and then 10 years of service. Companies often require employees to work six months before becoming eligible for vacation time.

CAN I COLLECT THE COST OF DAMAGED, LOST OR STOLEN COMPANY EQUIPMENT?

Yes, with some considerations. It is important to have policies and rules in place to deal with these situations. If we have policies in place, under most circumstances owners and managers may collect reasonable costs for violating the rules. Some states have requirements for such matters; so check state guidelines. Many states require that the employee sign an agreement ahead of time approving periodic deductions from their wages. Also, some states disallow imposing fines which take the employee's wages below minimum wage for the pay period. Another course of action is to bring suit against the employee to recoup the costs. However, this can be more costly in the long run than the cost of the company property. The company should weigh the decision to bring suit.

CAN OUR COMPANY PROHIBIT OUR EMPLOYEES FROM DATING ONE ANOTHER?

Yes. Owners and managers may prohibit employees from dating, living together or engaging in platonic relationships as part of the employment-at-will doctrine.

Owners and managers are prudent to be careful in taking action in this area. Employees may perceive blanket prohibitions on romantic involvements as invasions of privacy, which can cause morale difficulties. The prudent action is to establish guidelines for employee behavior broadly outlining inappropriate workplace conduct, forbid favoritism and prohibit sexual harassment or whatever the relationship between the individuals.

CAN WE UNINTENTIONALLY CREATE EMPLOYMENT CONTRACTS?

Yes. Employers can inadvertently create employment contracts. A common example is including language that appears to guarantee employment for a specific length of time in an employment offer or in employee handbooks. This can restrict an employer's freedom to terminate employees at-will.

Following are suggestions that may mitigate inadvertently establishing employment contracts:

In offer letters, compensation should be quoted in the lowest dollar amount. For example, quote an hourly wage or in terms of your company's payroll cycle, e.g. dollars per week. If employees are paid weekly and a new hire is quoted an annual salary amount, we may be held to a one-year employment contract.

In any employment offer, state clearly that your employment offer is not an employment contract and does not guar-

antee employment for any specific period of time.

Include a statement in your employee handbook that all employment is at-will. This will allow you to fire employees, if necessary, or they can quit at any time.

Employee handbooks must be worded carefully. Avoid statements that might suggest employment is anything other than at-will. For example, making the statement that an employee can only be terminated if grounds for termination exist changes the at-will relationship to one where the employer must prove employees failed to perform their jobs satisfactorily or the employees were guilty of wrongdoing before terminating them.

Check your state requirements because state law may restrict employers' rights to terminate at-will employees.

DO I HAVE TO PROVIDE BENEFITS TO EMPLOYEES I TERMINATE?

Yes. Under federal law we have certain legal obligations to employees we terminate. These include health care continuation, unemployment insurance eligibility notification, vested retirement benefits and, in some states, severance pay.

We must continue pension or profit-sharing benefits from qualified retirement plans if the terminated employee is vested under the terms of the plan. Non-qualified arrangements or arrangements established pursuant to employment agreements are governed by the terms of the agreements.

We are required to notify employees of possible eligibility for unemployment insurance benefits. If we fail to provide this notice, we may be sued if the employee is eligible but fails to file an unemployment claim in a timely manner.

COBRA, the federal Consolidated Omnibus Budget Reconciliation Act, requires us to offer covered employees and their covered dependents temporary opportunity to continue their health insurance at group rates. However, if we terminate employees for gross misconduct, they are not eligible for continuation coverage under federal law.

Although there is no federal requirement to provide severance pay to terminated employees, some state laws mandate such. We need to check state requirements.

DO STATES REGULATE TERMINATION PAYMENTS?

Yes, and it is important to check your state's requirements. Depending upon the state, requirements may include:

How we may use final paychecks to recover shortages, unpaid advances, loans, cost of damaged or unreturned equipment or property, etc.

Pay for unused accrued leave or other vested benefits.

Where and how final paychecks are to be delivered. It may be that checks must be made available at the usual place of payment or mailed to employees at their request.

That final paychecks be issued by a certain time, e.g. the next regular payday after termination.

Requirements vary the final payment deadline based upon the amount of notice given, type of the termination (lay-off, voluntary quit, strike, involuntary discharge).

HOW CAN AN EMPLOYMENT AGREEMENT HELP US?

An employment agreement is a legally binding contract between employees and employers. The agreement sets out specific terms of employment. These agreements can be helpful in retaining key personnel, making sure the covered employee meets performance expectations and setting out non-compete arrangements.

Employment agreements are helpful for the above reasons; however, they can pose some problems. If not carefully written, they may affect employee rights under federal or state law. Check your state requirements. Additionally, the agreement can invalidate employment-at-will.

HOW CAN I GET TEMPORARY WORK VISAS FOR PROSPECTIVE EMPLOYEES?

We have to file Form I-129, Petition for Non-immigrant Worker, with U.S. Citizenship & Immigration Services to request non-immigrant visas or extensions of previously issued visas. We should file a petition at least 45 days—but no more than six months—before our worker’s employment is scheduled to begin or before the existing visa is scheduled to expire. If we don’t file the petition in a timely manner, we run the risk that petition processing and subsequent visa issuance might not be finished before our new employee is needed or before the prior employment authorization ends.

Keep in mind that the visa application process can be complicated and lengthy. If we want to assist applicants in applying for non-immigrant employment visas, we would be prudent to first consult an immigration attorney.

HOW CAN I PROTECT MY COMPANY WHEN PROVIDING EMPLOYMENT REFERENCES?

An employer who gives false or negative information to a prospective employer can be sued by former employees for defamation. Owners and managers can protect themselves from defamation lawsuits in a variety of ways, including:

Departing employees can be required to complete waivers absolving a company from future legal action if truthful information during a reference check is provided. A waiver may be required separate and apart from or as a complement to a negotiated statement.

Negotiating statements prior to an employee leaving the company. Acceptable reference statements can be negotiated with departing employees as part of the exit-interview process. Content should be checked with state requirements.

Providing only limited information release. Owners and managers may limit the information released regarding former employees to dates of service, provided state laws do not require employers to provide service letters. It is important to check state requirements.

Standardized responses we give to requestors. When an inquiry is made, a company’s HR representative should have a standard statement prepared to answer questions related to performance, rehire eligibility and reason for termination. This statement should state that it is against company policy to release any additional information regarding the employee. Management personnel and current employees should be advised by that they are not to answer questions about terminated employees.

HOW DO I KNOW IF THE IDENTITY AND EMPLOYMENT ELIGIBILITY DOCUMENTS OF MY NEW HIRES ARE AUTHENTIC?

Employers are responsible for verifying the employment eligibility and identity of our workers. The Immigration Reform & Control Act makes it the law. We are required to review documentation presented by all new hires and record the information on Form I-9, Employment Eligibility Verification.

We need only review the documents. We do not have to prove they are authentic or not. That is the job of the authorities. We are to be reasonable in accepting the documents. If we accept a document that is not genuine or one that does not belong to the individual who presents it to us, we are not held responsible as long as the document reasonably appears to be genuine or related to the person offering it.

The I-9 Form gives helpful instructions for reviewing documents. We should check for the following:

Applicants and employees must choose the documents they wish to present from the lists of acceptable documents shown on the I-9 Form. Owners and managers cannot specify which documents they will accept for verification.

Generally documents are to be original and from the issuing authority. Certain photocopied birth certificates are acceptable.

Reasonableness prevails. We must accept documents that reasonably appear to be genuine. They must reasonably relate to the person presenting them. If we are unreasonable in rejecting such documents we may be carrying out an unfair immigration-related employment practice.

Usually expired documents are unacceptable. Exceptions are certain documents establishing identity, for example, expired U.S. passports.

Contact the nearest field office of the U.S. Citizenship and Immigration Services for assistance if you suspect a document is not genuine. These offices often are listed in the government section of the phone book.

HOW DO IMMIGRANT AND NON-IMMIGRANT VISAS DIFFER?

An immigrant visa gives permanent residence to foreigners entering the U.S. It allows immigrants to work anywhere in the U.S. These visas may require several months up to several years for approval. There are limits on the number of visas issued each year.

Non-immigrant visas permit foreigners to enter the U.S. only for temporary stays. These visas put restrictions on the type and duration of jobs holders may perform. Under certain circumstances, the person may be prohibited from being employed altogether. Normally non-immigrant visas are received more quickly than immigrant visas and usually they are more widely available.

HOW DO WE HANDLE UNUSED VACATION TIME?

It is up to the employer to establish his/her own policy. Vacation is at the discretion of the employer. Following are common practices.

Encourage employees to take vacations. Time off can contribute to the health and well being of employees.

Allow carry-over of unused time. Many organizations allow employees to carry over unused vacation days into the following year. Often employees are limited in the number of days they may carry over.

Some organizations buy back unused time. This practice can be costly and it does not enable the employee time off to rest and relax.

A growing trend is for organizations to buy or sell vacation days. Frequently this option is available through employers with cafeteria or flexible benefit plans. With these arrangements, employees can choose from a "menu" of benefit options. Often larger employers include vacation days in a cafeteria plan. Employees may buy additional vacation days or they may sell some (or all) of their days to increase their earnings.

Another policy is use-it-or-lose-it. Here the employee is required to give up any unused days. Some states may disallow an organization to adopt a use-it-or-lose-it policy and may require it to pay out the vacation days, so it is prudent to check.

HOW LONG MUST I KEEP RESUMES AND APPLICATIONS?

Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act require that employers keep information related to employment applications and resumes for at least one year. Federal contractors are required to keep employment applications and resumes for at least two years, as per the Office of Federal Contract Compliance Programs. If a discrimination charge is filed against an organization, the records relevant to that charge must be kept until the case is settled.

HOW SHOULD I RESPOND TO REFERENCE CHECKS ON EMPLOYEES WE FIRED?

The effective approach is to limit the amount of information offered regarding former employees' performance or rehire eligibility or the reasons for their terminations. Doing so reduces liability for defamation, discrimination or negligent hiring. Employers may establish information release policies limiting information offered to only dates of employment and job title. Company representatives may corroborate pay; however, they should not voluntarily provide pay history detail without signed consent from the former employees.

It is appropriate to designate selected personnel to address reference checks. Supervisors and co-workers should be instructed to refer all reference requests to designated personnel to ensure that this policy of restricting access to employment information is strictly maintained.

Check legal and regulatory requirements, as many states have laws addressing employment reference.

HOW SHOULD WE APPROACH AN EMPLOYEE WHOSE DRESS IS INAPPROPRIATE FOR OUR WORKPLACE?

We should make sure that we have a dress policy in place. We should meet with the employee in private to review the policy, clarify the employee's understanding, identify what provisions were violated and then explain what appropriate dress is for the company. This can be a sensitive subject with employees. We should strive to be business-like, non-embarrassing for the employee and to clarify what is proper dress.

If the employee does not change the behavior, discipline is an appropriate consequence. When addressing this situation we must ensure consistent, fair and non-discriminatory action across all employees.

IF WE WANT TO DEVELOP A DRESS AND GROOMING POLICY INVOLVING WEARING BODY-PIERCING JEWELRY OR OPENLY DISPLAYING TATTOOS, WHAT MUST WE CONSIDER?

Carefully consider the overall impact of the policy. Decide how broad or specific your rules should be. Take into account company culture, workforce characteristics, and your customers. Resolve if strict dress and grooming policies are worth the potential reaction in terms of recruitment, retention and morale. Competent legal advice in this matter can be valuable.

IS IT MANDATORY TO PERFORM BACKGROUND CHECKS ON CANDIDATES I INTEND TO HIRE?

State or federal laws require background checks under certain circumstances including:

Some state licensure or accreditation agencies require education checks to verify an applicant's degree(s) and/or courses.

For positions involving safety, trust or children, criminal records checks sometimes are required.

For positions which require operating motor vehicles, driving records checks may be required.

Check your state's specific requirements.

MAY I ASK FOR AN APPLICANT'S SOCIAL SECURITY NUMBER ON A JOB APPLICATION?

Yes. No law forbids employers from requesting Social Security numbers of candidates on job applications. After hire, an employer may also request to see an employee's Social Security card for payroll purposes. Remember that an employer cannot require that s/he see a Social Security card as part of the I-9, Employment Eligibility Verification, process. The new employee may choose which document to present to establish employment eligibility.

MAY I ASSIGN EMPLOYEES TO A DIFFERENT JOB THAN WHAT WAS OFFERED WHEN I HIRED THEM?

Yes, in most states. Here is where the doctrine of employment-at-will applies in most states. This doctrine means that employers can change job descriptions or responsibilities with or without notice to employees. Employees may be assigned other duties when reporting for work. At the same time, it means employers may terminate employees at any time for any non-discriminatory reason.

Both employees and employers have the right to terminate at-will employment relationships. If employers change the ground rules and employees do not like the change, they are not required to stay.

There is an exception. When employers and employees enter into employment contracts specifying the type and extent of employment, wages and responsibilities, the employer may not change the terms without revising the contract.

At-will employment requirements vary between states. Check your state requirements.

MAY I DECIDE FOR MY EMPLOYEES WHEN TO TAKE THEIR VACATION?

Vacation leave is a benefit offered at the employer's discretion. The company may assign vacation. Because vacation time off is often highly valued by employees, imposing vacation and scheduling can be demotivating. It is good practice for the employer to establish a leave policy which allows employees some discretion over selecting the time off schedule. Such a policy should include consideration of eligibility, restrictions, notice requirements and legal considerations. Owners and managers recognize that they have final authority for approving and scheduling vacation.

MAY I HAVE JOB APPLICANTS TAKE DRUG TESTS?

Yes. Employers may require drug testing at any point in their recruiting process. A key consideration is to have all candidates in the particular job category be similarly tested. Also it is important to determine a course of action and to develop a policy on how to respond to false-positive results.

To avoid discrimination, employer-sponsored drug testing policies must comply with guidelines established by the

Equal Employment Opportunity Commission and the Americans with Disabilities Act. Often states have laws regulating drug testing so it is prudent to check state requirements.

The Americans with Disabilities Act does not consider illegal drug use a disability and such tests are not considered medical examinations. Owners and managers may require drug testing of potential candidates before they receive a conditional job offer.

MAY I MONITOR MY EMPLOYEES' E-MAIL AND INTERNET USE?

Yes, but we must be sure to comply with applicable federal and state laws.

Most state laws and the federal laws on electronic monitoring permit monitoring of the content of employee communications, including e-mail and Internet usage. Some states require employers to give employees advance notice that their e-mail and Internet use will be monitored. Regarding e-mail, certain states require employers to obtain consent from both parties to the e-mail before it can be read or copied by the company.

Companies should have an electronic communications policy in place. It should specify obligations of employees when using company electronic communications systems, including desktop or laptop computers, personal digital assistants, pagers and cell phones. Employees should be required to sign acknowledgments affirming they read, understand and agree to comply with the policy.

It is helpful to conduct training sessions to review the electronic communications policy and work through scenarios which may come up for employees. The company should monitor frequently and in a fair manner across appropriate employee groups. Lost productivity, potential for loss of company information and potential liability for inappropriate behavior are compelling reasons to monitor use of company-provided electronic equipment.

MUST BUSINESSES POST WORKPLACE NOTICES IN MULTIPLE LANGUAGES?

Some federal laws require employers to post notices in languages easily understood by employees. An example is the Family & Medical Leave Act. The Employee Retirement Income Security Act requires that summary plan documents contain a notice offering assistance in the language best understood by participants and beneficiaries.

Other laws, such as the Worker Adjustment & Retraining Notification Act and the Occupational Safety & Health Act, however, do not require employers to provide notices in the native languages of affected workers. Some states require posting workplace notices in languages understood by employees. We should check our local state requirements.

Employers with workers who are not fluent in English should consider providing translations even if the laws do not require posting in other languages. Translating essential employment information for employees is a practical and proactive safeguard to avoid employment related issues.

MUST I HELP MY FOREIGN EMPLOYEES GET THEIR VISAS?

Certain types of visas require us to file petitions on behalf our non-citizen employees. Some foreign nationals can obtain visas without involving U.S. employers.

Usually those seeking employment-based immigrant visas must have an employer's support.

Employers must have a full-time position available for which the immigrant worker is qualified. Employers must request a labor certification from the U.S. Labor Department's Employment & Training Administration. This certifies that there are no qualified U.S. workers willing to work for prevailing wages in the specific occupation and the geo-

graphic area where the job opening is. Employers are to submit an approved labor certification to U.S. Citizenship & Immigration Services (USCIS) using Form I-140, Immigrant Petition for an Alien Worker. If the USCIS approves the petition, the State Department will assign an immigrant visa number and the foreign worker may apply for permanent resident status.

U.S. employers may sponsor certain types of non-immigrant temporary workers or trainees by filing Form I-129, Petition for a Non-immigrant Worker, and supporting documents with USCIS. In certain cases the sponsoring employer must first file a labor condition application with the Department of Labor and receive an approved labor certification. Once the I-129 is approved, most non-immigrants are required to apply for visas and their employment is restricted to the sponsoring employer.

MUST I PAY A SEVERANCE?

Federal law does not require severance payment. However, under certain circumstances, selected states may require such benefits. Check your state requirements.

Choosing not to pay severance should be weighed against the potential negative impact it may have on the employee and on public perception of the company.

MUST WE PROVIDE TERMINATION LETTERS TO TERMINATED EMPLOYEES?

Federal law does not require termination letters be provided. However, many states require employers to provide terminated employees with notices of separation or letters outlining dates of employment, job titles and reasons for termination. Such written communications can be helpful for documentation purposes, particularly when they corroborate that the reasons for termination were not discriminatory. With such matters it is prudent to check state requirements.

MUST WE SEND REJECTION LETTERS TO APPLICANTS WE INTERVIEW AND REJECT?

The answer is no. There are no laws specifically requiring us to send rejection letters. However, doing so is a good business practice for public relations and documentation purposes. For the applicants, even though they are rejected, the notifications relieve anticipation and anxiety.

ONCE WE VERIFY OUR EMPLOYEES' EMPLOYMENT ELIGIBILITY DOCUMENTS, MUST WE PERIODICALLY FOLLOW UP TO MAKE SURE THEY'RE STILL VALID?

The answer is yes. With the Immigration Reform & Control Act, we're required to verify the identity and employment eligibility of workers we hire. We must review the documentation the person provides and record it on a Form I-9, Employment Eligibility Verification.

Normally this is all we must do. But if our new hire is a foreign national and his or her work authorization has an expiration date, we must re-verify the person's employment eligibility on or before the expiration date. The employee may furnish either a new work authorization or a document showing that the original work authorization has been extended for verification. If we rehire former employees after breaks in employment exceeding three years, again we are required to complete a new Form I-9. We must redo the Form I-9 even if the original documentation the person provided is still current.

WE ARE PLANNING A REDUCTION-IN-FORCE. WHAT SHOULD I CONSIDER?

When facing a reduction in force (RIF) there are several avenues to consider before having employees leave the organization:

Consider offering voluntary retirement. With enhanced benefits to qualified employees, this action may achieve required staff reductions with less damage to morale than layoffs.

Consider transferring employees to other positions or locations. This can mitigate overstaffing in selected units and minimize the need for some layoffs.

Consider alternative scheduling programs, job sharing, etc. to reduce the need for a RIF.

If these and similar interventions do not resolve the situation, first check with state and federal guidelines for RIFs. In particular, the federal WARN Act (Worker Adjustment & Retraining Notification Act) may have a bearing.

Identifying candidates for the RIF requires care. Appropriate, objective layoff criteria should be established and applied uniformly across employees. Particular care is needed to avoid discrimination by age, color, disability, gender, national origin, race, religion, veteran status or any other characteristic protected by state or federal law.

Communication is critical to orderly and effective RIFs. Inform employees of the reasons for the layoffs and of the criteria used to determine who will leave. Be attentive to employees needs; however, ensure that fair and equitable treatment is shared among employees. Be as attentive to employees remaining as you are to those leaving. For those leaving, explore the value and services of outplacement firms which can aid in getting employees re-employed as well as reduce animosity among both departing and remaining employees.

Consider severance agreements and utilize competent advice to prepare the agreements, considering the pros and cons of their use. Enhanced severance packages offered in exchange for employees signing waivers releasing claims against the company can avert wrongful discharge lawsuits.

WHAT ACTIONS SHOULD I TAKE IF WE DETECT EMPLOYEES DISTRIBUTING ILLEGAL DRUGS IN THE WORKPLACE?

This is a serious situation which requires attention and action. If there is strong evidence indicating employees are dealing illegal drugs at work, the prudent course of action is to contact the police. Owners and managers must take prompt action to ensure the safety of other employees and the legal position of the company. Failing to take action may lead to charges against the company for negligence, particularly if an employee is injured or affected by the drugs. Employers with federal contracts are covered under the Drug-Free Workplace Act and also can be penalized for failing to maintain a drug-free workplace.

Owners and managers should:

Not act on frivolous accusations.

Provide only relevant facts, not conjecture, when information must be provided.

Avoid sharing information regarding possible employee drug involvement with anyone who does not have a need for the information.

Take disciplinary action with employees who knowingly and falsely accuse co-workers of workplace drug dealing.

Companies should establish comprehensive written drug policies which include a prohibition against the use, sale, possession or transfer of illegal drugs. Owners and managers must apply the policy consistently. Disparate enforcement can lead to discrimination claims against the company.

Check state requirements. Many states have laws regulating drugs in the workplace.

WHAT ARE MY CHANCES OF OBTAINING A CANDIDATE'S SALARY HISTORY FROM A PREVIOUS EMPLOYER WHEN DOING A REFERENCE CHECK?

During the hiring process, generally we can obtain verification of basic facts provided by applicants from their previous employers. To obtain salary history information, it is prudent for owners and managers to ask job candidates to sign information release forms authorizing their former employers to provide salary verification.

Often states have laws specifically covering employment service letters by former employers. Check your state's requirements.

WHAT ARE MY REQUIREMENTS FOR REPORTING INDEPENDENT CONTRACTORS AND FREELANCERS AS NEW HIRES?

Regular full-time, part-time, seasonal or student employees and those rehired after a layoff or other significant break in employment are required to fill out W-4 forms within 20 days of hire in most states. Some states go further and define anyone receiving pay for services as a new hire. This broader definition may include independent contractors, sole proprietors or shareholders of a corporation or the sole member of a limited liability company. In this matter, it is prudent to check with federal and state enforcement agencies for clarification.

WHAT CAN I DO WITH AN APPLICANT TRACKING SYSTEM?

Applicant tracking systems are automated systems used to post job openings on corporate Web sites, process resumes and e-mail interview requests to candidates. They help employers avoid the resume crush and ensure that good candidates are not overlooked. Also referred to as candidate management systems, they can be any software or paper system which manages a company's resume and application process to match candidates to job openings.

WHAT DOES CONSTRUCTIVE DISCHARGE MEAN?

Constructive discharge happens when a person resigns because s/he feels conditions at work are so intolerable that a reasonable person would feel compelled to leave the organization rather than submit to continued abuse. Situations of this nature can be very individualistic. Common examples may include sexual harassment, racial discrimination, significant demotions designed to embarrass employees or similar circumstances.

Courts carefully evaluate these situations on a case-by-case basis. Courts must determine whether the conduct is so intolerable that a reasonable person would resign. If the resigning employee proves that constructive discharge occurred, the employee may be eligible for back pay, damages, reinstatement and attorneys' fees.

WHAT EFFECT DOES THE EMPLOYEE POLYGRAPH PROTECTION ACT HAVE ON EMPLOYERS?

The Employee Polygraph Protection Act (EPPA) prohibits employers from subjecting most employees or job applicants to polygraph or lie-detector tests. Also employers must post notices informing employees of their EPPA rights. The federal EPPA has minimum protections for employees. However, the law allows states and localities to impose more stringent restrictions on polygraph tests. We should check state requirements and it can be helpful to get qualified legal advice.

The EPPA has general prohibitions against requiring polygraph tests. There are exceptions. The federal government is permitted polygraph tests for consultants and contractors providing services to defense, intelligence and certain

other agencies. Private employers may require polygraph testing of employees providing security for nuclear power facilities, public water supplies, public transportation, radioactive and other toxic materials, currency, precious commodities or proprietary information. Employers that manufacture, distribute or dispense controlled substances may administer polygraph tests to applicants for positions that provide direct access to the manufacturing, storage, distribution or sales of these substances.

Although we may qualify for an exception, there are restrictions on how we may administer tests. Test subjects must be given advance notice of the tests along with a written explanation of the nature of the test and employee rights under the law. Test administrators must follow specific guidelines before and after testing. Administrators may not ask questions about religious or political beliefs, race, sexual behavior or union activity.

Violation of the law may result in lawsuits by affected employees for damages and fines from the Department of Labor, which enforces EPPA.

WHAT GOES INTO NON-COMPETE AGREEMENTS?

Non-compete agreements are contracts established when the employer and the employee agree that the employee will not compete with the employer after the employee terminates employment with the employer.

Certain considerations are important:

Employees should receive some form of consideration in return for signing non-compete agreements which may limit their choices of future employment.

Reasonableness should be applied to the duration of the non-compete period and to the limitation on the geographical area where the employee may not compete.

The agreements should be written and co-signed by the employee and an authorized representative of the company, preferably as part of an employment agreement.

Obligations on the part of the employer and the employee should be set out with mutual agreement between the parties. Pay, benefits, training, etc. should be stipulated. Employee obligations to the employer should be set out.

These agreements should be narrow in scope, protecting only the employer's legitimate business interests from what work the employee is doing at the time of the agreement's signing.

Prudent owners and managers seek competent legal advice to draft the agreements in accordance with state and federal law. Courts determine the enforceability of non-compete agreements by evaluating their reasonableness. Employers are required to demonstrate a legitimate business need for the agreement and show how violation can be detrimental to the employer's interests.

WHAT HOLIDAYS ARE TYPICALLY OBSERVED?

According to the Bureau of Labor Statistics (BLS, www.bls.gov) the majority of U.S. employers offer six to 10 paid holidays annually. Most organizations follow state and federal holiday observances. A newer trend is for organizations to offer floating holidays to accommodate employees' personal needs. Often organizations schedule the holiday similar to federal offices, e.g. the U.S. Postal System.

The most common paid holidays observed include New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Some businesses grant federal holidays in addition to those above. Often banks and financial organizations observe

Columbus Day, Presidents' Day and Veterans Day.

The value of floating holidays is that they are an inexpensive retention incentive that gives employees more flexibility to plan and balance their personal and career needs. Floating holidays enable employers subject to the Civil Rights Act to comply with religious accommodation mandates. It is common for organizations to offer one to six floating holidays annually. Owners and managers should check state guidelines for local practices.

WHAT IS MEANT BY AN EMPLOYMENT AGREEMENT?

The legal relationship between employers and employees is defined by an employment agreement. This agreement identifies the employer's obligations to employees, such as pay and benefits, and the employee's obligations to employers, such as the employee's duties and responsibilities. An employment agreement can make the employment relationship more secure and predictable for both the employer and employee. Top executives have long been provided with employment agreements. Today, employment agreements are becoming a widespread practice for all levels of employees. However, employment agreements can invalidate the at-will employment relationship. Employers should weigh the value of the employment agreement with the advantages the employment-at-will doctrine provides.

In employment agreements it is crucial to address each employee's specific situation. The contract must be reasonable, specific and enforceable. Vague language in employment contracts is particularly problematic should the employer be taken to court.

WHAT IS PAY IN LIEU OF NOTICE AND MUST WE PROVIDE IT?

In some situations, when employees terminate, owners and managers determine it best if the employee leaves the job and premises promptly. Typically, at-will employees give two weeks' notice. However, for morale, security and other reasons, employers may pay the employee for the wages they would have been paid had they worked out their notice. This is pay in lieu of notice.

Some states require that employers pay employees wages for the time they would have worked under the notice had the employer not required earlier separation. Check your state requirements for effective handling.

WHAT MUST I DO TO BRING A NON-CITIZEN INTO THE U.S. FOR PERMANENT EMPLOYMENT?

Hiring foreign workers for permanent employment in the United States requires approval from several government agencies. The filing of applications for approval and certification is your responsibility, not the alien applicant's.

The employer must:

Consider consulting with an immigration attorney.

Recruit for the job and contact a state workforce agency to get a prevailing wage determination for the job.

Complete and file Form ETA 9089, which is the Application for Permanent Employment Certification. This is done at the appropriate Employment & Training Administration application processing center.

Post notice of the application filing at the specific location for 10 consecutive business days. Publish the notice in hardcopy and electronic recruiting media regularly used for recruiting. Provide notice to any bargaining representatives.

Retain copies of applications and related collateral for five years from the date of filing the application.

Complete Form I-140, Immigrant Petition for an Alien Worker, when the Department of Labor approves the labor certification application. Then send the I-140, a certified Form ETA 9089 and filing fees to the U.S. Citizenship & Immigration Services.

WHICH FEDERAL POSTERS ARE WE REQUIRED TO POST IN THE WORKPLACE?

The list of required federal postings is lengthy and should be verified routinely. Included are Age Discrimination in Employment Act, Americans with Disabilities Act, Davis-Bacon Act, Employee Polygraph Protection Act, Equal Pay Act, Executive Order No. 11246 (prohibiting discrimination in employment by federal government contractors), Executive Order No. 13201 (concerning the application of union dues to political lobbying), Fair Labor Standards Act, Family & Medical Leave Act, Occupational Safety & Health Act, Rehabilitation Act, Service Contract Act, Title VII of the Civil Rights Act of 1964, Vietnam-Era Veterans' Readjustment Assistance Act and Walsh-Healey Act.

Posters on these laws are to be in a conspicuous place where all employees and job applicants can see them. Many posters are available online and at no charge from respective government agencies.

WHICH VISAS AUTHORIZE NON-U.S. RESIDENTS TO WORK IN THE U.S.?

Only certain non-immigrant visas allow foreigners to work for U.S. employers. Non-immigrant (or non-resident) visas permit foreigners to enter the U.S. for temporary stays before they return to their home countries. Following are visas permitting work in the U.S.:

H-1B visas — people employed in specialty occupations

H-2A — temporary or seasonal agricultural workers

H-2B — temporary or seasonal non-agricultural workers

L-1 — key employees transferred from a foreign entity to a U.S.-based entity of the same company

O — people with special knowledge, skill and ability in the sciences, arts, education, business, or athletics

P — artists, athletes, and entertainers who are recognized internationally

TN — Canadian and Mexican nationals seeking admission to the U.S. to provide professional services in selected fields specified under the North American Free Trade Agreement

There are three visa categories which permit students, scholars, and certain other exchange visitors to seek employment while in the U.S. These include:

F-1 — aliens enrolled full time in U.S. colleges or universities

J-1 — international and government personnel, professors, scholars, students, teachers, trainees, teachers and specialists,

M-1 — foreign nationals admitted to the U.S. to pursue a full course of study at an established vocational or other recognized non-academic institution

There are other types of non-immigrant visas allowing persons to work in the U.S. under limited circumstances:

B-1 — visas for non-immigrant visitors for business

D — alien airline or maritime crew members who need to land temporarily in the U.S.

I — foreign journalists coming to the U.S. specifically to work in a press capacity

K-1 — fiancés or fiancées of U.S. citizens

Q — participants in certain international cultural exchange programs

R-1 — aliens in religious occupations

WHO SHOULD BE PRESENT WHEN WE TAKE DISCIPLINARY ACTION WITH AN EMPLOYEE?

When giving a warning for performance, the employee's immediate supervisor and a witness, preferably another management person of the same gender as the employee, should be present. In the case of a disciplinary meeting, the employee's supervisor and the supervisor's immediate supervisor should be present. The immediate supervisor should never meet with the employee alone. It is prudent to have another management person of the same gender as the employee being addressed in the meeting to mitigate claims of inappropriate behavior.

It is good practice and a courtesy to the employee to confidentially pre-notify the employee about the meeting and its general purpose. It is preferable to do so in writing.

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MYSTORE INC.

JOB DESCRIPTION FOR: **HARDWARE STORE SALESPERSON**

PRIMARY FUNCTIONS

Summary: Sells merchandise to individuals, utilizing knowledge of products sold.

Greets customers and determine types and quality of merchandise desired.

Displays merchandise, suggests items that meet customers' needs and emphasizes selling points of article, such as quality and ease of use.

Demonstrates use of merchandise.

Answers customers' questions; suggests solutions to problems.

Helps customers understand prices.

Explains differences in price and quality.

Places new merchandise on display.

Takes inventory of stock.

Examines defective article returned by customer to determine if refund or replacement should be made.

Uses catalog or computer research availability and price of special order merchandise.

May perform other duties as assigned.

PREREQUISITES

Education/Experience:

Verification of high school diploma or general education degree (GED) or 1-3 months related experience and/or training or comparable combination of education and experience.

Certificates/Licenses:

Various requirements depending on organization.

Language Development:

Reading: Passive vocabulary of 5,000-6,000 words. Read at rate of 190-215 words per minute. Read adventure stories and comic books, looking up unfamiliar words in dictionary for meaning, spelling and pronunciation. Read instructions for assembling model cars and airplanes. Writing: Write compound and complex sentences, using cursive style, proper end punctuation and employing adjectives and adverbs. Speaking: Speak clearly and distinctly with appropriate pauses and emphasis, correct pronunciation, variations in word order, using present, perfect and future tenses. May require multi-lingual skills depending on organization.

Reasoning Development:

Apply common-sense understanding to carry out simple one—or two-step instructions. Deal with standardized situations with occasional or no

variables in or from these situations encountered on the job.

Mathematical Development: Compute discount, interest, profit and loss; commission, markup and selling price; ratio and proportion and percentage. Calculate surfaces, volumes, weights and measures. Algebra: Calculate variables and formulas, monomials and polynomials, ratio and proportion variables and square roots and radicals. Geometry: Calculate plane and solid figures, circumference, area and volume. Understand kinds of angles and properties of pairs of angles.

POSITION CONSIDERATIONS

Job Environment: Exposed to open-air weather conditions less than 1/3 of time. Works near moving mechanical parts less than 1/3 of time. Exposed to airborne particles or fumes less than 1/3 of time. Noise levels are moderate.

Physical Demands: Stands more than 2/3 of time. Walks more than 2/3 of time. Uses hands to feel, finger or handle more than 2/3 of time. Reaches with hands and arms more than 2/3 of time. Listens or talks 1/3 to 2/3 of time. Lifts or exerts force up to 50 pounds less than 1/3 of time. Uses close, distant, color, peripheral, depth perception vision and adjusts vision focus. Individuals with disabilities may receive reasonable accommodations to perform essential work functions.

Supervisory Duties: This position has no supervisory responsibility.

Department: Store General Sales
Reports to: Floor Supervisor
FLSA Class: Management/Non-management

DEVELOPMENT AND APPROVAL

Date revised: 1Mar##
Revised by: I.M Incharge
Approved by: I. Ownit
Approval date: 13Mar##

JOB DESCRIPTION FOR:

PRIMARY FUNCTIONS:

Summary:

May perform other duties as assigned.

PREREQUISITES:

Education/Experience:

Certificates/Licenses:

Language Development:

Reasoning Development:

Mathematical Development:

POSITION CONSIDERATIONS:

Job Environment:

Physical Demands:

Supervisory Duties:

Department:

Reports to:

FLSA Class: Management/Non-management

DEVELOPMENT AND APPROVAL:

Date revised:

Revised by:

Approved by:

Approval date:

SAMPLE EXTERNAL JOB ADVERTISEMENT**HARDWARE SALESPERSON**

1 Vacancy - Start 31-Oct-####

Growing hardware store seeks full-time salesperson, 9-6 Monday-Friday. \$8.50/hr. salary plus overtime; no incentive. Hardwareville, ST. Duties: greet customers, display & explain items, estimate needs, solve problems, maintain department inventory. Requires: H.S. or equivalent, 3 mo. retail, interpersonal skill; willingness to learn. Applications to I.M. Incharge, MyStore Inc., 1 Spokeshave Rd., Hardwareville, ST 98765
Call, write or visit. EOE

Job Description Questionnaire

- Job Designation
- General Summary
- Primary Job Functions
- Education Requirements
- Supervision Requirements
- Aptitude Requirements for the Job
- Physical Requirements Specific to the Job
- Relevant Considerations Pertaining to the Job

Date: _____
Provider: _____
Evaluator: _____

JOB DESCRIPTION QUESTIONNAIRE

Job Designation

Job title:			
Job classification: (circle)	Exempt	Non-exempt	
Immediate supervisor's title:			
Location of job:			
Job status: (circle)	Full Time	Part Time	Temporary

General Summary

In your own words and using enough detail so those not familiar with your organization can understand, describe exactly what is involved in the job, how it is done, and why it is done.

Primary Functions

Explain 4 – 6 primary functions of the job that are performed during a regular work week. Be concise, specific and clear in your description. Do not include extraordinary or occasional assignments that reasonably could be assigned to another job. List the most important function first and then each thereafter in order of importance. For each function noted, include the percentage of time spent on that function during a typical week.

<u>Primary Function</u>	<u>% of Time</u>
<u>Most important:</u>	%
2nd important:	%
3rd important:	%
4th important:	%
5th important:	%
6th important:	%
Time spent for included functions should total 100%	

Supervision Required

Supervision received: How closely and how frequently is work monitored by a supervisor or other employees?

Review level: How frequent and how detailed is supervisor's review of employee's work?

Day-to-day work?

Short term objectives?

Long term goals?

Other?

Responsibility for others: Circle any responsibilities below which are part of this job.

Allocates personnel	Assigns new work	Coordinates activities	Instructs
Maintains standards	Plans work for others	Reviews work of others	Resolves employee problems

Persons supervised: Insert the appropriate numbers of employees supervised.


Number of lower level supervisors supervised by this position	Number of employees supervised by subordinate supervisors	Number of non-management employees directly supervised by this position

Apprentices and helpers: List any "apprentice" and/or "helper" positions assigned to this job.

Lead person: If this job leads other people, explain how.

Education Required

Using a “✓”, indicate the minimum amount of schooling that a person would need to do this job.

“ ” 	<u>Minimum Schooling Needed</u>
	Prior experience or training not required.
	Verification of less than high school education; or 1 month related experience or training; or comparable combination of education and experience.
	Verification of high school diploma or general education degree (GED); or 1 - 3 months related experience and/or training; or comparable combination of education and experience.
	Verification of one year college or technical school; or 3 - 6 months related experience and/or training; or comparable combination of education and experience.
	Verification of associate's degree (A. A.) or equivalent from 2-year college or technical school; or 6 – 12 months related experience and/or training; or comparable combination of education and experience.
	Verification of bachelor's degree (B. A.) from 4-year college or university; or 1 - 2 years related experience and/or training; or comparable combination of education and experience.
	Verification of fifth year college or university program certificate; or 2 - 4 years related experience and/or training; or comparable combination of education and experience.
	Verification of master's degree (M. A.) or equivalent; or 4 - 10 years related experience and/or training; or comparable combination of education and experience.
	Verification of doctoral degree (Ph. D.) or equivalent; or more than 10 years related experience and/or training; or comparable combination of education and experience.

Classroom learning: To do the job satisfactorily, what would a person normally learn in the classroom? For example, basic math, blueprint reading, computers, electricity, welding, etc.?

Special courses: To do the job satisfactorily, are there any special courses that are needed?

Practical Experience: In addition to the education and training above, circle how much on-the-job experience is required before the person would be able to perform the job satisfactorily.

1 – 4 weeks	1 – 4 months	4 - 6 months	6 - 12 months	1 - 2 years	2 – 4 years	More than 4 yr.
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Certificates/licenses: What certificates and/or licenses are required to perform this job?

Aptitudes Required

Using a “✓”, indicate the level of the language, reasoning and mathematical aptitudes that a person would need to do this job.

“✓”	<u>Language Aptitudes Needed</u>
	Reading: Recognize meaning of 2,500 (two- or three-syllable) words. Read at rate of 95-120 words per minute. Compare similarities and differences between words and between series of numbers. Writing: Print simple sentences containing subject, verb, and object, and series of numbers, names, and addresses. Speaking: Speak simple sentences, using normal word order, and present and past tenses.
	Reading: Passive vocabulary of 5,000-6,000 words. Read at rate of 190-215 words per minute. Read adventure stories and comic books, looking up unfamiliar words in dictionary for meaning, spelling, and pronunciation. Read instructions for assembling model cars and airplanes. Writing: Write compound and complex sentences, using cursive style, proper end punctuation, and employing adjectives and adverbs. Speaking: Speak clearly and distinctly with appropriate pauses and emphasis, correct pronunciation, variations in word order, using present, perfect, and future tenses.
	Reading: Read a variety of novels, magazines, atlases, and encyclopedias. Read safety rules, instructions in the use and maintenance of shop tools and equipment, and methods and procedures in mechanical drawing and layout work. Writing: Write reports and essays with proper format, punctuation, spelling, and grammar, using all parts of speech. Speaking: Speak before an audience with poise, voice control, and confidence, using correct English and well-modulated voice.
	Reading: Read novels, poems, newspapers, periodicals, journals, manuals, dictionaries, thesauruses, and encyclopedias. Writing: Prepare business letters, expositions, summaries, and reports, using prescribed format and conforming to all rules of punctuation, grammar, diction, and style. Speaking: Participate in panel discussions, dramatizations, and debates. Speak extemporaneously on a variety of subjects.
	Reading: Read literature, book and play reviews, scientific and technical journals, abstracts, financial reports, and legal documents. Writing: Write novels, plays, editorials, journals, speeches, manuals, critiques, poetry, and songs. Speaking: Conversant in the theory, principles, and methods of effective and persuasive speaking, voice and diction, phonetics, and discussion and debate.
	Reading: Read literature, book and play reviews, scientific and technical journals, abstracts, financial reports, and legal documents. Writing: Write novels, plays, editorials, journals, speeches, manuals, critiques, poetry, and songs. Speaking: Conversant in the theory, principles, and methods of effective and persuasive speaking, voice and diction, phonetics, and discussion and debate.

“✓”	<u>Reasoning Aptitudes Needed</u>
	Apply common sense understanding to carry out simple one- or two-step instructions. Deal with standardized situations with occasional or no variables in or from these situations encountered on the job.
	Apply common sense understanding to carry out detailed but uninvolved written or oral instructions. Deal with problems involving a few concrete variables in or from standardized situations.
	Apply common sense understanding to carry out instructions furnished in written, oral, or diagrammatic form. Deal with problems involving several concrete variables in or from standardized situations.

“ ”	<u>(Reasoning Aptitudes Continued)</u>
	Apply principles of rational systems to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Interpret a variety of instructions furnished in written, oral, diagrammatic, or schedule form. (Examples of rational systems include: bookkeeping, internal combustion engines, electric wiring systems, house building, farm management, and navigation.)
	Apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions. Interpret an extensive variety of technical instructions in mathematical or diagrammatic form. Deal with several abstract and concrete variables.
	Apply principles of logical or scientific thinking to a wide range of intellectual and practical problems. Deal with nonverbal symbolism (formulas, scientific equations, graphs, musical notes, etc.) in its most difficult phases. Deal with a variety of abstract and concrete variables. Apprehend the most abstruse classes of concepts.

“ ”	<u>Mathematical Aptitudes Needed</u>
	Add and subtract two digit numbers. Multiply and divide 10's and 100's by 2, 3, 4, 5. Perform the four basic arithmetic operations with coins as part of a dollar. Perform operations with units such as cup, pint, and quart; inch, foot, and yard; and ounce and pound.
	Add, subtract, multiply, and divide all units of measure. Perform the four operations with like common and decimal fractions. Compute ratio, rate, and percent. Draw and interpret bar graphs. Perform arithmetic operations involving all American monetary units.
	Compute discount, interest, profit and loss; commission, markup, and selling price; ratio and proportion; and percentage. Calculate surfaces, volumes, weights, and measures. Algebra: Calculate variables and formulas; monomials and polynomials; ratio and proportion variables; and square roots and radicals. Geometry: Calculate plane and solid figures; circumference, area, and volume. Understand kinds of angles and properties of pairs of angles.
	Algebra: Deal with system of real numbers; linear, quadratic, rational, exponential, logarithmic, angle and circular functions, and inverse functions; related algebraic solution of equations and inequalities; limits and continuity; and probability and statistical inference. Geometry: Deductive axiomatic geometry, plane and solid, and rectangular coordinates. Shop Math: Practical application of fractions, percentages, ratio and proportion, measurement, logarithms, slide rule, practical algebra, geometric construction, and essentials of trigonometry.
	Algebra: Work with exponents and logarithms, linear equations, quadratic equations, mathematical induction and binomial theorem, and permutations. Calculus: Apply concepts of analytic geometry, differentiations, and integration of algebraic functions with applications. Statistics: Apply mathematical operations to frequency distributions, reliability and validity of tests, normal curve, analysis of variance, correlation techniques, chi-square application and sampling theory, and factor analysis.
	Advanced calculus: Work with limits, continuity, real number systems, mean value theorems, and implicit functions theorems. Modern Algebra: Apply fundamental concepts of theories of groups, rings, and fields. Work with differential equations, linear algebra, infinite series, advanced operations methods, and functions of real and complex variables. Statistics: Work with mathematical statistics, mathematical probability and applications, experimental design, statistical inference, and econometrics.

Mechanical: Circle how often mechanical aptitude is needed to perform the job.

Never	Rarely	Occasionally	Frequently	Continuously
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Initiative: Circle how often personal initiative is needed to perform the job.

Never	Rarely	Occasionally	Frequently	Continuously
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Physical Requirements

Environment: Circle the frequency of exposure to the following. Leave blank if exposure is not applicable.

Airborne particles or fumes	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Caustic or toxic chemicals	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Electrical shock risk	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Explosives	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Extremes of cold (non-weather)	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Extremes of heat (non-weather)	less than 1/3	1/3 to 2/3	more than 2/3	of the time
High precarious places	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Humid or wet conditions (non-weather)	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Near moving mechanical parts	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Open-air weather conditions	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Radiation risks	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Vibration	less than 1/3	1/3 to 2/3	more than 2/3	of the time

Activity: Circle the frequency of activity for the following. Leave blank if activity is not applicable.

Balances or climbs	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Crawls, crouches, kneels or stoops	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Listens	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Reaches with hands and arms	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Sits	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Smells or tastes	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Stands	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Talks	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Uses hands to feel, finger, or handle	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Walks	less than 1/3	1/3 to 2/3	more than 2/3	of the time

Force: Circle the frequency using force for the following. Leave blank if activity is not applicable.

Lifts or exerts force of up to 10 pounds	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Lifts or exerts force of up to 25 pounds	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Lifts or exerts force of up to 50 pounds	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Lifts or exerts force of up to 100 pounds	less than 1/3	1/3 to 2/3	more than 2/3	of the time
Lifts or exerts force of more than 100 pounds	less than 1/3	1/3 to 2/3	more than 2/3	of the time

Vision: Circle all vision abilities needed to perform the job.

Close vision	Color vision	Depth perception
Distance vision	Peripheral vision	Adjusting of vision

Noise: Circle the noise level conditions heard during a normal workweek.

Very quiet	Quiet	Moderate noise
Loud noise	Very loud noise	

Other considerations

Note other items relevant to satisfactory performance of this job.

Average percentage of travel time required	Percentage of travel time per month

Oral, written and computer skills required:	

Guideline to Decide Pay Method and Overtime Entitlement

<u>Classification</u>	<u>Typical Function</u>	<u>Pay Method</u>	<u>Overtime</u>
Exempt	Owners, Executives, Managers, Supervisors	Salary	No overtime
Non-exempt Salary	Clerical, Technical, Sales, etc	Salary	Paid overtime
Non-exempt Hourly	Operations, Maintenance, Labor	Hourly	Paid overtime

SAMPLE INTERNAL JOB POSTING**Internal Job Posting - MyStore Inc.**

<i>Position title/Job code</i> <i>Status/Classification</i> <i>Location/# of positions</i> <i>Interview date/Job start date</i> <i>Post date/Posting closes</i> <i>Pay rate/Incentive</i> <i>Hours of work/Week days</i> <i>Send resumes/application to</i> <i>Application/Cover letter</i> <i>Phone # / Visit location</i>	Retail Salesperson Full-time Hardwareville, ST, Store #1 October 11, XXXX September 17, XXXX \$8.50 per hour 9:00 AM to 6:00 PM I. M. Incharge Application form required Phone or visit for information	XX1001 Non-exempt salary One vacancy October 31, XXXX September 22, XXXX No incentive Monday through Friday Mail Station #44 Cover letter required 987-654-3210
Primary Functions	Prerequisites	
Greets customers Displays and explains items Estimates customers' needs Solves customers' problems Maintains department inventory	High school or equivalent 3 months retail experience Able to speak one-on-one Able to relate needs to products willing to learn, accept responsibility	

Application for Employment

An Equal Opportunity Employer

Please Print or Type

Complete both sides of this form

Today's date is _____

Personal Information

Name (Last)	(First)	(Full middle name)	Social Security Number	
Current Address	(City)	(State)	(Zip)	Phone Number to Reach You
Code				
For which position are you applying?	Are you 18 or older? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date available for employment		
Explain any restrictions on hours, weekends, overtime?	<input type="checkbox"/> No, I will not relocate	<input type="checkbox"/> Yes, I will relocate to these areas:		
Have you ever been employed by this organization or its subsidiaries before? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, give locations and dates employed			
Are you eligible to work in the USA? <input type="checkbox"/> Yes <input type="checkbox"/> No	Non-California: Have you been convicted of a felony within the last 7 years which is not sealed or expunged? No Yes State the nature and date the event occurred.	California Only: Have you been convicted of a felony in the last 7 years which is not sealed or expunged OTHER THAN (a) marijuana-related conviction of more than 2 years ago; (b) offense where you were referred to, and participated in, a pretrial or post trial diversion program? No Yes — State the nature and date the event occurred.		
Nature and date of event if Yes to above:				
Convictions will not automatically disqualify applicants. Severity of the crime and date of conviction will be considered.				

Education

Level of Schooling	School Name and Address			No. of Years Attended	Did You Graduate?	Course of Study	
High School					<input type="checkbox"/> Yes <input type="checkbox"/> No		
Business, Trade or Vo-Tech School					<input type="checkbox"/> Yes <input type="checkbox"/> No		
College					<input type="checkbox"/> Yes <input type="checkbox"/> No		
Graduate School					<input type="checkbox"/> Yes <input type="checkbox"/> No		
If in school now, indicate class schedule including times	<u>Mon</u>	<u>Tue</u>	<u>Wed</u>	<u>Thu</u>	<u>Fri</u>	<u>Sat</u>	<u>Sun</u>

Military

Draft Status:	Reserve Status:
Branch of Service and Highest Rank Attained	Dates of Duty

Driving

If your position with this organization requires you to drive on company business you will be required to provide the following:

Driver License Number	State Where Issued
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Performance of Job Functions

I can perform all of functions of the job for which I am applying, without accommodation, with accommodation
Yes No I am able to perform essential functions of the position for which I am applying with or without reasonable accommodation.
Reasonable accommodations may be provided to qualified individuals with disabilities in accordance with the Americans with Disabilities Act (ADA) and applicable state and local laws.

This organization is an equal opportunity employer which does not discriminate on the basis of race, religion, color, gender, age, national origin, disability, marital status, or veteran status or similar as identified in legal and regulatory guidelines. **(Complete other side)**

Application for Employment

An Equal Opportunity Employer

Please Print or Type

Complete both sides of this form

Sign at the bottom

Employment History

Last Organization Name for which You Worked		Title	
Address	Supervisor	Phone Number	
Pay per week or hour \$	Date Started Working	Date Ended Working	
Acquired Skills	Reason for Leaving		
2nd to Last Organization Name for which You Worked		Title	
Address	Supervisor	Phone Number	
Pay per week or hour \$	Date Started Working	Date Ended Working	
Acquired Skills	Reason for Leaving		
3rd to Last Organization Name for which You Worked		Title	
Address	Supervisor	Phone Number	
Pay per week or hour \$	Date Started Working	Date Ended Working	
Acquired Skills	Reason for Leaving		
4th to Last Organization Name for which You Worked		Title	
Address	Supervisor	Phone Number	
Pay per week or hour \$	Date Started Working	Date Ended Working	
Acquired Skills	Reason for Leaving		

Acknowledgement

I certify that all the information on this application, my resume, or any supporting documents is correct. I understand that any misrepresentation or omission of any information will result in disqualification from consideration for employment or, if employed, my termination. I understand this application is current for sixty (60) days. After this time, if I have not heard from the Company and still wish to be considered for employment it will be necessary for me to complete a new application. I understand that this application is not a contract, offer or promise of employment. If hired, I am able to resign at any time for any reason. Similarly, the Company can terminate my employment at any time, with or without any reason. As a condition of employment I understand that I may be required to sign a non-compete agreement, a conflict of interest statement, and/or an arbitration agreement and I hereby agree to arbitrate all disputes regarding my application for employment and any employment related matters rather than resolving them in court or other forum.

I authorize the Company or its agents to investigate all statements contained in this application and/or resume. I understand that a credit and background check may be made including, but not limited to, consumer credit history, criminal history, driving record, employment, military, education and general public records which may provide information concerning my character and general reputation. I hereby authorize my former employers, educational institutions or other reference providers to furnish all information pertaining to my work or educational record. I release my former employers, educational institutions, supervisors, and references from all liability associated with furnishing information to this company or its agents. If I wish to obtain a copy of the consumer credit history report if made, it will be provided upon written request. I hereby release from liability the Company and its representative for seeking such information and all other persons, corporations or organizations for furnishing such information.

I understand that the Company may now have, or may establish, a drug-free workplace or a post-accident drug-testing program. If it has one now and I am offered a conditional offer of employment I agree to work under the conditions requiring a drug-free workplace. I also understand that all employees of the location may be subject to urinalysis and/or blood screening or other medically recognized tests designed to detect the presence of alcohol or controlled drugs. If detected, the offer of employment will be withdrawn. If employed, I understand that the taking of alcohol and/or drug tests is a condition of continual employment and I agree to undergo random, fitness for duty, return to work and reasonable suspicion alcohol and drug testing. Refusal to take such tests when asked may result in termination.

Applicant Signature	Applicant Printed Name	Date signed
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This organization is an equal opportunity employer which does not discriminate on the basis of race, religion, color, gender, age, national origin, disability, marital status, or veteran status or similar as identified in legal and regulatory guidelines. **(Complete other side)**

Authorization to Obtain a Consumer Credit Report and Release of Information for Employment Purposes

Pursuant to the federal Fair Credit Reporting Act, I,

_____ Applicant Name _____, hereby authorize

_____ Prospective Employer Name _____ and its designated agents and representatives to conduct a comprehensive review of my background through a consumer report and/or an investigative consumer report to be generated for employment, promotion, reassignment or retention as an employee. I understand the scope of the consumer report/investigative consumer report may include, but is not limited to, the following areas: verification of Social Security number; current and previous residences; employment history, including all personnel files; education; references; credit history and reports; criminal history, including records from any criminal justice agency in any or all federal, state or county jurisdictions; birth records; motor vehicle records, including traffic citations and registration; and any other public records.

I authorize the complete release of these records or data pertaining to me which an individual, company, firm, corporation or public agency may have. I understand that I must provide my date of birth to adequately complete said screening and acknowledge that my date of birth will not affect any hiring decisions. I hereby authorize and request any present or former employer, school, police department, financial institution or other persons having personal knowledge of me to furnish this prospective employer or its designated agents with any and all information in their possession regarding me in connection with an application of employment. I am authorizing that a photocopy of this authorization be accepted with the same authority as the original.

I hereby release this prospective employer and its agents, officials, representatives or assigned agencies, including officers, employees or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at anytime result to me, my heirs, family or associates because of compliance with this authorization and request to release. You may contact me as indicated on the Authorization to Obtain a Consumer Credit Report and Release of Information for Employment Purpose form. I understand that a copy of this authorization may be given at any time, provided I do so in writing.

I understand that, pursuant to the federal Fair Credit Reporting Act, if any adverse action is to be taken based upon the consumer report, a copy of the report and a summary of the consumer's right will be provided to me.

Authorization to Obtain a Consumer Credit Report and Release of Information for Employment Purposes

Name (Full):							
Maiden Last Name:							
Print All Former Names:							
Social Security Number:			Gender:		Race:		
Date of Birth:			Current Phone Number:				
Street Address:							
City, State & ZIP							
Driver's License Number:			State Issued:				
Name on Driver's License							
May we contact your employers?		Yes	No	May we contact your supervisors?		Yes	No
Prior residence, past 7 years				From	to		
Prior residence, past 7 years				From	to		
Prior residence, past 7 years				From	to		
Have you been convicted of or pled guilty or "no contest" to a criminal charge?				Yes	No		
Are you currently awaiting trial, sentencing or disposition of a criminal charge?				Yes	No		
Have you ever been a defendant in a civil action for intentional tort(s)? (Intentional torts include, but are not limited to, battery, assault, false imprisonment, defamation, fraud, conversion)?							
				Yes	No		
If you answered Yes to any of the 3 questions above, provide the Case Numbers, Date of Action, Disposition, Place of Occurrence and Current Status							
Please explain. If more space is needed, add supplemental sheets.							

By signing below, you are certifying that the above information is true and correct.

Signature _____

Date _____

SAMPLE EMPLOYMENT OFFER

ORGANIZATION LETTERHEAD

October 20, 20XX
Mr. I. M. A. Newbee
1010 Carpenter Lane
Hardwareville, ST 98765-4321

Dear Mr. Newbee:

On behalf of MyStore, Inc., I am pleased to confirm the details of our full-time non-exempt salary position offer to you as a salesperson reporting to Flora Boss. Your start time and date for the position are 9:00 AM, November 2, 20XX. Your pay will be \$8.50 per hour, which normally will be paid the 15th and 30th of each month. You will be working at our Spokeshave Store #3, 2010 Ballpeen Road, Hardwareville, ST. Your initial hours of work will be 9:00 AM through 6:00 PM Monday through Friday.

Below are some of the more pertinent details about the position you are being offered:

Primary functions in your position will include among others:

- Greeting customers
- Displaying merchandise
- Estimating customer needs
- Solving customer problems
- Maintaining department inventory
- Other activities as may be assigned from time to time

You are required to show employment eligibility through the I-9 Form.

Your benefits are those which are normally provided as detailed in our Employee Handbook.

MyStore practices a drug-free workplace program, and your employment is contingent upon the successful outcome of a drug screening. This screening will be arranged at the store's expense.

By acceptance of this position, you certify that you have no contracts, covenants or similar agreements that would preclude employment in any capacity with MyStore, Inc. and its subsidiaries or affiliates.

Other considerations pertaining to your employment with MyStore are included in our Employee Handbook.

The contents of this letter are confidential to the store and you. The foregoing sets forth some specifics about the position you are being offered and discusses the compensation you will receive upon acceptance and fulfillment of the position's requirements. Please understand that acceptance of our offer by way of this letter does not create an employment contract between us, but merely creates an "at-will" employment relationship subject to the specifics outlined in this letter.

We are pleased with your decision to consider MyStore. This offer will remain in effect for five calendar days from the date of this letter. If you choose to accept the position, please confirm your understanding and acceptance of our employment offer by countersigning in the space below. Please forward this master co-signed letter to me before October 20, 20XX. Please keep a copy for your files. If you choose not to accept our offer, please contact me directly and return this letter with your rejection noted and signed.

Sincerely,

I. M. Incharge
Store Manager
Accepted by:

Signature
c: I. Ownit
Employee file

Date

LETTERHEAD

Date

Mr./Ms.

Address

City, State & ZIP

Dear:

On behalf of (STORE/ORGANIZATION), I am pleased to confirm the details of our position offer to you as _____(TITLE)_____. In this capacity you will report to (TITLE)_____ and your work site will be at (ORGANIZATION LOCATION/ADDRESS). Below are some of the more pertinent details about the position you are being offered:

- Your start date will be on or before DD-MM-YY
- Your compensation will be \$\$\$\$ per hour or pay period.
- Your primary functions will include among others:
 - IDENTIFY PRIMARY FUNCTION
 - IDENTIFY PRIMARY FUNCTION
 - IDENTIFY PRIMARY FUNCTION
 - IDENTIFY PRIMARY FUNCTION
 - IDENTIFY PRIMARY FUNCTION
 - Other activities as may be assigned from time to time.
- Due to your particular circumstances,.....INSERT ANYTHING SPECIAL ABOUT THE ARRANGEMENT WITH THE ORGANIZATION
- You will be considered for various benefits in accordance with our policy manual.
 - Our holidays will consist of (NUMBER) statutory days as detailed in the (E.G. THE ORGANIZATION POLICIES AND PROCEDURES MANUAL.)
 - Upon completion of one year of organization service, you will be entitled to (NUMBER) weeks of vacation to be taken at dates agreed upon and approved by the organization.
- With acceptance of employment, (STORE/ORGANIZATION) may require you to enter into a (LOYALTY, CONFIDENTIALITY AND NON-COMPETE) agreement on the organization's standard form. A copy is enclosed for your signature.

- By acceptance of this position you certify that you have no contracts, covenants or similar agreements which would preclude employment in any capacity with (STORE/ORGANIZATION) and its subsidiaries in any capacity.
- You will be required to show employment eligibility through the I-9 Form.
- (STORE/ORGANIZATION) practices a drug free workplace philosophy and your employment is contingent upon the successful outcome of a drug screening. This screening will be arranged at the company's expense.
- Other considerations pertaining to your employment with (STORE/ORGANIZATION) are included in our (POLICIES AND PROCEDURES MANUAL).

The contents of this letter are confidential to the company and you. The foregoing sets forth some specifics about the position you are being offered and discusses the compensation you will receive upon acceptance and fulfillment of the position's requirements. Please understand that acceptance of our offer by way of this letter does not create an employment contract between us, but merely creates an "at-will" employment relationship subject to the specifics outlined in this letter.

We are pleased with your decision to consider (STORE/ORGANIZATION). We believe we have a challenging opportunity to offer you. If you choose to accept the position, please confirm your understanding of our employment offer by countersigning in the space below. Please review and sign the (E.G., NON-COMPETE) form. Please send both this co-signed letter and the signed form to (DESIGNATE PERSON) before (INSERT SPECIFIC DATE...5 – 7 WORKING DAYS IS APPROPRIATE_____, 20XX). If you choose not to accept our offer, please contact me directly at (SPECIFIC PERSON'S PHONE NUMBER) and return this letter with your rejection noted.

Sincerely,

Name

Title

Accepted by:

Signature

Date

C: Payroll
 Supervisor
 Employee file
 Encl.

Reference Check Authorization and Release

Ladies and Gentlemen:

I, _____ Name of applicant _____, agree to allow
_____ Prospective hiring organization _____ to
contact those whom I identified as references during my new employment process.

I agree not to hold any identified references liable for damages relating to any truthful information they provide regarding my qualifications for employment with this organization. Please furnish the information requested.

Thank you for your assistance in providing your reference.

Sincerely,

Applicant

Reference Request: Information From Former Employer

Former employer Name:	
Former employer Street Address:	
Former employer Address cont'd.:	
Former employer City, State & ZIP:	
Former employer Phone Number:	

Ladies and Gentlemen:

_____ Name of applicant _____ is applying for the position of
 _____ Title of position _____ with our organization.

During our hiring process the applicant indicated employment with your organization. We would be pleased if you would provide information requested below and return this letter in the enclosed postage-paid envelope.

Attached is a copy of the applicant's signed release authorization form. If you have questions or wish to contact me regarding this request, you may reach me via:

Phone number and/or email

Former employee Name:		
Employment Dates:	From	To
Last position Title:		
Key Responsibilities:		
Workmanship Quality:		
Eligible for Rehire:	Yes	No
Work-related Comment:		

Thank you.

Sincerely,

Title

PREVIOUS EMPLOYMENT INQUIRY**REFERENCES CHECK FORM**

Name

Address

SSN

HIRE DATE

TERM. DATE

TITLE

PAY RATE

The above person applied for a position with us and has given your name as a former employer. S/he stated the above facts in our employment application. Your verification of this and other information concerning the applicant will be valuable to us. Information given will be in confidence. Thank you for your help.

CONSIDERATIONS

Please check your rating below

	Excels	Good	Fair	Poor
Dependability and trustworthiness				
Fit with co-workers (well liked, cooperative)				
Provided satisfactory services				
Your satisfaction with work habits				

Why did this person leave your organization?

Would you re-employ this person?
Why?

Yes__ No__

Please indicate below any corrections to information and comments you have about this person.

Thank you for your assistance. Please sign and date this form below.

Signature:

Title:

Date:

Sending Organization

Signature:

Title:

Date:

<u>State</u>	<u>Requirements</u>	<u>Contacts</u>	<u>Resources</u>
Alabama	Child Labor	Alabama Department of Labor Child Labor Office 100 N. Union St. Montgomery, Ala. 36130 (334) 242-3460	http://dir.alabama.gov/docs/
	Workers' Compensation Benefits	Alabama Department of Industrial Relations Workers' Compensation Division 649 Monroe St. Montgomery, Ala. 36131 (800) 528-5166/(334) 353-0990	
	Unemployment Benefits	Alabama Department of Industrial Relations Division of Employment Security 649 Monroe St. Montgomery, Ala. 36131 (334) 242-8945	
Alaska	EEO/FEP Sexual Harassment	Alaska State Commission for Human Rights Administrative and Central Investigative Units 800 A St., Ste. 204 Anchorage, Alaska 99501 (907) 274-4692	http://www.labor.state.ak.us/employer/employer.htm http://www.labor.state.ak.us/lss/posters.htm http://www.labor.state.ak.us/lss/posters.htm http://www.labor.state.ak.us/wc/pdf_list.htm
	Wages and Hours Minimum Wage/Overtime Hours Child Labor	Alaska Department of Labor and Workforce Development Wage and Hour Administration P.O. Box 107021 Anchorage, Alaska 99521 (907) 269-4900	
	Job Safety and Health Emergency Information Numbers	Alaska Department of Labor and Workforce Development Division of Labor Standards and Safety Occupational Safety and Health 3301 Eagle St. P.O. Box 107022 Anchorage, Alaska 99510 (907) 269-4940	

	Workers' Compensation	Department of Labor and Workforce Development Workers' Compensation Division 1111 W. 8th St., Rm. 305 P.O. Box 25512 Juneau, Alaska 99802 (907) 465-2790	
	Unemployment Benefits	Alaska Department of Labor and Workforce Development Employment Security Tax Division P.O. Box 25509 Juneau, Alaska 99802 (907) 465-1849	
ARIZONA	EEO/FEP	Office of the Attorney General Civil Rights Division 1275 W. Washington St. Phoenix, Ariz. 85007 (602) 542-5263 400 W. Congress St. Tucson, Ariz. 85701 (520) 628-6500	See contact information to the left
	Wages and Hours	Arizona Industrial Commission Labor Department 800 W. Washington St. Phoenix, Ariz. 85007 (602) 542-4515/542-5125	
	Job Safety and Health	Arizona Industrial Commission Occupational Safety and Health Division 800 W. Washington St. Phoenix, Ariz. 85007 (602) 542-5795/(602) 542-1769	
	Workplace Smoking	Arizona Department of Health Services Office of Environmental Health Arizona Smoke-Free Program 150 N. 18th Ave, Suite 430 Phoenix, Ariz. 85007 (877) AZSTOPS/(602) 364-3122	

	Workers' Compensation Benefits	Arizona Industrial Commission 800 W. Washington St. Phoenix, Ariz. 85007 (602) 542-4538	
	Unemployment Benefits	Arizona Department of Economic Security Systems Development 1789 W. Washington, Site Code 721A Phoenix, Ariz. 85005 (602) 542-5939 its	
ARKANSAS	Wages and Hours	Arkansas Department of Labor Division of Labor Standards 10421 W. Markham St. Little Rock, Ark. 72205 (501) 682-4500	http://www.awcc.state.ar.us/revforms.html
	Job Safety and Health Right-to-Know	Arkansas Department of Labor Safety Division 10421 W. Markham St. Little Rock, Ark. 72205 (501) 682-9090	http://www.arkansas.gov/labor/pdf/required_postings2005.pdf
	Workers' Compensation	Arkansas Workers' Compensation Commission Fourth and Spring St. P.O. Box 950 Little Rock, Ark. 72203 (501) 682-3930	
	Unemployment Benefits	Arkansas Department of Workforce Services Status Unit #1 Pershing Circle North Little Rock, Ark. 72114 (501) 682-3201	
	Health Insurance	Arkansas Insurance Department 1200 W. Third St. Little Rock, Ark. 72201 (800) 852-5494	
CALIFORNIA	General Services and Postings	Department of General Services Publications Unit P.O. Box 1015 (4675 Watt Ave.) North Highlands, Calif. 95660	http://www.dir.ca.gov/wp.asp http://www.dir.ca.gov/DOSH/pu

	<p>EEO/FEP Communications</p>	<p>California Department of Fair Employment and Housing 455 Golden Gate Ave., Ste. 7600 San Francisco, Calif. 94102 (415) 703-4175 (800) 884-1684 (in-state)</p> <p>Communication Center 2014 T St., Ste. 210 Sacramento, Calif. 95814 (916) 227-0551</p>	<p>border.asp</p> <p>http://www.edd.ca.gov/direp/pf/pub.asp</p>
	<p>Wages and Hours Pay Days Minimum Wage</p>	<p>Department of Industrial Relations Public Information Office P.O. Box 420603 San Francisco, Calif. 94142 (415) 703-5070</p>	
	<p>Time Off To Vote</p>	<p>California Secretary of State Elections Division 1500 11th St. Sacramento, Calif. 95814 (916) 657-2166</p>	
	<p>Job Safety and Health</p>	<p>California Department of Industrial Relations Division of Occupational Safety and Health 455 Golden Gate Ave., 10th floor San Francisco, Calif. 94102 (415) 703-5100</p>	
	<p>Emergency Information Numbers</p>	<p>Department of Industrial Relations Cal/OSHA Consultation Service Education and Training Unit 2211 Park Towne Circle, Ste. 4 Sacramento, Calif. 95825 (916) 574-2555</p>	
	<p>Whistleblower Protection</p>	<p>Office of the Attorney General California Department of Justice P.O. Box 944255 Sacramento, CA 94244-2550 (800) 952-5225 (hotline)</p>	

	Workers' Compensation	California Department of Industrial Relations Division of Workers' Compensation 455 Golden Gate Avenue, 9th fl. San Francisco, CA 94102-3660 (415) 703-4600	
	Unemployment Benefits	California Employment Development Department Disability Insurance Branch P.O. Box 826880 Sacramento, Calif. 94280 (916) 654-8198	
COLORADO	EEO/FEP	Colorado Division of Civil Rights 1560 Broadway, Ste. 1050 Denver, Colo. 80202 (800) 262-4845/(303) 894-2997	http://www.dora.state.co.us/civil-rights/
	Wages and Hours Minimum Wage	Colorado Department of Labor and Employment Division of Labor Labor Standards Office 633 17th St. Denver, Colo. 80202 (303) 318-8441	http://www.coworkforce.com/lab/Poster.pdf http://www.coworkforce.com/dwc/FORMS/ByNumber.asp
	Workers' Compensation Benefits	Colorado Department of Labor and Employment Division of Workers' Compensation 633 17th St., Suite 400 Denver, Colo. 80202-3660 (303) 318-8700	
	Unemployment Benefits	Colorado Department of Labor and Employment Unemployment Insurance Program P.O. Box 8789 Denver, Colo. 80201 (303) 318-9100	
CONNECTICUT	EEO/FEP Sexual Harassment	Connecticut Commission on Human Rights and Opportunities 21 Grand St. Hartford, Conn. 06106 (860) 541-3400	http://www.ctdol.state.ct.us/Labor_Posters.htm

	Wages and Hours Minimum Wage	Connecticut Department of Labor Division of Wage and Workplace Standards 200 Folly Brook Blvd. Wethersfield, Conn. 06109 (860) 263-6790	
	Job Safety and Health	Connecticut Department of Labor OSHA Division Statistics Unit 38 Wolcott Hill Rd. Wethersfield, Conn. 06109 (860) 566-4550	
	Electronic Monitoring	Connecticut Department of Labor 200 Folly Brook Blvd. Wethersfield, CT 06109 (860) 263-6550	
	Workers' Compensation Benefits	Connecticut Workers' Compensation Commission Capital Place 21 Oak St. Hartford, Conn. 06106 (860) 493-1500/(800) 223-9675	
	Unemployment Benefits	Connecticut Department of Labor and Employment Employment Security Division Deputy Commissioner's Office 200 Folly Brook Blvd. Wethersfield, Conn. 06109 (860) 566-4280	
DELAWARE	General Employment Information	Delaware Department of Labor Division of Industrial Affairs Office of Labor Law Enforcement 4425 N. Market St. Wilmington, Del. 19802 (800) 464-4357/(302) 761-8200	See contact information to the left
	Unemployment Benefits	Department of Labor Division of Unemployment Insurance 4425 N. Market St. Wilmington, Del. 19802 (302) 761-8482	

DISTRICT OF COLUMBIA	EEO/FEP	D.C. Office of Human Rights 441 4th St., N.W., Ste. 570N Washington, D.C. 20001 (202) 727-4559	See contact information to the left
	Wages and Hours Minimum Wage/Overtime Hours	D.C. Department of Employment Services Office of Labor Standards Office of Wage-Hour 77 P. St., N.E., 3rd floor Washington, D.C. 20002 (202) 671-1880	
	Workers' Compensation	D.C. Department of Employment Services Office of Workers' Compensation 77 P St., N.E., 2nd floor Washington, D.C. 20002 (202) 671-1000	
	Unemployment Benefits	D.C. Department of Employment Services Office of Unemployment Compensation Tax Division 609 H St., NE, 3rd floor Washington, D.C. 20002 (202) 724-7457/(202) 698-7550	
FLORIDA	EEO/FEP	Florida Commission on Human Relations 2009 Apalachee Parkway, Ste. 100 Tallahassee, Fla. 32301 (850) 488-7082 Florida Agency for Workforce Innovation Office for Civil Rights Caldwell Bldg. - MSC 150 107 E. Madison St. Tallahassee, Fla. 32399 (850) 921-3205	http://www.floridajobs.org/PDG/posters.html http://www.myflorida.com/dor/forms/download/
	Wages and Hours Minimum Wage	Florida Agency for Workforce Innovation 107 E. Madison St. Caldwell Bldg. Tallahassee, Fla. 32399 (850) 245-7105	

	Child Labor	Florida Department of Business and Professional Regulation Division of Professions Farm and Child Labor Program 1940 N. Monroe St. Tallahassee, Fla. 32399 (850) 488-3131	
	Workers' Compensation Benefits	Florida Division of Workers' Compensation Customer Service Center 200 E. Gaines St. Tallahassee, FL 32399-4227	
	Unemployment Benefits	Unemployment Benefits Florida Agency for Workforce Innovation Office of Unemployment Compensation MSC 229 107 E. Madison St. Tallahassee, Fla. 32399-4135 (866) 778-7356/(850) 488-6800	
GEORGIA	EEO/FEP	Georgia Commission on Equal Opportunity 710 Cain Tower 229 Peachtree St. Atlanta, Ga. 30303 (404) 656-1736	http://www.dol.state.ga.us/em/required_posters.htm
	Wages and Hours Equal Pay	Georgia Department of Labor Office of Equal Opportunity 148 International Blvd., N.E. Sussex Place, Ste. 200 Atlanta, Ga. 30303 (404) 232-3392	
	Workplace Smoking	Georgia Department of Human Resources Division of Public Health 2 Peachtree St. N.W. Atlanta, Ga. 30303-1342 (877) 343-3340	
	Workers' Compensation Benefits	Georgia State Board of Workers' Compensation 270 Peachtree St., N.W. Atlanta, Ga. 30303 (404) 656-3870	

	Unemployment Benefits	Georgia Department of Labor Division of Unemployment Insurance State Labor Bldg. 148 International Blvd., N.E. Atlanta, Ga. 30303 (404) 656-3131	
HAWAII	General Information	State of Hawaii Information Office Department of Labor and Industrial Relations 830 Punchbowl St., Rm. 322 Honolulu, Hawaii 96813 (808) 586-8842	http://hawaii.gov/labor/
IDAHO	EEO/FEP	Idaho Human Rights Commission 1109 Main St. P.O. Box 83720 Boise, Idaho 83720 (208) 334-2873	http://cl.idaho.gov/ftp/requiredposters.pdf
	Wages and Hours Minimum Wage/Overtime Hours	Idaho Department of Labor Wage and Hour Section 317 W. Main St. Boise, Idaho 83735 (208) 332-3579	
	Workers' Compensation Benefits	Idaho Industrial Commission 317 Main St. P.O. Box 83720 Boise, Idaho 83720 (208) 334-6000	
	Unemployment Benefits	Idaho Department of Commerce and Labor Unemployment Insurance Division Employer Accounts Bureau 317 W. Main St. Boise, Idaho 83735 (208) 332-3570	
ILLINOIS	General Information Equal Pay Victims' Rights	Illinois Department of Labor Fair Labor Standards Division 160 N. LaSalle St., Ste. C-1300 Chicago, Ill. 60601 (312) 793-2800	http://www.state.il.us/agency/idol/Posters/poster.htm

	Job Safety and Health	Illinois Department of Labor 160 N. LaSalle St., Ste. C-1300 Chicago, Ill. 60601 (312) 793-7308	
	Workers' Compensation Benefits	Illinois Workers' Compensation Commission 100 W. Randolph St., Ste. 8-200 Chicago, Ill. 60601 (312) 814-6611	
	Unemployment Benefits	Illinois Department of Employment Security Correspondence and Hot Line Unit 401 S. State St., 4th Floor North Chicago, Ill. 60605 (312) 793-4880/(800) 247-4984 (in state)	
INDIANA	EEO/FEP	Indiana Civil Rights Commission Indiana Government Center North 100 N. Senate Ave., Rm. N-103 Indianapolis, Ind. 46204 (317) 232-2600	http://www.state.in.us/sic/owners/ic.html
	Wages and Hours Minimum Wage	Indiana Department of Labor Wage and Hour Division 402 W. Washington St., Rm. W195 Indianapolis, Ind. 46204 (317) 232-2655	http://www.state.in.us/labor/iosha/poster2.html
	Child Labor	Indiana Department of Labor Bureau of Child Labor 402 W. Washington St., Rm. W195 Indianapolis, Ind. 46204 (317) 232-2655	
	Job Safety and Health	Indiana Department of Labor IOSHA Compliance Division 402 W. Washington St., Rm. W195 Indianapolis, Ind. 46204 (317) 232-2655	
	Workers' Compensation Benefits	Indiana Workers' Compensation Board 402 W. Washington St., Rm. W196 Indianapolis, Ind. 46204 (800) 824-2667/(317) 232-3808	

	Unemployment Benefits	Indiana Department of Workforce Development 10 N. Senate Ave. Indianapolis, Ind. 46204 (888) WORK-ONE/(317) 232-6702	
IOWA	EEO/FEP	owa Civil Rights Commission Grimes State Office Bldg. 400 E. 14th St. Des Moines, Iowa 50319 (800) 457-4416/(515) 281-4121	http://www.iowaworks.org/reqposters.htm
	Wages and Hours Minimum Wage/Overtime Hours Job Safety and Health	Iowa Workforce Development Iowa Division of Labor 1000 E. Grand Ave. Des Moines, Iowa 50319 (515) 281-3606	
	Workers' Compensation Benefits	owa Division of Workers' Compensation 1000 E. Grand Ave. Des Moines, Iowa 50319 (515) 281-5387	
	Unemployment Benefits	Iowa Department of Workforce Development 1000 E. Grand Ave. Des Moines, Iowa 50319 (515) 281-3201	
KANSAS	EEO/FEP	Kansas Human Rights Commission 900 S.W. Jackson St., Ste. 568 South Topeka, Kan. 66612 (785) 296-3206	http://www.dol.ks.gov/ES/html/posters_DBR.html
	Wages and Hours Child Labor	Kansas Department of Labor Office of Employment Standards 1430 S.W. Topeka Blvd., 3rd fl. Topeka, Kan. 66612 (785) 296-4062	
	Workers' Compensation Benefits	Kansas Department of Labor Division of Workers Compensation 800 S.W. Jackson, Ste. 600 Topeka, Kan. 66612 (785) 296-2996/296-4062	

	Unemployment Benefits	Kansas Department of Labor Division of Employment Security 401 S.W. Topeka Blvd. Topeka, Kan. 66603 (785) 296-5000/296-4062	
KENTUCKY	EEO/FEP	Kentucky Commission on Human Rights 332 W. Broadway Heyburn Bldg., 7th Fl. Louisville, Ky. 40202 (800) 292-5566/(502) 595-4024	http://www.oet.ky.gov/pubs/publications.asp
	Wages and Hours Equal Pay Minimum Wage/Overtime Hours Child Labor	Kentucky Department of Labor Division of Employment Standards, Appenticeship and Training 1047 U.S. 127 South, Ste. 4 Frankfort, Ky. 40601 (502) 564-3070	
	Job Safety and Health	Kentucky Department of Labor Occupational Safety and Health Program Division of Compliance 1047 U.S. 127 South Frankfort, Ky. 40601 (502) 564-3070	
	Noise Standard	Kentucky Department of Labor Division of Employment Standards, Appenticeship and Training 1047 U.S. 127 South Frankfort, Ky. 40601 (502) 564-3070	
	Radiation Protection	Kentucky Department for Public Health Radiation Health and Toxic Agents Branch 275 E. Main St. Frankfort, Ky. 40621 (502) 564-3700	
	Workers' Compensation Benefits	Kentucky Department of Labor Office of Workers' Claims 657 Chamberlin Avenue Frankfort, Ky. 40621 (502) 564-5550	

	Unemployment Benefits	Kentucky Department for Workforce Investment Office of Employment and Training Division of Unemployment Insurance 275 E. Main St. Frankfort, Ky. 40621 (502) 564-2272/564-2900	
LOUISIANA	EEO/FEP	Louisiana Department of Labor Compliance Programs Director P.O. Box 94094 1001 N. 23rd St. Baton Rouge, La. 70804 (225) 342-3075	http://www.ldol.state.la.us/gm_onlineservices.asp
	Sickle Cell	Louisiana Department of Labor P.O. Box 94094 Baton Rouge, La. 70804 (225) 342-3202	
	Genetic Information	Louisiana Department of Labor P.O. Box 94094 Baton Rouge, La. 70804 (225) 342-3202	
	Out-of-State Vehicles	Louisiana Department of Labor P.O. Box 94094 Baton Rouge, La. 70804 (225) 342-3280	
	Workplace Smoking	Louisiana Department of Labor Office of Workforce Development P.O. Box 94094 Baton Rouge, La. 70804 (225) 342-3280	
	Wages and Hours Military Leave	Louisiana Department of Labor P.O. Box 94094 Baton Rouge, La. 70804 (800) 336-4590 (Employer Support of the Guard and Reserve Committee)	
	Wage Payment Child Labor	Louisiana Department of Labor Office of Workforce Development P.O. Box 94094 Baton Rouge, La. 70804 (225) 342-3280	

	Workers' Compensation Benefits	Louisiana Office of Workers' Compensation Administration P.O. Box 94040 Baton Rouge, La. 70804 (225) 342-7555	
	Unemployment Benefits	Louisiana Department of Labor Office of Regulatory Services P.O. Box 94186 Baton Rouge, La. 70804 (225) 342-3013	
Maine	General Information	(800) 872-3838 in state (800) 541-5872 out of state	http://www.state.me.us/mhrc/publish.htm http://www.maine.gov/labor/bls/posters/
	EEO/FEP	Maine Human Rights Commission State House Station 51 Augusta, Me. 04333 (207) 624-6050	
	Sexual Harassment		
	Wages and Hours	Maine Department of Labor Bureau of Labor Standards Wage and Hour Division State House Station 45 Augusta, Me. 04333 (207) 624-6400/624-6410	
	Child Labor		
	Minimum Wage/Overtime Hours		
	Job Safety and Health Public Employers		
Whistleblower Protection			
Workers' Compensation Benefits	Maine Workers' Compensation Board 27 State House Station Augusta, Me. 04333 (207) 287-3751		
Unemployment Benefits	Maine Department of Labor Attn: Employer Status Unit Bureau of Unemployment Compensation P.O. Box 259 Augusta, Me. 04332 (207) 287-3176		

MARYLAND	EEO/FEP	Maryland Commission on Human Relations 6 St. Paul St., Ste. 900 Baltimore, Md. 21202 (410) 767-8600	http://www.dlir.state.md.us/
	Minimum Wage/Overtime Hours Wages and Hours Equal Pay Child Labor	Maryland Department of Labor, Licensing and Regulation Division of Labor and Industry Employment Standards Service 1100 N. Eutaw St., Rm. 607 Baltimore, Md. 21201 (410) 767-2357	
	Job Safety and Health	Maryland Department of Labor, Licensing and Regulation Division of Labor and Industry/MOSH Training and Education Unit Laurel Executive Center, Ste. 600 312 Marshall Ave. Laurel, Md. 20707 (410) 767-SAFE	
	Health Insurance	Maryland Department of Labor, Licensing and Regulation Division of Labor and Industry 1100 N. Eutaw St. Baltimore, Md. 21201 (410) 767-2236	
	Workers' Compensation Benefits	Maryland Workers' Compensation Commission 10 E. Baltimore St. Baltimore, Md. 21202 (410) 864-5100	
	Unemployment Benefits	Maryland Department of Labor, Licensing, and Regulation Office of Unemployment Insurance 1100 N. Eutaw St. Baltimore, Md. 21201 (410) 767-2444	

MASSACHUSETTS	EEO/FEP Maternity Leave	Massachusetts Commission Against Discrimination McCormack State Office Bldg. 1 Ashburton Place, Rm. 601 Boston, Mass. 02108 (617) 994-6000	http://www.state.ma.us/dia http://www.state.ma.us/dia/Employer/Employer.htm
	Wages and Hours Minimum Wage/Overtime Hours	Massachusetts Office of the Attorney General Fair Labor and Business Practices Division One Ashburton Place, Room 1813 Boston, Mass. 02108 (617) 727-3465	http://www.detma.org/revforms.htm
	Workplace Smoking	Massachusetts Department of Public Health Tobacco Control Program 250 Washington Street Boston, MA 02108 (800) 992-1895	
	Job Safety and Health Right-to-Know	Massachusetts Department of Labor and Workforce Development Division of Occupational Safety 1001 Watertown St. West Newton, Mass. 02465 (617) 969-7177	
	Workers' Compensation Benefits	Massachusetts Department of Industrial Accidents 600 Washington St., 7th Fl. Boston, Mass. 02111 (617) 727-4900	
	Unemployment Benefits	Massachusetts Division of Employment and Training Charles F. Hurley Bldg. 19 Staniford St. Boston, Mass. 02114 (617) 626-5400	
MICHIGAN	EEO/FEP	Michigan Department of Civil Rights State of Michigan Plaza Bldg., 6th fl. 1200 6th Ave. Detroit, Mich. 48226 (313) 256-2663	http://www.michigan.gov/cis

	<p>Wages and Hours</p> <p>Minimum Wage/Overtime Hours</p> <p>Child Labor</p>	<p>Michigan Department of Labor and Economic Growth Wage and Hour Division 7150 Harris Dr. P.O. Box 30476 Lansing, Mich. 48909 (517) 322-1825</p>	
	<p>Job Safety and Health</p> <p>Right-to-Know</p>	<p>Michigan Department of Labor and Economic Growth MIOSHA 7150 Harris Dr. P.O. Box 30643 Lansing, Mich. 48909 (517) 322-1814</p>	
	<p>Whistleblower Protection</p>	<p>Michigan Department of Labor and Economic Growth Media and Public Relations 611 W. Ottawa Lansing, Mich. 48909 (517) 373-1820</p>	
	<p>Workers' Compensation</p>	<p>Michigan Department of Labor and Economic Growth Workers' Compensation Agency Box 30016 Lansing, Mich. 48909 (888) 396-5041</p>	
	<p>Unemployment Benefits</p>	<p>Michigan Department of Labor and Economic Growth Unemployment Insurance Agency Cadillac Place, 3024 W. Grand Blvd. Detroit, Mich. 48202 (800) 638-3994 (in-state)/(313) 456-2400 (out-of-state)</p>	
MINNESOTA	<p>General Information</p>	<p>Minnesota Department of Labor and Industry Information Processing Center Poster Requests 443 Lafayette Rd. North St. Paul, Minn. 55155 (651) 284-5042/(800) DIAL-DLI</p>	<p>http://www.doli.state.mn.us/posters.html</p> <p>http://www.uimn.org/tax/forms.htm</p>

	EEO/FEP Age Discrimination Prohibitions	(651) 284-5005	
	Job Safety and Health	(651) 284-5050	
	Workers' Compensation Benefits	(651) 284-5032	
MISSISSIPPI	Workers' Compensation Benefits	Mississippi Workers' Compensation Commission 1428 Lakeland Dr. P.O. Box 5300 Jackson, Miss. 39296 (601) 987-4200	http://www.mwcc.state.ms.us/forms/formsall.html
	Unemployment Benefits	Mississippi Department of Employment Security 1235 Echelon Parkway P.O. Box 1699 Jackson, Miss. 39215 (601) 321-6000	
MISSOURI	EEO/FEP	Missouri Commission on Human Rights 3315 W. Truman Blvd. Ste. 212 Jefferson City, Mo. 65102 (573) 751-3325	http://www.dolir.mo.gov/posters2.htm
	Minimum Wage	Missouri Department of Labor and Industrial Relations Division of Labor Standards 3315 W. Truman Blvd., Room 205 P. O. Box 449 Jefferson City, Mo. 65102 (573) 751-3403	
	Child Labor	Missouri Department of Labor and Industrial Relations Division of Labor Standards 3315 W. Truman Blvd., Room 205 P. O. Box 449 Jefferson City, Mo. 65102 (573) 751-3194	

		Missouri Department of Labor and Industrial Relations Division of Workers' Compensation 3315 W. Truman Blvd. P.O. Box 58 Jefferson City, Mo. 65102 (573) 751-4231	
	Workers' Compensation Benefits	Missouri Department of Labor and Industrial Relations Division of Workers' Compensation 3315 W. Truman Blvd. P.O. Box 58 Jefferson City, Mo. 65102 (573) 751-4231	
	Unemployment Benefits	Missouri Department of Labor and Industrial Relations Division of Employment Security 421 E. Dunklin St. P.O. Box 59 Jefferson City, MO 65104 (573) 751-9040	
MONTANA	EEO/FEP	Montana Department of Labor and Industry Employment Relations Division Human Rights Bureau 1625 11th Ave. P.O. Box 1728 Helena, Mont. 59624 (406) 444-2884	http://dli.state.mt.us/resource/reqpost.htm
	Wages and Hours Minimum Wage/Overtime Hours	Montana Department of Labor and Industry Employment Relations Division Labor Standards Bureau Wage and Hour Unit P.O. Box 6518 Helena, Mont. 59604 (406) 444-5600	
	Workplace Smoking	Montana Tobacco Use Prevention Program P.O. Box 202951 Helena, Mont. 59620-2951 (406) 444-9617	

	Workplace Smoking	Montana Tobacco Use Prevention Program P.O. Box 202951 Helena, Mont. 59620-2951 (406) 444-9617	
	Workers' Compensation Benefits	Montana Department of Labor and Industry Employment Relations Division WC Claims Assistance Bureau P.O. Box 8011 Helena, Mont. 59604 (406) 444-6543	
	Unemployment Benefits	Montana Department of Revenue Unemployment Insurance Program Mitchell Bldg. P.O. Box 5805 Helena, Mont. 59604 (406) 444-6900/444-3783	
NEBRASKA	EEO/FEP	Nebraska Equal Opportunity Commission State Office Bldg. 301 Centennial Mall South, 5th Fl. P.O. Box 94934 Lincoln, Neb. 68509 (800) 642-6112/(402) 471-2024	http://www.neoc.ne.gov/edu/poster.htm
	Wages and Hours Minimum Wage Job Safety and Health	Nebraska Department of Labor Division of Safety and Labor Standards State Office Bldg. 301 Centennial Mall South Lincoln, Neb. 68509 (402) 471-2239	
	Unemployment Benefits	Nebraska Department of Labor Office of Workforce Services 550 S. 16th Street Lincoln, Neb. 68509-4600 (402) 471-9813	
NEVADA	EEO/FEP	Nevada Equal Rights Commission Department of Employment, Training, and Rehabilitation 1515 E. Tropicana Ave., Ste. 590 Las Vegas, Nev. 89119 (702) 486-7161	http://www.laborcommissioner.com/forms.htm http://dirweb.state.nv.us/iirsfor

	Wages and Hours Polygraph Testing	Office of the Labor Commissioner Nevada Department of Business and Industry 675 Fairview Dr., Ste. 226 Carson City, Nev. 89701 (775) 687-4850	m.htm
	Job Safety and Health Emergency Information Numbers	Nevada Department of Business and Industry Division of Industrial Relations Safety Consultation and Training Section 1301 N. Green Valley Pkwy., Ste. 200 Henderson, Nev. 89074 (702) 486-9020	
	Workers' Compensation	Nevada Department of Business and Industry Division of Industrial Relations Industrial Insurance Regulation Section 400 W. King St., Ste. 400 Carson City, Nev. 89703 (775) 684-7260	
	Unemployment Benefits	Nevada Department of Employment, Training and Rehabilitation Employment Security Division Contributions Section 500 E. Third St. Carson City, Nev. 89713 (775) 687-4545	
NEW HAMPSHIRE	EEO/FEP	New Hampshire Commission for Human Rights 2 Chenell Drive Concord, N.H. 03301 (603) 271-2767	http://www.labor.state.nh.us/mandatory_posters.asp
	Wages and Hours Minimum Wage/Overtime Hours	New Hampshire Department of Labor Inspection Division P.O. Box 2076 Concord, N.H. 03302 (603) 271-1492/3176	

	Right-to-Know	New Hampshire Department of Labor P.O. Box 2076 Concord, N.H. 03302 (603) 271-1492/3176	
	Whistleblower Protection	New Hampshire Department of Labor P.O. Box 2076 Concord, N.H. 03302 (603) 271-1492/271-3176	
	Workers' Compensation Benefits	(603) 271-3174	
	Unemployment Benefits	New Hampshire Department of Employment Security 32 S. Main St. Concord, N.H. 03301 (603) 224-3311/(800) 852-3400	
NEW JERSEY	EEO/FEP Family Leave	New Jersey Department of Law and Public Safety Division on Civil Rights 31 Clinton St., 3rd Fl. Newark, N.J. 07102 (973) 648-2700	http://www.state.nj.us/labor/lss/e/lsefrce.html
	Wages and Hours Minimum Wage/Overtime Hours Unemployment Benefits	New Jersey Department of Labor and Workforce Development Office of Constituent Relations P.O. Box 110 Trenton, N.J. 08625 (609) 777-3200 New Jersey Department of Labor and Workforce Development Division of Wage and Hour Compliance P.O. Box 389 Trenton, N.J. 08625 (609) 292-2337	
	Workers' Compensation Benefits	Contact organization's own insurance carriers	

NEW MEXICO	EEO/FEP	New Mexico Department of Labor Human Rights Division 1596 Pacheco St., Ste. 103 Santa Fe, N.M. 87505 (505) 827-6838/(800) 566-9471	http://www.dol.state.nm.us/dol_poster.html
	Wages and Hours Minimum Wage	New Mexico Department of Labor Labor and Industrial Division 1596 Pacheco St., Ste. 105 Santa Fe, N.M. 87505 (505) 827-6875	http://www.state.nm.us/wca/Publications.htm
	Job Safety and Health	New Mexico Environment Department Occupational Safety and Health Bureau 525 Camino de los Marquez P.O. Box 26110 Santa Fe, N.M. 87502 (505) 476-8700	
	Workers' Compensation Benefits	New Mexico Workers' Compensation Administration P.O. Box 27198 Albuquerque, N.M. 87125 (866) 967-5667(800) 255-7965	
	Unemployment Benefits	New Mexico Department of Labor Employment Security Department Unemployment Insurance Bureau 401 Broadway, N.E. P.O. Box 2281 Albuquerque, N.M. 87102 (505) 841-8567	
NEW YORK	EEO/FEP	New York State Division of Human Rights One Fordham Plaza, 4th fl. Bronx, N.Y. 10458 (718) 741-8400	http://www.dhr.state.ny.us/
	Wages and Hours Minimum Wage/Overtime Hours	New York Department of Labor Division of Labor Standards State Office Campus Bldg. 12, Room 185A Albany, N.Y. 12240 (518) 457-2730	http://www.labor.state.ny.us/workerprotection/laborstandards/employer/posters.shtm

	Child Labor	New York Department of Labor Division of Labor Standards Worker Protection State Office Campus Bldg. 12, Room 185C Albany, N.Y. 12240 (518) 457-2730	
	Job Safety and Health	New York Department of Labor Division of Safety and Health Radiological Health Unit State Campus, Bldg. 12 Albany, NY 12240 (518) 457-1202	
	Workers' Compensation Benefits	New York State Workers' Compensation Board 100 Broadway-Menands Albany, N.Y. 12241 (866) 750-5157	
	Unemployment Benefits	New York Department of Labor Unemployment Insurance Division Registration Subsection State Office Bldg. Campus Albany, N.Y. 12240-0339 (518) 457-4179/485-8589	
NORTH CAROLINA	General Information	North Carolina Department of Labor Wage and Hour Bureau 4 W. Edenton St. Raleigh, N.C. 27601 (800) LABOR-NC/(919) 807-2796	http://www.nclabor.com/pubs.htm
	Workers' Compensation Benefits	North Carolina Industrial Commission 4340 Mail Service Center Raleigh, N.C. 27699 (919) 807-2500	
	Unemployment Benefits	Employment Security Commission of North Carolina Unemployment Insurance Division P.O. Box 26504 Raleigh, N.C. 27611 (919) 733-7156	

NORTH DAKOTA	Wages and Hours Equal Pay	North Dakota Department of Labor 600 E. Blvd. Dept. 406 Bismarck, N.D. 58505 (800) 582-8032/(701) 328-2660	http://www.nd.gov/labor/publications/posters.html
	Workers' Compensation Benefits	North Dakota Workforce Safety and Insurance 1600 East Century Avenue, Ste. 1 Bismarck, N.D. 58506 (701) 328-3800	
	Unemployment Benefits	Job Service North Dakota P.O. Box 5507 Bismarck, N.D. 58506 (701) 328-2814	
OHIO	EEO/FEP	Ohio Civil Rights Commission Office of Public Affairs 1111 E. Broad St., Ste. 301 Columbus, Ohio 43205 (614) 466-2785/(888) 278-7101	See contact information to the left
	Wages and Hours Minimum Wage/Overtime Hours Child Labor	Ohio Department of Commerce Division of Labor and Worker Safety Wage and Hour Bureau 50 W. Broad St., Ste. 2800 Columbus, Ohio 43215 (614) 644-2239	
	Job Safety and Health	Ohio Department of Commerce Division of Labor and Worker Safety Public Employment Risk Reduction Program 50 W. Broad St., Ste. 2900 Columbus, Ohio 43215 (800) 671-6858/(614) 644-2246	
	Workers' Compensation Benefits	Ohio Bureau of Workers' Compensation Publications and Forms Office 30 W. Spring St. Columbus, Ohio 43215 (614) 466-4781/(800) 644-6292 (in-state)	

	Unemployment Benefits	Ohio Department of Job and Family Services Unemployment Compensation Tax Division 4300 Kimberley Pkwy. P.O. Box 923 Columbus, Ohio 43216 (614) 466-2319	
OKLAHOMA	EEO/FEP	Oklahoma Human Rights Commission 2101 N. Lincoln Blvd., Rm. 480 Oklahoma City, Okla. 73105 (405) 521-2360/(405) 521-3441	http://www.oesc.state.ok.us/ES/labor_posters.htm
	Wages and Hours Minimum Wage Child Labor	Oklahoma Department of Labor Wage and Hour Division 4001 N. Lincoln Blvd. Oklahoma City, Okla. 73105 (405) 528-1500/(888) 269-5353	
	Workers' Compensation Benefits	Oklahoma Workers' Compensation Court Attn: Publications 1915 N. Stiles Ave. Oklahoma City, Okla. 73105 (405) 522-8600	
	Unemployment Benefits	Oklahoma Employment Security Commission Status Department 2401 N. Lincoln Blvd. P.O. Box 52003 Oklahoma City, Okla. 73152 (405) 557-7200/557-7136	
OREGON	Wages and Hours Family/Medical Leave	Oregon Bureau of Labor and Industries Technical Assistance Unit 800 N.E. Oregon St., Ste. 32 Portland, Ore. 97232 (503) 731-4200	http://www.oregon.gov/BOLI/CRD/C_Postings.shtml http://www.cbs.state.or.us/wcd/operations/coverage/nocorder.html http://www9.emp.state.or.us/ta
	Job Safety and Health	Oregon Department of Consumer and Business Services Oregon OSHA 350 Winter St. N.E., Rm. 430 Salem, Ore. 97310 (800) 922-2689/(503) 378-3272	

	Workplace Smoking	Oregon Department of Consumer and Business Services Workers' Compensation Division 350 Winter St. N.E., Rm. 21 Salem, Ore. 97310 (503) 947-7814/947-7820	x/forms.cfm
	Unemployment Benefits	Oregon Employment Department Unemployment Insurance Tax Unit 875 Union St. N.E. Salem, Ore. 97311 (503) 947-1488	
PENNSYLVANIA	EEO/FEP	Pennsylvania Human Relations Commission Pennsylvania Place 301 Chestnut St. Harrisburg, Pa. 17101-2702 (717) 787-4410	http://www.dli.state.pa.us
	Wages and Hours	Pennsylvania Department of Labor and Industry Bureau of Labor Law Compliance 1305A Labor and Industry Bldg. Seventh and Forster Sts. Harrisburg, Pa. 17120 (717) 787-4670	
	Workers' Compensation Benefits	Pennsylvania Department of Labor and Industry Bureau of Workers' Compensation 1171 S. Cameron St., Rm. 324 Harrisburg, Pa. 17104 (717) 772-0621	
	Unemployment Benefits	Pennsylvania Department of Labor and Industry Bureau of Unemployment Compensation Benefits and Allowances Labor and Industry Bldg. Seventh and Forster Sts. Harrisburg, Pa. 17121 (717) 783-3140	

PUERTO RICO	Wages and Hours Hours of Work	Departamento del Trabajo y Recursos Humanos Avenida Munoz Rivera 505 Hato Rey, P.R. 00918 (809) 754-5353	See contact information to the left
	Job Safety and Health	Departamento del Trabajo y Recursos Humanos Oficina de Seguridad y Salud en el Trabajo Avenida Munoz Rivera 505 Hato Rey, P.R. 00918 (809) 754-2172 Puerto Rico Insurance Fund P.O. Box 365028 San Juan, P.R. (809) 268-2420	
	Unemployment Benefits	Departamento del Trabajo y Recursos Humanos Edificio Prudencio Rivera Martinez Avenida Munoz Rivera 505 Hato Rey, P.R. 00918 (809) 754-5254	
RHODE ISLAND	EEO/FEP	Rhode Island Commission for Human Rights 180 Westminster St., Third Floor Providence, R.I. 02903 (401) 222-2661	http://www.dlt.state.ri.us/lmi/business/post.htm
	Wages and Hours Parental/Family Medical Leave	Rhode Island Department of Labor and Training Division of Labor Standards 1511 Pontiac Ave. Cranston, R.I. 02920 (401) 462-8550	
	Job Safety and Health Right-to-Know	Rhode Island Department of Labor and Training Division of Occupational Safety 1511 Pontiac Ave. Cranston, R.I. 02920 (401) 462-8558	

	Workplace Smoking	Rhode Island Department of Health Tobacco Control Program 3 Capitol Hill Providence, R.I. 02908 (401) 222-3293	
	Workers' Compensation Benefits	Rhode Island Department of Labor and Training Division of Workers' Compensation 1511 Pontiac Ave. Cranston, R.I. 02920 (401) 462-8100	
	Unemployment Benefits	Rhode Island Department of Labor and Training Temporary Disability Insurance Division 1511 Pontiac Ave. Cranston, R.I. 02920 (401) 462-8810	
SOUTH CAROLINA	EEO/FEP	South Carolina Human Affairs Commission 2611 Forest Dr., Ste. 200 P.O. Box 4490 Columbia, S.C. 29240 (803) 737-7800	http://www.llr.state.sc.us/AboutUs/Dopi.asp#poster
	Wages and Hours	South Carolina Department of Labor, Licensing and Regulation Office of Wages and Child Labor P.O. Box 11329 Columbia, S.C. 29211 (803) 734-9627 Office of Communications P.O. Box 11329 Columbia, S.C. 29211 (803) 896-4380	
	Job Safety and Health	South Carolina Department of Labor, Licensing, and Regulation Office of OSHA Compliance P.O. Box 11329 Columbia, S.C. 29211 (803) 734-9607	

	Job Safety and Health	South Carolina Department of Labor, Licensing, and Regulation Office of OSHA Compliance P.O. Box 11329 Columbia, S.C. 29211 (803) 734-9607	
	Workers' Compensation Benefits	South Carolina Workers' Compensation Commission 1612 Marion St. P.O. Box 1715 Columbia, S.C. 29202 (803) 737-5751	
	Unemployment Benefits	South Carolina Employment Security Commission 1550 Gadsden St. P.O. Box 995 Columbia, S.C. 29202 (803) 737-2400	
SOUTH DAKOTA	Workers' Compensation Benefits	South Dakota Department of Labor Division of Labor and Management 700 Governors Dr. Pierre, S.D. 57501 (605) 773-3681	See contact information to the left
	Unemployment Benefits	South Dakota Department of Labor Unemployment Insurance Division 420 S. Roosevelt P.O. Box 4730 Aberdeen, S.D. 57402 (605) 626-2312	
TENNESSEE	EEO/FEP	Tennessee Human Rights Commission 530 Church St., Ste. 400 Cornerstone Square Bldg. Nashville, Tenn. 37243 (615) 741-5825 Equal Employment Opportunity Commission 50 Vantage Way, Ste. 202 Nashville, Tenn. 37228 (615) 736-5820	http://www.state.tn.us/labor-wfd/poster.htm

Wages and Hours	<p>Tennessee Department of Labor and Workforce Development (615) 741-2257</p> <p>Division of Labor Standards 710 James Robertson Pkwy., 2nd Fl. Nashville, Tenn. 37243 (615) 741-2858</p>	
Job Safety and Health	<p>Tennessee Department of Labor and Workforce Development Division of Occupational Safety and Health 710 James Robertson Pkwy., 3rd Fl. Nashville, Tenn. 37243 (615) 741-2793</p>	
Workers' Compensation Benefits	<p>Tennessee Department of Labor and Workforce Development Workers' Compensation Division 710 James Robertson Pkwy., 2nd Fl. Nashville, Tenn. 37243 (800) 332-2667/(615) 532-4812</p>	
Unemployment Benefits	<p>Tennessee Department of Labor and Workforce Development Division of Employment Security Bureau of Unemployment Insurance 500 James Robertson Pkwy., 8th Fl. Nashville, Tenn. 37245-1700 (615) 741-2486</p>	
Drug-Free Workplace	<p>Tennessee Department of Labor and Workforce Development Division of Workers' Compensation Drug-Free Workplace Program Andrew Johnson Tower, 2nd Floor 710 James Robertson Pkwy. Nashville, Tenn. 37243 (800) 332-2667</p>	

TEXAS	EEO/FEP	Texas Workforce Commission Civil Rights Division 6330 Hwy. 290 East, Ste. 250 P.O. Box 13006 Austin, Tex. 78711-3006 (512) 463-2642	http://www.twc.state.tx.us/ui/law/posters.html http://www.twc.state.tx.us/ui/tax/respon.html
	Wages and Hours Pay Day	Texas Workforce Commission Labor Law Section TEC Bldg. 101 E. 15th St., Ste. 110 Austin, Tex. 78778 (512) 463-2747/(512) 837-9559 (800) 832-9243	
	Child Labor	Texas Workforce Commission Child Labor Enforcement TEC Bldg. 101 E. 15th St. Austin, Tex. 78778 (512) 837-9559 (800) 832-9423 (in Texas only)	
	Workers' Compensation Benefits	Texas Department of Insurance Division of Workers' Compensation 7551 Metro Center Drive, MS-92B Austin, Tex. 78744-1609 (866) 393-6432/(512) 804-4240 (customer services)	
	Radiation Protection	Texas Department of State Health Services Radiation Control 1100 West 49th St. Austin, Tex. 78756-3189 (512) 834-6688	
	Unemployment Benefits	Texas Workforce Commission TEC Bldg. 101 E. 15th St. Austin, Tex. 78778 (512) 463-2747	

Utah	Job Safety and Health	Utah Labor Commission OSHA Division 160 E. 300 South, 3rd fl. Salt Lake City, Utah 84114 (801) 530-6901	http://laborcommission.utah.gov/Required_Posters/required_posters.html
	Workers' Compensation Benefits	Utah Labor Commission Division of Industrial Accidents 160 E. 300 South P.O. Box 146610 Salt Lake City, Utah 84114 (801) 530-6844/530-6800	
	Unemployment Benefits	Utah Department of Workforce Services 140 E. 300 South P.O. Box 45249 Salt Lake City, Utah 84145 (801) 526-9235	
VERMONT	EEO/FEP Sexual Harassment	Vermont Human Rights Commission 135 State St. Montpelier, Vt. 05633 (802) 828-2480	http://www.labor.vermont.gov/actions/uiwages/wage/posters/
	Wages and Hours Minimum Wage/Overtime Hours	Vermont Department of Labor Wage and Hour Program P.O. Box 488 5 Green Mountain Dr. Montpelier, Vt. 05601 (802) 828-0267	
	Child Labor Parental/Family Leave	Vermont Department of Labor P.O. Box 488 5 Green Mountain Dr. Montpelier, Vt. 05620 (802) 828-2157	
	Job Safety and Health	Vermont Department of Labor VOSHA P.O. Box 488 5 Green Mountain Dr. Montpelier, Vt. 05620 1-800-287-2765	

	Workplace Smoking	Vermont Department of Health Division of Health Protection 108 Cherry St. P.O. Box 70 Burlington, Vt. 05402 (802) 863-7226/(800) 439-8550 (in-state)	
	Workers' Compensation Benefits	Vermont Department of Labor Workers' Compensation Division P.O. Box 488 5 Green Mountain Dr. Montpelier, Vt. 05620 (802) 828-2288	
	Unemployment Benefits	Vermont Department of Labor P.O. Box 488 Montpelier, Vt. 05620 (877) 214-3331/(802) 828-4344	
VIRGINIA	EEO/FEP	Virginia Council on Human Rights 900 E. Main St. Pocahontas Bldg., 4th Fl. Richmond, Va. 23219 (804) 225-2292	See contact information to the left
	Job Safety and Health	Virginia Department of Labor and Industry Virginia Occupational Safety and Health Program 13 S. 13th St. Richmond, Va. 23219 (804) 371-2327	
	Workers' Compensation Benefits	Virginia Workers' Compensation Commission 1000 DMV Dr. Richmond, Va. 23220 (877) 664-2566	
	Unemployment Benefits	Virginia Employment Commission Unemployment Insurance Division P.O. Box 1358 Richmond, Va. 23218 (804) 786-4359	

WASHINGTON	EEO/FEP	Washington State Human Rights Commission 711 S. Capitol Way, Ste. 402 P.O. Box 42490 Olympia, Wash. 98504 (360) 753-6770	http://www.lni.wa.gov/IPUB/101-054-000.asp http://www.lni.wa.gov/IPUB/
	Wages and Hours Job Safety and Health Workers' Compensation Benefits	Washington Department of Labor and Industries Employment Standards P.O. Box 44510 Olympia, Wash. 98504 (360) 902-5316/(800) 547-8367	http://fortress.wa.gov/esd/portal/unemployment/forms
	Industrial Insurance	Washington Department of Labor and Industries Insurance Services Division Employer Services P.O. Box 44144 Olympia, Wash. 90504-4144 (360) 902-4817/(800) LISTENS	
	Unemployment Benefits	Washington Employment Security Department Employment Security Bldg. 212 Maple Park Dr. P.O. Box 9046 Olympia, Wash. 98504 (360) 902-9360	
	WEST VIRGINIA	EEO/FEP	West Virginia Human Rights Commission 1321 Plaza East, Ste. 108A Charleston, W.Va. 25301 (304) 558-2616

	<p>Wages and Hours Minimum Wage/Overtime Hours</p> <p>Parental Leave</p> <p>Child Labor</p> <p>Meal Breaks</p>	<p>West Virginia Division of Labor Wage and Hour Section Capitol Complex Bldg. 6, Rm. B-749 Charleston, W.Va. 25305 (304) 558-7890</p>	
	<p>Workers' Compensation Benefits</p>	<p>BrickStreet Insurance 4101 MacCorkle Ave., S.E. Charleston, W.Va. 25304 (304) 926-3470/(866) 452-7425</p>	
	<p>Unemployment Benefits</p>	<p>West Virginia Bureau of Employment Programs Unemployment Compensation Division 112 California Ave. Charleston, W.Va. 25305 (304) 558-2624</p>	
WISCONSIN	<p>General information</p>	<p>Document Sales Department of Administration 202 S. Thornton Ave. P.O. Box 7840 Madison, Wis. 53707 (800) DOC-SALE/(608) 266-3358</p> <p>Re: statutory requirements, phone (608) 267-8997, poster changes and updates, phone (608) 267-4444.</p>	<p>http://www.dwd.state.wi.us/dwd/posters.htm</p>

EEO/FEP Polygraph Testing Business Closings/Mass Layoffs/Health Benefits Termination	Wisconsin Department of Workforce Development Equal Rights Division 201 E. Washington Ave., Rm. A300 P.O. Box 8928 Madison, Wis. 53708 (608) 266-6860 and 819 N. 6th St., Rm. 255 Milwaukee, Wis. 53203 (414) 227-4384
Wages and Hours Minimum Wage	Wisconsin Department of Workforce Development Equal Rights Division 201 E. Washington Ave., Room A300 P.O. Box 8928 Madison, Wis. 53708 (608) 266-6860
Child Labor	Wisconsin Department of Workforce Development Equal Rights Division P.O. Box 8928 Madison, Wis. 53708 (608) 266-6860 and 819 N. 6th St. Milwaukee, Wis. 53203 (414) 227-4384
Family/Medical Leave	Wisconsin Department of Workforce Development Equal Rights Division 201 E. Washington Ave., Rm. A300 P.O. Box 8928 Madison, Wis. 53708 (608) 266-6880 and 819 N. 6th St., Rm. 255 Milwaukee, Wis. 53203 (414) 227-4384

	Unemployment Benefits	Unemployment Compensation Division Benefit Operations Bureau P.O. Box 7905 Madison, Wis. 53707 (608) 267-8997	
WYOMING	General information	Wyoming Department of Employment Employment Resources Division P.O. Box 2760 Casper, Wyo. 82602 (307) 235-3217/(307) 235-3278 (fax)	http://wydoe.state.wy.us/doe.asp?ID=131
	Job Safety and Health	Wyoming Department of Employment Workers' Safety - OSHA 122 West 25th St. Herschler Bldg. 2 East Cheyenne, Wyo. 82002 (307) 777-7786/777-6763	

Course Evaluation

Please rate (Name) _____ as presenter, and the presentation, (Topic) _____, from 1 to 5 on the following factors, with:
1=strongly disagree, 2=disagree, 3=neutral, 4=agree 5=strongly agree.

Por favor evalúe la presentación realizada por (Nombre) _____ y la presentación, (Tema) _____ de 1 a 5 respecto de los siguientes factores, siendo:
1=muy en desacuerdo, 2=en desacuerdo, 3=neutral, 4=de acuerdo, 5=muy de acuerdo.

Factor	Rating				
The information provided was valuable. La información provista fue valiosa.	1	2	3	4	5
The information presented was easy to understand. La información presentada fue fácil de entender.	1	2	3	4	5
The presenter was knowledgeable of the topic. La facilitadora demostró su conocimiento de los temas.	1	2	3	4	5
Visual aids used were helpful. Las ayudas visuales empleadas fueron útiles.	1	2	3	4	5
Follow-up information offered through SOI is valuable. La información adicional ofrecida en SOI es valiosa.	1	2	3	4	5
The presenter modeled the behavior advocated. La facilitadora se comportó de acuerdo al modelo presentado.	1	2	3	4	5
I learned something from the presentation. Aprendí algo de la presentación.	1	2	3	4	5
Material presented can enhance my skills. El material presentado puede mejorar mis habilidades.	1	2	3	4	5
Material presented will help me work with prospects/clients. El material presentado me ayudará a trabajar con los clientes actuales/ potenciales.	1	2	3	4	5
My behavior changed/will change as a result of this session. Mi comportamiento se modificó / modificará como consecuencia de esta presentación.	1	2	3	4	5

Additional comments/Comentarios adicionales:

Dealing with Sexual Harassment

Name

Has Completed an over view of sexual harassment situation management and has demonstrated an appreciation of effective interventions in the functional areas of:

Recognizing sexual harassment, responding to sexual harassment situations and dealing with sexual harassment incidents.

Via a 60 minutes course presentation, individual participation, review of practical managerial tools and involvement in questions and answers on considerations and organization-specific examples for effective handling.

Presenter _____ Date _____

Employee Harassment Presentation Summary

PHRST & Company, Inc.

Key point information for course planning and implementation

Presenter(s)

Name:	Raymond A. Parker, SPHR
Title:	Chairman
Address:	1201 N. Oceanshore Blvd. Flagler Beach, FL 32136

Organization Name:	PHRST & Company, Inc.
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Phone:	800-285-8380-code-14
Fax:	704-426-1252
E-Mail:	ray.parker@soi.com

Classification:	Human Resource Outsourcing Provider
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Co-presenter:	None
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Presentation Title

Recognizing, Responding To And Dealing With Harassment

Level

Targeted Audience:	Entry through senior level
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Learning Objectives

1. At the end of the seminar participants will be able to demonstrate knowledge of two basic types of harassment and provide examples of each by successfully completing a post course quiz.
2. During the second half of the session participants will demonstrate an understanding of the basic issues and misconceptions about harassment by participating in a frequently asked questions discussion of material presented.
3. At the conclusion of the session, participants will be able to suggest a variety of strategies for preventing sexual harassment in the workplace, as evidenced by successful performance on a post session quiz.

Duration / Group Size / Location / Setup

Duration is 90 minutes for the base course with a 30 minute "actions" section available. The presentation is most effective for groups of 12 to 20, although larger sessions can be accommodated with less participant interaction. Delivery may be at the worksite or provider-arranged facilities in any major city area. A "U" shape classroom setup is appropriate with presenter accommodations at the front.

Employee Harassment Presentation Summary

PHRST & Company, Inc.

Key point information for course planning and implementation

Methodology

Definitions and basic concepts related to sexual harassment will be presented in lecture format. Examples will be provided to illustrate harassment situations. After basic material is presented, attendees will participate in a discussion related to frequently asked questions about harassment. A post course quiz of session material will be given. Successful completion in the class and on the quiz will qualify the participant for receipt of a course certificate. CEU = 1.0

Session Focus

A practical tools-of-the-trade approach is utilized to clarify and communicate key points and their application. The objective is to equip attendees with fundamental insight into recognizing, responding to and dealing with harassment in and outside of the workplace. Presentation is applicable to all levels of employees and fulfills management's "general duty" responsibility to inform and acquaint employees with harassment policy and action awareness. Emphasis for supervisory personnel on actions to take is provided in an extended session.

AV/Equipment Needs

Computer projection capability (*PowerPoint* format), overhead projector back-up capability, projection screen, large group audio address capability, lavalier microphone capability, and sample/handout distribution method/capability.

Program Pricing

A minimum one half-day fee of \$700.00 is charged with travel, room, board and miscellaneous expenses added at cost. A per-participant fee is not charged. Program recording has an additional fee of \$3,500; the provider reserves all rights.

Biographical Sketch

Raymond A. Parker, SPHR, is Chairman for PHRST & Company. Beginning his business career in 1971, he has held senior positions with U.S. Steel, Ryder System, Rodime, ADP, SOI and private companies. Experienced in all areas of HR management, he is author of a text on HR applications. He teaches, writes and speaks extensively and is recognized internationally as an authority on dealing with workplace violence.

Program Evaluation

Program Title
Presenter Name

Date

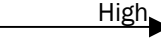
Presentation Location

Started
Ended

AM PM
AM PM

Please give an anonymous program evaluation. Rate items by highlighting one number in the columns to the right. One (1) is a low rating and four (4) is a high rating.

Considerations

Opinion
Low  High

The Textbook/Materials

The text/materials adequately explain the concepts presented.	1	2	3	4
The text/materials were appropriate for the subject taught.	1	2	3	4
The lessons in the text/materials were too short.	1	2	3	4
The text/materials were adequately readable.	1	2	3	4
The text/material is applicable to my situation.	1	2	3	4

The Presenter

The presenter provided adequate explanation of textbook/handout materials.	1	2	3	4
The presenter gave the program in an easy-to-understand manner.	1	2	3	4
The presenter provided adequate examples to illustrate key points.	1	2	3	4
The presenter provided ample time for questions and discussion.	1	2	3	4
The presenter is interesting.	1	2	3	4

The Program

The program taught me how to apply the information presented to me.	1	2	3	4
The program provided ideas on how to handle work-related situations.	1	2	3	4
I can adapt the program material to my work situation.	1	2	3	4
I learned in the program.	1	2	3	4
I enjoyed the program.	1	2	3	4

The Audio/Video

The audio/video gave adequate explanation of the concepts presented.	1	2	3	4
The audio/video material presented is applicable to my work situation.	1	2	3	4
The audio/video was appropriate for the material being taught.	1	2	3	4
The audio/video lessons are too short.	1	2	3	4
The audio/video is understandable.	1	2	3	4

Overall, I rate the program as: 1 2 3 4

Comments:

Employee Development Seminar Series

Topic Printed Name

Date/Time
Title

Presenter
Signature

Topic Printed Name	Date/Time Title	Presenter Signature

Moderator Signature:

(Training Topic) Presentation Summary

(Provider Organization Name)

Key point information for course planning and implementation

Presenter(s)

Name:	
Title:	
Address:	

Organization Name:	
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Phone:	
Fax:	
E-Mail:	

Classification:	
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Co-presenter:	
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Presentation Title

--

Level

Targeted Audience:	
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Learning Objectives

1. At the end of the seminar participants will be able to demonstrate
2. During the session participants will
.
3. At the conclusion of the session, participants will be able to

Duration / Group Size / Location / Setup

Duration
Group size
Delivery location

(Training Topic) Presentation Summary

(Provider Organization Name)

Key point information for course planning and implementation

Methodology

[Empty box for Methodology content]

Session Focus

[Empty box for Session Focus content]

AV/Equipment Needs

[Empty box for AV/Equipment Needs content]

Program Pricing

[Empty box for Program Pricing content]

Biographical Sketch

[Empty box for Biographical Sketch content]

Internal Quality Service Critique

Factor										Rating	
Delivery	Accounting	Delivery	Electrical	Executive	Garden	Lumber	Office-Admin	Paint	Tools	Warehouse	For each department to the left, rate each item by noting 1 - 5
	Does the department:										

Rate the following 1 - 5 where 5 = Best

1. Skilled											Demonstrate knowledge, skills and ability to get the task done?
2. Decisive											Act decisively and take action within limits of authority?
3. Attentive											Keep up with happenings, activities and actions in my area?
4. Courteous											Work with me in a polite and professional manner?
5. Informative											Identify our services, explain their use and highlight new ways to use them?
6. Responsive											Respond quickly and professionally to issues, questions and problems?
7. Professional											Show a business-like manner and a client centered approach?
8. Understandable											Give information and solutions in a clear and easy to follow manner?

Service											
	Rate the following 1 - 5 where 5 = Best										
9. Timely											Deliver answers, requests and information when promised?
10. Quality											Render complete, thorough, accurate and professional service?
11. Proactive											Support me and act rather than react?
12. Accessible											Make it easy to reach us or the right person to assist you?
13. Cost effective											Give reasonable solutions which are not prohibitive in cost or time?
14. Comprehensive											Provide services which completely fulfill my requirements?
15. What is needed											Provide what I need?
16. What was requested											Give me what I asked for?

Overall, rate the functions below by circling the letter representing your perception where A = high and F = low.

Function	Quality is superior						Delivery is responsive						Staff is knowledgeable						Delivery is professional					
17. Electrical	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F
18. Garden	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F
19. Paint	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F
20. Tools	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F	A	B	C	D	E	F

Other	Comments
21. Needs	_____
22. Concerns	_____
23. Not providing	_____
24. Recommendations	_____
25. Additional suggestions	_____

Team Member 360 Degree Evaluation

Factor

Rating

Delivery

Rate each item by inserting 1 - 5 for your perception.

Does the Team Member:

	Name:	Name:	Name:	Name:	Name:	Name:	Name:	Name:	Name:	Name:
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Rate the following 1 - 5 where 5 = Best

1. Skilled
2. Decisive
3. Attentive
4. Courteous
5. Informative
6. Responsive
7. Professional
8. Understandable

- _____ Demonstrate knowledge, skills and ability to get the task done?
- _____ Act decisively and take action within limits of authority?
- _____ Keep up with happenings, activities and actions in my area?
- _____ Work with me in a polite and professional manner?
- _____ Identify our services, explain their use and highlight new ways to use them?
- _____ Respond quickly and professionally to issues, questions and problems?
- _____ Show a business-like manner and a client centered approach?
- _____ Give information and solutions in a clear and easy to follow manner?

Top Executive Evaluation

Factors	Rating Scale						Considerations
	Never	Rarely	Sometimes	Often	Mostly	Always	
	<u>Circle the rating which best represents your perception</u>						
Accessible	N	R	S	O	M	A	Is open to and accepts opportunity to meet and deal with employees
Business Development	N	R	S	O	M	A	Is effective in business development
Business Plan	N	R	S	O	M	A	Is able to develop business plan and attains objectives
Coaching	N	R	S	O	M	A	Coaches employees effectively
Communications	N	R	S	O	M	A	Oral and written communication is effective, relevant and valuable to work in progress
Complaints	N	R	S	O	M	A	Responds to and resolves complaints effectively
Consistency	N	R	S	O	M	A	Shows consistency in actions, plans and decisions
Decisions	N	R	S	O	M	A	Is decisive. Makes decisions easily and promptly
Delegation	N	R	S	O	M	A	Delegates effectively across all departments
Development	N	R	S	O	M	A	Is effective in developing staff
Evaluation	N	R	S	O	M	A	Effectively evaluates employees. Plans and implements employee backup strategies
Finances	N	R	S	O	M	A	Understands and effectively uses company financial analyses
Human Resources	N	R	S	O	M	A	Effectively uses human resource management skills
Knowhow	N	R	S	O	M	A	Applies a working knowledge of company products
Leadership	N	R	S	O	M	A	Leads by example and serves as a model for staff
Motivation	N	R	S	O	M	A	Effectively motivates employees to achieve goals
Organization	N	R	S	O	M	A	Plans in advance and is well organized
Quality	N	R	S	O	M	A	Knows, understands and practices quality management theory
Strategy	N	R	S	O	M	A	Plans strategically. Understands the "big picture" as well as each key component
Structure	N	R	S	O	M	A	Understands the role of each department and uses them effectively

Department Manager Evaluation

Circle the rating which best represents your perception for: (NAME) _____

Accountable	N	R	S	O	M	A	Builds trust by sharing information and admitting and accepting responsibility for mistakes
Advancement	N	R	S	O	M	A	Advises employees of opportunities and prospects for promotion or lateral assignments
Anticipative	N	R	S	O	M	A	Anticipates and responds to internal and external clients' needs
Coaching	N	R	S	O	M	A	Coaches employees in solving problems or making decisions
Communications	N	R	S	O	M	A	Communicates effectively orally and in writing
Consistency	N	R	S	O	M	A	Shows consistency in actions, plans and decisions
Constructive	N	R	S	O	M	A	Offers constructive criticism
Decisiveness	N	R	S	O	M	A	Makes timely, effective decisions
Delegation	N	R	S	O	M	A	Delegates or assigns projects that increase employees' job satisfaction or broaden skills
Human Resources	N	R	S	O	M	A	Effectively uses human resource management skills
Informative	N	R	S	O	M	A	Keeps employees informed of changes in policies and work procedures
Knowhow	N	R	S	O	M	A	Applies a working knowledge of company products
Leadership	N	R	S	O	M	A	Leads by example and serves as a model for staff
Motivation	N	R	S	O	M	A	Motivates employees
Openness	N	R	S	O	M	A	Seeks and acts on employees' suggestions and ideas
Organization	N	R	S	O	M	A	Is able to plan and is well organized
Personal	N	R	S	O	M	A	Demonstrates high potential for personal growth and advancement
Structure	N	R	S	O	M	A	Effectively uses organization to achieve goals
Teamwork	N	R	S	O	M	A	Promotes teamwork and communication
Worklife	N	R	S	O	M	A	Supports efforts to balance work and family life

Employee Evaluation

Management Personnel

Employee Name: _____	Date Evaluated: _____
Employee Title: _____	Last Evaluation Date: _____
Work Location: _____	Date Hired: _____
Department: _____	Date Began Job: _____
Supervisor: _____	Supervisor's Title: _____

Mark Evaluation Type:	New Hire	Promotion	Annual	Special
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General Considerations for Employee Evaluation

Employee evaluation is a way to effectively and openly review and discuss an employee's job performance. Routine and frequent feedback should be given to employees. This form is a tool to guide and record and share the evaluation with an employee. Careful thought and preparation should be used when completing the form. The evaluation is to be reviewed by the evaluator's superior before discussion with an employee. Employees should have ample time to read and understand this evaluation in preparation for the evaluation discussion. Employees should be fully aware of and understand the primary functions of their job, their supervisor's expectations and the standards set for performance.

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Performance on Established Objectives is where the evaluator is to rate the employee on established objectives which were set for the current evaluation period. Evaluators are to fill in the objectives established for the period. Rate performance on each established objective by placing a mark in the appropriate rating box. As above, objectives may be weighted or prioritized by circling an appropriate number.

Future Objectives and Responsibilities are to be discussed between the evaluator and employee at the time of evaluation and noted in the space provided. These may be prioritized or weighted. There is no rating because these are future objectives. Note how "SMART" objectives are described.

The Overall Performance Rating is a summary rating made up of overall general performance and performance on established objectives. The evaluator is to mark the appropriate rating.

Advancement Potential is the section where the evaluator evaluates and marks the employee's readiness for transfer or promotion.

Job Development Needs includes space for the evaluator to record appropriate areas where the employee can improve. The evaluator is to note specific actions to aid the employee's performance improvement.

Employee Comments are welcome and are encouraged for an open discussion during evaluation. Employees should note their comments using additional paper as required.

Signatures and dates are required as indicated. Employees are to sign the completed evaluation. This signature indicates that the evaluation was discussed with the employee and is not an expression of agreement or disagreement unless so noted. The evaluator's signature is that of the person who completed the evaluation form. The approval signature is that of the superior to the evaluator who reviewed the evaluation prior to the evaluation discussion. The administrator signature is that of the person responsible for filing and maintaining employee evaluations.

Employee Evaluation

Management Personnel

General Performance

Primary Factors of Achievement & Potential for Advancement	<u>OUTSTANDING</u> <u>VERY GOOD</u> <u>GOOD</u> <u>MARGINAL</u> <u>FAILING</u>					Factor Weighting Circle 1 to 5 (5 = high)	Include relevant comments associated with factors to the left. Ratings of "OUTSTANDING" and "FAILING" require comments by evaluator.
	O	V	G	M	F		
Planning & Organization						1 2 3 4 5	Evaluator comment:
Direct/Develop Employees						1 2 3 4 5	Evaluator comment:
Operation & Cost Control						1 2 3 4 5	Evaluator comment:
Decisions & Judgment						1 2 3 4 5	Evaluator comment:
Responsibility Acceptance						1 2 3 4 5	Evaluator comment:
Independent & Self Thinking						1 2 3 4 5	Evaluator comment:
Oral & Written Communication						1 2 3 4 5	Evaluator comment:
Flexibility & Stability						1 2 3 4 5	Evaluator comment:
Job Knowhow						1 2 3 4 5	Evaluator comment:
Interpersonal Skills						1 2 3 4 5	Evaluator comment:

Employee Evaluation

Management Personnel

Performance on Established Objectives for Current Evaluation Period

Mark rating as above	O	V	G	M	F	Circle Weighting	Evaluator to insert objectives/responsibilities for current evaluation period
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:

Future Objectives and Responsibilities for Next Evaluation Period

(Set "SMART" objectives which support the organization and which are Simple, Measurable, Attainable, Reasonable & Time-bound)

Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:::

Employee Evaluation

Management Personnel

Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
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Employee Evaluation

Management Personnel

Overall Performance

(Mark one rating to represent overall performance and objective achievement.)

Outstanding	Very Good	Good	Marginal	Failing
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Advancement Potential

(Mark one rating indicating readiness for transfer or promotion.)

1	2	3	4	5
Can advance 2 or 3 levels above current level and across functions in 1 to 3 years	Can advance to next level above current level and across functions within 1 to 2 years	Competent at current level and can move across functions within 6 to 12 months	Successful at current level and in current function only	Progressed beyond level of competence in current functional field

Job Development Needs

(Write in the area for improvement and note actions to aid improvement.)

Improvement Area	Improvement Aid

Employee Comments

Signatures

Employee: (Employee's signature affirms the evaluation was discussed and is not an expression of agreement or acceptance.)	Date:
Evaluator:	Date:
Approval:	Date:
Administrator:	Date:

Employee Evaluation

Management Personnel

Evaluación de Empleado

Personal Exento

Nombre Empleado: _____	Fecha de Evaluación: _____
Posición de Empleado: _____	Fecha de Última Evaluación: _____
Sitio de Trabajo: _____	Fecha Contratado: _____
Sección: _____	Fecha Comienzo de Empleo: _____
Supervisor: _____	Posición de Supervisor: _____

Indique Tipo de Evaluación:	Empleado Nuevo	Promoción	Anual	Especial
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Consideraciones Generales para Evaluar al Empleado

La evaluación del empleado es una manera de repasar el desempeño del personal de manera eficaz y abierta. Los empleados deben recibir reacciones a su labor de manera frecuente y rutinaria. Esta planilla es una herramienta para guiar y anotar y compartir la evaluación con el empleado. Se debe prestar consideración atenta y profunda. La evaluación debe ser repasada por el supervisor del evaluador antes de discutirla con el empleado. Los empleados deben de tener tiempo amplio para leer y entender esta evaluación en preparación para la discusión de la evaluación. Los empleados deben de estar concientes de y entender las funciones principales de su trabajo, las expectativas de su supervisor, y las normas exigidas para el mayor rendimiento.

En la primera sección titulada **Desempeño General** el supervisor evaluador debe analizar al empleado utilizando la escala de evaluación e indicar la casilla apropiada. Un grado de "SATISFACTORIO" representa un nivel aceptable de desempeño. Un rendimiento mayor y menor del grado de "SATISFACTORIO" debe ser indicado apropiadamente en las casillas mayores o menores de este grado aceptable. Un grado de "EXCEPCIONAL" se debe reservar para desempeño realmente extraordinario. Las escalas pueden recibir prioridad al hacer un círculo al número adecuado el área de énfasis.

Desempeño de Objetivos Establecidos es donde el evaluador ha de calificar al empleado sobre los objetivos establecidos que fueron puestos para el periodo de evaluación corriente. Los evaluadores han de llenar los objetivos establecidos para el periodo. Califique el desempeño de cada objetivo establecido y coloque una marca en la casilla de grado apropiada. Tal como lo ha hecho en la sección anterior, las escalas pueden recibir prioridad al hacer un círculo al número adecuado el área de énfasis.

Objetivos y Responsabilidades Futuras han de ser discutidos entre el evaluador y el empleado al momento de la evaluación y anotados en el espacio proveído. Estos pueden ser puestos en orden de prioridad o énfasis. No hay grado ya que son objetivos futuros.

Grado de Desempeño General es un grado resumido compuesto por desempeño general y desempeño de objetivos establecidos. El evaluador ha de indicar el grado apropiado.

Potencial para Ascender es la sección donde el evaluador evalúa e indica la preparación del empleado para ser transferido o para un ascenso de posición.

Necesidades para el Desarrollo del Trabajo incluye espacio para que el evaluador indique áreas donde el empleado puede mejorar. El evaluador ha de anotar acciones específicas para asistir al mejoramiento del desempeño del empleado.

Comentarios del Empleado son bienvenidos y sirven para animar una discusión abierta durante la evaluación. Los empleados deben anotar sus comentarios utilizando otra planilla si es necesario.

Firmas y fechas son requeridas tal como se indica. Los empleados deben de firmar la evaluación completada. Esta firma indica que se discutió la evaluación con el empleado y no es una expresión de acuerdo y desacuerdo a no ser que esto se indique. La firma del evaluador es la de la persona quien completó la evaluación. La firma de aprobación es la del supervisor del evaluador quien repasó la evaluación antes de la discusión sobre el mismo. La firma del administrador es la del la persona responsable por llenar y mantener las evaluaciones de los empleados.

Evaluación de Empleado

Personal Exento

Desempeño General

Elementos Principales de Logro & Potencial para Ascender	EXEPCIONAL					Énfasis de Función Indique 1 al 5 (5 = alto)	Incluya comentarios relevantes asociados con los elementos a la izquierda. Grados de "EXCEPCIONAL" e "INSATISFACTORIO" requieren comentarios por el evaluador.
	E	M	S	M	I		
Planificación y Organización						1 2 3 4 5	Comentarios del Evaluador:
Dirigir y Desarrollar Empleos						1 2 3 4 5	Comentarios del Evaluador:
Operaciones y Manejo de Gastos						1 2 3 4 5	Comentarios del Evaluador:
Decisiones y Juicio						1 2 3 4 5	Comentarios del Evaluador:
Asumir Responsabilidad						1 2 3 4 5	Comentarios del Evaluador:
Independiente y Auto-dirección						1 2 3 4 5	Comentarios del Evaluador:
Comunicación Oral y Por Escrito						1 2 3 4 5	Comentarios del Evaluador:
Flexibilidad y Estabilidad						1 2 3 4 5	Comentarios del Evaluador:

Evaluación de Empleado

Personal Exento

Conocimiento de Empleo						1 2 3 4 5	Comentarios del Evaluador:
Habilidades Intra-personales						1 2 3 4 5	Comentarios del Evaluador:

Desempeño de Objetivos Establecidos Para el Período Corriente de Evaluación

Indique grado como anteriormente	E	M	S	M	I	Indique Énfasis	El evaluador debe introducir objetivos/responsabilidades para el período de evaluación corriente
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:

Objetivos y Responsabilidades para el Próximo Período de Evaluación

(Establezca objetivos que apoyen la organización y sean Sencillos, Mensurables, Alcanzables, Razonables & Delimitados)

Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:

Evaluación de Empleado

Personal Exento

Objetivo y/o Responsabilidad Establecida		1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida		1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida		1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:

Evaluación de Empleado

Personal Exento

Desempeño General

(Indique un grado para representar el desempeño general y el logro del objetivo.)

Excepcional	Muy Bien	Satisfactorio	Marginal	Insatisfactorio
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Potencial para Ascender

(Indique un grado para representar la preparación par ser trasferido o recibir un asenso.)

1	2	3	4	5
Puede avanzar 2 o 3 niveles sobre nivel actual y atravesar funciones en 1 a 3 años	Puede avanzar al próximo nivel sobre el actual y atravesar funciones dentro de 1 a 2 años	Competente en el nivel corriente y puede trasladar funciones dentro de 6 a 12 meses	Acertado en el nivel actual y en la función actual solamente	Progresado más allá del nivel de la capacidad en campo funcional actual

Necesidades Para el Desarrollo del Trabajo

(Indique áreas donde el empleado puede mejorar y anote acciones específicas para asistir al mejoramiento.)

área para Mejorar	Asistencia para Mejorar

Comentarios de Empleado

Firmas

Empleado: (La firma del empleado afirma que se discutió la evaluación y no es expresión de acuerdo o aceptación.)	Fecha:	
Evaluador:	Fecha:	
Aprobación:	Fecha:	
Administrador:	Fecha:	

Employee Evaluation

Non- Management Personnel

Employee Name: _____	Date Evaluated: _____
Employee Title: _____	Last Evaluation Date: _____
Work Location: _____	Date Hired: _____
Department: _____	Date Began Job: _____
Supervisor: _____	Supervisor's Title: _____

Mark Evaluation Type:	New Hire	Promotion	Annual	Special
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General Considerations for Employee Evaluation

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Employee Evaluation

Non- Management Personnel

General Performance

Primary Factors of Achievement & Potential for Advancement	OUTSTANDING VERY GOOD GOOD MARGINAL FAILING					Factor Weighting Circle 1 to 5 (5 = high)	Include relevant comments associated with factors to the left. Ratings of "OUTSTANDING" and "FAILING" require comments by evaluator.
	O	V	G	M	F		
Attendance At Work						1 2 3 4 5	Evaluator comment:
Cooperation With Others						1 2 3 4 5	Evaluator comment:
Initiative At Work						1 2 3 4 5	Evaluator comment:
Job Safety						1 2 3 4 5	Evaluator comment:
Work Quality						1 2 3 4 5	Evaluator comment:
Work Quantity						1 2 3 4 5	Evaluator comment:
Work Versatility						1 2 3 4 5	Evaluator comment:
Work Dependability						1 2 3 4 5	Evaluator comment:
Work Setup Planning						1 2 3 4 5	Evaluator comment:

Employee Evaluation

Non- Management Personnel

Work Skills Proficiency						1 2 3 4 5	Evaluator comment:
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Employee Evaluation

Non- Management Personnel

Performance on Established Objectives for Current Evaluation Period

Mark rating as above	O	V	G	M	F	Circle Weighting	Evaluator to insert objectives/responsibilities for current evaluation period
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:
Established Objective and/or Responsibility						1 2 3 4 5	Present objective/responsibility:

Future Objectives and Responsibilities for Next Evaluation Period

(Set "SMART" objectives which support the organization and which are Simple, Measurable, Attainable, Reasonable & Time-bound)

Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility::
Established Objective and/or Responsibility		1 2 3 4 5	Next evaluation objective/responsibility:

Employee Evaluation

Non- Management Personnel

Overall Performance

(Mark one rating to represent overall performance and objective achievement.)

Outstanding	Very Good	Good	Marginal	Failing
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Advancement Potential

(Mark one rating indicating readiness for transfer or promotion.)

1	2	3	4	5
Can advance 2 or 3 levels above current level and across functions in 1 to 3 years	Can advance to next level above current level and across functions within 1 to 2 years	Competent at current level and can move across functions within 6 to 12 months	Successful at current level and in current function only	Progressed beyond level of competence in current functional field

Job Development Needs

(Write in the area for improvement and note actions to aid improvement.)

Improvement Area	Improvement Aid

Employee Comments

Signatures

Employee: (Employee's signature affirms the evaluation was discussed and is not an expression of agreement or acceptance.)	Date:	
Evaluator:	Date:	
Approval:	Date:	
Administrator:	Date:	

Employee Evaluation

Non- Management Personnel

Evaluación de Empleado

Personal No Exento

Nombre Empleado: _____	Fecha de Evaluación: _____
Posición de Empleado: _____	Fecha de Última Evaluación: _____
Sitio de Trabajo: _____	Fecha Contratado: _____
Sección: _____	Fecha Comienzo de Empleo: _____
Supervisor: _____	Posición de Supervisor: _____

Indique Tipo de Evaluación:

Empleado Nuevo

Promoción

Anual

Especial

Consideraciones Generales para Evaluar al Empleado

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Desempeño de Objetivos Establecidos es donde el evaluador ha de calificar al empleado sobre los objetivos establecidos que fueron puestos para el periodo de evaluación corriente. Los evaluadores han de llenar los objetivos establecidos para el periodo. Califique el desempeño de cada objetivo establecido y coloque una marca en la casilla de grado apropiada. Tal como lo ha hecho en la sección anterior, las escalas pueden recibir prioridad al hacer un círculo al número adecuado el área de énfasis.

Objetivos y Responsabilidades Futuras han de ser discutidos entre el evaluador y el empleado al momento de la evaluación y anotados en el espacio proveído. Estos pueden ser puestos en orden de prioridad o énfasis. No hay grado ya que son objetivos futuros.

Grado de Desempeño General es un grado resumido compuesto por desempeño general y desempeño de objetivos establecidos. El evaluador ha de indicar el grado apropiado.

Potencial para Ascender es la sección donde el evaluador evalúa e indica la preparación del empleado para ser transferido o para un ascenso de posición.

Necesidades para el Desarrollo del Trabajo incluye espacio para que el evaluador indique áreas donde el empleado puede mejorar. El evaluador ha de anotar acciones específicas para asistir al mejoramiento del desempeño del empleado.

Comentarios del Empleado son bienvenidos y sirven para animar una discusión abierta durante la evaluación. Los empleados deben anotar sus comentarios utilizando otra planilla si es necesario.

Firmas y fechas son requeridas tal como se indica. Los empleados deben de firmar la evaluación completada. Esta firma indica que se discutió la evaluación con el empleado y no es una expresión de acuerdo y desacuerdo a no ser que esto se indique. La firma del evaluador es la de la persona quien completó la evaluación. La firma de aprobación es la del supervisor del evaluador quien repasó la evaluación antes de la discusión sobre el mismo. La firma del administrador es la del la persona responsable por llenar y mantener las evaluaciones de los empleados.

Evaluación de Empleado

Personal No Exento Desempeño General

Elementos Principales de Logro & Potencial para Ascender	EXEPCIONAL					Énfasis de Función Indique 1 al 5 (5 = alto)	Incluya comentarios relevantes asociados con los elementos a la izquierda. Grados de "EXCEPCIONAL" e "INSATISFACTORIO" requieren comentarios por el evaluador.
	E	M	S	M	I		
Asistencia Al Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Colaboración con los Demás						1 2 3 4 5	Comentarios del Evaluador:
Iniciativa en el Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Seguridad del Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Calidad de Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Cantidad de Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Versatilidad Del Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Fiable en el Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Organización de Trabajo						1 2 3 4 5	Comentarios del Evaluador:
Habilidades de Competencia en el Trabajo						1 2 3 4 5	Comentarios del Evaluador:

Evaluación de Empleado

Personal No Exento

Desempeño de Objetivos Establecidos Para el Período Corriente de Evaluación

Indique grado como anteriormente	E	M	S	M	I	Indique Énfasis	El evaluador debe introducir objetivos/responsabilidades para el período de evaluación corriente
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo y/o Responsabilidad Corriente:

Objetivos y Responsabilidades para el Próxima Período de Evaluación

(Establezca objetivos que apoyen la organización y sean Sencillos, Mensurables, Alcanzables, Razonables & Delimitados)

Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:
Objetivo y/o Responsabilidad Establecida						1 2 3 4 5	Objetivo/responsabilidad para la próxima evaluación:

Evaluación de Empleado

Personal No Exento

Desempeño General

(Indique un grado para representar el desempeño general y el logro del objetivo.)

Excepcional	Muy Bien	Satisfactorio	Marginal	Insatisfactorio
-------------	----------	---------------	----------	-----------------

Potencial para Ascender

(Indique un grado para representar la preparación par ser trasferido o recibir un asenso.)

1	2	3	4	5
Puede avanzar 2 o 3 niveles sobre nivel actual y atravesar funciones en 1 a 3 años	Pude avanzar al próximo nivel sobre el actual y atravesar funciones dentro de 1 a 2 años	Competente en el nivel corriente y puede trasladar funciones dentro de 6 a 12 meses	Acertado en el nivel actual y en la función actual solamente	Progresado más allá del nivel de la capacidad en campo funcional actual

Necesidades Para el Desarrollo del Trabajo

(Indique áreas donde el empleado puede mejorar y anote acciones específicas para asistir al mejoramiento.)

área para Mejorar	Asistencia para Mejorar

Comentarios de Empleado

Firmas

Empleado: <small>(La firma del empleado afirma que se discutió la evaluación y no es expresión de acuerdo o aceptación.)</small>	Fecha:	
Evaluador:	Fecha:	
Aprobación:	Fecha:	
Administrador:	Fecha:	

Employee Benefits Interest Inventory

Organization _____

Employee Benefits Interest Inventory

The Employee Benefits Interest Inventory is designed to assist in determining what employee benefits may be appropriate for use at employer worksites. It is made up of typical benefits which may or may not be offered to employees. A simple weighting method enables users to make more objective decisions for benefits use and priority.

Employers, human resource professionals, employees or others can complete the form for single or multiple location analysis. Inventory booklets may be completed locally, via electronic communications means, remotely with an administrator or otherwise.

Inventories can be completed at any time in benefits plan timeframes as an evaluation, planning tool or guide for benefits communications.

Instructions

1. Fill in the organization name above.
2. Rate all items. Highlight "-0-" if the item is of no interest.
3. Highlight a "1", "2", "3", or "4" to rate interest, 4 = high rating.
4. Consider items rated "3" or "4" for implementation now or in the future.
5. Discuss the results with your human resource professional to consider next steps.

Date: _____

Source: PHRST & Company, Inc.

Evaluator: _____

Employee Benefits Interest Inventory

<u>Line</u>	<u>Factor</u>	<u>Detail</u>
1	Holidays	<u>Celebrate:</u>
2	>	New Year's Eve
3	>	New Year's Day
4	>	Martin Luther King Day
5	>	President's Day
6	>	Good Friday
7	>	Memorial Day
8	>	Independence Day
9	>	Labor Day
10	>	Columbus Day
11	>	Veterans Day
12	>	Thanks Giving Day
13	>	Day After Thanksgiving
14	>	Christmas Eve
15	>	Christmas Day
16	>	Floating
17	Holiday premium for holiday worked	<u>Factor:</u>
18	>	1.0 x pay
19	>	1.5 x pay
20	>	2.0 x pay
21	>	2.5 x pay
22	>	3.0 x pay
23	Combined time off	<u>Reasons:</u>
24	>	Sick
25	>	Personal
26	>	Vacation
27	>	Doctor Appt.
28	>	Bereavement
29	Time off carry-over to next year	
30	Time off carry-over to next year limit	
31	Vacation earned	<u>Entitlement at:</u>
32	>	1/2 year
33	>	1 year
34	>	3 year
35	>	5 year
36	>	10 year
37	>	15 year
38	>	20 year
39	Require all vacation taken in earned year	
40	Pay in lieu of vacation	
41	Pay accrued vacation at termination	
42	Require portion of vacation taken in earned year	
43	Permit vacation carry-over	
44	Limit amount of vacation carry-over	
45	# Days absenteeism is considered excessive at	<u>Days per year:</u>
46	>	5 days per year
47	>	6 days per year
48	>	10 days per year
49	>	12 days per year
50	>	15 days per year
51	Waiting time for sick time entitlement	
52	Sick time conversion	<u>Method:</u>
53	>	Cash
54	>	Retirement
55	>	Vacation
56	>	Other

Employee Benefits Interest Inventory

Line	Factor	Detail
57	Bereavement pay	Allowed:
58	>	1 day
59	>	2 days
60	>	3 days
61	>	5 days
62	Annual fixed shutdown period	
63	Pay during shutdown period	
64	Military service pay	
65	Maximum number of days may be paid per year	
66	Jury duty time off with pay	
67	Personal leave of absence	
68	Continue medical coverage during absence	
69	Sabbatical	
70	Medical leave other than FMLA	
71	Short Term Disability Plan	
72	Short Term Disability Plan paid by organization	
73	Short Term Disability Plan paid by employee	
74	Long Term Disability Plan	
75	Long Term Disability Plan paid by organization	
76	Long Term Disability Plan paid by employee	
77	Group Life Insurance	
78	Group Life Insurance paid by organization	
79	Group Life Insurance paid by employee	
80	Accidental Death & Dismemberment insurance	
81	Business Travel Accident Insurance	
82	Dental plan	
83	Dental plan paid by employee	
84	Dental plan paid by organization	
85	Dental Plan integrated with medical plan	
86	Vision plan	
87	Vision Plan integrated with medical plan	
88	Medical coverage	
89	Medical coverage plan	Type:
90	>	Comprehensive
91	>	hospital/surgical/ major medical
92	>	Indemnity plan
93	>	Health maintenance organization
94	>	Preferred Provider Plan
95	>	Point of Service Plan
96	Well baby coverage	
97	Mental & nervous condition coverage	
98	Chiropractic coverage	
99	Convalescent home coverage	
100	Hospices coverage	
101	Retirement income and savings plan	
102	Retirement income and savings plan alternatives	Plans:
103	>	Defined benefit
104	>	Money purchase
105	>	Deferred profit-sharing
106	>	After-tax thrift
107	>	Deferred income
108	>	401(k)
109	>	Cash balance
110	>	Other

Employee Benefits Interest Inventory

Line	Factor	Detail
111	Less than 40 hour workweek	
112	Less than 8 hour workday	
113	Flexible start & finish times	
114	Shift premium	
115	Lead premium (paid to employee leading others)	
116	Exempt employee overtime	
117	Payment with reduction in force	
118	Cash profit sharing	
119	Merit increase program	
120	Across-the-board pay increase program	
121	Written job descriptions	
122	Established pay ranges	
123	In-house medical services	
124	Education reimbursement	
125	Transferred employee relocation reimbursement	
126	New employee relocation reimbursement	
127	Stock purchase plan	
128	Flexible spending accounts	
129	Telecommuting (part/all time worked from home)	
130	Pre-employment physicals	
131	Drug testing	
132	On-call pay	
133	Food services on premises	
134	Service awards	
135	Credit unions	
136	Automobiles for employee use	
137	Employee benefits statements	
138	Payroll deductions	
139	Job sharing	
140	Self insured plans	Forms:
141	>	Workers' compensation
142	>	Medical
143	>	Dental
144	>	Short term disability
145	>	Long term disability
146	>	Life insurance
147	>	Other
148	Part-time employee benefits	
149	Training-Development-Education opportunity	
	<i>Insert Additional Items In The Space Below</i>	
150	Other:	
151	Other:	
152	Other:	
153	Other:	
154	Other:	
155	Other:	
156	Other:	
157	Other:	
158	Other:	
159	Other:	
160	Other:	
161	Other:	
162	Other:	
163	Other:	
164	Other:	
165	Other:	

Sample Employee Opinion Survey

Thank you for participating in this opinion survey. Your input is important. Individual responses are confidential. Responses will be grouped so no individual is identified. Please use pen or pencil. Respond to each item by marking your selection number in the space to the right of the item. Fold and return this sheet.

1 - Strongly Disagree
2 - Disagree
3 - Neutral
4 - Agree
5 - Agree Strongly

Response Items		Low → High				
1	Promotions are based on merit.	1	2	3	4	5
2	My position meets my present goals and plans.	1	2	3	4	5
3	I often come into contact with management.	1	2	3	4	5
4	Management is fair and has a good sense of judgment.	1	2	3	4	5
5	I am recognized and appreciated for what I do.	1	2	3	4	5
6	My supervisor is cooperative.	1	2	3	4	5
7	In my position I can gain knowledge and learn new skills.	1	2	3	4	5
8	I feel the company values me.	1	2	3	4	5
9	The company is stable.	1	2	3	4	5
10	Retirement provisions are satisfactory.	1	2	3	4	5
11	Co-workers work well together and do a good job.	1	2	3	4	5
12	The company has pride in its products and itself.	1	2	3	4	5
13	I have had enough training and preparation for my position.	1	2	3	4	5
14	My position will continue for a long time.	1	2	3	4	5
15	I am evaluated properly.	1	2	3	4	5
16	The safety conditions are satisfactory.	1	2	3	4	5
17	The promotion policies are satisfactory.	1	2	3	4	5
18	My earnings are fair and equitable.	1	2	3	4	5
19	I like the way I am supervised.	1	2	3	4	5
20	I have freedom to plan and do my position myself.	1	2	3	4	5
21	The company is interested in the individual employee.	1	2	3	4	5
22	Instructions and orders are communicated.	1	2	3	4	5
23	I am told how I am doing in my work.	1	2	3	4	5
24	I have competent co-workers.	1	2	3	4	5
25	My pay is right for what I do.	1	2	3	4	5
26	The hours of work are satisfactory.	1	2	3	4	5
27	Our system for suggestions is satisfactory.	1	2	3	4	5
28	Company policies and procedures are satisfactory.	1	2	3	4	5
29	I am involved in decision making.	1	2	3	4	5
30	Company training programs are satisfactory.	1	2	3	4	5
31	I am informed on personnel policies and procedures.	1	2	3	4	5
32	I am satisfied with my pay and earnings.	1	2	3	4	5
33	I feel secure in my position.	1	2	3	4	5
34	Employee benefits are satisfactory.	1	2	3	4	5
35	Promotions are based on seniority.	1	2	3	4	5
36	There is tension and pressure in my work.	1	2	3	4	5
37	I am given information on my work status.	1	2	3	4	5
38	My workplace is clean and orderly.	1	2	3	4	5
39	The company meets its objectives.	1	2	3	4	5
40	Emergency provisions are satisfactory.	1	2	3	4	5
41	I have the chance to move up from my position.	1	2	3	4	5
42	I am told of new developments.	1	2	3	4	5
43	Inter- and intradepartmental relations are satisfactory.	1	2	3	4	5
44	My supervisor is available to assist me.	1	2	3	4	5
45	Equipment and supplies are proper and in good condition.	1	2	3	4	5
46	My supervisor uses employee criticism and discipline properly.	1	2	3	4	5
47	My position is challenging.	1	2	3	4	5
48	My raises come often enough.	1	2	3	4	5
49	Co-workers make up a well-balanced team.	1	2	3	4	5
50	The company attitude for employees is satisfactory.	1	2	3	4	5

Demographics

51	Gender	Male	Female		
52	Months working at HSVB	0-6	6-12	12-24	24-48 48+
53	Miles from work	0-1	1-3	3-5	5-10 10+
54	Department	1 ____	2 ____	3 ____	4 ____
		5 ____	6 ____	7 ____	8 ____

Cost of Turnover Estimate Tools

For a quick estimate of potential turnover cost use the table below		
A "quick and crisp" estimate of potential turnover costs for up to manager level is 1.5 times the employee total pay	A "quick and crisp" estimate of potential turnover costs for selected manager level jobs and above manager level is 2.5 times the employee total pay	
Check the impact on your company. Insert your employee's total annual pay in the cell below and note the effect below.		
<u>Quick estimate of potential turnover cost at your company</u>		
Annual pay for employee below manager	= Total pay \$28,500	\$42,750
Annual pay for employee above manager	= Total pay \$75,000	\$187,500

For a more detailed estimate of Below Manager potential turnover cost use the calculator below.	
1. In the gold color cell of line A1 insert your employee's base annual pay (here do not include benefits, overtime, bonus, etc).	
2. In the gold cell of line A4 insert how many employees at this pay for whom you want to calculate the turnover cost	
3. In the gold cell of line A5 use the typical 3 month learning period, or insert your estimate, e.g. 6	
4. For additional indirect costs impacting turnover cost, insert your actual cost in the appropriate column D cell or accept the calculator estimate reading from the cell in column G. Your cost may be \$0.00 for an item	
5. Place your cursor on the red comment symbol in the cells in column G to see how the estimate is made	
6. As always with the factors affecting human resource management metrics and actions, note this is only an estimate	

Ln	Direct Turnover Cost Example	Calculation or estimate for below manager level		
A1	Annual pay \$28,500			
A2	Benefits cost \$11,400		Add actual or estimate % of base pay =	40.0%
A3	Employee cost \$39,900			
A4	# of voluntary quits in year 1			
A5	# months until fully productive 3			
A6	Per person turnover cost \$4,988		Add actual or estimate % productivity during learning period =	50.0%
A7	Direct turnover cost \$4,988			
A8				
A9	<u>Additional Indirect Turnover Cost Example</u>			
A10	Separation cost		Percent estimate	Dollar estimate
A11	Accrued vacation \$570	Add actual or estimate % base pay =	2.0%	\$570
A12	Continued benefits \$1,140	Add actual or estimate % base pay =	4.0%	\$1,140
A13	Exit interview time \$29	Add actual or estimate % base pay =	0.1%	\$29
A14	Staff/supervisor time & salary to avoid quit \$285	Add actual or estimate % base pay =	1.0%	\$285
A15	Termination issues legal/other cost \$570	Add actual or estimate % base pay =	2.0%	\$570
A16	Unemployment expense \$855	Add actual or estimate % base pay =	3.0%	\$855
A17	Replacement cost			
A18	Applicant search cost \$285	Add actual or estimate % base pay =	1.0%	\$285
A19	Employee referral fee \$114	Add actual or estimate % base pay =	0.4%	\$114
A20	Employment testing cost \$86	Add actual or estimate % base pay =	0.3%	\$86
A21	Pre-employment medical cost \$57	Add actual or estimate % base pay =	0.2%	\$57
A22	Recruiting & advertising cost \$1,568	Add actual or estimate % base pay =	5.5%	\$1,568
A23	Reference checking cost \$57	Add actual or estimate % base pay =	0.2%	\$57
A24	Relocation & moving costs \$998	Add actual or estimate % base pay =	3.5%	\$998
A25	Staff & interviewer time & salary \$570	Add actual or estimate % base pay =	2.0%	\$570
A26	Supervisor & manager time & salary \$285	Add actual or estimate % base pay =	1.0%	\$285
A27	Training cost			
A28	Co-worker coaching & assist time & salary \$114	Add actual or estimate % base pay =	0.4%	\$114
A29	Paid orientation time \$228	Add actual or estimate % base pay =	0.8%	\$228
A30	Supervisor & manager training time cost \$228	Add actual or estimate % base pay =	0.8%	\$228
A31	Training materials cost \$239	Add actual or estimate % base pay =	0.8%	\$239
A32	Training time & salaries \$86	Add actual or estimate % base pay =	0.3%	\$86
A33	Undefined hidden costs			
A34	Lost customer service \$228	Add actual or estimate % base pay =	0.8%	\$228
A35	Lost productivity \$228	Add actual or estimate % base pay =	0.8%	\$228
A36	Missed goals, objectives & deadlines \$456	Add actual or estimate % base pay =	1.6%	\$456
A37	Other employee turnover \$285	Add actual or estimate % base pay =	1.0%	\$285
A38	Indirect turnover cost \$9,559			
A39				
A40	Potential direct & indirect cost \$43,046	This is only an estimate based upon typical costs and projections.		
A41	Total= Base pay+direct+indirect as % = 151%			

Please Note: This material is provided as general information and is not a substitute for legal or other professional advice

Cost of Turnover Estimate Tools

For a more detailed estimate of at or above Manager potential turnover cost use the calculator below.

1. In the gold color cell of line **B1** insert your employee's base annual pay (here do not include benefits, overtime, bonus, etc).
2. In the gold cell of line **B4** insert how many employees at this pay for whom you want to calculate the turnover cost
3. In the gold cell of line **B5** use the typical 3 month learning period, or insert your estimate, e.g. 6
4. For additional indirect costs impacting turnover cost, insert your actual cost in the appropriate column D cell
 or accept the calculator estimate reading from the cell in column G. Your cost may be \$0.00 for an item
5. Place your cursor on the **red** comment symbol in the cells in column G to see how the estimate is made
6. As always with the factors affecting human resource management metrics and actions, note this is only an only an estimate

Ln	Direct Turnover Cost Example	Calculation or estimate for selected managers and above		
B1	Annual pay \$75,000			
B2	Benefits cost \$30,000		Add actual or estimate % of base pay =	40.0%
B3	Employee cost \$105,000			
B4	# of voluntary quits in year 1			
B5	# months until fully productive 3			
B6	Per person turnover cost \$13,125		Add actual or estimate % productivity during learning period =	50.0%
B7	Direct turnover cost \$13,125			
B8				
B9	Additional Indirect Turnover Cost Example		Percent	Dollar
B10	Separation cost		<u>estimate</u>	<u>estimate</u>
B11	Accrued vacation \$1,500		Add actual or estimate % base pay =	2.0% \$1,500
B12	Continued benefits \$5,175		Add actual or estimate % base pay =	6.9% \$5,175
B13	Exit interview time \$75		Add actual or estimate % base pay =	0.1% \$75
B14	Staff/supervisor time & salary to avoid quit \$1,590		Add actual or estimate % base pay =	2.1% \$1,590
B15	Termination issues legal/other cost \$3,675		Add actual or estimate % base pay =	4.9% \$3,675
B16	Unemployment expense \$2,250		Add actual or estimate % base pay =	3.0% \$2,250
B17	Replacement cost			
B18	Applicant search cost \$3,029		Add actual or estimate % base pay =	4.0% \$3,029
B19	Employee referral fee \$248		Add actual or estimate % base pay =	0.3% \$248
B20	Employment testing cost \$1,514		Add actual or estimate % base pay =	2.0% \$1,514
B21	Pre-employment medical cost \$150		Add actual or estimate % base pay =	0.2% \$150
B22	Recruiting & advertising cost \$22,500		Add actual or estimate % base pay =	30.0% \$22,500
B23	Reference checking cost \$865		Add actual or estimate % base pay =	1.2% \$865
B24	Relocation & moving costs \$15,000		Add actual or estimate % base pay =	20.0% \$15,000
B25	Staff & interviewer time & salary \$1,406		Add actual or estimate % base pay =	1.9% \$1,406
B26	Supervisor & manager time & salary \$2,452		Add actual or estimate % base pay =	3.3% \$2,452
B27	Training cost			
B28	Co-worker coaching & assist time & salary \$1,803		Add actual or estimate % base pay =	2.4% \$1,803
B29	Paid orientation time \$1,731		Add actual or estimate % base pay =	2.3% \$1,731
B30	Supervisor & manager training time cost \$1,587		Add actual or estimate % base pay =	2.1% \$1,587
B31	Training materials cost \$1,298		Add actual or estimate % base pay =	1.7% \$1,298
B32	Training time & salaries \$225		Add actual or estimate % base pay =	0.3% \$225
B33	Undefined hidden costs			
B34	Lost customer service \$6,900		Add actual or estimate % base pay =	9.2% \$6,900
B35	Lost productivity \$6,900		Add actual or estimate % base pay =	9.2% \$6,900
B36	Missed goals, objectives & deadlines \$7,500		Add actual or estimate % base pay =	10.0% \$7,500
B37	Other employee turnover \$7,508		Add actual or estimate % base pay =	10.0% \$7,508
B38	Indirect turnover cost \$96,880			
B39				
B40	Total potential cost of turnover \$185,005		This is only an estimate based upon typical costs and projections.	
B41	Total= Base pay+direct+indirect as % = 247%			

EXIT INTERVIEW QUESTIONNAIRE

Comment of the effectiveness of our performance management program.
Comment of the fairness of our performance management program.
Comment on our benefits program.
Comment on worker morale at our company.
What was the main reason you left our company?
What did you like least about our company?
What did you like most about our company?
What impact did our management style have on you?
What one word summarizes how you feel about our company?
What was the primary thing you would change in your job with us?
What were other factors in your decision to leave our company?
What other comments do you have?

RECORD OF VIOLATION OF CONDUCT RULES AND/OR REGULATIONS

Worker's Full Name	Title	Department
Worker Identification Number	Infraction date	Incident time/shift
Facility/Location	Policy Violated (Code#)	Discipline Issued (Code #)

Concise Explanation of Infraction

Further infraction of rules and/or regulations may result in more severe disciplinary action.**

Signature of Worker's Supervisor	Date
Signature of Superior	Date
Signature of Worker	Date

**Worker's signature acknowledges issue of discipline. Signature does not indicate agreement with facts presented or company actions taken.



**Russell R. Mueller Retail
Hardware Research Federation
5822 West 74th Street
Indianapolis, Indiana 46278**