

Human Resources “Heads-Up”



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Hosted by:



Purpose of Today's Discussion

HR "Heads-Up"

Create Awareness of Human Resources Issues

Provide HR
Tips & Takeaways

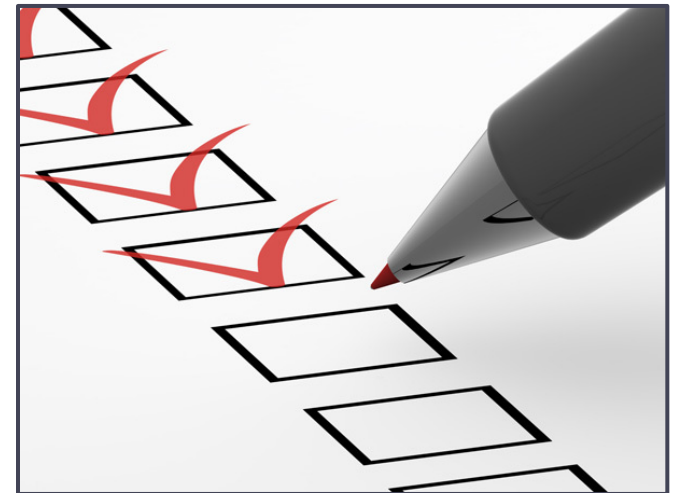
Identify HR Topics
for more in-depth
future discussions...



Discussion Points

HR “Heads-Up”

- **Recruiting & Hiring Practices**
- **Performance Management**
- **Workplace Investigations**
- **Employee Rights**
- **Workers’ Compensation**



Recruiting & Hiring Practices

- **Effective Job Postings**

- ✓ Attention-getting, clear, accurate
- ✓ Neutral language
- ✓ Posting template
- ✓ Designated person or department



- **Define “*Applicant*”**

- ✓ Only in response to specific posting ~OR~ current opening?
- ✓ Résumé (*and cover letter*)?
- ✓ Completed & signed job application?
- ✓ All of the above?
- ✓ Apply standard consistently

Recruiting & Hiring Practices *Continued*

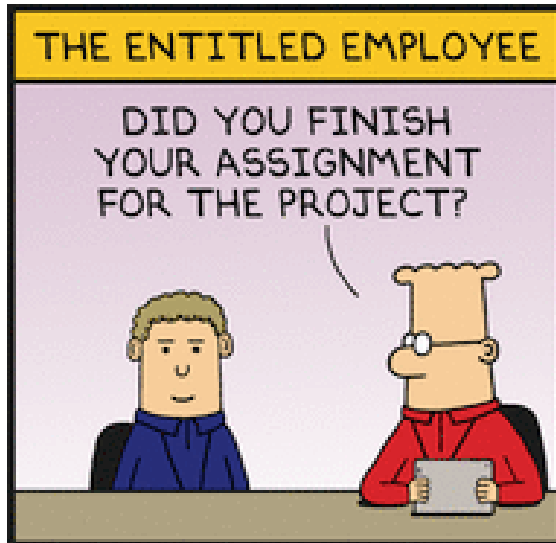
- **Internal Job Posting Policy** (*hire from within*)?
 - ✓ Establish procedure (*internally first or concurrent with external?*)
 - ✓ Follow your procedure consistently
- **Job Application Form**
 - ✓ Ask only for legal (*safe*) information indicate an applicant's protected class such as age, race, national origin, disability, etc.
 - ✓ Ban-the-Box (*WA Fair Chance Coalition/Act*)
 - ✓ Consistently enforce the requirement
- **Background Checks**
 - ✓ Post-job offer
 - ✓ Separate authorization form
 - ✓ SSN needed at ***that time***

Apply Now

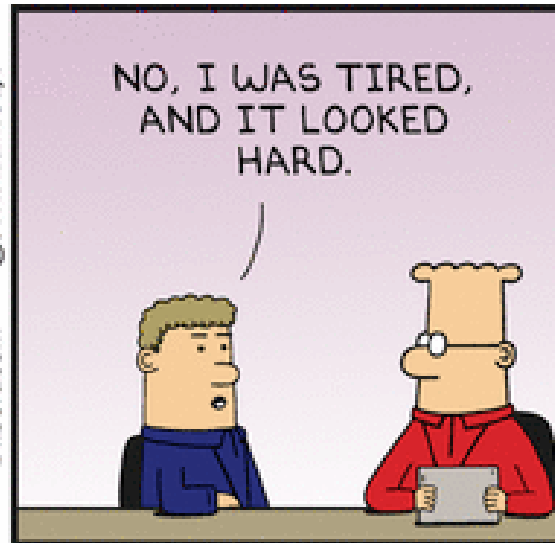
Recruiting & Hiring Practices *Continued*

- Record Job Applicants
 - ✓ Create a log (*spreadsheet*)
 - ✓ Consider sending an email ~OR~ postcard acknowledgment
- Develop a Policy for Application Retention
 - ✓ How long to keep on file?
- Legal (Safer) Job Interviews
 - ✓ Only Job-Related Questions
 - ✓ No mention of age, race, gender, national origin, sexual orientation, gender identity, disability
(*actual, perceived, or “regarded as”*)
- Accurate Job Descriptions
 - ✓ Semi-Specific Responsibilities & Duties
 - ✓ Qualifications & Requirements – keep them job-related
(*KSA’s – Knowledge, Skills, and Abilities*)

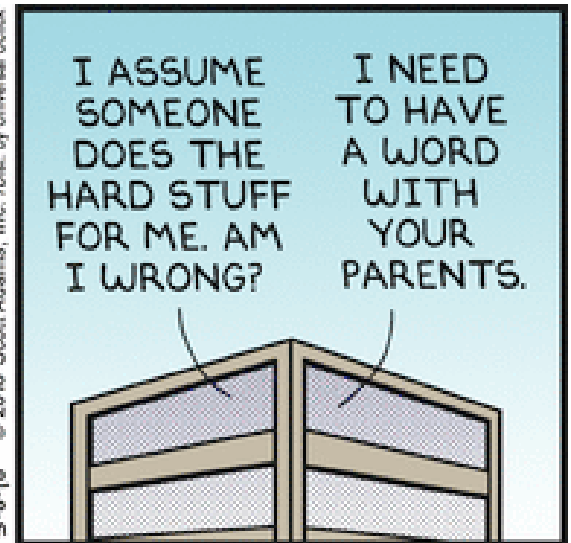
Performance Management



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Performance Management *Continued*

- **Job Descriptions**
 - ✓ Creates responsibilities and accountabilities
 - ✓ Communicates essential job functions, tasks & expectations
 - ✓ Establishes a clear baseline for evaluating performance
 - ✓ Used as a benchmark to compare comparable worth of different jobs
 - ✓ Basis or justification for compensation ranges, salary or rate of pay, total compensation, or other rewards
 - ✓ Review & update regularly

Performance Management *Continued*

- **Performance Appraisals/Evaluations/Reviews**
 - ✓ Conduct them consistently (annually, semi-annually, etc.)
 - ✓ Be honest and direct but constructive – don't sugarcoat it!
 - ✓ Can be 1st step in performance improvement measures
 - ✓ Don't save up issues or unacceptable work performance instances for reviews – No surprises in evaluation meeting
 - ✓ Basis or justification for pay increases (*or not*), total compensation, or other rewards
 - ✓ Job enhancement, job enrichment, promotion, succession, etc.

**NOTE: The employee's signature does not necessarily constitute agreement with the ratings given or comments provided by the evaluator. Signature merely indicates the evaluation was conducted and discussed with the employee.*

Performance Management *Continued*

- **Confront Issues – Have Tough Conversations**
 - ✓ Don't wait for reviews to address performance deficiencies, workplace issues or other unacceptable behavior
 - ✓ Be specific
 - ✓ Document everything!
(verbal warning, written warning, disciplinary action, incidents, etc.)
 - ✓ Obtain signatures
 - ✓ Personnel files and desk files
(keep them but be careful)



Performance Management *Continued*



Workplace Investigations



- Investigate promptly!
- Talk to all relevant parties & witnesses
 - ✓ Ask interviewees about other possible witnesses
- Don't promise strict confidentiality
 - ✓ Explain need to disclose certain information to properly complete investigation
- Don't forbid discussing with others
 - ✓ May strongly encourage interviewees not to discuss with others in order to maintain integrity of investigation
- Consider separating the parties (*complainant & accused*)
 - ✓ Don't make it punitive (*i.e., unpaid suspension or unpaid time off*) until conclusion – after corrective & disciplinary actions are determined

Employee Rights

- National Labor Relations Act (NLRA)
 - ✓ Also covers non-union employers!
 - ✓ Right to self-organize, form , join, or assist labor organizations
 - ✓ “Unfair Labor Practice”
- “Protected Concerted Activity”
 - ✓ Don’t forbid, restrict, or have policies prohibiting employees from discussing their “working conditions.”
- Weingarten Rights
 - ✓ Can apply to both unionized and non-unionized employees
- Employee Committees
 - ✓ Make sure the focus is on production & quality issues – NOT issues of wages, hours, or terms & conditions of employment

Employee Rights *Continued*

- **Social Media**

- ✓ Embrace social media marketing
- ✓ Support, even encourage, employees to be **your** brand advocates
- ✓ Never ask for an employee's or job candidate's login or password for their social media account
- ✓ ***If*** you view job applicants' social media postings, designate someone not involved in hiring decision
- ✓ Employers **may still monitor** employee tweets, just **can't take action** on "*protected concerted activity.*"



Workers' Compensation Experience Modification Factor

- **Rate Modification Factor** *(aka Experience Mod Factor)*
 - ✓ Your **experience factor** directly impacts the Labor & Industries *(L&I)* workers' compensation rates you pay
 - ✓ Your **experience factor** is used to calculate your WC rates every year.
 - ❑ Base rate for your industry is multiplied by **your** experience factor & determines whether you pay a **premium** or **discount**
 - ❑ Base rate determined by your standard industry code *(SIC)*
 - ✓ Experience factors **start at 1.0** *(such as for a new business)*
 - ✓ Company **size**, **frequency** of claims, **severity** of losses, and any unforeseen large losses taken into consideration when calculating your experience factor.

Workers' Compensation Experience Modification Factor *Cont.*

- **L&I Rate Reduction Strategies**

- ✓ Become familiar with ***your*** L&I experience factor
- ✓ Can influence your factor, thus, improve your rates
- ✓ Accident and Injury Prevention / Safety Program
- ✓ Self-inspection and safety audit program
- ✓ Active claims management
- ✓ Stay-at-Work (WSAW)

www.lni.wa.gov/main/stayatwork/

- ✓ Return-to-Work (RTW)

www.lni.wa.gov/ClaimsIns/Insurance/Injury/LightDuty/

- ✓ Kept on Salary (KOS)



Questions?



THANK YOU!

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