

From: Business Management Daily

Subject: Practical HR strategies to boost your career

In The News ...

Must you give employees access to their personnel files? No federal law guarantees such rights. But some states do spell out the terms under which employees can inspect their personnel files. For details, read our white paper, *Access to Personnel Files: 50 State Laws*, at www.theHRSpecialist.com/personnel50.

16 great questions to ask during performance reviews. Too often, employees sit silently during reviews while supervisors talk. It shouldn't be that way. Find 16 sample questions supervisors can use to encourage employee participation at www.theHRSpecialist.com/16questions.

Most managers still don't understand FMLA basics. Less than half (46%) of managers can name the benefits FMLA provides and even fewer (42%) know how long employees can be absent on FMLA leave, according to a new survey. For a free, two-page FMLA training document for managers, go to www.theHRSpecialist.com/FMLAtrain.

13 is a magic salary number. A new ADP study has found that a 13% raise is the salary increase tipping point at which employees will jump to a new job. The study also found that 63% of U.S. employees are open to leaving for another job this year, and 27% are changing jobs annually, which puts job switching at an all-time high.

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15 questions to ask employees in first 60 days

As post-pandemic hiring heats up and the competition for quality employees increases, that's putting more pressure on HR professionals to improve their onboarding process.

The last thing an organization wants to do is restart the expensive hiring process because a new employee walked out after a couple months.

The most important step: Talk with new employees soon after they arrive to uncover potential problems that can cause turnover. Don't wait until performance or behavior shows problems—or for an official performance review. By then, the employee could be halfway out the door.

Make it a point to meet with new hires within the first 60 days. Start by reminding them you're glad they're part of the organization and you value their input. Then, ask some of the following questions. *Your goal:* Discover their likes/dislikes about the job and environment, see if the job meets their expectations and nip potential problems in the bud:

1. Why do you think we selected you as an employee?
2. What do you like about the job and the organization?
3. What's been going well? What are the highlights of your experiences so far? Why?
4. Do you have enough, too much or too little time to do your work?
5. How do you see your job relating to the organization's mission?
6. What do you need to learn to improve? What can the organization do to help you become more successful in your job? (Don't ask these two questions unless you are prepared to follow up with

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Training memo Hiring is a legal minefield. Teach your managers to avoid lawsuits with our Memo to Managers article, *What Managers Need to Know About Hiring*, at www.theHRSpecialist.com/managerhire.



Secrets of a CEO: 10 things HR needs to know

Ever wonder what your CEO is thinking and what he or she wants from you?

Sue Meisinger, a consultant and former CEO of the Society for Human Resource Management (SHRM), has sat on both sides of the CEO/HR fence. Meisinger says these are the 10 most important things your CEO will never say to you, but you need to understand:

1. CEOs want concrete info before making decisions. They don't care that a new computer system will make life easier for you or your staff; they want to know the ROI and the effect on staffing. Plus, remember to circle back and

say, "Remember that decision we made? Here's the ROI from it."

2. They're desperate for ideas and any competitive information. "HR needs to bring ideas to the table, and don't just limit yourself to HR stuff," she says. "Know the business. Bring your curiosity to the meeting and share your knowledge." *Tip:* Read the same trade publications as your CEO.

3. CEOs don't understand what you do, and don't care. Most CEOs wonder if HR people understand the business side. Brush up on your business acumen. Leave

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Secrets of a CEO

(Cont. from page 1)

the HR speak at the door and “stay focused on what keeps the CEO up at night.”

4. They think of you as a cost center. Never lose sight that salaries and benefits are the biggest expense of a business. “Be able to articulate what you do as it relates to the bottom line, not how happy it makes the employees,” she says. CEOs care about productivity so look for organizational efficiencies.

5. CEOs want to know what’s going on in the business, but they don’t have enough time (or the skills). Help them stay connected. Give them insights into major life changes of employees (marriages, births). Bring them important conflicts that could affect the company—important stuff, not gossip.

6. They may not tell you who is on their “A” team or which employees they’re watching more closely. That’s why it’s important for you to simply be a useful, honest source of information on employees and execs. Don’t try to interpret which employees the CEO is high or low on currently.

7. They want you to make decisions. “Be willing to step up and have the courage to make tough decisions,” says Meisinger. Instead of just explaining a problem to the CEO, “Help them. Tell them, ‘This is what I think the right answer is.’”

8. They don’t feel they should have to give performance reviews. “Pick your battles,” she advises. “Recognize that all talent is not equal and that the CEO, in some respects, is right.” Still encourage the big boss to give feedback.

9. They love and hate the board. Understand that before the board meeting, the CEO needs a laser focus on that meeting and will push everything else aside. Make sure all information you provide for the meeting is accurate so “your work doesn’t become the source of criticism of the CEO.”

10. They won’t tell you what’s going on at home—or when they’re planning to leave. And often new CEOs like to bring in their own HR person. Meisinger says, “Since you probably won’t know their plans, be sure you have your own plan. So network!”

Policy changes: When in doubt, print it out

Even though the U.S. Department of Labor has given its OK to electronic distribution of employee documents (such as benefits data), you’d still be wise to play it safe when it comes to notifying employees of key policy changes: Stick to paper, not email.

That’s especially important when notifying employees of policy changes involving key legal rights and obligations. In such cases, you should also require employees to sign a paper acknowledgment form.

Recent case: Roderick Campbell sued his employer for disability discrimination. But the company claimed Campbell wasn’t allowed to sue; he must arbitrate his dispute out of court. Why? The company had

sent a lengthy email months earlier to all employees outlining its new mandatory arbitration policy. That email, the company argued, counted as a valid agreement.

Not so fast, the court said. Campbell claimed *he never saw* that email, so a district court let his case go to trial.

The court said that, in some cases, policy notifications sent via email could be binding. But important policies in which employees surrender their rights should be held to a higher standard. (*Campbell v. General Dynamics Government Systems Corp.*)

Final point: If you do send less-vital policy info via email, create a system to verify that messages are received and read.

Avoid the top 10 mistakes in staff handbooks

A poorly written, outdated or inconsistent handbook can hurt your company. *The biggest problem:* Companies often include handbook language that wipes out their right to fire employees at will. Here are the 10 most common handbook mistakes to avoid:

1. Adopting a “form” handbook, which includes promises you’ll never keep.

2. Including lots of detail on procedures, which provides fodder for lawyers. Stick to company policies. Keep a separate procedures manual for managers.

3. Mentioning an employee probationary period. That can erase at-will status by implying that, once the period is over, the employee can stay indefinitely.

4. Being too specific in your discipline policy. That gives the impression that the

list covers every possible infraction.

5. Not being consistent with other company documents.

6. Overlooking an at-will disclaimer. Have employees sign a disclaimer acknowledging that the company can terminate their employment at any time and bypass discipline policies.

7. Sabotaging disclaimers by what you say, especially reassuring employees that their jobs are secure.

8. Not adapting the handbook to accommodate each state’s laws.

9. Failing to update the manual frequently for changing laws.

10. Setting unrealistic policies. If you know your supervisors won’t enforce it, don’t put it in your handbook.

15 questions

(Cont. from page 1)

action. Otherwise, you can build false expectations.)

7. Tell me what you don’t understand about your job and about our organization.

8. Compare the organization to what we explained it would be like.

9. Which co-workers have been helpful since you arrived? (Goal: Pinpoint which employees can be influential in retaining the new hire.)

10. Who do you talk to when you have questions about work? Do you feel comfortable asking?

11. Does your supervisor clearly explain what the organization expects of you?

12. How does it go when your supervisor offers constructive criticism or corrects your work?

13. Do you believe your ideas are valued? Give examples.

14. How well do you get along with co-workers?

15. Have you had any uncomfortable situations or conflicts with supervisors, co-workers or customers?

Tip: Finish the discussion by asking employees if they have any questions for you or suggestions on how the job can be managed better.



The COVID-19 employee lawsuits: Top 5 threats

First came the virus ... then came the lawyers.

Even as the pandemic eases, employers are facing a wave of legal claims relating to employee leave, return-to-work, medical accommodations and more. The most common claims:

1. Retaliation, wrongful termination.

Many lawsuits allege employees were terminated or retaliated against for raising COVID-related safety concerns. Remind managers that employees have a legal right to voice their safety concerns.

2. Return-to-work / unsafe conditions. Employees are claiming they want to stay remote or not return to the workplace due to unsafe conditions or other concerns. Know the law about when you can require an employee to return—and when you must accommodate.

3. Discrimination and harassment. Employers may think they are protecting “vulnerable people”—older workers, pregnant women or those with preexist-

ing conditions—by terminating them or refusing to hire them. But that could violate anti-discrimination laws.

4. Employee leave. While the emergency paid sick leave and FMLA leave in the Families First Coronavirus Response Act has expired, the legal claims have just begun. Law firms are seeking workers who claim leave discrimination. Encourage managers to bring leave questions to HR.

5. Wage-and-hour. With the spike in remote work, employers are seeing a rise in employee lawsuits for overtime and off-the-clock work. If you're doing layoffs or closings, make sure you give enough advance notice to comply with WARN laws.

Online resource For more advice about coronavirus-related compliance, visit our HR Specialist portal page at www.theHRSpecialist.com/corona.

Alert managers: No ‘magic words’ needed by employee to request FMLA

When employees ask for leave—especially for unforeseen circumstances—they don't need to assert their FMLA rights by stating, “I need FMLA leave.” They don't even need to mention the FMLA.

While employees must give a general explanation of their reasons for leave, it's your duty to identify leave requests that qualify as job-protected FMLA leave.

If the employee gives enough information to draw a preliminary conclusion that the leave may qualify for the FMLA, consider yourself on notice.

That's why it's important to teach supervisors how to listen for leave requests that would fall under the FMLA umbrella. As the following ruling shows, even general requests, such as “I have a family emergency,” could trigger FMLA protections.

Recent case: When an employee told his boss that he needed leave to deal with a “family emergency,” the employer refused to grant him the time off. The employee

sued under the FMLA. The court sided with him, saying his designation of “family emergency” was enough to put the company on notice of his need for FMLA leave.

FMLA regulations require an employee to give you only a “short and plain statement” of his or her need for leave.

If you determine later that the employee (or family member) didn't have a serious health condition that would qualify for leave, you can withdraw your FMLA leave approval at that time. (*Christenson v. The Boeing Co.*, D.Ore.)

Free Report How to Wipe Out Fraud and Abuse Under FMLA

For an 11-step process to thwart employees inclined to “work” the system, download our free white paper, *How to Wipe Out Fraud and Abuse Under FMLA*, at www.theHRSpecialist.com/FMLAfraud.

Legal Briefs

Political talk at work: Where can you draw a line?

America's hyperpolarized culture has opened the doors to more co-worker political talk—and more conflicts. More than half (56%) of workers say political discussions at work have become more common in the past four years, according to a SHRM survey. And one in 10 say they've experienced “differential treatment” at work because of their political views.

For five tips to create a policy that minimizes distraction yet allows free speech go to www.theHRSpecialist.com/politics.

How to craft a policy on Facebook, Twitter usage

Whether they're shooting off tweets or posting messages to online friends, employees using Twitter, Facebook and other social networking sites are creating liability and PR risks with their rants, raves and company gossip.

Advice: Draft a policy on your organization's expectations for employees' use of these sites. Address usage, disclosure of company info and consequence of disparaging comments about the company or co-workers. For more advice and policy suggestions, go to www.theHRSpecialist.com/socialpolicy.

Manager's unchecked racism is a \$1M mistake

The EEOC sued a Houston oil company, saying its managers often hurled racial slurs at black employees, assigned black workers to lower-paying jobs and then punished employees who complained. The company settled, paying out \$1.2 million to nine employees (*EEOC v. Nabors*).

The lesson: Last year's historic racial justice protests led many employers to retrain their staffs on discrimination. Regularly remind managers that turning a blind eye to in-house racism or taking part in racist actions are cause for immediate dismissal. Read the EEOC's Q&A on race-bias compliance at www.tinyurl.com/EEOGrace.

What's the best interview question you've asked?

Interview questions range from the simple (“Tell me about yourself.”) to the silly (“If you were an animal, what kind would you be?”). Here are some suggestions of effective questions from readers of *The HR Specialist*.

Fans and critics

“What would your biggest fan say about you? Likewise, who is your biggest critic and what would he/she say about you?”

— Steven

What makes you proud?

“It’s a cliché question, but I like to ask, ‘What professional accomplishment are you most proud of?’ Then you can follow up with more detailed questions about how they accomplished that. I look for folks who don’t set themselves up as the star (even if they are) and who give credit to the efforts of everyone on the team. I also look for evidence that they can accomplish goals—and care about doing so—through influence and not just hierarchical power.”

— Anonymous

All smiles

“The best one I’ve ever heard is, ‘Do you smile often?’ The answer—and whether the person smiles while doing so—will tell you a lot about a person. Most friendly, easygoing people (the kind you want to work with) will unconsciously smile when answering.”

— Celt

A ‘values check’

“I work for a nonprofit that works with low-income residents. One standard interview question is, ‘Why do you think people are poor?’ Even if this person is just going to be crunching numbers as an accountant, we still want to make sure they are in tune with the agency’s mission and values. The answers to an unexpected question can be very telling.”

— Kris

Modernize, criticize

“I find these two questions to be helpful: ‘What, if any, processes did you improve?’ This can be very helpful if you seek continuous process improvement in your company. We are a small firm and are always happy to hear how

we can do things better. Also, ‘Who was your least favorite (or most favorite) boss ... and why?’ This can really bring out some interesting information.”

— Liz

Useful criticism

“The one that I get the best feedback from is: ‘What is the most useful criticism you have ever received?’ It helps me see the growth in people if they answer honestly.”

— Nicole

Your biggest bomb

“‘What is the biggest work disaster you’ve been a part of? What role did you play? What did you learn? Looking back on it, what would you do differently?’ If I can’t get a straight answer, I learn a lot. If I can get an honest answer, I learn even more.”

— E.

20 ‘silver bullet’ questions

For a list of 20 behavior-based interview questions that help zero in on a candidate’s skill, knowledge and temperament, go to www.theHRSpecialist.com/silver.

Career

Show how HR helps forward the big boss’s goals

Issue: Learn the top brass’s priorities, and then match them up with your HR projects.

Benefit: By showing how your work helps the big bosses meet their goals, you become a strategic partner and boost your overall value.

Action: Meet regularly with the boss, and measure what’s important to him or her.

Do you ever dive into a major HR project without ever really knowing whether the boss favors it—or even cares about it? It’s wise to match your HR projects to the boss’s priorities, but many big bosses don’t define their goals or communicate them well. Or perhaps they couldn’t care less about aligning goals with HR.

Adding to the problem, you may lack the know-how to build strategic relationships with top executives. You’re not alone. Only 26% of HR professionals feel very proficient about making a strategic contribution, according to a Society for Human Resource Management survey.

Advice: To increase your influence, find out the top dog’s business goals and the problems that worry him or her the most. “HR needs to convince executives that they have solutions to those problems and aren’t just a source of administrative overhead,” says Brian Becker, chairman of the HR department at the University of

Buffalo School of Management.

Take the following four steps to align yourself with top management’s goals:

1. Ask to meet regularly with the boss to review his or her business goals and how HR can contribute to them. The meetings should take place not less than once or twice a year, suggests Mark Huselid, associate professor of HR strategy at Rutgers University. You also need access to key executive strategy meetings. In those meetings, “Don’t talk about HR stuff,” says Huselid. “Talk about what type of workforce capabilities produce what kind of results for the organization and back it up with numbers.”

But what if your CEO lacks the time or inclination for one-on-one meetings? And what if you aren’t invited to executive strategy meetings? Find an influential division president, general manager or mid-level manager who *will* meet with you. Find out that person’s pressing strategic problems, and help solve them. Even-

tually, ask that person to help you reach the CEO and access key meetings.

2. Measure what’s important to your CEO, and make suggestions to improve results. *Examples:* If key-employee retention is a top issue, measure the cost of turnover, and put forth suggestions on how to keep top performers. If benefit costs and salaries are a concern, benchmark competitors’ benefits and pay, then present options for your organization to be competitive.

3. Form a working relationship with the chief financial officer. Learn the numbers that the CEO views as key measures of the organization’s performance ... and what they mean. This will help you choose the correct metrics and present valuable numbers at strategy sessions.

4. Seek assignments that involve working with different departments to learn about the complete organization. Such experiences help you bring crucial credibility and knowledge to meetings with the CEO.

Don't get sloppy with your I-9 employment eligibility verification forms.

In the past three years, the number of I-9 paperwork audits by the U.S. Immigration and Customs Enforcement (ICE) has spiked by more than 300%.

ICE also increasingly brings cases against employers under the criminal code, rather than civil penalties. The agency says the focus on employers, rather than employees, is "to target the root cause of illegal immigration."

Penalties: Poor documentation can cost you \$2,000 per worker, and knowingly hiring an illegal immigrant can result in a \$20,000-per-worker fine.

To sidestep potential legal trouble and discrimination complaints, follow these 10 I-9 do's and don'ts:

1. Do require all new hires to complete and sign Section 1 on their first day of work.

2. Don't ask an applicant to complete an I-9 prior to making a job offer. Unhired applicants can use I-9 information to allege that you discriminated against them.



3. Do review employee documents to make sure they're on the new version of the I-9's list of acceptable documents and that they appear genuine.

4. Don't ask new hires for any particular documents or for more documents than the I-9 requires. The employee chooses the documents, not you.

5. Do establish a consistent procedure for completing I-9s, and educate your hiring managers on that procedure.

6. Don't consider the expiration date of I-9 documentation when making hiring or firing decisions.

7. Do make and retain copies of all I-9 documentation provided. (Only a few

states make this mandatory, but it's a good idea.)

8. Don't forget to keep a tickler file to follow up on expiring documents that limit the employee's authorization to work. You don't have to reverify identity documents, such as a driver's license.

9. Do keep I-9s and copies of documents for three years after the employee's hire date or one year after his or her termination, whichever comes later.

10. Don't put the I-9 in an employee's personnel file. To protect against discrimination claims, keep it and supporting documentation in a separate file.

Online resource The New I-9

Make sure you're using the most updated version of the I-9. Find a link to the current edition, plus a description of the most recent changes to the form, at www.theHRSpecialist.com/newI-9.

HR Q&A

Look at big picture to determine 'primary duty'

Q. The duties test that's used to decide overtime eligibility talks about determining the employee's "primary duty." How do we determine that?

—*M.D., Pennsylvania*

A. You're looking for the person's most important duty: the reason you hired him or her. Is this person hired as a supervisor or so there can be another set of hands on the assembly line? You want to look at the relative importance of the employee's exempt duties versus nonexempt duties, the amount of time spent performing nonexempt work and how much supervision is exercised over the employee. A good rule of thumb is to look at whether they spend more than 50% of their time on exempt duties.

Worker doesn't feel safe returning: What to do?

Q. We're bringing back more staff who we laid off during the start of the pandemic. An employee said she wasn't comfortable returning to work, so we allowed her to stay away. But if we need to call her back to work and she's still not comfortable coming back, what can we do?

A. Assuming you are dealing with employee preference here—and not someone who is following medical advice not to come to work—you should first ask the employee why she is reluctant to return and try to reassure her of the steps you are taking to create a safe workplace.

If the employee is still not convinced, then you can decide whether to allow the employee to stay out, but require her

to use available PTO/vacation balance. Or you can tell the employee that if she refuses to come to work, she will be considered to have resigned. You need not permit an employee to take time off unpaid in this instance. In any case, be mindful of the precedent being created, and be aware of discrimination concerns.

Can we ban personal cell phones at work?

Q. Many of our employees seem to be calling or texting on their cell phones during work. Can we require them to keep their phones in their lockers? —E.T., Florida

A. Employees don't have the legal right to carry cell phones at work. You can certainly require them to place the phones and other electronic devices—like music players and cameras—in their lockers. While this may seem draconian to some employees, personal digital devices can be very distracting and even dangerous, especially if employees are driving. You also don't want employees photographing sensitive company materials or recording conversations.

Mandatory direct deposit?

Q. Can a business require employees to use direct deposit of paychecks? —N.C., Kansas

A. While some state laws say employers can make direct deposit of employees' pay mandatory, most states prohibit you from requiring workers to participate in direct deposit or pay-card programs. Visit www.theHRSpecialist.com/DDlaws for a state-by-state list of laws.

To: _____
 From: _____

Date: July 2021
 Re: Interview and termination tips

When hiring

25 off-limits interview questions

Job interviews present a minefield of legal problems. One wrong question could spark a discrimination lawsuit. That's why you should never "wing it" during interviews. Instead, create a list of interview questions and make sure every question asks for job-related information that will help in the selection process.

Federal and state laws prohibit discrimination on the basis of an applicant's race, color, national origin, religion, sex, age or disability. Some state laws also prohibit discrimination based on factors such as marital status or sexual orientation. If you ask a job applicant a question specifically relating to one of those characteristics, you've broken the law and are subject to being sued, as is the company.

Every question you ask should somehow relate to this central theme: "How are you qualified to perform the job you are applying for?" Managers usually land in trouble when they ask for information that's irrelevant to a candidate's ability to do the job.

To avoid the appearance of discrimination during interviews, do not ask the following 25 questions:

1. Are you married? Divorced?
2. If you're single, are you living with anyone?
3. How old are you?
4. Do you have children? If so, how many and how old are they?
5. Do you own or rent your home?
6. What church do you attend?
7. Do you have any debts?
8. Do you belong to any social or political groups?
9. How much and what kinds of insurance do you have?

The following questions could result in an Americans with Disabilities Act (ADA) lawsuit:

10. Do you suffer from an illness or disability?
11. Have you ever had or been treated for any of these conditions or diseases? (followed by a checklist)
12. Have you been hospitalized? What for?
13. Have you ever been treated by a psychiatrist or psychologist?
14. Have you had a major illness recently?
15. How many days of work did you miss

last year because of illness?

16. Do you have any disabilities or impairments that might affect your performance in this job?
17. Are you taking any prescription drugs?
18. Have you ever been treated for drug addiction or alcoholism?

Many companies ask female applicants questions they don't ask males. Not smart. Here are some questions to avoid with female applicants:

19. Do you plan to get married?
20. Do you intend to start a family?
21. What are your day care plans?
22. Are you comfortable supervising men?
23. What would you do if your husband were transferred?
24. Do you think you could perform the job as well as a man?
25. Are you likely to take time off under the Family and Medical Leave Act (FMLA)?

Final point: If a job candidate reveals information that you're not allowed to ask, don't pursue the topic further. The "she brought it up" excuse won't fly in court, so change the subject right away.

When terminating

How to avoid the 5 classic firing mistakes

Firings may cause employees to cry, become defensive or even turn violent. Others may even distort what happens during your firing meeting to justify a lawsuit against you.

To protect yourself legally, have someone else with you during the firing so no one can question what you say. Write a memo after the meeting summarizing what happened and have the witness sign it.

Here are five other ways to defuse fired employees' justifications for a lawsuit down the line:

1. Keep your cool. Avoid heightening an already emotional situation. Don't spring the news suddenly or berate the employee in front of others.

2. Avoid surprises. Employees should never be completely surprised by a termination. Give them regular feedback on performance and suggest ways for them to improve. At the very least, poor performance reviews prove to a court that you had valid reasons for firing someone.

3. Watch what you say. On the day you fire someone, he or she will remember whatever you say in the worst possible light. While you should always avoid making discriminatory statements, be especially cautious during a termination meeting.

4. Don't be too kind. You may feel compassion for the person you must fire, but don't express your feelings in the wrong way. If the employee's performance

is substandard, don't offer compliments on any aspect of his or her performance. Doing so might make you feel better, but it will only give the employee cause to question and challenge your reasons for the termination. And your off-handed compliments could turn up as evidence against you in a wrongful-termination suit.

5. Keep quiet. Don't discuss your reasons for the termination with other employees. It's enough to say, "Jamie will not be working with us anymore." Some managers have spoken too freely about the reasons for a departed employee's termination, only to find themselves in court defending themselves against a defamation-of-character suit.

Doing battle with the clock? 4 ways to win the game

You're swimming in emails, phone calls, "quick question" interruptions ... and it's only 10 a.m. How do you find time to be "strategic"—or even get to that one project you planned to complete today? Here are a few tips on becoming more efficient:

1. Beat clutter with the "D" system.

Every document and email you receive should be discarded, deleted, done, dated (as in, when you'll do it), drawered (filed) or deterred (forwarded to someone else). The goal? Handle each piece of paper or email once.

2. Manage interruptions. You can't stop people from dropping by or calling. But you can determine how you'll react to their requests. Decide within the first minute whether to deal with the issue on the spot or whether you need to schedule time

for a longer conversation.

3. Make a daily plan. Block out time for what you want to accomplish in a day. Schedule high-focus tasks for the time of day when you're most alert. Ideally, you want to tackle your top priority within 20 minutes at the start of the day.

Set aside five to 15 minutes for planning first thing in the morning and at day's end.

4. Prioritize tasks: It's as easy as ABC, 1-2-3. At the start of the week, list five things you have to accomplish during that week. Compare No. 1 and No. 2, asking, "If I could get only one done this week, which would it be?" Put a tick mark by the chosen one. Then compare No. 1 against the No. 3 item. Next compare No. 1 against No. 4 and No. 5.

Now, begin the process again, starting

with the No. 2 item. Compare it with No. 1, and put a tick mark by the chosen item. Go down the list, comparing No. 2 against the other items. Do the same with No. 3, then No. 4 and No. 5.

The item with the most marks is your A, the next highest number of marks is your B, and so on.

Career checkup: 25-question self-quiz

Everybody feels their on-the-job motivation dip at times. But the blues can turn into full-blown job burnout if they're combined with overwork and underappreciation. To see if you're edging toward the crispy end of the burnout scale, take our 25-question self-assessment at www.theHRSpecialist.com/burnout.

Reduce your workers' comp premiums: 6 tips

Since employers ultimately bear the expense of workers' comp benefits, it's smart to understand how the system works and the proactive steps you can take to control costs.

Workers' comp is a no-fault insurance system. That means to collect benefits, injured workers don't have to prove they're completely free from fault or that

the employer is at fault.

Also, workers' comp is an "exclusive remedy" system. That means, in exchange for the expectation of benefits, workers typically can't bring a civil lawsuit against an employer to collect damages for work-related injuries.

Your cost for workers' comp insurance depends on your company's industry classification (riskier business = higher rates) and loss experience (more injuries = higher rates), as well as on rates set by state law.

You can significantly reduce the cost of your workers' compensation premiums by following a program of accident prevention, better claims management and prevention of fraud and abuse. Specifically, you should:

1. Establish an accident-prevention program. Many states offer free workshops and consultations with safety and health specialists who will design specific accident-prevention programs for you on site. For details and a list of state consultation offices, visit www.osha.gov/dccsp.

2. Investigate all accidents. You can't design an accident-prevention program unless you know what causes the acci-

dents. Keep records of all accidents, not just the ones resulting in claims.

3. Report accidents promptly. The sooner you file an accident report, the sooner your employee will be evaluated, treated and cleared to return to work.

Delays often cause employees to contact lawyers.

4. Stay in touch with injured employees and their doctors.

Follow the progress of recovery. That will help you design an appropriate return-to-work plan. Follow the claim's progress to spot errors or fraud.

5. Use return-to-work/light-duty programs. If an employee is injured too severely to return to regular work, have a transitional or light-duty alternative available.

6. Know your insurance system. Find out if you are in the lowest classification for your type of business. The classification should be based on your principal line of business, not on a particularly hazardous job. Shop for the best rate.



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Online resource: State laws

Find a description of (and links to) each state's workers' comp law at www.tinyurl.com/WcompLaws.

To conquer turnover, first calculate its true impact

Issue: Retaining key employees is more important than ever.

Risk: Turnover hurts the company's bottom line.

Action: Use your calculations to support employee-retention efforts.

Even in this day of penny-pinching, few CEOs understand how much money their companies lose by failing to retain key employees. *Examples:* Replacing an HR manager in the automotive industry can cost \$133,803. A machine-works company that loses a skilled, salaried machinist can lose \$102,796 from its bottom line. And the loss of a store manager costs a fast-food chain \$21,931.

Now, here's your chance to calculate the cost of losing one of your company's stars. Thanks to consulting firm Kepner-Tregoe Inc. and the Saratoga Institute, here's a formula you can use:

Select a job function with a lot of

turnover. Calculate the full cost of that function by entering the average wage for that position on Line 1 and then multiplying it by 130% to include benefits costs.

Next, multiply the total wage by 25%. This cost per employee may then be multiplied by the number of ex-employees on Line 6 to arrive at the total cost of turnover in this position.

Here are the steps:

1. Annual wage	\$	
2. Gross-up for benefits x		1.30
3. Total wage	\$	
4. Turnover cost x		0.25
5. Cost per employee	\$	
6. Ex-employees x		
7. Total turnover cost	\$	

Here's an example:

1. Store manager salary	\$	67,480
2. Gross-up for benefits x		1.30
3. Total wage	\$	87,724
4. Turnover cost x		0.25
5. Cost per manager	\$	21,931
6. Ex-managers x		10
7. Total turnover cost	\$	219,310

FYI

FMLA poster & forms: Are yours out of date?

The current versions of the U.S. Department of Labor's model FMLA certification and notification forms are good until August 2021. Find links to the current forms at www.theHRSpecialist.com/fmlanew.

Also, the DOL revised its FMLA rights poster, which covered employers must display in the workplace. **Advice:** You can (and should) stick with your old FMLA poster. That's because the updated version basically includes the same information, but it's more eye-catching and it highlights the DOL's contact information for filing a complaint (not something you want). Learn more and access the poster at www.theHRSpecialist.com/fmlaposter.

When to deliver final paycheck: State law chart

With layoffs on the rise, you need to know what goes into that final paycheck and when to pay it. Best practice: If you have offices in several states, apply the most stringent state law, which is to pay right away. Also, you can usually take all the regular deductions from a final check. Find a chart of state laws on timing of last paychecks, including whether you must cash out accrued vacation days, at www.theHRSpecialist.com/finalpay.

Don't waste money on government forms & posters


Various government agencies are warning employers about misleading ads suggesting that you must buy certain government forms and posters from private companies. Most documents you need to post in your workplace can be found free on government websites. *Example:* The U.S. Department of Labor's site, www.dol.gov/whd/resources/posters.htm, lets you download most posters. **Tip:** Websites ending in ".gov" are the only official sites. Some private ".com" sites sell government documents using official-looking sites.

FBI warns of employees faking COVID diagnosis

Be aware: Some employees are using phony doctors' notes to fake a positive coronavirus diagnosis. The reason: a paid vacation. Example: A manufacturer shut down for weeks after a worker submitted a fake positive test, resulting in \$175,000 in sanitizing costs and PTO for "exposed" workers. **Tip:** When in doubt about a doctor's note, contact the doctor (after first giving the employee the opportunity to authenticate).

How assertive are you? Take the quiz

Giving employees feedback. Negotiating with vendors. Sticking up for your people (or your budget). Such communications require assertiveness. Some HR pros are naturally assertive; others may need to learn it. How assertive are you? Find out by taking our quiz at www.theHRSpecialist.com/assertive.



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