



Human Resource Leadership for Improved Profitability

STRATEGIC WORKPLACE SOLUTIONS, LLC

The Lighthouse Report

OCTOBER 2007

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INSIDE THIS ISSUE:

Meet Lindsey Moore 2

Performance Management-Oriented 2

Immigration Rules Update 2

Principles of Learning 3

NDEAM 3

SWS News 4

Contact Information 4

Legal Update: Definition of Supervisor

On September 19, **H.R. 1644**, the "RESPECT" Act passed the first hurdle toward becoming a law, when the House Education and Labor Committee approved the bill (26-20).

The "RESPECT Act", which was supported by organized labor, would amend Section 2(11) of the National Labor Relations Act (NLRA) by changing the definition of "supervisor." The new definition would reduce the number of employees who qualify as

"supervisor," thereby increasing the number of employees who are eligible to join a union. Under current law, employees categorized as "supervisors" are unable to join a union.

The bill would remove the phrases "assign" and "responsibility to direct" from the duties associated with a "supervisor" under the NLRA, and dictate that an employee cannot be classified as a "supervisor" unless he/she engages in managerial duties "for a

majority of the individual's work time." However, supervisors often perform numerous tasks in addition to their management responsibilities.

The full U.S. House of Representatives is expected to vote on the "RESPECT" Act legislation in the coming weeks.

You can contact your Congressman to express your opinion about this pending legislation.

Source: SHRM website

EEOC Alerts Public - Email Scam

On October 19th, the U.S. Equal Employment Opportunity Commission (EEOC) notified the business community and general public to a "phishing" e-mail circulating to companies that purports to be from the federal agency regarding a harassment complaint. The bogus e-mail contains a Trojan Horse Virus that is likely to harm a recipient's computer if the user clicks on the referenced web link and/or downloads the attached file.

The phony e-mail to employers—being circulated under the subject "Harassment Complaint Update For"—contains links where the respondent can allegedly access details of a fake discrimination claim. The EEOC has reported the issue to the authorities.

The EEOC's policy is to notify an employer of the filing of a charge of employment discrimination **using the U.S. Postal System**. Because of security concerns, the EEOC does not notify employers of the filing of a charge of discrimination via e-mail. Consequently, if a company receives an e-mail notification which purports to advise the respondent of the filing of a charge of employment discrimination with the EEOC, the federal agency urges users to delete it immediately.

The contents of the phishing e-mail include an EEOC logo under the subject line and contain purported language from the EEOC under a subject heading, "Employer Liability for Harassment."

Source: EEOC website

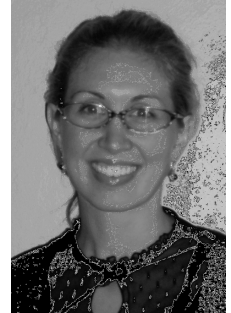
Meet SWS Team Member Lindsey Monroe

Lindsey joined Strategic Workplace Solutions in September. In her second week as the Administrative Assistant, she worked the exhibitor's booth at the NC SHRM State Conference, greeting visitors, handing out mugs and calendars, providing information about our services, and helping to keep the materials stocked.

Lindsey relocated to WNC from Erie, Pennsylvania about a year ago. She previously

worked in positions such as Executive Assistant/Events Coordinator, Community Systems Development/Administrative Assistant, and Development Director for various organizations in Erie. She also owned an art & jewelry consignment business.

In addition to keeping us organized, Lindsey assists clients, prepares marketing materials, and supports business operations.



Performance Management - Orientation

Orientation is not just a program. It is the process of helping an employee learn everything s/he needs to begin working safely and productively. To be most effective, your orientation process should be conducted over a period of time. Otherwise, it's just too overwhelming.

The top three goals of your orientation process should be to:

1. Help the employee feel welcome/part of the organi-

zation as quickly as possible

2. Reduce turnover by clarifying what is expected and providing a realistic description of the work

3. Decrease the amount of time it takes for a new employee to become fully productive

Toward this end, include the following:

- Introduction to people, facilities, the job, and day-to-day routines

- Corporate culture, vision, values, goals, and plans and how their positions directly contribute to them

- Specific expectations for work performance and behavior

- Job/safety training—so they can safely get started and experience some success immediately

For information regarding principles of learning, see page 3.

“Use your orientation process to help your new employees understand how they can specifically contribute to the attainment of company goals.”

Immigration Rules Update

On August 10th, the Department of Homeland Security issued a series of procedural changes to strengthen enforcement of existing immigration laws. As part of this effort, DHS issued a set of regulations that employers would be required to follow when they receive “no match” letters from the Social Security Administration. Both organized labor and

employers challenged these new rules.

In late August, the court issued a temporary restraining order to delay the regulations. On October 10th, the court issued a preliminary injunction, preventing implementation of this rule. This is a more permanent remedy, but not final. Even though the 90-day period

for resolving SSN mismatches is not in effect, you should still make every reasonable effort to resolve them. The issue of employment of illegal immigrants continues to be a priority for DHS.

We will keep you posted about this and other immigration-related changes via future Lighthouse Reports.

Basic Principles of Learning

Learners who are motivated will learn to master subjects faster and more thoroughly than learners who are less motivated.

Learning will be absorbed better and retained longer if it is directly related to, and can be applied to the job. For this reason, it is better to teach those things that the employee can immediately apply on the job first, and then proceed to other areas.

Material that is learned and understood is likely to be retained better than material learned by rote memorization. Explaining why something has to be done will not only allow for a better understanding of the material, but will also give the employee a reason to utilize the learned information/skills.

Practice that is spaced over several periods is more efficient than one concentrated long practice.

The order in which information/skills are learned is very important. The first informa-

tion/skills should be basic and simple to act as a foundation upon which other knowledge/skills can be built. This will provide the learner with a more thorough and practical understanding of the subject.

Knowledge of results will help learners maintain motivation to continue the learning effort. Honest feedback will not only enable the learner to learn from his/her mistakes, but it will also provide a sense of accomplishment toward mastering the requisite knowledge/skills.

You can provide your employees with information, inspiration, a good example, and the opportunity to practice. Remember:

The effort and responsibility for training rests with you.

The effort and responsibility for learning rests with your employees.

Before you jump into the training, consider the following components of an effec-

tive training cycle:

Analyze learning needs—are these new employees who need the basics to get started, employees who have performance issues, or seasoned employees who are assuming different responsibilities?

Develop a training plan—start with the participant objectives (that result from your assessment). For each major topic, identify the content (knowledge/skills to be learned), training methods/media, the time needed, handouts, and how you will measure attainment of the objectives.

Prepare—complete the participant materials, finalize logistics, confirm supplies and equipment, design the environment, rehearse, and relax.

Conduct the program—create the right environment, establish relationships, follow your plan

Evaluate the learning

“The effort and responsibility for training rests with you. The effort and responsibility for learning rests with your employee.”

October is National Disability Employment Awareness Month

Congress has designated each October as National Disability Employment Awareness Month (NDEAM). The US DOL Office of Disability Employment Policy has the lead in planning NDEAM activities and materials to increase the public's awareness of the contributions and skills of American workers with disabilities. Various programs carried out throughout the

month also highlight the specific employment barriers that still need to be addressed and removed.

This effort to educate the American public about issues related to disability and employment actually began in 1945, when Congress enacted a law declaring the first week in October “National Employ the Physically Handicapped Week.” In

1962, the word “physically” was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities. In 1988, Congress expanded the week to a month and changed the name to “National Disability Employment Awareness Month.”

Source: US DOL website



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SWS helps organizations to:

Improve individual and organizational performance

Identify and resolve HR challenges

Enhance employee relations/communications

**The right human resource decision today
improves your profitability tomorrow.**



Strategic Workplace Solutions News

At the NC SHRM 2007 State Conference in late September, Carol presented a program titled, ***Building Teams Across Difference***. With about 100 participants, it was well attended. Carol also moderated the View from the Top concurrent session, which was offered twice.

SWS set up an exhibitor's booth on Thursday and had many visitors throughout the day. We were happy to present two door prizes—a local gift basket and the business book, *The HR Scorecard*.

Earlier this month, Carol presented a public program for business owners through A-B

Tech's Small Business Development Center. ***Human Resource Management: Challenges and Compliance Issues*** was intended to specifically address the concerns/questions of the participants. Carol focused on the following topics: seeing the big picture, staying out of trouble, hiring the right person, and improving employee performance.

Strategic Workplace Solutions and Constangy, Brooks & Smith are partnering with the Asheville Area Chamber of Commerce to bring the following program to HR and other business leaders:

Human Resource Horror Stories! will be presented on Monday, Oct. 29th from 4:00 to 5:30.

Some HR situations can be pretty frightening. Discuss actual case studies and learn how to prevent/address them to avoid your own "Nightmare on Litigation Street."

Learn a few "tricks" to protect your company. Enjoy some "treats" as you network with business colleagues.



Location: Chamber Board Room

Information/Registration:

info@strategic-workplace-solutions.com

Cost: Free

Registration is required because seats are limited