

To:

The HR Specialist

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Attend
the No. 1 HR law
conference: April 3-5
at Paris in Vegas! ... page 8

From: Business Management Daily

Subject: Practical HR strategies to boost your career

In The News ...

Educate employees about adjusting their W-4s. Millions of U.S. workers saw smaller IRS refunds this year—or faced surprise tax bills—because they didn't change their W-4 withholdings to keep up with the new tax laws. So far, the average refund is down 17% compared with last year. That created lots of questions directed at HR departments and tax-prep services. (H&R Block even held "empathy training" this year to help agents handle upset clients.)

Advice: Send an email or have a quick lunch-and-learn to explain how employees can adjust their W-4s to avoid this problem on their 2019 taxes. Point workers to the IRS withholding calculator at www.irs.gov/individuals/irs-withholding-calculator.

NYC is first to ban hair discrimination. In New York City, a person's hairstyle is now as protected from job discrimination as their race, gender or religion, according to guidance last month from the New York City Commission on Human Rights. These protections were prompted by what the commission calls "racist stereotypes that black hairstyles are unprofessional."

Tip: For employers outside NYC, it may still be wise to do away with any hair grooming policies. Such rules can open the door to other discrimination claims, and hair-bias laws may spread to other cities and states.

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FMLA can't be used to create long weekends

There's a good reason the FMLA has been saddled with the "Friday-Monday Leave Act" nickname.

In the 26 years since the law was enacted, employees have learned how to take advantage of the leave's protected status, especially if the person has been given the green light to take intermittent leave for a chronic condition (or care of a sick relative).

But that doesn't mean you have to accept abusive "pattern absences" that seem to occur on Fridays, Mondays or before holidays. You may be able to refuse such intermittent leave requests without violating the FMLA. *The key:* knowing how to legally use your rights to request certifications (and recertifications), when to require advance notification

of leaves and when you can be in touch with the employee's doctor (*see box below*).


Recent case: Evan, an air traffic controller, asked for sporadic time off to bond with his new child. Typically, Evan requested Friday afternoons off and all day Saturday.

Eventually, Evan's boss began refusing those requests because it was hard to get other staff to cover.

That's when Evan put in a written request for FMLA leave to take those days off each week. The

Continued on page 2

Online resource To learn how to curb abuse of intermittent leave, download our 14-page special report, *FMLA Intermittent Leave*, at www.theHRSpecialist.com/FMLAintermittent.



HR from a cube: Overcome the privacy risks

Those increasingly popular open-space floor plans may improve collaboration, but they also increase the risks for jobs like HR that require privacy and confidentiality.

Wide open spaces also increase stress. A recent Robert Half survey asked employees if their workspace made them feel relaxed. While 59% in private offices said yes, that number fell to 31% for workers in cubicles and 25% in open floor plans.

Here are six tips for doing your HR work in a less-than-private space:

1. Pick an optimal location. Explain why you need a spot in a far corner, not in the center. Position

your computer so it is not facing out. Get a monitor privacy screen.

2. Secure other locations for privacy. Use a spare conference room for calls or meetings that require privacy. *Good habit:* So as not to induce fear anytime you ask an employee to meet you there, use the room for as many purposes as possible. You may also have to get creative and walk and talk with employees.

3. Use locks, both real and virtual ones. Keep locks on all of your file cabinets and drawers, and limit access to the keys. Have your computer's screen saver come up

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Friday-Monday Leave Act

(Cont. from page 1)

employer denied the request, saying Evan got plenty of days off but shouldn't be given blanket permission for Fridays and Saturdays.

Evan sued. The employer argued that FMLA requests not necessitated by medical needs must be balanced against operational needs and scheduling restrictions. The court agreed and dismissed the case. (*Seeley v. Chao*, ND TX)

Note: The FMLA only requires employers grant baby bonding time in one continuous block, but this employer's union contract allowed intermittent leave for it.

Tip: When facing suspicious absences, consider sending a note to the physician stating, "*Here's a calendar of the past three months of his FMLA absences. Is this what the absence pattern should look like for this patient and his treatment plan?*"

HR from a cube

(Cont. from page 1)

after a short period of inactivity, and password-protect it. When you step away from your desk, secure confidential papers.

4. Consider the height of cubicle walls. Even a six-foot wall won't prevent passersby from overhearing a conversation, and it could prevent you from seeing if someone is eavesdropping. *Tip:* Strategically hang a plant in a highly reflective pot so you can see from your desk if anyone is lingering.

5. Cut down on phone calls. Use email as much as possible. Meet elsewhere if you need to discuss matters unfit for distribution via the office rumor mill. Consider playing music (or white noise) softly in your cube.

6. Schedule calls and meetings for less-busy times. Don't be afraid to let someone know if it is not a good time to talk or meet. Arrange a time when fewer people are around (e.g., early or late in the day or lunch time).

Employee Training

How to make sure your training efforts translate into better performance

Just because you send your employees to training courses doesn't automatically mean they'll be smarter and ready to double their productivity. But if HR or supervisors show interest in the knowledge they've gained, employees may try harder to put new tools to work.

The best training does not occur in a vacuum. Participants must connect what they learn in a classroom with their daily work activities.

Playing an active role in employees' ongoing learning process can help once the formal training ends. Here's how:

1. Test the students. People remember more of what they're taught if they know they'll be evaluated on what they retain. This doesn't mean you have to give a written exam, although some managers may prefer this approach.

A less formal technique is to have your staff explain what they learned and how it applies to their jobs.

Pose fact-finding questions to gauge how much they benefited from the training. This can be either in the form of a verbal chat or an email summary.

Warn employees ahead of time that you'll be requesting this debriefing as a way to assess their

Create an annual report to track the value of training



Don't just throw money at employee training without tracking its usefulness. Compiling an annual report on your training efforts can help determine the ROI of each effort and demonstrate HR's worth when it comes to employee development. For advice on how to craft a training annual report (and what to include in the report), go to www.theHRSpecialist.com/trainingreport.

ability to pay attention and remember what they learn.

2. Use public commitments.

At your next staff meeting, go around the room and have each employee commit to applying at least one learning point from their training session to their job. Ask them to propose a timetable or present a quantitative goal to which they will hold themselves.

3. Ask for written action plans. Have each employee who attended the training program submit a one-page memo that lists the three most important points they learned and how they intend to integrate this knowledge into their daily work.

4. Run checkups. Make a note on your calendar to do a progress report one or two months after the training is over. Bring the group together for a follow-up meeting and remind them of key elements of the session.

Prescreen training content: It could trigger bias lawsuit

Before having employees watch a training video or online material, check it out yourself or you could risk legal trouble. Why? Consider this cautionary tale:

A black employee of a Louisiana credit union complained to her boss that a training video she had to watch included "racially offensive" material. The video depicted a caricature of a black fast-food worker as an example of "how not to provide customer service." The boss responded by firing the worker. She sued, and the company settled for \$110,000.

In addition to screening training content to identify possible sore spots, make sure your supervisors know to never retaliate against workers for their legal complaints. The retaliation can be illegal even if the alleged discrimination was not.



Remind bosses: No comments on health costs

When an employee suffers a major health problem, those costs can add up—in dollars and lost work time. But make sure your supervisors know it's never appropriate to voice these concerns to the employee or even to other co-workers. And remind rank-and-file employees to keep comments about co-worker health to themselves.

Recent case: Jullee had a series of strokes, and she took multiple medications that required her to go to the restroom frequently. She sometimes took FMLA leave for treatments.

One day, her manager commented about how much her medical treat-

ments must be costing the employer. Plus, several of Jullee's co-workers often talked about her medical problems and frequent bathroom breaks.



Eventually, Jullee was fired and sued. The court sent the case to trial, saying the comments were enough evidence to show that her disabilities may have been the motivating factor for the firing. (*Chamberlain v. Wyoming County*)

Online resource In addition to not complaining about health costs, it's vital for managers to know when they can (and can't) ask about employees' medical issues. Learn more at www.theHRSpecialist.com/medquestion.

Yes, minorities can be liable for job bias

Discrimination isn't always about a majority group disfavoring a member of a minority group. Sometimes, that scenario is reversed. And other times, one minority member may favor those of his or her own group over another minority.

Realize that all three are forms of illegal discrimination. And remind supervisors that all employment decisions should be blind to race, color, gender, age, religion or disability status.

Recent case: Carmen, a Hispanic woman who was born in Puerto Rico, worked for a manager of Indian origin.

She complained to HR that her boss gave favored project assignments only to other employees with Indian backgrounds, not to her. Soon after, Carmen was fired.

In court, the company argued that one minority group favoring its own members isn't discrimination. Not true.

The court sent the case to trial, saying the minority status of the alleged discriminator is irrelevant if that person actually did favor one group at the expense of another protected group. (*Garrett v. Enbridge Energy*)

Are your investigations tainted by bias?

When faced with possible employee misconduct, how you investigate can make the difference between a quick resolution and a needless discrimination lawsuit. It's critical to proceed quickly, but also fairly. One important step: Keep out of the process any information that shows the race, sex, age or other protected characteristics of the employees being investigated.

Recent case: After a months-long investigation, Michael was one of several Wells Fargo employees fired for company violations. Michael sued, alleging

he had been singled out because he is a white man. The court tossed out his case because Wells Fargo showed how it conducted the investigation fairly.

A computer system identified the fraudulent actors and was blind to any protected characteristics (age, race, sex, etc.). Then the bank went through the emails of each targeted employee. (*Massaro v. Wells Fargo Home Mortgage*)

Online resource Access *Conducting Workplace Investigations: A Step-by-Step Guide* at www.theHRSpecialist.com/workinvestigations.

Legal Briefs

Employee won't sign review? Note it, but don't sign for him

As part of his age discrimination lawsuit, James claimed someone forged his signature on the negative performance review used as the basis for his firing. The company denied discrimination but, at trial, admitted a manager signed the review for him. As a result, a jury sided with James, awarding him \$2 million in damages. (*Halloran v. Millington*)

The lesson: If the worker won't sign a review, just make a note of that. For warnings to be valid, you don't need the employee's signature.

Power of the poster: FMLA notice can cut off lawsuits

Employees have two years to file FMLA lawsuits after an alleged violation. But if they can prove their employer *willfully* violated the law, they get up to three years to file. A New York worker tried to file an FMLA lawsuit after the two-year deadline, but the court tossed it out. **Reason:** The company did annual FMLA training, and it put the FMLA Rights poster next to the time clock. (*Mejia v. Roma*)

The lesson: Employers that post FMLA notices—and train managers on the FMLA—generally get the benefit of the shorter deadline.

Accident during training: eligible for workers' comp?

During his normal lunch break, Juan left work to drive to a mandatory meeting offsite. He was severely injured in a crash. The company fought his workers' comp claim, saying the injury didn't occur in the "course of employment." The court disagreed, saying no employees had been directed to wait until after their lunch breaks to drive there. (*State Office of Risk Management v. Peña*)

The lesson: Mandatory training is in the "course of employment."



EEO-1 reporting dates delayed until May

Because this year's federal government shutdown delayed the launch of the 2019 EEO-1 survey, the deadline for employers to complete their surveys has been extended until May 31. The EEO-1 is an annual online survey of employee demographics (race, gender, job category) that all private employers with 100 or more employees (or federal contractors) must complete. Find more details at www.eeoc.gov/employers/eo1survey/index.cfm.

Harassers in Congress: Taxpayers no longer on hook

When Blake Farenthold—a four-term Republican member of Congress from Texas—resigned last year amid sexual harassment allegations, he negotiated an \$84,000 settlement with the victim (a member of his staff). *One problem:* The money came from the U.S. Treasury, not from Farenthold. That can't happen anymore. A new law holds members of Congress personally liable for legal bills incurred as a result of civil actions that result in damage awards or settlements.

OSHA eases some accident-reporting requirements

Under a new OSHA rule, larger employers—those with 250 or more workers—are no longer required to electronically submit detailed copies of OSHA Form 300 (*Illness and Injury Log*) and Form 301 (*Illness and Injury Incident Report*). However, employers must retain the forms in their own files. Those large employers still must submit Form 300A (*Summary of Work-Related Injuries and Illnesses*). Learn more about your responsibilities for record keeping at www.osha.gov/injuryreporting.

Supreme Court could address LGBT work bias

The U.S. Supreme Court could decide soon whether to hear a trio of cases that ask whether the federal law banning discrimination on the basis of sex also bans discrimination against lesbian, gay, bisexual and transgender employees.

Example: A male employee who was transitioning to become female was fired for violating his employer's dress code after he started wearing dresses. The EEOC sued, saying the policy discriminated based on sex, including sexual identity. (*Harris Funeral Home v. EEOC*)

HR Q&A

Should we separate our handbook and manual?

Q. We have an employee manual that is both a handbook and a policy manual rolled into one. Are there reasons to keep these separate? — *Sandy, Illinois*

A. Quite possibly, yes. First, think about how you use them and whether having one large manual makes updating more burdensome. Also, you want to take steps to ensure that your handbook policies do not create a promise or expectation of continued employment. This typically requires you to clearly and prominently display disclaimers regarding any policies that could be read as promises. But it may also be better to keep handbook policies apart from operating policies to avoid confusion.

Finally, if your manual contains more than just policies—for example, guidelines on how the policies are administered, which are more appropriately HR or management issues—then you may want to separate the two.



Expenses paid to a third party: Still taxable?

Q. Our company has an account with a car service. The car service invoices us directly, so employees aren't reimbursed. Are these amounts still taxable to employees, even though they never receive cash?

A. Maybe. Employees must still satisfy the accountable plan rules in order for any payment made on their behalf to be excluded from their income. Paying the car service's bills essentially functions as an advance to employees. They still need to substantiate the time, place and business purpose of their use of a car. In other words, you know when the expense was incurred, where it was incurred and how much. But you don't know why the expense was incurred and that's the key.

How is the FMLA's 75-mile rule measured?

Q. I know we must comply with the FMLA if we have at least 50 employees working within 75 miles. We have a facility 65 miles away "as the crow flies," but it's much more than 75 miles by road because of the mountains. Must we comply? — *Christopher, Colorado*

A. FMLA regulations do address this directly—you have to measure the exact distance by road. According to the regulations, "the 75-mile distance is measured by surface miles, using surface transportation over public streets, roads, highways and waterways, by the shortest route from the facility where the employee needing leave is employed." (29 C.F.R. 825.111(b))

Do you have a question? If so, you can email it to The HR Specialist at HRSEditor@BusinessManagementDaily.com.

Accidentally overpay an employee? Here's how to legally recoup those dollars

When your organization accidentally overpays an employee, it's important to take the correct steps in recouping that amount to avoid running afoul of payroll laws.

You can treat a wage overpayment as an advance or a loan, but the best approach to recoup that overpayment is to treat it as a deduction, said Barbara Youngman, payroll analyst at Toyota Motor, at the American Payroll Association conference.

How you recoup the money has consequences, depending on whether the overpaid employee is nonexempt or exempt under the Fair Labor Standards Act.

- **Nonexempt employees** need not give permission for deductions, but deductions can't be made from overtime pay and can't leave them with less than the minimum wage.
- **Exempt employees** must receive their guaranteed salary every week, so no deductions can be made. You can deduct from non-guaranteed pay, such as bonuses or vacation time.

The FLSA aside, under individual states' wage payment laws, deductions must be voluntary—made without fraud, undue influence or coercion—and authorized by employees in advance, Youngman said. Authorizations can be generic and included in employee handbooks.

The better option: Create a specific authorization detailing the pay periods during which the deductions will be made, whether deductions will be a percentage of gross or net pay and provides employees with a period to revoke their authorization.



Wage overpayment: Sample policy and form

Download a sample company policy on wage overpayments (which you can customize to suit your needs), plus samples of two wage-deduction authorization forms for employees to sign, at www.theHRSpecialist.com/overpay.

Getting the taxes right

Taxes have been withheld from the now-repaid overpayment, and they must be accounted for.

- **If the overpayment is recouped in the current quarter**, employees repay the net, either by check or payroll deduction. You adjust the wages and void the payment. Everything will reconcile at the end of the quarter.
- **If the overpayment is recouped in a later quarter of the same year**, you adjust the quarter during which the overpayment occurred and employees' W-2s will be correct. However, you must ensure that your payroll system can handle this. You'll need to file Form 941-X.
- **If the overpayment is recouped in a later year**, employees repay the gross. Current year wages aren't impacted and you must get their separate authorization to refund the overwithheld FICA taxes to them. You must also file Form 941-X and provide employees with Form W-2c (adjust the FICA wages only).

Online resource: Direct deposit laws

Another related controversial payroll question is whether (and when) you can require employees to receive their pay via direct deposit. Discover your state law on direct deposits and paycards at www.theHRSpecialist.com/DDlaws.

How to wreck your day in the first 10 minutes

How you spend the first 10 minutes of your workday can make or break your productivity the entire day. According to a recent report in *Entrepreneur*, here are six things that you (and your employees) should avoid:

1. Starting several tasks at once.

Most experts agree that multitasking hurts your productivity and how well you execute each task. Take a minute to prioritize your tasks and plan your day. Then tackle each task one at a time.

2. Going straight into a meeting.

You'll likely feel rushed, perhaps stressed, and it will set the mood for the whole day. Block out the first hour of your day to focus on your top priority, unless a meeting is unavoidable.

3. Checking your email immediately. Email can become a serious time suck. Wait at least 30 minutes before you check it, and spend that first half hour planning or focused on your most critical task.

4. Opening a web browser. You may intend to just take a "quick" moment to read the news or check social media, but you end up losing a big chunk of your time. Avoid the temptation and block any websites you don't need for work.

5. Carrying your worries with you. You're thinking about your grocery list, your kid's doctor appointment, your vacation in April that you must book a flight for and so on. Thinking about even small personal issues can disrupt your workflow. Take out a notebook and write everything down. It helps clear the mind so you can focus on your work.

6. Complaining. If the first thing you do when you walk through the door is start griping about your commute, the weather or how much work you have to do, you are guaranteed to start your day off on the wrong foot.

To: _____
From: _____

Date: March 2019
Re: Self-assessments

Self-improvement Become a better manager with this 15-minute daily habit

You probably turn to mentors, conferences, books, podcasts and articles for professional development advice. But if you're always looking outside for suggestions to become a better manager, you're missing an opportunity to tap into the most powerful source of real-time, actionable (and free!) feedback: Self-assessment. A daily self-assessment practice can be the most impactful growth tool you can use to be a more effective, more fulfilled manager.

Two questions to guide your self-reflection

A daily self-reflection practice doesn't need to take more than 15 minutes, and it doesn't even require that you dig particularly "deep" into your day. It simply starts by answering these two questions as they pertain to your goals and job as a manager:

- What is important?
- What could be done differently to better achieve what's important?

Each week, revisit your answers to ensure they're current with whatever may have been added or removed from your managerial plate.

Take stock of how you spend each day

Your answers to these two questions drive the basis of your self-reflection practice. At the end of each day, spend a few minutes writing down all the things you did—from the major, to the minute. (Try jotting quick notes in your phone every few hours, or draft an email to yourself that you can periodically update to keep a running tab of the day's events.)

To begin each self-reflection prac-

tice, start by classifying each item on your list. Highlight those that could be categorized as "priority" based on the important tasks or goals you've already identified.

In the first weeks of your self-reflection practice, it's possible that very few of the things you do in a day will correlate to the priorities and values you identified.

If this is your reality, it's an opportunity to consider the second question: *What can be adjusted or changed to achieve what's important?* The solutions will vary, but considering how to turn your action into actual productivity is the first step to growing your value as a manager.



Evaluate your day like a witness

Once you've shone the spotlight on all those little actions that aren't correlated to your priorities, probe deeper into your personal and professional values to form the second

half of your self-reflection practice. Consider questions like:

- What did I do today that I am proud of? (And not proud of?)
- How did I act like a leader today?
- How did I act like a follower?
- What did I learn today that I could apply to be better tomorrow?

As you build a consistent practice, you'll begin to see strengths, weaknesses and opportunities for improvement emerge.

Aim to apply your learnings to grow your own managerial skills based on this real-time feedback. When you see your performance through the lens of an impartial observer you can uncover invaluable insights on how to develop as a manager and better support your team.

Quiz How well do you use your managing time?

To determine how well you maintain your team's productivity and control time loss, rate yourself on each item from 1 (almost never) to 5 (almost always):

- I set clear guidelines for productivity during the workday.
- I back up my talk about productivity with monitoring of what actually gets done.
- I instill in my staff a sense of urgency about the work and why it matters.
- I keep everyone informed about our goals and how we are doing as a group.
- I offer more positive than negative feedback on daily tasks.
- I cross-train employees so they can switch jobs and fill in for one another as needed.
- I make an effort to involve my people in decision making and problem solving.
- I see to it that our work is planned, that we stay scheduled and we start (and finish) on time.
- I create contingency plans for times when the regular workflow is affected.
- I stress results rather than activity.
- I set the right example by the way I manage my time and attitude toward work.

What your score means:

Higher scores are better, but it is possible to be too focused on productivity at the expense of team morale. If you scored above 50, be careful that your efforts don't backfire. If you're seen as an unbending taskmaster, morale and productivity can suffer. If you scored fewer than 30, you may end up with the same results for the opposite reason. A workplace with little structure or focus on productivity is also demotivating.

Are you an 'Employer of Choice'? 3 ways to attract the best

To be an "Employer of Choice" in the new economy, we must understand that the talent landscape has evolved dramatically, as has the workforce. With Millennials making up nearly half the workforce, they set the tone for employee engagement for the foreseeable future.

Millennials' expectations—for diversity, transparency, collaborative work cultures, fluid organizational structures, flexible work and positive social atmospheres—are challenging most companies' workplace norms.

To stay competitive, companies must understand the changing talent landscape and adopt new methods for attracting and engaging employees. Here are the top three strategies to becoming and staying an Employer of Choice:

1. Define your Employer Value Proposition. In simple terms, an EVP is the value employees receive in exchange for their spending 8+ hours per day working for an employer. A good EVP tells a clear and compelling story about what is expected of employees and what they can expect in return.

Having an EVP is critical to staying competitive in today's



"Millennials' expectations—for diversity, transparency, collaborative work cultures, fluid organizational structures, flexible work and positive social atmospheres—are challenging most companies' workplace norms."

labor market because it forces an employer to differentiate itself and to define this message to the types of workers who would be a good fit. Millennials, in particular, need to understand and agree with an EVP to be convinced to work for a company.

2. Invest in career pathing & development. Millennials expect their employers to provide them with structured information and guidance about their careers from the very start. This means providing:

- Visual career paths that show how employees can progress in an organization and what it takes to achieve certain roles and levels.
- Career development plans for individuals, begun right away and revisited regularly.
- Access to mentors and coaches who are focused on the employ-

ee's career growth.

- Exposure to experience, skills and opportunities that showcase an employee's potential.

3. Make flexibility real.

Flexible work is consistently mentioned as a top value of Millennials. Unless flexible work is a reality, Millennials (and increasingly Generation Xers and Boomers) will leave. To make flexibility a reality, companies must:

- Provide remote work options and technology.
- Allow for flexible start and end times to the day when possible.
- Encourage leaders to be examples of flexibility themselves.

Amy Hirsh Robinson, founder of the Interchange Group in Los Angeles, is a nationally recognized thought leader on hiring and onboarding issues.

Webinar: March 22

On March 22 at 1:00 p.m. Eastern, join Amy as she explains the most successful strategies for attracting and engaging next-generation talent in her *Becoming an Employer of Choice* webinar. Learn more at www.theHRSpecialist.com/events.

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NLRB puts new limits on union rights of gig workers

In a big win for employers, the National Labor Relations Board revised the test it uses to decide whether workers are independent contractors or employees, making it easier for employers to classify them as contractors. (*SuperShuttle DFW, Inc.*) The ruling puts a big hurdle in front of unionizing efforts by such workers, as federal law doesn't allow independent contractors to form unions or join employees' unions. For details about the impact of this ruling, go to www.theHRSpecialist.com/NLRBcontractor.

What one thing makes or breaks a wellness program?

To maximize your wellness program's success, make sure your leaders are visibly supportive and involved. In fact, leaders' public recognition of employees' wellness efforts and achievements is the number one factor in wellness participation, says a new Mercer consulting survey. At organizations in which leaders recognize wellness success, health assessment completion rates run at 61%, compared to just 48% for organizations in which leaders don't recognize employees.

Surveying employees? Details & follow-up matter

Employee surveys have a way of making people feel like their answers merely disappear into a sea of data. And if they're not on the "winning" end of the final results, they feel their effort was for naught. When constructing employee surveys, let workers flesh out their votes and thoughts in comment fields, and make sure to respond to thoughtful replies. After a survey, follow up by explaining the reasons for changes made in response.

Remote meetings: How to level the playing field

The most productive meetings take place when all attendees use the same medium to participate. Splitting attendance between those who are present and those who are dialing in remotely tends to push the attention toward one faction or the other—and this usually

Paid parental leave: A federal law coming?

Paid parental leave is the law in a few states, and more employers now offer it as a matter of policy (*see chart below*). No federal law requires it, but that could change as both Democrats and Republicans now consider it a winning political issue. *Leading proposals:* A GOP bill in the Senate would let new parents tap a portion of their projected Social Security benefits for paid parental leave. A Democratic bill would provide 66% of pay for 12 weeks for new parents, funded by a 0.2% payroll tax, split between employers and staff.

Employers offering paid parental leave

For birth parent

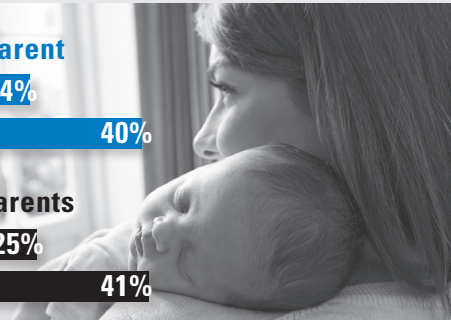
2015 24%

2018 40%

For both parents

2015 25%

2018 41%



Source: Mercer Survey on Absence and Disability Management

has the effect of making remote attendees more passive. Consider going all-remote if even a few attendees won't be in the room. It has a way of leveling the playing field.

Skip chitchat: 4 things to ask beyond 'How are you?'

When visiting employees, managers and HR should ask questions that invite engagement beyond a one-word answer. Some options, as suggested in a recent *Forbes* column: *What was the best part of your day? What work is most exciting you this week? What new ideas are giving you energy lately? What's one thing that you've learned recently that inspired you?*

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Payroll Compliance Handbook

Once upon a time, payroll used to be easy: the employee's gross pay minus federal, state and local taxes. Then along came health premium and 401(k) deductions. Still simple, but...

Today, payroll managers deal with direct deposit, health spending accounts, vehicle allowances, phone expenses, earned income credits, garnishments and more. Payroll is now a confusing and time-consuming task prone to error.

Don't let a simple mistake unleash the full and frightening power of the IRS and wipe out your business... and you personally.

With our newly updated *Payroll Compliance Handbook*, you'll quickly and easily find answers to all of your nagging payroll questions. This handy reference is written in plain English - no legal gobbledygook here - so you can quickly understand what you need to do to stay in compliance, improve efficiencies and avoid costly payroll errors.

Each chapter focuses on a specific aspect of payroll management and compliance... and every issue of payroll compliance you need to know is addressed.



Navigate easily to topics including:

- Complicated tax calculations
- Exempt classification
- Fringe benefit deductibility
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- Handling the IRS without stress
- Everything you need to know about W-4 forms
- And dozens more critical topics!

Over, please

We've Made Payroll Easy Again!

You will not find a more comprehensive payroll resource than the **Payroll Compliance Handbook**. The author, Alice Gilman, Esq., is our resident expert in payroll and tax compliance. Over the past 30 years, she's written and edited several leading payroll publications, including Business Management Daily's *Payroll Legal Alert*, the Research Institute of America's *Payroll Guide*, the American Payroll Association's *Basic Guide to Payroll* and the *Payroll Manager's Letter*.

The **Payroll Compliance Handbook** answers questions like:

- **Are your employees exempt or non-exempt?** A handy checklist makes it easy to determine
- **Must you pay an employee for attending a training program?** The answer may be no if these four conditions are met
- **How can you avoid the most common FLSA violation?** Simply follow our chart or be at risk for a hefty fine
- **A woman has less experience and education than a man in a similar role. Can you pay her less?** Plus, how to establish an equal pay merit system that works
- **Fringe benefits: taxable or non-taxable?** How to reward fringe benefits to employees without crossing swords with the IRS
- **W-2s, W-3s, 1099s and more: What errors will land you in the IRS hot seat?** We'll tell you how to avoid them
- **What's the law in your state?** Check out the appendixes for the requirements in your state.

To stay ahead of the IRS, you need the bulletproof strategies found only in the **Payroll Compliance Handbook**. Get your copy now!



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