

From: Business Management Daily

Subject: Practical HR strategies to boost your career

In The News ...

FMLA forms: Check boxes may replace doctor writings.

The U.S. Department of Labor is soliciting feedback on proposed changes to the seven forms used by employers to certify the need for FMLA leave and provide notice of FMLA rights. The goal: Make these forms easier to understand and require less follow-up with doctors.

The biggest proposed change is that the forms would require fewer written responses by doctors, which can often be vague and confusing. Instead, the forms would include statements with check boxes that would make clear whether the doctor believes the employee has an FMLA-qualifying serious condition. Find details on the proposed changes at www.dol.gov/whd/fmla/forms2019.htm.

Who are the real gossipers at work? You may be surprised.

More than two-thirds of white-collar workers admit to gossiping about co-workers or workplace issues. But while more women (79%) than men (55%) admit to gossiping, men are the bigger blabbermouths. They spend about one hour per week talking about juicy stuff, compared to women who gossip just over 30 minutes per week, says a new Captivate survey.

Not all gossip is bad, as nearly half (44%) say office chatter helps relieve work stress. For tips on how HR can tame the office gossip beast, go to www.theHRSpecialist.com/gossip.

In this issue

From the Courts: Reviews, politics, termination	3
Washington Report: Harassment, pay, pension, visas...	4
HR Trends: Salaries, hiring, productivity	5
Memo to Managers: What to say when	6
Expert Advisor: How Deloitte develops new execs..	7

OT threshold rising to \$35K: How to respond

After years of anticipation, false starts and lawsuits, the U.S. Department of Labor last month issued its final rules regarding which employees are eligible for overtime pay.

Under the new rules, white-collar exempt employees earning \$35,568 per year (\$684 per week) or less will be eligible for overtime pay when they work more than 40 hours in a workweek. The current threshold of \$23,660 per year has been in place since 2004. Barring a last-minute lawsuit, this new level will take effect on Jan. 1, 2020.

The DOL says this change will make 1.2 million more Americans eligible for overtime pay. In addition to raising the salary threshold, this rule:

- Allows employers to credit non-discretionary bonuses and incentive payments (including commissions) that are paid at least annually to satisfy up to 10% of the new threshold.
- Raises the annual compensation requirement for “highly compensated employees” from the current level of \$100,000 per year to \$107,432.

Employers were pleased that the final rule decided not to make any

Continued on page 2

The New
Overtime Rules:
DOL Compliance Guide
to the 2019 Fair Labor
Standards Act Changes



For a complete analysis of the new overtime rules, plus an updated “Who is exempt?” compliance chart, go to www.theHRSpecialist.com/overtime.

HR's 10-year career prospects look strong

Amid all the talk of robots and artificial intelligence taking over human resources roles comes news that the job prospects for HR managers is quite favorable over the next decade.

In fact, HR managers ranked 35th out of 800 U.S. occupations in terms of projected employment growth by 2028, according to new Bureau of Labor Statistics data analysis by *The Wall Street Journal*. The ranking are based on projected job openings and median salaries.

Employment of HR managers is expected to grow 7% by 2028, which is faster than the 5.2% average for all occupations.

The BLS data says there are cur-

rently 152,000 HR managers in the United States, with the greatest number in the business sector (14%), science/tech (14%), manufacturing (12%), government (12%) and health care (9%).

Six-figure profession.

The growth in employment also tracks closely with a growth in salaries.

The BLS says the median annual salary for HR managers last year was \$113,300, which ranked 38th among U.S. occupations. The lowest 10% of HR managers earned \$66,000 or less, while the highest 10% earned above \$201,000.

Note: The BLS estimates a -4% growth rate for HR assistants over the decade, a possible victim of the rise in HR-related technology.



New overtime rules

(Cont. from page 1)

changes to the so-called Duties Test, which analyzes whether employees' duties fall within the classifications for one of the exemptions (administrative, executive and professional).

What to do now: Salary levels.

Review your list of employees listed as exempt and paid on a salary basis of at least \$455 per week now. If you are already paying \$684 per week, you need do nothing. They will continue as exempt employees.

For those who earn at least \$455 but less than \$684, you will have to decide whether to raise their salaries to the new level effective Jan. 1, 2020, or convert them into hourly employees and pay overtime for work over 40 hours per week.

Whether you decide to convert exempt workers to hourly depends on how many overtime hours you believe they would work and thus be paid time-and-a-half for. If your exempt workers now work a standard 40-hour week, keeping them at their current pay level, but changing the salary to an hourly figure, would not increase their pay. However, those who do work in excess of 40 hours per week would be entitled to overtime.

What to do now: Bonuses. Now is the time to review your commission and bonus programs. If you do pay incentive payments like commissions or provide nondiscretionary bonuses at least once per year, beginning Jan. 1, 2020, you will be able to credit weekly \$68.40 toward the new weekly salary level. If you don't have a bonus plan, you have three months to put one into effect before raising salary levels. If the employee does not earn enough via commissions and bonuses by the end of a 52-week period, employers will be able to make a one-time catch-up payment at that time, so there's little reason not to take the credit if you have a bonus plan that meets requirements.

Is your organization suffering 'appreciation depletion'? Formalize a recognition program

The vast majority of employers make efforts to recognize employee accomplishments and, increasingly, they're doing so through formal companywide recognition programs.

A new WorldatWork survey says the percentage of organizations with deeply embedded recognition programs has jumped from 10% in 2015 to 17% in 2019. At the same time, however, there was an increase in companies that say they have no employee recognition policy, program or philosophy (12% in 2015 to 19% today).

"In the beginning, an employee will internalize a lack of appreciation as basically nothing. But then, little by little, it will eat at them," says Tess Ausman, as speaker and CEO of CLT Leads. "The longer this denial is allowed to fester, the greater the chance of employees falling into despair: *'I don't matter ... my work doesn't matter ... my boss doesn't care about what I do.'*"

Who runs the recognition pro-



grams? At half of the organizations, it's HR, followed by the compensation department in a quarter of them. Other trends:

Who presents it?

The most popular ways to present recognition awards is one-on-one with the manager (70%), staff meetings (66%), special events (53%) and email announcements (40%).

Type of program? Length-of-service is the most popular type of recognition program (72%), followed by rewarding for above-and-beyond performance (62%), spot recognition (55%), retirement (46%) and customer service (34%).

Is it budgeted? About two-thirds of employers budget for the cost of employee recognition, with the typical cost being between 0.1% and 0.3% of the payroll budget.

What kind of awards? Gift cards are the most common recognition reward, given by 62% of respondents, followed by cash (50%), watches/clocks (49%), plaques/certificates (47%) and apparel (46%).

Predictive scheduling laws pick up steam

Does your organization sometimes cancel employees' shifts at the last minute, schedule extra workers for peak times (then send some of them home) or require employees to be prepared to call-in to work at any time?

If so, a growing trend of local laws could make those practices unlawful.

Employers in several cities, including San Francisco and New York, have been adjusting to new fair-scheduling laws the past two years. And Chicago this summer passed the most expansive predictive scheduling law in the country to date.

Chicago will require covered employers to publish employees' work schedules at least 10 days in advance. Employers who make changes after the 10-day period must pay at least one hour of "predictability pay" for

each shift in which the employer adds work or changes the shift.

If an employer cancels the shift or reduces the hours with less than 24 hours' notice, the worker is entitled to predictability pay of at least 50% of his regular pay for the scheduled hours. The law takes effect July 2020.

Example: Say an employee is scheduled to work eight hours at \$15 per hour, but the company cuts it to four hours with less than 24-hour notice. The employee gets \$7.50 for the four cut hours (\$30). No penalty applies if employees agree to the change.

Some national employers are taking action before laws kick in. Several large retailers—including Aéropostale and Walt Disney—stopped requiring staff to call before a scheduled shift to find out if they have to work that day.



Focus reviews on performance, not emotion

When giving feedback about performance or behavior, managers sometimes make the legally dangerous mistake of commenting on the worker's emotional state. Not smart.

Remind supervisors to focus their critiques on objective, business-based criteria, like unmet goals or sales quotas. Otherwise, their armchair psychology efforts could spark a disability-discrimination lawsuit because the ADA also covers ailments that the employer "regards as" disabilities.

Recent case: Karen received "successful" ratings for years. But then

her boss noted in her performance logs that she "seemed detached from the team," was "more despondent."

Karen's next evaluation didn't pinpoint any new performance problems. But she was ranked as "inconsistent" and eventually fired. She sued, alleging disability bias, pointing to the boss' comments focusing on her emotional state rather than actual performance. The court cited this in moving her case to trial. (*Reed v. Nike*, SD NY)

Online resource For tips on such talks, see www.theHRSpecialist.com/PerformanceProb.

Google HQ learns lesson: Don't stifle dissent

While it's fine to require employees to speak respectfully to each other—both in person and online—don't go so far as to silence any discussion of political or workplace issues.

The National Labor Relations Act gives workers the right (in union and non-union workplaces) to discuss work conditions and even political issues. It's best that your policy allows free speech, but requires respectful conduct and minimizes distractions.

Recent case: Google last month reached a settlement with the National



Labor Relations Board over employees' complaints that company officials had suppressed free speech.

Google had issued new staff guidelines that discouraged staff from talking about politics on internal forums. The settlement ordered Google to remind employees that they have legal rights to discuss workplace and political issues, and that they won't be retaliated against for it.

Online resource For tips on how you can limit speech, go to www.theHRSpecialist.com/politics.

Document exact date of termination notice

Former employees typically have just 300 days to file an EEOC discrimination complaint, and the clock usually starts ticking on the last date that discrimination occurred. But in the case of an *announced* termination, the crucial date is when the employee learned that she was going to lose her job. Make sure you can show exactly when you let the employee know.

Recent case: A university announced it was merging with another school. All professors were told their jobs would disappear, but

they could apply to the new school. Karen, an art professor, did apply but wasn't selected.

Within 300 days after her last teaching day, she filed an EEOC complaint, alleging various forms of discrimination.

The school argued it was too late—that Karen should have filed within 300 days of the date the university sent her notice about her job being eliminated. The court agreed and dismissed her case. (*Sanders v. University of Texas Pan American*, 5th Cir.)

Legal Briefs

Never discourage laid-off employees from reapplying

A school district laid off several employees, saying it needed to save money. Charles was told by his boss not to bother reapplying because of his performance issues. He sued, claiming cost savings was just an excuse to get rid of black staff. The court sent the case to trial. (*Roberts v. Hayward School District*, ND CA)

The lesson: If you use financial reasons to justify laying off employees, don't discourage them from applying for other jobs. That may be evidence you terminated them for some unlawful reason.

Quick response is a lifesaver in harassment cases

When Yessenia complained to HR about a co-worker's blatant sexual comments, the co-worker was immediately transferred to another site. The harassment stopped. Yessenia still sued. The court dismissed the case, saying the employer wasn't liable because it acted fast and correctly to stop the harassment. (*Ramos v. Performance Contracting*, SD TX)

The lesson: Remind bosses to react immediately to complaints, at least by notifying HR. Also, the court specifically said you don't have to always fire harassers. A transfer may be OK as long as the harassment ends.

Out with the old? In with a lawsuit

The EEOC sued a Pennsylvania dental practice for age discrimination after it fired eight of its nine hygienists over age 40 and replaced them with 14 employees, 13 of whom were under age 40. None of the fired hygienists were given prior notice or a reason. (*EEOC v. Capital City Dental*)

The lesson: Federal law makes it unlawful to discriminate against people 40 and over. Access our training article, "What Managers Need to Know About Age Discrimination," at www.theHRSpecialist.com/age.



EEOC: 'Boys will be boys' defense won't fly

Just because it's a male dominated, blue-collar work site doesn't give supervisors the green light for sexual comments and name calling. A New Mexico electrical contractor has agreed to pay \$195,000 to settle an EEOC lawsuit that claimed a male foreman made sexual comments to other male workers and even touched their genitalia. When an employee complained, he was fired. (*EEOC v. Atlas Electrical*) *Remember:* Federal law prohibits sexual harassment of any employee, even those of the same gender as the harasser.

This is final year for 'Component 2' EEO-1 pay data collection

Most larger employers had until Sept. 30 to submit so-called "Component 2" data on their EEO-1 forms, which reports employee compensation data broken out by race, ethnicity and sex. But the EEOC said last month that employers won't have to submit such data next year—or in the foreseeable future. *Reason:* The EEOC said the burden that the collection placed on employers exceeded the usefulness of the data. The

Component 2 collection was conceived during the Obama administration. The Trump administration tried to scrap it, but a court said it must continue.

Execs & HR can be liable for pension errors

Two former owners of a California media company will pay \$7.8 million to settle federal charges that they effectively wiped out the employees' pension fund by investing in highly speculative investments. The settlement comes out of the owner's own pockets. *Note:* HR professionals can also be held liable for pension irregularities. If you suspect something is amiss about your company's retirement plan, consider consulting your own attorney.

Hiring foreign workers? Begin visa prep now

The H-2B visa program allows U.S. employers to bring in foreign nationals to fill temporary nonagricultural jobs. Congress sets an annual cap on visas offered and a lottery system will open Jan. 1, 2020, to determine which employers can hire H-2B visa workers for the spring and summer. The Trump administration has begun more strictly examining employer H-2B compliance. Learn more about compliance with temporary worker visas at www.uscis.gov/working-us.

HR Q&A

After injury, employee is 'no show, no call': At what point can we terminate him?

Q. An employee claimed to have an injury and requested to see a doctor. But then he didn't show up for work and never called. Do we have a right to terminate him? He has been missing for about three weeks. I reached out through phone and mail but received no responses. — *Kat, Tennessee*

A. If someone doesn't return calls or respond to mailed inquiries for three weeks, in most circumstances you can assume that he or she has decided not to work for your employer any longer.

In this case, you don't say whether you opened a workers' compensation claim on his behalf after he asked—and that might be relevant. If someone tells you they have been hurt while at work, it is always best to open a claim. The insurer can decide whether any injury occurred and, if so, whether it is work-related. If not, the workers' comp claim will be denied.

If the employee felt he was denied the opportunity to seek medical assistance, he already may have a claim

against the company, and terminating his employment for no call/no show at this point will not change that.

In any event, assuming he was hurt, and has sought assistance, it would be helpful to let him know in any communication you may send that you are ending his employment for no call/no show, but that this termination will not affect his right to workers' compensation medical benefits, if any.

Misused SSN: How should we respond?

Q. Three months after hiring a new employee, we discovered that the Social Security number he gave us belonged to someone who never worked here. The employee was fired. The Social Security Administration instructed us to issue a Form W-2 to the victim, who is then supposed to take the W-2 to a local SSA office and work everything out. Is that right?

A. Yes. This type of fraud is hard to spot and problematic for victims, but they must resolve the issue themselves. The W-2 should reflect the information on the fired employee's W-4. The earnings, which don't belong to the victim, will be disclaimed and shuttled over to the Earnings Suspense file until they're assigned to the proper wage earner.



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



Dare to compare: More workers know their worth

U.S. employees are putting in more work when it comes to trying to nail down “fair compensation” for their positions.

A new study by staffing firm Robert Half revealed that 82% of professionals feel well informed about what they should be earning. And 73% say they’ve checked their salary against market rates through online resources, salary guides or job postings in the past year—up from 54% in a similar survey two years ago.

A majority of workers (54%) also admit to comparing notes on compensation with their co-workers.

These days, employees have more access to information about salaries and career options than ever before. Additional findings:

- **Men are hunters for pay info.** While 82% of professionals said they feel well informed about what they should be earning, more men (87%) than women (76%) feel this way. Men were also more likely than women to have checked their salary against the market rate in the past year (80% vs. 65%).
- **More women feel underpaid.** When asked about overall perceptions on pay, half of women said they think they’re underpaid, compared to 41% of men.
- **Rising tide hasn’t raised all boats.** Nationally, 57% of professionals (68% of men and 44% of women) think a stronger economy has helped their earning potential at their jobs. Of those who said the economy hasn’t helped their salary, 34% said their company has offered only small pay bumps, and 31% feel they would have to leave their job to see a significant pay increase.

3 ways to improve the job candidate experience

How would you grade your organization’s application process? Most employers don’t know because they rarely try to walk in their candidates’ shoes. But tracking the candidate experience can improve it and enhance your organization’s HR brand among potential applicants.



First step: Solicit feedback from candidates about their experiences with recruiting, application, interviewing and website interaction. A study by research firm CareerXroads suggests that employers:

1. **Survey a sample of candidates** who have at least completed a job application. Ask questions to determine if candidates felt satisfied with each phase of their experience. Then survey only job finalists and conduct focus groups of new hires to get their input on the process.
2. **Use an alias to apply to jobs** in your own organization. Alternatively, hire a mystery-shopping firm to have a “candidate” go through the application and interviewing process. Only 7% of employers have taken such an approach.
3. **Provide feedback to applicants** on the status of their applications. Nearly 80% of applicants say they want some kind of response. After soliciting input from applicants, use the following tips to improve the candidate experience:
 - Offer information candidates desire most. Salary tops the list, followed by work demands and environment.
 - Make it easy to navigate employment web pages. The best sites allow users to view job descriptions within three clicks.

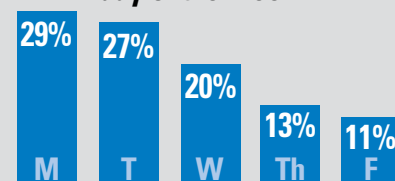
Front-load key tasks: Monday is the most productive day

If you have important projects that need high-quality effort, a new study shows that it’s best to get that work done earlier in the week—don’t wait for Thursday or Friday.

That’s because Mondays and Tuesdays—especially in the morning—are when employees are their most productive, says a study of 2,800 workers by staffing firm Accountemps.

More than half of those surveyed said their productivity peaks at the beginning of the week, with Monday edging out Tuesday. From there, it’s all downhill until the weekend rolls around again. The results:

What’s your most productive day of the week?



Source: Accountemps survey, July 2019

Time of day. Many professionals said they accomplish more at the start of each workday: 44% say they are most productive in the early morning and 31% in late morning. That’s compared to just 20% who say that the afternoon is their most productive zone. Also, 2% of night-owl employees say that late at night after work is their most productive work time.

Location, location. For peak productivity, where we work is just as important as when. However, employees were divided:

- Employees aged 55 and older have the strongest preference for working in an office, with 45% reporting they work best in a private office with a closed door.
- 38% of 18- to 34-year-olds prefer working in an open office.
- Telecommuting was a close second choice for younger workers, at 36%, compared to 26% of employees aged 35–54.

To: _____
From: _____

Date: October 2019
Re: Difficult conversations

Communication Tough talks: What managers should say when ...

... You need to reprimand an employee

1. Frame the topic and explain the reason for the meeting.

Rather than just dive in to the critique, set the stage by saying, *"I'd like to discuss an aspect of your performance that needs improvement. My goal is to make you aware of a problem so that you can take steps to fix it."*



2. Be clear. If you're nervous about issuing a reprimand, you might muddy your message. This can cause confusion and misunderstanding. To ensure you're clear, summarize the issue in one sentence. Use phrases such as, *"When you [describe action], it creates problems such as [cite repercussions of undesirable action]"* or *"Because it is not acceptable in this workplace to [describe action], let's discuss what you can do to rectify that."*

3. Express faith in the employee to improve. Convey your confidence in the individual to step up and implement a solution to the problem.

4. Engage in a dialogue. You want the employee to feel comfortable opening up about concerns, questions and possible solutions. Ideally, the worker will respond to your reprimand with alternatives to behave more appropriately in the future.

5. Document the discussion. For legal reasons, it's always best to take notes right after about what you said, what the employee said, consequences and decisions.

... Worker isn't ready for job he wants

1. Ask why he wants the job. Does he just want a change of pace? Is he looking to break the monotony? Perhaps he's seeking to make more money. When you know what's lacking in his current job, you can look for alternative ways to give him what he needs.

2. Acknowledge the skills he has. Discuss the parts of the job that you think he could handle. Also, point out other valuable skills this person has that might go to waste in the new position.

3. Explain the skills he's lacking. Explain the knowledge and qualities essential to the new position that you don't see in him. If the problem is a lack of skills, and you feel the person can learn them, discuss possible training options. If you believe he simply doesn't have the qualities to be successful, you need to say so as kindly and clearly as possible.

4. Consider alternatives. Think about the possible other positions that may become available in coming months. You and the employee can also consider ways to enrich or change his current job to meet his needs.

5. Help him feel appreciated. Let this person know he is a valued employee and that you will keep him informed about openings that may interest him.

... You need to counsel an employee about an embarrassing issue

Whether it's about the employee's hygiene, dress or personal habits, difficult discussions with employees can be awkward on both sides of the desk. But by handling these tough conversations privately and professionally, you'll solve a problem and gain an ally. Here are tips for handling awkward discussions:



1. Discuss it privately and in person. Don't skirt the issue by sending an e-mail or leaving a note on the person's desk. Meet with the employee privately. Document your discussion.

2. Focus on work-related reasons. Don't make it a personal issue; explain how and why the problem is disrupting the workplace and must be dealt with.

3. Be direct. Don't spend too much energy trying to soften

the blow. Directly state the problem and what you expect to happen. You may find the employee had no idea of the problem and is thankful that he found out.

4. Let employees handle the solution. If the employee has an odor problem, for example, don't be drawn into a detailed discussion of showering methods, deodorants, etc. That will

only serve to embarrass the person. Explain the problem, and ask the employee to fix it.

5. Check in a few weeks later. Follow up with the employee later to reinforce the importance of the previous discussion and show appreciation for the changes made. Always keep in mind the value of the employee while preserving his or her dignity.



How Deloitte develops its executive leaders: 9 steps

Deloitte's two-year "NextGen" executive leadership development experience is one of the most robust programs in corporate America. Each year, Deloitte selects roughly 60 of our highest-performing partners to experience intense experiential training to prepare them to take on Deloitte's most important client service and firm management roles.

Here are the most important program takeaways that any executive or talent development program can use.

1. Create a clear, common definition of leadership.

We seek participants who have a sustained high-performance track record; a desire to take on top leadership roles; a strong commitment to developing themselves and others; and indicators of potential in intellectual capacity, talent focus and ability to deal with change.

2. All leaders must be invested in cultivating and selecting future leaders, including the CEO. This cannot be handed off to talent or head of operations to champion.

3. Our leaders create a personal development plan that identifies

specific new roles and experiences they want to pursue, to help them play to their strengths and backfill areas for development. They also receive a psychometric assessment, an interview with a business psychologist and external executive coaching. They share plans with each other, senior executives, peers and their coach.



All leaders must be invested in cultivating and selecting future leaders, including the CEO. This cannot be handed off to talent or the head of operations.

4. **We collaborate with external leadership development organizations** like the Center for Creative Leadership to help our executives better understand what roles they want (and don't want), and how to ask for those roles.
5. **Our leaders focus on the science of productivity** as they learn how to manage their time appropriately. It's important to determine what you can own and what you can delegate.
6. **Wellness and mindfulness are critical** to balancing career with

family and social relationships. We focus on healthy eating, making time for exercise and even blocking out time for mindfulness and meditation.

7. Participants receive online and in-person 360-degree feedback (after the first year) on how they are applying their new strengths.

8. **We ensure participants seek new opportunities** to implement their learnings, while focusing on challenging assignments and collaborative projects.

9. **We monitor their progress**, follow up on a regular basis and give them "booster shots" of new experiences and learnings that align with the constantly evolving technology and economy.

By committing to the patience required to see the long-term benefit of these investments, we produce more well-rounded leaders who often punch well above their weight class when it comes to client service and leading our people and the organization.

Cheryl Pinter-Veal is a managing director who leads the NextGen leadership development program at Deloitte.

The most powerful companies have their own training newsletters.

Now you do too.

The HR Specialist can now be branded, and even customized, for your organization.

Paul Legrady (703) 905-4516
plegrady@businessmanagementdaily.com



STAFF

Editorial Director: Patrick DiDomenico,
(703) 905-4583, pdidomenico@
BusinessManagementDaily.com

Contributing Editors:
Anniken Davenport, Esq.,
Rob Lentz, John Wilcox,
Cal Butera

Publisher: Phillip Ash

Associate Publisher: Adam Goldstein

Customer Service: customer@
BusinessManagementDaily.com,
(800) 543-2055

Volume 17, Number 10

Printed in the United States.

The HR Specialist (ISSN 1545-360X) is published monthly by Business Management Daily, 7600A Leesburg Pike, West Building, Suite 300, Falls Church, VA 22043-2004, (800) 543-2055, www.theHRSpecialist.com. Annual subscription price: \$299.

© 2019, Business Management Daily, a division of Capitol Information Group, Inc. All rights reserved. Duplication in any form, including photocopying or electronic reproduction, without permission is strictly prohibited and is subject to legal action.

For permission to photocopy or use material electronically from *The HR Specialist*, please visit www.copyright.com or contact the Copyright Clearance Center Inc., 222 Rosewood Dr., Danvers, MA 01923, (978) 750-8400. Fax: (978) 646-8600.

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal service. If you require legal advice, please seek the services of an attorney.

Two years into MeToo, harassment policies lacking

As the MeToo movement hits its two-year anniversary this month, a majority of employers (51%) say they've reviewed their sexual harassment policies during those two years, says a new Challenger, Gray & Christmas report. Fewer companies, however, are happy with those documents. This year, only 37% of HR executives say they're comfortable with their current anti-harassment policies, compared with 42% last year.

How to determine an interviewee's integrity?

Asking an applicant "Are you honest and trustworthy?" won't get you any useful data in a job interview. To determine the integrity of a job applicant without directly asking them, pose questions that assess how they would respond if they caught someone stealing, harassing another employee or cutting corners in a way that violated standards. Their answers very often will give you a glimpse into their own code of ethics.

Which meetings are worthwhile? A test

Here's a revolutionary way to determine which meetings are truly worthwhile: Cancel all formal meetings for a month. After those 30 days, ask staffers to list which meetings they regret not attending and why. Draw up a new schedule based on their input. You might be surprised how many meetings you can eliminate (or turn into monthly or quarterly) while still keeping the team productive and communicating.

Out-of-pocket health costs rise twice as fast as pay

Employer strategies to shift more health care costs to employees are working. A family of four covered by employer-provided insurance paid an average of \$4,706 for their share of premiums in 2018, plus \$3,030 for deductibles, co-pays and co-insurance. The total (\$7,726) has grown 67% since 2008, when health care cost the average family \$4,617, says a new Kaiser Family Foundation study. The rise in total health costs borne directly by families—premiums, plus out-of-pocket costs—outstripped the growth in wages (31%) and inflation (21%) over the 10-year period.

FREE TO SUBSCRIBERS

Understanding the New W-4

Thanks to the tax reform law, the IRS is radically changing the W-4 form and the withholding methods for 2020. No pay period withholding and no withholding allowances. In their place, you'll need to figure out a complicated worksheet for every employee. Discover how to comply with these new rules using our special report, *The New W-4*. Subscribers can access it for free at www.BusinessManagementDaily.com/W4.



You don't snooze? ... You lose

Wondering why some employees are just so much more productive than others? The reason may be occurring late at night. A new study by the National Sleep Foundation says that employees who consistently go to bed and wake up at about the same time each day say they are significantly more productive than those whose sleep schedule varies.

% saying poor sleep made them less productive

Bedtime did not deviate

26%

Deviated > 1 hour

39%

Waking time did not deviate

27%

Deviated > 1 hour

46%



Workplace bullying also harms safety and health

Bullying bosses can crush morale. But a new Portland State University study says employees also respond to bullying managers by refusing to follow company safety rules, which leads to more work accidents and injuries. The study recommends more training on communication and harassment prevention.

New CA law makes it harder to classify contractors

If you have employees in California, take note: A new state law signed last month makes it much more difficult for you to classify workers as independent contractors. The bill generally codifies a controversial 2018 California Supreme Court ruling (*Dynamex*), which says workers must be considered employees if a company exerts control over how they perform their tasks, or if their work is part of the company's regular business. Gig companies like Uber and Lyft argue that this definition makes it very difficult for their workers to be independent contractors. The law is slated to take effect Jan. 1, but you can expect gig employers to challenge this new definition in court before then.

Avatar with attitude: Rethink your 'virtual you'

Watch that avatar. Many people have digital avatars representing themselves on social media and even in office communication tools like Slack. Take a good look at the one you choose, from both close-up and far away, before going live with it. Such a small image can often be visually interpreted in wildly different ways—sometimes giving a completely wrong (and even racy or offensive) impression.

Is there anything more dangerous than crossing the IRS?

Payroll Compliance Handbook

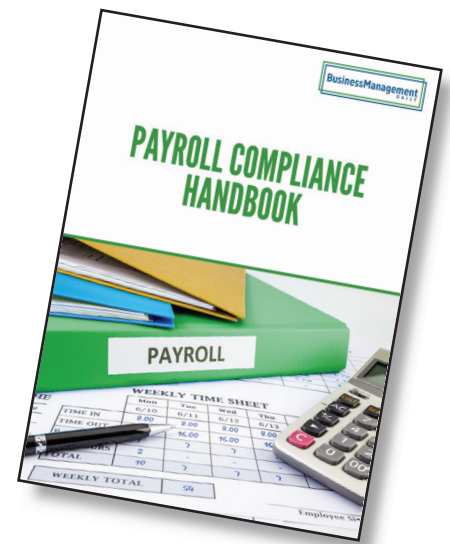
Once upon a time, payroll used to be easy: the employee's gross pay minus federal, state and local taxes. Then along came health premium and 401(k) deductions. Still simple, but...

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
- Independent contractor status
- Paying for on-call time
- Business expense reimbursement
- Saving on unemployment taxes
- Payroll record-keeping
- 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!



SPECIAL REPORT ORDER COUPON

YES! I want to make my payroll practices easy again.

Please send me ___ copy(ies) of the *Payroll Compliance Handbook* at the low rate of \$127 per copy, plus shipping and handling.

Payment options:

- Check enclosed. (Payable to: *Business Management Daily*)
- Please charge my credit card:
- Visa MasterCard AmEx Discover

Card # _____ Exp. Date _____

Signature _____

Name _____
(please print)

Company _____

Address _____

City _____ State _____ ZIP _____

Daytime Phone () _____ Fax () _____

Email _____

(We will never sell your email to other companies.)

PLEASE DETACH AND MAIL TO: Business Management Daily, P.O. Box 9070, McLean, VA 22102-0070.

Please allow 3 weeks for delivery.

**PRICE PER COPY:
\$127**

Number of copies	\$
Add \$6 S&H per copy	\$
VA residents: Add 5% sales tax	\$
TOTAL ORDER	\$

Payable in U.S. dollars

BPCH

**SPECIAL OFFER
YI1788**

4 Easy Ways to Order

WEB:
www.BMD.biz/PayComp2

CALL:
(800) 543-2055
8:30am – 6pm ET

FAX:
(703) 905-8040

MAIL:
Use the order coupon below and enclosed postage-paid envelope

**100%
MONEY-BACK
GUARANTEE!**

If you are not completely satisfied with *Payroll Compliance Handbook*, just return it within 30 days of receipt and your money will be refunded in full.