HOW TO HIRE AND KEEP GREAT EMPLOYEES

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APRIL 21, 2016
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RECRUITING EMPLOYEES
NP/SHRM CONFERENCE
SELECTED SURVEY RESULTS

- Social media networking
- College career fairs
- Promoting from within
- Shadow programs / internships
NP/SHRM CONFERENCE
SELECTED SURVEY RESULTS (CONTINUED)

› School involvement
› Job fairs
› Company website
› Multiple level interviews
› Conduct behavioral interviews
OTHER NATIONAL RECRUITING TRENDS
“If your career site isn’t mobile, it’s time to make some changes.”

45 percent of job seekers say they use their mobile device specifically to search for jobs at least once a day.

Glassdoor’s 2014 State of Mobile Job Search Survey

www.yoh.com
REFERRALS ARE ON THE RISE

- Social networks are one of the most popular ways for recruiters to find quality candidates.
- Employee referrals are not far behind.
- Encourage your employees to share job postings on their social media sites.
- Offer incentives and recognition for referrals that lead to quality hires.

www.yoh.com
MAKE STRONGER CONNECTIONS THROUGH VIDEO

- Video interviews have become increasingly popular.
- Candidates have a chance to describe their skills and show their personality.
- Virtual office tours can give candidates an inside look at company culture.
- Place recruitment ads on TV and social media sites.

www.yoh.com
USE SELF-SELECTION TO FIND OUT WHO’S REALLY INTERESTED

- Invite all eligible applicants to an open group event, such as an Open House.
- “Self-selection”: showing up is the first big step.
- Observe how people interact in groups.

www.businessinsider.com
USE NON-TRADITIONAL MEDIA

‣ Fun video on YouTube
‣ Podcast

www.businessinsider.com
SOME RECRUITING LESSONS FROM UPS

- Develop careers page on your website and other social media
- Drive traffic and engagement to the website
  - Facebook
  - Twitter
  - Instagram
  - Snapshot
SOME LEGAL TIPS FOR INTERVIEWING AND HIRING
HELP-WANTED ADS

‣ As general rule, don’t say anything to give impression that race, sex, national origin, religion, age, or disability is favored or disfavored.

‣ Soliciting “young” applicants, “recent college grads,” applicants “age 30-40” is illegal.

‣ If possible, refer to job titles in “sex-neutral” terms—advertise for “salesperson,” not “salesman.”

‣ Include EEO statement if covered by AAP
Activation & record retention issues
EEO statement
Employment-at-will acknowledgement
EXAMPLES OF WHAT NOT TO ASK

- Race
- Religion (unless a religious institution)
- Gender
- Pregnant
- Height / weight

- Age (with some exceptions)
- Type of military discharge
- Native language
- Prior workers comp claims
POSSIBLE LEGAL ALTERNATIVES

- Don’t ask “how old are you?”
- Don’t ask “what national origin are you?”
- Don’t ask “are you pregnant?”
- Others . . .
- May ask “are you at least 18 years old?”
- May ask “if hired, will you have the proper visas, etc.?”
- May ask “are you available to work nights or weekends (assuming necessary)?”
Questions that are permissible:

- Can you perform the essential functions of the job with or without a reasonable accommodation?
- Can you meet attendance requirements?
- How many Mondays and Fridays were you absent last year?
IF USING CONSUMER REPORTS

- Obtain clear and conspicuous written disclaimer from applicant
- Get written authorization on separate page
IF USING CONSUMER REPORTS
BEFORE ANY ADVERSE EMPLOYMENT ACTION, PROVIDE TO APPLICANT

‣ Name, address, phone number of agency
‣ Notice that individual can receive report from agency within 60 days (Or, provide applicant with report)
‣ Statement that individual may dispute accuracy of report
‣ Statement that agency did not make decision to take adverse action
‣ Description in writing of FCRA rights
CONVICTION RECORDS

- EEOC discourages use of criminal history as an automatic bar to employment
- Disparate impact concerns
- Consider relationship between conviction and fitness for a particular job
ADA PRE-OFFER INQUIRIES

No-No’s

- X—”Are you blind?”
- X—”Do you have a bad back?”

OK

- Job focused
- “Do you have a driver’s license?” (if required)
- Can you lift 100 pounds without trouble?” (if required)
CONSIDERING EMPLOYEES OF COMPETITORS?

- Review new employee’s non-disclosure/non-compete agreement.
- Tell applicant in writing not to use former employer’s confidential information for you.
If prohibited, tell him/her not to solicit former employer’s customers.

Don’t employ applicant until after he/she has stopped working for other employer.
RETAINING YOUR EMPLOYEES
According to the U.S. Labor Department, the number of people quitting their jobs increased 6.3% over past year to 2.83 million.
DEPARTING EMPLOYEES

• Over 50% of people recruited into an organization will leave within two years.
• One in four of new hires will leave within six months.

Life Work Solutions
Nearly 70% of organizations report that staff turnover has a negative financial impact due to the cost of recruiting, hiring, and training a replacement employee and the overtime work of current employees that’s required until the organization can fill the vacant position.

Nearly 70% of organizations report having difficulties in replacing staff.

Approximately 50% of organizations experience regular problems with employee retention.

Life Work Solutions
WHY DO EMPLOYEES LEAVE?
IS IT MONEY?
WHY LEAVE? . . .

70% of managers think employees leave for pay-related reasons.
However, 88% of employees leave their jobs for reasons other than pay.

Leigh Branham SPHR
WHY LEAVE? . . . SEVEN MAIN REASONS
WHY EMPLOYEES LEAVE A COMPANY

‣ Job or workplace does not meet employees’ expectations.
‣ Mismatch between the job and employee.
‣ Too little coaching and feedback from management.
‣ Too few growth and advancement opportunities.
‣ Employees feel devalued and unrecognized.
‣ Stress from overwork and/or work/life imbalance.
‣ Loss of trust and confidence in senior leaders.

Leigh Branham SPHR
HOW TO RETAIN YOUR EMPLOYEES

‣ The Carrot Approach
ADMINISTRATIVE ACTIONS
CHANGE THE CORPORATE CULTURE

- Pay market rate or above.
  - By the time an employee receives a raise, it may be too late.
- Promote from within whenever possible.
- Mentoring.
ADMINISTRATIVE ACTIONS
CHANING THE CORPORATE CULTURE

‣ Create open communication between employees and management.
  ▪ Evaluations.
  ▪ “Stay” interviews or re-interview employees.
  ▪ Listening tours.
  ▪ Exit interviews.
ADMINISTRATIVE ACTIONS
CHANGE THE CORPORATE CULTURE

- Communicate the corporate mission and expectations for employees.
  - Talk about future.
  - Opportunities for advancement.
- Hire a human-resources professional (100+ employees).
- Be a good corporate citizen with employee opportunities to participate.
ADMINISTRATIVE ACTIONS
CHANGE THE CORPORATE CULTURE

- Create an early warning detection system for possible employee departure.
- Watch for changes in an employee’s status:
  - Marriage/Divorce.
  - Pregnancy.
  - Child’s Graduation.
  - Merger.
- Create an alumni program.
ADMINISTRATIVE ACTIONS
CHANGE THE CORPORATE CULTURE

› Identify and weed out poor managers.
› Get rid of the slackers and whiners.
THE Google MODEL

• Decompression (stress) capsule that is impermeable to sound and light.
• Self-controlled massage chairs . . . while watching aquariums. On-site professional masseuse.
• At Google’s cafeterias, gourmet chefs create a wide variety of healthy and delicious meals every day. Google also offers snacks to help satisfy its employees in between meals. (It’s all free.)
On-site haircuts. Other rewards include a 2K employee referral program, and new moms and dads are offered $500 reimbursement in takeout food.
THE Google MODEL (CONT.)

- Billiards, braving the rock climbing wall, or taking a dip in the Company pool. On-site beach volleyball pit, video games, foosball, ping pong and roller hockey.
• Pet-friendly campus. (Owners are responsible for cleaning up after pets at all times.)
Keep in mind... 

- In 2012, Google had $900,000 in annual revenue per employee.

- Alphabet, Google’s parent company, reported 2015 profits up almost 50% for the third quarter. Net income was $3.98bn, up from $2.74bn for the same quarter in 2014.
EMPLOYEE PERKS AND BENEFITS
(FOR THE REST OF US)

- Offer a competitive benefits package that fits your employees’ needs
- Flexible work schedules adapted to the needs of the individual
- “Work at home” technology opportunities
- Retirement planning
- Eldercare and child care assistance
- Wellness programs such as gym membership, smoking cessation, etc.
- Pet bereavement leave
EMPLOYEE PERKS AND BENEFITS
(FOR THE REST OF US)

- Signing bonus.
  - Must work for specific period of time
- Referral bonus
- Tuition reimbursement
  - Must work for specific period of time
- Pay off their student loans
EMPLOYEE PERKS AND BENEFITS
(FOR THE REST OF US)

- It’s the little things. . .
- Free donuts on Friday
- Dry cleaning pickup/delivery
- Casual dress days
- Benefits for families
RETAINING YOUR EMPLOYEES

‣ THE STICK. . .

Agreements and policies that make it more difficult for employees to leave (with your information).
CONFIDENTIALITY AGREEMENT

Protects Company’s Confidential Information (Not Trade Secrets)

- Define specifically what info is considered confidential.
- State consequences of improper use/disclosure.
- Include in handbook.
- Educate and train employees.
- Forum selection, choice of venue, governing law.
- Assign to successor.
NON-COMPETE AGREEMENTS

Must be carefully drafted to be enforceable:

‣ Supported by valuable consideration.
‣ Reasonably limited as to time/territory.
‣ Necessary to protect legitimate business interest of employer.
‣ Not unduly restrictive of employee.
‣ Prevent former employees from competing within a specific geographic area for a specific period of time.

“I’m concerned you might bail.”
NON-SOLICITATION AGREEMENTS

- Permits former employee to work for competitor.
- But not to solicit employer’s customers and/or employees.
- More likely to be enforced by Courts.
ASSIGNMENT OF INVENTION AGREEMENTS

- Protect employer’s interest in employee’s work-related inventions and process improvements.
- Provide that if employee creates a work-related invention, the rights of that invention are assigned to the employer.
LEGAL COMPLIANCE CHALLENGE IN 2016
IS MY WEBSITE ACCESSIBLE?

- Title III of the American’s with Disabilities Act prohibits discrimination by private companies on the basis of a disability in places of “public accommodation.”
- Traditionally, Title III has applied to physical structures.
- Companies required to make doors, bathrooms, and seating areas, disability-friendly.
However, Courts have recently held, and the Department of Labor argues, that Title III’s coverage includes the website of a public accommodation.

If included, websites for a public accommodation must be made accessible to the visually and hearing impaired.

Courts in N.C. and S.C. have not decided the issue but will likely find soon that Title III covers websites.
IS MY BUSINESS A “PUBLIC ACCOMMODATION”? 

› If your business is open to the public, probably Yes.
› Title III includes 12 broadly-construed categories of “public accommodations.”
› For example:
  • Hotels and restaurants;
  • Theaters, concert venues, and stadiums;
  • Banks and gas stations; and
  • Professional Offices
APPLIED TO WEBSITES

If your public accommodation offers a good or service on-line and in-person, the on-line version must be made accessible.
Examples include:

- Theater selling tickets on-line and in-person
- Office scheduling appointments on-line and on-phone;
- Bank offering checking services on-line and in-person
- On-line option must be available to visually impaired.
WHAT TO DO?

‣ Advocacy groups agree that websites must comply with Website Content Accessibility Guidelines (WCAG) 2.0, Levels A and AA.

‣ Designers and Coders fluent in WCAG guidelines are in short-supply. Therefore, ensure the qualifications of your site designers.

‣ Better to act now to determine compliance issues.