

NOVEMBER 14, 2019

WHAT'S INSIDE

- 2 Sharpen Your Judgment**
Disabled worker fired for poor attendance: ADA violation?
- 3 Employment Law Update**
Accused harasser fired without an investigation, firm ends up in court
- 4 Answers to Tough HR Questions**
What if we don't like what's on candidates' social media?
- 6 News You Can Use**
Amazon employees allege harmful working conditions
- 8 What Would You Do?**
No money for holiday bonuses this year: What can be done for employees instead?

HRMORNING

Keep Up To Date with the Latest HR News

With **HRMorning** arriving in your inbox, you will never miss critical stories on labor laws, benefits, retention and onboarding strategies.

HRMorning, part of the Catalyst Media Network, provides the latest HR and employment law news for HR professionals in the trenches of small-to-medium-sized businesses. Rather than simply regurgitating the day's headlines, **HRMorning** delivers actionable insights, helping HR execs understand what HR trends mean to their business.

Legal experts: Policy changes you need to make before 2020

■ PTO, OT and FMLA in the spotlight

The new year is rapidly approaching, which means it's the perfect time to review your policies and make the necessary adjustments.

There were a lot of new employment trends in 2019, and 2020 will bring even more compliance changes.

Best practices

Whether it's legally mandated changes or just suggested ones, experts at the law firm Cozen O'Connor have a few areas they recommend employers pay attention to.

1. **Timekeeping and compensation practices.** Heads up! A major compensation change is coming

in the new year.

The DOL announced a new overtime threshold for exempt employees this year, and it goes into effect Jan. 1, 2020. So, starting on New Year's Day, employers must either bump up their exempt workers' pay to \$35,568 a year, or be prepared to pay them overtime.

Employers are permitted to satisfy up to 10% of employees' annual salary through non-discretionary bonuses and incentive pay – including commissions.

As for timekeeping practices that may need adjustments, several lawsuits

(Please see Policy changes ... on Page 2)

New breath tests help handle legal weed use

■ Employers can know instantly if workers are under the influence

A new Breathalyzer test slated for release in 2020 will use advanced tech to measure whether an employee has recently smoked, vaped or ingested marijuana products.

The devices return immediate results, letting employers know if an employee is impaired and should be kept from working.

Marijuana in the workplace

These new Breathalyzer tests will be a very helpful tool for employers, since traditional drug tests can come back

positive up to 30 days after a person uses marijuana. Employers currently have no way to tell if a worker is under the influence and therefore a safety risk.

And, with marijuana now legal in 33 states and Washington, DC, the modern workplace includes medical or recreational marijuana users, forcing employers to amend their drug policies.

The new breath test can help companies find that balance between safety concerns and state laws.

Click: bit.ly/breathtest545

Policy changes ...

(continued from Page 1)

in the past year brought to light the dangers of employers building unpaid breaks into workers' schedules.

In *Small v. University Medical Center of Southern Nevada*, the company ended up shelling out \$4.2 million in unpaid wages. Employees claimed they often worked off the clock because a 30-minute break would be deducted from their pay regardless if they took it or not.

This practice isn't always illegal, but as you can see, it can have costly consequences if not done properly.

2. **Hiring and recruiting.** In the coming year, HR pros will need to pay more attention to their job postings and recruiting tactics.

PricewaterhouseCoopers ended up in court for age discrimination after turning most of its recruiting efforts to college campuses, specifically targeting young prospective hires.

The EEOC also drew attention to age discrimination and gender bias in Facebook job ads, which allowed companies to specifically target men and people under the age of 30.

If company execs are asking for young hires, it's up to HR to explain the potential pitfalls.

Another thing to be aware of when it comes to hiring: salary history bans. So many cities and states have forbid companies from inquiring about candidates' past pay, HR pros may want to remove that question from the interview regardless.

3. **Paid sick leave, FMLA and parental leave.** Now might be the ideal time to check your leave policies.

Not too long ago, the DOL clarified that FMLA-eligible employees can't delay the use of FMLA leave. So if your policies allow workers to do that, it's time to revise them.

Several states have also enacted some unique paid leave laws, such as safe leave – protected leave for those experiencing domestic violence – or paid leave for any reason an employee may choose.

Check your state laws for specifics, but it's a good idea to consider implementing these paid leaves even if you're not legally required to, as more states are following this trend.

Another important type of leave to pay attention to? Family leave.

It's critical to ensure your family leave policies are equal for both mothers and fathers. JPMorgan Chase had to pay \$5 million to settle a sex discrimination suit because it offered women more parental leave than men.

To clarify, bonding leave has to be equal for both parents. However, more leave can be offered to women recovering from birth or other pregnancy complications.

The distinction is the amount of leave must be based off a medical event, and not gender.

Info: bit.ly/policies545, bit.ly/compliance545

Sharpen your JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

■ Disabled worker fired for poor attendance: ADA violation?

HR manager Lynn Rondo nervously drummed her fingers on her desk as she waited for employee Terry Thompson.

"You wanted to see me, Lynn?" Terry asked as she walked in.

"Have a seat, Terry," Lynn said.

"You're making me nervous," Terry said with a laugh.

"I'm sorry, Terry," Lynn said. "But I have some bad news. You've missed way too much work. We're letting you go."

Can't work from home

"You can't do that!" Terry replied, crossing her arms. "I've only been out so much because of my IBS. You can't fire me for having a disability – I know my rights!"

"We've done a lot to help you," Lynn pointed out. "You had intermittent FMLA leave for when your condition acted up. And when you ran out of leave time, we still let you come and go as needed."

"I'm coming in as much as my condition allows," Terry insisted. "Why can't I work from home? Steve and Deb work remotely."

"Steve and Deb have a different job. You know you can't take your work home because of confidentiality issues," Lynn said. "In order to do your job, you have to be here."

Terry sued the company for failing to accommodate her disability. The company fought to get the case dismissed. Did it win?

■ *Make your decision, then please turn to Page 6 for the court's ruling.*

HR MORNING'S

What's Working in
HUMAN RESOURCES

EDITOR: RACHEL MUCHA

ASSOCIATE EDITOR: TIM MCELGUNN

MANAGING EDITOR: RICH HENSON

EDITORIAL DIRECTOR: CURT BROWN

PRODUCTION EDITOR: JEN ERB

What's Working in Human Resources, (ISSN 1088-3223) November 14, 2019, Vol. 24 No. 545, is published semi-monthly except once in December (23 times a year).

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal or other expert assistance is required, the services of a competent professional should be sought. — From a declaration of principles jointly adopted by a committee of the American Bar Association and a committee of publishers.

♻️ Printed on recycled paper.

Copyright © 2019 HRMorning. Please respect our copyright: Reproduction of this material is prohibited without prior permission. All rights reserved in all countries.

Accused harasser fired without an investigation, firm ends up in court

■ Employee wasn't given chance to refute harassment allegations

Here's a warning for employers: Don't make any rash termination decisions when it comes to sexual harassment allegations.

One company landed in court recently for firing an employee before getting all the facts.

Failed to interview witnesses

Jeffrey Menaker was a tennis coach at Hofstra University. One of his female players accused him of making sexual advances and posting inappropriate comments on her social media pages.

Menaker denied these allegations, claiming the player was trying to get back at him for not increasing her athletic scholarship. She also had a history of manipulating the athletic department regarding the scholarship.

According to the school's policy, an investigation should occur, including interviewing witnesses and receiving a written statement from the accused.

But Hofstra fired Menaker two months later without interviewing his witnesses or reading his statement.

Menaker sued, claiming that his gender was a motivating factor in the termination decision.

The 2nd Circuit sided with Menaker, citing several mistakes the university made. Hofstra didn't follow its own procedures by neglecting to interview the accused's witnesses.

The school also disregarded the fact the player's testimony may not be credible due to her past attempts at manipulating the department.

Cite: Menaker v. Hofstra University, 8/15/19.

Transfer of worker with many complaints didn't constitute harassment, court says

■ Company conducted valid investigations each time

When an employer transfers an employee who's involved in a workplace investigation, documentation is key to counter bias or retaliation claims.

Here's a recent case where an employer handled the investigation the right way.

Multiple complaints

While Robert Walls worked at Lowe's, several complaints about his behavior were filed against him.

Each time a new complaint was filed, Lowe's launched an investigation. Most of the complaints were unfounded – Walls received written warnings for the rest.

At some point in his employment, Walls was transferred to a different Lowe's location. Walls sued, claiming all the investigations and the transfer constituted harassment.

But the 11th Circuit found no evidence of harassment or discrimination against Walls. The investigations were all conducted properly due to valid employee concerns, and the transfer was because Walls' skills would better benefit a different location.

Not to mention, the court added, Walls received a pay raise with his transfer. There was also evidence he wanted to move to a different store.

Cite: Walls v. Lowe's Home Centers, LLC, 10/16/19.

■ Store owes whopping \$5.2M for disability discrimination

When a new manager didn't want to deal with a disabled employee anymore, he fired him – a move costing the company millions.

A Walmart in Madison, WI, was sued by the EEOC after refusing to accommodate a disabled worker. According to the lawsuit, the employee was deaf and visually impaired, but he did his job well for 16 years with an accommodation – the use of a job coach.

When a new manager took over, he forced the employee to get new medical paperwork to keep his job coach. The employee got the paperwork, but Walmart cut off all communication with him, effectively firing him, the EEOC said. This is a violation of the ADA.

Walmart lost in court and must pay the employee \$200,000 in compensatory damages and \$5 million in punitive damages.

Info: bit.ly/walmart545

■ Employer underpaid female workers, shells out \$50K

The EEOC issued an expensive reminder that employees doing the same job need to be paid equally, regardless of gender.

According to a lawsuit by the EEOC, Interim Healthcare in Casper, WY, habitually underpaid its female nurses. Male nurses performing substantially equal work were paid more. This is a violation of the Equal Pay Act and Title VII.

Several nurses filed complaints about the pay disparity, yet Interim Healthcare did nothing to correct the issue, the EEOC said.

"As this case demonstrated, enforcing the Equal Pay Act and Title VII's prohibition on compensation discrimination are priorities for the EEOC," said EEOC attorney Mary Jo O'Neill.

Interim Healthcare will pay \$50,000 to settle the lawsuit.

Info: bit.ly/equalpay545

Experts give their solutions to difficult workplace problems

HR professionals like you face new questions every day on how to deal with workplace conflict and employment law. In this section, experts answer those real-life questions.

What if we don't like what's on candidates' social media?

Q: While doing an online search of one of our candidates, we found some questionable content, including some borderline racist posts. Should this automatically disqualify them?

A: When you Google a candidate, odds are you're going to find at least one thing that'll give you some pause, says employment law attorney Eric Meyer of the firm FisherBroyles.

So it's really up to you to decide what kind of content would disqualify a candidate. There are some potential legal issues you may want to consider.

For example, if a candidate exhibits racist behavior online, it may not affect their job performance at all. But if you bring this person in and there's some kind of incident, it can put your company in a tough spot.

It'll be difficult to defend yourself in court if you had knowledge of a person's racist tendencies and then hired them anyway.

On the flip side, almost everyone has said something they shouldn't have online. It's up to you as the employer to draw the line.

An employee was arrested – how do we proceed?

Q: We just got word one of our employees was arrested. We're not sure yet of the charges or how long they'll be unable to

work. What should our first steps be?

A: If the arrest was for a minor offense, you may want to wait and see what happens before taking definitive action, says employment law attorney Marilyn Moran of the firm Ford & Harrison LLP.

However, despite the charges or embracing "innocent until proven guilty," you're allowed to deal with this employee's absence the same way your policy dictates you handle an ordinary employee absence.

If the charges are serious, you can suspend the employee without pay pending the results of the case.

When should we put in a no rehire clause?

Q: Sometimes severance agreements include a "no rehire" clause. Under what circumstances should we include that?

A: When an employee leaves a company due to performance or behavioral issues, that's typically when a no rehire clause comes into play, says employment law attorney Julie Pugh of the firm Graydon Head & Ritchley LLP.

Remember that even with that clause, if for some reason you want to rehire the ex-employee, you still can. Just make sure to follow normal hiring procedures and document everything.

If you have an HR-related question, email it to Rachel Mucha at: rmucha@HRMorning.com

EFFECTIVE COMMUNICATION

■ Interacting with candidates: How to add a personal touch

In today's digital world, it's easy to assume that the more technology you incorporate into your hiring process, the better.

After all, software and digital tools can make your life so much easier ... right?

Not necessarily, warned founder of Red Pill Talent Ed Nathanson at the ERE Recruiting Conference in Washington, DC.

Too much automation

Nathanson believes recruiting has gotten too digital for its own good. Hiring managers and recruiters can be so focused on how to make the process easier for themselves, they forget to think about the candidate experience.

And most candidates absolutely hate interacting with chatbots, taking online tests or doing multiple video interviews, Nathanson says.

Not to mention, throughout the entire hiring process, candidates often don't hear back at all, or receive only automated messages.

We often focus on processes that make things easier for us, when the candidate experience should be the top priority.

In the tight labor market, the company with the more human, personal hiring process is the one that'll stand out to candidates.

Here's what Nathanson says will make you more human:

- Eliminate unnecessary interview steps such as personality tests and digital screenings
- Send a thank-you note to the candidate for taking the time to come in for the interview
- Clearly tell the candidate what the next steps are and keep them in the loop
- Keep in touch with rejected candidates on LinkedIn, and
- Call candidates instead of emailing them.

WHAT WORKED FOR OTHER COMPANIES

Our subscribers come from a broad range of companies, both large and small. In this regular feature, three of them share a success story illustrating ideas you can adapt to your unique situation.

1 We get staff focused, engaged each morning

There's nothing less motivating for employees than to come into work each morning, go straight to their desks and buckle down right away.

While we appreciated the work ethic, we knew this attitude wouldn't help morale in the long-run.

We wanted our people to come in every morning happy and energized, ready to take on the day.

So we decided to change up our morning routine to get our

employees out of this rut.

Here's what we did.

Ease into the day

We started gathering everyone at the start of the day for quick engagement sessions. Typically, we'd go over some fun company history or ask trivia questions.

To encourage our employees to really get into it, we offered gift cards to trivia winners.

This tactic livened up our mornings and got staff to have some fun

before getting to work.

The game is a great way to ease into the day and allows people to socialize with their co-workers. This makes distractions later in the day less likely, too.

We don't stop at trivia, either. There's always a quarterly morale-boosting event – we do an ice cream social in the summertime, and will bring in an omelet chef for breakfast on occasion, too.

(John Johnston, HR manager, Alpha Pi Alpha Fraternity, Baltimore)

**REAL
PROBLEMS,
REAL
SOLUTIONS**

2 This boosts our 401(k) contributions each year

We didn't think our employees were taking full advantage of their 401(k)s.

We knew it was tempting, especially for younger employees, to get all the money they could out of a paycheck and not save for retirement.

The 1% challenge

So we started holding Lunch & Learn sessions in November of each year. We invited employees to come

on their lunch break.

We provided food and our financial advisor spoke about the 401(k) plan and showed them the benefits of saving for retirement.

He showed how much of a difference saving even 1% can make over several years.

Then, we invited employees to take "The 1% Challenge" and increase their 401(k) contribution by 1% for the following year.

Because we give salary increases in January and 401(k) changes can be

made then, the timing of the sessions works well.

After receiving an increase in pay, they feel they can afford the additional deduction.

Our financial advisor uses this method for many of his clients and suggested the challenge to us. Our goal of educating staff about saving for retirement and increasing 401(k) contributions seems to be working.

(Jeanine Mennemeyer, secretary/treasurer, Lincoln County Bancorp Inc., Troy, MO)

3 How we used tech to attract key candidates

Many of our interns turn into full-time employees, so we've always put a lot of focus on making our program the best it can be.

Over the years, we've molded our internship program into something we're really proud of. We offer good pay and a variety of training options to give our interns a well-rounded experience.

But we're aware we have to change with the times. And when we set our sights on recruiting Gen Z interns,

we knew we had to switch up our methods a little.

Here's what we did.

Higher engagement

Since Gen Z is so tech-savvy, we decided to roll out a "text to apply" program. This allows all interested candidates to simply text us instead of filling out a lengthy application.

Once we have our pool of candidates, instead of sending out email updates, we use an app called Group Me to keep them in the loop. We've found that young people are

more likely to check an app than to log onto their email.

Once we have our group of hired interns, we have an online portal that allows them to interact as well.

Interns can ask questions or share what they're working on at the moment. It creates a nice sense of community and allows for easy knowledge sharing, which makes engagement skyrocket.

(Amber Weaver, director of volume recruiting and talent research, Hilton, as presented at the ERE Recruiting Conference in Washington, DC)

Amazon employees allege harmful working conditions

Once again, internet giant Amazon is facing criticism for its work environments.

According to a recent report from the New York Committee for Occupational Health and Safety (NYCOSH), workers in Amazon's Staten Island fulfillment center claim workplace culture "prioritizes line speed over human safety."

NYCOSH spoke to 145 employees, and the group reports they're often disciplined for being "off task." Eighty percent say they've been told to work harder and faster. Ergonomic issues are a frequent complaint, and 66% report experiencing physical pain while doing their jobs.

Info: bit.ly/amazon545

No more sick days: 90% come to work while ill

Look out: the majority of your employees are coming to the work while under the weather.

A new survey by Accountemps found nine in 10 workers have come into the office while sick before, and 33% always go to work when they're not feeling well.

So why are people working while they're sick? Fifty-four percent said

they have too much work to do, while 40% don't want to use up their sick time. Some workers noted company culture frowns upon being out sick.

Info: bit.ly/sicktime545

More cities banning hair discrimination in workplace

Earlier this year, New York and California made it illegal to discriminate against someone based on their hairstyle, and now Boston and Cincinnati are following suit.

The two cities are currently working on legislation similar to the CROWN Act (Create a Respectful and Open Workplace for Natural Hair). Cincinnati will be able to investigate all claims of discrimination and impose fines of up to \$1,000.

Boston's proposed law will change the definition of race to include hair texture and style, so "targeting a person's natural hair" will be considered racial discrimination.

Info: bit.ly/CROWN545

Lighter side: Workers used FMLA to vacation together

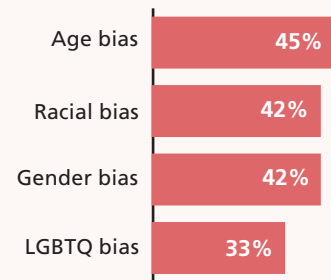
You've likely heard of an employee abusing their FMLA leave – but four colleagues doing it simultaneously is much more shocking.

The employees worked for the City

WHAT COMPANIES TOLD US

Discrimination at work

What type of discrimination have employees witnessed or experienced at work?



Source: Glassdoor

Bias remains a huge issue in the workplace, with more employees having experienced it than not. It's critical for employers to act on all discrimination complaints – not just the major ones.

Each issue of WWHR contains an exclusive survey to give executives insight into what their peers nationwide are thinking and doing.

of Chicago and told their bosses they needed to take medical leave. Instead, the co-workers were caught sailing around the Caribbean on a Carnival cruise ship.

When their employer investigated further, it found the workers went horseback riding, used jet skis and went on a booze cruise all while supposedly being sick.

Info: bit.ly/FMLAcruise545

Sharpen your judgment...

THE DECISION

(See case on Page 2)

Yes. The company won when a court dismissed Terry's case.

Terry's attorney argued the company should've given her the ability to work from home as an ADA accommodation, since other employees at the company had been able to work remotely.

But the court pointed out that the employees who were allowed to work remotely had a different job than Terry. Due to the confidential information Terry handled, she wouldn't be able to take her work home – working remotely wouldn't be a reasonable accommodation.

The court went on to say the company had done what it could for Terry, but ultimately, physical attendance was an essential job function she couldn't fulfill anymore.

■ Analysis: Is attendance essential?

With current technology, a lot of work can now be done remotely, meaning physical attendance isn't always an essential job function. In the past, courts have ruled attendance wasn't essential for certain jobs.

In this case, however, the company had a very good reason for denying a remote work accommodation. Terry's job had to be done in the office for confidentiality reasons.

When evaluating an accommodation request to work from home, consider whether attendance is truly essential.

Cite: Popeck v. Rawlings Co., U.S. Ct. of App. 6th Circ., No. 19-5092, 10/16/19. Fictionalized for dramatic effect.

How open hiring helped grow our business, positively impact community

■ *We hire anyone who wants a job, no questions asked*

From the moment we first opened our doors, we knew we wanted to not only have a successful business, but to do our part to help the community.

Our facility is located in a low-income neighborhood, and we recognized we had the opportunity to give people much needed jobs.

The founder embraced this role and began a practice we still use to this day: open hiring.

No questions asked

Open hiring is as simple as it sounds – we give a job to whoever wants one.

There are no interviews, no background checks and no questions asked. We truly believe in embracing the potential of everyone who walks through our doors.

Obviously, we take safety and security very seriously, but we don't judge employees because of their pasts. All we care about is whether they can do the job.

There's definitely a level of trust we have with everyone we hire, but it's not blind trust – more like a mutual accountability.

In all the years of open hiring, we've never had any major issues. We've had no greater costs or liability than other companies.

Upfront about the work

Another challenge of open hiring is that almost everyone we bring on has no experience.

So we take the money employers usually invest in the hiring process and put all our resources into the training and onboarding aspect to boost success.

We bring in new hires in groups of 10 and explain what they'll need to be successful. Training includes both soft and hard skills.

We're always very up front about the realities of the job. Employees work 12-hour shifts of manual labor. Of course, this isn't appealing to everyone. If any new hire doesn't think they can handle the work, they can leave without any hard feelings.

Once everyone's trained, we use a points system to track and manage performance. And as long as

employees communicate effectively about absences and scheduling issues, we try to accommodate them as much as we can.

Our thinking has always been, if an employee is having trouble coming to work and there's something we can do to make it easier, why

shouldn't we?

Loyal employees

We've seen great successes using open hiring, for both our company and our people.

We have one employee who was looking for work after being released from prison. No one would hire him – we did, and now he's one of our best managers.

Not only does open hiring allow us to have a diverse and unique workforce, but it creates strong employee loyalty. Our overall retention rate is 5% higher than the industry average.

And, when employees want to move on, we're happy to send them off to their next challenge.

(Mike Brady, CEO, Greyston, as presented at the ERE Recruiting Conference in Washington, DC)

Case Study:
WHAT
WORKED,
WHAT
DIDN'T

■ 6 best practices to boost your engagement efforts

U.S. workers are two-and-a-half times more likely to be actively engaged in their jobs than their counterparts around the globe.

The not-so-good news is only three out of 10 U.S. workers are feeling the love. If you're looking for ways to increase engagement, consider these ideas from the researchers at Gallup.

Define engagement goals in realistic, everyday terms. While the overall organization may set lofty goals for engagement, leaders must make these objectives meaningful to employees' day-to-day experiences.

Meeting employees where they are. Cultural influences and economic conditions, as well as more specific variables such as job type and education level, all play roles in shaping employees' workplace experience.

Bring engagement into everyday language. The companies most successful at engaging their employees talk about engagement in the workplace every day.

Focus on engagement at the enterprise and local levels. Transformation occurs at the local level, but it only happens when the tone is set from the top down.

Select the right managers. Whether hiring from the outside or promoting from within, employers that select managers who effectively manage people greatly increase the odds of engaging their workers. Instead of using management jobs as promotional prizes for all career paths, companies should treat the role as unique and requiring specific talents.

Hold managers accountable for their employees' engagement. Gallup's research indicates that managers are the principle influencers of employee engagement. Companies should coach managers to take an active role in building engagement plans.

WHAT WOULD YOU DO?

Companies face competing agendas when dealing with their employees. They must find ways to inspire their people to excel, while controlling costs and staying within the law. Here we present a challenging scenario and ask three executives to explain how they'd handle it.

No money for holiday bonuses this year: What can be done for employees instead?

The Scenario

HR manager Stu Capper nervously walked down the hall toward CFO Ryan Long's office for their meeting, wondering what it could be about.

"You wanted to see me?" Stu asked as he stepped into the office.

"Yeah, have a seat, Stu," Ryan replied. "I wanted your thoughts on something."

"Sure," Stu said. "What's up?"

"So we have a slight issue," Ryan started. "We didn't do as well as we'd hoped this year, and there's no money to give out the usual holiday bonuses."

Banking on the money

Stu sighed and sat back in his chair. "That's too bad," he said. "I know a lot of our employees are expecting to get

something. To be honest, I was banking on that bonus, too."

"I know," Ryan said. "I even had someone joke last week that he's already spent the bonus on a nice vacation. I have no idea how we're going to break it to them."

Stu winced. "So what can we do?"

"Well, there's a tiny bit of money," Ryan said. "But divided up amongst everyone, it won't amount to much."

"Small bonuses may upset people even more than no bonuses," Stu pointed out.

"That's what I thought," Ryan sighed. "That's why I want to think of something else. There has to be something we can do to show everyone we appreciated their hard work this year."

"Maybe we can put that bonus money toward something else," Stu mused.

If you were Stu, what would you do next?

Reader Responses

1 Barb Cajka, HR specialist, Eppley Institute for Research, Omaha, NE

What Barb would do: I'd let everyone know in a companywide email that we won't be able to give out holiday bonuses this year, and I'd be honest about the reason why. Then, I'd see if we could offer them a free vacation day in lieu of the bonuses.

Reason: People are going to be upset no matter how you break it to them. I think it's important to be honest about why there's no bonus money – it's also likely that employees are already aware the company didn't do so well this year. Offering them a day off is another way to show our appreciation and will cost the company considerably less than monetary bonuses.

2 Denise Reynolds, HR manager, Siskiyou Telephone Co., Etna, CA

What Denise would do: I'd sit down with everyone and explain that times are tough and there won't be holiday bonuses this

year. To boost morale, I'd organize some kind of holiday lunch or party to show our employees we value all their hard work. I'd make sure there was good food and fun games to play.

Reason: There's no good way to deliver news like this. But, appreciation can be shown in other ways. A party or lunch would allow employees to take some time to relax and socialize with each other. It'd be a much needed end of the year break.

3 Carmen Fox, HR director, Dairyland Seed Co. Inc., West Bend, WI

What Carmen would do: I'd try hard to secure a non-monetary reward like some extra PTO or a free lunch for our employees.

Reason: Money might be tight, but it's essential we do something to show our people they're valued – or they might not stick around. In my experience, employees are a lot more engaged when they're recognized for their work. An extra day off or a company pizza party has done the trick for us in the past.

QUOTES

There are two ways of spreading light: to be the candle or to be the mirror that reflects it.

Edith Wharton

Treat everyone you meet as if they were going to be dead by midnight. Extend to them all the care, kindness and understanding you can muster, and do it with no thought of reward.

Og Mandino

In times of great stress or adversity, it's always best to keep busy, to plow your anger and your energy into something positive.

Lee Iacocca

Procrastination is the art of keeping up with yesterday.

Don Marquis

The sky is always there for me, while my life has been going through many, many changes. When I look up at the sky, it gives me a nice feeling, like looking at an old friend.

Yoko Ono