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HRMORNING

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Latest HR News**

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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.

Reopening post-pandemic: 5 key compliance issues

■ *Employment lawyers weigh in on best practices*

The coronavirus pandemic has been a confusing and difficult time – and things only seem to be getting more chaotic as some businesses begin to reopen their doors or make the transition back into the office.

But even if your staff is expected to be in the workplace again soon, things will be far from normal. Employers are going to be expected to take on some major public health responsibilities.

What the experts suggest

So what compliance steps will employers be expected to take as the economy reopens? In a recent webinar on the subject, members of the law firm

Cozen O'Connor weighed in. Here's what employment lawyers David Barron, Bethany Salvatore and Matt Clyde had to say.

1. Employers need to pay close attention to federal and state guidance. The federal government has recommended a three-phase reopening plan, which many states have adopted. Different areas of the country are in vastly different situations with COVID-19, so it's crucial for employers to understand the severity of the virus in their area before reopening.

If you're in an area that's beginning

(Please see Reopening ... on Page 2)

EEO data collections delayed due to COVID-19

■ *Commission gives employers until March 2021 to file*

The coronavirus pandemic has prompted the EEOC to delay its annual collection of EEO-1 data, which would've been due on May 31.

The Commission aims to collect EEO-1 data from both 2019 and 2020 in March 2021.

Accurate, timely data

The EEOC uses employers' EEO-1 filings to compare job data organized by race and ethnicity, gender and job category. It was planning on launching an additional survey, the employer

information report, this year, but that's been put on hold as well.

The delay is to help employers to be "better positioned to provide accurate, valid and reliable data in a timely manner," the EEOC said.

Those benefiting from the delay include private employers, unions and public school districts, since they are all "dealing with unique and urgent issues" due to the COVID-19 pandemic. Employers should prepare now to file in March of next year.

Click: bit.ly/EEOC557

Reopening ...

(continued from Page 1)

to transition back to work, there are a few precautions the government suggests you make.

Employers should conduct temperature checks before allowing employees into the workplace. They also should sanitize the workplace frequently and provide employees with personal protective equipment. Social distancing – keeping workers six feet apart from each other – should be practiced as well.

Even if you're allowed to reopen, it's still wise to permit as many employees as possible to continue working remotely to reduce the risk of infection.

2. Limit the number of employees on the premises. When you open your doors again, don't call everyone back immediately. Figure out the minimum number of workers required to operate your business and only allow that many in the workplace at a time.

Staggering when employees return will help enforce social distancing guidelines and minimize the number of infected people if there's an outbreak.

It's important to note that when you start bringing employees back, the decisions shouldn't have a negative impact on a protected class.

3. Make a plan and communicate it to your employees. While things are very unpredictable right now, it's important to give your workers as much advance notice as possible when decisions are made.

If employees are expected to be back at work soon, let them know, and have them acknowledge in writing their intent to return to work. It's also crucial to let your people know what kind of measures are in place to keep them safe – this will help ease fears.

Company leaders will need a plan to decide how to handle employees who don't return to work when told to.

4. Be understanding with those who are afraid to return to work. A lot of employees are still going to have anxiety about returning to work – some will be outright scared of contracting the coronavirus, despite the safety precautions your company is taking. It's important to be sympathetic to these workers.

Employers may run into ADA compliance issues here as well. If an employee with an ADA-protected condition doesn't wish to return to work, you may have to accommodate their request.

5. Determine how employees' benefits have changed. Workers' employment status plays a key role in the benefits decisions they make. As a company, decide if and how you'll allow employees to make changes to their plans when they return to work.

If employees were laid off and then rehired, check to see if their coverage kicks in automatically when they come back to their jobs, or if stop-loss insurance will be required.

Info: bit.ly/reopen557

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.

■ Fired for poor performance: Was worker FMLA-protected?

"Hey, Lynn," said company attorney Eric Bressler. "Got a minute?"

HR manager Lynn Rondo looked up from her computer. "Sure, Eric. What's up?"

Eric walked inside her office and shut the door. "So do you remember Susan Mayer?"

"Of course," Lynn said. "She was let go not too long ago for performance issues."

"Well, she's suing us," Eric said. "Susan's saying she was FMLA-protected when she was fired."

FMLA leave or sick time?

Lynn sighed. "FMLA-protected? That's ridiculous. Susan didn't have an FMLA-approved condition."

"She did request some time off right before she was fired, though?" Eric asked.

"Susan sent her manager an email, saying she needed some time off because she was stressed out," Lynn replied. "She had a doctor's note recommending that she take a few days. But a few days off to relax is different from FMLA leave."

"Didn't she ask for this the day before she was terminated, though?" Eric asked. "The timing looks terrible for us."

"It's not great," Lynn agreed. "But we've been documenting her performance issues for a long time."

When Susan sued for violation of the FMLA, 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

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Employee with PTSD lashed out at colleagues: Does ADA excuse this?

■ Worker was terminated due to 'unprofessional' behavior

Disabled employees have certain protections under the ADA, but what happens when their disability causes troubling behavior?

The 1st Circuit examined this question in a recent lawsuit.

Obscene language

Kirstie Trahan, a military vet with PTSD, worked in a call center at Wayfair. She had issues with the close quarters of her work environment and experienced PTSD flashbacks. This resulted in Trahan lashing out at her co-workers, which included the use of obscene language.

HR conducted an investigation into the incident and determined Trahan had violated company policy by failing to treat her colleagues in a "professional manner." Trahan was

then fired for her behavior. She sued, claiming her termination violated the ADA. Trahan also spelled out ways her disability could've been accommodated.

But the 1st Circuit ruled in favor of the company. It said Trahan's behavior was in violation of Wayfair's policy and a fireable offense.

As for Trahan's request for an accommodation after she was terminated, the court said she never expressed the need for an accommodation before the incident. It was too late now, the court decided.

If performance issues are caused by a disability, the ADA generally doesn't require employers to look past them. However, accommodations may be necessary depending on the case.

Cite: Trahan v. Wayfair, 4/21/20.

Court: Worker's salary and duties clearly exempted him from receiving OT pay

■ Company didn't violate the FLSA with unpaid overtime

Employers can get into a lot of trouble when they require employees to do extra work and not compensate them for it.

But in order for it to be an FLSA violation, the employee has to be eligible for overtime.

No detailed analysis required

Daniel Smith worked as an organ procurement coordinator for Ochsner Health System. He sued his employer, claiming it violated the FLSA and he was owed unpaid overtime.

But after taking a closer look at both his salary and job duties, a district court ruled that Smith was exempt from overtime, and on appeal, the 5th Circuit agreed.

First, the court explained Smith's job included procurement, which is a duty listed under the FLSA's administrative exemption – something which made him ineligible for overtime pay.

The 5th Circuit went on to say a detailed analysis of Smith's job duties wasn't necessary due to his salary: \$120,000 a year. Smith earned well above the FLSA overtime threshold, making him exempt from OT pay.

Misclassification can be a costly mistake for employers, so it's a good idea to double-check all your workers' pay and duties to ensure they're being properly compensated.

Cite: Smith v. Ochsner Health System, 4/17/20.

COMPLIANCE ALERT

■ Restaurant refused to hire non-white workers, owes \$180K

When a popular restaurant chain's discriminatory hiring policy came to light, the EEOC made sure it faced consequences.

Whataburger Restaurants, a chain based in Texas, got into trouble with the EEOC after one of its Tallahassee, FL, locations was refusing to hire non-white applicants.

According to the lawsuit, the store's general manager repeatedly told the hiring manager to only hire white candidates. When the hiring manager complained about this policy, she was subjected to verbal abuse and adverse employment actions, such as schedule changes. She eventually resigned.

Whataburger agreed to pay \$180,000 to settle the EEOC's lawsuit. The restaurant also must revise its policies and conduct anti-discrimination training.

Info: bit.ly/racialbias557

■ Company pays \$150K for prohibiting religious garb

One employer learned the hard way how costly discriminatory dress codes can be.

Versant Supply Chain, a logistics company located in Memphis, TN, and AT&T Services, located in Dallas, engaged in religious discrimination when they refused to grant reasonable accommodations to the companies' dress codes.

According to the EEOC's lawsuit, Versant and AT&T both had dress codes prohibiting anything covering employees' heads. The policies made no exceptions for religious garb, such as hijabs. When one employee refused to remove hers, she wasn't permitted to work. This is a violation of the Civil Rights Act.

Versant and AT&T will pay \$150,000 to settle the lawsuit, and both companies must now allow employees to wear religious garb.

Info: bit.ly/religion557

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 should we include in our return-to-work efforts?

Q: We're following our local and state guidelines and will be reopening soon. We have a plan and are doing this as cautiously and safely as possible. But what are some considerations we might be overlooking?

A: There are many things to consider before opening your company's doors, say the employment law attorneys of the firm Seyfarth Shaw LLP. Logistical plans are very important, but don't forget about the mental impact of reopening.

The most important thing to remember is the status of the pandemic is constantly changing, so it's important to check guidance updates and be ready to be flexible.

It also helps to remind yourself and your employees that returning to work will not be a "return to normalcy," which will help people adjust their expectations. Think about what your new normal will look like and how it'll impact business.

How can we support our employees' mental health?

Q: We recognize that many people are struggling to cope with the pandemic, which is negatively affecting mental health. What can we do to help our employees?

A: According to a recent SHRM study, about 40% of employees

reported feeling hopeless or burned out right now. But there are ways employers can help their workers cope, says Rob Wilson, CEO of HR outsourcing company Employco USA.

The most important thing is to stay in touch with your people on a regular basis. Don't let them think if they're out of sight, they're out of mind. Use video calls and emails to let them know they can reach out if they need anything.

Offer any emotional support resources you can, and acknowledge that this is an incredibly tough time. This will help reduce the pressure they might feel to continue on working as normal.

Is monitoring our employees a bad idea?

Q: To ensure people are being productive at home, we're considering using software to monitor keystrokes and other activity. Is this a bad idea?

A: If you're choosing to do this, it's crucial to be upfront with your employees, or it will cause distrust or even potential legal issues, says HR industry analyst Josh Bersin.

You should also ask yourself why you feel the need to monitor your workers. If the purpose is to catch them in the act of not working and penalize them, it's probably a bad idea.

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

EFFECTIVE COMMUNICATION

■ Keeping your employees connected with each other

After several months of working from home, a lot of your employees are probably itching to get back into the office.

One of the major things they're likely missing? In-person, social interactions with their colleagues.

With everyone at home and on different schedules, it's tough for workers to feel connected to their company and each other.

8 ways to connect

But don't worry! There are a lot of things you can do to keep everyone psychologically connected during this time.

Here's what Mathilde Collin, CEO of the app Front, is currently doing for her workforce:

- Holding a companywide AMA (ask me anything) every week at the same time, allowing everyone to submit questions anonymously beforehand
- Creating a Slack channel specifically for people to share tips with each other about working remotely, fun things to do indoors, etc.
- Doing a virtual "Midweek Meditation" to help ease everyone's stress and force them to take a break
- Hosting virtual game nights or happy hours
- Conducting an employee happiness survey to gauge everyone's current mental health
- Giving birthday shout-outs
- Mailing out personal thank-you notes to everyone, thanking them for their hard work during this difficult time, and
- Having a 24/7 Zoom room where employees looking for some socialization can hop on whenever they want and talk with other people looking for some company.

Info: bit.ly/connect557

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 Keeping morale up as staffers work remotely

Maintaining high productivity and morale in the office is one thing. But in unusual or difficult circumstances, it requires extra effort.

When our state's shelter-in-place directive took effect due to the coronavirus, we suddenly had tons of staffers working remotely.

We knew we had to create a plan to help our team continue to be efficient and successful. And that didn't just mean giving them proper remote work equipment and guidance.

We had to show we were there to provide the support and recognition that they needed during this time.

People-first plan

So, we created an initiative called #WorkFromHomes, complete with a website with remote communications and resources. It includes:

- daily positive communications
- remote photos and video tours (e.g., show us your workspace)
- virtual birthday parties/happy hours

- manager workshops (e.g., managing remotely, adjusting performance expectations)
- live yoga sessions and other mind, body and spirit offerings
- "Orange Alerts" praising project completions or achievements, and
- weekly videos from leadership with pep talks and business updates.

This initiative helps employees feel connected and motivated when we can't all physically be together.

(Dave Mele, president, Homes.com, Norfolk, VA)

REAL PROBLEMS, REAL SOLUTIONS

2 The best, inexpensive ways to recognize staff

It's no secret that employee recognition is an important aspect of creating a happy and engaged workforce. Everyone wants to feel like their managers are noticing their accomplishments.

We wanted to show our hard-working employees how much we appreciated them, but didn't have any money to invest.

So we came up with two inexpensive ways to recognize our workers' accomplishments and

motivate them to continue working hard.

Workhorse of the week

The first recognition initiative I created was called "Workhorse of the Week." On a weekly basis, I placed a red toy truck on one employee's desk after they'd completed a particularly difficult assignment.

The truck would sit on their desk the whole week, letting all of their colleagues know they were being recognized. An email announcing our "Workhorse of the

Week" is sent out, too.

The second initiative I started was called "Yes We Can!" This is a monthly award, presented in the form of a certificate, that recognizes employees who go above and beyond.

Everyone proudly displays their certificates at their desks, and they continue to work hard in hopes of achieving another.

(Dr. Lynda Jackson, assistant professor of business, Trinity Washington University, Washington, DC)

3 Managing our employer brand during COVID-19

Like every other company out there right now, we're dealing with the overwhelming impact of the coronavirus pandemic on our business.

Many things have been put on hold as we struggle to deal with this crisis. However, we realized that we can't afford to let some things fall by the wayside – particularly, our employer brand.

Being an essential business, we're still hiring during the pandemic. And

despite all the craziness going on, we want our applicants to know we're a great place to work.

Social media presence

The best way to show prospective employees we care is to treat our current workers well.

We let all of our applicants know about our safety procedures and our newfound flexibility. We're letting our current employees work the way they feel most comfortable, and we tell applicants the same courtesy would be extended to them.

We're also staying active on social media, giving shout-outs to our essential workers who can't work from home. We have a lot of truck drivers out there doing their jobs, so we're sure to give them kudos online.

By showing applicants we're taking care of our current employees during this tough time and recognizing their hard work, prospective employees will see us as a great place to work.

(Kate Davis, manager of recruitment and retention, Helena Agri-Enterprises, as presented at the ERE Digital 2020 Conference)

NEWS YOU CAN USE

Unemployment rises to 14.7% amidst pandemic

The coronavirus pandemic continues to wreak havoc on American jobs.

From mid-March to mid-April, employers have eliminated 20.5 million jobs, which brings the unemployment rate to 14.7%. This is the highest unemployment rate since the Great Depression.

New unemployment claims continue to climb each week: 3.2 million more people filed during the week ending May 1.

Info: bit.ly/unemployed557

Gen Z workers hit hardest by coronavirus layoffs

According to a new study by Gusto, our youngest workers are the ones who have been impacted the most by the rampant COVID-19 layoffs.

Employees under the age of 25 experienced a layoff rate 93% higher than workers over 35. The restaurant and tourism industries were some of the hardest hit, and these jobs are disproportionately filled by young people.

Hourly and low-wage workers have also been more susceptible to layoffs: Those making less than \$20 an hour

saw a layoff rate 115% higher than those who earn \$30 or more an hour.

Info: bit.ly/GenZ557

COVID-19 forces SHRM to cancel annual conference

While it comes as no surprise, the Society for Human Resources Management (SHRM) recently announced the cancellation of its annual conference due to the coronavirus pandemic.

The conference was supposed to be held in San Diego in late June, and about 24,000 HR professionals were expected to attend.

Those who have already registered for the 2020 conference will automatically be registered for the 2021 annual conference, set to be held in Chicago from June 20, 2021, to June 23, 2021.

Info: bit.ly/SHRM557

Lighter side: Robodogs help enforce social distancing

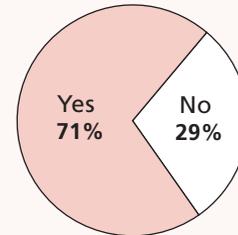
If you're going back into the office soon and are trying to think of ways to keep employees socially distant, here's an interesting idea.

In Singapore, officials have robot dogs roaming around parks, kindly asking joggers and other visitors to remain six feet apart.

WHAT COMPANIES TOLD US

Workplace safety

Do your employees have confidence you can bring them back to work safely?



Source: Eagle Hill Consulting

While the majority of employees believe their employers could bring them back to work safely, more than half (56%) still worry about being exposed to the coronavirus in the workplace.

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

The robodog, named SPOT, calmly tells park-goers, "Let's keep Singapore healthy. For your safety and the safety of others, please stand one meter apart. Thank you."

So, if you're looking for clever ways to keep your newly returned employees apart, a robodog roaming the office might be the way to go.

Info: bit.ly/robodog557

Sharpen your judgment...

THE DECISION

(See case on Page 2)

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

Susan's attorney argued that since Susan was fired the day after asking for a few days off, the company clearly discriminated against her because of her request. The attorney said Susan was FMLA-protected, and the company disregarded that.

But the court disagreed. It said the company had been having issues with Susan for a long time and had documented all of her shortcomings. Not only that, but the court decided her request for a few days off didn't trigger

FMLA protections. Susan's doctor said nothing about her having an FMLA condition or needing extended time off – the doctor merely recommended a few days to relax.

Therefore, Susan's firing was for a legitimate reason, and she wasn't protected under the FMLA.

■ Analysis: Document, document, document

While it never looks good to terminate an employee right after they request any type of leave, in this instance, the company did everything right to protect itself.

Susan's performance issues were well-documented, and the company realized her request for time off didn't trigger its FMLA responsibilities.

Cite: *Gardiner v. City of Philadelphia, U.S. Ct. of App. 3rd Circ., No. 19-2620, 4/23/20. Fictionalized for dramatic effect.*

How we revamped our ineffective employee referral program

■ Participation went up 117% and successful hires went up 41%

We've always had an employee referral program, but it had never been properly utilized. It was more like something that was just there – it existed, but very few people really knew about it.

We took a closer look at the numbers and saw how ineffective it really was. Our company has about 5,000 employees, but we were only receiving about 1,700 referrals a year. Even more eye-opening was that only about 12% of our employees were doing the referring. We really wanted to boost participation.

To see why our numbers were so low, we took a closer look at the referral program.

No consistency

During our review, we found a few major flaws with our program.

The first issue we noticed was the lack of consistency across the company. There was a standard employee bonus for successful referrals, but certain departments had larger bonuses.

We also found that the bonus itself – \$250 – was well below average.

Another problem was the bonus was awarded to the employee only after the new hire reached 90 days at the company. This separated the reward from the action – by the time employees received the payout, they'd forget what it was for.

All of this needed to be addressed.

Policy overhaul

The first thing we did was get a bunch of different managers together and try to get everyone on the same page with a consistent policy.

We also surveyed our employees

about what kind of rewards they'd like to receive for participating in the referral program.

Other changes were made as well. We allowed past employees to be used as referrals, and we also started letting our HR department submit referrals (they'd previously been excluded from the program).

We eliminated the 90-day waiting period for employees to receive their referral bonus, and we upped the payment significantly.

Case Study: WHAT WORKED, WHAT DIDN'T

'Check Your Circle!'

The other major aspect of rolling out our new referral program was promoting it to our employees. We came up with a campaign called "Check Your Circle!" To get the message to stick, we handed out donuts to all our employees.

We sent out countless emails and put up posters to ensure everyone heard about the new and improved referral program.

Cash and PTO

Our people were incredibly intrigued by the new program and were especially enticed by the incentives. Employees who made successful referrals could earn between \$500 and \$1000 and extra PTO. They also all get entered into annual drawings for gift cards of their choosing.

Employees are thrilled to make referrals now. Participation increased by 117%, and our number of referral hires went up by 41%.

(Laura Bookout, talent acquisition marketing strategist, Commerce Bank, as presented at the ERE Digital 2020 Conference)

HR OUTLOOK

■ 4 annoying office habits you can stop worrying about now

Believe it or not, many employees who are working from home will begin the slow transition back to the office in the near future.

Some workers will be thrilled to get out of the house and back into the workplace. Others will be dreading their return.

But no matter which group your staff falls into, one thing's for sure – everyone will be relieved that many annoying office habits will be a thing of the past.

Goodbye handshakes

Here are some silver linings from all the COVID-19 changes, according to Geoffrey James on *Inc.com*.

1. **No more close talking.** Surely one or two colleagues immediately come to mind when you think about personal space invaders. But the good news is, thanks to social distancing and the required six feet apart, you're guaranteed to keep everyone out of your area.

2. **No more presenteeism.** A lot of employees had the habit of coming to work while ill, due to either a lack of sick time or just unwillingness to take it. But with the pandemic, any sick employee will be forced to stay home.

3. **No more handshakes (or hugging).** Touching in the workplace can make many uncomfortable. Whether it be a vice-like handshake, a fist bump or a congratulatory hug, some employees would rather no one touch them altogether. Luckily for them, none of this will happen as long as COVID-19 is still a threat.

4. **No more lunch thieves.** Perhaps one of the most egregious workplace crimes – stealing someone's lunch from the kitchen – will be a thing of the past. To keep the risk of infection down, co-workers will be keeping their distance from each other ... and their food in the fridge.

Info: bit.ly/badhabits557

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.

Employee's termination turns into a nightmare: How can HR do better?

The Scenario

HR manager Stu Capper sighed as he stared at the stacks of paperwork sitting on his desk. He couldn't seem to bring himself to get started on any of it.

"Hi, Stu," said company attorney Libby Martin as she walked into his office.

"Morning, Libby," Stu said tiredly. "I can't believe what a mess Janet's firing has turned into."

"I know," Libby agreed as she sat down. "You and I both know her firing was completely justified. But it looks like her manager really dropped the ball with documentation."

Compliance, morale problems

Stu sighed. "Annie is a good manager, but never had to deal with a problematic

employee like Janet," he said. "And unfortunately because of that, Annie didn't know the importance of documenting all of Janet's shortcomings."

"It doesn't look great," Libby admitted. "But I think we'll be able to win this one. We have some emails at least, which detail some of Janet's problems."

"Thank goodness for that," Stu said. "That means I can now focus my attention on our other problem."

"Which is?" Libby asked.

"Janet, while not a good worker, was well-liked by her colleagues," Stu said. "Her firing has some people upset. And, because of confidentiality issues, we can't explain to them the full extent of her problems."

"So now we have to work on our compliance and boost morale," Stu said.

If you were Stu, what would you do next?

for processes such as hiring, firing and benefits, then see where we stood with our current practices.

Reason: If the ball was dropped with documentation, it's important to see what other areas might be vulnerable. By creating these checklists now, we'll be well prepared for future compliance.

3 DeAnne McCarty, HR director, Norton Energy Drilling, Lubbock, TX

What DeAnne would do: After ensuring Annie now knows what documentation practices are expected of her, I'd turn my attention to the employee morale problem. I'd take the time to explain that Janet was fired for performance problems. I'd acknowledge the loss, but stress to our staff that it was unfortunately necessary.

Reason: There's only so much you can tell your employees about a termination, but it's important to address it. Not doing so will only cause concern and rumors to spread. Employees will appreciate the time you take to acknowledge their questions.

QUOTES

I'm not afraid of storms, for I'm learning how to sail my ship.

Louisa May Alcott

Courage is the most important of all the virtues, because without courage, you can't practice any other virtue consistently. You can practice any virtue erratically, but nothing consistently without courage.

Maya Angelou

It is more shameful to distrust our friends than to be deceived by them.

Confucius

Without leaps of imagination, or dreaming, we lose the excitement of possibilities. Dreaming, after all, is a form of planning.

Gloria Steinem

Intelligence without ambition is a bird without wings.

Salvador Dali

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

Edith Wharton

Reader Responses

1 Laurie Latorre, HR manager, Alcan Packaging, Millville, NJ

What Laurie would do: I'd use this documentation error as a teaching moment for the rest of our managers. I'd ask Annie herself to lead learning sessions, detailing where she went wrong and then go over the proper documentation methods.

Reason: Nothing is a better teacher than experience. It's too late now for the company to prevent the bad documentation and resulting lawsuit, but they can use the incident to impress upon managers just how important good documentation is. Hopefully, this will help prevent future compliance issues.

2 Kristin Hennig, HR administrator, Rukert Terminal Corp., Baltimore

What Kristin would do: After this incident, I would implement a self-audit for the company in all important compliance areas. We'd create compliance checklists