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Human Resources & Safety Consulting

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PEOPLE POINTERS

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Another Labor Poster Change…

Equal Employment Opportunity Notice

The state of Ohio has updated its Equal Employment Opportunity notice with mandatory changes. The agency significantly revised the format of the notice, and the title of the notice was changed from the "Ohio Fair Employment Practices Law" to "Equal Employment Opportunity is the Law." Military status, pregnancy, and retaliation were added as new protective categories.

This poster should now be posted at Ohio businesses.

Family and Medical Leave Act Changes

On January 28, 2008 President Bush signed into law H.R. 4986, the National Defense Authorization Act of FY 2008 (NDAA). Section 585 amends the Family and Medical Leave Act of 1993 (FMLA). This provision is effective now! The Department of Labor will soon provide comprehensive guidance. In the interim, employers must act in good faith in providing leave under the new legislation.

Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member.

Some of the changes may require: new forms, policy updates, handbook revision, staff training, new poster (now available), and employee communications.

Have you made the required changes?

New Federal Minimum Wage

Beginning July 24, 2008, the Federal Minimum Wage will be $6.55 per hour.

The Ohio minimum wage will remain at $7.00 per hour.

Genetic Information Nondiscrimination Act

The Genetic Information Nondiscrimination Act (H.R. 493) became law on May 21, 2008. The new law prohibits employers and health insurance companies from discriminating against or refusing coverage to individuals based on the results of genetic testing.

The employment provisions of the law will take effect in November 2009. The provisions which govern health insurance plans are set to take effect in May 2009.

Don't forget to add "genetics" to the list of protected categories in your employee handbook.

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New I-9 Form

On June 16, 2008, the USCIS released a newly-dated I-9 form which employers may begin using immediately.

The content of the form has not changed from last year's version. The date of the form and OMB expiration date have been adjusted.

Checking References

By: Sandra Kay Neal, Ph.D.,
Industrial Organizational Psychologist

Research has shown that the best predictor of future behavior is past behavior. This is particularly true about employee behavior. The best way to determine if an applicant for a job will do it right is to check with previous supervisors about how that person did the job.

Employers often skip checking references because it is time consuming. However, the waste of time if one hires the wrong employee far exceeds the amount of time it takes to check references initially.

Employers also fear that since the applicant provided the reference names, those people will say only good things about the applicant. However, if the employer asks questions about how the applicant did specific tasks, the reference will describe the applicant's behavior. It is also helpful to ask the reference about the areas where the applicant had difficulty doing the whole task. Another useful question is to ask how the applicant corrects for mistakes – one will learn the types of mistakes the applicant made in the past and discover how that person fixes mistakes.

Before contacting references, it is wise to prepare a standard set of questions related to the specific job the employer needs done. This will ensure that past behavior is surfaced. It will also ensure that the employer can compare the answers of several references.

Employee Performance Appraisals – Part 6

By: John M. Turner, Ph.D.,
President & CEO

This article continues our series on employee performance appraisals. Previous articles have appeared in our past newsletters and can be found on our website.

We next discuss the various methods for appraising performance.

Employee performance can be appraised by a number of methods. Some employers use one method for all jobs and employees, some use different methods for different groups of employees, and others use a combination of methods. Let's take a look at some of the different methods.

The simplest methods for appraising performance are Category Scaling Methods. This method requires a manager to mark an employee's level of performance on a specific form divided into categories of performance. A checklist uses a list of statements or words from which raters check statements most representative of the characteristics and performance of employees. Sometimes, a scale indicating perceived level of accomplishment on each statement is used.

One specific type of this method is called the Graphic Rating Scale. This scale allows the rater to mark an employee's performance on a continuum. This scale is easy to use and for this reason is very common. These aspects of performance are appraised using this scale:

- Description categories – quantity of work, attendance, dependability.
- Job duties – taken from the job description.
- Behavioral dimensions – decision making, employee development, communication effectiveness.

How well employees meet established standards can be expressed either numerically or verbally ("outstanding," "meets standards," "below standards").

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It is helpful to explain in some level of detail what each standard means.

There are some concerns with using this type of scale.

- They encourage errors on the part of the raters because they may rely too heavily on the form to define performance.
- Rating scales tend to emphasize the rating instrument itself and its limitations.
- Separate traits or factors are sometimes grouped together so the rater only has one box to check.
- The descriptive words that are used can mean different things to different raters.
- The number of scale points can create problems.

Another type of scale is called the Behavior Rating Scale. This method is designed to assess an employee's behavior instead of other characteristics. The scale consists of important job dimensions. These are the most important performance factors in a job description. Short statements describe both desirable and undesirable behaviors. These are then assigned to one of the job dimensions. Each one of these is then assigned a number that represents how good or bad the behavior is.

There are some concerns with this method.

- Developing and maintaining the scales require a lot of time.
- Various forms are required to fit different types of jobs.

Another category of appraisal methods is called the Comparative Method. This method requires that managers directly compare the performance levels of their employees against one another. There are two types of this method.

The first method is called Ranking. This method lists all employees from highest to lowest in performance.

The second method is called Forced Distribution. This method distributes ratings that are generated with any of the other methods, and then comparing the rating of people in a work group. The ratings are distributed along a bell-shaped curve. For example, on a five-point scale there would be 10% rated as a 1 (unsatisfactory), 20% as a 2 (below expectations), 40% as a 3 (meets expectations), 20% as a 4 (above expectations), and 10% as a 5 (outstanding).

There are several advantages to this method.

- Reduces rater inflation – makes raters identify high, average, and low performers.
- Ensures that compensation increases truly are differentiated by performance rather than being spread somewhat equally among all employees.

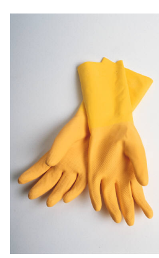
There are also several concerns with using this method.

- Managers may resist placing an employee in the lowest or highest group.
- Difficult to explain ranking to the employees.
- The bell-shaped curve concept may be faulty in small groups.
- Managers may make false distinctions between employees.

This method is not used by a lot of companies. It has been challenged legally. It is advised that you consult your labor attorney before using this method.

Skin Protection Against Hazardous Chemicals

By: Vicki Hershey
Independent Safety Consultant



The last line of defense for skin protection against chemical exposure is chemical protective clothing. Caution must be taken to ensure the clothing meets all protective claims and expectations. Chemical protective clothing should not be considered as a replacement for engineering control methods.

No material can remain resistant to a specific chemical forever. Instructions frequently stated on the Material Safety Data Sheet (MSDS) read: "Wear impervious (or impermeable) gloves." This statement provides limited value and is theoretically inaccurate. No single material is resistant to all chemicals and some chemicals can, and will, filter through the glove in a few seconds. Other chemicals could take several days or weeks.

Material Safety Data Sheets should state what type of material (e.g., neoprene, butyl rubber) to use when working with a specific chemical. If this information is not listed, do not handle the chemical until you contact the supplier or manufacturer of the product. Glove manufacturers can also help by putting specific chemical resistant information on their packages.

The rate at which the chemical will move through the material is called: the **permeation rate**. It is listed in units such as milligrams per square meter per second. The faster the chemical will move through the material, the higher the permeation rate. A laboratory will apply the chemical to the exterior of the material. It will then measure the time it takes to completely ***break through*** (break through time), to determine the permeation rate. This determines the durability and duration time of your glove or protective clothing.

You must always first assess your situation.

1) What type of chemical will I be handling.

2) Identify the hazards.

3) First, put engineering controls in place to minimize the hazard.

4) Choose the right protection based on:

   a) How long you will handle.

   b) How often you will handle.

Ensure your employees are well trained on Right-To-Know Laws, Hazardous Material Handling and Personal Protective Equipment (PPE).

Always have the Material Safety Data Sheet available for reference and ensure the emergency contact number and poison control number is posted and easily accessible. A Good Manufacturing Practice is to make it mandatory that all persons working with chemicals must notify their Supervisor prior to handling.

Protective clothing is a fast fix method. If chemical handling is part of your everyday operations, putting engineering controls in place could save your company thousands of dollars in compensation claims, OSHA violations and could save someone's life.

Think smart and work safe.

Onboarding: More than Orientation

By: Bonnie L. Thompson, M.A.O.M.
Independent Consultant

In the past, new hire orientation was defined as "what happens when your new hire comes on the premises for the first time." Today, orientation means more than new hires spending their first eight hours with the company filling out paperwork and watching company videos. Many companies are enhancing typical orientation programs with "onboarding" programs that focus on new-hire assimilation into an organization.

Onboard programs are based on the premise that a connection is made with the new employee in a meaningful way. Successful onboarding programs are developed to keep the new employee charged up and lead to on-going conversation. This conversation should contain the following six critical topics:

<u>Relationships</u>:

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The hiring manager and new employee should have a discussion about how to build relations. These are relationships between the hiring manager and new employee and with others within the organization.

Passion:

Managers should learn what a new hire is passionate about. These passions can be channeled on the job.

Challenge:

Managers should learn what challenges will make the new hire excited to learn and grow with the company.

Focus:

New employees can be more focused on the company goals if the manager shares these goals with them.

Balance:

Managers should determine new employees' interests beyond the workplace and assist the new employee in achieving a beneficial work/life balance.

Intention:

New employees and managers should follow through on what they learn from these conversations to determine how they can ensure progress and results.

Onboarding takes place over a longer period of time than orientation, usually several months, although some organizations have onboarding programs for up to two years. Successful onboarding programs quickly integrate new employees and not only help them become familiar with corporate rules and culture but also help them understand their responsibilities within the new environment.

SURVEY

Recipe for Failure

The top five reasons new hires fail, according to a survey of 5,247 hiring managers, are because they:

26% - Can't accept feedback

23% - Can't understand and manage emotions

17% - Lack necessary motivation

15% - Possess wrong temperament

11% - Lack technical competence

Source:
Leadership IQ Inc., Washington

ABOUT US

JMT & Associates, LLC is a full service Human Resources (HR) and safety solutions provider. We partner with small, mid-size, and large companies to develop and improve HR processes and procedures. We offer extensive "real-world" experience in a variety of industries, including: manufacturing, service, union, union-free, profit, not-for-profit, private, and public sectors. Our level of involvement ranges from complete management of your HR needs to providing project-based assistance to your in-house HR person, depending on your specific business requirements. These services range from basic policy development to in-depth HR strategic planning. We begin with a comprehensive HR assessment of your current policies and procedures, then we provide a detailed analysis and a "road-map of recommendations" to maximize your HR investment. We then provide the necessary follow-up to ensure process effectiveness.

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