Knowledge Central e-News

Knowledge Central/ComplyAbility publishes a monthly eNewsletter to keep system subscribers informed of changing regulatory compliance requirements, and important news impacting your business. **Disclaimer:** The content presented in this eNews is for general information only, is not intended to constitute legal advice and cannot be relied upon by any person as legal advice.

### How Much Will an Employment Lawsuit Cost?

Staffing firm Manpower crunched recent lawsuit data to help guide your settlement decisions.

The Bottom Line: If your case has just one plaintiff and no “horrible facts” that would make a jury cringe, expect to pay up to $50,000. That covers about a third of all employment law cases. If you have one plaintiff and horrible facts, you’ll likely pay between $50,000 and $100,000 (about 28% of cases).

With many plaintiffs or really horrible facts, expect to pay up to $1 million.

Finally, with lots of plaintiffs and super-horrible facts, you’ll pay over $1 million – truly, a 1% group that you don’t want to be in.

### Exit Interview – Why is it important?

The exit interview is an invaluable source of information to assess the overall quality of work life within your organization and identify opportunities to improve retention and employee engagement. Do you need more reasons why you should be implementing a structured exit interview process in your organization? Here are 10…

1) Departing employees are generally more forthcoming than those still in their jobs.
2) You will learn the reason for an employee’s departure (it may be different than you think).
3) The exit interview allows the employee to provide constructive feedback and leave on a positive note.
4) That last touch point provides you with an opportunity to review continuing obligations with the employee (e.g., non-competes, intellectual property agreements etc.).
5) It provides the opportunity to ask if there are any open issues of which you need to be aware. This can help reduce risk and identify matters that may require immediate attention.
6) You will get a candid assessment of your organization’s environment and culture.
7) Insight into recruiting, on boarding and training needs may be revealed.
8) The feedback will help you to identify areas that can help improve staff retention.
9) Improvement opportunities in management development and succession planning can be detected.
10) It’s cost effective and easy to facilitate with this interview form.

CLICK HERE to view the form.

“That’s not in my job description.”

It’s the response that irks almost every manager on the planet. The manager then goes to HR or upper management, engages in a whole-body eye roll, and then complains about the employee’s lack of team spirit. While we’ll empathize with the manager about the employee, we may mumble to ourselves about how long it has been since the manager has actually updated the employee’s job description. Then, we get pulled in 100 other directions—all fires demanding more of our attention than job descriptions.

The job description (JD) may be the most out-of-date and inaccurate document in all of human resources. The problem is, we know it. We know that JDs are on the bottom of our priority list and only come up when we need to recruit for the position. We know that JDs help us determine market salary comparisons. We know that employees look at their JDs. We know that candidates look at JDs. We know that JDs can protect us in a disability-discrimination case. We know that JDs provide the basis for classification analysis under the Fair Labor Standards Act (FLSA).

So, why don’t we update JDs regularly? Here are four reasons we should.

CLICK HERE for the rest of the story. Be sure to review Module #B370 “Writing a Job Description” in the ComplyAbility system.

Different Policies for Exempt vs Nonexempt – Legal?

Can you have different time-off policies for your exempt and nonexempt employees? For example, can you offer unlimited vacation for exempts and a paid-time-off policy for non-exempts? If so, should you have two different employee handbooks based on classification?

The answer is YES. You can adopt different programs offering time off – paid or unpaid – to different groups or classes of employees within one organization. Be aware, however, of state and local laws that may impose additional requirements.

For example, some jurisdictions require employers to offer a minimum number of paid sick days. You also need to follow laws like the FMLA and the ADA, which may have different thresholds for determining employee eligibility for time away from work, and integrate your policy administration with any wage replacement programs, like short- and long-term disability.

It is your decision on how to communicate those policies. For example, if your organization has a handbook, and you think the policies will read as roughly equal, you may choose to publish both policies side-by-side. But, if you have many policies that are specific to one group but not the other, you might want to put together one handbook for managers and another for nonexempt workers.
Background Checks

When it comes to selecting the best candidates, going deeper than just face value should be a routine practice. But too often, employers wrongly buy into several myths about background checking.

CLICK HERE for the rest of the story.

We're proud of the fact that you have chosen ComplyAbility as an indispensable part of your internal operations and risk management solutions. ComplyAbility is your single source for employee training, testing, and performance tracking (proof of comprehension) as required by agencies such as the Department of Labor, OSHA, EEOC, Office of the Inspector General and more. Please insist that your employees utilize the system by completing their assigned training and to insulate your company from the liability you face every day in your business.

Need assistance? Don't hesitate to call: 1-800-708-6460!

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