

Cleaning & Restoration

\$9.00

January 2012 • Vol. 49 No. 1

Published by the Restoration Industry Association

Securing **FIRE** Scenes

A Fire Marshal Talks to Restorers

**The Mold Remediation
Standard of Care: Does It Work?**

**Restoration Rescue:
Condo Case Study**

**Computer-Based Testing:
Wave of the Future**

By Cynthia Hereth

Who Owns an Employee's Certification?



Q When an employee leaves after having obtained certifications and certificate designations that were paid for by the company, is the company required to “give” those certifications to the terminated employee? Can we collect from the employee for the cost of the class and then give them their certificate?

A This question comes up all the time. Here's the scoop on certifications or designations earned by an employee.

It's natural for a company to want to retain the certificate, particularly if it paid a significant amount of money for the employee's training. However, a company cannot simply retain the certificate because it foots the bill. Industry certifications or certificates of course completion are awarded to the individual, not the company. Thus, if a person leaves a company, the certification or course certificate goes with the person.

Companies can try to make a point by retaining the certificate, but it is a simple matter for the former employee to ask the education provider or certification agency for a duplicate certificate without the company's name on it. The former employee can then choose to pay the certification /certificate renewal fee to keep the certification or designation up to date. Education providers focus on individuals in the classroom. The company is merely the financial means to the end. While this statement may seem unfair, these are the practical facts.

Working Through the Issue

The solution is for both parties to be savvy because both parties benefit from the dollars spent on training. The employee advances his or her professional development, and the company can leverage the skill set or knowledge provided by the training. The company must own its training dollars, understand how

those training dollars are being spent, and have a well-defined training policy. On the flip side, employees should be responsible for their own professional development and growth.

I recommend the following strategy:

Take responsibility for your company. You are the decision maker. You determine the boundaries. If you feel you're getting taken to the cleaners, recalibrate the boundaries to what you consider fair and can practically and fiscally handle.

Take the time to develop and implement a company training policy. Get your HR team together. If you don't have one, meet with trusted colleagues, talk through the issues, and get feedback. There are many sample documents on the Web to use for reference. Be careful, though. Boilerplate samples do not always comply with the law or match company needs. Another option is to bring in an outside employment specialist to get you started.

Decide how you want to allocate training dollars. Factor in the cost of the course or certification program, travel and related stipends. Will you pay wages to employees when they are at training? This is not just a business decision, but one that is governed by wage and hour laws. Be sure your policy is legally compliant.

Establish accountability. Decide how your company will verify that the employees who are supposed to be in training have been in the class instead of the local bar or the mall.

Training Policy Options

Restoration companies handle paying for training in different ways. Many companies will pay the full cost of training, including travel, up front, but require the employee to pay back a certain percentage of the overall costs if they leave within a certain timeframe. Six months to a year is the norm.



“The ultimate goal is to provide training opportunities for your staff, have clear-cut financial boundaries that work for your business, and maintain a company policy that specifically defines the expectations.”

If the employee leaves the company prior to the stated timeframe, generally the company would deduct that percentage from the final paycheck. Be sure that you have proper paperwork in place for this kind of arrangement because most deductions from paychecks must be supported by proper authorization from the employee.

Other companies pay a percentage of the training, such as the course cost and lodging, and require the employee to cover the air or land travel. There would be no penalty should the employee leave the company.

The ultimate goal is to provide training opportunities for your staff, have clear-cut financial boundaries that work

for your business, and maintain a company policy that specifically defines the expectations. You can't be upset with employees if you haven't clearly outlined the guidelines and informed them up front of the potential consequences for certain decisions. Then you must be ready to enforce those consequences if the expectations aren't met.

The Bottom Line

Your company has no legal basis to keep certifications from a former employee. They belong to the individual who received the training or earned the credential. To charge them for the cost of the class after the fact—particularly if it wasn't in a company policy or otherwise communicated up front—is unprofessional and hurts morale and company image. It also likely is not enforceable in court.

However, if your company has a comprehensive policy covering these issues, which the employee has received (and signed), your company can enforce its policy in good conscience and with good results to the benefit of both the company and your employees. [RIA](#)

Cynthia Hereth is RIA's Director of Training and Certification. She likes to answer certification questions. Contact her at chereth@restorationindustry.org.

2012 RESTORATION CONTRACTOR'S GUIDE TO INSURANCE REPAIR

BY PETER CROSA
INDEPENDENT ADJUSTER

- EASY TO USE GUIDE
- USED NATIONWIDE
- FIND ADJUSTERS
- MEET ADJUSTERS
- ADJUSTER MARKETING
- BUILD RELATIONSHIPS
- SCOPE A JOB
- PRESENT ESTIMATES
- MOST COMPREHENSIVE LIST OF ADJUSTER ASSOCIATIONS
- NOT DEPENDENT ON THE ECONOMY
- WIND, FIRE, & FLOOD
- SAMPLE REPORTS
- SAMPLE ESTIMATES
- FREE MARKETING NEWSLETTER
- FREE S&H
- \$169.00 call or fax

Visa AmEx Master Card

Card # _____

Exp date ____

Name: _____

Bill & Ship Address: _____

Phone: (____) _____

Email: _____

Call Us: (800) 927-7644

Fax Us: (800) 661-6229