HR 101-The Series

Overview

It's been over a year since I managed to obtain my Senior Professional in Human Resources (SPHR) certification. I'll be the first to admit that it was tough, partly because of what I'll call my "blind spots." We all have them-sometimes they're the things we know we don't know. As a Generalist I have a wide, but not necessarily deep, body of knowledge regarding an organization's business units. I relied on my colleagues to perform their respective roles, thinking little about whether we were speaking the same language, so to speak. This isn't much of an issue at my current company; however, the exam did open my eyes to other possibilities. The SPHR exam works from the assumption that a HR professional is an *emerging* strategic partner, and not an established one. A different work environment from my own (for example, one that's more rigid, or where the division of labor is highly specialized) may foster cultures that prevent HR practitioners from being a valued contributor. In these environments they're seen as an obstacle and not part of the group that drives the business.

So what do we need to do to erase that perception? How do we get involved with the other players in the game in order to create and sustain a winning organization? As I found out, HR needs to step outside its traditional role and actively engage the other business partners. And you can't do that unless you understand how the different functions operate-their motivations, tools and processes, and yes, their language.

With that in mind, I've asked a few professionals to talk about what they want HR to know about the subject they're discussing. It's my hope that these submissions will inform, educate, and most importantly, *inspire* the reader to take their development into their own hands.

Enjoy!

Sincerely,

Victorio Milian

aka

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HR 101-Finance

The first topic of discussion in the 'HR 101' series is Finance. The premise is simple-if you were teaching a 'Finance Basics for HR' course, what type of information would you share? What's critical to know? How does this make someone a better HR person? The answers to these and similar questions will be helpful to those who want to improve themselves but might not know where to start.

To help answer these and other questions I have two great HR pros contributing their time and expertise-Trish McFarlane and Franny O. Both walk the walk when it comes to understanding and applying the principles of finance to aid in their respective organization's success. As professionals they also serve as proof that HR can, and should, embrace the language of business.

*First up is....Trish McFarlane! Franny O. will take over afterwards and offer her perspective. So it's time to listen up, because **class is in session**.*

"It is critical that HR professionals have a solid understanding of the financial aspects of running a business."

Trish McFarlane

If you were teaching a 'Finance Basics for HR' course, what type of information would you share?

Key courses would be those that cover budgeting, managing for profitability (billing, write-offs, etc.), and reading and understanding financial statements.

What's critical to know?

I believe the reading and understanding financial statements piece is critical. By having that skill, HR pros will be someone that line managers and leadership will respect when they give advice.

How does this make someone a better HR person?

In my experience, the more credibility I have with company leaders, the better. One key complaint many company leaders have is that the HR group does not have a good understanding of the business, how the business makes money, or how to have a meaningful conversation about the financials of the business. By learning about finance, whether that be on the job, in school, or by studying on your own time online and with books, it is critical.

An example where this comes into play is regarding headcount. Often, HR is contacted to provide headcount information to be used to make hiring or reduction decisions. If the HR pro can also add **why** a hire or reduction makes financial sense, it is far more valuable to leadership. Let's say you have a mid-level hiring manager trying to push a more junior hire through the approval process. If the HR pro can analyze the financials for that practice group, they can recommend whether or not the hire makes business sense and why. Without that background, HR basically can only escalate the request and allow the COO, CFO, or appropriate leader make the final call. HR becomes the messenger, not a trusted advisor.

What other courses are beneficial to HR professionals?

I find that many people in HR do not have a strong grasp of statistical analysis. By taking a course in applied statistics, it will further their ability to advise leadership on key business initiatives. For example, if you do not have that background, it will be much more difficult to recognize where the issues lie in employee survey data. And, when that happens, the HR pro is not able to advise leadership on actionable items the business can take to improve retention.

In the past you talked about establishing a "connection with your CFO and/or Accounting department." How do you that (they can be pretty intimidating)?

Obviously, the ease of connecting with your CFO will depend on the culture, size of the company, or your level within HR. Let's first start out a little lower on the Accounting/Finance food chain. Reach out to the person in that department who would be your counterpart. Do you support a specific group, city, or region? Find your counterpart that supports them from the financial side. Do you know them? Great. If not, set up an introductory meeting. Tell them up front that you'd like to learn more about what they do to support that group/city/region. You may want to offer up what your role is in supporting that group. If possible, ask to set up regularly scheduled calls or meetings to touch base.

In my experience, the CFO is often a very busy person, so I wouldn't advise just popping into his/her office to start talking about HR and finance. Do you have any connection to the CFO? If so, see if this person can facilitate an introduction. I would only do this after you have tried to build relationships with your finance

counterpart AND after you have done your homework how the company makes money and how the finance/accounting group fits into the picture. Be prepared.

Does your boss or other higher level HR person in your department have meetings with the CFO? If so, ask to shadow them on a meeting. Are you the high level HR pro and just need to begin a relationship with the CFO? That's a little different. For me, it has been no different than forging a relationship with any other leader. I am honest, sincere, make sure I have done my homework, and try to contribute to the conversation in a meaningful way.

Now it's time for Franny O. to give you what you need to get to the next level of your career!

"get over your fear of P&L statements."

Franny Oxford

Rather than focusing on how to read the P&L or formal financial statements, which you can learn about on your own, I'm going to talk about the basics of cash flow as an operational process within a small to medium-sized company. Of course, ultimately, we all want to accumulate cash, but it doesn't matter how profitable you are if you can't keep people and products on the floor because you're waiting to get paid.

I'm going to ask you a bunch of questions. Consider this a scavenger hunt for the information that can help make you critical to your organization.

The first place to start is to **find out how, exactly, your company makes money.** I'm not being funny - I've been shocked at how many HR practitioners either don't know or can't articulate what their company does, how it adds value to customers and/or other stakeholders, and who their competition is. That's something we can't teach you here, but your peers at work can. Set a goal for yourself that by the end of the week you'll be able to confidently talk for one minute, five minutes, and fifteen minutes about your company history, strategy, targets, financial status, key obstacles and opportunities, banking relationships, partnerships and competitors. Knowing and understanding these issues so well that you can talk about them, and use this information while prioritizing your work, is the key to moving from "HR generalist" to "business partner."

The second thing you need to do is to find out how the money moves around your organization.

- **Start with the service or product your company sells** - Who pays for it? When? How? Why? And what has worked to increase sales? Is your company known for being high quality, high price, or are they known for doing things efficiently and at less cost? What kind of inventory do you keep, and why? How is it managed and accounted for?

- **Figure out the company's revenue streams.** Money comes in from the sale of your product or service, from the sale of some piece of the company (stock) and through loans. A lot of companies spend plenty before the first dollar of revenue comes in - they invest in new machines to build the product, employees, computers, buildings, you name it. They do that, most often, through something called a line of credit. Just like your own personal credit, there has been a LOT of restrictions and changes to lines of credit in the last year or two. How has that affected your company? How have changes in the banking landscape over the last year or two affected your company? What is the relationship like between your CFO and your bank? What, if anything, does your company do mostly to make the bank happy? What kinds of audits does the bank perform on your company?

- **Find out what happens when the money arrives at your company.** Do you have an accounts receivable person, department, or do you just bring in truckloads of cash for the CEO to put under her mattress? Do you mostly do business through credit card, ACH pull, or paper checks? How long does it take to get the money once the product/service is delivered? How much of what is owed typically gets written off, and why? What has been done to reduce write offs, and get the money owed in the door as fast as possible?

- **How does money get recorded and managed internally?** How do budgets get created, and when? Are people held accountable for their budgets and to what extent? How does your controller square the need for agility with the typically fairly rigid budgets that may have been set too long ago? What counts as an asset, and what doesn't? What counts as a capital expense? How are physical items or purchases devalued over time?

- **Then you've got to find out where, exactly, the money goes.** What percentage of the company revenues go to salaries and bonuses? What about benefits, payroll taxes, and perks? Add those two together and you should have a much better understanding of why doing HR well is so critical. What are the other major expenses associated with your company's business?

- **After all that, what do you do with what's left?** Do you guys buy other companies, do you funnel it back into the business in the form of new locations, more people, new equipment, or do you have owners who make "draws"? What kind of profit margin are you looking for as a company, gross (before expenses) and net (after expenses)? What are you actually getting? Cash flow follows profitability; everything works if the company is consistently profitable. Is the company in the black or red every month? A lot of small companies mistake profitability and having good cash flow. They are not the same, having the ability of making payroll or paying your vendors is not a true measure of success. A better measure, and the one the company owners care the most about, is of course if the company is accumulating cash over a period of time.

- **Lastly, take what you've learned and tie that back to what you know about the company strategic plan and culture.** How can you, in HR, help align the company culture to the business's operations and finance realities, to accelerate growth? Figure that out, talk about it, and act on it, and you're golden.

I want to thank my friend and co-worker Nikhila Srirangpatna for her partnership - Nikky is CFO at my company, a good friend, and a great person to have in my corner. Nikky made sure I wasn't just spouting a bunch of blather here - and if you build a relationship with your peers in finance, they can help you learn things and grow your career, too!

Bonus question! HR, from a finance perspective, has gotten better at providing cost savings to an organization. How can an increased understanding of finance allow HR pro to provide programs that <u>generate</u> revenue?

It depends on the type of service or product your company provides, how you differentiate yourself in the market, and where your company is lagging. Two examples from my current role as HR director in a consulting company:

- I help employees position themselves to increase their billing rate sooner by making sure they are growing their careers in particular ways. Of course, for every employee who increases their billing rate a year or two sooner, my company makes more money.

- I'm working to triple the number of independent contractors attached to my company - for the networking and PR, for the unusually high level of expertise they can bring, and for the fact that when they're not working for us, there are no carry costs associated with them.

You really have to know your company and then do some thinking, maybe with the CEO or operations leader, to connect the dots.

HR 101-Public Relations/Marketing

In a previous 'HR 101' discussion we talked about finances. Trish McFarlane and Franny O. explained, in clear terms, the benefits of embracing and understanding this business basic.

So let's focus now on <u>Public Relations and Marketing</u>. Why PR/Marketing? As you'll see from my guest contributor, there's overlap (and opportunity) between this and the HR function. If leveraged correctly, these groups can and should work well with each other to their mutual benefit, as well as that of the organization they serve.

Listen up, pay attention, and oh yes, there will be a quiz later...

"Publicity is the life of this culture - in so far as without publicity capitalism could not survive - and at the same time publicity is its dream."

John Berger

Before you discuss your profession, let's inform the readers of who you are.

I'm Sasha from Miami, I run the Little Pink Book PR, a public relations and trend blog. I have a BS in Public Relations from the University of Florida ('07) and my MA International Administration from the University of Miami ('08). I also delve into literature and beauty blogging. I'm passionate about social media and I love public relations! This appears to resonate with readers-my blog went from 0-15,000 unique visitors in 5.5 months**!**

What are the primary distinctions between Public Relations and Marketing?

In my personal opinion public relations is about two-way communication and relationship management. On the other hand, marketing is about one-way strategic supplier to audience communication.

Can you give some examples?

For example, let's think about it in terms of the web. You have a product like Coca-Cola, and let's say they are creating a new flavor. The marketing team will do a couple of things like find out what flavor people are interested in and why they are interested in that specific taste. The marketing team will figure out how to reach these people. What are their wants, their dislikes, what do they crave?

A public relations come in shortly after and takes all of this information and uses it to create a campaign. They work with advertising to make it catchy, relate the message properly etc. Public relations deal directly with the Coca-Cola audience. Are the receptive of this new drink? Why? Why not? Our job is to engage with them. We also will work with the media to get "the message" out there. This means journalists, bloggers etc.; The Marketing department doesn't really handle that. Their job is more along the lines of measurement. They don't interact with the audience.

It's a fine line between the two, that's for sure. But it's not to say that one person cannot do both or that one department cannot manage both together. That's dependent on the company and subjective to the individual and "brand" at hand.

What are the critical knowledge, skills, and abilities needed to be a PR/Marketing professional?

A public relations professional needs to be a quick thinker, be able to take themselves "out" of situation, look at it from all angles and be a great communicator. Professionals in this field should have a firm grasp of language, be able to multi-task, be a "people person" per se-- but most of all, love what they do!

Describe the language of the profession (common terms, frequent topics of discussion, etc.).

There are no specific "topics of discussion" per se. Since ***public relations is about relationships, engagement and interaction***, our "topics" can vary from entertainment, to consumer brands, to behavior, to medicine to politics.

We hate the word "SPIN" -- or at least I do. It's wrong. I think "S***" is just as bad as not telling the truth. Some people like to use that word, others, like myself, have a distaste for it. We don't change the truth, we don't protect our clients like lawyers -- we manage. There is a difference. Our jobs are to take the message that our clients need to relate to their audiences and bring those messages to those people in the best possible manner.

Public relations is about conveying a message. Propaganda is about lying.

I'm a HR pro that wants to help, not hinder, the PR/Marketing people in my organization. How can I do that effectively?

Understand that we are the ones who often, like you, have to see the situation from various points of view. Sometimes the direction we need to go, in order to achieve the best results for the people that employ us, might not be the same direction as you and vice-versa.

We have this funny way of looking at things in communications land -- journalists tend to call PR people "The Dark Side," and PR people tend to call advertising "The Dark Side." The funny thing is, at least to me, the only Dark Side out there belongs to the Sith...and considering George Lucas made them up -- well, you get it.

If you just understand where a PR person is coming from, you can easily deal with them, and thus easily be a better HR person by being able to understand just another "brand" out there. Talk to us, we don't bite. I think asking questions and trying to learn is so undervalued by too many people out there**. *The best way to grow is to learn, the best way to learn is to inquire, you inquire by asking questions.*** If a person doesn't want to give you the answers -- Google it, go to the library, better yet ... go ask someone else. Someone out there is bound to talk to you.

Is social media leveling the playing field between these two arenas?

I think social media is affording job seekers the opportunity to contact HR people on a new level. Rather than just the options of blindly sending in an e-mail, or mailing in a paper resume, social media, via outlets like Twitter and LinkedIn for example, are allowing job seekers to find out about jobs before they hit the boards and much more than that strike up a relationship with those in HR.

I'm job hunting at the moment and while, I have not been hired as yet, I've been able to meet HR people who have given me advice, constructive criticism etc. Social media is a great communication tool.

In what areas do you see HR and PR/Marketing working together?

I think it's very easy for HR and public relations to work together. Especially, when it comes to recruiting. I can easily see the public relations department putting together the brand's frame work and the HR department, using that frame work to entice new professionals and potential employees. At the end of the day, it's all about communication and working together.

If marketing brings you the data, public relations can put it together and manage it, while advertising puts together the means to sell it and human resources comes in to close the deal. It's really rather simple.

What other resources are beneficial to HR professionals for improvement?

Honestly, get on an RSS feed for major PR publications that talk about the PR industry like PR Newswire, or Ragan has a great free daily newsletter. Another great resource is blogs. Look up some that are updated frequently (more than once a week) and read them every once in awhile. If you can understand what our jobs are about, and how we handle the things we do, not only will you have a better opportunity of understanding us, but you might find some tips along the way about brand management.

In terms of strictly public relations I read a couple of them religiously -- I really like Danny Brown's social media blog, Mike Schaffer's PR Buzz, Kasey Skala's Electric Waffle, Nicole Van Scoten's PRetty Social, and I always love the content from David Teicher's Legends of Aerocles.

These blogs are actually really fun, easy-going public relations outlets. The folks who run them are friendly, always listen, respond and are what I like to call "Twitterrati" -- well to me personally at least.

Their blogs are the best place to "talk" to them. They don't update every day, but a few times a week, and they are great for staying on top of current PR issues. The great thing about them is that they're real...Nicole will tell you her opinion, Kasey branches off into sports, Danny will take things to a personal level, Mike will tell you about his wedding and David will give an ode to Twitter.

Every person is their own brand, whether they know it or not. That's just the way it goes. How they/we/me/you/us/them/everyone chooses to manage themselves is entirely based on oneself. Recognizing one's faults are half the battle of fixing them.

HR 101-Internal Communication

Good day class; it's time for another 'HR 101' lesson!

So far we've discussed two subjects-Finance and PR/Marketing. The Finance submissions showed how money keeps the business vibrant, while PR/Marketing demonstrated the importance of proper brand management. Both topics are important so I'm going to ask that you refresh your memories by re-visiting them again in the near future. Learning is for a lifetime, remember?

This next submission is about internal communication. Our guest contributor, Fran Melmed (from context communication consulting) will conduct today's class. And I can tell you, it's going to be a good one!

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*"In the PR department, they know you're lying.
In the Communications department, they think you're lying."*

Unknown

Let's cut straight to the chase-why is internal communication so important?

I'll cut right back: Do you want your employees to be **with** you?

Sassy. **Please describe some of the components of a successful communication strategy.**

A successful communication strategy needs to identify what you're trying to accomplish (objectives); whom you're trying to reach (audience); what you want them to think, feel, or do differently (messages); how you're going to reach them (medium); and most important, how you're going to know whether you successfully accomplished what you set out to do (measurement). The answers to these questions will differ from organization to organization, but these elements should be part of every communication strategy for any communication effort.

How is this different from Public Relations or Marketing, aside from the target audience?

Personally, I wonder if the lines are blurring, and not only between PR and internal communications, but between PR and marketing. We're all after more dialogue, more sustained relationships, more connection. What about mashing up those responsible for internal and external communications with HR?!

Corporate communication strategies are usually driven from the top and filtered downward. Is this the best method?

There are some instances where it's absolutely necessary for strategy and implementation to come from the top. Think of mergers and acquisitions, restructurings, and other cases where information is tightly held due to legal reasons. In cases like these, communication really needs to filter downward as information is able to be shared. (Note: I am **not** saying there should be **no** communication! When things are in transition—in ways that have a direct impact on employees—companies can and should communicate what's known, what's not known, what can't be communicated and why, where to go with questions, etc.) But there's no reason not to incorporate methods to encourage and facilitate dialogue. Here you'd have strategy, developed at the top, identifying and using a method to foster multi-directional communication.

To achieve this, you need internal folk weighing in at some point. That can take lots of different forms. I've held corporate positions in HR and corporate communication, as well as consulting positions in communication and talent and organizational change at Hewitt. And I've been an independent communication consultant for more than seven years. Budget, available resources, and political realities all play a role in how work gets done.

Where does social media (SoMe) fit into this conversation?

Much as there's lots of chatter among HR folk about the use of social media, communication professionals are also chattering. You'll hear some wax euphoric about the tools at the same time as you hear some decry this enthusiasm.

I'll be frank. With just over one year's experience, I'm relatively new to social media. I'm still playing, learning, doing. What I **do** believe is that social media can help communication professionals achieve what we've been determined to do for a long time: move past delivering information to effecting the desired behavior change. With the social media tools available to us now, I think we can become facilitators versus doers. I personally think that's exciting; I also believe it's frightening to others. I equate it to the conversations HR has about being strategic versus being tactical. These conversations continue long past the point of being healthy or productive and, in the end, keep us from doing the work.

I think the only way to understand how social media fits into the conversation is to try it out and determine that for yourself.

Let's talk some more about your idea of communication pros becoming "facilitators versus doers." What does that state of being look like?

It's about providing the tools that drive conversations to help the business, whether that's R&D, finding talent, or finding motivation to lose weight or quit tobacco. For instance, I'm working with a client who's going to pilot a blogtalkradio show to help volunteer employee wellness champions learn from one another. They started with an online discussion forum and are expanding from there. We are also exploring adding commenting and rating to their online wellness success stories, as well as personal stories submitted by employees about their efforts and achievements.

If communications is a separate function from HR, how should they work together to achieve the common goal? Who should own the message?

That's a good question. Placement of the HR Corp Comms function has been a longstanding discussion. Should communication professionals who support HR be in HR? Should they be in corporate communication? Again, I'm not sure there's one "right" answer here—as long as there's integration and communication between the functions. Truly, I think there needs to be joint ownership. I see HR and employee communications folk as two sides of the same coin. We are there to serve the business and to do it through one of its main differentiating components: its people.

One thing that could make us work more effectively together is to respect what we each deliver. I've partnered with benefits and talent consultants (internal and external) for many years, so I've a fairly good grasp on these subject areas. That does not mean I'm a subject matter expert in any of them, and I know that. I need to spend my time staying a subject matter expert in what I do: communication. It's important to understand that we each have our areas of focus and expertise. They complement one another—but neither of us can adequately do the others job.

Humor me here. I need to throw in this plug: ***The communication function must be involved at the design phase.*** They'll ask the questions that'll raise consideration for how the new initiative, tool, what-have-you will be used within the organization. They'll hone in on the barriers to success and identify solutions that HR may not see. They'll ask about what change you want to see and how you can measure it, so you can go back and prove your value to the business. It's a bit of myopia that comes with being the designer; you stop seeing the potential problems because you're simply too close.

What resources are available for understanding, crafting, and implementing great communication strategies?

On the surface, this may be a simple question. I feel like I'm going to over-complicate it. ***To be good at what we do, communication folk—again, like HR—need to be knowledgeable in several different dimensions: our craft, behavioral economics, and business.***

I can tell you some books I like, old and new: Nudge, Communicating for Change, Grown Up Digital, Predictably Irrational, Managing Transitions. I can also share a list of organizations that provide resources and networks for communication professionals in their early or more experienced career days: IABC, Ragan, Melcrum, the Arthur W. Page Society, and Council of Communication Management, to name a few. (Disclosure: I'm currently on the board of Council of Communication Management).

Obviously, lots of great folk are out there doing the work. Twitter has been a boon for me in terms of introducing me to people nationally and internationally who are interested in and passionate about internal communications. I haven't created any Twitter lists yet, but more and more communication-related lists are popping up. You can also follow most of the organizations I just named and search "internal communications."

Then there's getting out there and trying things out, as I mentioned earlier related to social media. There's just no way to understand, craft, and implement great communications these days without knowing how social media works and could contribute to what you're trying to accomplish.

Finally, there's knowing your craft. Then there's knowing the business—and business, in general. You can't devise and implement great communications without this knowledge. The conversations you have in HR—and that I've followed on Twitter, HR Happy Hour, and elsewhere—are not unlike the conversations *we* have. To be valuable to the business, we need to understand the business. Communication folk could really benefit from reading your HR 101-Finance series, enrolling in finance and business classes, and carving out the time to talk with finance and line folk.

HR 101-Law

*Finance, PR/Marketing, and Internal Communication has been covered thus far in this HR 101 series. While all are worthwhile, this next topic is of paramount importance to any organization. It's time to discuss **Law**.*

As you'll see, I've not given our guest contributor, Joan Ginsberg, any questions to answer. Prior to her participation, we spoke over the phone and her agenda was so well thought out that the idea of guiding the discussion via a question-and-answer session seemed pointless. Joan knows her stuff; further, she knows how HR pros can be better at working with lawyers and within the legal landscape.

So without further delays, let's have Joan start, okay?

Everyone who is a human resources practitioner in the United States has their professional life impacted by employment law. In fact, the smaller your HR department and company, the larger your direct role in legal compliance probably is. Even VPs of HR, whose entire job may be to determine strategic initiatives, don't move without considering if those initiatives are legal.

So how does HR learn the law and become the company employment law guru? How can HR use existing employment law – often seen as a liability – as a leveraging tool for positive change?

Each one of those questions require a lot of words to discuss and answer in any meaningful way, so there will be a full discussion devoted to each topic.

HR and LAW – Part 1

People just don't play together nicely sometimes. That's why laws exist. Think of your company's internal "laws" – the rules, policies, and procedures. Why do you even have them? You have them because the long history of the human race shows us that people, as a species, can't always be trusted to behave the way they should. Laws and rules are based on evidence of bad behavior. Back in the Industrial Age, when the USA was moving from an agrarian society into an industrial/commercial giant, employers were not playing fair. So state and federal legislators began requiring or prohibiting certain behavior from the employer. And that legislative push is not stopping anytime soon, because people – and the companies they run – are still not always good sandbox buddies.

So my first rule for the HR practitioner who wants to be legally compliant (and keep their company out of expensive employment law trouble) is:

PLAY NICELY AND BEHAVE

Change your organization's behavior if you need to; don't force lawyers to make you treat your employees fairly.

It's too late to make that your total strategy, though, because there are already tons and tons of laws on the books that you have to adhere to, no matter how nicely you are playing today. This means that you actually have to KNOW some law, as much as it may hurt. But how do you get that legal knowledge?

Many HR departments are totally dependent on counsel, either outside or in-house. I'm not against that strategy (I am, after all, a lawyer), but I don't recommend an attorney as your exclusive source of legal knowledge unless your company is large enough to have in-house employment/labor counsel (more on this subject in a minute). For most HR practitioners, and particularly for those HR Generalists working in a solo environment, I say:

GET A MANUAL

You heard me. Get a comprehensive manual that is written (1) by lawyers in your state, (2) for an organization that represents businesses, (3) is updated at least every two years, and (4) covers both state and federal laws. Yes, they are usually a little pricey, but they are far cheaper than calling outside counsel every time you have a question. If you have in-house employment counsel, go borrow theirs, because I guarantee you they have one.

I can't recommend a specific manual because you need one that covers your own state as well as federal law. I'm located in Michigan, and I prefer the manuals published by the Michigan Chamber of Commerce (The Employment Law Handbook), and the Institute for Continuing Legal Education (Employment Law in Michigan, An Employer's Guide). No one paid me to say that.

I don't recommend doing legal research on the web, because the information is far flung and often informal, and you need to ask a really pointed, specific question to gain anything valuable. It also takes a long time to sift through all of the noise. Use the manual first, and then supplement the details on the web if you need to. If you insist on using the web, try the official government site for the bureau that monitors the specific law, like the federal Department of Labor.

Unfortunately, a manual is only going to go so far. It will give you some sound guidelines for your company behavior and requirements, but there may be issues or specific problems that need a more knowledgeable take, because I know you are not going to memorize that entire manual. So dealing with an attorney is not

only inevitable, but often desirable. I have words of caution on this subject, though:

GET AN ATTORNEY WHOSE WORK YOU LOVE

Most people and companies spend far more time agonizing over what type of computer to buy than what type of legal services to buy. If you have actually used your manual and have some knowledge of the law, buying your legal service will become an easier task. Repeat that: YOU are the buyer. Your company pays the attorney, and they provide service to you. If you are not happy with that service – CHANGE IT. It's a lot easier than changing your HRIS.

Here are some of my feelings about the type of lawyer to hire (both in-house and outside counsel):

- Find an employment/labor law specialist. Don't hire or use your cousin just because they are cheap and available.

- Find a "can do" attorney. One of the biggest complaints of HR pros is that the attorney always tells them what they CAN'T do, instead of helping them DO it properly. It's an entirely valid complaint. Yes, there are attorneys who help companies <u>find a solution</u>, instead of always telling them "don't", or "you can't". They're out there – look harder.

- Have a voice in hiring your labor/employment attorney. This may be the most critical component of all. If you need someone to help YOU with your human resources legal compliance, why would YOU let someone else decide who that person is going to be? You would not let someone else take away your decision on other HR resources to purchase or use. Don't do it with this most valuable of all your resources.

HR and LAW – Part 2

In the first part of this HR and the Law discussion, I promised that I would talk about some employment laws, and why compliance should be a natural part of your HR philosophy because you can use it to leverage your organization's mission. The reason you should comply with these laws is NOT because the government told you to, but because **compliance is good business**. For the sake of relevance to all readers (and remembering that the target of HR 101 is the small to medium sized business) I have chosen to look only at federal law, with one exception.

WORKER'S COMP

Worker's compensation laws are the oldest employment-based laws on the books. Many HR professionals don't think in terms of compliance when it comes to worker's comp, because someone else usually manages this process for the company. Insurance is the essence of worker's comp law: the company pays for any work-related injury (usually through insurance) in exchange for freedom from tort liability for the worker's injury.

Even though most HR pros don't have much to do with the purchase of insurance, many ARE responsible for safety, and that is where I suggest you can use this law to benefit both the employee and the company. The reasons why an HR pro should be involved in maintaining a workforce free from on-the job injury are obvious: ***you can't maximize your human capital if it is injured***.

Also, what HR pros may not know is how a reduction in workforce injury results in a savings on worker's comp insurance premiums. The experience modification factor (E-mod, Experience mod, X-mod, etc.) is that part of a company's insurance premium that is based on the specific company's fault, as measured by worker's comp claims. If a company has more claims than the average company of a similar type and size, the insurance premium increases. If a company has fewer claims than the average, the rate decreases. Another way to put it: a company is penalized if their worker's comp claims are higher than the general experience, and credited if they are lower. What do you think the CEO/Owner/Executive at YOUR company would like to see?

A stable, non-injured workforce saves the company money in productivity costs and in reduced worker's comp premiums. Wouldn't you, as an HR pro, like to take credit for that cost-savings? Start auditing your company's safety record, fix any issues, and start reaping the benefits.

FAIR LABOR STANDARDS ACT (FLSA)

I hesitated including this law because my gracious host already covered why it's easy and desirable to comply with the FLSA. It's here, though, because this is one of the most frequently litigated employment laws on the books, and the federal government has vowed to step up enforcement efforts under the current administration. Compliance with this law is basically simple:

1. Pay everyone at least the prevailing minimum for all hours worked. Pay all non-exempt employees overtime for more than 40 hours worked *per week*, even if you have a bi-weekly or monthly payroll.

2. Don't classify employees as independent contractors to avoid this law. Independent contractors are the people that fix your roof or clean your carpets.

3. Don't exempt employees from overtime unless they really meet the standards. When in doubt, make them non-exempt.

Why do employers frequently violate these simple rules? They are trying to save money with short-cuts. This tactic may save money in the short term, but it is bad business in the long term, leading to disengagement, disloyalty, and distrust from the employees, not to mention the costly potential for lawsuits by the state or federal government. As an HR pro, show your executive how compliance with these rules will help the business be a better corporate citizen, increase worker productivity, and can help the business save money over the long term.

NATIONAL LABOR RELATIONS ACT (WAGNER ACT)

Have you ever had a boss instruct you to tell a worker: "Tell him/her not to talk about it"? If you have ever asked an employee not to talk with another worker about something having to do with their job, then you are violating the section of the NLRA that says that all employees have the right "to engage in concerted activity for the purpose of … mutual action and protection."

1. **All Employees:** Many HR pros tend to overlook the NLRA if their workforce is not unionized, but it applies to *all* employees regardless of union status.

2. **Concerted Activity:** This means that employees have the right to talk with each other about *anything* work related, including how much money they make, what their supervisor said (or didn't say) to them, and whether they got a bonus or incentive.

The next time you, or your boss, think it is wise to ask an employee not to spread something around, stop and ask yourself instead: "WHY?" Why do you want the employee to keep quiet? You will find that there is a problem that you need to address and solve, and asking the employee to shut up only compounds the problem. Is Employee A getting a raise, and not her co-workers? Don't ask Employee A not to tell her co-workers. Instead, have your reasons and justifications documented, and communicate those to everyone. Find and fix your problems; don't ask the employees to shut up about them.

ANTI-DISCRIMINATION LAWS

I'm going to have to dodge some incoming for this one. Yes, there are lots of anti-discrimination laws (Civil Rights Act/Title VII, ADA, and the ADEA being the most used), and keeping them all straight and following the reporting requirements is a pain in the butt sometimes. Compliance with all of these laws, though, is really pretty simple if you follow just one rule: don't act adversely against an employee, or a potential employee, unless you can show why and how (1) they aren't helping you make money, or, (2) they won't help you make money in the future.

Example #1: I once fired an employee who was well over 40 years old and had been with the company around 15 years. He had been hired as a skilled laborer but the business focus had changed during his tenure and his skills were no longer used or needed. He was doing semi-skilled work at skilled labor wages. Age discrimination? Not at all; I didn't discriminate against him because of his age — he was costing the company money and I no longer had the right job fit. He couldn't find an attorney to take his case — because he didn't have one.

Example #2: I needed to hire a new accounts payable clerk. After the entire application/interview process, I was in favor of a candidate who was openly gay. The supervisor didn't want her — for the same reason. There is no federal law that says a company can't discriminate because of sexual orientation but who cares? I convinced the supervisor that her sexual orientation was not relevant, and we hired her because she was the best candidate to help the company make money.

You will comply with all anti-discrimination laws, and use those laws to your company advantage, if you insist that all adverse decisions regarding hiring, discipline, and termination be consistently based on articulable economic reasons that you have documented.

That is a good way to sum up what should be the mantra of any HR pro seeking to improve the bottom line and use the law in their company's strategy:

- **Consistent application**
- **Articulate economic reasons**
- **Document your decisions**

HR 101-Compensation

When most people think of compensation the 1st place they look is at their paycheck. But there's more to it than that and in this next 'HR101' submission compensation is explored more fully by our guest contributor Darcy Dees. Darcy provides a practical overview, its impact on our organizations, and why HR needs to get this right.

The stage is your Darcy!

First off, please introduce yourself and let the readers know what you do?

My name is Darcy Dees, and I am a Certified Compensation Professional (CCP). I have been working for Rock Bottom Restaurants, Inc. for about 10 years now. My responsibilities include compensation programs, performance management, HR analysis, and HR system maintenance. I also blog at the Compensation Café with a group of very talented Compensation professionals. Visit us daily for great compensation related information.

Compensation is more than the salaries we give to employees, correct?

Absolutely; depending on how each individual employer defines compensation, it can include base pay; various types of variable pay such as cash, stock, or other rewards; recognition; and some types of benefits programs. The goal for compensation professionals is really finding a way to pay employees that motivates the best performance while simultaneously being fiscally responsible for the business.

Generally speaking, how much of an organization's budget is linked to its compensation program? Why is this important for people, particularly HR, to know?

It depends on the type of industry, in the restaurant/retail industry we see anywhere from about 30% to 50% of the budget for compensation and related costs. Some types of industries that aren't as labor intensive don't have costs quite this high, but it is always a large expense for any company. This obviously makes it a cost that is very important to the financial health of the company, and the money must be spent in a responsible manner.

Who owns compensation-HR, Finance, or the CEO?

Compensation is an HR function and must be integrated with other HR functions. However, it really does cross over to other disciplines. I report officially to the SVP of HR, but I also spend a great deal of time with our CFO. Particularly when looking at equity compensation (stock) I have to work very closely with the Finance department. I personally think one of the best ways to make a real difference in Compensation is to have strong working relationships with both HR and Finance.

Note to readers: this is the not the first HR pro to mention this (remember Trish and Franny O.?) so I would make a sincere and sustained effort to follow this advice.

How does a well crafted compensation plan help companies?

Ideally compensation plans align employee's efforts with required business results. For example, if a business needs to improve sales by 5%, employees are rewarded through a compensation plan for behaviors that result in sales improvements.

Can you describe some of the key differences between the compensation needs of a small business and larger corporations?

Large businesses frequently need their employees to be specialists, while smaller businesses frequently have a need for generalist employees. So what you'll sometimes see in a small business is an employee who is asked to wear multiple hats and this can be difficult to match to market data and use position-based pay. Smaller businesses may take more of a pay for the person approach where the employee who can do the most different things in the office makes more money. Large businesses more often use market data to pay their specialist employees a market competitive salary package.

What is the link between compensation and Total Rewards?

Compensation is piece of Total Rewards. Total Rewards needs to viewed holistically, and compensation needs to work in conjunction with development, performance management, benefits, etc. to be successful. It's important to have a grasp of the how all of these areas work together to create a value proposition for the employee.

What legal considerations must HR pros be aware of when it comes to compensation?

Compensation doesn't have as many hard and fast rules as other areas of HR, but there are still both federal and state statutes that we need to be aware of. The primary federal regulations that impact how we pay people are the Fair Labor Standards Act; Equal Pay Act; Civil Rights Act of 1964, Title VII; Age Discrimination in Employment Act; Americans with Disabilities Act; National Labor Relations Act; and more recently legislation such as the Lilly Ledbetter Fair Pay Act. It's also important to understand state statues where you do business as they can differ from federal statutes and you must generally follow the statute that is most favorable for employees.

What are some of the most common mistakes organizations make when it comes to compensation? How can they be avoided?

One of the biggies is a poorly designed incentive program. If an incentive (a.k.a. "bonus") program doesn't align employee behavior with business needs, there is no positive return on investment, and it can actually induce behaviors that are harmful to the business. For example, if a company simply pays for improved profits, you may inadvertently cause people to participate in unscrupulous activities that could hurt the business long-term. When only the outcome is measured you could have people refusing to spend money for maintenance and upkeep, or making sales at the expense of the customer. We need to understand what behaviors we'll cause when creating an incentive program.

Another is handing out titles when we can't give pay. This creates all sorts of issues down the road. There's a good blog post by my fellow Compensation Café blogger Chuck that discusses some of the pitfalls that can occur with title inflation.

What are some good resources for compensation-related information, both online and off?

World At Work is a really good source for compensation information. One of the things I like best is the Public Policy Perceptions blog that tracks legislative updates. This allows me to stay current on legislation that could impact our business. World At Work does require a membership fee, but it is very reasonable for all that the membership provides.

There are also several good blogs out there that address compensation issues such as:

- Compensation Café
- Compensation Force
- Incentive Intelligence
- Total Rewards Blog

Offline I belong to my local compensation association as well as a national industry association. Both of these memberships provide invaluable resources not only in presentations and newsletters, but also in networking with other professionals who are dealing with many of the same issues as my company.

HR 101-Statistics

It's Seiden folks. 'Nuff said.

If you were teaching a 'Finance Basics for HR' course, what type of information would you share? Statistics: the most important class most people blow off. Right out of the gate, we need to establish two things: first, math is not hard. Your whole, "I'm not good at math" thing is an illusion.

Second, even with stats, you cannot predict the future. The language of statistics is, "this is likely to happen," or "this group will probably like it." That can be frustrating in a world where people want you to answer questions with clipped absolutes such as "Definitely" and "For sure." Once you accept that you actually use math every day and are good at it, and make peace with a world where things are "likely" and not "certain," you're halfway home. To get the rest of the way, dive into these topics: how to get accurate information about an organization (or event) without having to survey everyone; how to create feedback forms that mean something; how to measure training's impact on the bottom line using actual performance data... and while we're at it, how to measure the impact of hiring practices, leadership styles, pay rates, and reward systems, too. That's probably a good start. What's critical to know? There are a few statistics concepts that are incredibly, incredibly useful. Here are five worth knowing right now:

1. **Regression to the mean.** Simply put: whatever's happening today, the trend will eventually stall and head the opposite direction... all by itself. You can nudge average performance up (or down), but you can't suddenly make everyone superstars. (If you do, expect the crash.) An important implication of this is that when employees are split into "high potential" and "needs development" cohorts, and then provided training specific to those groups, you are likely to be disappointed in the "high potential" training and overly pleased with the "needs development" training, because of a natural tendency for these groups' performance to gravitate toward average. This change will happen independent of the training you provide, and you need to ask yourself, "Did my training program provide additional benefit beyond what would have happened normally?"

2. **Margin of error.** A measure of how "real" is your information. What's the difference between a "4.2" and a "4.8" on a 360° survey? Knowing the survey's margin of error will tell you if there is a difference at all... or if statistically, those numbers are the same. Thinking that differences are meaningful when they are not is a common mistake, and one I see frequently in HR in the analysis of 360° data.

3. **Likert Scales.** Measurement scales are the way in which information is put into a format that allows for apples-to-apples comparisons. HR in particular seems to love its Likert scales, so let's understand just a few things here: (1) the way you measure things impacts the results. One of the key problems with Likert scales is that people tend not to answer each question in a survey independently, but rather they look at the survey as a single whole, resulting in responses that cluster around one end of the scale or another. (2) Another consideration with Likert scales is that you've got to allow people to say "I don't know." A scale that does not provide a "does not apply" or "neither" option forces people into a response that they don't truly believe... and that gives bad data. For instance, if you asked me, "I enjoy frogs' legs: Strongly agree / Agree / Disagree / Strongly Disagree," without some sort of "n/a" option, I'd probably tell you that I don't like them. Which is a lie. I've never had them. Now if you were an HR person thinking of adding a French dining option to the company's reward program, you might think it's a bad idea based on my response... when in reality, you'd be nixing an option for no good reason at all. (3) A third issue with Likert scales is variable "interrater reliability," which is a fancy way of saying that not everyone fills them out the same way. Some people are just tougher graders. This doesn't impact the objective quality of the work being measured, but it can cause problems—like when I was asked to coach a manager who had consistently rated her top performers more harshly than her peers had rated them on a 360° survey. HR thought she was being too hard and needed help managing her expectations. I found that she was quite adept and was tough but fair. I turned down the coaching assignment and suggested to HR that instead, they train her peer group to follow her lead. HR refused, and a year later, when her group was the only one to hit all their performance targets, I had a nice chuckle.

4. **The addition rule.** Two things are less likely to happen than one thing. "He was valedictorian and he is smart" is a less likely statement than "He is smart." It's also less likely than "He was valedictorian," even though your brain will have a tough time believing it—it's a quirk of human nature to draw conclusions, even if the conclusion is statistically unlikely. For instance: "The resume says she went to Harvard, smart people do great here!" As much as you want to believe that "going to Harvard" is synonymous with "smart," you really can't add information like that. Maybe she has a photographic memory, or just really loves to study, or is smart about the specific subjects she studied only, or is really rich, or is a

great cheater... HR often gets hiring decisions wrong because of the desire to draw conclusions that violate the addition rule.

5. **Correlation vs. Causation.** Sometimes, two separate trends move together—they are related. That's correlation. Causation, on the other hand, means that one trend's move are directly responsible for moves in the other trend. These are different ideas! This is such an important distinction, "Correlation does not imply causation" even has its own entry on Wikipedia. In high school, the grim example we used to highlight this fact was: drowning deaths tend to be correlated with ice cream sales. Does this mean that ice cream & water is a dangerous mix? No, of course not; it just means that these things both happen more in summer. At work, surveys often bake causation into the questions themselves, such as with the Kirkpatrick Level I forms we often use to rate training sessions. Those forms measure learner satisfaction—which we assume is correlated with, and caused by, effective training. Not necessarily so... (Think about asking children to rate their dinners: vegetable-laden meals would certainly lag fast food in the ratings. Would we then nix veggies for burgers and fries? No! We know the veggies is better for them, so we tell them to be quiet and finish their suppers, period.) Be very, very careful about the questions you ask, and the relationship you assume between the questions you ask (Did you like the program?) and what you really want to know (Should we continue this program?)

How does this make someone a better HR person? Better ability to measure the impact of "people" on the bottom line. Better hiring models. Better team structures. Better promotion practices. More meaningful data for fellow executives. Less grunt work. Better ability to design and roll out impactful development programs. Simpler, more effective use of communications technology. Cheaper solutions to people problems. (Stop me anytime...)

HR 101-Technology

In this installment of the 'HR101' series the focus is on Technology. It's interesting; considering its impact in all aspects of life, especially in business, it's a topic that seems to be lacking in most HR educational programs. So the premise is simple-if you were teaching a 'Tech Basics for HR' course, what type of information would you share? What's critical to know? How does this make someone a better HR person? How does it make things easier for you? Today's guest will answer these questions and more, enabling you to make informed choices for the organizations you serve.

Are you ready? Good! So listen up because class is <u>still</u> in session.

Before you discuss your profession, let's inform the readers of who you are please.

My name is Steve Boese. I'm the Director of Products, Community & OnDemand Services for Knowledge Infusion, a leading HR technology consultancy based in Minneapolis. I am also an HR technology instructor at Rochester Institute of Technology in Rochester, NY. I also have a HR technology blog and host a weekly HR talk show called the HR Happy Hour. I am particularly interested in HR technology solutions for the small and medium size organization, as well as new technologies that support internal communication and collaboration.

Before that, I was an enterprise systems applications consultant, implementing solutions for firms of all sizes in locations all over the United States and internationally.

The tech space has as many acronyms as the employee relations one. Describe the language of the profession (common terms, frequent topics of discussion, etc.).

There are a few key concepts around software delivery, maintenance, and upgrades that HR professionals should be aware of. Traditionally, and in many larger organizations still today, software is licensed and installed on the customers own servers. The customer pays a fairly large upfront fee, then pays ongoing annual maintenance fees that fund software upgrades, ongoing development, and bug fixes. This model is known as the 'on-premise' or 'installed' model. Enterprise Resource Planning (ERP) software from companies like SAP or Oracle is almost always deployed in this manner.

But in the last few years, and led by vendors of Applicant Tracking Systems (ATS) and Talent Management Systems, most HR Technology is deployed in what is known as the Software as a Service (SaaS) model. In the SaaS model, the software is installed and hosted on the vendors own servers, is accessed via the internet by the customers, and is billed on a monthly (usually) basis based on the number of users of the system. This model provides many benefits to the customers such as: lower upfront costs, predictable ongoing expense, and typically more frequent upgrade cycles that allow the customer to take advantage of innovations from the vendors much more easily than in the on-premise model, which has for years been plagued by costly and complex upgrades.

Very recently ERP solutions offered via SaaS have emerged. Companies like Workday (and next year Oracle Fusion) are extending this model to the very core of the HR Technology stack.

When HR thinks of technology, they usually think of HRIS or ATS. Is that all there is for HR professionals?

The concept of HRIS is really better thought of as the System of Record (SOR). The SOR has to maintain the essential employee demographic information, and core organizational structures like jobs and positions that help define the organization. The SOR, either in an integrated fashion or via interfaces to third-party providers, must also support Payroll and Benefits administration.

Beyond the SOR of course many organizations have implemented ATS systems to better manage the recruiting process. It is very common for the ATS to be from a different provider than the SOR. In fact, most 'core' SOR platforms either do not offer ATS capability, or offer an ATS module that is almost certainly functionally inferior to stand alone ATS systems.

Then there is the fastest growing part of the HR technology market, tools that support what is called Integrated Talent Management. These are systems for Performance Management, Competency Management, Succession Planning, Learning Management, and Compensation Planning. There is lots of opportunity for the HR professional to leverage technology to support and help the organization execute its strategy. Some of the most commonly cited benefits of Integrated Talent Management are linking pay to performance, goal alignment, and workforce planning and competency modeling.

Lastly, there is I think significant opportunity for the HR professional in the area of collaboration and knowledge management technology. These are tools that support things like expertise locating, collaborative content development, and facilitating more productive and meaningful collaborative workplaces. Some of the specific technologies in this area include wikis, internal micro-blogging, and internal (or corporate) social networks.

Information Technology (IT) is seen as the "owners" of technology within most organizations. How should HR professionals work with this group effectively to achieve common goals?

Many HR pros have in the past been very comfortable ceding the HR technology decisions to the IT department. This was especially true when almost all enterprise software had to be purchased and installed and configured on the company's own servers. This process naturally required significant IT involvement. Now in the HR technology market, with more and more solutions being delivered in the SaaS mode, the HR over-reliance on IT need not be the case any longer. But, just because HR can license and deploy new technologies with little to no IT support, does not mean that they should. HR should engage IT at a very early stage in the planning and analysis stages of any technology project. IT's chief concerns (security, compliance with company standards, integration with other corporate systems) must be addressed in any project, and it is much better to bring IT into the fold sooner than later.

How does this make someone a better HR person?

Technology and the understanding of how technology can support and help drive improve business outcomes is a key skill and can be a real differentiator for an HR professional. Being able to participate and lead in the discussions and implementations of technologies that often impact the entire workforce has to be a large part of the domain for HR professionals. Deeper and broader technology acumen will almost certainly be a required capability for HR professionals in the future, particularly ones that really want to make a difference in organizations.

Where does social media fit into this discussion?

Social media fits in to the technology discussion since it is mostly a technology-enabled medium that is being increasingly leveraged by HR departments for employer branding efforts, recruiting, employee communications, and in support of other areas of the enterprise (marketing, PR, etc.). Understanding how these platforms are used, how they might be leveraged to support organizational goals, how to harness the energy and activity on them, while making sure that the they do not distract from the 'true' goals of the enterprise are all extremely important issues for HR today. The good thing is that for HR pros just warming up to the idea of social media much has already been written and studied about using these platforms for recruiting and branding, and what types of corporate policies should be put in place for their effective use. I see this as getting more and more important, eventually becoming an essential part of an HR professionals skill set.

What other resources are beneficial to HR professionals for improvement?

There is no shortage of free resources available for HR professionals interested in becoming more tech savvy. Organizations like the Human Capital Institute, HR.com, and many HR technology vendors hold frequent webcasts that talk about workforce issues and the role that technology plays in addressing these issues. Also, there are several excellent HR technology blogs like Naomi Bloom's InFullBloom, Michael Krupa's InfoBox, and Bryon Abramowitz's The HR Technologist. Another good idea is to join the Hr Technology Conference LinkedIn group where some very interesting and informative discussions around HR technology are taking place.

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