

From: Business Management Daily

Subject: Practical HR strategies to boost your career

## In The News ...

**Biden aims to clamp down on noncompetes.** President Biden issued an executive order in July that directs the Federal Trade Commission to pursue new rules to limit (or potentially ban) employers' use of noncompete agreements, which restrict where people can work after leaving a job. Critics say noncompetes drive down wages and hurt employees' ability to obtain new jobs. Expected legal action may tie up the proposal. Learn more at [www.tinyurl.com/NoncompeteBiden](http://www.tinyurl.com/NoncompeteBiden).

**Demand for well-being benefits has increased in recent months,** say 61% of HR leaders. And 63% say utilization of such programs is increasing, according to a WorldatWork survey. Mental health benefits are the most frequently offered. Other well-being programs support employees' physical, emotional and financial health. Two-thirds of employers in the survey include diversity initiatives in their well-being menu of offerings.

**HR training is live again! Join us at the Summit in New Orleans.** Get up to speed on all your new compliance and post-pandemic responsibilities—and connect in-person with HR pros from around the country—at our 5th annual HR Specialist Summit, Oct. 20–22 at the Hotel Intercontinental in New Orleans. Find details on page 8 and at [HRS-Summit.com](http://HRS-Summit.com).

## In this issue

**From the Courts:** ADA, misclassification, COVID.....3  
**Washington Report:** Gender, tips, billing, LGBT.....4  
**Pandemic trends:** Engagement, networking, pets.....5  
**Memo to Managers:** Hiring and firing remotely.....6  
**Speaker's Corner:** How to sell HR projects to CFO.....8

## In tight market, should you lower the hiring bar?

In the summer of 2021, the number of job openings is running at record levels as employers fish for talent in a limited pool of workers. That super-tight labor market is leading more employers to expand their view of who is qualified to work, accepting more non-traditional qualifications like certificates and digital badges.

Six in 10 employers say they are at least thinking of hiring non-degree candidates this year, up from 4 in 10 in 2019, according to a survey of 1,200 employers by Pearson, an online learning company. And 21% have already started hiring workers with non-degree credentials.

Employers hope that lowering the bar will broaden the candidate pool and speed up hiring. They also believe it can attract talent that's more diverse and those who have a strong work ethic and unique skills (*see chart*).

Increasingly, employers believe real-world experience can account for as much or more than a degree. And they're looking for better ways to assess these capabilities in current and future employees.

In recent years, several large employers (including Google, Apple and IBM) have removed their college degree requirements. Setting degree limits may have worked well when 5%

Continued on page 2



Source: Pearson 2021 survey of 1,200 employers

## 8 red flags that signal a toxic hybrid workplace

While a full 9 out of 10 employers plan to adopt some form of hybrid remote/in-person model following the pandemic, 68% don't have a detailed plan in place (or communicated) on what it will look like, according to a McKinsey report.

Hybrid work is the logical outcome of last year's great work-from-home experiment, and 83% of workers now view it as optimal. But organizational missteps can turn a hybrid workplace into a toxic culture if they're not carefully managed.

At the core of successful hybrid workplaces "are leaders that are taking very conscientious efforts to intentionally consider and then thoughtfully build their company's work

environments," says Sara Sutton, CEO and Founder of FlexJobs.

Beware of these signs of a corporate culture that won't successfully support hybrid work:

**1. There is no real plan for creating a functioning hybrid workforce.** It requires integrating hybrid and on-site teams and treating hybrid and in-office workers equitably.

**2. No senior leaders work remotely.** If all top executives work in the office, it's safe to assume remote workers will miss out on visibility and opportunities to advance.

**3. Management lacks a reliable communication plan.** Hybrid teams need to pay particular attention to

Continued on page 2

## Lower the hiring bar?

(Cont. from page 1)

held college degrees in 1900, but not today when 40% of working Americans have degrees.

Long work-history requirements are also being relaxed, as employers focus on the *quality* of the skill, not the amount of time the person has done it.

### 6 solutions

Go beyond the “psychological shortcut” of using degrees to sort out good candidates with these suggestions from Danny Iny, author of the book *Leveraged Learning*:

**1. Shift your mindset to override the “degree” signal.** Take a close look at what really leads to success in your workplace, then revise your job postings to reflect the stuff that actually matters. For example, Laszlo Bock, Google’s former HR chief, has said that looking at grades in degree programs is “worthless as a criteria for hiring.”

**2. Switch off the applicant filtering related to education.** Focus more on assessments and simulations that give you a sense of what candidates can bring to the table.

**3. Look at other educational streams.** Tech companies often look for nontraditional degrees, such as coding programs. At Intel, college degrees are optional for many “experienced hire” positions.

**4. Consider ditching the résumé requirement.** Instead, ask candidates to fill out an online application that includes behavior questions. Ask them to perform tasks that simulate the job. Some candidates have qualities you want that don’t show well on a résumé.

**5. For more complicated jobs, consider paying a candidate to take on a project.** Or hire someone on a contract basis to make sure they have the right stuff before you extend a more permanent offer.

**6. Develop a culture of learning and growth.** While it’s important to find the right candidates, it’s even more important to make sure you continue to develop them.

## Amid labor shortage and return-to-work, vaccine still a hot-button issue for HR

Many employers are returning their staffs to the workplace—at least on a hybrid schedule. But lingering controversy over COVID vaccine status continues to raise legal and operational questions.

One issue is confirmed: You can mandate the shots. In a key ruling this summer, a Texas court rejected 100 hospital workers’ claim that their employer’s mandatory vaccine is unlawful. That followed on the heels of the EEOC saying that such vax mandates are 100% legal.

This legal backing is encouraging more employers to say they’ll bar unvaccinated employees from their workplaces. Healthcare and education have moved quickest, but some other large firms, including Goldman Sachs and JP Morgan, announced proof-of-vax status requirements before returning to work.

However, amid labor shortages and spiking quit rates, employers face the risk that getting this issue wrong could send employees out the door.

A new Kaiser Family Foundation poll of nearly 2,000 American workers found that a

slim majority (51%) support the idea of employers requiring the vaccine. But a larger majority (61%) said they don’t want *their own* employer to require the vaccine.

The poll also found that Americans were more likely to get vaccinated if their employers encouraged the shots or offered paid time off or other incentives to get the shot and recover. The EEOC says employers can offer incentives as long as they’re “not so substantial as to be coercive.”

Masks also continue to be a lightning-rod issue. Somewhat surprisingly, more than half of Americans surveyed by the American Staffing Association in June believed employees should be required to wear masks in workplaces, even after being vaccinated.

### Vaccine status: Privacy vs. transparency

*Most U.S. workers want to know if co-workers have had COVID shots ... but they don't want to share if they themselves have been vaccinated*

#### I want to know co-workers' vaccine status

66%

#### My vaccine status is nobody's business

60%

Source: American Staffing Assoc. Survey, June 2021

## A toxic hybrid workplace?

(Cont. from page 1)

communication, making sure to include remote employees in any meetings or activities being held at the office.

**4. Meetings are scheduled at odd hours.** It’s important to be respectful of different schedules when employees work in far-flung time zones.

**5. Praise and rewards only occur in the office.** Take strategic steps to make people working remotely feel included as well.

**6. Information isn’t accessible.** A stable digital platform makes it easier for everyone to have the resources they need to succeed. Organizations

that do hybrid work well emphasize sharing information, not hoarding it. That includes fully adapting digital communication and collaboration tools, like Slack and Zoom.

**7. Workers must take a pay cut to work remotely.** Employers should only cut pay for legitimate reasons, such as for cost-of-living adjustments if employees move away from headquarters, and that should be fully explained upfront. Also, employees shouldn’t be punished for choosing remote work by having to use PTO for certain days out of the office.

**8. Lack of career path for remote employees.** Make sure opportunities to learn, grow and advance are not just reserved for in-office workers.





# Can attendance be an 'essential' job function?

As the pandemic has shown, employers cannot merely assert that full-time, in-workplace attendance is an “essential” function of every job under the ADA. Instead, you must prove through actual duties—and the consequences of not performing those duties—that each job requires attendance as an ADA essential function.

If you list attendance as an essential function, prepare to show that attendance cannot be accommodated away.

**Recent case:** BNSF Railway classified a train dispatcher job as safety-sensitive, and it prohibited “excessive absenteeism.” When a dispatcher with epilepsy had seizures, his neurologist

recommended working from home when he had seizure-triggering events, such as poor sleep. The worker called off regularly, citing sleep deprivation, and was fired for excessive absenteeism.

He sued for failure to accommodate his disability. BNSF argued that the employee wasn’t a qualified disabled person because he was unable to perform the essential function of attendance. The court agreed and tossed out the case. (*Weber v. BNSF*, 5th Cir.)

**Online resource** To read our fact sheet, *ADA: The Limits of Accommodation*, go to [www.theHRSpecialist.com/ADALimits](http://www.theHRSpecialist.com/ADALimits).

# Spot misclassification errors before DOL does

The U.S. Department of Labor has launched a campaign to root out unlawful misclassification of employees as independent contractors. If you use contractors, have your attorney review those agreements.

Remember, the more a worker looks like she’s engaged in a business for her own profit (and the less control you have over her work), the more likely she’s properly classified as an independent contractor.

**Recent case:** A Tennessee company had its 50 in-home health aides sign

agreements attesting to their status as independent contractors, not employees. They were paid straight-time wages, no overtime.

The DOL concluded the workers were misclassified and should be employees.

It ordered the company to pay the workers a total of \$358,000 in overtime.

**Online resource** Read the DOL’s current definitions of employment relationships under the FLSA at [www.tinyurl.com/DOLcontractor](http://www.tinyurl.com/DOLcontractor).



# Be alert for COVID-related negligence liability

Most workplace-related COVID infection claims have been resolved through the workers’ compensation system, where employer liability is limited. But a handful of recent claims got into court because they allege *secondary* infection of nonemployees. These greatly increase employers’ potential liability because there’s no limit on the dollar amount plaintiffs can seek in a negligence lawsuit.

**Recent case:** In July 2020, a Southwest flight attendant partici-

pated in a training session at an office. Trainees wore masks, but the airline didn’t screen for COVID, nor were employees asked about exposure.

A few days later, she got COVID. Then her husband got it and died. She sued, saying Southwest is negligently liable for her husband’s death. Her lawsuit seeks \$3 million in damages. Southwest is arguing that there’s no way to prove that she got infected at the training. (*Madden v. Southwest Airlines*, DC MD)

### Ensure young managers understand risk of age bias

A newly hired 30-year-old manager suggested to his senior designer (age 60) that it may be time to retire (along with other ageist comments). The older worker was soon terminated and replaced by a younger one. He complained to the EEOC, which sued and settled with the firm for \$51,000. (*EEOC v. Burrow Global*, SD TX)

**The lesson:** Make sure all supervisors understand their obligations under the Age Discrimination in Employment Act. Also, have HR review discharge recommendations for bias.

**Online resource** Access our free training article, *What managers need to know about age discrimination*, at [www.theHRSpecialist.com/age](http://www.theHRSpecialist.com/age).

### Requiring COVID shots? Beware fake vaccine cards

Fraudulent COVID-19 vaccine cards are so readily available online that the FBI is now warning people that making or buying such cards is a federal crime. People are getting arrested, but the market is still growing as vaccine-resistant people look to establish vaccination status for unmasked travel and work.

**The lesson:** If your organization is requiring vaccinations, remind employees of the FBI’s new focus.

### U.S. Supreme Court limits on-premises union organizing

The U.S. Supreme Court this summer opened up a new avenue for employers to challenge the right of organized labor to come onto employers’ premises to convince employees to join a union. The court ruled 6-3 to strike down a landmark California law that previously granted union organizers and officials extensive access to workplaces. (*Cedar Point Nursery v. Hassid*)

**The lesson:** The ruling is a significant victory for the private property rights of employers, and it may foretell further union-limiting decisions under labor or wage laws.



### Gender pay bias legislation stalls in Congress

Legislation that would have amended the Equal Pay Act to make it easier for employees to sue for gender-based pay discrimination won't become law this year, failing to win the backing of 60 senators necessary to overcome a filibuster. The House had passed the Paycheck Fairness Act earlier in the year. The bill would allow women to win discrimination lawsuits if they could prove that gender bias was just one of several cause of pay disparities between female and male employees.

### EEOC issues resources on anti-LGBT bias

The EEOC has said for years that discrimination based on sexual orientation is a form of unlawful sex discrimination under Title VII. Now, timed with the one-year anniversary of the Supreme Court's landmark LGBT decision (*Bostock*), the EEOC has released several new resources. Find EEOC employer guidance on anti-LGBT bias at [www.tinyurl.com/SOGI-bias](http://www.tinyurl.com/SOGI-bias). Find examples of case law (and what the EEOC expects from employers) at [www.tinyurl.com/EEOC-LGBT-lawsuits](http://www.tinyurl.com/EEOC-LGBT-lawsuits).

### DOL proposes changes to tipped-worker duties to receive the tip credit

The U.S. Department of Labor has proposed a new ruling that would limit the amount of non-tipped work that a tipped employee could perform when an employee is taking a tip credit. The proposed rule clarifies that when a tipped employee performs a substantial amount of non-tipped tasks, an employee can no longer take a tip credit. Instead, the employer must pay the full federal minimum wage to the worker. Read the proposal at [www.tinyurl.com/tip-credit-rule](http://www.tinyurl.com/tip-credit-rule).

### DOL puts new limits on 'balance billing' by employer health plans

The U.S. Department of Labor issued final regulations last month that would limit the circumstances under which group health plans can "balance bill" employees who use out-of-network health providers.

*Example:* An employee pays a \$50 co-pay for an in-network MRI scan, but then receives a \$500 bill from an out-of-network diagnostician who reviewed the scan. Work with your benefits broker to learn the implications of the DOL's new regulations. Learn more details at [www.theHRSpecialist.com/balance-bill-reg](http://www.theHRSpecialist.com/balance-bill-reg).

## HR Q&A

### If payday falls on a holiday: Must we pay before the holiday, or can we pay after?

**Q.** Our regular payday falls on an official holiday. Will we violate the Fair Labor Standards Act if we pay employees the day after the holiday? Or must we pay the day before the holiday?

**A.** These type of when-to-pay issues mostly fall under state wage payment laws. The FLSA requires employees be paid promptly. To remain in compliance with federal law, it's best if you pay employees *before* the holiday.

### Can we withhold personnel file from a fired employee? How about his last paycheck?

**Q.** A terminated employee sent us a written request to view his personnel file. Do we have to oblige? Also, the terminated employee has not returned his uniforms as asked. Can we then withhold his last paycheck?

**A.** No federal law guarantees employees the right to view their personnel file, but some states do give workers that right. Arkansas law does not say employers have to share that info. (To find the laws on personnel-file access in all 50 states, go to [www.theHRSpecialist.com/personnel50](http://www.theHRSpecialist.com/personnel50).)

Regarding the uniform question, you don't say what sort of uniform you provide for workers or what the employee has failed to return. But, generally speaking, any uniform that has your business logo or company

name on the apparel is typically considered to benefit the employer, and not the employee. If that is the case, you cannot charge the employee for the cost of the uniform (see *Arkansas Code 010-14-002 Ark. Code R. § 107*).

Even if you could charge for the uniform, you generally cannot deduct any costs for items not returned from an employee's pay unless you had a specific written agreement to do so. Also, such deductions can never reduce any worker's pay below the minimum wage.

### Docking employees' pay as punishment for policy violations: When is it legal?

**Q.** Employees are prohibited from using their personal cell phones during working hours. Employees who fail to follow this policy are docked \$100. Can we legally withhold this amount from employees' pay when they fail to follow company policy?

**A.** Yes. Employers may dock nonexempts' pay, provided the docking is from straight-time pay only, not from overtime pay, and employees are left with at least the minimum wage at the end of the week. It's questionable whether exempt employees' pay could be docked under these circumstances. You may need a nonmonetary method of disciplining exempts.

*Do you have a question? If so, you can email it to The HR Specialist at [HRSEditor@BusinessManagementDaily.com](mailto:HRSEditor@BusinessManagementDaily.com).*

## Case study How to keep remote workers engaged

Now that employees have worked from home, many will never return to the office full time. A new Harris Poll found that 40% of Americans prefer to work from home and 35% percent prefer a home/office hybrid model.



If you have any employees working remotely, it's vital to take proactive steps to keep them engaged and connected to the organization.

Here are steps that software provider Neocase implemented to help keep their remote employees engaged:

**Generate a sense of belonging and inclusion.** Create virtual, company-wide meetings for employees. Changing up the agenda and speakers each meeting keeps things interesting.

**Build a community for working parents.** Online sessions give employees a place to share their trials, errors and successes related to family life to provide support and solutions.

**Create a virtual water cooler.** Starting an all-day meeting on the company's conference tool (i.e., Microsoft Teams) allows co-workers to talk to one another like they would if they were in the office. (Or create separate Slack channels dedicated to fun topics like food, movies and music.)

**Offer professional development.** Without the long commute and packed social calendars, some employees have a bit more time on their hands. Employees feel a greater commitment to their organization through paid-for training that improves their performance.

**Flex the schedule.** Giving employees more control over their work schedules allows them to feel relieved and less anxious. The reduction in anxiety allows them to focus more effectively on the jobs they were hired to do.

## COVID changed networking forever: 6 ways to take advantage

A full 90% of global professionals believe the pandemic damaged their opportunities for networking, says a new survey by the CEMS Global Alliance in Management Education.

"COVID-19 shattered global networking as we once knew it," says CEMS chairman Gregory Whitwell. "However this does not mean effective networking is less important. In fact, the opposite is true ... If anything, the pandemic has highlighted our desire for authentic human connection."

Six tips from CEMS on forging post-pandemic networks:

- 1 Empathy is key to future networking.** Bringing an empathic approach is key to bridging the digital divide. Instead of seeking help, this includes asking, "Is there some way I can help you?"
- 2 Focus on deepening relationships.** You don't need a specific reason to connect, other than being genuinely curious about the person's situation.
- 3 Networking isn't a race—it's a long, slow build.** You don't plant a crop when you're hungry. With growing crops or a network, you sow carefully chosen seeds and tend them as they come up.
- 4 Showcase your authentic self.** The problem with Zoom meetings is they're all business. Call in a few minutes early (or stay late) and use that time to get to know team members or contacts.
- 5 Give, don't just take.** One-sided relationships don't work. And remember that to be considered interesting, you need to BE interested. Ask questions and show genuine interest.
- 6 Do your homework to remain relevant.** Keep abreast of current trends in your industry and organization. Seek out knowledge and read/watch relevant thought leaders. With this knowledge, create opportunities to engage with key people.

## Prepare your policies for pandemic puppies

During the pandemic, lots of your employees got new pets and spent quality work-from-home time with them. As people return to the workplace this summer and fall, you can expect more "Can I bring my dog to work?" questions.

Some employers are answering "yes" as a retention and recruitment tool. If that's the case at your organization, it's wise to clarify (or draft) your policy on pets in the workplace. Key considerations:

**Remember the ADA.** If an employee is allergic, you have an ADA obligation to segregate the pet, improve ventilation or require the pet to stay home. On the flip side, in most cases, you must allow a service dog (or miniature horse) as a reasonable accommodation, even if you prohibit other pets.

**Set a zero-tolerance behavior rule.** That means any aggressive or distracting animal behavior (barking, growling, biting, etc.) should result in expulsion on the first complaint. Pets should also be house-broken. Define how and when they should be leashed, caged or confined.

**Licensing and liability.** Have owners verify that the dog's vaccinations and license are updated. Employees should verify in writing that they have insurance to cover any damage, and consider indemnification if your business gets sued.

**Keep it clean.** Identify an area outside for animals to go to the bathroom (away from the entrances) and remind employees that it's their job to clean up after the pet.

**People come first.** If you have to choose between accommodating an employee or pet, always choose the employee.



To: \_\_\_\_\_  
From: \_\_\_\_\_

Date: August 2021  
Re: Remote hiring & terminations

## Managing legally

# Hiring and firing remotely: 4 smart steps for managers

The hiring process and terminations are too important to perform haphazardly. But when managers conduct these tasks remotely, the physical barrier can create a more casual process—and that can create miscommunications and legal trouble.

To maximize the success of remote hiring and firing, keep the following in mind:

### 1. Stick to procedure

Staying organized and consistent ensures everything that needs attention gets covered. Adhere to a predetermined outline, and check off items as completed. Such a strategy works well in-house, but it proves especially vital when people involved operate from various locations.

A standard hiring checklist breaks down the flurry of activity needed to get someone up to speed. Did HR perform a background check and contact references? Did IT issue login credentials? Did the new hire acknowledge review of the employee handbook and mandatory virtual training videos? Confirmed completion avoids problems down the line.

Termination also benefits from a set process, both leading up to it and at dismissal. Managers should follow the organization's discipline policy regard-



less of where employees are located. This action helps prevent a terminated worker (or his lawyer) from claiming wrongful discharge.

The same holds true during the final meeting, even if it's held by phone or videoconference. Don't find out after the fact, for instance, that you forgot to include an HR person on the call as a witness.

### 2. Consult appropriate departments

Use your resources! Your ability to correctly hire and fire remotely benefits greatly from the expertise of others at the company.

Turn to tech staff to ensure new telecommuters receive necessary tools in a timely fashion. Likewise, reach out after completing a termination. The organization must often retrieve company equipment and protect databases from security breaches or revenge.

Reaching out to HR and the legal department is also wise. These profes-

sionals stay abreast of pandemic-related policies, such as acceptable remote procedures for verifying employment eligibility on I-9 forms. They also can examine forthcoming terminations for possible problems, such as treading into age discrimination territory.

### 3. Watch communication methods

Remote hiring demands familiarity with collaboration and videoconferencing tools. Video enables interviewers to see facial expressions and read body language. Likewise, candidates get a better sense of the company and its people in interactive experiences.

In terms of firing: As tempting as it might seem to let remote workers go via email, that's not legally smart. Check company procedures before handling a remote termination.

Some organizations favor a videoconference in order to best replicate a personal one-to-one. Others discourage this method for fear the terminated employee easily can record the meeting to dissect it for any possibility of wrongful discharge. These companies tend to prefer a phone conversation that includes a witness.

### 4. Avoid bad feelings

Remember that you don't get a second chance to make a first impression. Keep a new hire's enthusiasm from waning by onboarding with purpose and maintaining contact.

Provide thoughtful, interesting virtual training on the company and the specific position. Assign a mentor to touch base regularly via email, phone or Zoom to answer questions and simply chat.

Do what you can to promote goodwill when letting someone go, too. Provide relevant information (or who to contact) about concerns such as insurance coverage, severance, retraining assistance, filing for unemployment and securing a reference. Nobody walks away from dismissal happy, but respectful behavior lowers anger and reduces the threat of legal action.

## Hiring the legal way: Do's and don'ts

The hiring process is a legal minefield for managers. One wrong decision or poorly worded interview question can spark a discrimination lawsuit by a rejected candidate. The best advice for managers can be found in a few rules:

1. **Don't** use advertisements that directly or indirectly express a preference for (or exclude) a person of a particular protected class status (age, sex, race, religion, disability status, etc.).
2. **Do** draft job descriptions that accurately describe the current tasks of the position and list the "essential functions" of the job.
3. **Do** ask interview questions that relate only to an applicant's ability to perform essential functions of the job. Again, avoid questions about family, childcare plans, medical problems and other protected characteristics.
4. **Don't** consider an applicant's protected class status when making hiring decisions.
5. **Don't** make unintended promises in conversations with applicants or in the offer letter. Offhand comments could lock the organization into a contract.



# How we created employee 'communities' to build life skills

When I was growing up in Richmond, California, I didn't have anyone to mentor me either professionally or personally. When I founded my company, Cornerstone Concilium, I vowed to create a way to help my employees have a quicker path to success than I had.

That was why I started Cornerstone Village. Its purpose is to gather Cornerstone employees who share common interests and life goals through the formation of five distinct communities within the company: financial literacy, real estate, humanitarianism, entrepreneurship and health/wellness.

Cornerstone Village started out as a series of workshops on those topics (virtually so far) with the goal of creating employee engagement. Members also have an opportunity to work on written plans of their life goals to inspire and share with others in the community. The idea is to align their life passion with their unique purpose and calling.

**1. The philosophy.** I feel employers have an obligation to develop their workforce so they can reach their full potential and have the best quality of life possible.

I would like people in my com-

pany to be wealthy, however *they* define wealth. A financially literate employee may remain healthier, be able to retire earlier and be able to give back to their community.

**2. How it works.** We sent a survey to determine which topics employees would be interested in meeting about first. They selected real estate and financial literacy. We then held



*The program gathers employees who share common life goals in five distinct communities: financial literacy, real estate, humanitarianism, entrepreneurship and health/wellness.*

six two-hour workshops on those topics with more to come.

The Financial Literacy Community meeting series focuses on wealth creation, investing, wealth protection and wealth transfer. The sessions examine case studies and deal with real-life experiences to make them more interactive. There is ample time for questions.

The biggest challenge: finding the right subject matter experts. I try to find people with the right personality for our audience.

We have already seen results. In addition to having a more

knowledgeable workforce, more employees are contributing enough to their 401(k)s to take advantage of our matching program.

**3. How to get people involved.**

I personally send all employees an email with a link to a registration form a week before each meeting. A few days before, we have a team of employees phone everyone in the company to remind them. Once registered, employees receive a reminder email on the day of the session.

We talk about the meetings in our quarterly employee newsletter as well (also called "Cornerstone Village"), sometimes with a write-up of the session. After each gathering, we send a survey to get feedback.

As the program grows, my hope is that participants will ultimately meet on their own and support each other. Then they will go off and do great things with what they've learned.

*Wayne H. Perry is CEO of Cornerstone Concilium, a professional consulting firm that provides engineering, technology and project management solutions throughout the United States.*

## STAFF

**Editorial Director:** Patrick DiDomenico, pdidomenico@BusinessManagementDaily.com  
**Contributing Editors:** Anniken Davenport, Esq., Rob Lentz, John Wilcox, Cal Butera

**Publisher:** Phillip Ash  
**Associate Publisher:** Adam Goldstein  
**Customer Service:** customer@BusinessManagementDaily.com, (800) 543-2055

Volume 19, Number 8

Printed in the United States.

*The HR Specialist* (ISSN 1545-360X) is published monthly by Business Management Daily, 7600A Leesburg Pike, West Building, Suite 300, Falls Church, VA 22043-2004, (800) 543-2055, [www.theHRSpecialist.com](http://www.theHRSpecialist.com). Annual subscription price: \$299.

© 2021, Business Management Daily, a division of Capitol Information Group, Inc. All rights reserved. Duplication in any form, including photocopying or electronic reproduction, without permission is strictly prohibited and is subject to legal action.

For permission to photocopy or use material electronically from *The HR Specialist*, please visit [www.copyright.com](http://www.copyright.com) or contact the Copyright Clearance Center Inc., 222 Rosewood Dr., Danvers, MA 01923, (978) 750-8400. Fax: (978) 646-8600.

This publication is designed to provide accurate and authoritative information regarding the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal service. If you require legal advice, please seek the services of an attorney.

**The most powerful companies have their own training newsletters. Now you do too.**

*The HR Specialist* can now be branded, and even customized, for your organization.

Paul Legrady (703) 905-4516  
 plegrady@businessmanagementdaily.com



## How to sell your HR projects & ideas to the CFO

While planning new HR initiatives and making your HR budget projects for 2022, don't forget to factor in one crucial aspect: Convincing your chief financial officer to back your proposals. The truth is, getting approval for new projects and budgets can be a frustrating process that HR pros sometimes flub by making ineffective presentations and failing to understand CFOs and what they do.

You can improve your chances of securing CFO support by using these tips from HR thought leader Karl Ahlrichs:

### Understand the CFO mindset

First, understand this about CFOs: They're focused more on business development than HR, and that's often where their priorities lie.

CFOs are under pressure to cut costs and ensure compliance. They tend to be independent and value accountability. Plus, they often lack interpersonal skills that HR pros favor.

### Securing C-suite buy-in: 5 key talking points

When it's time to present next year's HR budget, get the C-suite's attention with these points:

- 1. Our budget supports company goals.** Don't assume execs can make the connection between the organization's success and your programs. Spell it out.
- 2. This budget will yield a solid ROI.** Document how dollars invested in your programs pay dividends in other areas. Talk to department heads to confirm.
- 3. Every line item adds value.** For example, while the EAP is a cost center, it saves money in the long run. Work with providers to show those kind of numbers.
- 4. Our budget is based on reality.** Articulate your understanding of the company plan. Meet with the CFO early.
- 5. The budget details are bullet-proof.** When building your budget, check and double-check every figure.

That can make negotiations literally a matter of dollars and cents. CFOs respond better to data than to appeals to "do the right thing." Connect with CFOs by making short, concise and direct presentations.

Structure your presentation like this when talking to a CFO:

**Introduction.** Express concern about the bottom line.

When pitching a new initiative or budget proposal, try this opener: *"It's a terrible time to be wasting money on bad business practices. My experience indicates we may be doing just that."*

That sets the stage for the new approach you want to pursue.

**Presentation.** Position your project as a cost-saving solution to a business problem. Cite case studies or examples that illustrate how similar projects cut costs or improved productivity elsewhere. Suggest the organization initially launch a pilot of the proposed project, focusing on an area that most needs improvement and is easiest to influence. Include projected return on investment. Cite potential drawbacks.

**Closing.** Assure the CFO that you will measure results and provide regular reports on progress. Summarize the benefits of the project using relevant business terms such as earnings, ROI, revenue, capital expenses, stakeholders, interest and human capital. Cite any "hidden" money you may have found in the budget to help finance the project.

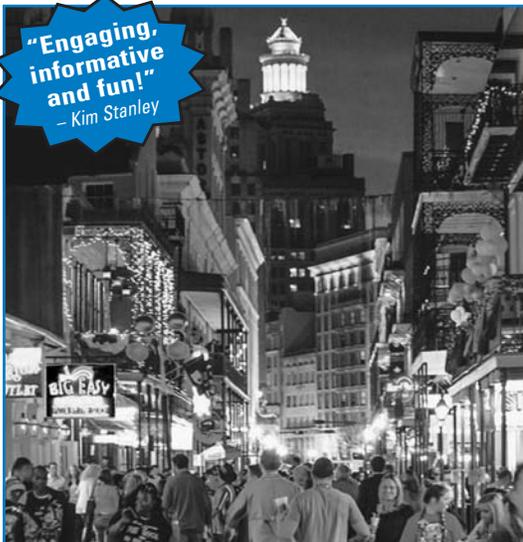
**Bottom line:** By communicating that you understand your organization's operating environment and the fiscal pressures it faces, you can increase the odds that the CFO will back your proposal as a legitimate business solution.

"Position your project as a cost-saving solution to a business problem. Suggest a pilot program focusing on the area that needs the most improvement." — Karl Ahlrichs



*Karl Ahlrichs is one of the country's leading HR thought leaders and a senior consultant at Gregory & Appel. He will be a featured speaker at the HR Specialist Summit (see below).*

"Engaging, informative and fun!"  
— Kim Stanley



## HR Specialist Summit

October 20-22, 2021 • The Intercontinental Hotel, French Quarter, New Orleans

### All of Your HR Solutions in One Place! Have Fun & Get in Compliance at the Summit!

Tired of those huge HR conferences where you return with a few notes and aching feet? At *The HR Specialist Summit*, you'll learn from—and interact with—America's top HR management and employment law experts.

20+ first-class HR education sessions • Strategic & Compliance Tracks • Expert speakers • 14 HRCI/SHRM credits • Luxurious hotel in the heart of the French Quarter • FREE pre- & post-conference workshops • Free Gifts • & More!

Register Today: [HRS-Summit.com](https://www.HRS-Summit.com) or (800) 543-2055

Is there anything more dangerous than crossing the IRS?

# *Payroll Compliance Handbook*

Once upon a time, payroll used to be easy: the employee's gross pay minus federal, state and local taxes. Then along came health premium and 401(k) deductions. Still simple, but...

Today, payroll managers deal with direct deposit, health spending accounts, vehicle allowances, phone expenses, earned income credits, garnishments and more. Payroll is now a confusing and time-consuming task prone to error.

Don't let a simple mistake unleash the full and frightening power of the IRS and wipe out your business... and you personally.

With our newly updated *Payroll Compliance Handbook*, you'll quickly and easily find answers to all of your nagging payroll questions. This handy reference is written in plain English - no legal gobbledygook here - so you can quickly understand what you need to do to stay in compliance, improve efficiencies and avoid costly payroll errors.

Each chapter focuses on a specific aspect of payroll management and compliance... and every issue of payroll compliance you need to know is addressed.



## Navigate easily to topics including:

- Complicated tax calculations
- Exempt classification
- Fringe benefit deductibility
- Independent contractor status
- Paying for on-call time
- Business expense reimbursement
- Saving on unemployment taxes
- Payroll record-keeping
- Handling the IRS without stress
- Everything you need to know about W-4 forms
- And dozens more critical topics!

*Over, please*

## We've Made Payroll Easy Again!

You will not find a more comprehensive payroll resource than the **Payroll Compliance Handbook**. The author, Alice Gilman, Esq., is our resident expert in payroll and tax compliance. Over the past 30 years, she's written and edited several leading payroll publications, including Business Management Daily's *Payroll Legal Alert*, the Research Institute of America's *Payroll Guide*, the American Payroll Association's *Basic Guide to Payroll* and the *Payroll Manager's Letter*.

### The **Payroll Compliance Handbook** answers questions like:

- **Are your employees exempt or non-exempt?** A handy checklist makes it easy to determine
- **Must you pay an employee for attending a training program?** The answer may be no if these four conditions are met
- **How can you avoid the most common FLSA violation?** Simply follow our chart or be at risk for a hefty fine
- **A woman has less experience and education than a man in a similar role. Can you pay her less?** Plus, how to establish an equal pay merit system that works
- **Fringe benefits: taxable or non-taxable?** How to reward fringe benefits to employees without crossing swords with the IRS
- **W-2s, W-3s, 1099s and more: What errors will land you in the IRS hot seat?** We'll tell you how to avoid them
- **What's the law in your state?** Check out the appendixes for the requirements in your state.

To stay ahead of the IRS, you need the bulletproof strategies found only in the **Payroll Compliance Handbook**. Get your copy now!



### SPECIAL REPORT ORDER COUPON

**YES!** I want to make my payroll practices easy again.

Please send me \_\_\_ copy(ies) of the *Payroll Compliance Handbook* at the low rate of \$127 per copy, plus shipping and handling.

#### Payment options:

- Check enclosed. (Payable to: *Business Management Daily*)
- Please charge my credit card:
  - Visa  MasterCard  AmEx  Discover

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_  
(please print)

Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Daytime Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

Email \_\_\_\_\_

(We will never sell your email to other companies.)

**PLEASE DETACH AND MAIL TO: Business Management Daily, P.O. Box 9070, McLean, VA 22102-0070.**

**Please allow 3 weeks for delivery.**

**PRICE PER COPY:  
\$127**

Number of copies	\$
Add \$6 S&H per copy	\$
VA residents: Add 5% sales tax	\$
TOTAL ORDER	\$

Payable in U.S. dollars

BPCH

**SPECIAL OFFER  
YI1788**

#### 4 Easy Ways to Order

**WEB:**  
[www.BMD.biz/PayComp2](http://www.BMD.biz/PayComp2)

**CALL:**  
**(800) 543-2055**  
8:30am – 6pm ET

**FAX:**  
(703) 905-8040

**MAIL:**  
Use the order coupon below and enclosed postage-paid envelope

**100%  
MONEY-BACK  
GUARANTEE!**

If you are not completely satisfied with *Payroll Compliance Handbook*, just return it within 30 days of receipt and your money will be refunded in full.