



advantage



Table of Contents

“HAPPY HOLIDAYS”	2
IMPROVING YOUR CREATIVITY	2
AN HR CHECKLIST BEFORE DECEMBER 31	2
TRAINING TIP	4
HR LINK	4
<i>APPS TAKE ON WORKPLACE BIAS</i>	
Q & A	5
HRA STAFFING UPDATE	6
THOUGHTS TO THINK ABOUT	6
FOR YOUR CALENDAR.....	7
ON MY SOAPBOX.....	8



advantage



“HAPPY HOLIDAYS”

At HR Answers, we wish each of you a very special Holiday Season. As you and your organizations move into 2016, we hope the New Year will be one of progress and new opportunities, that your celebrations are joyous and special, and that you are able to spend time with friends and family, too. We are so very proud and honored to have had the privilege of working with you and serving so many of your HR needs in 2015. Once again, we saw an increase in our Advantage Plan Program membership, Staffing placements, Recruiting activity, Compensation projects, numerous Handbook Reviews, HR Assessments, AAP's, and a plethora of Training assignments that kept one of our trainers extremely busy. For all of this, we want to say a BIG “Thank You!” We value and appreciate the relationship we have built with each you and look forward to your continued referrals and future projects together!!

To each of you, as you celebrate the season, we wish you a Merry Christmas, Happy Hanukkah, Yule Tidings, a joyous Kwanzaa, Feliz Navidad, Felices Fiestas, God Jul, Froche Weihnachten, Buon Natale, Vesele Vianoce, Vrolyk Kerstfeest, Boas Festas, Houska Joulua, Joyeux, Happy New Year, Kala Christougena, Buone Feste, Fijne Feestdagen, Joyeuses Fêtes, and Boze Narodzenie!

IMPROVING YOUR CREATIVITY

Do you think creative people are “born that way?” Creative people may have natural abilities, but they have something even more important—habits and beliefs that support creative thought. If you adopt a few of these habits, you will boost your creativity too.

Creative people usually do or believe the following:

- 1) Challenge accepted ways of doing things.
- 2) Have self-awareness for their preconceptions (biases and ways of viewing problems) and challenge them.
- 3) See a challenge, not a roadblock when faced with a problem.
- 4) Are not ashamed, embarrassed, or hesitant about offering up a wild idea or solution to the group.
- 5) Believe in their ability to be unconventional and think “outside the box.”
- 6) Are always willing to listen to someone else’s wild idea while suspending disbelief.
- 7) Set aside time to think creatively and ponder solutions.
- 8) Believe that if people want something badly enough, they will find the solution.
- 9) Are not afraid to try new things.

Experimenting with and adopting these habits will lead you to more frequent and creative ideas. You will wake up with new solutions or having sudden insights out of blue. You will find more excitement in the average or ordinary day, and won’t be surprised if it’s you who imagines the magnificent solution to a big problem that stumps others.

Join us on February 17th for a workshop on Building Your Creativity!

AN HR CHECKLIST BEFORE DECEMBER 31

Year-end is fast approaching, and we want to ensure employers are making a list and checking it twice! This is a perfect time of year to ensure your organization is compliant and prepared for all of the changes the New Year will bring. Make sure your organization can welcome 2016 ahead of the game:

1. **Be prepared for the Affordable Care Act (ACA).** For some of you smaller employers it is time. We are confident that you all have been visiting with your benefits providers to ensure you are ready to go for the first of the year.
2. **Identify workers who are misclassified.** Both the Department of Labor and the Internal Revenue Service announced that addressing the issue of misclassified workers is a high priority for their audit and enforcement activities. Employers are encour-

Portland Office
7650 SW Beveland Street
Suite 130
Tigard, OR 97223
(503) 885-9815

Willamette Valley Office
7287 Park Terrace Dr. NE Ste. 101
Keizer, OR 97303
(503) 463-7269

aged to take immediate steps to identify any employee misclassifications. In addition to the fines and penalties associated with misclassification, please keep in mind that the ACA's provisions require employers to count their employees and identify which are full-time. This will require distinction of employees from independent contractors.

3. **Examine your benefits package.** Your benefits package should be compliant and still meet your organization's needs. Evaluate your insurance offerings including disability, life, and health policies. Also make sure your other benefits, like vacation and/or paid time off (PTO), are still in line with the organization's goals. Should you offer more PTO to stay competitive in your market and industry? Do you have too many employees rolling over unused vacation time? If so, this may be a good time to examine your accrual rates and PTO caps. If you have a health flexible spending account (FSA), determine whether you want to amend the plan to allow for a carryover to the next year.
4. **Make sure your employee handbook is up to date.** Has your employee handbook been reviewed in the last year? If not, this is a great time to ensure all of your policies and practices are what you want them to be.
5. **Update job descriptions.** An-up-to-date job description is critical for every position in your organization. Compliance with the Fair Labor Standards Act, the Americans with Disabilities Act, and other legal requirements depends on effective job descriptions. Essential functions detailed in the job description will be a key indicator not only for determining whether an employee is performing according to the organization's standards, but also for evaluating requests for accommodations under the ADA. Also, when deciding whether a position is exempt or non-exempt, job descriptions are useful for comparing the duties to the federal exemption requirements. Finally, they help your organization benchmark its jobs with those in the external labor market.
6. **Audit your personnel files for compliance.** Your organization should make sure it's retaining appropriate records according to state and federal compliance regulations, and also that information stored in personnel files doesn't contain protected information, which must be stored separately. For example, any record that includes protected and/or non-job related information such as date of birth, marital status, etc., should be filed separately from a personnel file. When determining whether or not to place information and documents in a personnel file, be sure to consider their relevance: Would the information be relevant to a supervisor who is making employment decisions? Is the information related to the employee's performance, knowledge, skills, abilities, and/or behavior? If it is, then it should be placed in the employee's personnel file. Finally, be sure that access to these files is limited to "need to know" only — typically this is just the Human Resources staff. Remember to lock filing cabinets.
7. **Complete annual performance evaluations.** If your organization conducts performance reviews double-check to ensure they have been completed, and that no stragglers are way past due.
8. **Payroll, too.**
 - Obtain updated addresses on current and separated employees.
 - Verify the employer and employee data that is used in processing your quarterly tax reports and W-2's.
 - Confirm that employee names and Social Security numbers are accurately matched to Social Security Records.
 - Verify the employer state unemployment insurance tax rate and taxable wage limit for each state.
 - Compute uncollected Social Security and Medicare taxes for retirees and former employees.
 - Verify that withholding has been made properly or withhold from the final paycheck for taxable fringe benefits. These may include:
 - o Group-term life insurance
 - o Personal use of company vehicle
 - o Non-qualified moving expense reimbursements
 - o Company-provided transportation or parking
 - o Bonuses
 - o Non-cash payments
 - Ensure adequate payroll supplies to complete the year and to begin the New Year, including blank checks, payroll forms, and blank W-2 forms.
 - Remind employees to fill out a new Form W-4 if their situation has changed.
 - Obtain new W-5 forms for Advance Earned Income Credit (EIC) for the New Year.
 - Confirm that all "manual" checks written during the year have been accounted for and updated in the system.
 - Determine that all voided or reversed paychecks have been accounted for in the system.

Editor: Deborah Jeffries, PHR, CPC. Advantage is published monthly and is designed to provide information on regulations, HR practices and management ideas and concerns. The intended audience is managers, supervisors, business owners, human resource and employee relations professionals. If you have questions about the content, an opinion about the information, questions about your subscription, or if you need additional Advantage binders, please give us a call at (503) 885-9815 or e-mail djeffries@hranswers.com.

9. **Conduct an organization-wide wage analysis.** The minimum wage battle continues and has risen (and will continue to rise) in several states, and your organization will want to ensure that these changes are in effect to avoid any wage and hour claims. We also recommend that ensure all of your employees are receiving a competitive salary if you have not done so in the last two to three years. To get started, re-evaluate your compensation philosophy: An employer can choose to lead, lag, or match the market. Once you have completed the wage analysis in comparison to your organization's compensation philosophy, you will be able to determine if any wage increases are warranted.
10. **Make sure your holiday party is inclusive and compliant.** According to SHRM survey last year, 36% of U.S. employers report worker misconduct at holiday parties. Unfortunately, your organization could be liable for an employees' inappropriate conduct in these situations. And of course, if you are having parties, the goal is to make sure each employee feels included in the celebration. The end of the year is a great time to look back over the last 12 months and identify the positive contributions that your employees have made, perhaps highlighting a few at your holiday celebration.

2016 will bring several new compliance challenges to employers, but that doesn't mean your organization has to be unprepared. By taking the above steps, you can be sure that your company is well on its way to meeting the challenges the New Year will bring.

TRAINING TIP

The quality of training is greatly determined by what you do before and after the training and not just during. Once it has been determined what training is needed, a "needs assessment" from the people who will be the actual participants becomes very important. The goal is to target the *specific needs* of the individuals receiving the training. Once that process is accomplished, the training can be designed around those specific needs. Then the training develops real value for the actual customer (the participant).

As the training is designed—activities, processes, and systems need to be developed in the workplace to take advantage of this new knowledge, skills and abilities (KSA's) learned. These activities, processes, and systems should be online and functioning with the trainee using them within 24 hours of completing the training. If you want to go the extra mile, the trainer and supervisor should then mentor/coach the employee until the new KSA's become part of their everyday work culture/habits.

Does this take more time to develop and cost more? You bet! But you've already had to pay for the employee's time during the training and you've paid for the development and the delivery of the training. Why not make sure that the training has value to the organization and that it is actually being used in the workplace? If your organization is doing this, then they are getting an actual return on their investment for the training.

HR LINK

APPS TAKE ON WORKPLACE BIAS

Can an algorithm show less bias than a human manager? Many new programs and apps have been developed to help reduce gender and racial discrimination in the workplace. Some focus on hiring to help recruiters avoid advertising for jobs in ways that may turn off female candidates and to create a more gender-blind or "colorblind" hiring process, but algorithms are created by humans and are only as effective as the data they process, so it remains to be seen how effective such programs are. Here's a sampling:

Textio: textio.com

Co-founded by a linguistics Ph.D., Textio acts like a spell check for job listings, highlighting word choices that show gender bias or trite phrasing and suggesting alternative wordings that would help job listings appeal to a wider range of job seekers. The program frowns upon corporate jargon such as "push the envelope" or words that may unintentionally attract one gender over another. "Rock star," for example, attracts more male job seekers, according to Textio's analysts; Textio suggests words like "high performer" instead.

Doxa: doxascore.com

Doxa helps female job seekers learn how various tech companies treat women. Using employee-survey data, the software develops profiles of what it is like to work at various organizations and especially what it is like to be a woman in these workplaces. The profiles look at things such as pay data, work hours and schedule, number of women on the executive team and maternity-leave policies.

Gendertimer: se.gendertimer.com (Swedish site)

Is there a "mansplainer" who regularly hogs the airtime in status meetings? This mobile app tracks which gender is talking the most in a meeting and helps lead to greater gender awareness in social groups. Users manually record whether a man or woman is speaking in a group, and the app creates a nifty data visualization charting the data. "Just seeing the numbers helps people self-regulate," the Swedish product's creators say.

InHerSight: InHerSight.com

One working mother, self-described “data geek” Ursula Mead, was frustrated by the lack of publicly available data about gender equality in the workplace. So she launched InHerSight.com, a place where workers anonymously evaluate their employers’ support of women. Users rank their workplace across 14 criteria including maternity leave, salary satisfaction, and wellness. Her platform’s rating system is modeled on sites like Glassdoor, TripAdvisor, Inc. and Amazon.com, Inc., which aggregate user-generated data to guide users toward optimal experiences.

GapJumpers: gapjumpers.me

GapJumpers is an app that offers organizations a platform on which they can test the abilities of job applicants without knowing their gender or race. The idea, according to the app makers, is to let talent speak for itself, without identifiers like race, gender, or educational pedigree getting in the way. Résumés often contain or hint at these identifiers, according to the firm. The app helps organizations design and carry out online blind auditions, where candidates compete anonymously to solve problems related to the job.

Entelo Diversity: entelo.com/products/diversity/

This recruiting software uses an algorithm that reviews individuals’ online profiles—using data from Twitter, GitHub and other sites—to help organizations target job candidates of a specific gender or race that the organization might be seeking to diversify its workforce. Using data about a person’s alma mater, professional and social affiliations, and job titles, the algorithm determines his or her likely gender, ethnicity or race, and whether they have military experience. A graduate of Howard University, a historically black college, would likely be noted as African-American, for instance. The firm says its software doesn’t allow recruiters to use it to discriminate against racial minorities, women and other groups, by searching for, say, white engineers.

Unitive: unitive.works

Unitive keeps tabs on job applicants and hiring decisions, allowing hiring managers to visualize the data behind the choices they make. The platform also nudges hiring managers throughout the process with reminders for when they’re most likely to exhibit bias, such as when drafting job descriptions, and provides them with tips to recognize and avoid it.

Q & A

Q: Religious Accommodations: Holidays: Must employers allow employees to have religious holidays off?

A: Employers must reasonably accommodate employees’ sincerely held religious beliefs or practices unless doing so would impose an undue hardship on the employer. A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice his or her religion. Flexible scheduling, voluntary substitutions or swaps, job reassignments, lateral transfers and modifications to workplace practices, policies, and/or procedures are examples of how an employer might accommodate an employee’s religious beliefs.

Employers with 15 or more employees must make reasonable accommodations for employees’ religious observances, according the Title VII of the Civil Rights Act of 1964. Therefore, if covered employers can reasonably accommodate the employee’s request, they must. Some state anti-discrimination laws may cover even smaller employers.

Religious accommodations often present themselves in the form of a request for time off for religious observances that do not conform to the employer’s holiday schedule. If allowing the employee to have the religious holiday off would cause an undue hardship for the organization, the accommodation is not required. According to the EEOC, “An employer can show undue hardship if accommodating an employee’s religious practices requires more than ordinary administrative costs, diminishes efficiency in other jobs, infringes on other employees’ job rights or benefits, impairs workplace safety, causes co-workers to carry the accommodated employee’s share of potentially hazardous or burdensome work, or if the proposed accommodation conflicts with another law or regulation.”

Because employers may often have multiple requests off for the same religious holiday, an employer should accommodate such requests in a consistent and non-discriminatory fashion. If a system of seniority or other neutral system exists for determining which employees are first accommodated, organizations should employ that system. Organizations should also consider splitting the day, so some employees can have the morning off and others the afternoon. In most cases, employers should accommodate employees’ willingness to work together to accommodate religious observance needs (i.e., voluntary shift switching).

For all, employees should be able to use applicable paid time-off benefits consistent with organizational policies to observe religious holidays. If an employee has exhausted all paid time-off benefits, he or she may still be accommodated with unpaid time off to observe a religious holiday. If the employer allows flexible work schedules or make-up time, employees requesting time off to observe a religious holiday should be afforded these same options.

HRA STAFFING UPDATE

HR Answers would like to welcome Anna Loughlin to our team, taking over the busy roll of Front Desk Administrative Assistant. Anna comes to us with an extensive and varied background and offers our team a great deal of diversity and expertise, paired nicely with her charming and professional demeanor. We think Anna is going to be a GREAT addition to our staff, and we're very excited to have her join us.

But as we welcome Anna, we bid a fond and bittersweet farewell to our Senior Consultant, Kellie Tresch. Kellie is going to take a slight break from work during the holiday season, then begin her exciting new job at the first of the year. Kellie was on our staff for almost two years and was a key member who brought her vast knowledge of compensation work and dedication to her projects. She will be greatly missed, but we wish her the very best as she begins the next chapter of her life!

THOUGHTS TO THINK ABOUT

"Love the giver more than the gift."

-- Brigham Young

"May your walls know joy, may every room hold laughter, and every window open to great possibility."

-- Mary Anne Radmacher

"The best and most beautiful things in the world cannot be seen or even touched. They must be felt with the heart."

-- Helen Keller

"The holiest of all holidays are those
Kept by ourselves in silence and apart;
The secret anniversaries of the heart,
When the full river of feeling overflows;--
The happy days unclouded to their close;
The sudden joys that out of darkness start
As flames from ashes; swift desires that dart
Like swallows singing down each wind that blows!"

-- Henry Wadsworth Longfellow

"This is my wish for you: peace of mind, prosperity through the year, happiness that multiplies, health for you and yours, fun around every corner, energy to chase your dreams, joy to fill your holidays!"

-- D.M. Dellinger

"Time for work- yet take much holiday for art's and friendship's sake."

-- George James De Wilde

"To many people, holidays are not voyages of discovery, but a ritual of reassurance."

-- Philip Andrew Adams

FOR YOUR CALENDAR

Open up your Daytimers, Outlook, Palm Pilots, and all those Smart Phones. The following is a look at upcoming events, special days and other diverse and fun activities you will want to be aware of and get scheduled. **To register for our workshops, please call any of our offices, or send an e-mail to Anna Loughlin at aloughlin@hranswers.com, or fax it to (503) 352-5582.**

DECEMBER

Identity Theft Prevention and Awareness, National Tie, Universal Human Rights Month, and Safe Toys and Gifts Month

Dec. 2 HR Lunch Bunch – HRA Tigard office
Topic: Real Coaching Practices for HR
12:00pm –1:00pm

Dec. 7 Chanukah Begins

Dec. 16 National Chocolate Covered Anything Day

Dec. 22 Winter Solstice

Dec. 23 HRA Offices will Close at Noon

Dec. 24 HRA Offices will be Closed

Dec. 25 Christmas – Holiday

HRA Offices Will be Closed

Dec. 26 Kwanzaa Begins

Dec. 31 No Interruptions Day

HRA Offices Will be Closed

Coming Up:

Jan. 1 HRA Offices will be Closed

Jan. 19– HR Answers Workshop – HRA Tigard office

Feb. 23 Beginning Supervision Series

8:30am-12:30pm

(March 1st will be reserved as a make-up date should any class need to be cancelled due to inclement weather)

Feb. 17 HRA Workshop – Tigard

Building Your Creativity!

8:30am-11am

Apr 6– HR Answers Workshop – HRA Tigard office

May 11 Beginning Supervision Series

8:30am-12:30pm

ON MY SOAPBOX



Judy's Christmas "present" came early this year (a broken wrist). Unfortunately, Judy's Soapbox articles will be on hiatus for a little while until she can more easily type with both hands again. We wish her well and a speedy recovery.



- Judy Clark, President



ANSWERS, Inc.
"Whatever the Question"

PLEASE FEEL FREE TO VISIT OUR WEBSITE:

WWW.HRANSWERS.COM