



New Hampshire
COMMUNITY
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Best Practices in Human Resources

Applying creativity and consistency in the workplace

Presented by:
Kim Votta Consulting
kim@kvottaconsulting.com
www.kvottaconsulting.com

Survey results inform workshop objectives

- **Review must-have policies for a productive, legal, and safe workplace**
- **Learn how to use performance evaluation to develop employee commitment to your center**
- **Apply creativity and consistency in hiring and retaining staff**



Why have personnel policies?

- **Personnel policies help implement a consistent approach to management.**
- **They reduce the perception of arbitrary treatment.**
- **Establish expectations and guidelines for behavior and discipline. They should always include:**
 - **Employer expectations (attendance, job performance, drug policies, etc.)**
 - **Employee expectations (compensation, privacy, grievance procedures, etc.)**
 - **Administrative issues (employment at will, policy changes, etc.)**

Maintaining personnel policies

- **They should be centralized in an employee handbook and be well-communicated.**
- **They should be reviewed and revised periodically.**



Must-have policies for a productive, legal, and safe workplace



Policies addressing recent or upcoming law changes and societal shifts

- **Smoking**
- **Cannabis use**
- **LGBTQ rights**
- **Social media and data privacy**
- **Leave benefits**



Smoking

Ensure your smoking policies address e-cigarettes. If you have a policy that prohibits smoking in the building or near the building—and you should—ensure it covers all tobacco products.



Cannabis (marijuana) use

Generally, marijuana used for recreational and medical purposes can be treated like other drugs.

Have a policy that prohibits employees from being under the influence of alcohol, illegal drugs, and even legal drugs that impair them significantly while on the job.

- State laws on marijuana are in flux so stay informed
- Some states prohibit firing an employee for a positive marijuana test if the person holds a valid medical marijuana registration card
- Some states limit adverse actions against workers for a positive drug test if there is no evidence of work-related impairment

- Marijuana possession remains a federal crime.
- N.H. law allows medicinal use only.
- Recreational use in Maine, Massachusetts, and Vermont.
- Legalization in different stages, but coming.

LGBTBQ rights and Same-sex Marriage

Sexual orientation and identity

- Laws and regulations are still evolving regarding employment rights of those in the lesbian, gay, bisexual and transgender (LGBT) community. Stay informed.
 - New Hampshire law prohibits discrimination based on gender identity or expression in employment, housing, and public accommodations.
 - The EEOC has asserted that gender identity is included within Title VII of the Civil Rights Act of 1964.
- Use the employee handbook to express the intention to treat all employees equally and fairly, regardless of their marital status, sexual orientation or sexual identity.

Same-sex marriage

- 2015 U.S. Supreme Court decision held that states must permit and recognize same-sex marriages
- Companies must provide to same-sex married couples the same health and retirement benefits that they offer to other wedded individuals.

Social media and data privacy

Staff often perform work-related tasks on personal smartphones and tablets. They conduct personal business and participate in social media on these devices as well.

- 2015 U.S. Supreme Court decision held that states must permit and recognize same-sex marriages
- Companies must provide to same-sex married couples the same health and retirement benefits that they offer to other wedded individuals.

The proliferation of devices creates data protection issues for companies, too. Ensure you have policies that say employees cannot:

- Disclose proprietary information
- Download apps onto a device that contains employer information
- Click on links in unsolicited e-mails
- Leave a device used for work in a car

Handout

“Guidelines for safe use of social media in your early childhood service”

Social media and data privacy

Employees should also know:

- To report a lost or stolen company-provided phone or tablet immediately.
- When the employee leaves the organization, their device can be wiped clean of the employer's data



Leave benefits

Some states and localities are pushing the envelope regarding paid and unpaid leave; many businesses are offering additional leave as good business policy.

- Whatever your policy regarding leave benefits is, ensure it is spelled out in a leave policy.
- Stay informed about what is happening in other states around leave:
 - Several states now require employers to provide paid sick leave to employees
 - Some are requiring paid maternity leave
 - Employer size matters (important consideration in retention)



Policies related to center philosophy and culture

- **Anti-harassment**
- **Confidentiality**
- **Safety**



Anti-harassment

- **Protects workers from being exposed to a hostile working environment**
- **Outlines what the organization considers to be appropriate and inappropriate behavior and what it considers sexual or other (racial, personal, etc.) harassment**
- **Explains the procedures for reporting harassment, the courses of action to be taken by both accuser and accused, and the way the organization will deal with the problem**



Confidentiality

Confidentiality is important in human service work. Policies should include:

- Password access and usage and who has access to particular computer and paper files
- What information about families and children is confidential
- Which employees have access to which information and how they get it.



Grievance procedures

- **These are the procedures by which employees can make complaints if they think they have been subject to discrimination, harassment, unfair labor practices, or other problems in the workplace.**
- **Having a general form of grievance procedure for all circumstances supports consistency.**
- **The same person (assuming they are not named or involved in the grievance; have a backup!) should be designated to handle all grievances and start the appropriate process to resolve the situation.**



Safety

These policies reflect concern for employees and protect the employer against lost work time and liability suits. They should:

- Aim at maintaining a safe workplace for everyone
- May include such varied issues as the use of equipment, having employees alone in the building after hours, and behavior with program participants
- Should include contingency plans and protocols for dealing with occasions when the systems break down, or when mishaps occur

N.H. Department of Labor safety rules to know

- All employers with 15 or more employees shall:
 - Prepare a current written safety program. File it with the DOL commissioner and review and update it at least every two years.
- Establish and administer a joint loss management committee composed of equal numbers of employer and employee representatives.
 - Employee representatives shall be selected by the employees.
 - The joint loss management committee shall meet regularly to develop and carry out workplace safety programs.

State safety rules

<https://www.nh.gov/labor/inspection/safety-training.htm>

Must-have policies related to employee status and treatment

- **Title and pay**
- **Personnel files**
- **Reasons for termination**



Title and pay

- **Titles should correspond as closely as possible to the actual work of the position.**
- **Each title should have a pay range that makes sense in relation to the pay of all employees.**
- **There should be some rational method of determining where a particular employee should start on that pay scale, based on such criteria as past experience, credentials, and reputation.**
- **There should be guidelines for title changes and pay increases.**

State law

N.H. state law requires that each employee be informed in writing of their wage rate, pay period, deductions, and a general description of fringe benefits (if any), including leave benefits, when they are hired.

Personnel files

- **Your employee handbooks should state what goes into an employee's personnel file, who (including the employee) has access to each file, and how it will be used.**
- **Personnel files typically include employee's resume and cover letter, performance reviews, citations of particularly good work, records of instances of poor judgment or failure to do a job properly.**
- **Personnel files also provide tax, personal, and emergency contact information.**
- **Personnel files are often used for determining promotions and pay raises.**

Reasons for termination

Occasionally an employee is the wrong fit.

- It is only fair that employees know if their work is not meeting expectations and that they have both help and time to try to improve.
- It is also only fair, that employers are able terminate an employee whose efforts to improve have been unsuccessful or if no effort is made.
- Termination policies explain the reasons for which employees can be terminated, the steps that will be taken before termination occurs, the necessary time span, the required documentation, and the people who will be involved.



Must-have policies related to center procedures and operations

- Hours and flextime
- Payday



Hours and flextime

Childcare centers have specific requirements for employee scheduling; licensing rules must be met and the cost of staff managed in a tight-margin business.

Policies on hours and flextime should plainly describe expectations around the work schedule so there are no misunderstandings about expectations.

- How much paid time off do employees get?
- Do they have to work for a certain length of time before they're eligible for time off?
- What is the policy for taking time off?
- How will taking time affect each person's job?
- Can an employee work at home at least some of the time?
- Can workers vary their schedules or are they set?



Payday

- **How will people get their checks, and when? Is payday fixed?**
 - For example, if someone is going on vacation, for instance, can they get their check a day early?
- **Can checks be sent to employees' homes or other addresses at their request?**
- **Is direct deposit at any local banks an option?**
- **What must be withheld from their checks, and can employees manipulate that amount (e.g., by claiming more or fewer dependents)?**



Other policies

- **At-will employment**
- **Meal and break periods**
- **Training pay**
- **Hiring procedures and orientation**
- **Employment classifications**
- **Timekeeping**
- **Employee conduct, attendance, and punctuality**
- **Grievance procedures**
- **Performance reviews**
- **Interactions with families and children**
- **Reasonable accommodations**
- **Conflicts of interest**



Present policies in context

Why are they relevant?

- Support staff in their professional development
- Support the center in meeting its mission or purpose
- Foster an environment of fairness and transparency
- Create a safe work environment for staff and children

You decide what your culture is and how policies support it.

HR policy resources

Community Tool Box

- Free, online resource for those working to build healthier communities and bring about social change. Our mission is to promote community health and development by connecting people, ideas, and resources.
- Chapter 10: Developing Personnel Policies
<https://ctb.ku.edu/en/table-of-contents/structure/hiring-and-training/personnel-policies/main>

Child Care Aware

- Developing Your Policies and Procedures and sample staff handbook
<http://childcareaware.org/providers/planning-for-success/developing-your-policies-and-procedures/>



N.H. labor law resources

NHLABORNET – An electronic discussion group sponsored by Sheehan Phinney is a free service designed to address the needs and concerns of human resources professionals in N.H..

- <https://www.sheehan.com/resources/labornet/>

N.H. Department of Labor Email Alerts – Informational alerts of interest to businesses in New Hampshire. The alerts may announce new laws, changes to existing labor law and rules or announce department-sponsored events or training seminars.

- <http://www.nh.gov/labor/forms/email-alert.htm>

N.H. Department of Labor Law Seminars – Attend at least once and then every year or so attend again! Sign up for email alerts regarding trainings.

- <http://www.nh.gov/labor/news-events/events/index.htm>



Policy handouts

- **N.H. Department of Labor’s “Top 10 New Hampshire Labor Law Violations”**
- **N.H. Department of Labor’s “New Hire Checklist”**
- **N.H. Department of Labor’s “Request for Payment of Wages Other Than Weekly”**
- **Early Childhood News’ “Do Childcare Centers Have to Pay Staff for Time Spent in Training”**
- **U.S. Department of Labor’s “Fact Sheet #46: Daycare Centers and Preschools Under the Fair Labor Standards Act (FLSA)”**
- **N.H. Department of Labor’s “Worker Compensation Fact Sheet”**



How to Conduct Performance Evaluation to Foster Employee Commitment



Mindsets

Consider the employees' mindset: Annual critique or opportunity?

For you, its a once-a-year task that must be completed multiple times

- To check off an item on the to-do list
- To meet licensing or accreditation requirements
- To meet employee expectations

Evaluation tip

Don't let complacency diminish the power of performance evaluation.

Avoid self-evaluation

An excellent employee who evaluates themselves, formally or informally, and feels they do a great job is left wondering why you even asked—and whether you're too lazy to do the appraisal yourself.

- If you do ask for a self-evaluation, ensure you are also evaluating the employee.

A poor employee is unlikely to rate themselves as poor, turning what could have been a constructive discussion into a disagreement.

Evaluation tip

Focus on goals and development

Don't raise issues you can't back up with examples

- **Employees will rightly ask for examples if you make a general statement about poor performance.**
- **Facts and figures are a necessity. Without concrete instances your point is lost.**
 - Keep good notes
 - Take notes all year

Evaluation tip

Using facts supports a culture of fairness and fosters accountability.

Don't discuss personality traits, especially negative ones

- You can get away with saying, "You have a great attitude." (Who argues with positive comments?!) However, saying, "You have a poor attitude," focuses on personality and not performance.
- Maybe the employee does have a poor attitude; if so, list examples of actual behaviors that lead to that conclusion.

Evaluation tip

Always focus on behaviors, not personality.

Evaluate the entire year

- **Focusing on the near-term is natural but counterproductive**
 - Employees know when evaluation is coming and will buckle down
- **Employees accomplish great things over the course of the year and may also exhibit problem behaviors over that same time period**
 - Keep records, take notes, and make sure the evaluation reflects performance over the entire period

Evaluation tip

Feedback should be ongoing and constant. Show interest in employees' ongoing development and success.

Don't over-rate to motivate

- **People do not always live up to expectations**
 - Telling someone they are doing a great job does not mean they will start doing a great job.
- **Evaluations should accurately reflect performance**

Evaluation tip

Provide opportunities for improvement.

Don't compare to other employees

- **Even if its true, don't say, "Your parent evaluations are the worst in the center," or "You are late more than anyone else."**
- **Don't directly compare one employee to another.**
 - Comparisons can create hard feelings and unhealthy competition.
- **Compare employee performance to standards, such as a job description.**

Evaluation tip

Focus on ways good employees can exceed expectations.

Focus on the employee

- **Ask your employee if they are having any problems, if they need assistance, do they have the right tools to do the job, etc.**
 - In short, ask for ways you can help them succeed, which is the primary function of an evaluation.
- **Don't ask general questions about the industry or the business.**
 - Save that for another time.

Evaluation tip

Employee evaluations are an employee's "me time."

Manage expectations

- **A good evaluation will fairly assess the past and set the stage for the future.**
- **Help employees focus on development and improvement.**
- **Don't make promises you can't keep.**
 - Keep in mind when you say "possibly" the employee often hears "definitely."
- **If you aren't sure you can come through with a bonus, a raise, or a training, either don't speak at all or emphasize that a potential opportunity is only a possibility.**

Evaluation tip

Follow-up: If a potential opportunity or idea mentioned in evaluation doesn't work out, let the employee know and explain why.

Don't ignore last year's evaluation

- **Employees remember.** In fact, they should have kept a copy of their last evaluation and likely they've read it just before the current one.
 - Read it too.
- **Don't use the same examples of “good work” or “troublesome behaviors”.**
- **Don't repeat the same opportunities.**
- **What did you say last time?**
 - Was progress made on goals?
 - Were promises kept?

Evaluation tip

Performance evaluations are part of an overall process of improvement and development.

Key takeaways on performance evaluation

- **Focus on employee development**
- **Be consistent**
- **Focus on behaviors not personality**
- **Provide ongoing feedback**
- **Follow-through on your commitments**



Apply Creativity and Consistency in Hiring and Retaining Staff



Get the right people

- **Know your mission (or purpose) and core values**
- **Have a process in place for determining who is the best fit**
- **Know what you expect from your employees**

Your most important work is done here.

Know your mission (or purpose) and core values

- Create them thoughtfully
- Communicate them effectively
- Revisit them often



Sample core values

- **Quality** - “We believe every child deserves excellence in early learning programs and services to make a difference in their lives and our community.”
- **Respect** - “We believe respect is essential to building the relationships that are critical to success and optimizing the talents and diversity of our families and partners.”
- **Education** - “We believe ongoing education and advocacy promotes positive early learning experiences, providing all children the opportunity to succeed.”
- **Teamwork** - “We believe working together results in a stronger organization and community.”

Handout: Test your core values



Your employees must know your mission and core values

- **Post them**
- **Use them as a filter when making decisions**
- **Discuss and debate them—give employees an opportunity to engage in conversation about them**



Have a process in place for determining who is the best fit

- **Determine what type of people you want on your staff.**
- **Use your knowledge of your mission and values to get the right applicants.**
- **Create advertisements that reflect who you are (indeed.com).**
- **Create a work environment that is true to your culture.**
- **If possible, include others in the process.**
 - Additional perspectives greatly increase the odds of finding the best candidates.
- **How much time can you spend?**
 - Write out the process: timeline, number of candidates to interview, number of interviews, notifying candidates
- **What can you afford?**
 - Do the homework and stick to your plan

Handouts

- “How to assess your company’s culture”
- “Eight Interview Questions to Help You Know Who You’re Hiring”

Know what you expect from your employees

- **What is most important to you?**
 - Skills
 - Culture fit
- **Diversity is a teaching tool**
- **Adoption of your business' core values**



Best tools for knowing what you expect from employees and communicating that effectively

- Job description
- Orientation
- Performance evaluation

Handouts

If you do these three things exceptionally well, most everything else takes care of itself.

The job description

- It defines the position for the organization, for potential applicants, and legally.
- It can be an important tool in helping an employee improve.
- It gives the organization a standard to use in documenting the staff member's failure to carry out the duties and responsibilities of the position, and, if necessary, to fire the employee for non-performance.
- It gives potential job applicants a sense of whether they should apply for the job.
- The act of developing job descriptions and selection criteria forces you to clarify your thinking about the position, the kind of person you want for it, and the organization itself.
- Having a clear job description and selection criteria will help you write the copy to advertise the position and will make the interviewers' task easier as well.
- Most important, a clear job description and selection criteria make it more likely that you'll hire the best person for the job.

Hiring tip

Using a tool such as job descriptions fosters consistency – in management, expectations, and results.

Orientation

- **Before and while the new staff member actually begins working**
- **Conducting an orientation at the right time makes more sense not only for the staff member, but for the organization as well.**
- **You'll save much more time in the long run, through the staff person knowing what they are supposed to do and how to navigate in the organization, than you'll save by putting it off.**
- **Allows new staff members to hit the ground running.**
- **It instills new staff with confidence in both their own ability to be effective and the organization which has made them feel a part of the operation.**
- **It improves the possibility that people will do a good job over the long term and stay longer.**
- **It makes life easier for others in the organization, by eliminating the need for new staff members to ask them constantly for information and advice.**

Hiring tip

It's worth it to make time for an orientation when it's needed

Orientation

- **It enfolds the new staff member into an existing social structure, thereby helping them feel comfortable and to bond with others.**
- **It formally welcomes new staff to the organization and makes them feel that they have support for doing a good job.**
- **Familiarizing new staff members with the organizational culture increases the chances that they will fit well into the organization.**
- **By making staff knowledgeable and better-prepared, it builds the organization 's reputation in the community, leading to community support and better services.**
- **A well-conceived and well-run orientation can help a staff member fit into the organization and do the best job they can.**

Handout

“Ensuring New Employee’s Success”

Review: Laying the foundation

- **Know yourself and your organization and communicate that knowledge**
- **Know who you want to hire and base that information on research:**
 - Understand your values, your culture, your people
- **Provide yourself with tools and processes to be successful**
 - List core values, write job descriptions, evaluate goals
 - Don't let this information become stagnant – review and update

Handout

If you do this, you'll give your staff the tools to succeed!

Sometimes you need more

A 2016 study on retention in childcare settings, concluded that retention is best supported by effective leadership with long-term vision and employee motivation.

- Know who you are: Mission and values.
- Hire right from the start.
- Create tools and apply them consistently.
- Incentivize and recognize.
- Model behaviors.
- Choose coaching over discipline.

Handout

- “Providing Employee Fringe Benefits Can Increase Job Satisfaction and Performance”
- “Problems as Coaching Opportunities: Asking Artful Questions”
- “Employee Coaching: The Way to Gain Commitment, Not Just Compliance”

Be creative in hiring

- **Use technology**
- **Ease the process**
- **Create opportunities for exploration—be informal**
- **Use existing network (families, staff—incentives)**

- Always be recruiting, even if you don't need anyone right away
- Maintain a file of potential employees at all times, so you have an immediate resource when your business expands or one of your staff leaves.

Get creative in retaining staff

- **Create a productive and enriching work environment**
 - Support professional development
 - Develop autonomy
 - Foster joy
- **Provide creative pay and benefits:**
 - Retention bonuses; reward achievements; gift certificates; bonus time off; wellness benefits; paid volunteer time; a well stocked kitchen; free meals
- **Use a coaching model to support employees**

Handout

“Enhancing Staff Morale – More than Pizza and Donuts”

Key takeaways

- **It's a process—it never stops.**
 - Schedule human resources.
- **Be consistent—create systems and use them.**
- **Be fair—create policies and enforce them.**
- **Support growth—always be motivating employees to excel.**
- **You are the leader—set the tone.**
 - Be the leader you admire.



Resources

- **Human Resources. Performance Evaluation Systems. University of Minnesota Libraries**
<http://open.lib.umn.edu/humanresourcemanagement/chapter/11-1-performance-evaluation-systems/>
- **Hiring and Training Key Staff of Community Organizations. Community Tool Box**
<https://ctb.ku.edu/en/table-of-contents/structure/hiring-and-training>
- **Minimum Wage Law. Laws and Rules. New Hampshire Department of Labor**
<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXIII-279.htm>
- **Safety and Health of Employees. Laws and Rules. New Hampshire Department of Labor**
<http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXIII-277.htm>