



# Best practices in human resources

Applying creativity and consistency in the workplace

Presented by:

*Kim Votta Consulting*

[kim@kvottaconsulting.com](mailto:kim@kvottaconsulting.com)

[www.kvottaconsulting.com](http://www.kvottaconsulting.com)

March 2018



## **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**



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

**We'll review several must-have policies but start with policies that address recent or upcoming changes in law and societal shifts:**

- Smoking and Marijuana Use
- LGBT Rights
- Social Media and Data Privacy
- Leave benefits



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

## **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.



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

## **Marijuana Use**

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

Medicinal use in NH;  
Recreational use in  
Maine,  
Massachusetts, and  
Vermont – in different  
stages, but coming





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

## **Marijuana Use, continued...**

- 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.



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

## **LGBT Rights – 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.



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

## **LGBT Rights – 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.
  - More than 20 states recently expanded their anti-discrimination protections to include transgender individuals. **NH House recently voted to provide this protection.** Senate votes next.
  - 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.



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

### 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.
  - Make it clear that employees have no right of privacy while accessing social media at work or on company-owned equipment.
- The proliferation of devices creates data protection issues for companies, too. Ensure you have policies that state 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



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

## **Social Media and Data Privacy, continued...**

- **Employees should also know:**
  - To report a lost or stolen company-provided phone or tablet immediately.
  - And that when the employee leaves the organization, their device can be wiped clean of the employer's data

*Handout: Guidelines for safe use of social media in your early childhood service*



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

## **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 are now requiring employers to provide paid sick leave to employees
    - Some are requiring paid maternity leave
    - Employer size matters (important consideration in retention)



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

## **Must-have policies related to center philosophy and culture:**

- Anti-harassment
- Confidentiality
- Safety



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

### *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





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

*Confidentiality is important in human service work.  
Confidentiality policies:*

- May cover 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.



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

### *Grievance Procedures are important for nearly all personnel policies:*

- 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.
- Helpful to have a general form of grievance procedures 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.



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

*Safety policies reflect concern for employees and protect the employer against lost work time and liability suits. Policies 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

The State of New Hampshire was one of the first states to recognize the need to enact legislation to protect the safety and health of its workforce



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

### *NH Department of Labor Safety Rules to know:*

- All employers with 15 or more employees shall:
  - Prepare a current written safety program and file this program with the DOL commissioner.
    - The program shall be reviewed and updated by the employer at least every 2 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.



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

## **Must-have policies related to employee status and treatment:**

- Title and pay
- Personnel files
- Reasons for termination



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

### *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

NH state law requires the each employee is 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.



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

### *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.



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

*Performance Reviews. Policies regarding reviews should explain:*

- Who does the reviewing.
- The criteria used for reviewing the employee's performance (the job description, the work of others in similar jobs, feedback from families, colleagues or supervisors? All or some of the above?)
- The review process. Does it include self-evaluation, goal setting, formal observation, etc.
- How often reviews occur.
- The consequences of a positive or negative performance review on an employee's job and advancement opportunities.





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

### *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 for a productive,  
legal, and safe workplace**

## **Must-have policies related to center procedures and operations:**

- Hours & flextime
- Payday



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

### *Hours and Flextime:*

- Child care centers have specific requirements for employee scheduling; licensing rules must be met, 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 what's expected.
  - How much paid time off do employees get? Do they have to work for a certain length of time before they're eligible?
  - 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?



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

### *Overtime:*

- Are all employees eligible for overtime? Salaried employees? Hourly employees? Is it determined weekly (i.e., after 40 hours), or daily (i.e., after eight hours in a day), or by the day of the week (Sundays and holidays)?
- Are employees required to work overtime?
- Is there a limit to how much overtime a worker can work?
- How is overtime approved?



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

### *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)?



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

### *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



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

Present policies in context. Why are they relevant?

- Support staff in their professional development
- Support the center in meeting its mission or purpose
- Fostering an environment of fairness and transparency
- Creating 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
    - <https://www.childcareaware.org/providers/opening-running-child-care-center/opening-child-care-center-action-steps/>





# NH Labor Law Resources

- **NHLABORNET** - an electronic discussion group sponsored by Sheehan Phinney. It is a free service designed to address the needs and concerns of human resources professionals in New Hampshire.

(<https://www.sheehan.com/resources/labornet/>)

- **NH 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>

- **NH 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>



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

### *Policy Handouts:*

- NH Department of Labor's "Top 10 New Hampshire Labor Law Violations"
- NH Department of Labor's "New Hire Checklist"
- NH 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)"
- NH Department of Labor's "Worker Compensation Fact Sheet"



# **How to Conduct Performance Evaluation to Foster Employee Commitment**



## How to Conduct Performance Evaluation to Foster Employee Commitment

- **Consider the employees mindset, once-a-year 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

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



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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.

Focus on Goals and Development



## How to Conduct Performance Evaluation to Foster Employee Commitment

*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

Supports culture of fairness and fosters accountability.



## How to Conduct Performance Evaluation to Foster Employee Commitment

*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.

**Always focus on behaviors, not personality.**



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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 they exhibit problem behaviors over that same time period:
  - Keep records, take notes, and make sure the evaluation reflects performance over the entire period

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





## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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

Provide opportunities for improvement.



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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.

Focus on ways good employees can exceed expectations.



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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.

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



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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

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



## How to Conduct Performance Evaluation to Foster Employee Commitment

### *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?

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



## **Key Takeaways on Performance Evaluation**

*To foster commitment in employees:*

- 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**



**Apply creativity and consistency in hiring and retaining staff**

*Start off by getting 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

You're most important work is done here!





**Apply creativity and consistency in hiring and retaining staff**

*Know your mission (or purpose) and core values*

- Create them thoughtfully
- Communicate them effectively
- Re-visit them often



**Apply creativity and consistency in hiring and retaining staff**

## *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."

Team Work - "We believe working together results in a stronger organization and community."

**Handout: Test your core values**



**Apply creativity and consistency in hiring and retaining staff**

*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



**Apply creativity and consistency in hiring and retaining staff**

*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.



**Apply creativity and consistency in hiring and retaining staff**

## Have a process in place for determining who is the best fit, continued:

- 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**



**Apply creativity and consistency in hiring and retaining staff**

## 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



**Apply creativity and consistency in hiring and retaining staff**

Your best tools for knowing what you expect from employees and communicating that effectively are:

- The job description
- Orientation
- Performance Evaluation

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



**Apply creativity and consistency in hiring and retaining staff**

## 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.





**Apply creativity and consistency in hiring and retaining staff**

## The job description, continued:

- 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.

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



**Apply creativity and consistency in hiring and retaining staff**

## Orientation:

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

- 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.



**Apply creativity and consistency in hiring and retaining staff**

## Orientation:

- 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.



**Apply creativity and consistency in hiring and retaining staff**

## Orientation:

- It enfoldes 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.
- By familiarizing new staff members with the organizational culture it increases the chances that they will fit well into the organization.



**Apply creativity and consistency in hiring and retaining staff**

## Orientation:

- 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**



## Apply creativity and consistency in hiring and retaining staff

### *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

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



**Apply creativity and consistency in hiring and retaining staff**

*Sometimes you need more.*

A 2016 study on retention in child care 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.



**Apply creativity and consistency in hiring and retaining staff**

*Sometimes you need more.*

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

Incentivize/  
Recognize

Model  
Behaviors

Choose  
coaching  
over  
discipline

Handouts:

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





**Apply creativity and consistency in hiring and retaining staff**

*Sometimes you need more.*

**When hiring, get creative:**

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

What do you do?

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.



**Apply creativity and consistency in hiring and retaining staff**

*Sometimes you need more.*

**To retain employees, get creative:**

- 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





## Key Takeaways Today

- 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 your 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>