

Creating workplaces that work... for everyone

What's an Employer To Do? Employees Who Break the Rules

Employees can drive you crazy with simple bad habits: missing or incomplete time records, poor attendance, immature conduct. What can an employer legally do to change behaviors?

Time's Up on Bad Habits

The law requires employers to keep complete and accurate time records. But when employees refuse to cooperate, your office is forced to track down the information.

An HR Compliance customer discovered a potential fix and let us know about it. When an employee fails to hand in accurate and complete time sheets, the law allows you to decrease that employee's pay a set amount (say 50 cents an hour) for the remainder of the month and the following month.

You have to notify employees first about this new policy *and* you have to limit the pay decrease appropriately. We'll help you with the language of the notice.

Give employees a leeway of one error per month—then make sure the next error results in the penalty.

Crystal Clear Expectations

Do you have rules about attendance? Do you expect employees to come to work on time, to miss no more than one day of work a month, to make up time if they arrive late? Whatever you expect, tell the employees in writing first and spell out the consequences for failure.

For new employees during their 90 day trial period, you should expect near perfect attendance. If they can't manage perfect attendance during the first 90 days, they certainly won't manage it later.

Definite Consequences

One of your employees refuses to work with another; or drinks to excess outside the office; or refuses to share tasks when you aren't around.

Once again, you need to plan ahead with clear rules written down and given to all employees.

HR Compliance supplies our clients with a General Industry Handbook that suggests this wording: "You are expected to use common sense in your personal appearance and demonstrate responsible conduct at work. Teamwork is of utmost importance. Most work assignments require concentration and moving in harmony with a machine and/or others in the workflow. Cooperation and mutual respect help us produce our product efficiently and safely."

We guide you in developing a specific policy and laying out the disciplinary actions for failure to comply. Then we help you enforce the rules.

FROM OUR CUSTOMERS

"Paula saves me a lot of time. I don't have to read and research everything to do with Human Resources coming from the state and Federal governments. I can scan things, and if I have a question I call Paula. She monitors everything and keeps me up to date."

RICK KOHLMORGEN,
Woodbound Inn, Rindge, NH

This newsletter refers to some of the regulations that may currently apply to small businesses.

© 2008 by HR Compliance 101, LLC

Paula Mathews
HR Compliance 101, LLC
P.O. Box 713
Fitzwilliam, NH 03447
E-mail: paula@hrcompliance101.com
Phone/Fax: 603-585-3139

www.HRcompliance101.com

Compliance Alert

Have you posted your OSHA 300A Summary Form yet?

OSHA requires you to post this completed form from at least February 1 through April 30 each year. Some exceptions are funeral homes and municipalities or other government entities. The form is a summary of work-related accidents and illnesses at your business in the previous year. Even if you had *no* work-related accidents or illnesses in 2007, you must still post the form.

Please contact HR Compliance 101 if you need help completing the form.



Workplace and Training Solutions

- Q. My employees are expected to be at work regularly and to work frequent overtime. Can I ask young female applicants if they have reliable child care?
- A. No, you can't even ask if they're married or have children. For that matter, you can't ask male applicants those questions either. The best rule of thumb: If in doubt, don't ask. At HR Compliance 101, we help train our clients to recognize legal versus illegal questions. Overall, we give you the procedures that create a robust hiring process. Call us to find out more.

FOR OUR CUSTOMERS

If you don't have the latest Independent Contractor poster (issued January 1, 2008) or a W-4 for 2008, we'll send them to you free. Email your request to paula@hrcompliance101.com.