

Creating workplaces that work... for everyone

Online Info on Employees: How to Protect It, How Not to Use It

FROM OUR CUSTOMERS

“Paula doesn’t just do things, she teaches us how to do them. The employees feel very comfortable talking to her. She gets along great with everyone and fits in well.”

GARY BARNARD, President & Founder, Moldpro, West Swanzey, NH

With identity theft clearly a growth industry, the state of Massachusetts has passed a new law requiring that businesses protect the personal information of Massachusetts residents: first name or initial combined with their last name, Social Security number, driver’s license number and numbers of bank, credit and debit accounts, among other data.

Too Much Information...

If you employ a Massachusetts resident or your clients include Massachusetts residents, you must conform to this regulation by developing, maintaining and monitoring an information security program to protect personal information and prevent unauthorized access.

As a first step, HR Compliance 101 suggests that you remove the request for a Social Security number from your job applications. You can always ask for that information later in the pre-hire process.

Massachusetts is leading the way: sooner or later other states will demand the same protections.

...Especially of the Wrong Sort...

Social media sites such as LinkedIn and Facebook are affecting the workplace, and not just as time wasters. Can you discipline an employee who calls in sick if his Facebook page reveals that he went to a concert instead of coming to work? Can you Google an applicant’s name and deny that person employment based on what you discover on the Internet?

Right now, employment regulations do not address this issues. However, that’s sure to change. In the meantime, we advise you to avoid decisions or actions based

solely on information from social media, however tempting.

...Leads to Trouble

What about workplace harassment claims based on inappropriate e-mails or forwarded pictures. Are you responsible for the use your employees make of their computers at work? Definitely!

Smart companies have a computer, e-mail communication, and Internet policy. The policy clearly states that:

- All electronic communication systems provided by the company are company-owned property.
- Any communications using these systems are subject to disclosure.
- Employees using company property do so with no expectation of privacy.

Companies have terminated employees who use the company Internet system to surf pornography sites or harass co-workers with inappropriate jokes and pictures. Employees using their own computers on company property or time are also subject to disciplinary action.

Use and abuse of technology is definitely an issue for all businesses.

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

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Compliance Alert

Check your First Aid kits.

HR Compliance 101 strongly recommends that any medicines—and this includes aspirin—be removed from your kits. An allergic reaction to a medicine provided by your company could become a costly liability.

Also make sure none of the products in your First Aid kits are out of date. If they are, replace them. We have a new checklist you can use to remind you to order new supplies.

Ask your Joint Loss Management Committee members to check the kits as part of their quarterly responsibilities.



Workplace and Training Solutions

- Q. Can my 16-year-old summer employees perform all the tasks that my adult, full-time employees normally perform?
- A. No! Absolutely not! State and federal child labor laws are very specific. Anyone under the age of 18 is banned from certain defined hazardous jobs or certain work in defined hazardous professions. “Hazardous” covers a wide range of activities. For example, 16-year-old employees cannot use a guillotine cutter or operate a wood splitter. If you hire minors (anyone under the age of 18), make sure you know what they can and cannot do. The fine for violating child labor law provisions is \$11,000 for each violation.

FOR OUR CUSTOMERS

Department of Labor inspectors are out in the field. Make sure you’re holding quarterly Joint Loss Management Committee (JLMC) meetings and posting the minutes. The JLMC is your Safety Committee.