

Managing Your Workforce: Best Practices

Courtney Berg, SHRM SCP, SPHR

CourtSide Consulting LLC

www.courtsidehr.com

cberg@courtsidehr.com

Agenda

- What are the best practices in hiring new employees?
- What are the regulations you need to know?
- How do you keep your great employees?



Hiring: Best Practices

What's Going On With Unemployment?

Federal Unemployment Stats March 3.5



[Foundation](#) [Careers](#) [Login](#)

[Resources](#) [News](#) [Events](#) [About Us](#)

National Unemployment Rates | 2008 - 2023

| | January | February | March | April | May | June | July | August | September | October | November | December |
|------|---------|----------|-------|-------|------|------|------|--------|-----------|---------|----------|----------|
| 2023 | 3.4 | 3.6 | 3.5 | | | | | | | | | |
| 2022 | 4.0 | 3.8 | 3.6 | 3.6 | 3.6 | 3.6 | 3.5 | 3.7 | 3.5 | 3.7 | 3.7 | 3.5 |
| 2021 | 6.3 | 6.2 | 6.0 | 6.1 | 5.8 | 5.9 | 5.4 | 5.2 | 4.8 | 4.6 | 4.2 | 3.9 |
| 2020 | 3.6 | 3.5 | 4.4 | 14.8 | 13.3 | 11.1 | 10.2 | 8.4 | 7.9 | 6.9 | 6.7 | 6.7 |
| 2019 | 4.0 | 3.8 | 3.8 | 3.6 | 3.6 | 3.7 | 3.7 | 3.7 | 3.5 | 3.6 | 3.5 | 3.5 |
| 2018 | 4.1 | 4.1 | 4.0 | 3.9 | 3.8 | 4.0 | 3.9 | 3.8 | 3.7 | 3.8 | 3.7 | 3.9 |
| 2017 | 4.7 | 4.7 | 4.4 | 4.4 | 4.4 | 4.3 | 4.3 | 4.4 | 4.2 | 4.1 | 4.2 | 4.1 |
| 2016 | 4.9 | 4.9 | 5.0 | 5.0 | 4.8 | 4.9 | 4.8 | 4.9 | 5.0 | 4.9 | 4.7 | 4.7 |
| 2015 | 5.7 | 5.5 | 5.4 | 5.4 | 5.6 | 5.3 | 5.2 | 5.1 | 5.0 | 5.0 | 5.1 | 5.0 |
| 2014 | 6.6 | 6.7 | 6.7 | 6.2 | 6.3 | 6.1 | 6.2 | 6.1 | 5.9 | 5.7 | 5.8 | 5.6 |
| 2013 | 8.0 | 7.7 | 7.5 | 7.6 | 7.5 | 7.5 | 7.3 | 7.2 | 7.2 | 7.2 | 6.9 | 6.7 |
| 2012 | 8.3 | 8.3 | 8.2 | 8.2 | 8.2 | 8.2 | 8.2 | 8.1 | 7.8 | 7.8 | 7.7 | 7.9 |
| 2011 | 9.1 | 9.0 | 9.0 | 9.1 | 9.0 | 9.1 | 9.0 | 9.0 | 9.0 | 8.8 | 8.6 | 8.5 |
| 2010 | 9.8 | 9.8 | 9.9 | 9.9 | 9.6 | 9.4 | 9.4 | 9.5 | 9.5 | 9.4 | 9.8 | 9.3 |
| 2009 | 7.8 | 8.3 | 8.7 | 9.0 | 9.4 | 9.5 | 9.5 | 9.6 | 9.8 | 10.0 | 9.9 | 9.9 |
| 2008 | 4.9 | 4.8 | 5.1 | 5.0 | 5.5 | 5.6 | 5.8 | 6.2 | 6.2 | 6.6 | 6.8 | 7.2 |

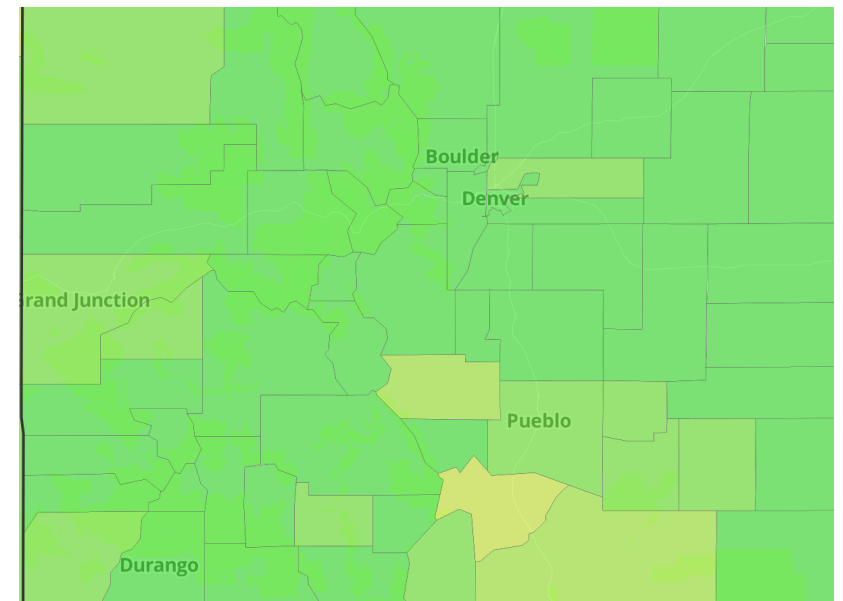
Source: Bureau of Labor Statistics

What's Going On With Unemployment?

State Unemployment Stats

Unemployment Rate

- More than 10%
- 9 - 10%
- 8 - 9%
- 7 - 8%
- 6 - 7%
- 5 - 6%
- 4 - 5%
- 3 - 4%
- Less than 3%
- N/A



The “Great Resignation”



Where are all the candidates?



FITSMALLBUSINESS.COM/free-job-posting-sites

Where are all the candidates?

Concert Car Wash Football Game
Grocery Store Restaurant Veterinarian DMV
Pet Store Skiing Employees Doctor
Auto Body Shop The Three-Foot Rule Social Event
Bank Family Theatre School
Bowling Soccer Field Hiking
Car Dealer Friends Coffee Shop Mall

WHAT
ARE THE
RULES



Equal Pay for Equal Work Act Summary

Employers with one employee in Colorado

Requires records of job description & wage information (2 years after termination)

Prohibits pay based on sex, asking or relying on salary history

Prohibits restricting employees from talking about compensation with each other

Must post compensation range and general benefit description in job posting

Must announce promotional opportunities to CO employees prior to decision

Health Families and Workplaces Act

- Started Jan 1, 2021 (16+); Starts Jan 1, 2022 (All)
- Provide Paid Sick Leave to all employees (1 hour for every 30 hours worked up to 48 hours)
- Begins when hired; can use it as accrued (for certain reasons – HIPAA/privacy apply)
- All employers have to provide Public Health Emergency Leave (in effect now)
- Notification: Written notice of rights under the act and display a CDLE poster
- If not followed: fines of back pay and damages



State and Federal Employment Laws

- Discrimination and Harassment
- Compensation and Overtime
- Safety
- Protected Leaves
- Workers' Compensation

Discrimination and Harassment Laws

- Federal Laws
 - Title VII of the Civil Rights Act of 1964 (15+)
 - Age Discrimination in Employment Act (20+)
 - Immigration Reform and Control Act of 1986 (all)
 - Genetic Information Nondiscrimination Act of 2008 (15+)
 - Americans with Disabilities Act (20+)
 - National Labor Relations Act (all)
- State Laws
 - Colorado Anti-Discrimination Act (all)

- Race
- Color
- Religion
- Creed
- National origin
- Ancestry
- Sex
- Pregnancy
- Age
- Sexual orientation (including transgender status)
- Gender identity/expression
- Genetic information
- Physical or mental disability
- Marriage to a co-worker
- Retaliation for engaging in protected activity (opposing a discriminatory practice or participating in an employment discrimination proceeding)
- Hair

Discrimination

Discrimination and Harassment Laws

- Hiring
- Employment actions
 - Promotion
 - Demotion
 - Pay increases or decreases
 - Shift assignments
 - Work duties assignments
 - Discipline actions
 - Termination actions
- “At-will”

Compensation and Overtime Laws

Fair Labor Standards Act (FLSA)

Federal law establishing minimum wages and overtime requirements and prohibiting oppressive child labor. Amended by the Equal Pay Act, the FLSA also prohibits employers from paying different wages to males and females who do the same work.

Safety Laws

Occupational Safety and Health Act (OSHA)

A federal law that requires employers to comply with a variety of safety and health standards for the protection of their employees.

Workers' Compensation

Workers' Compensation

A state statutory arrangement funded by employers, under which employees who suffer work-related injuries or occupational illnesses receive benefits while out of work or while limited in the ability to work. Death benefits are provided to dependents of employees who are killed. The statutes also typically provide for payment of medical expenses, funeral benefits, and vocational rehabilitation.

Company Employee Handbook

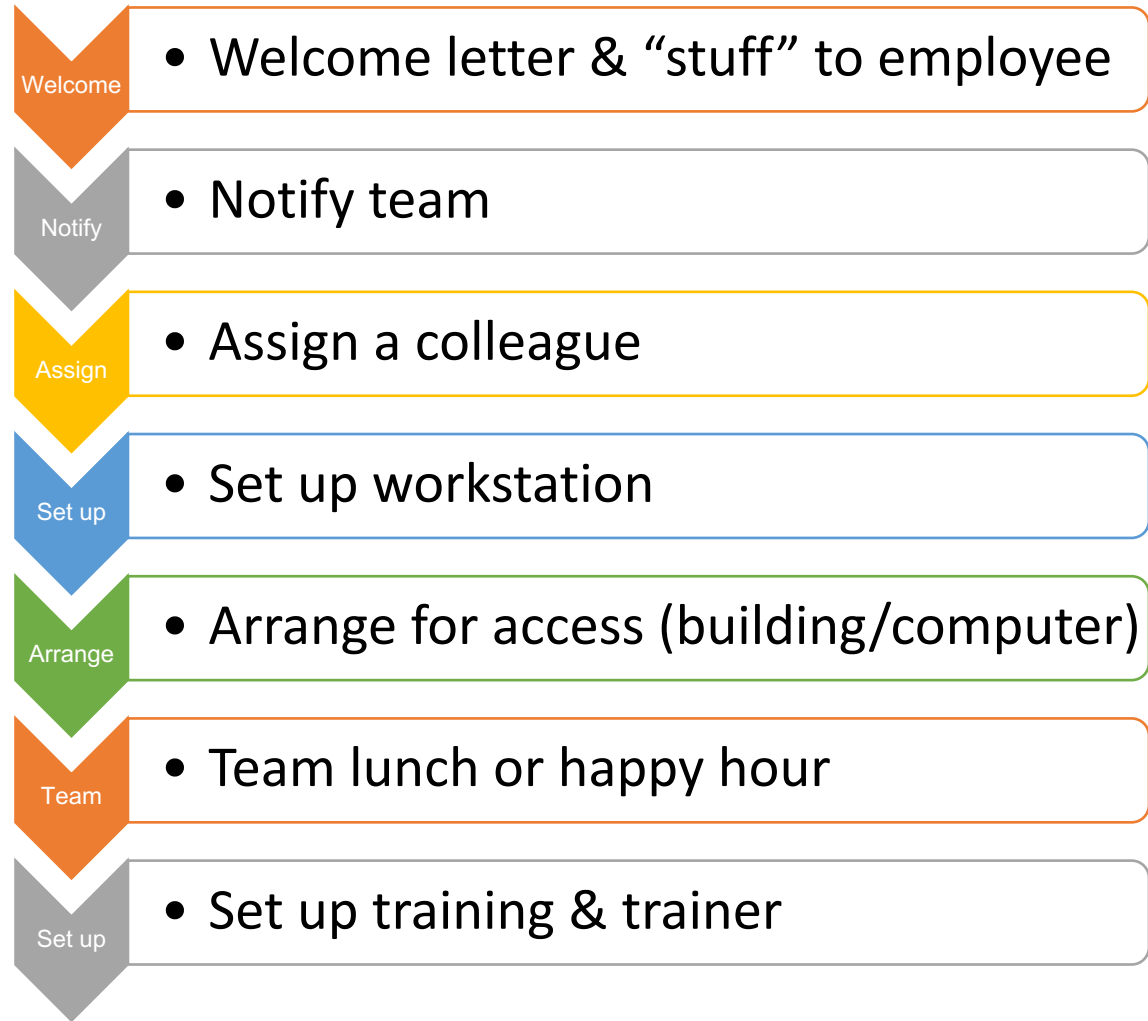
- Welcome
- Introduction
- Hiring & Orientation Policies
- Wage & Hour Policies
- Performance & Discipline Policies
- General Policies
- Benefits
- Safety & Loss Prevention Policies
- Trade Secrets & Inventions
- Customer Relations
- Acknowledgement of Receipt Form

Protected Leave Laws

- **Family Medical Leave Act (50+)**
- **Americans with Disabilities Act - Amendments Act (20+)**
- Pregnancy Discrimination Act of 1978 (15+)
- Jury Duty Leave
- Voting Leave
- Military Leave
- Healthy Families and Workplaces Act - Paid Sick Leave (Colorado)
- Volunteer Firefighter Leave (Colorado)

How to Keep Great Employees

On-boarding Checklist



What is in our control with employees?



VALUE



COMPASSION



MEANINGFUL
DIALOGS



ACTIVE
LISTENING



"SEEING" YOUR
EMPLOYEES

What can you do right now?

- Rethink educational and industry experience requirements
- Offer greater flexibility and remote/hybrid work options
- Assess your wage competitiveness
- Prioritize happiness and wellbeing

Performance Management



Setting expectations and goals



Coaching



Accountability



Progressive Discipline



Documentation

Questions

