

HOT SHEET

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Full-Circle HR



"No, I'm not familiar with the dress code ... but I'm pretty darn sure that jammies aren't on it!"

Did you know that:

- Congress is again considering a nationwide paycheck fairness bill that will prevent employers from asking for previous salary history and will require them to prove that pay differences are not gender-based?
- Employment record retention is a complex and critical part of being an employer and is based both in state and federal law (contact us if you want to learn more)?
- We can provide reasonably priced and custom anti-discrimination training for your staff and managers?
- Experts at Entrepreneur say that the key to employee retention is a culture of healthy, happy employees who are excited and motivated by their work at your organization?
- SHRM projects that wages will go up by 3.2% in 2019, a nominal increase in spite of recent tax cuts?
- According to SHRM, in 2017, use of contract workers was up by 56% over the previous 10 years meaning that 16% of the U.S. workforce was contract workers; this is likely to increase due to recent changes in the NLRB definition of contract worker?

LGBTQ as a Protected Status

With discrimination and harassment a high profile topic in the news and in our workplaces today, it's important to have a clear understanding of the legal requirements, as well as the implications of having disrespect and discrimination occurring among your staff. One of topics that can be confusing in this area is that of employment protections for lesbian, gay, bisexual, transgender and queer (LGBTQ) workers.

Dealing with the hodgepodge of state and local laws and conflicting interpretations of federal law can be daunting for employees and employers alike. To ease confusion and provide clarity, businesses should consider adopting the most inclusive policies, employment law attorneys suggest. If you operate in several states, then it is best to have one policy and adopt the one that is most inclusive. This will foster a con-

sistent culture throughout your organization.

Even in states and organizations where a broader EEO statement has been adopted to include sexual orientation, gender identity and gender expression, employees may not feel like they can bring their whole self to work and be open about their status. According to a 2018 Human Rights Campaign survey, 46% of respondents said they are not open about their status at work. Even when policies may offer protections, incongruous practices and failure to train those policies may result in a culture that may render the policies meaningless for those they are intended to protect. Employees don't want to feel at risk for being bullied or socially viewed as outcasts. So it's important assure that your policies not only clarify these boundaries but that your practices and training assure your intent is

carried out.

Interestingly, currently, 21 states and the District of Columbia prohibit employment discrimination based on both sexual orientation and gender identity. While states continue to expand protections, Title VII, which is the federal discrimination law is unclear. It does not explicitly name sexual orientation or gender identity. This has led to case law that works to interpret the implicit protections. This means there is almost uniform recognition that Title VII protects LGBTQ individuals from sex stereotyping and same sex harassment. Examples of unlawful stereotyping include: • Firing a male employee because of effeminate mannerisms or • Declining to promote a female employee because she does not wear makeup or doesn't have the 'feminine image' that

the employer desires. Even though employees in these situations may be protected from sex discrimination under Title VII, case law in this area is still evolving and federal appellate courts disagree as to whether sexual orientation or gender identity falls under the purview of Title VII. Under the previous administration, a memo was issued that the Department of Justice (DOJ) would consider adverse employment actions against transgender employees to be a violation of Title VII, but the current administration has reversed that position.

Ultimately, Congress or the U.S. Supreme Court will have to take definitive action if employers are ever to receive a clear message as far as Federal Law is concerned.

The problem with the rat race is that even if you win, you are still a rat.
—Lily Tomlin

Some Tips for Effective Meetings

According to a recent survey, on the average, employees spend 21% of their time in meetings and they feel that 25% of that time is wasted. A top complaint named was that meetings are called to share information that could have gone out in an email. According to the survey, 71% of managers are also dissatisfied with meetings and feel they are unproductive and inefficient.

Here are some tips from J. Elise Keith of Lucid Meetings in Portland, Oregon, to help meeting leaders run better meetings by improv-

ing productivity and engagement and fostering a positive outlook. **1. Prepare** by being clear about the meeting's purpose, the desired outcome and how you will achieve it. **2. Limit the number of participants.** The most productive meetings have fewer than 8 participants. More than that and you run the risk of having people who are disinterested and who become resentful that their time is being wasted. If you must have a larger meeting, plan the topics that are pertinent for everyone and call separate meetings for topics suitable for smaller

groups. **3. Send an agenda and background material in advance.** A more thoughtful discussion will occur if your participants have an opportunity to review the material and think about the topic. **4. Start and end on time.** Start the meeting on time and don't wait for stragglers to arrive. But don't begin the meeting with the heart of the discussion - this will allow for latecomers and also allow those already in the room to begin to bring their focus to the main topic. **5. Make sure all attendees can participate.** A top complaint about meetings is that some people

dominate them. Be sure to bring all voices into the room, particularly those who will be most affected by the outcome and those who may have a different perspective. **6. Keep a written record.** Taking notes that everyone can access will help keep everyone on track with what was said and action items needed. Be sure action items and deadlines are reasonable. **7. Follow up.** Assure that action item deadlines are met. Less than 85% success on this and employees may become discouraged about effectiveness and then disengage.