

From: Business Management Daily

Subject: Practical HR strategies to boost your career

## In The News ...

**Employees less likely to quit when equity plans rise.** There's a new way to retain employees, according to research from Computershare, which reports that employees are far less likely to quit their jobs when they see their equity stake in their company represents a greater proportion of their total wealth.

Computershare says companies looking to retain talent should consider extending their share plans to a wider base of employees.

The research also shows that employees who see their share plans represent a greater proportion of their total wealth will more strongly view themselves as a member of the organization, develop a greater sense of loyalty and commitment, and feel an increased sense of workplace accountability.

**Employers who encourage connections will like the results.**

A small nugget in a recent survey regarding workplace connections should be music to employers' ears. Half of the respondents who feel connected said they strongly agree their job motivates them to go above and beyond, compared to just 9% of those who feel disconnected, according to the Enboarder survey.

Unsupportive or passive managers and lack of transparency are top barriers to connection. Respondents say 29% of managers do not provide enough support.

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## HR pros want threat management training

HR specialists may not realize they are responsible for protecting their companies from physical harm. Still, according to a new study, 75% said that due to failing to notify their department in advance, violence occurred when an employee was furloughed or fired.

This is why almost all human resources executives say behavioral threat assessment or threat management training is essential for their job. The statistics were taken from protective intelligence software firm Ontic in their 2022 Mid-Year Outlook State of Protective Intelligence Report, showcasing perspectives from U.S. company HR leaders.

Workplace violence is rising due to the pandemic as stressed-out workers become more aggressive. According to Techjury, studies show that two million people report workplace violence every year, and health-care workers make up 50% of the victims.

The survey found that one in seven feel unsafe in their workplace, while less than half (45%) are familiar with their company's safety plan.

Workplace violence is defined as any act or threat of physical violence, harassment, intimidation or other threatening, disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide.

Preventing workplace violence is another area where developing a written action plan is crucial. This can take the form of a separate workplace violence prevention program or be

incorporated into a safety and health program, employee handbook or manual of standard operating procedures. It is critical to ensure all workers know the policy and understand that all claims of workplace violence will be investigated. And adopting a zero-tolerance policy is crucial. Employers may also consider conducting mock training exercises with local law enforcement.



### Spot the warning signs

Several indicators can warn employers that employees may have a problem. These behaviors can often be managed or treated if they are identified early. These can include:

- Mental health and substance abuse issues that escalate.
- An unhappy workplace bully who becomes aggressive.
- Disgruntled employees looking for an opportunity to "get back" at an employer.
- Individuals who feel like they have nothing left to lose due to a significant personal (e.g., divorce) or professional (e.g., overlooked for a promotion or fired) loss.
- Signs of depression or withdrawal.
- Explosive outbursts of anger without provocation.
- Suicidal comments—e.g., putting things in order.
- A noticeable decrease in attention to appearance.
- An increased interest in firearms or violent incidents.
- Cyberbullying—e.g., texts, offensive emails.

# Build a resilient team

Many stressors are out of our control: the pandemic, the highest rate of inflation in 40 years, a war in Europe, one-third of all businesses closing due to covid and the uncertainty of a looming recession.

Many HR specialists suffer from burnout, leading them to quit their jobs. Depression, stress and anxiety, according to a global study, now account for 82.6% of all emotional health cases.

But resilient employers view a difficulty as a challenge, not a paralyzing event, according to Hilary McLain of McClain Resources, former HR vice president at MGM Las Vegas, who spoke to Business Management Daily as part of its HR Specialist Summit.

“Bad events are temporary, rather than forever, and resilient people don’t allow setbacks to influence

unrelated areas of their lives,” she said. “Resilient people are committed to their lives and goals and have a compelling reason to get out of bed in the morning. These people focus

on events they *do* have control over.”

Building resilience is building confidence, and it’s important because it can decrease burn-

out and stress, create higher performances, create an agile workplace and allow employees to thrive in change.

**Building resilience is building confidence, creating higher performances, creating an agile workplace and allowing employees to thrive in change.**

## Keys to developing a resilience plan

- **Candor:** Is your team able to have open, honest dialogue and feedback with each other?
- **Resourcefulness:** When faced with problems, can your team remain flexible and put together practical solutions?
- **Compassion and empathy:** Do

## Resiliency roadblocks

There are roadblocks to resiliency in the workplace. Work with leaders to help them flip the narrative regarding their relationships with their employees.

**Example:** “They don’t respect me.”

**Answer:** Assume positive intent.

**Example:** “He doesn’t like me.”

**Answer:** Adjust your perspective.

**Example:** “My people will never communicate effectively.”

**Answer:** Just because it happened in the past doesn’t mean it will happen that way in the future.

**Example:** “Employees are lazy and unproductive.”

**Answer:** Seek first to understand the behavior.

employees genuinely care for each other and share successes and failures? Can they relax and learn from failures?

- **Humility:** Can your team and employees ask for help? Can they develop strong relationships?

# Three ways to empower employees

More than two years into hybrid work, not everyone agrees on whether it’s the future. Some employers wax nostalgic for the pre-pandemic days—offices buzzing with chatter, Starbucks runs, happy hours and bonding exercises. But if these companies demanded a return to the office, a recent Gallup survey says 70% of employees said they would quit if required.

Employees have embraced flexible work and its benefits and are rejecting a return to hustle culture. So now more than ever, it’s the job of every leader to balance employee interests with the organization’s success, aligning everyone around the most impactful work.

The good news for supervisors is that workers would go into the office more frequently if they knew their direct team members would be there (73%) or if their work friends were there (74%). Younger people are especially keen to use the office to

establish themselves as part of their workplace community.

According to a survey of 20,000 people in 11 countries that analyzed trillions of Microsoft 365 productivity signals, along with LinkedIn



labor trends and Glint People Science findings, the data points to three necessary pivots for HR leaders to empower people for the new work landscape.

1. **End paranoia:** Most employees (87%) report being productive at work, but only 12% of employers agree. Stop being paranoid and devise a plan for tracking productivity rather than pinging people

at every turn to ensure they’re at their desks.

2. **Foster social connections:** The data shows that people come to recapture what they missed: social connections. Workers now expect flexibility and autonomy around how, when and where they work. Policy alone will not reverse this reality: 73% of employees and 78% of business decision-makers say they need a better reason to go in than just company expectations. It’s your job to give them those reasons.

3. **Offer training and flexibility:** The data shows that if people can’t learn and grow, they’ll leave. The best leaders prioritize learning and development to help people and the business grow. Younger generations are also more likely to stay at their current company longer if the company gives them the flexibility to pursue side projects (77%).



# Boorish behavior or harassment? Know the difference

Not every crude comment or poorly received joke amounts to sexual harassment. An older federal appeals court decision overturning a sexual harassment jury award offers tips on what qualifies as illegal sexual harassment and where to draw the line.

**The case:** Valerie sued her employer, Culligan International, alleging she had been forced to work in a sexually hostile environment. When assigned a new supervisor, she began documenting behavior she viewed as sexual harassment. For example, he referred to her as a “pretty girl” and commented on a leather skirt she wore to work. When Valerie asked him if he had gotten his wife a Valentine’s Day card, he responded that he had not because “it was lonely” in his hotel room since his wife had not yet relocated.

A jury found that Valerie had worked in a sexually hostile environment and awarded her a modest \$25,000. But the employer appealed, arguing that while perhaps boorish, the supervisor’s behavior didn’t rise to the level of harassment or widespread

hostility towards women. The appellate court reversed the verdict, writing, “[W]e do not think that these incidents, spread over seven months, could reasonably be thought to add up to sexual harassment.” Instead, the conduct, in this case, was “vulgar banter, tinged with sexual innuendo, of coarse or boorish workers.” The court noted there had been no touching, no exposure, no threats or promises in exchange for sex and nothing that could not “be repeated on primetime

television.” (*Baskerville v. Culligan*, No. 94-2837, 7th Cir., 1995)

**What’s changed?** The #MeToo social media movement that took off in 2017 brought renewed attention to sexual harassment in the workplace and society. Suddenly, employers were left to grapple with a surge of complaints—many of which were of blatant physical and emotional abuse. But employers that followed earlier guidance have little to fear if the behavior falls on the boorish side of the equation.

## Harassment persists, even in remote age

Sexual harassment persists, even in the far-flung, remote workplaces created by covid, according to a survey by the Shift Work Shop. More than half (56%) reported being harassed remotely, compared with 50% of in-person workers. Native American and Black workers experienced the most harassment, according to the survey, and the proportion of men reporting sexual harassment grew compared to 2021.

How could moving to remote work create more sexual harassment and romantic entanglements? It could be that digital messaging apps, such as Slack, create an informal atmosphere around communications. The move away from the office can also unmoor some employees from office norms, sparking more employee misconduct, speculated the *New York Times*.

The Shift Work Shop’s data supports this theory: 53% of workers had experienced workplace sexual harassment via email, Slack or other messaging apps.

# Creating a diverse workplace: Erase the fear

Creating a diverse workplace remains a top goal for many employers. But organizations also wonder if those efforts may include unintended consequences like reverse discrimination or other lawsuits. Fortunately, courts are attuned to potential complications and are increasingly giving employers room to make mistakes during the transition to a more inclusive and diverse workplace. Judges presume good faith on the part of employers.

**Recent case:** Klayton identifies as an openly gay, gender-nonconforming male. Since 2015, he has held a senior-level executive position at Comcast. He is currently the Senior Vice President of Government Affairs and is highly compensated. For example, in

2019, he received a base pay of almost \$300,000 plus bonuses for total compensation of \$693,000. Others in similar positions at Comcast earned the same or more.

Klayton sued, alleging that he was the victim of pay discrimination and a hostile work environment because of his sexual orientation and gender nonconformity. He alleged, for example, that other executive-level employees earned more in total compensation. He also claimed to have been subjected to occasional sexual orientation name-calling by other Comcast employees. He was warned about acting “too gay” and was told that a higher-level executive didn’t want to see employees wearing pink shirts to meetings.

The court dismissed the case. The trial judge said encouraging diversity was admirable. But he noted that conflicts would ensue as more persons from historically underrepresented groups are hired and promoted. This may lead to behavior some would view as microaggressions. This does not automatically make the employer liable. The judge noted that “[a]ny conclusion otherwise would discourage discussions about diversity, returning us to a time when employees’ differences were unspoken, unacknowledged and therefore unappreciated.” He then dismissed the hostile environment claim. He also accepted Comcast’s complex compensation system as non-discriminatory. (*Fennell v. Comcast*, No. 19-4750, ED PA, 2022)



### HR department party to racial slurs, DOJ lawsuit contends

When an African American employee subjected to a racial slur complained to the HR department, he and a fellow employee were allegedly targeted with additional harassment and then fired, according to a DOJ lawsuit filed in October against Bartow County, Ga. The suit alleges that the county, which employed both men, violated Title VII when it subjected Carlen to a racially hostile work environment, retaliated against Carlen and fellow employee Bobby and fired them. Both men are African American.

In 2019, Carlen complained to his supervisor that a white co-worker sent him a text message referring to him as an “N-word.” After the complaint, the HR director called Carlen into his office, where he subjected him to additional, severe racial harassment in front of the employee who sent the racist text message. The HR director also demanded to know whether Carlen had informed anyone else of the text message, and he responded that he had told Bobby. Just over two weeks later, the county accused both men of misconduct and terminated their employment. The complaint alleges that Carlen and Bobby, each of whom had been promoted several times, had no prior history of discipline with the county before Carlen complained about race discrimination.

The lesson is clear. “No employee should have to endure racial harassment or retaliation in the workplace, especially racial slurs,” said Assistant Attorney General Kristen Clarke. “Punishing employees for reporting

harassment and discrimination to their supervisors is illegal and undermines the basic statutory protections designed to identify and root out racial harassment in workplaces across the country.” (*United States vs. Bartow County*, 4:22-cv-00232-HLM-WEJ, ND GA, 2022)

### Head-scratcher: Staffing company hires based on race, sex and other discriminatory practices

Another staffing company was hit with a lawsuit for complying with clients’ race and sex preferences, placing employees in positions based on race and sex, and rejecting pregnant applicants.

Staffing Solutions of WNY, Inc. will pay \$550,000 and furnish other relief to settle an employment discrimination lawsuit filed by the EEOC. In addition to hiring based on race and sex, the complaint alleged that applicants over 50 were routinely rejected. Applicants were asked about injuries and medical conditions and then rejected if the company deemed them disabled.

Finally, the EEOC charged that an office manager for Staffing Solutions complained about the illegal hiring practices but was warned that she would be fired if she failed to comply. The EEOC said the office manager felt she had no choice but to resign. (*EEOC v. Staffing Solutions of WNY, Inc.*, Civil Action No. 1:18-cv-00562, WD NY, 2022).

The case is just another reminder for employers who think they can ignore the law.

“The law is clear that complying with a client’s discriminatory request is illegal,” said Jeffrey Burstein, regional attorney for EEOC’s New York District Office. “Staffing companies cannot prioritize clients’ discriminatory preferences over following the law.”

## HR Q&A: Reimbursements

### In which state is severance pay taxable?

**Q.** An employee retired and moved to another state. He’ll receive payments under a non-competition agreement for the next three years. Should we withhold and report for his former state, his new state of residence or both? We don’t have an office in his new state.

**A.** This is called trailing compensation. You continue to withhold and report to the state where the wages were earned. The employee is taxable in his new state of residence, but since there’s no nexus between the payments and his new state, you have no obligation to withhold or report to this state.



### Report travel reimbursements on an employee’s W-2?

**Q.** An employee lives in New Jersey and works in New York. She often travels from her home to the New Jersey office to pick up papers and then goes to the New York office; she doesn’t work at home. We estimate she’ll receive over \$500 in travel reimbursements. Must this be reported on her W-2?

**A.** You don’t need to report the reimbursement on her W-2 unless your reimbursement rate exceeds the IRS’ standard mileage rate. The employee’s tax home is her New York office, so travel from her residence to the New Jersey office isn’t commuting. The employee, of course, must substantiate her business travel—the days, mileage and purpose of traveling to the New Jersey office. *Reminder:* The standard mileage rate was 58.5¢ a mile through June 30 and 62.5¢ a mile for the second half of the year.

# Are you prepared for layoffs?

The September Department of Labor jobs report was solid, and the unemployment rate fell. Thus, despite the Federal Reserve's raising interest rates to cool inflation and the hot labor market, employers still face stiff competition for willing and available workers. Increasingly, workers who have sidelined themselves are returning to the labor market. This means new hires are more likely to come from legally protected groups, including those older than 40, the disabled and women with young children.

If that describes your recent hires, now is the time to prepare for inevitable layoffs in a way that doesn't trap you in litigation. Here's how:

- **Review your layoff policies:** What do your current policies say? Be careful if you base who is the first to go in a downturn on seniority. Such a policy may have a dispa-

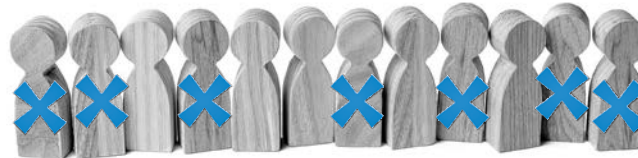
rate impact on a protected class. For example, if the recently hired cohort includes a substantial number of older workers, you may unintentionally discriminate based on age.

- **Revise layoff rules to focus on objective criteria:**

Many employers use performance appraisals to create layoff priority lists. Ensure assessments focus on the right measures—the more objective, the better. Assign more weight, for example, to meeting numerical sales targets and less weight to subjective measures like being a team player.

- **Audit your layoff list before using it:** No matter what factors you used, have someone determine the potential impact on a protected

classification. Look for obvious problems like lists that skew to terminating older workers or one sex over another, and so on. If you find troublesome patterns, consult counsel before carrying out the layoff.



- **Offer severance pay in exchange for a release:** One way to avoid litigation is to have employees agree to accept severance pay in exchange for a no-lawsuit promise. Be careful with older workers protected under the Older Workers Benefit Protection Act (OWBPA). They're entitled to time to review the offer and consult with an attorney.

## Omitting salary in a job description

A hot debate in HR is whether to post a salary range in job descriptions. A growing number of local and state laws—California's, for example—recently mandated it.

But is it a good idea? If you ask prospective candidates, the answer is a resounding yes.

Employers who omit salary information on job postings are deemed untrustworthy and may be turning away top talent, according to a recent survey by job search engine Adzuna. Of the 2,000 job seekers polled, 28% are most frustrated by the lack of salary in job ads.

In addition, omitting the salary range makes potential applicants skeptical of the company. About a third (32%) assume the company is hiding something, while 30% said it shows the company would underpay them.

After exhaustive interviews, 54% of candidates declined an offer when they learned the intended salary. While pay disclosure may attract talent and the practice is gaining steam, WTW's Pay Clarity Survey revealed that 31% of employers say they're not ready to include pay in job listings.



Almost half of all organizations (46%) cite possible employee reactions as a reason for holding back on including salaries.

Aside from attracting the best candidate, there are benefits to adding salary in postings.

- **Save money.** A study by AI hiring solutions firm PandoLogic found that recruiting costs may be saved. The study revealed that postings including salary performed better in the first quarter of 2021.

- **Comply with the law.** HR pros need to brush up on equal pay laws to avoid winding up in court. As of Nov. 1, 2022, New York City will require employers to advertise jobs with a "good faith salary range" for every job advertised. Colorado requires employers to disclose hourly or salary compensation, or a range of that compensation, in job postings. In California, employers with 15 or more employees will have to include pay ranges in job postings starting Jan. 1, 2023.

- **Embrace an open dialogue.** Talking openly about equitable pay helps employees understand how salaries are determined. In the WTW study, almost half of all organizations (46%) cite possible employee reactions as a reason for holding back on including salaries.

To: \_\_\_\_\_  
 From: \_\_\_\_\_

Date: November 2022  
 Re: Heading off toxic behavior

## Online civility

# 8 tips for keeping workplace messages from turning toxic

A positive work environment where employees feel respected and safe encourages productivity, morale and retention. Thus, we all have a vested interest in eliminating harassment, bullying, belittling, gossip and other types of toxic talk among staff.

While such behavior still sometimes takes the form of whispers around the office or encounters out of earshot from the boss, an increasing number of toxic actions occur online. The faceless nature of chat rooms and direct messages often makes instigators bolder than they would be in person and less worried about being caught.

The new remote or hybrid workplace also contributes to the problem of toxic communication. Remote workers increasingly have relied on virtual interaction during great uncertainty and challenges. Discombobulated, irate and bored employees may lack as many filters, possess a shorter fuse or get a charge out of stirring up trouble.

The best time to address such issues is before they become a major plague—or a lawsuit. Here are eight strategies for us all to employ.

## 1. Remind workers to stay professional

While many office standards have fallen by the wayside during remote operations, respectful behavior cannot be among them. Proper treatment of others must endure whether dressed in sweatpants at home or sporting a suit on the fifth floor of a high-rise.

Slack and similar communication outlets add to the casual atmosphere. While this informal environment helps to maintain workplace culture among a scattered team, employees cannot consider it a free-for-all. Bonding over pets and shared recipes is one thing; spouting racist comments is quite another. Make sure everyone knows to

follow the same advice given to junior high students: If you wouldn't say it to someone's face, don't say it online.

## 2. Point out interpretation problems

Messages may be received differently than the sender intended without body language, facial expressions and tone. Jokes may not appear funny, and bold type or all caps can appear hostile.

Don't assume people know how to communicate appropriately in chats, DMs or emails. Encourage workers to think about their writing, aim for clarity and reread words before sending. Insist that anything potentially sensitive or confusing gets handled via video conferencing to maximize understanding.

## 3. Educate staff on policy

If your employee handbook lacks information on cyber behavior, add it now. Then, make everyone aware of expectations and consequences. Highlight, too, that electronic messages on company devices and communication channels are the property of the organization and subject to backup, download and review.

## 4. Provide outlets to report improper behavior

Let employees know that you want questionable comments drawn to management's attention. Whether on-site or remote, every person should know whom to notify and by what method.

Managers aren't always privy to what goes on behind the scenes, so it pays to enlist the help of everyone on staff. However, bystanders who witness toxic talk may be reluctant to come forward. Anonymous, periodic surveys offer a place to alert the company to possible problems, such as a chat room that routinely includes sexist remarks.

## 5. Conduct one-on-one check-ins

Talking with team members regularly

provides the opportunity to learn more about each person's experiences at the company. You may get wind of talk making the employee uncomfortable at a much earlier stage rather than first hearing it when someone files a formal complaint or quits.

Personal meetings also may cut down on toxic talk about management. Such interaction boosts connection and shows that the organization cares about each worker.

## 6. Don't ignore complaints

Awareness of toxic talk is just the first step. Managers need to act in accordance with company policy to address a problem and follow up on it. Failure to do so disheartens victims and sends perpetrators the message that nobody cares to confront them.

## 7. Stay alert

Try to spot signs of trouble. Doing so may be more difficult when dealing with remote staff, but it pays to make an effort. Is someone not participating in meetings or clamming up when a colleague joins the group? Has someone asked you to run interference with another team member or requested to be transferred to a different project? Does a staff email thread include uncalled-for or hostile remarks? These things could signal trouble. Inquiring at an early stage is preferable to missing the conflict up until a valuable employee resigns.

## 8. Be a good role model

Lastly, remember that you set the tone for your team. Watch your own spoken and written language. Off-color jokes, insensitive remarks, "harmless" teasing, gossiping and similar toxic talk are less likely to seem off-limits if the person in charge partakes too.



## Sexual harassment: This employer did everything right

I read a federal court opinion recently that reaffirms how important it is for employers to institute effective antiharassment policies in their employee handbook.

Before I tell you about the facts, I'll skip right to the punchline.

“The employer’s promulgation and dissemination of an antiharassment policy is fundamental to meeting the requirement for exercising reasonable care in preventing sexual harassment.”

Indeed, “an employer is insulated from liability under Title VII for a hostile environment sexual harassment claim premised on constructive knowledge of the harassment when the employer has adopted an anti-discrimination policy that is comprehensive, well-known to employees, vigorously enforced, and provides alternate avenues of redress.”

Fortunately for the defendant-employer, it had an effective policy and made it available to employees (including the plaintiffs) in various ways.

- Maintained a database through which all employees could access its policies.
- Distributed its policies to employees at new-hire orientation.
- Provided an “alert” to all employ-

ees regarding updates to its policies, which included a directive instructing employees to read the updated policies.

With these reminders about the scourge of sexual harassment in the workplace, the employer expected that victims would promptly report violations.

Indeed, the law is clear on this. Plaintiff-employees who unreasonably delay or fail to take advantage of any preventive or corrective opportunities that a defendant-employer provides to avoid harm often lose their related sexual harassment lawsuits.

Here, the plaintiffs knew about the defendant’s policy. Yet, they waited to complain following alleged sexual harassment. One plaintiff delayed complaining for more than four years, another delayed complaining for more than two years and the final plaintiff delayed complaining for more than three months. These delays directly contradicted the defendant’s policy, which encouraged employees to “report harassment promptly, earlier instead of later.”

The defendant apparently only learned about the alleged sexual harassment from reading about

it in the plaintiffs’ EEOC Charges of Discrimination. Still, within days of learning about the allegations, the defendant suspended the alleged harasser, investigated him and fired him days later. So, the facts supported the defendant’s prompt remedial action after it received actual notice of the misconduct.

You need a widely disseminated antiharassment policy that includes:

1. Types of behavior the company will not tolerate.
2. Examples of bad behavior.
3. Multiple avenues to complain.
4. Encouragement to complain quickly.
5. An effective complaint process.
6. An explanation of the steps the company will take to address complaints.
7. Points of contact for employees with questions about the policy.

**Bonus tips:** Pair the policy with regular training on it. And make sure the policy is clear enough (and in a language) that employees can understand it.

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## Tattoos no longer workplace taboo

Since the start of covid, a study shows that 60% of Americans think that the definition of what is deemed “professional” has changed, according to Bloomberg.

And that includes tattoos. More than half of all Americans under 40 are inked up, says a recent Rasmussen report, which accounts for a whopping 145 million. Millennials represent 41% of all people with tattoos, with women outnumbering men.

While employers struggle to fill vacancies, body ink is no longer an impediment. Disney, UPS, Virgin Atlantic and the U.S. Army are among organizations that have relaxed visible tattoo restrictions in the workplace amid a tight labor market and as an increasing percentage of the population chooses to get tattooed.

An American Institute of Medical Sciences and Education study showed that 73% of people say they would hire staff who had visible tattoos.

On September 29, a bill was introduced to ban tattoo discrimination by employers and landlords in New York City. If passed, tattoos (with the exemption of hate speech and racist symbols) would be protected from discrimination in the same way as gender, race, age and sexual orientation.

Once associated with bikers, prisoners and anti-social behavior, tattoos bore a negative stereotype for years. With modern policies, employers are relaxing rigid dress and hair rules to encourage employees to bring their “authentic selves” to work.

Even if it does include that tat of your cat. Or a skull. Or whatever brings you happiness.

## Upcoming webinars for HR

- |          |  |
|----------|--|
| Nov. 9:  | <b>Workplace Detox:</b><br><i>How to Legally Deal with Toxic Employees</i>   |
| Nov. 10: | <b>Revise Your Job Descriptions for 2023:</b><br><i>A Workshop for HR and Managers</i>                                   |
| Nov. 11: | <b>Payroll Compliance:</b><br><i>Preparing for Year-End and 2023</i>   |
| Nov. 17: | <b>Employee Handbook Checklist:</b><br><i>Required Changes for 2023</i>  |
| Nov. 18: | <b>Performance Review Workshop</b>   |
| Nov. 30: | <b>Quiet Quitters:</b><br><i>How to Re-engage Underperforming Employees</i>  |
| Dec. 1:  | <b>The Magnetic Manager:</b><br><i>Becoming the Best Boss You Can Be</i>   |
| Dec. 2:  | <b>The First 90 Days:</b><br><i>Successful Onboarding Strategies to Boost Productivity, Performance &amp; Engagement</i> |

To register or learn more, go to [www.theHRSpecialist.com/events](http://www.theHRSpecialist.com/events)



## How to deal with unclaimed wages

You must retain final paychecks that can't be delivered to departed employees as unclaimed wages. Most states consider uncashed checks to be abandoned after one year. Once a check is considered abandoned property, you must take steps to contact the employee; set up an unclaimed wages escrow account; keep records, usually for 10 years; and file a report and remit those checks to a state office, usually the state treasurer.

You report to the state of the employee's last known address. If you don't know the employee's last known address, which could happen for seasonal or temporary employees, you report to the state where the company is incorporated. Remittances are usually due with the report. The most common reporting period is Nov. 30 for unclaimed wages outstanding as of the preceding June 30. But states can have different reporting periods.

**Tip:** Consult your state treasurer's website for what to do with abandoned paychecks.

## Women exit in record numbers

Female leaders are leaving their companies at the highest rate in years, and the gap between male and female leaders leaving is the largest ever seen, according to Lean In's 2022 Women in the Workplace Report.



To put the scale of the problem in perspective, two female directors are walking out for every woman at the director level who gets promoted to the next level.

The biggest obstacle women face on the path to senior leadership is at the first step up to manager. For every 100 men promoted from entry-level to manager, only 87 women are promoted, and only 82 women of color are promoted. As a result, men significantly outnumber women at the manager level, and women can never catch up. There are simply too few women to promote into senior leadership positions.

Maybe that's why many women are switching jobs for better opportunities while others consider downshifting and leaving the workforce. In the past year, 29% of women—and 22% of men—have thought about reducing their hours, taking a less demanding job or leaving the workforce altogether, although far fewer have actually taken these actions.



Is there anything more dangerous than crossing the IRS?

# *Payroll Compliance Handbook*

Once upon a time, payroll used to be easy: the employee's gross pay minus federal, state and local taxes. Then along came health premium and 401(k) deductions. Still simple, but...

Today, payroll managers deal with direct deposit, health spending accounts, vehicle allowances, phone expenses, earned income credits, garnishments and more. Payroll is now a confusing and time-consuming task prone to error.

Don't let a simple mistake unleash the full and frightening power of the IRS and wipe out your business... and you personally.

With our newly updated *Payroll Compliance Handbook*, you'll quickly and easily find answers to all of your nagging payroll questions. This handy reference is written in plain English - no legal gobbledygook here - so you can quickly understand what you need to do to stay in compliance, improve efficiencies and avoid costly payroll errors.

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- Paying for on-call time
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*Over, please*

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- **A woman has less experience and education than a man in a similar role. Can you pay her less?** Plus, how to establish an equal pay merit system that works
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- **W-2s, W-3s, 1099s and more: What errors will land you in the IRS hot seat?** We'll tell you how to avoid them
- **What's the law in your state?** Check out the appendixes for the requirements in your state.

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