

Real World HR & Benefits

Getting Your HR House in Order

Presenters:

Brian Chase, General Counsel, Found Animals

Sarah Levin Goodstine, SVP of Operations, ASPCA

Jackie Rucker Bohi, Sr. Manager of HR and Volunteer Program, Found Animals





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REAL WORLD HR & BENEFITS

HR Challenges: Staff & Volunteers

Jackie Rucker Bohi, Sr Manager of HR & Volunteer Program

What's the Difference between Supervising Volunteers and Supervising Staff?

From My Own Experience:

“No Problem! If I can manage staff, I can manage volunteers!” - Jackie Rucker (2006 - at the beginning of her volunteer management career)

“What was I thinking?!?!? This is a challenge! A great experience, but a *challenge!*” – Jackie Rucker (after several years of volunteer management)



Tools & Techniques for Managing Volunteers & Staff

Volunteers & Staff want what we all want:

- Consistent Training
- Clear Expectations
- Feeling Needed
- Being Appreciated
- Constructive Feedback

And....





R-E-S-P-E-C-T

re·spect

ri'spekt/

Noun

a feeling of deep admiration for someone or something elicited by their abilities, qualities, or achievements.

You gotta give it to get it



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When do you Kick a Volunteer Issue to the Volunteer Team?

“ALWAYS!” – Staff*

“NEVER!” – Volunteer Team*

**it's really somewhere in between.*



Tips for a Rewarding Experience for Volunteers

- Volunteer Training - Level 1 & 2
- Animal Behavior Training
- Staff Volunteer Liaison
- “Daily Dish”
- Volunteer Progress Cards
- Daily Task List
- Opportunities for advancement (Level 1, Level 2, Lead Volunteer)



Volunteer Progress Cards

Cat Kennels			
Laundry			
Wash Dishes			
Dog Kennels			
Dog Walking			
Feeding			
Restocking/Facing			
Animal Evaluations			
Animal Bios			
Photos/Videos			
Create ID Tags			
Cat Restraint			
Dog Restraint			
Assist w/Counseling			
Opening Checklist			
Closing Checklist			



Example A&S Daily Task List

Donor ²	Shift One (Opening Checklist)
	Roll up shades on dog kennels & remove sheet from the back of the cat condos
	Bring out Cat Cart, vaccuum, extension cord & cat carriers
	Cat Kennel Cleaning / Feeding
	AM Dog Walking and Dog Kennel Cleaning
	Dog Feeding / (Meds done by Staff Only)
	Wash dishes, water bottles & nozzles in HOT water
	Spray down cat carriers, let sit for 10 mins; rinse with water, dry & store above #4 dog kennels
	Vacuum & pour HOT bleach water down front drains: Meet-n-Greet, Front floor by collars
	Windex BOTH sides of the glass in Meet-n-Greet
	Take Cat Cart and all cat carriers to the back room
	Sweep/vacuum front floors including Meet-n-Greet, under Cat Condos & behind counter
	Mop front floor including in the Meet-n-Greet area
	Trash Run - Collect trash from ALL trash cans (bathroom, office, front desk, back room)
	Windex front of dog kennels
	Windex BOTH sides of the front doors
	Clean out & pour HOT bleach water down back room drains: by the sink & by #6 dog kennels
	Sweep & Mop floors in back room & bathroom
	Start Laundry / Fold Dry Laundry
	Thoroughly rinse all soak bucket items in hot water; set them in the dish rack to dry
	Dust shelves & product
	Straighten all inventory and restock as needed (if finished early)
	Daily Walk-Thru with all Volunteers and Staff



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Tips for a Rewarding Experience for Staff

- Realistic expectations, clear & consistent feedback
- Empathy: Understand fatigue is real
- Offer flexibility, when possible
- Stay connected to the mission
- Understand professional goals of staff, realize & communicate organization's limits
- It's ok to communicate about turnover - because *not all turnover is bad turnover*



\$ Money \$ Money \$ Money \$ Money \$

Although compensation is important, there are other ways to ensure the staff is engaged.

And let's face it. We're not in this industry for the money.



The Two Most Important Words ***EVER***

THANK
YOU





The information contained in this presentation is general information only. It does not constitute legal advice nor is it a substitute for legal advice.



Employee Handbooks 101

Back to Basics

Social Media 101

Living in an Online World

Sarah Levin Goodstine, Esq.
Senior Vice President of Operations, ASPCA



Employee Handbooks

- ***Why should I create an employee handbook?***
 - Formally welcome new employees and introduce the organization
 - Explain expectations
 - Ensure each employee receives a copy of all relevant policies
 - Answer common questions
 - Can assist in an employer's legal defense



Employee Handbooks

▪ *What should I include in an employee handbook?*

- Acknowledgement of Receipt and Opening Disclaimer
- **Key Policies**
 - EEO/ Non-Discrimination and Anti-Harassment
 - Workplace Safety
 - Social Media and Technology
 - Employee Expectations (e.g., attendance, code of conduct, etc.)
 - Employee Benefits, including Paid Time Off Benefits (e.g., vacation, sick, personal, etc.)
 - Drug / Alcohol Use Prohibitions and Testing (if applicable)
 - Leave of Absence policies



Social Media – Issues Facing Employers

- Use of Social Media in Hiring Determinations
- Compliant Social Media Policy
- Disciplinary Action Based on Social Media Posts



Social Media – Hiring

- ***Should I use social media (e.g., Facebook, YouTube, Twitter, etc.) in making hiring determinations?***

- Pros

- Publicly accessible information
- Additional insight into applicant

- Cons

- Protected class implications
- Legal prohibitions and ethical boundaries



Social Media – Hiring

- ***What protections might I put in place when using social media during the hiring process?***
 - Equal Employment Opportunity Employer
 - Equal Employment Opportunity and Non-Discrimination Policy
 - Social Media Screener



Social Media – Written Policy

- ***Can I regulate an employee's inappropriate or harmful posts to social media sites?***
 - Employers may regulate employees social media posts **in limited circumstances**, and should only do so with a clear, narrowly tailored, written social media policy. **Why?**
 - Employers cannot take adverse action against employees when they are engaged in “concerted activity” for the purposes of “mutual aid or protection”.



Social Media – Written Policy

▪ *What should I include in a social media policy?*

- Set expectations
- Avoid overbroad or vague language
- Provide examples of what is prohibited
- Do not use blanket prohibitions on “disparaging,” “negative,” or “unprofessional” comments
- Do not prohibit employees from sharing information with each other, or from using the employer’s name or logo



Social Media – Disciplinary Action

- With a compliant social media policy, employers may prohibit employees from posting comments to social media (and discipline employees if they do):
 - Disclose trade secrets or other proprietary information (e.g., donor lists).
 - Reveal confidential information (e.g., fundraising strategies, protected health information).
 - Disparage the employer's products/services.
 - Harass or disparage other employees (provided the post cannot be viewed as acting with others to improve terms/conditions of employment).
 - Be cautious of posts concerning supervisors.



Social Media – Disciplinary Action

▪ ***What would you do if faced with the following posts?***

- After a manager ignores employees' complaints about "unsavory" people lingering about the workplace at closing time, an employee harshly criticizes the manager on Facebook, including sarcastic comments and cursing.
- On Twitter, employee tells her supervisor to "back the f___ off" and that her employer should "fire me."
- Employee complains on Facebook that employer is a horrible and degrading place to work because she often has to deal with rude customers. Other employees comment, sharing her sentiments and providing additional negative comments about the employer.
- An employee calls in sick and then posts pictures or comments about an active day off or "playing hooky."
- An employee is out on a four-day workers' compensation leave due to an injury to her hand. During her absence she posts pictures of herself out at a bar with co-workers drinking, and her hand looks just fine holding the pint...



A contract does not make somebody an independent contractor

Lots of small organizations get into trouble by classifying employees as independent contractors. Don't let it happen to you! Fines, penalties, legal fees and back taxes are just some of the consequences of misclassification.



So who is an independent contractor?





This guy!



How to tell if somebody is an independent contractor!

Hint! It has nothing to do with a written contract.

Employees:

- Show up and leave when you tell them to (or at least they are supposed to)
- Do the work in the way you instruct them in order to achieve a particular result.
- Bring themselves to work and not much else.

Independent Contractors:

- Generally tell you when they are available to do the work you want.
- Do the work as they see fit, depending on their expertise. They are interested in the end result, not the process.
- Bring all or nearly all necessary equipment to perform a job.



Things that do not make somebody an independent contractor

- A contract! Even one that says “independent contractor” on every page in twenty point font and contains the phrase “the person performing this work is absolutely, positively, definitely, unquestionably the most independent independent contractor EVER!”
- Short term employment. A temporary employee is still an employee.
- Payment by cash, issuing a 1099, or not withholding taxes. These are things you do when somebody is an independent contractor. They don’t make somebody an independent contractor.





The Never-Ending Battle:

Hourly Workers vs. Exempt Employees



Why is this important?

- Because if you misclassify employees as exempt rather than hourly you can get sued for:
 - Unpaid wages
 - Unpaid overtime
 - Penalties
 - And, worst of all, ATTORNEYS FEES.
 - Typical hourly rates for attorneys range from \$300 to well over \$800 per hour.



So, who is an exempt
employee?



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This Guy!

Head of his organization, lots of independent authority, manages lots of people. That's exempt!





Her Too!

Certain professions are automatically exempt, including doctors and attorneys. But the rules get complicated fast. Some professionals, like accountants, cannot be classified as exempt under most circumstances.





But probably not him.

There is an “administrative employees” exception to hourly wage rules, but it is very narrow. Even with the treadmill this guy probably isn’t exempt.

