

THE VOICE

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WINTER
2012

HR|experts

1.888.HREXPRT for an answer today!

Hello! I hope your new year is off to a wonderful start!

I want to thank each of you who completed the HR|Experts Annual Satisfaction Survey in November. The feedback and suggestions you provided helps me to work with Medical Mutual to further develop the services of the HR|Experts program. Thank you for your time and comments.

The most common suggestion received from the Survey was the need for on-going training. We will strive to further develop training on HR and management-related topics this year. For some topics, we will develop new training initiatives and for others we will promote existing opportunities. Specifically, I will be developing four PowerPoint training templates in 2012 that administrators can use to train employees or other managers. The "Training Opportunities" article that appears in this issue of The Voice highlights e-Learning and public courses that are available to you regardless of your location. If you are unable to travel to the public training sites in North Carolina, the e-Learning courses may be a great option for you and your employees. We will also plan teleseminars and webinars and research ways to make recordings of such available to you.

If you have a training need or if you have a resource that you have used for training, please share your need or recommendation with members of the HR|Experts list serve. If you let others on the list serve know of your need, other members may be able to recommend a resource. And if you have experience with a training resource, don't keep it a secret; share your recommendation so others can benefit. To share your need or recommendation on the list serve, send an e-mail to the following address - hrexpertr-members-list@lists.callhrexpertr.com. If you are not a member of the list serve, e-mail me and I'll gladly add you to the list - jill.schultz@callhrexpertr.com.

Thank you for the opportunity to help you with your HR needs. Best wishes for a wonderful 2012!



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Training Opportunities

CAI has many high-quality online and public learning programs available in Management Development, Human Resources, Professional Development, Computer Training and more! Browse the list of CAI programs at www.capital.org (click on the Training Tab) and choose the subject areas that are of interest to you. Register and pay online at www.capital.org.

e-Learning Options

e-Learning is convenient, flexible and self-directed so you can choose the programs that are most important to your development or the development of your staff and complete the training from your desk. All CAI e-Learning is provided by SkillSoft, the premier e-Learning content provider for businesses and professionals. E-Learning options are available to you regardless of location. Below is a sample list of e-Learning opportunities.

- Compensating Employees
- Conducting the Behavioral-based Interview
- Customers, Confrontation and Conflict
- Documenting Discipline
- Fair Labor Standards Act (FLSA)
- FMLA Leave and More
- Independent Contractors and Temporary Employees
- Interviewing and Hiring Practices
- Managing the Dismissal of an Employee
- Performance Reviews
- Promoting a Substance-free Workplace
- Record Retention
- Recruiting and Selecting Candidates

Public Learning and Development Programs

Public classes are offered at two training locations in North Carolina – Greensboro and Raleigh. Below is a sample listing of programs.

- 2012 HR Management Conference – 2/21-2/22 Raleigh
- Advanced FMLA: The New Regulations and Other Leaves - 3/15 Greensboro; 6/13 Raleigh
- Basic FMLA: Purpose, Provisions and Regulations – 3/29 Raleigh; 8/15 Greensboro
- Communication and Conflict Resolution – 2/28 Raleigh; 6/15 Greensboro
- Conducting Effective Performance Appraisals – 3/7 Raleigh
- Customer Service Excellence Certification Program – 3/8-3/9 Raleigh; 4/25-4/26 Greensboro
- EEO: Harassment, Discrimination and Retaliation – 3/29 Raleigh; 8/15 Greensboro
- Managing Problem Performance – 3/7 Raleigh
- Protecting Your Organization from Wage and Hour Violations – 2/29 Greensboro; 3/28 Raleigh

Employee Discipline and Documentation

It is absolutely essential that well-prepared documentation accompany employee discipline in order to back up any decision regarding employment action. However, in order to have good documentation, a well-crafted disciplinary policy should exist.

Common problems in the workplace that require disciplinary action include: poor attendance; performance issues; and inappropriate behavior.

Human Resources must have a plan to address infractions when they occur. Attorneys will confirm that most employment cases are won or lost on documentation or the lack of it. If an employee is terminated for coming in late every day for three months, but the infractions are never documented, that employee could win a lawsuit for wrongful termination.

Employers should audit their employee discipline and documentation practices. The first step is to make sure the rules are clearly communicated to employees. Policies should be periodically provided to each employee in the form of a special physical copy, a

posting in a common area, or inclusion in an employee handbook. Employees should also be required to sign an acknowledgement of having received and read the policy. Policies should be covered as part of any new employee orientation.

Establish rules that allow for a fair, equitable, and uniform handling of employee misconduct and the application of discipline. Disciplinary action usually occurs in a progressive sequence: verbal warning, written warning, final written warning, and discharge. It is not necessary for all four steps to be followed. Discipline may begin at any step depending on the seriousness of the offense.

Also, offenses do not have to be of the same nature to constitute a violation serious enough to move on to the next step of the disciplinary action sequence.

Employers should construct and adopt a system which provides flexibility to give verbal warnings, suspensions, or terminations based on the seriousness of a particular incident, regardless of the disciplinary history of the employee. Always ensure that appropriate documentation exists.

If you have questions or need a sample policy, contact HR|Experts and request the free Handbook Guide.

Managing Work-Related Injuries and Workers' Compensation Costs

MMIC Agency, LLC, a Medical Mutual company, has partnered with Selective Insurance Company of America to provide physicians with comprehensive business coverage, including workers' compensation.

According to OSHA, approximately five million U.S. workers experience work-related injuries and/or illnesses every year, with more than 50% of those incidents resulting in employee leaves of absence. While overall occupational injuries and illnesses are down significantly, (almost 42% in the past 30 years), there is still room for improvement. Many organizations, such as OSHA offer proactive safety programs which can help businesses avoid or fix hazards before injuries occur. But while being proactive can help prevent many accidents; some workplace injuries are simply unavoidable. So what can practices do to help manage these situations when incidents do occur?

Many employers ask themselves this same question as they continually seek best practices on effectively managing workers' compensation claims and their associated costs.

Managing Claims – Suggested Steps

There are several suggested steps to take that can be a win-win for practices and their employees by reducing workers' compensation costs and aiding employees' safe return to work.

Where permitted by state workers' compensation law, Selective Insurance Company of America recommends that employers establish a Transitional Alternative Duty (TAD) Return-to-Work Policy for work-related injuries/illnesses. TAD Return-to-Work means providing temporary work duties during recovery that comply with the capabilities indicated by the authorized medical provider.

Some Benefits of TAD:

- May help employees feel valued
- May help maintain productivity
- May help reduce absenteeism

Suggestions for Coordinating a Policy:

- Commit to a policy to return employees to work as soon as they are medically able
- Publicize this policy so that employees understand what to expect
- Collaborate with all departments to identify alternative duties available
- Appoint someone to coordinate Return-to-Work duties
- Apply a TAD Return-to-Work Policy across all departments, job descriptions or duties as long as the safety of the employee, co-workers and the general public are not put at risk

Suggestions for Implementing a Policy:

- Supply a copy of the employee's original job description to the medical provider, who will determine work-related capabilities and restrictions
- Contact internal departments to determine availability of TAD opportunities
- Consult with a claims handling team regarding the selection of a TAD assignment to make sure it complies with the authorized medical provider's recommendations
- Offer the TAD assignment to the employee in writing
- Update the claims handling team regarding the employee's progress
- Complete any employer required forms
- Take time to care and stay in contact! An emergency is a stressful time, so a simple phone call or note to an injured employee can truly emphasize your practice's compassion and concern



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Sources: OSHA FactSheet (http://www.osha.gov/OshDoc/data_General_Facts/factsheet-jobrelated.pdf)
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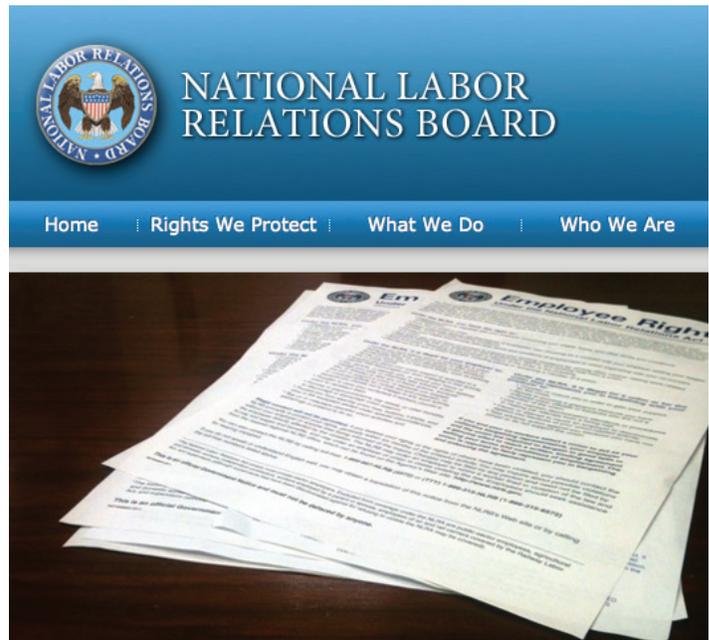
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NLRB Notice Posting Deadline Delayed *Again*

The National Labor Relations Board (NLRB) announced that it has postponed the “Notification of Employee Rights” posting deadline from January 31, 2012 to April 30, 2012. This is the second time the NLRB has postponed the poster requirement. The first postponement was from the original effective date of November 14, 2011 to January 31, 2012. Now, at the request of a federal court in Washington, D.C., the NLRB has agreed to defer the posting requirement for three months until **April 30, 2012**.

The poster aggressively instructs employees in their rights to form a union, discuss their wages, call a work stoppage, etc. Most employers view it as an unnecessarily negative message that devalues 1:1 problem solving within the workplace.

Hospitals, medical and dental offices, social services organizations, child care centers and residential care centers with a gross annual volume of at least \$250,000 are under NLRB jurisdiction; for nursing homes and visiting nurses associations, the minimum is \$100,000. For more information, visit <http://www.nlr.gov/poster>.



Quarterly Quote

Attitude is a little thing that makes a big difference.
-Winston Churchill