

# WHAT'S WORKING in Human Resources™

Inside information to improve the performance of your human resources, in a fast-read format, twice a month.

DECEMBER 12, 2013

## WHAT'S ONLINE

If you haven't been to our website recently, here's exclusive online content you've been missing:

[www.WhatsWorkinginHR.com](http://www.WhatsWorkinginHR.com)



### Employment Law for Managers

How not to treat the only woman on staff



### Compliance Checklist

5 lesser-known FLSA tips

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## How safe is your firm from a wage-and-hour audit? 3 tips

### ■ How to protect yourselves from a \$4.5M settlement

With the recent surge in wage-and-hour lawsuits, what can employers do to protect themselves from expensive claims?

On average, employers paid \$4.5 million to settle a wage-and-hour case in 2013, according to new research from NERA Economic Consulting.

Some other troubling stats:

- Despite lower overall average settlements, the per-claimant average settlement value was up to about \$7,000 in 2013
- The top five largest settlements for 2013 ranged from \$35 million to \$11.6 million, and
- Overtime is the most common

claim (in 45% of cases).

Admittedly, some of those numbers are down slightly from recent years, but they're still proof that a) wage-and-hour claims aren't going away, and b) settling them is very expensive.

The good news? Many firms have found helpful tools to avoid dealing with lawsuits.

The answers: self-audits, keeping an eye on current lawsuits and monitoring exempt staffers' day-to-day activities.

### Ways to stay ahead

Many companies have either conducted their own audits to assess

*(Please see Wage and hour ... on Page 2)*

## Proof: Bias via social media is a real concern

### ■ Whether managers know it or not, discrimination can creep in

Good HR pros know the advantages and disadvantages of searching candidates' social media profiles during the hiring process. Add the latest research to the disadvantage column.

Between 10% and 33% of American companies use social media to search for info on job applicants – and what they find can lead them to discriminate against candidates.

That's according to a new study from Carnegie Mellon University.

Applicants whose public Facebook

profiles indicated they were Muslim were less likely to get called back for interviews than Christian applicants.

That was more pronounced in parts of the country where people identify themselves as conservative.

### Be careful

The takeaway: What you or your managers find online can have far-reaching and dangerous consequences – so tread carefully.

*Info: [tinyurl.com/SocialBias](http://tinyurl.com/SocialBias)*

### Wage and hour ...

(continued from Page 1)

exempt classifications (54%) or intend to do so in the next year (14%), according to new research from Littler Mendelson.

Roughly half (49%) of the respondents in the national survey said they're concerned about the threat of misclassification litigation or a Department Of Labor (DOL) audit in the near future.

Self-audits, as many HR pros can attest, are a crucial step to staying ahead of both the DOL and disgruntled staffers who are looking to sue.

Those companies that were surveyed are also keeping a close eye on current wage-and-hour cases.

Proof: More than half say they monitor trends in exempt misclassification litigation to some degree.

And nearly 45% say they're monitoring these lawsuits closely.

#### What about misrepresenting staff?

The Littler survey pinpointed one key component in many wage-and-hour suits that poses a real dilemma for employers: employees who misrepresent their exempt job duties.

Employers often lose or settle exemption suits not because the position was misclassified, but because the firm can't come up with sufficient evidence to counter a staffer's efforts to downplay decision-making responsibilities.

Employers can effectively counter that "job deflation" by creating business records of exempt duties as those tasks are performed rather than try to reconstruct those activities after a lawsuit is filed.

Translation: Keep a current, detailed record of the day-to-day activities of exempt employees.

One of the more effective means for tracking exempt duties can be performance evaluations that ask

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**68% of firms will conduct wage-and-hour self-audits this year or next.**

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employees to describe and assess their own performance. (The survey indicated that 33% of respondents use such employee self-assessments.)

This kind of evidence provides a written affirmation of job responsibilities in the employee's own words – and can be used to rebut any contradictory testimony.

Other preventive measures: having up-to-date job descriptions (82%) and employee performance reviews (73%).

Info: [tinyurl.com/WageHourAudit](http://tinyurl.com/WageHourAudit) and [tinyurl.com/WageHourCosts](http://tinyurl.com/WageHourCosts)

## Sharpen your JUDGMENT

*This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.*

#### ■ Could company make staffer give up drinking – forever?

"So you've filed another request for leave?" asked HR manager Lynn Rondo.

Employee Bart Garrison nodded from the chair opposite Lynn in Lynn's office. "That's right," he said. "I'm sad to say it, but I've had a relapse and need to give alcohol rehab another go."

#### He signed far-reaching agreement

"I know this is a tough time for you and your family," said Lynn. "That said, we as a company can't approve this request."

"Why not?" asked Bart.

"You remember how we approved your leave to attend alcohol rehab a couple of months ago?" asked Lynn. "When you got back, we were completely fair, returning you to work without any changes to your wages, hours or working conditions.

"But what we did do was ask you to sign a Return to Work Agreement stating that you'd remain free of drugs and alcohol on company time as well as off company time for the duration of your employment," Lynn added.

"You've violated our agreement, Bart – simple as that."

Bart's face grew red. "I know my rights – and I know alcoholism qualifies as a disability."

Bart went ahead with rehab – and the company fired him.

Bart then filed suit, claiming his termination violated the Americans with Disabilities Act and the FMLA.

Did the firm win in court?

■ *Make your decision, then please turn to Page 6 for the court's ruling.*

### WHAT'S WORKING in Human Resources

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*What's Working in Human Resources*, (ISSN 1088-3223) December 12, 2013, Vol. 18 No. 408, is published semi-monthly except once in December (23 times a year) by Progressive Business Publications, 370 Technology Drive, Malvern, PA 19355; PHONE: 800-220-5000. FAX: 610-647-8089. Subscription rate \$299 per year. Periodicals postage paid at West Chester, PA 19380. Postmaster: Send address changes to *What's Working in Human Resources*, 370 Technology Drive, Malvern, PA 19355.

**Subscription: 800-220-5000**

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# Social media: Are courts siding with companies more?

■ *Cases highlight two difficult rulings – both in favor of companies*

It's been three years since the National Labor Relations Board began sticking its nose in firm's social media policies – and there hasn't been a ton of good news since then.

But two recent cases show that – just maybe – the tide's turning.

### 2 cases, 2 victories

In the first case, police officer Maria Gresham was investigated after posting a negative comment about a co-worker on Facebook.

As a result, she missed out on applying for internal promotions – and sued, claiming retaliation.

The court examined whether Grisham's post was actually harmful or if the city just thought it could be.

The court sided with the city, saying the government has a

legitimate interest in avoiding disruption – and doesn't need to wait until one occurs to take action, as it did in Grisham's case.

In the second case, a man was fired after something he allegedly wrote on Facebook came to light.

He sued, claiming he didn't write it – and that sexual discrimination was behind his firing.

The court said no way – even though the company couldn't produce a copy of the damning Facebook post.

That's because the law allows employers to make mistakes: A firm that makes the decision to fire someone based on an honest but mistaken belief of a policy violation isn't liable so long as the firing isn't based on bias.

*Info: [tinyurl.com/PoliceOnFacebook](http://tinyurl.com/PoliceOnFacebook) and [tinyurl.com/FbkMistake](http://tinyurl.com/FbkMistake)*

# Workplace bullying reaches the NFL: What HR pros can learn

■ *Tip: Require co-workers to report incidents*

By now you've heard about the workplace bullying reports coming out of the National Football League (NFL).

And though the locker room isn't a typical American workplace, HR can learn a lot from this unfortunate case.

### It had been going on for years

A quick recap: Miami Dolphins tackle Jonathan Martin recently filed a formal charge against the NFL.

In it, he claimed that lineman Richie Incognito was guilty of player misconduct. The team found threatening and racist voice mails from Incognito on Martin's phone and suspended Incognito indefinitely.

David Yamada, writing on the Minding the Workplace blog, had a couple takeaways for HR:

- **Bullies repeat their behavior.** Incognito had a long history of bad conduct and had been disciplined a number of times before this.
- **Bystander behavior is influenced by culture.** While many firms have anti-bullying policies, those policies usually don't include any mention of co-workers' roles and obligations in reporting bullying.
- **Bosses can be complicit.** Reports have come to light saying that Dolphins' coaches asked Incognito to toughen up Martin.

*Info: [tinyurl.com/DolphinsBully](http://tinyurl.com/DolphinsBully)*

### ■ Male patient harassed female staffer – now firm pays \$30k

Here's a good reminder that you need to prevent harassment among employees as well as from customers or other third parties.

Case in point: A Virginia health clinic has agreed to pay \$30,000 to an employee who said she was harassed by a male patient.

The woman, who worked as a receptionist, claimed her complaints about the behavior to her supervisor went unanswered.

So she sued – and the company opted to settle for \$30,000.

In addition to the settlement, the health clinic will conduct training for all staff on sexual harassment prevention, post a notice about the settlement and provide a copy of its policy to all employees.

Remember: A company is liable for acts of a non-employee if the employer knew about the conduct and failed to take immediate and appropriate corrective action.

*Info: [tinyurl.com/PatientHarass](http://tinyurl.com/PatientHarass)*

### ■ Foul ball! San Francisco Giants to pay \$544k in back pay, OT

The San Francisco Giants may have won the World Series in 2012, but in 2013, they've earned the undistinguished reputation of underpaying their workers.

The California-based baseball team has agreed to pay \$544,715 in back pay and liquidated damages to 74 employees.

The agreement came after an investigation by the federal Department of Labor found violations including:

- failure to pay minimum wage
- failure to pay overtime, and
- improperly classifying employees as exempt.

The workers who are affected: clubhouse assistants, video operators and managers.

*Info: [tinyurl.com/GiantsFLSA](http://tinyurl.com/GiantsFLSA)*

# Experts give their solutions to difficult workplace problems

HR professionals like you face new questions every day on how to deal with workplace conflict and employment law. In this section, our experts answer those real-life questions.

### She can't tell us when she'll return from leave: What to do?

**Q:** One of our employees who's out on medical leave can't give us a timetable on when we can expect her to return. Do we have to allow this indefinite leave?

**A:** Not necessarily, but be careful, says management/employee trainer Lynne Curry ([Lynne@thegrowthcompany.com](mailto:Lynne@thegrowthcompany.com)) writing on The Growth Company's Workplace Coach blog ([workplacecoachblog.com](http://workplacecoachblog.com)).

The Americans with Disabilities Act (ADA) doesn't define the amount of leave you need to give a disabled staffer, but courts have said that leaves of absence cannot be indefinite.

In fact, a recent ruling noted that an employee must show she'll be able to return to her job and provide her employer with an idea of when.

Best bet: Contact the staffer in writing to ask for a return-to-work date and whether she'll need a reasonable accommodation on her return.

Also consider whether the employee is protected under other laws, such as workers' compensation or the Family and Medical Leave Act, before making any decisions.

### Anti-drug use policies: Any tips?

**Q:** We're revising our handbook, and we're unsure what to include in our drug-free workplace policy. Any tips?

**A:** The Department of Labor has a tool on its site to walk you

through building a drug-free workplace policy step by step ([tinyurl.com/DrugFreeWork](http://tinyurl.com/DrugFreeWork)).

The tool is a solid place to start, and it even provides government-approved language that you can lift and put right in your policy.

### It's not illegal, but it's not ideal

**Q:** Without getting into too many specifics, we're in a position to do something for our company that's technically legal but won't be well-received by staff. What should we do?

**A:** Just because something may be "legal" doesn't mean it's a good idea, says Daniel Schwartz ([dschwartz@pullcom.com](mailto:dschwartz@pullcom.com)) on the Connecticut Employment Law Blog ([ctemploymentlawblog.com](http://ctemploymentlawblog.com)).

Sometimes, firms look for an answer to the question, "Is it legal?" without answering the bigger picture question, "Is it a good idea?" Ask yourself several related questions:

- What will the ramifications for our workplace be if we decide to implement a new rule? How will it be received?
- Are we increasing the risk of a lawsuit based on the way we fire or discipline an employee?
- How will other employees perceive the action?
- What effect will our decision have on our culture?

If you have an HR-related question, email it to Dan Wisniewski at: [dwisniewski@pbp.com](mailto:dwisniewski@pbp.com)

## EFFECTIVE COMMUNICATION

### ■ Pass it on: 4 tips for handling workplace misunderstandings

Communicating effectively with staff members is one of the most crucial aspects of a manager's job. So why's it so hard?

One of the major reasons: People have different backgrounds, perceptions and experiences.

That may seem obvious, but what it means is that different employees can interpret the same message from managers in completely different ways.

And misunderstandings like that can do more than confuse staff – they can also lead to morale and productivity issues.

### Be clear, conscious and calm

Here are four tips for managers on handling misunderstandings, courtesy of Keith Woods from National Public Radio:

- **Be clear.** Nothing's more important for managers than being honest and forthright with staffers. And when workers respond to what managers say, supervisors should always ask questions to make sure everyone's on the same page.
- **It's more than just words.** What supervisors say is crucial, but managers should know that their tone and body language say a lot as well.
- **Understand what employees are saying and feeling.** Yes, employees may be wrong from time to time. But it's important for supervisors to at least understand the differing concerns and perspectives of workers.
- **Don't throw in the towel.** It's easy to avoid conflict and sweep issues under the rug. But Woods reiterates that managers must "stay in the room" and make sure there's "gain on the other side of pain."

**Info:** [tinyurl.com/StafferConfusion](http://tinyurl.com/StafferConfusion)

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## WHAT WORKED FOR OTHER COMPANIES

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Our subscribers come from a broad range of companies, both large and small. In this regular feature, three of them share a success story illustrating ideas you can adapt to your unique situation.

### 1 **One easy step doubled reform communication**

We always try to clearly and quickly communicate policy changes to staffers.

That was especially true for changes coming via healthcare reform.

Specifically, we needed to give out the exchange notices firms were required to send to workers about the availability of coverage on the state insurance exchanges.

Since our health plan is on a non-calendar-year basis, we do open enrollment in the summer.

That meant we included those exchange notices then – even though we weren't required to give info until October 1.

Still, we knew not every staff member would be paying attention to something like that so far in advance of when it went into effect.

#### Put it right under their noses

So we decided to put the notices in a spot every staff member would see them.

On the paychecks that went out at the end of

September, we also decided to include the exchange notices.

That way, there was no chance employees would miss them.

With that, we doubled our communications on that crucial portion of health reform – and ensured our workers had all the necessary info they needed to make informed decisions about their health insurance.

*(Fernando Soriano, HR manager, Traffic Management, Inc., Long Beach, CA)*

### REAL PROBLEMS, REAL SOLUTIONS

### 2 **How we fixed the suggestion box**

We still swore by that old bastion of employee input: the suggestion box.

That is, we swore by the suggestion box when we actually received any suggestions from workers.

If we were honest, we rarely received much input from staffers – and when we did, the ideas were usually a little out there or just not worthwhile.

We didn't want to take away

staffers' voices from our decision-making processes, but we needed to change something.

#### Get specific

Our solution: themed campaigns.

Instead of having workers submit ideas about anything and everything, we narrowed things down.

For example, for three months, we specifically asked for suggestions on how to cut costs.

We then saw a major uptick in

responses – and some of those were actually good.

After that campaign, we moved on to asking

for help on how to improve our retirement plan. Again, lots of helpful suggestions flooded in.

Workers are still welcome to speak with supervisors or management about suggested changes not related to the current topic. But giving workers a direction has clearly been a boon for the suggestion box concept.

*(Peter Tortorice, HR administrator, Motors' Insurance Co., Chicago)*

### 3 **How specialized training boosted retention**

Retention was a major concern for us – especially after we heard what staffers thought about the firm.

We got the sense that many employees felt the company wasn't invested in their careers.

Staffers wanted opportunities to keep advancing in their fields and in the company – and not just put in a few years and move to another job.

So that meant that for a key group of employees, perks like raises, flex-

time and bonuses weren't going to be the top motivators.

#### We let them learn more

That's how we hit on the idea of offering extra, web-based training in an area of staffers' choosing.

Specifically, we gave this opportunity to our best and brightest first – people who already excelled in their roles.

The only requirements were that the training was relevant to their department and that it had to be

completed on their own time – either at lunch, on break or after hours.

The training has opened up opportunities for workers to grow and advance within the company.

And we've heard great things from staff about workers feeling like we're invested in them and their future now.

Probably the best part: In some departments, we haven't a staffer leave the company in the last five years.

*(John Amelio, director of IT, CLG Holding, Inc., Pittsburgh)*

### EEOC addresses drug-related questionnaire

The Equal Employment Opportunity Agency (EEOC) recently weighed in on the legality of controversial drug-related questions included on personality tests.

In its latest guidance, the agency noted that Title VII doesn't prohibit firms from asking about current illegal drug use or the illegal use of non-prescription drugs at work.

And while pre-employment tests can't ask disability-related questions, the law doesn't protect candidates who currently are using illegal drugs.

That said, questions related to past drug addiction, use or treatment could be viewed as violating the ADA.

*Info: [tinyurl.com/EEOCAndDrugs](http://tinyurl.com/EEOCAndDrugs)*

### Holiday party? How your peers celebrate – or don't

It's nearly the end of the year – so you'd better get to work planning your holiday party, right? Maybe not.

Here's the latest surprising info, according to Public Policy Polling:

- Almost a quarter of employees dread attending company parties
- Nearly 30% of employers don't offer a holiday party at all, and
- One in ten staffers regret something

they said at a company party.

*Info: [tinyurl.com/NoHolidayParty](http://tinyurl.com/NoHolidayParty)*

### How HR's time is wasted every day

If only those curious staffers could solve problems on their own ...

The folks over at Transversal have compiled data on how HR's time gets (mis)used in their day-to-day work:

- More than one-third of questions that HR fields are routine queries – and more than half could be answered via a company's intranet
- About 20% of staff complain that their intranet is out of date, and
- Only one-third of HR pros can update their intranet themselves.

*Info: [tinyurl.com/HRTIMEWaste](http://tinyurl.com/HRTIMEWaste)*

### Lighter side: The 2 strangest FLSA exemptions

Is your staff involved in propagating seaweed? If so, they might be exempt under the Fair Labor Standards Act (FLSA). The two strangest FLSA exemptions include:

- "any employee employed in the catching, taking, propagating, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and

## WHAT COMPANIES TOLD US

### A mountain of metrics

Which of the following recruiting metrics do you maintain?

Number of days positions are vacant (time to fill)

56.7%

Retention rate for new hires

48.7%

Cost per hire

37.1%

Percent of openings filled with current employees

29.9%

Managerial satisfaction with new hires

26.8%

Source: HR Trends Survey

When it comes to recruiting metrics, it looks like there's no shortage of options for companies looking to get a better sense of how well they're hiring. (See *related story, Page 7.*)

*Each issue of WWHR contains an exclusive survey to give executives insight into what their peers nationwide are thinking and doing.*

- vegetable life, or in the first processing, canning or packing such marine products at sea as an incident to, or in conjunction with, such fishing operations, including the going to and returning from work and loading and unloading when performed by any such employee," and
- "any employee engaged in the processing of maple sap into sugar (other than refined sugar) or syrup."

## Sharpen your judgment...

## THE DECISION

(See case on Page 2)

Yes, the company won.

Bart argued that his alcoholism qualified as a disability. He also claimed he was discriminated against because the company had imposed a greater burden on him (never drinking again) than on other workers.

Lynn's company countered that it didn't fire Bart because of his alcoholism. Instead, he was fired for violating his Return to Work Agreement (RWA).

The court sided with the company.

As the court said, "[Bart] does not explain how the RWA, to which he voluntarily agreed, tends to discriminate

against him because of his alleged disability (alcoholism) as opposed to regulating his conduct (drinking alcohol).

"To the contrary, the RWA does not restrict the ability of individuals who suffer from alcoholism to work at [the company]. Rather, it simply prohibits employees subject to its terms from consuming alcohol."

### ■ Analysis: Not so fast

Yes, this firm won. Should you also draft agreements like this? Probably not – this firm was lucky to come out on top. It's best to stick to individualized assessments about the best ways to reasonably accommodate employees' disabilities.

*Cite: Ostrowski v. Con-way Freight, Inc., U.S. Circuit Ct. 3, N.D., No. 12-3800, 10/30/13. Fictionalized for dramatic effect.*

# How to solve a bloated metrics issue: Go right to the users

■ *Input from everyone resulted in more valuable analyses*

It wasn't easy to get the most out of the metrics our company compiled.

Our firm is big into metrics, and we know there's a lot of valuable info to gain by crunching numbers and gathering data that way.

But there were several issues with how things worked at our company.

One, metrics for certain departments went out in different formats compared to metrics for other departments.

That lack of consistency meant it was hard for people to gauge exactly *what* the takeaway from each analysis was.

Two, we compiled a ton of information – and we knew there was no way it was all relevant to every person who received the reports.

There had to be a way to streamline things.

### Make it look better

First task on the docket: Get our metrics reports in better order.

That meant combining the various formats that went out to different

made perfect sense to combine those.

That chopped metrics content down a little bit.

But we still had way too much information to fit into a single report that upper management and other company execs could get a lot out of.

Proof: We heard from several people that they never even looked at some of the metrics.

### Talked to everyone

That's how we decided to let our metrics recipients have a say in what we did and didn't include.

We put together a quick and easy survey.

In it, we listed each item we included in our reports and then asked recipients: Do you read this part?

We also asked that each person provide insight on what he or she would like to see in the reports.

Thanks to the survey, we were able to not only ditch a bunch of metrics that no one was looking at, but we were also able to add some new analyses that everyone wanted to see.

### Polling made the difference

It was a lot of work, but getting our metrics reports up to snuff has paid off big time.

Polling people about what metrics actually mattered to them was the best way to determine what should and shouldn't be in our analyses.

Plus, now that we've got everything formatted correctly, the reports are easier to read and understand – not to mention easier to put together.

*(Kate Wright, controller, Minn-Dak Farmers Cooperative, Wahpeton, ND)*

**Case Study:**  
**WHAT**  
**WORKED,**  
**WHAT**  
**DIDN'T**

**Now our reports  
are easier to  
read – and easier  
to compile.**

departments into one consistent and easy-to-read report.

For example, certain reports covered similar information, so it

### ■ How can you get sick staffers to stay home? HR pros debate

It's that time of year again – flu season. And guess what? Your employees will be coming in sick whether you want them to or not.

Nine out of 10 of your employees will show up when they're sick, according to a recent survey from office supply giant Staples.

That's up from 80% last year. In 2011, the number was 60%.

### 'There's a simple solution'

HR pros discussed the survey on our affiliated site, *HRMorning.com*. Here's a sampling of the comments:

**JG:** There's a very simple solution to the problem: Firms should provide three paid sick days a year that require no doctor's notes to cover for medical tests, doctor's visits and "mental sick days."

In addition, companies should also allow workers to take a limited number of paid sick days with a doctor's note.

Such an arrangement would prevent abuse and allow sick employees to utilize the benefit when needed.

**GS:** There's another factor: Many employees fear that being sick and out of the office threatens their job.

Also, at least at my work, workers don't like leaving another employee with twice the workload because he or she is out sick.

**MMAN:** If employees were able to take a sick day without it counting as an "occurrence" (which is viewed in a negative light), then it may not be such a problem.

Also, a company rep may tell employees in orientation to stay home when they're sick – but the message or reaction they receive when they call in conflicts with what they're told.

Then those staffers get flack when they return to work.

If this didn't happen, it may not be such a problem either.

## WHAT WOULD YOU DO?

Companies face competing agendas when dealing with their employees. They must find ways to inspire their people to excel, while controlling costs and staying within the law. Here we present a challenging scenario and ask three executives to explain how they'd handle it.

### Firm launches wellness program – but still rewards staff with pizza: What to do?

"I know this might sound crazy, but I have to object to the food we're serving at our company events," said Anthony Brown.

HR manager Stu Capper slowly slid his bag of cheese puffs behind his computer monitor. "How do you mean?"

#### 'Make up your mind'

"I think we're sending two conflicting messages to people about healthy eating," said Anthony.

He held up a sign-up sheet for the company's new wellness program. "You know as well as anyone that we just launched this new wellness initiative, and I volunteered to help out to drum up employee participation.

"I think it's a great idea – but it also flies in the face of the fact that every time we

celebrate something or have a company-wide meeting, we order a dozen pizzas.

"And just last week, after the sales department had a great month, what did we get?" Anthony asked. "Donuts!"

"Anthony, I appreciate your concern," said Stu cautiously. "I feel like you're forgetting some crucial parts of serving food like that: It brings people together, which can build camaraderie and boost morale."

"Look, you could say I'm a little sensitive because I've always had a weight issue," said Anthony. "But this is a real problem. On one hand, we're encouraging healthy living. On the other, we're endorsing eating unhealthy food. Which is it going to be?"

If you were Stu, what would you say or do next?

### Reader Responses

#### 1 Dana Lebold, director of HR, Zebco, Tulsa, OK

*What Dana would do:* Moving forward, I'd instruct whoever plans company events to offer healthy alternatives along with traditional items like donuts.

*Reason:* Anthony raises a valid point.

Giving employees choices isn't only good for staffers' health but it also shows that we're serious about supporting our wellness initiatives.

#### 2 Kenneth Kovach, senior VP of HR, B.F. Saul Co., Bethesda, MD

*What Kenneth would do:* First, I'd tell Anthony that he's right about the benefits of wellness and that I understand why he's upset.

I'd also make sure he realized how much we appreciated him coming forward and volunteering to help out.

I'd then propose creating a task force that

would be headed up by Anthony and HR to look into this in greater depth to see what we could do.

*Reason:* It's nothing new that wellness is extremely important: It can improve overall productivity as well as save both the company and employees on the cost of health care.

Therefore, there's no reason not to meet Anthony halfway, though it's important to do it in a way that doesn't come across as demanding to those who don't wish to participate.

#### 3 Pat Christiano, HR manager, A. Duie Pyle, West Chester, PA

*What Pat would do:* I'd tell Anthony that I agreed with him and that we need to be more mindful of the food we serve at company events.

*Reason:* We had this same exact issue when we started our wellness program.

Once we started providing healthier food choices – fruit, granola, etc. – we heard a lot of good things from people.

### QUOTES

All serious daring starts from within.

Eudora Welty

I grew up with six brothers. That's how I learned to dance – waiting for the bathroom.

Bob Hope

Great necessities call out great virtues.

Abigail Adams

A good laugh is sunshine in the house.

William Makepeace Thackeray

Try not to become a man of success, but rather try to become a man of value.

Albert Einstein

We make a living by what we get, but we make a life by what we give.

Winston Churchill

A friend is a gift you give yourself.

Robert Louis Stevenson