

Minimizing Human Resource Liability Today

There are many areas of Human Resource management that involve supervisors. While supervisors may not make some of the policies – they are influencers and enforcers. One of the latest areas of concern for supervisors has been in enforcing the employee handbook.

Most companies have a handbook that presents the company history, values, standards of conduct and key policies that must be observed in property operations. But the National Labor Relations Board has made it very clear that you can easily overstep your bounds and apply policies that are overly broadly and imply that the employee has little rights to freely express themselves. Here's a look at just three areas:

1. Companies must protect their employees' free speech rights including allowing salary discussion and posting complaints about work conditions or bosses on social media. According to the NLRB, when rules outlawing these practices are overly broad, they violate the law.
2. Personal smartphones and tablets and privacy of data are in the headlights. There is a huge risk in allowing managers and staff to use their own personal devices for company business. Stricter rules about company access to those personal tools should be in place. Some companies are forbidding employees from using personal devices – instead buying those devices. Yep, carrying around two communication tools.
3. Wages and payroll are under the microscope. The Wage and Hour Board is aggressively monitoring our companies looking for violations of pay rules, particularly documentation of hours worked and unpaid overtime and illegal deductions from pay. Handbooks need to be clear about how time will be reported, about unauthorized overtime and disciplinary repercussions, to name a few. One of the biggest challenges about to face us is the coming change in who is exempt and who is non-exempt. That will impact those personal devices in use after hours!!!

Supervisors are the critical interpreter and enforcer of handbook provisions – but must also be aware when handbooks are inadequate and policies appear to take away employees' rights to express themselves within the confines of your operating rules.

Take a closer look at handbook liability and others that impact our properties now! Join the Conference session "A Supervisor's Tip Sheet to Minimize Human Resource Liability Today."

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