

Champlain College & HR Sentry
Human Resource Management Workshops
WORKSHOP OUTLINE

ENSURING FAIR TREATMENT AND LEGAL COMPLIANCE
Federal and State Employment Laws

A. Purpose of the Workshop

1. Educate: Impart Knowledge of Employment Laws
2. Describe the Impact on an Organization's Employment Practices
3. Quantify the Cost of Non-Compliance
4. Build Practical Experience

B. Target Audience

Audience will be HR Sentry subscribers and non-subscribers who work within small to medium size organizations as administrators and supervisors, and manage human resource (HR) issues and practices. These employees are responsible for ensuring that the organization complies with Federal and State Employment Laws.

C. Workshop Content

Every time you advertise a job, recruit, interview, test, select a candidate or appraise an employee, you must consider equal employment laws. This course explores the responsibilities that organizations have to their external and internal stakeholders. It examines the notion of fair and equitable treatment by employers relative to the expectations of society, government, communities and employees. We focus on employment law with its impact on HR practices, specifically, recruiting, selecting, training, appraising and terminating employees. The course places emphasis on the real costs of non-compliance on a business's reputation & profitability.

D. Text - HR Sentry Libraries

E. Topical Outlines for Three Workshops

Workshop 1: Managing to Ensure Fair & Equitable Treatment

Time Frame: Five (5) Weeks

Week	Topic	Content
1	Creating the Climate for Legal Compliance and Fairness	<ul style="list-style-type: none">- Social Responsibility: fairness and society- Stakeholder Management- Employee Relations- Behaving ethically and legally
2	The Perception of	<ul style="list-style-type: none">- Employee Rights: what <i>fairness</i> means to

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	Fairness to Employees	employees - Organizational Justice: Distributive, Procedural, Interpersonal - Roles and responsibilities of supervisors, employees, HR professionals
3	Proactive Approaches to Creating Fairness in the Workplace	<u>Diversity</u> : - Changes in Demographics - Opportunities & Challenges
4	Proactive Approaches to Creating Fairness in the Workplace	Preventing <u>Sexual Harassment</u>
5	<u>An Overview: Who Makes the Laws and Who Enforces Them</u>	-US Constitution -Civil Rights Act: Title VII - State Law - Executive Orders - Common Law -Administrative Agencies: EEOC, OSHA, OFCC

Workshop 2: Understanding Equal Employment Opportunity Laws

Time Frame: Five (5) Weeks

Week	Topic	Content
1	Today's Challenges: Fairness is a Two Way Street	Back to Fairness/Justice – a 2 sided coin: employees must treat employer fairly: <u>Employment at Will and Exceptions to At-Will</u> <ul style="list-style-type: none"> ○ Good Faith, v Cause ○ Public Policy ○ Implied Contract v Explicit <u>Due Process: fairness in employee discipline</u> <u>Right to Privacy</u> <ul style="list-style-type: none"> - Federal Privacy Act of 1974 - Fair Credit Reporting Act 1970 - State legislation

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		<ul style="list-style-type: none"> - Balancing the employers right to information and the employees right to privacy - Electronic eavesdropping (telephone, Internet, email)
2	<p>Antidiscrimination Laws:</p> <p>Sound Administration of HR is Sound Risk Management</p>	<ul style="list-style-type: none"> ▪ Equal Employment Opportunity versus Affirmative Action <ul style="list-style-type: none"> -Affirmative Action Plans - Quotas or <i>Good Faith Effort</i> ▪ Protected Groups
3	Tips for Avoiding Personal Liability	<ul style="list-style-type: none"> ▪ Civil Rights Act 1964, Title VII, and as amended in 1991 ▪ Age Discrimination in Employment Act of 1967 (ADEA) ▪ Pregnancy Discrimination Act of 1978
4	Impact on Compensation: Be Careful that You Are Not Discriminating in Your Pay Practices	<ul style="list-style-type: none"> ▪ Equal Pay Act of 1963 ▪ 1992 Education Amendment ▪ Fair Labor Standards Act (FLSA)
5	What is the <i>Bermuda Triangle</i> and How Does It Impact Employee Leave Administration	<ul style="list-style-type: none"> ▪ Workman's Compensation ▪ Family and Medical Leave Act ▪ Americans with Disabilities Act (ADA) <ul style="list-style-type: none"> - Reasonable Accommodations - Essential job requirements

Workshop 3: Effects of Anti-Discrimination Laws

Time Frame: Four (4) Weeks

Week	Topic	Content
1	<p>The Courts and EEOC Enforcement Process</p> <p>Respond Proactively to Employee</p>	<ul style="list-style-type: none"> ▪ EEOC Statistics 2006 ▪ The Enforcement Process ▪ Grievance procedures ▪ Alternative Dispute Resolution (ADR) ▪ Mediation ▪ Arbitration ▪ Monetary damages

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	Complaints	<ul style="list-style-type: none"> ▪ The Employer's response ▪ Retaliation
2	<p>Hiring Practices: Use All of Your Resources but Ensure that Your Procedures are Job Related</p> <p>a. Recruitment and Selection</p>	<ul style="list-style-type: none"> ▪ Uniform Guidelines on Selection Procedures ▪ Adverse Impact, Treatment ▪ The employer defense: BFOQ and Business Necessity ▪ Employee Referral Programs ▪ Pre-screens: Interviewing and Testing (Reliability and Validity)
3	<p>Hiring Practices: Use All of Your Resources but Ensure that Your Procedures are Job Related</p> <p>b. Selection</p>	<ul style="list-style-type: none"> ▪ Background Checks ▪ Medical Exams & Drug Screening ▪ Conditional Employment Offers ▪ Immigration Reform Control Act (I-9) ▪ Contingent Workers, or Employees
4	c. Retention and Terminations	<ul style="list-style-type: none"> • Personnel Files • Performance Management Process: Appraisals and Upward Mobility • Performance Improvement Plans • Disciplinary Action ▪ Reduction in Force (RIF)