EffortlessHR January 2010
Employer's Advantage Newsletter

FYI – For Your Information: -- Checking and Giving References – Both Sides of the Coin

Many HR professionals and training/business coaches tell their clients that they need to check references on all new hires. The problem is that due to the fear of lawsuits, companies are told they should be cautious in giving references. Because of these two diverse thoughts, we are caught in an on-going circle of debate – to reference or not to reference.

Providing inaccurate or inappropriate information or asking inappropriate questions may provide grounds for discrimination, defamation, or invasion of privacy lawsuits. Employers may not ask about or give out information about any of the issues protected by state or federal law. These issues include age, race, religion, national origin, or disability. Also, employers may not give false statements that damage a former employee's reputation; nor may they provide any embarrassing personal facts.

However, it is important that employers understand they have an obligation to provide information about harmful tendencies and failure to provide that type of information can lead to negligent hiring issues by the new company and lead to claims of misrepresentation.

Many companies skirt the issue by only providing "Name, Rank, and Serial Number", which is only a verification of title, date of hire and salary or earnings. This approach cannot help the company seeking information and may in fact harm the chances of good employees finding a good job. If the employee cannot find a job, they may file for unemployment, which may affect the old company and add to their unemployment taxes.

What is the answer? Employers can limit their liability and still provide useful information by:

- Develop and follow a written policy on reference checking that specifies who may give references, what information may and may not be given, to whom may information be given.
- Limit the number of people in your organization who may give references and make sure they are trained in how to give information to others.
- Always make sure you have the written consent of the former employee to provide a reference, and if possible indicate that the reference could be based on past performance reviews.
- Ask for a written release of liability from the employee (usually provided through the new company) before a reference is given.
- Give only truthful, job-related information based on your documented facts.
- Do not give references with prejudices or malice and never, ever, make statements about the character of an employee.

- Make sure the person you are giving the reference to is authorized to receive it and have a legitimate need for it.
- Train those who give and receive reference on how to do it legally and correctly.
- Document all reference requests and what information you provided.

Finally, when in doubt, check with your state to see if you are immune to civil liability for good-faith references and if necessary, ask legal counsel for guidance. This would be especially true if there are issues that may seem to be "delicate". No matter what side of the coin you are on, do your due diligence and check and give references when needed.

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FROM JIM SIRBASKU'S DESK

All Four-Letter Words Are Not Bad

What's a quick way to reduce stress?

If you associate the question with the headline above it, you may think we're advising you to let loose with a string of angry four-letter words not suitable for printing here. Because—let's face it—sometimes stress induces anger, including the use of bad words in a raised voice.

But that's not the kind of four-letter word we have in mind. We're thinking of something that leaders can do in public and still remain professional. In fact, those who use this stress-reducer will find that it works immediately and can be used multiple times to great effect. Although it may become habit-forming, the CEO likely will not mind. In fact, successful CEOs use this four-letter word themselves, every day.

What is it?

T-A-L-K.

Before you decide that the solution is too simple to reduce stress, you need to look at the causes. In the Profiles report, "The Leader's Guide to Managing Workplace Stress," we list good management practices that help reduce stress:

- Learning about what causes distress in the workplace, striving to improve the working environment, and minimizing stressors within your control.
- Finding out whether distress could be a problem for individuals in your work group by implementing a systematic assessment.
- Working to eliminate or manage internal issues that are affecting staff.
- Understanding one's own physiological response to stressors and working to adopt a proactive stance.

Of the actions listed above, which one does NOT involve talking?

Right. All four emphasize communication, or its shorter but just as powerful buddy, talking. Although some people will argue that there is too much talking on the job already, we believe that talking of all kinds must occur throughout the workday for employees to understand their job and perform it well.

But talking has to have a purpose to be effective, so we need to use what works and eliminate what does not. Here are some ideas to that end:

Time it right. Plan the best time to meet. Just as you don't text-message while driving to work on a busy freeway, you should not initiate an important discussion with a team leader an hour before her deadline on an important project; that only causes more stress. Schedule regular times to talk to your team leaders, and be flexible enough to reschedule if one of the parties cannot meet at that time.

Listen. Although that's not a four-letter word, it's implied as part of talking to others. If you ask a manager what's going on and allow other people to interrupt while he is telling you, your attention is diverted and divided. He will lose his train of thought or think that you don't care…and he may be correct. So program your phone not to ring, ask someone else to answer it, turn your cell phone off, or meet in a room without phones. Make sure others know not to interrupt during important meetings. If the meeting involves several people at once, set ground rules that including not interrupting the person who has the floor.

Ask. Another short word with power, this involves probing to make sure you understand the issues. This is imperative if the discussion is complicated or involves several facets. Even addressing simple issues, asking questions and restating any problem also lets the talker know that you were listening.

Open your door. Ensure that everyone who works with you knows he or she can come to you with stressful issues. Letting people know this can be as simple as keeping your door open. Also, you can structure regular meetings with everyone on your work team and have an agenda for each meeting.

Dive deep. Talking with a purpose needs to go beyond "How are you today?" or "Did you watch the game last night?" Those are greetings or feel-good questions. To learn something of importance, you must ask open-ended questions: "What is left to be completed on your project?" or, "What steps have you taken to ensure that your new team member is fitting in with the rest of your group?"

Don't blab. Make sure that confidential communications remain so unless you have an ethical or legal reason to report them. Even then, be circumspect. Workers must have someone they can go to in confidence to discuss sensitive issues. Involve your human resources department or other departments as necessary.

Starting out with that simple four-letter word can help leaders reduce workplace stress to the size of a small molehill. Remember that stress is merely a six-letter word. Only neglect allows it to grow.

Jim Sirbasku, CEO
Profiles International

Did You Know?

1. Globally, more than 3 out of 5 doctor visits are for stress related problems. -*Foundation for Integrated Research in Mental Health*
2. "Stress is linked to the six leading causes of death – heart disease, cancer, lung ailments, cirrhosis of the liver and suicide." *-American Psychological Association, 2005*
3. 62% of Americans say work has a significant impact on stress levels. *-APA*
4. 61% of workers list heavy workloads as a significant impact on stress levels. *–APA*
5. 54% of workers are concerned about health problems caused by stress. *-APA*
6. The Wall Street Journal reported that one third of people surveyed considered

quitting their jobs because of stress and 14 % actually did.
7. One in four workers have taken a 'mental health day' off from work to cope with stress -*APA Survey, 2004*

Managing Mankind: January

Starting the New Year the Employer's Advantage will offer you links to the Profile International blog. You can find insightful ways to start the year off stress-free. Our newest executive briefing "The Leader's Guide to Managing Workplace Stress" is full of useful facts and information geared toward educating managers about the threats and solutions for a stressful workplace, and is available on the Profiles Resource Center. Throughout the month you will enjoy articles, video clips and news links created to assist professionals on every level.
January posts include:
To Produce Your Best, Alleviate Stress
Screen to Find Golden Employees
Screen Now or Regret Later

Follow along each month as series and storylines develop. Meet the characters of the blog scenarios, and learn to solve issues in new and effective ways. Managing Mankind is the professional's guide to modern management and workplace issues.
You can find our blog at www.managingmankind.com. Or by contacting EffortlessHR at info@effortlesshr.com.

Featured Article:

What You Can Do about Stress

If you don't get everything you want, think of the things you don't get that you don't want. That quote by Oscar Wilde is a negative way to look at the positive, but the point remains good: We cannot control everything that happens, but we can control our response to events swirling around us.

As Profiles International demonstrates with its research on stress in the workplace, we give stress too much power when we allow problems we experience on the job to control our lives. This causes bad health, overblown drama in the office, and relationship problems at home. Making jokes about not having a "life" outside of work is fine if it is just a joke—but not if we mean it. Healthy people know they must balance work with the rest of their lives to maintain their good health.

People who are frazzled by what they perceive as unrelenting stress can take basic steps to get back the power, manage their lives and keep work issues in perspective:

- **Establish a lifeline.** Everyone needs a trustworthy ear—someone to talk to, preferably before reaching the boil-over point. Develop colleagues, whether in the office or away from work, to help you deal calmly and logically with job frustrations. Talking to others about work problems will help you realize that you are not alone. If something is affecting you, then it is affecting others too.
- **Prioritize.** When job duties threaten to swamp you, step back. Decide what needs to happen in the next hour, or the next day. Take everything a step at a time. Setting priorities helps you organize your workday.
- **Learn to say no.** Although you cannot reject a manager's assignment, you can keep the lines of communication open so he knows what else you are working on. Do your part to strengthen the relationship. Ask for regular feedback on your performance;

seek your manager's help in setting priorities. If your workload has increased and you need help, say so. Remember, communication takes two people and managers cannot read minds.

- **Leave work on time.** It's normal to work past quitting time to finish a project, but doing so on a regular basis creates problems at work and at home. Leaving on time demonstrates to others that you have a life outside work. Set an example by working when you are at work and enjoying other pursuits when you are not.
- **Exercise.** Do it regularly at a time you set aside just for that. Start with two or three days and work up to daily if possible. Think of stretching, walking, yoga, pilates, swimming, running or biking—anything that raises your heart rate and clears your mind. People who exercise say it gives them more focus.
- **Think practically.** Change is inevitable, even in slower moving organizations that appear to stay the same. Acknowledge that nothing stays the same and that changes at work will affect you in some way. Then deal with them as they arise. Remember, some changes can be good ones.

When you think that you have little control over your life, remember that you are the only person who controls your attitude. A deep breath and a thoughtful approach to what you are facing will sustain you much longer than will tears, yelling and hand wringing.

Announcement:

The New Year – 2010 – is poised to be very exciting at EffortlessHR! At the recent Profiles International conference new products and enhancements were announced. EffortlessHR is pleased to announce that we now have available through our program, not only assessments (which we have always had) but also Skill Tests (over 1,100 different tests) and background checks. EffortlessHR is truly your one-stop shop for all your HR needs.

In addition, EffortlessHR is ready to roll out a new customized Report Writer. This tool will make preparing and customizing needed reports effortless as possible.

Stay tuned for more exciting news – or better yet – check us out at www.effortlesshr.com.

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