

# Media Mention: Will Oden's Insightful Discussion For Human Resource Professionals

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**One of the keys to success when running a business is having the right people in the right positions.**

That's why having a strong human resources team is vital to ensure the wellbeing and longevity of any company. Of course, there will be some challenges, ranging from retaining the best employees to juggling company policy, procedure, and other daily functions.

So, how do you effectively manage human resources to guarantee the overall success of the business? The Greater Wilmington Business Journal reached out to area experts for advice on effectively managing human resources. Here's is labor and employment attorney Will Oden's "Insightful Discussion on HR Tactics for a Successful Business."

From the article:

**How should organizations address workplace issues making national headlines, such as the #MeToo movement, gender pay gap and diversity with employees?**

Actions speak louder than words. Schedule anti-harassment training for all employees and managers.

This is also a good time to ensure that all related employee policies are up-to-date. Self-audit employee compensation to confirm that there are not any wage gaps between similarly-situated male and female employees. If there are some wage gaps, what is the business reason? In that instance, you may need to consult an employment attorney.

Depending on the size of the organization, you might consider starting an internal diversity committee to give voice to – and serve as a sounding board for – diversity issues.

**Beyond salary, what incentives can employers offer to retain quality employees?**

A flexible work schedule, allowing for working remotely, when possible, recognition for employees who have worked long enough to hit certain milestones, 401k matching, help with the repayment of student loans, and a seat at the table in terms of being able to provide input and be heard by those who are in charge are all good options, to name a few.

Ask your employees what they value and what incentives or performance-based rewards that they would like to see. You really are only limited by your imagination.

**How important is a company's culture and mission statement to employee satisfaction?**

Building and maintaining a good company culture is extremely important. However, it is equally important that, as the business grows and changes, the company be allowed to flex with the business – namely, hold on fiercely to those culture aspects that are critical but be willing to pivot on others as the market, customers and/or employees' needs change.

I do not put much stock in mission statements, unless employees have been given substantial input in their drafting to ensure buy-in. How the mission statements are acted upon, if they exist, is what matters most.

**How often should businesses review and/or update their employee handbook and company policies?**

Businesses should review their employee handbook and company policies at least annually. Ensure that you have the right policies in place for a company of your size.

A written employee handbook/ policies can actually hurt a company, if they do not comply with current federal and state law and/or are not administered consistently.

**What are a few of the most common HR growing pains that small and midsize organizations face?**

First, very small companies in North Carolina (less than three employees), may not realize that once they reach the three-employee threshold, they are required in most instances to carry workers' compensation insurance. Failure to maintain workers' compensation insurance, when required, may result in harsh civil and criminal penalties.

Another issue I encounter frequently is the misclassification of employees as independent contractors. Do not treat someone who should be classified as an employee as an independent contractor to save money. Misclassification can result in back wages and overtime being owed, plus, in some instances, double damages and the employee's attorneys' fees being owed – not to mention having to reimburse the worker for anything else of value (health insurance, retirement, etc.) that he/she would have been provided had they been properly classified as an employee in the first place.

Finally, I still see quite a few companies inappropriately treating non-exempt employees as exempt. When in doubt or if it is a close call, speak with your employment attorney.

**What HR legal issues should companies be most educated about and updated on?**

Those issues include:

- Discrimination laws (Title VII, Age Discrimination in Employment Act, Americans with Disabilities Act, and related state laws)

- The National Labor Relations Act's application to employee social media and solicitation issues (including the prohibition against requiring employees to not discuss their wages and/or other terms and conditions of their employment)
- Background check laws (the Fair Credit Reporting Act and state laws limiting consideration of certain convictions)
- Drug-testing laws, because they differ by state LADIG: Ban the box, pay equity, paid family leave, harassment, immigration, and recreational marijuana.

### **What are some strategies for effectively managing a remote workforce?**

Frequent check-ins with each remote worker, in-person, regular (semi-annual or at least annual) performance evaluations, just like for your onsite workers, and clear, written job descriptions and expectations go a long way toward managing a remote workforce.

Ensure that each non-exempt, remote worker submits accurate time records so that they are paid appropriately, and also make sure that you understand the difference between being engaged to wait and waiting to be engaged, as the former can often constitute compensable time.

### **How do you manage work-life balance in an organization?**

Providing adequate paid time off/vacation leave for employees and requiring that a majority of it be used during the calendar year during which it is provided (use it or lose it), while also making sure that employees are afforded the opportunity to use and enjoy their paid time off/vacation leave is one way to help manage work-life balance in an organization.

But ultimately, it is up to each employee to figure out what works best for him/her.

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