

Measured Success! Raising the Bar in HR

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EVOLVING TECHNOLOGY: Is It Time To Update Your Employee Handbook?*

A succinct and easy to use employee handbook can help employees understand company policies and improve overall communication throughout your organization. A handbook can also provide valuable documentation that will reduce/limit employer liability. The recent growth in popularity of two personal communication innovations, *instant messaging* and *camera phones*, have left employee handbooks outdated and present potential liability for employers. Both of these technologies, if ignored by employers, can quickly lead to lawsuits and/or breaches in confidentiality or corporate security.

CAMERA PHONE

The camera phone presents a unique problem to employers, particularly in an office setting. With a camera phone an employee, particularly the departing or disgruntled type, can easily take "push-button" digital photographs of confidential information, i.e., client lists, manufacturing design, new marketing schemes, product formula, etc. and instantly forward it anywhere in the world. The use of camera phones can also easily lead to harassment and/or discrimination. Pictures taken from inappropriate angles or emphasizing certain anatomy can quickly lead to a lawsuit.

INSTANT MESSAGING

Employee e-mail creates a documented record of casual conversations between co-workers and can provide documented support of discrimination or harassment charges. Instant messaging is the next-worse thing. Instant messaging is a turbo-charged e-mail that provides documentation of off-the-cuff conversations between co-workers at a comment-by-comment pace.

For those employers who are caught off guard and don't have an e-mail and instant messaging use/monitoring/retention policy, the expense and difficulty of discovery may only be the beginning. For example, in *Thompson v. United States HUD*, the District of Maryland sanctioned the defendant employer for failing to timely produce over 80,000 e-mails. The court ordered that the employer could not use any of the 80,000 e-mails that were produced, but the plaintiff could use any of the e-mails in his case in chief or in his cross-examination.

Employers often will be the last to discover technology is being used inappropriately. An employer's best defense is a clear policy concerning the use. A policy cannot eliminate the possibility of abuse, but a policy can set guidelines and parameters for use, thereby limiting the opportunity for abuse. Employers are encouraged to review and update their employee handbook every three to five years in order to limit the potential liabilities associated with outdated policies and evolving technology.

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## **MEASURING SUCCESS! The Cost of Disorganization**

Statistics show the average worker loses at least one hour of productivity each day due to disorganization. Figure out how much disorganization is affecting your company's bottom line.

1 hour X one worker's hourly salary = \$\_\_\_\_\_ LOST TODAY

5 days a week X \$ lost today = \$\_\_\_\_\_ LOST THIS WEEK

48 weeks X \$ lost this week = \$\_\_\_\_\_ LOST THIS YEAR

**TOTAL NUMBER OF EMPLOYEES X \$ Lost This Year = \$\_\_\_\_\_**  
**TOTAL LOSS DUE TO DISORGANIZATION**

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DID YOU KNOW?

You can save yourself some time using the Internet to complete the following actions:

NEW HIRE REPORTING

Visit www.panewhires.com to find out how to report your new hires on-line.

I-9 FORMS

Visit http://www.shrm.org/hrnews_published/archives/CMS_010708.asp to read an article on a new law that allows electronic completion and storage of I-9 forms. The new law is effective near the end of April 2005 or the date the Department of Homeland Security's final regulations take effect.

PROFESSIONAL LICENSE VERIFICATION

Visit the Pennsylvania Department of State Bureau of Professional and Occupational Affairs website to verify professional licensure <http://www.licensepa.state.pa.us/default.asp>.

DEPARTMENT OF LABOR ON-LINE FORMS

The US Department of Labor, Employment Standards Administration, Wage and Hour Division offers most forms and publications for download from their website. Many forms can be saved and completed using your computer instead of by hand. Visit <http://198.17.175.81/pls/epub/wageindex.list>;

**Visit the site after March 10, 2005 to download the newly required
Military poster.**

EQUAL OPPORTUNITY SURVEY

The OFCCP created the EO Survey to gather certain employment information from Federal contractors and subcontractors. The EO Survey asks for information regarding a contractor's Affirmative Action Program as well as summary data on personnel activity and compensation. Visit <https://eosurvey.dol.gov/survey/login.asp> to find out how to complete and submit these surveys over the internet.

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## **NEW RESOURCE FOR FAMILY BUSINESSES**

Do you need a resource that will help your family business by addressing your unique needs? Check out [www.familybizcenter.com](http://www.familybizcenter.com) the Family Business Center at Citizens website. This website offers tools to get the business answers you need and help family businesses thrive and grow through each generation.

*~ The Family Business Center at Citizens - Family Business Advisors That Are Like Family ~*

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THE RESEARCH

*Excerpts taken from article Is Your Employee Handbook Evolving With Technology?: Two Employment Policies That Every Employer Should Have, by Brian P. Paul; Michael Best & Friedrich, LLP. Reprinted with permission from Michael Best & Friedrich LLP. To read Mr. Pauls full article visit www.mbf-

law.com/newsletters.cfm.

<http://www.pilestfiles.com/math.html> - cost of disorganization.

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THANK YOU!