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Employment Practices UPDATE



New Year's Resolutions: Setting Goals for Employment Practice Risk Management

Each new year gives us an opportunity to make resolutions, both personal and professional. As a leader of an emergency services organization (ESO), you set annual objectives pertaining to finances, operations, safety, and training. However, if 2007 is like years past, managing difficult personnel problems will take up a great deal of your time. Worst-case scenario, 2007 could be the year your ESO faces litigation, such as wrongful termination, harassment, or discrimination.

When setting New Year's resolutions for your job, don't forget to put personnel relations goals at the top of your list. This article sets forth possible resolutions or goals that can be implemented at your ESO. Proactively managing personnel relations helps improve morale and mitigates exposure to costly and time-consuming litigation.

**Have you
resolved to
promote,
maintain, and
support a
productive
work
environment?**

We welcome comments,
suggestions and questions
from our readers.

Write to:
Editor
Employment Practices Update
P.O. Box 2726
York, PA 17405

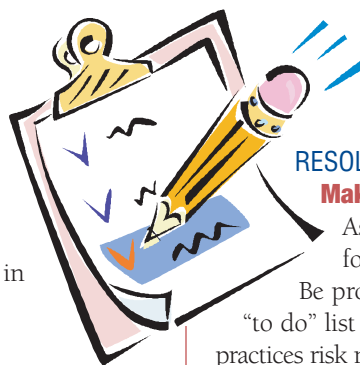
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Personnel Problems are Inevitable

It is a surety that personnel challenges will be placed at your feet as an ESO leader. Odds are you will be dealing with some, if not all, of the following situations in the next twelve months:

- A harassment or discrimination complaint and investigation
- Romantic relationships between coworkers
- Difficult disciplinary decisions
- Processing personnel grievances
- Physical or mental disability questions and accommodations
- Substance abuse by ESO members
- Work-related violence or threats of violence
- Problem employees or volunteers who seem to be in the middle of most workplace conflicts
- Turnover
- Disputes or issues that require legal assistance



RESOLUTION #1 – Make a List

As an ESO leader, you are responsible for managing personnel problems.

Be proactive rather than reactive. Create a “to do” list relating to your ESO's employment practices risk management.

RESOLUTION #2 – Involve Your Employees and Volunteers

First solicit feedback from ESO employees and volunteers (members) to determine the needs in order to improve their work experience. Front-line personnel may have different ideas about what is necessary to improve the work environment. Consider an employee or member satisfaction survey to learn of the perceived strengths and weaknesses of the organization. Once priority items are identified, help organize internal committees to address needs. For example, a committee could be formed to help revise the ESO's performance evaluation process.

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NEW YEAR'S RESOLUTIONS

Continued

RESOLUTION #3 – Meet With a Labor and Employment Attorney

Every ESO should retain an attorney experienced in handling personnel matters. Contact a local or regional employment lawyer who can strategize with your ESO to develop a plan of improving personnel policies and practices. It is sound risk management to work with an attorney to help avoid litigation rather than make contact after a problem arises.

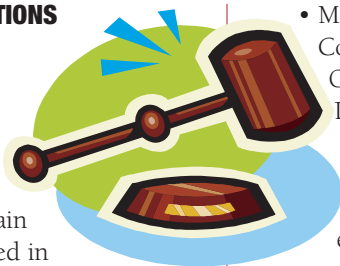
RESOLUTION #4 – Send Top Administrators to an Employment Law Seminar/Conference

Set a goal that, at least once a year, top administrators will attend an employment law or human resources seminar or conference. High-ranking administrators are responsible for navigating the confusing waters of labor and employment laws and regulations. Attending a conference or comprehensive seminar allows participants to become immersed in the subject matter and participate in question and answer sessions.

RESOLUTION #5 – Utilize Educational Resources

ESO administrators can access a variety of employment practices risk management materials from VFIS on its website at www.vfis.com or through the VFIS Risk Control department. For example, you are encouraged to utilize past newsletter articles, called *Employment Practices Updates*, for training and discussion opportunities for those with supervisory authority. Other educational resources include:

- Employment Practices Resource Manual
- Harassment and Discrimination Prevention Training Program for Supervisors and All Members
- Sample best practices guidelines (Communiqués) for handling personnel matters



- Managing Volunteer and Combination Emergency Services Organizations – Tips for the Fire Department CEO
State and federal employment laws and court cases are constantly evolving. Your ESO's employment attorney can also recommend additional educational resources to stay current and better manage legal matters.

RESOLUTION #6 – Train All Members on Harassment and Discrimination Prevention

Harassment and discrimination claims continue to plague the emergency services industry. Sexual harassment law is confusing and volatile. Discrimination prevention based on legally protected class status, such as race, color, gender, ethnicity, disability, religion, and age should be a priority for any organization.

Educating professionals in emergency services on the sensitive topics of sexual harassment and discrimination prevention can be tricky. Simply put, your members can be a tough audience. After all, working in emergency services is a unique experience, very different from a stuffy corporate environment. Therefore, take time to carefully select a trainer or facilitator who understands the world of emergency services and can speak your language. Credible and experienced ESO trainers are the key to implementing a successful harassment and discrimination training program.

Make this the year you institute mandatory harassment and discrimination prevention training for all employees and volunteers. Training helps communicate your organization's commitment to preventing unlawful behavior, while not attempting to sterilize the work environment. It is a prudent business practice to take time each year to thoroughly discuss how the emergency services environment presents unique harassment and discrimination scenarios.

RESOLUTION #7 –

Lower Turnover by Asking Questions

Employee and volunteer turnover costs your ESO money, time, energy, and lost productivity. Asking smart questions during the exit interview process can help discover why turnover is occurring, and, equally important, what can be done in the future to increase retention.

Face-to-face exit interviews allow for a friendly and personal forum to discuss the circumstances surrounding the severing of the working relationship. Be sure the departing member is comfortable with the person or persons leading the interview. As another option, mailing the exit interview form provides the departing member an opportunity to formulate answers in a thoughtful and comprehensive manner.

RESOLUTION #8 – Implement an Employee Assistance Program

A career in emergency services brings inherent anxiety, stress, and fatigue. Consider making an Employee Assistance Program (EAP) available to your ESO members and their families. An EAP is a professional and confidential counseling service designed to address work or personal issues like:

- Substance abuse or dependency
- Family, relationship or marital problems
- Financial difficulties
- Depression
- Bereavement

EAP services may include short-term personal counseling and assessment, referrals to community resources, and follow-up help for ESO members.

ESO leaders and administrators are tasked with promoting, maintaining, and supporting a productive work environment. Addressing the issues set forth in this article will help you accomplish these goals.

Michael McCall, J.D., provides employment practices consulting and training to emergency service organizations nationwide.

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