



Monthly Strategies

HR Strategies, LLC

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Summer Vacations Are Back

Summer is right around the corner and that means summer vacations! After the past few years of limited travel or not taking vacations due to the pandemic, many people have accrued more time off than they have ever had before. Your employees will begin requesting time off for vacation, so this is a good time to review your vacation policies and procedures to ensure they are legally compliant and work with your business needs.

For the most part, employees aren't promised paid vacations unless employers agree to provide paid vacation through a policy, practice, or contract. Exceptions include some state or local paid sick leave laws. But once an employer decides to offer paid vacation then there are important factors that need to be considered when addressing their vacation policy:

- **Use of vacation time** – There should be guidelines and restrictions when it comes to the use of vacation times. Such things as advanced notice, management approval, and scheduling conflicts. If these guidelines are not set in place, then too many employees could take vacations at the same time and not leave enough coverage at the workplace.
- **Approving and denying vacation requests** – Vacation requests should be upheld to a nondiscriminatory approval/denial process so as not to show any form of favoritism. A good way of doing so would be approving/denying by timing of the request or by seniority.
- **No working during vacation** – In any circumstance that a non-exempt employee is called upon for any work (be it through telephone calls, text message or email on their mobile device), they are to be compensated for the work in lieu of their vacation time.
- **Accrual limits** – Place a limit on the amount of vacation time that can be accrued if employees are allowed (or entitled by state law) to roll over their vacation time from year-to-year.

- **Allowing vacation advances** – If allowing advancement on paid vacation that has yet to be accrued, provide precise guidance on doing so as not to allow employees to take advantage of such advances. Paid vacation time taken before being accrued can make it difficult to deduct advances from wages or an employee's final pay upon termination.
- **Other guidance** – Provide guidance on whether employees may or may not receive pay in lieu of vacation, whether vacation time must be taken in specified increments, if vacation time will not continue to accrue during unpaid leaves of absence, whether an employee who becomes ill during vacation leave can treat the period of illness as sick leave instead, and whether a holiday that falls during a vacation period will be treated as a vacation day.
- **Leave laws** – Fully explain the use of vacation time in conjunction with the Family Medical Leave Act (FMLA) or any other leaves laws, including equivalent state laws.

Improve Your Performance Reviews

Here's how to make the review process more palatable for both managers and their direct reports:

- Don't limit conversations to once or twice per year. Every team is different, so leaders should decide what schedule is most appropriate for their departments. However, it's important to deal with any problems as they arise; don't let them fester.
- Set performance goals and expectations at the beginning of the year so employees understand their responsibilities. This helps lend objectivity to the process by introducing measurable targets. However, the goals should be adjusted if there are major changes to the business or an employee's circumstances.
- Explain how each employee's position, as well

as each department, fits into the company's overall strategy. This will help employees understand why their job matters and why it's important.

- Simplify the process. There's no need for a double-digit number of steps or numerous questions that require long-winded answers.
- Consider a 360-degree approach. Input from employees' colleagues or from other managers can help give a fuller picture of employees' capabilities and contributions.
- Eliminate proximity bias. You may not see some employees as often as others, especially if they work remotely, but that doesn't mean they're not working hard.
- End recency bias, which is basing a review on an employee's most recent performance while ignoring earlier efforts. Don't let recent mistakes overshadow the employees other impressive accomplishments.
- Solicit feedback from employees. Reviews should be a two-way conversation not a lecture.
- Train managers to give advice calmly and helpfully. This is especially important when leaders must call out an employee's subpar performance.
- Don't discuss compensation during reviews. Employees are likely to be so focused on learning about a raise or a bonus that they won't pay much attention to anything else.

Delaware Anti-Sexual Harassment Law Training Requirements

The Delaware law that specifically addresses prohibition against sexual harassment under the Delaware Discrimination in Employment Act (DDEA), requires anti-sexual harassment training requirements for employers, with 50 or more employees in the state, every two years. The law went into effect on January 1, 2019, and it is time to conduct the mandatory interactive training.

Contact HR Strategies to schedule your organization's required training or schedule individual employees for a live upcoming online interactive class.

Welcome Joanne Lee

Joanne P. Lee, SHRM-SCP has officially joined HR Strategies, LLC as Chief Mediator and HR Business Partner!

Joanne is the former Vice President of Human Resources for N.K.S. Distributors, Inc. Joanne is a graduate of Neumann University in Aston, PA with a B.A. Degree in Business Management. She is a Senior Certified Human Resources Management Professional through the Society of HR Management and received a professional designation in HR Management through UCLA.

Joanne Has extensive experience in the HR field working in Delaware, California, and Delaware. She has provided HR support to various clients in 25 states throughout the U.S.

Joanne is a facilitator for the SHRM Certification Preparation course. She has also served on the Business Advisory Boards for Wilmington University, Delaware Technical College, and the Center for Leadership Advisory Board for Neumann University. She has held numerous volunteer leader roles nationally and received some of the most distinguished awards given to HR Professionals.

Joanne has spent her entire career in HR Management. She has participated in the evolution of the HR function in organizations. Her passion, dedication and commitment to "People" continues.

Time to Update Your AAP's

Many Affirmative Action Plans (AAPs) expired on December 31, 2022. Under federal law, government contractors and subcontractors with 50 or more employees who have entered into at least one contract of \$50,000 or more with the federal government must prepare and maintain a written affirmative action program, which must be developed within 120 days from the commencement of the contract **and must be updated annually and were due to DOL by 3/31/23.**

Contact HR Strategies staff at 302.376.8595 or info@hrstrategies.org if you would like support or would like to learn more about the items in this newsletter. Please contact us if you would like to be removed from our Monthly Strategies mailing list or if you would like for us to add someone to our mailing list.