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TOUGH LOVE: WHAT YOUR CEO WON'T TELL YOU ABOUT HR, BUT I WILL*

prepared for:

**Greater Valley Forge
Human Resources Association**



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Tough Love: What Your CEO Won't Tell You About HR, But I Will

- Minimize HRese
 - Proactive
 - Value added
 - Synergy
 - Paradigm shift
 - Outside the box

Tough Love: What Your CEO Won't Tell You About HR, But I Will

- Stop Asking To Be At Table
 - Asking only reinforces perception of subordinate role
 - Demonstrate why you should be at the table
 - Join the meeting (where appropriate)

Tough Love: What Your CEO Won't Tell You About HR, But I Will

- Learn More About the "Business" of Your Business
 - Short-term and long-term goals
 - Services or products offered
 - Compliance concerns
 - Competitive concerns
 - Finances
 - Language of business

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- You Don't Need Data For Every Decision
 - Sometimes you need to act rather than analyze
 - We have instincts for a reason
 - Have matrix-free Fridays

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- Link HR Goals to Corporate Goals
 - What talent will business need
 - Where will you find the talent
 - How will you grow it

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- Re-recruit Top Notch Talent
 - Top talent can always move
 - HR may be blamed (and blindsided) when top talent leaves
 - What can you do to retain top talent
 - Recognition
 - Appreciation
 - Problem solving
 - Career paths

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- Recalibrate Time
 - 85% of time on "favorite" 15%
 - Cannot reverse
 - But you can move along the continuum

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- Say No to "GOMOs" (respectfully)
 - Of course, HR needs to have an open door.
 - And, that means being a good listener.
 - But not every issue is an HR issue.
 - Need to learn how to say nicely and respectfully: get out of my office

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- Be Careful of Being Seen as Employee Advocate (or Management Tool)
 - Member of management
 - But you often play a mediator's role
 - Explain to management concerns about treatment of employees in terms of impact on organization
 - Be honest with employees, even if you know they won't like what they hear
 - Special issues arising out of "friending" employees

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- Never Say: "But the Policy Provides"
 - Reduces your role to reader (not high paying job)
 - Begin with the policy, but don't end with it
 - Be careful of policies that lock in management (e.g., posting all vacant jobs, rigid progressive discipline, investigation timelines)

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- Be Careful of Consistently Focusing on Consistency
 - Importance of consistency
 - But be aware of foolish consistency
 - You can consider (and document) legitimate, non-discriminatory factors

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- Avoid False Bromides
 - You are our most valuable resource
 - Every opinion is equally valued
 - There is no such thing as a dumb question

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- Don't Send E-mails That Protect You But Set Up Organization If Claim
 - Need to protect organization
 - Understand that you also may want to protect yourself
 - Potential conflict
 - Focus on how jury may perceive facts when explaining risk as opposed to saying something is illegal when it is not

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- Provide Advice Through "Chief's Window"
 - Acknowledge legitimacy of reasons articulated (but only if legitimate!)
 - Talk about how reasons could be misperceived and attacked (for example, because of timing)
 - Don't just say it is risky-no duh?
 - In most cases, no, without more, is not adequate answer
 - Provide alternatives

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- Be Careful of Distinction between Illegal versus Legal Risk; for example:
 - Not investigating relatively minor complaint at the urging of the employee who made complaint
 - Addressing head on the elephant in the corporate living room: concern that employee's performance may be declining because of alcohol abuse

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- Be Careful of Distinction between Legally Recommended versus Legally Required; for example:
 - Pre-termination notice (progressive discipline)
 - EEOC Guidance on criminal background checks

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- Focus on Risk Selection, Not Risk Avoidance
 - Timing of risk—pre-employment v. post-employment
 - Business risks of avoiding legal risk
 - Legal risks of avoiding legal risks

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- Accept and Clarify Your Role
 - Clarify when you are advisor or decision maker
 - Don't intuit--ask
 - Failure to recognize when you are "only" an advisor may lead to
 - Clashes
 - Internal discontent
 - Remember: your role is to get it done
 - Be flexible
 - "Not my Job" may mean "not your job"

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- Keep Up With Social Media
 - No longer cool; it is mainstream
 - 8 key issues (among others)
 - Risks in friending
 - Risk-benefit analysis re: LinkedIn
 - Promotional postings
 - Personal postings
 - Protected postings
 - Dovetailing with other policies
 - Confidentiality (e.g., PHI)
 - Harassment
 - Following others
 - Being followed
 - Individual
 - Corporate

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- Revitalize Yourself
 - Focus on accomplishments
 - Make sure others know what you have done—you can have humility but still sell your competence/accomplishments
 - Make sure you have passions outside of work

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