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The Peoplelink Online Newsletter

PEOPLELINK STAFFING
25 *years*

Three Ways LEADERS CAN LISTEN with More Empathy

by Christine M. Riordan   (Harvard Business Review)

Study after study has shown that listening is critical to leadership effectiveness. So, why are so few leaders good at it?

Too often, leaders seek to take command, direct conversations, talk too much, or worry about what they will say next in defense or rebuttal. Additionally, leaders can react quickly, get distracted during a conversation, or fail to make the time to listen to others. Finally, leaders can be ineffective at listening if they are competitive, if they multitask such as reading emails or text messages, or if they let their egos get in the way of listening to what others have to say.

Instead, leaders need to start by really caring about what other people have to say about an issue. Research also shows that active listening, combined with empathy or trying to understand others' perspectives and points of view is the most effective form of listening. Henry Ford once said that if there is any great secret of success in life, it lies in the ability to put oneself in another person's place and to see things from his or her point of view –as well as from one's own.

Research has linked several notable behavior sets with empathic listening. The first behavior set involves recognizing all verbal and nonverbal cues, including tone, facial expressions, and other body language. In short, leaders receive information by all senses and not just hearing. Sensitive leaders pay attention to what others are not saying and probe a bit deeper. They also understand how others are feeling and acknowledge those feelings. Sample phrases include the following: Thank you for sharing how you feel about this situation, it is important to understand where everyone is coming from on the issue; Would you share a bit more on your thoughts on this situation; You seem excited (happy, upset…) about this situation, and I would

From the President's Desk »

Jay Wilkinson, President and CEO
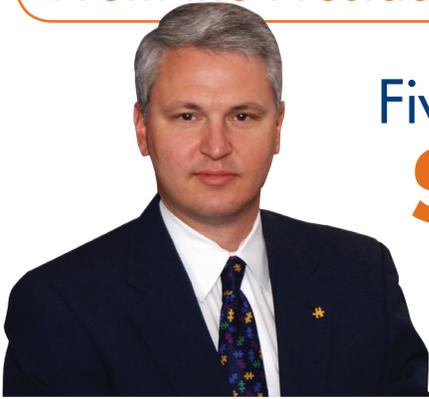
Five things you should
STOP DOING IN 2014

Inspired by HBR blogger Peter Bregman's idea of creating a "to ignore" list, here are the activities you may want to stop cold turkey in 2014:

1. Responding Like a Trained Monkey.

Every productivity expert in the world will tell you to check email at periodic intervals — say, every 90 minutes — rather than clicking "refresh" like a Pavlovian mutt. Of course, almost no one listens, because studies have shown email's "variable interval reinforcement schedule" is basically a slot machine for your brain. A 90 minute wait won't kill anyone, and will allow you to accomplish something substantive during your workday.

2. Mindless Traditions.

I recently invited a friend to a prime networking event. "Can I play it by ear?" he asked. "This is my last weekend to get holiday cards out and I haven't mailed a single one. It is causing stress!" In the moment, not fulfilling an "obligation" (like sending holiday cards) can make you feel guilty. But if you're in search of professional advancement, is a holiday card (buried among the deluge) going to make a difference? If you want to connect, do something unusual — get in touch at a different time of year, or give your contacts a personal call, or even better, meet up face-to-face. You have to ask if your business traditions are generating the results you want.

3. Reading Annoying Things.

I have nearly a dozen newspaper and magazine subscriptions, the result of alluring specials ($10 for an entire year!) and the compulsion not to miss out on crucial information. But after closely reviewing them, I was able to reflect on which publications actually refreshed me — and which felt like a duty. I'm weeding out and paring down to literary essentials. What subscriptions can you get rid of?

4. Work That's Not Worth It.

Early in my career, I was thrilled to win a large contract. That is, until the reality set in that it was a government-related contract, filled with ridiculous reporting mechanisms, low reimbursement rates and administrative complexities that sucked the joy and profit out of the work. When budget cuts rolled around and my contract got whacked, it turned out to be a blessing. These days, I'm eschewing any engagement, public or private, that looks like more trouble than it's worth.

5. Making Things More Complicated Than They Should Be.

A while back, a colleague approached me with an idea. He wanted me to be a part of a professional development event he was organizing in his city, featuring several speakers and consultants. He recommended biweekly check-in calls for the next eight months, leading up to the event. "Have you organized an event like this before?" I asked. "Can you actually get the participants? Why don't you test the demand first?" When none materialized, I realized I'd saved myself nearly half a week's work — in futile conference calls — by insisting the event had to be "real" before we invested in it. As Eric Ries points out in his new book *The Lean Startup,* developing the best code or building the best product in the world is meaningless if your customers don't end up wanting it. Instead, test early and often to ensure you're not wasting your time. What ideas should you test before you've gone too far?

Eliminating these five activities is likely to save me hundreds of hours this year — time I can spend expanding my business and doing things that matter. What are you going to stop doing? And how are you going to leverage all that extra time?

like to hear more about your perspective.

The second set of empathic listening behaviors is processing, which includes the behaviors we most commonly associate with listening. It involves understanding the meaning of the messages and keeping track of the points of the conversation. Leaders who are effective at processing assure others that they are remembering what others say, summarize points of agreement and disagreement, and capture global themes and key messages from the conversation. Sample phrases might include the following: Here are a couple of key points that I heard from this meeting; here are our points of agreement and disagreement; here are a few more pieces of information we should gather; here are some suggested next steps—what do you think?

The third set of behaviors, responding, involves assuring others that listening has occurred and encouraging communication to continue. Leaders who are effective responders give appropriate replies through verbal acknowledgements, deep and clarifying questioning, or paraphrasing. Important non-verbal behaviors include facial expressions, eye contact, and body language. Other effective responses might include head nods, full engagement in the conversation, and the use of acknowledging phrases such as 'That is a great point.'

Overall, it is important for leaders to recognize the multidimensionality of empathetic listening and engage in all forms

of behaviors. Among its benefits, empathic listening builds trust and respect, enables people to reveal their emotions–including tensions, facilitates openness of information sharing, and creates an environment that encourages collaborative problem-solving.

Beyond exhibiting the behaviors associated with empathetic listening, follow-up is an important step to ensure that others understand that true listening has occurred. This assurance may come in the form of incorporating feedback and making changes, following through on promises made in meetings, summarizing

the meeting through notes, or if the leader is not incorporating the feedback, explaining why he or she made other decisions. In short, the leader can find many ways to demonstrate that he or she has heard the messages.

The ability and willingness to listen with empathy is often what sets a leader apart. Hearing words is not adequate; the leader truly needs to work at understanding the position and perspective of the others involved in the conversation. In a recent interview, Paul Bennett, Chief Creative Officer at IDEO, advises leaders to listen more and ask

the right question. Bennett shared that "for most of my twenties I assumed that the world was more interested in me than I was in it, so I spent most of my time talking, usually in a quite uninformed way, about whatever I thought, rushing to be clever, thinking about what I was going to say to someone rather than listening to what they were saying to me." Slowing down, engaging with others rather than endlessly debating, taking the time to hear and learn from others, and asking brilliant questions are ultimately the keys to success.

Meet **KAY NOAH** »

Branch Manager
Visiont (A Peoplelink Company)
Urbandale, IA

» How long have you been in the staffing business?
I've been in the IT staffing business for 16 years in different capacities. I started as a Business Analyst and Project Management consultant. I've been a client hiring leader and now have done Recruiting/Account Management work with Visiont for the past 8 years. However; my staffing experience started back when I was in college (a very long time ago). I took calls for a home care agency over the weekends. The majority of calls were all about staffing. I then moved on to manage a centralized staffing office for 3 local Des Moines hospitals. IT and healthcare staffing is very different but the core competencies to do the work are very similar.

» What was your first job? What do you remember most about it? Oh goodness, my very first job was detassling corn for a summer when I was 14. I remember early morning hours, packed lunches, garbage bags as a raincoat, mud and exhaustion. I also remember the paychecks…at 14 it was big bucks!

» Who was the worst boss you ever had and why?
I've never had a bad boss. I've had bosses I adored and then one or two who were challenging. Each of them stretched me and taught me something along the way. Those experiences led the way for the next opportunity.

» What motivates you each day to sell and service your clients? I love putting the pieces of the puzzle together. It motivates me to listen to clients problems, understand their business need and their culture. It's very fulfilling to bring them fantastic quality resources who not only have the core competencies they are looking for, but a personality that fits their culture. The client challenges change. Project work changes. The technologies or business problems change. It's a new ballgame every day. I love the challenge!

» What are some of your long-term goals? My professional long term goal is to be a catalyst for growth and change within our organization. I love my role here and naturally think toward the future. I can envision what we COULD be. I want to continue to be challenged and grow. My personal long term goal is to move South. I look forward to a small beachy town… my husband will run a small Mom & Pop fishing shop and I'll waitress part time and volunteer – just because… Oh and I look forward to being a Grandma someday and to watch our children blossom into wonderful adults.

» What makes Peoplelink unique, from your perspective? Visiont, as a part of Peoplelink, is unique because we work hard to build relationships with our consultants and our clients. We all come from a technology and/or IT staffing background. We can service our clients because we understand their problems, we are genuine, and our end goal is for every placement to be a win/win situation for all involved.

» What makes you successful as a Sales Representative? I love to interact and connect with people. I understand project work and the staffing needs associated with it. I've led projects, I've been a project team member and I've been the client looking for these types of resources. I can support my consultants as they are encountering different situations on their projects. I can strategize with clients and help them solve their problems. My job is to make as many situations as possible BETTER because I was involved. Clients and Consultants trust that I will have their best interest at heart.

» What is the best advice you could give to other Peoplelink staff members? Pick up the phone – give something and get something from every conversation. Be genuine – if you can do it then do it. If you can't then be open and honest. Smile – people can hear it in your voice. Kindness –goes a long way – treat people how you want to be treated.

» What is your favorite movie? My favorite movie is The American President. It stars Michael Douglas and Annette Benning. It's the perfect mix of politics/drama/romance. I've probably watched it 100 times. My Dad and I both love it and watch it together once or twice every year. The speech at the end is intoxicating and motivating!

» If you could have any car you want, what would it be? Probably some kind of convertible. There's something liberating and carefree about the sun on my face and wind blowing through my hair.

» What is your home city? What is the greatest feature about your home city? I love in Urbandale, Iowa. It's a suburb of Des Moines. I've lived here for 9 years. It's a mid size community. It's close to my extended family, a great place to raise kids and has a strong sense of community about it. We are small enough that people go out of their way to help those in need, even if they don't know them.

» How do you unwind when you're not at the office? My husband and I love cheap night at the movie theatre. We

BOOST SAFETY IN 2014 WITH THESE 7 'RESOLUTIONS'

If improving safety in your workplace is one of your New Year's resolutions, we've identified seven essential elements to help you get there. As you focus on 2014, keep your eyes on the opportunity to send workers home to their families healthy and uninjured and keep your organization profitable.

(by HR BLR)

1. Engage employees. Involving employees in the safety process permits them to demonstrate their commitment while building pride, ownership, and skills. Start with an employee survey to identify the issues that matter most to your workers and where they feel improvement is needed. Involve employees in safety planning. Send them out to divisions of your company or other businesses to learn about best practices.

2. Identify and report hazards. The process of eliminating a hazard starts with identifying and reporting it. One large industrial site posts a safety logbook at each of its locations. Employees are encouraged to enter risks or safety concerns into the book. Another proven tactic is maintaining a library of up-to-date job hazard analyses (JHAs).

3. Get the most from your managers and supervisors. Managers and frontline supervisors have the most direct access to workers. Their actions, reactions, and attitudes can have a huge impact on employees' safety performance. Make sure your managers and supervisors:

- Routinely discuss safety at staff and employee meetings;
- Attend and participate in safety committee meetings;
- Conduct facility walkarounds, noting best practices or areas in need of improvement;
- Use coaching and feedback to encourage safe behaviors;
- Launch accident investigations as soon as possible and follow up to identify corrective actions; and
- Make it clear to employees that they may shut down an operation if they believe conditions are unsafe or unhealthful.

4. Put it in writing. OSHA considers a written safety and health program the gold standard. If you don't have one, you should. You also need a safety and health mission statement that aligns with your corporate goals and culture. Communicate the statement to all employees, customers, contractors, and suppliers, and feature it on your website. Codify your safety policies and practices into a document that is easy for managers and employees to consult and use.

5. Be ready. Emergencies don't just happen to the business down the road. You must be prepared for a wide range of unexpected events. An emergency plan should be inclusive and reflect all possible contingencies. It should be site-specific and based on a thorough hazard assessment as well as an understanding of risks specific to location, weather patterns, etc.

6. Use OSHA resources. True, OSHA is the enforcer. But the agency is also interested in helping employers comply with the law, protect workers from illness and injury, and stay competitive in the market. OSHA has grouped its compliance assistance resources on a single Web page https://www.osha.gov/dcsp/compliance_assistance/resources.html.

7. Get involved in health and wellness. Compliance with safety and health regulations is your duty under the law. While there are no comparable laws governing diet, exercise, and stress, many experts agree that these factors play a role in keeping employees present and productive. Research points to a drop in medical costs of more than $3 for every $1 invested in wellness, and a drop in absenteeism costs of more than $2 for every $1 spent. Programs range from informal walking groups at small workplaces to comprehensive programs at larger sites with on-site clinics, classes, healthy cafeteria options, and sponsored sports teams.

KAY NOAH »

like to get lost in whatever the movie topic is for a couple of hours. I enjoy playing cards with the kids and sitting on the sidelines of all their sporting events. For just me time, some good music, a great book, girlfriends by a pool.

» What do people like most (least) about you?
Hmmmm – that's a hard one. I think most people would say I'm open and genuine. I'm practical and matter of fact which makes for good communication. Sometimes I am very direct which can make people uncomfortable.

» Anything else you can think of?
GO ISU CYCLONES! I have a Goldendoodle named Sammy – he's a wonderful dog! My husband and I have six children ranging from 19 to 8 yrs old…yours, mine, ours.

Bright Ideas

Stop Worrying About Making the Right Decision

by Ed Batista   (Harvard Business Review)

When asked how he made decisions, Scott McNealy — a co-founder of Sun Microsystems and its CEO for 22 years — responded, It's important to make good decisions. But I spend much less time and energy worrying about "making the right decision" and much more time and energy ensuring that any decision I make turns out right.

Before we make any decision — particularly one that will be difficult to undo — we're understandably anxious and focused on identifying the

"best" option because of the risk of being "wrong." But a by-product of that mindset is that we overemphasize the moment of choice and lose sight of everything that follows. Merely selecting the "best" option doesn't guarantee that things will turn out well in the long run, just as making a sub-optimal choice doesn't doom us to failure or unhappiness. It's what happens next (and in the days, months, and years that follow) that ultimately determines whether a given decision was "right."

Another aspect of this dynamic is that our focus on making the "right" decision can easily lead to paralysis, because the options we're choosing among are so difficult to rank in the first place. How can we definitively determine in advance what career path will be "best," or what job offer we should accept, or whether we should move across the country or stay put? Obviously, we can't. There are far too many variables. But the more we yearn for an objective algorithm to rank our options and make the decision for us,

the more we distance ourselves from the subjective factors — our intuition, our emotions, our gut — that will ultimately pull us in one direction or another. And so we get stuck, waiting for a sign — something — to point the way.

The path to getting unstuck when faced with a daunting, possibly paralyzing decision is embedded in McNealy's comment, and it involves a fundamental re-orientation of our mindset: Focusing on the choice minimizes the effort that will inevitably be required to

make any option succeed and diminishes our sense of agency and ownership. In contrast, focusing on the effort that will be required after our decision not only helps us see the means by which any choice might succeed, it also restores our sense of agency and reminds us that while randomness plays a role in every outcome, our locus of control resides in our day-to-

day activities more than in our one-time decisions.

This view is consistent with the work of Stanford professor Baba Shiv, an expert in the neuroscience of decision-making. Shiv notes that in the case of complex decisions, rational analysis will get us closer to a decision but won't result in a definitive choice because our options involve

trading one set of appealing outcomes for another, and the complexity of each scenario makes it impossible to determine in advance which outcome will be optimal.

Two key findings have emerged from Shiv's research: First, successful decisions are those in which the decision-maker remains committed to their choice. And second, emotions play a critical role in determining a successful outcome to a trade-off decision. As Shiv told Stanford Business magazine, emotions are "mental shortcuts that help us resolve trade-off conflicts and…happily commit to a decision." Going further, Shiv noted, "When you feel a trade-off conflict, it just behooves you to focus on your gut."

This isn't to say that we should simply allow our emotions to choose for us. We've all made "emotional" decisions that we later came to regret. But current neuroscience research makes clear that emotions are an important input into decision-

making by ruling out the options most likely to lead to a negative outcome and focusing our attention on the options likely to lead to a positive outcome. More specifically, research by Florida State professor Roy Baumeister and others suggests that good decision-making is tied to our ability to anticipate future emotional states: "It is not what a person feels right now, but what he or she anticipates feeling as the result of a particular behavior that can be a powerful and effective guide to choosing well."

So when we're stuck or even paralyzed by a decision, we need more than rational analysis. We need to vividly envision ourselves in a future scenario, get in touch with the emotions this generates and assess how those feelings influence our level of commitment to that particular choice. We can't always make the right decision, but we can make every decision right.

Avoid Paralysis-by-Analaysis and Move Forward by:

- Paying close attention to the feelings and emotions that accompany the decision we're facing

- Assessing how motivated we are to work toward the success of any given option

- Recognizing that no matter what option we choose, our efforts to support its success will be more important than the initial guesswork that led to our choice.

2013 Contingent Buyers Survey:
Insights Into Supplier Management Practices, Plans and Key Decision Drivers

Source: Staffing Industry Analystrs

Key Findings:

- In the median, buyers plan on increasing the size of their total workforce by 5%. Approximately 76% of buyers said that they will increase the size of their overall workforce, placing this year's results at precisely the average for the years 2010-2013.

- Compared to 2012, buyers in this year's survey indicated a higher average contingent penetration rate. The average contingent proportion rose from 16% to 18%. In addition, on average, buyers expect to increase their contingent penetration by an additional one percentage point over the next two years.

- On net, buyers plan on increasing the use of SOW contractors, agency temps, full time employees, offshore workers and outsourced workers, but plan on decreasing the use of independent contractors. Notably, the net proportions of buyers who said they will increase use of SOWs and offshore workers in both cases almost doubled from 2012 levels.

- On net, the larger buyers in our sample are more likely to say they will increase use of offshore workers and outsourced workers, less likely to say they will increase use of fulltime employees, and more likely to say that they will decrease use of independent contractors.

Results are based on findings from our 2013 Contingent Buyers Survey, conducted in 2Q13 and reflect the opinions of 187 contingent workforce managers from companies with at least 1,000 employees.

Trends in buyers' workforce plans

- The proportion of buyers who plan to increase the size of their workforce in the next two years rebounded to 76%, after falling to 71% in 2012. This places it almost precisely at the average for the years 2010-2013.

- An additional 16% of buyers said they would keep their workforces the same size, and 8% said they would shrink their workforces.
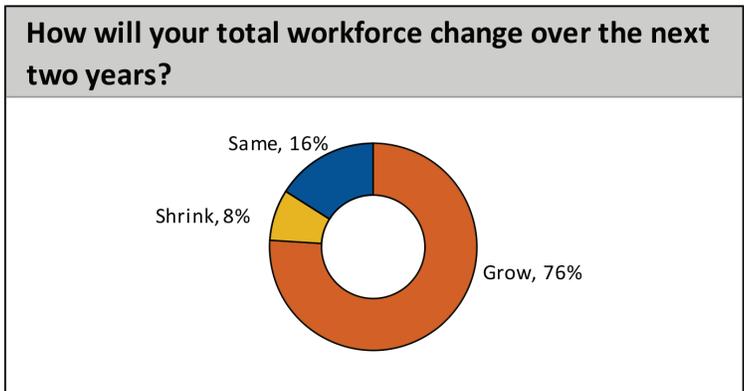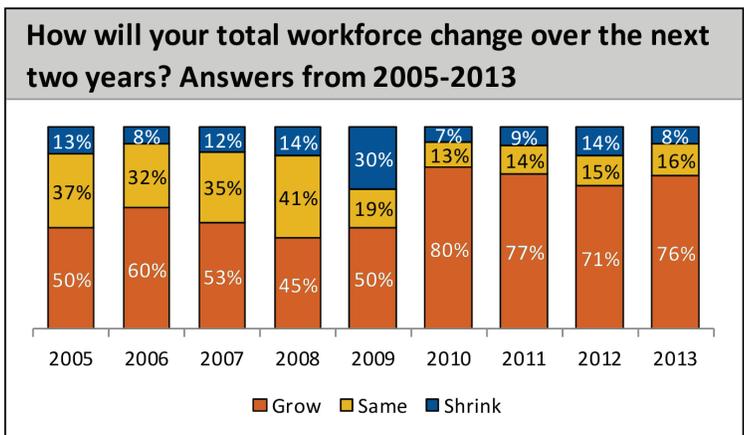
How will your total workforce change over the next two years?

Same, 16%
Shrink, 8%
Grow, 76%

Source: Staffing Industry Analysts, © Crain Communications 2013

How will your total workforce change over the next two years? Answers from 2005-2013

Year	Grow	Same	Shrink
2005	50%	37%	13%
2006	60%	32%	8%
2007	53%	35%	12%
2008	45%	41%	14%
2009	50%	19%	30%
2010	80%	13%	7%
2011	77%	14%	9%
2012	71%	15%	14%
2013	76%	16%	8%

Source: Staffing Industry Analysts, © Crain Communications 2013

2013 Contingent Buyers Survey:

Across all categories, buyers project workforce increases

- The median projected change in overall workforce size, as well as the percent of buyers who say they will increase or decrease the size of their workforce is bullish across all types, but varied by industry, skill and size.

- **Most ambitious workforce plans:** Buyers in the tech/telecom industry were the most optimistic about future increases in their overall workforce, both in terms of overall growth (with a median projected change of 9%) and also in terms of the relative universality of that projected growth (with 92% of respondents expecting growth, and none expecting a decline.)

- **Least ambitious workforce plans:** Buyers in the manufacturing industry reported a median projected increase of just 3%. On net, only 40% of these buyers said that they will increase the size of their workforce.

- The net increase is calculated by subtracting the percent of respondents in a given category who say their workforces will decrease in size over the next two years from the percent who say their workforces will increase.

- Smaller buyers are also somewhat more likely to say that they plan to increase the size of their workforce over the next two years.

Overall workforce projections for the next two years

Industry	Median projected change	Net percent planning... Increase	Net percent planning... Decrease	Net
Finance/insurance	5%	76%	8%	68%
Manufacturing	3%	60%	20%	40%
Mining, extraction and utilities	5%	71%	0%	71%
Transport/warehousing	5%	80%	10%	70%
Pharma/biotech/med	5%	80%	7%	73%
Tech/telecom	9%	92%	0%	92%
Majority skill				
Engineering/design	5%	67%	8%	58%
Industrial	7%	84%	11%	74%
IT	5%	79%	6%	73%
All respondents	**5%**	**76%**	**8%**	**68%**

n=150

Overall workforce projections for the next two years
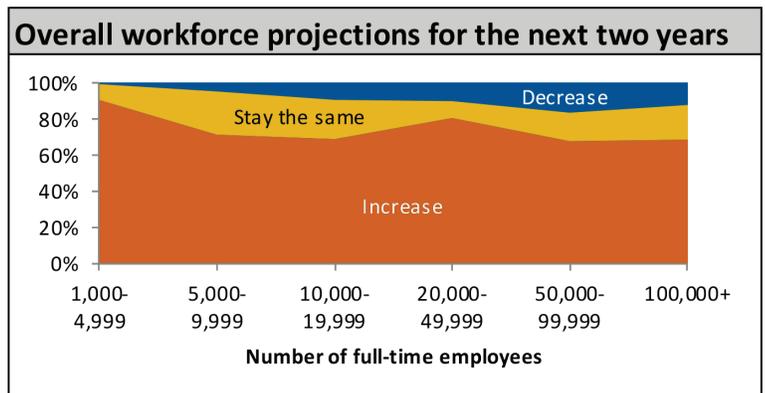
Source: Staffing Industry Analysts

"Wonder what your customer really wants? Ask. Don't tell."

–Lisa Stone

2013 Contingent Buyers Survey:

CONTINUED FROM PAGE 9

Reported share of contingent share of workforce, 2005-2013

- The percent of buyers' workforces that are contingent increased in 2013, both in the average and in the median. The median percent contingent increased from 10% to 15%, while the average contingent percent increased from 16% to 18%.

- Due to the way that median is calculated and the lumpiness of the data around 10% and 15%, the apparent jump in the median penetration rate is less significant than it looks. In 2012, just over half of the respondents had penetration rates of 10% of less; in 2013, only 41% did.

Reported contingent share of workforce, 2005-2013

Year	Median	Average
2005	8%	11%
2006	9%	13%
2007	10%	12%
2008	7%	13%
2009	10%	12%
2010	10%	14%
2011	10%	15%
2012	10%	16%
2013	15%	18%
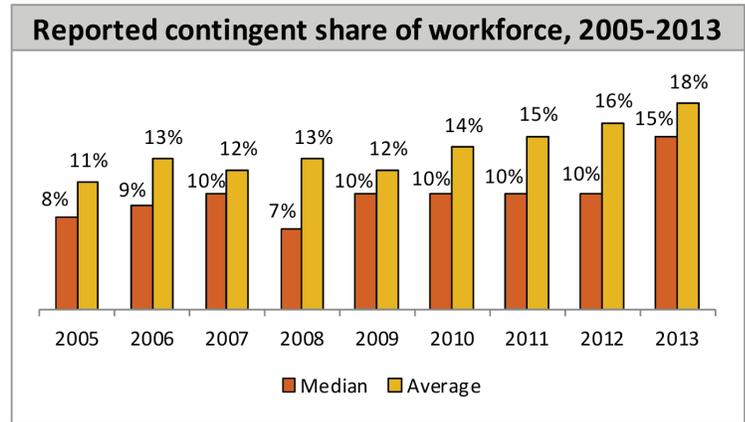
Source: Staffing Industry Analysts, © Crain Communications 2013

Buyers' contingent penetration rates, now and in two years

- The table at right shows average, not median, contingent penetration rates by industry, skill and size.
- Buyers in the mining, extraction and utilities industry reported the largest current and projected contingent penetration rates, at 24% and 25%, respectively. On the other hand, buyers who primarily purchase industrial skills and those in the manufacturing industry reported the lowest current and projected rates.
- Buyers with over 100,000 employees reported that they expected the largest increases in their contingent penetration rate, at 4 percentage points.

Average contingent penetration rates by industry, skill, size and model

Industry	Today	In two years	Difference
Finance/insurance	17%	17%	1%
Manufacturing	15%	16%	1%
Mining, extraction and utilities	24%	25%	1%
Transport/warehousing	19%	21%	2%
Pharma/biotech/med	21%	23%	2%
Tech/telecom	17%	19%	3%
Majority skill			
Engineering/design	19%	20%	1%
Industrial	13%	13%	0%
IT	19%	20%	1%
Number of employees			
1,000-4,999 employees	19%	18%	-1%
5,000-9,999 employees	18%	17%	1%
10,000-19,999 employees	19%	22%	3%
20,000-49,999 employees	16%	18%	2%
50,000-99,999 employees	18%	17%	-1%
100,000+ employees	18%	22%	4%
All respondents	**18%**	**19%**	**1%**

n=143

2013 Contingent Buyers Survey:

Buyers' plans for various types of workers

- In 2013, buyers tended to be more optimistic about their use of full time employees, agency temps, SOWs, outsourced workers and offshore workers, while more pessimistic about their use of independent contractors, compared to 2012.

- The largest increases were seen in buyers' plans for offshore workers and for SOWs.

- The net percent of buyers who plan on increasing use of a particular type of contingent worker is calculated as the percent of buyers who say they will increase use of a particular type of worker *minus* the percent saying they will decrease use.

Net proportion of buyers planning to use more...

On net, buyers are planning on using more...

...and fewer: ICs

■ 2011 ■ 2012 ■ 2013
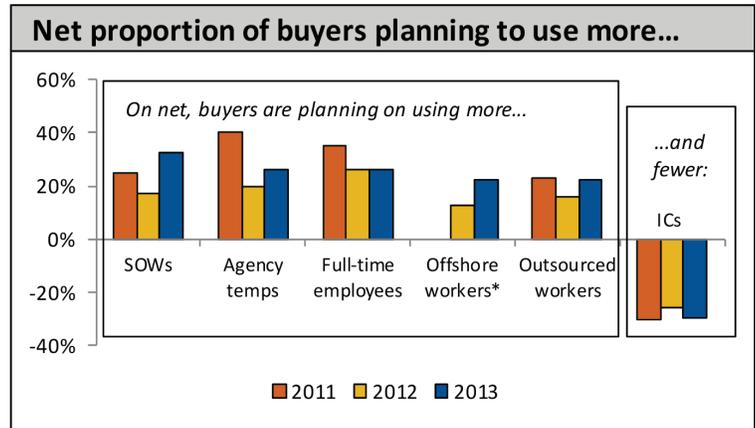
Source: Staffing Industry Analysts
*= Data for 2011 not available

Buyers' plans for agency temporary workers for the next two years

- Buyers' plans for the use of agency temporary workers over the next two years varied by industry, skill and size.

- Most ambitious temporary worker hiring plans: On net, buyers in the tech/telecom, transport/warehousing and pharma/biotech/med industries were the most likely to report that they will use more agency temporary workers in the next two years.

- Least ambitious temporary worker hiring plans: On net, buyers purchasing engineering/design skills, as well as those in the finance/insurance and mining/extraction/utilities industries – while still planning to use more temporary workers – were less bullish than other buyers.

- The net percent is calculated as the percent of buyers who say they will use more agency temporary workers over the next two years *minus* the percent who say they will use fewer.

Buyers' plans for agency temporary workers for the next two years

Industry	Use more	- Use fewer	=	Net
Finance/insurance	39%	29%		11%
Manufacturing	44%	22%		22%
Mining, extraction and utilities	37%	26%		11%
Transport/warehousing	60%	20%		40%
Pharma/biotech/med	50%	11%		39%
Tech/telecom	54%	8%		46%
Majority skill				
Engineering/design	33%	25%		8%
Industrial	43%	24%		19%
IT	40%	20%		20%
Number of employees				
1,000-4,999 employees	36%	24%		12%
5,000-9,999 employees	46%	19%		27%
10,000-19,999 employees	54%	8%		46%
20,000-49,999 employees	49%	22%		27%
50,000-99,999 employees	28%	24%		4%
100,000+ employees	58%	15%		42%
All respondents	**45%**	**19%**		**26%**

n=165

January's Shining Star pictured on left, Cassandra Bush, and on right, Tiffany Schertz (Nashville Branch Manager).

Peoplelink is pleased to announce that Cassandra Bush has been chosen as our *January Shining Star* employee. Cassandra is a Recruiting Coordinator at ServiceSource. She reports to the Nashville, Tennessee Peoplelink branch.

Cassandra has worked at ServiceSource for over a year. Her responsibilities include managing onboarding, interview scheduling, and assisting the Talent Acquisition team with day to day operations. According to her Supervisor, Ashley Cline, Cassandra is a great asset to ServiceSource who is, in many cases, the face of ServiceSource to new employees and candidates. She has gone above and beyond in her role, truly acting as a problem solver and team player. Even in her free time, Cassandra is very involved in the ServiceSource community.

Congratulations to Cassandra for being Peoplelink's *January Shining Star* employee!

Find your shining star! Contact Peoplelink at 574.232.5400.

Percentage of EEOC Systemic Cases Hits New High

By Allen Smith

For years the Equal Employment Opportunity Commission (EEOC) has put a laser focus on increasing the percentage of cases it brings as systemic law enforcement.

In statistics unveiled Dec. 17, 2013, the agency showed that the percentage has reached a new high—23 percent of its active docket.

Litigation of systemic discrimination cases bore fruit in the past fiscal year, which ended Sept. 30, 2013, particularly in cases involving barriers to recruitment and hiring, discriminatory policies that affect vulnerable workers, discriminatory pay practices, retaliatory practices and policies, and systemic harassment.

Technological Improvements

Part of the rise in systemic cases is due to the commission's expanded use of technology that makes it easier to identify systemic violations and manage systemic investigations and litigation.

In 2013 the EEOC rolled out its systemic watch list, software that helps coordinate the investigation of multiple charges involving similar issues that are filed against the same employer. When a new charge is filed that matches another ongoing investigation or lawsuit, the program issues an automatic alert to staff working on the case, spurring collaboration among EEOC field offices and avoiding duplication of efforts.

In its 2013 Performance and Accountability Report, the EEOC also explained that it has expanded its CaseWorks system, which provides a central shared source of litigation support tools that make the collection and review of electronic evidence easier and enable collaboration in developing cases for litigation.

Big Recoveries

The agency listed some of its largest awards and settlements in systemic litigation in 2013, noting the following:

- In EEOC v. Burger King/Carrolls Corp., the agency negotiated a consent decree providing $2.5 million to 89 women and injunctive relief after 15 years of litigation. The EEOC alleged that a Burger King franchise with restaurants in 13 states subjected female employees, many of them teens, to sexual harassment, discriminatory working conditions and retaliatory terminations for their harassment complaints.

- In EEOC v. Mesa Systems, the commission obtained the largest national-origin-discrimination resolution ever in Utah. A manufacturer of communication and power-transfer devices in Utah subjected Hispanic and Asian/Pacific Islander warehouse workers to an unlawfully restrictive language policy and a hostile work environment that included racist name-calling and slurs. The EEOC secured a consent decree by which Mesa Systems provided $450,000 to 18 employees, rescinded its English-only policy, changed its harassment policy and sent apology letters to all claimants.

- In EEOC v. Interstate Distributor Company, the EEOC alleged that the Colorado trucking company had an unlawful maximum-leave policy and a 100 percent-restriction-free return-to-work policy that denied reasonable accommodations to employees with disabilities. A consent decree provided $4.9 million to 427 claimants.

- In EEOC v. Presrite, the commission claimed that the Ohio metal-forging company refused to hire a class of women for entry-level laborer and operative jobs based on their sex and didn't keep employment applications. Under a consent decree, a $700,000 settlement fund was established for at least 40 women and priority consideration for jobs given to them.

- In EEOC v. Dillard's, the EEOC said a department store's policy requiring employees to disclose personal medical information or face discipline violated the Americans with Disabilities Act. Through a consent decree, Dillard's provided $2 million to more than 6,000 employees harmed by the policy and hired a consultant to review and monitor company policies, management training and the creation of a new complaint tracking system.

"The EEOC obtained a record $372.1 million in monetary relief for victims of private-sector workplace discrimination in fiscal year 2013," the agency noted in a release. "This is $6.7 million more than was recovered last year and the highest level obtained in the commission's history."

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HR News

Senate Bill Would Prohibit Credit-History Disclosure

Proposed legislation would bar employers from conducting credit checks

By Bill Leonard

Debate over how employers should use credit checks in the hiring process was reignited when Sen. Elizabeth Warren, D-Mass., introduced legislation that would prohibit employers from asking job applicants to disclose their credit history.

"A bad credit rating is far more often the result of unexpected medical costs, unemployment, economic downturns or other bad breaks than it is a reflection on an individual's character or abilities," Warren said in a written statement. "This is about basic fairness; let people compete on the merits, not on whether they already have enough money to pay all their bills."

The legislation is similar to a measure (H.R. 645) that Rep. Steve Cohen, D-Tenn., introduced in the House in February. If enacted, the bill would amend the Fair Credit Reporting Act to stop employers from requiring or suggesting that applicants disclose their credit history and from obtaining a consumer or investigative report of job candidates. In addition, the measure would bar companies from disqualifying applicants based on a poor credit rating or any other information on their creditworthiness.

Warren claimed the bill is needed to enable all workers to compete on an equal footing in the rocky U.S. job market. She told reporters during a media briefing that because of the recession and the ensuing weak economy, many people in the U.S. had blots on their credit histories through no fault of their own.

The legislation has strong support among Democrats, with more than a half-dozen co-sponsors in the Senate and more than 30 co-sponsors in the House. The proposal, however, has gathered no support from Republicans.

Several employer and business groups have criticized the legislation, claiming it would handcuff employers and eliminate a useful tool for conducting thorough background checks. Companies typically use credit reports to determine if candidates applying for jobs with accounting or budgetary responsibilities can manage their personal finances.

"A credit check can serve an important function in certain jobs, especially in the financial services industry," said Elizabeth Milito, senior executive counsel at the National Federation of Independent Business, in an interview with The Washington Post. "A blanket prohibition would disadvantage many businesses that use credit as one component of a background check."

A ban on credit checks could also make employers more vulnerable to claims of negligent hiring, according to sources familiar with the issue.

Credit reports are one tool used in the hiring process but often not the deciding one, according to Mike Aitken, vice president of government affairs at the Society for Human Resource Management. "[These] are an important piece in the hiring process, as the consequences of making a poor hire are significant, with potential financial losses—from financial mismanagement or theft—or legal liability to customers, shareholders or other employees; [they] should not be banned outright."

Sources agree that the proposed legislation faces serious hurdles in Congress, where Republican leaders in both chambers have indicated strong opposition to its passage.