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**LIFE BEGINS
at the end of your
COMFORT ZONE**

-unknown

SIX COMPONENTS OF A GREAT CORPORATE CULTURE

by John Coleman (Harvard Business Review)

The benefits of a strong corporate culture are both intuitive and supported by social science. But what makes a culture? Each culture is unique and myriad factors go into creating one, but there are at least six common components of great cultures. Isolating those elements can be the first step to building a differentiated culture and a lasting organization.



1. VISION: A great culture starts with a vision or mission statement. These simple turns of phrase guide a company's values and provide it with purpose. That purpose, in turn, orients every decision employees make. When they are deeply authentic and prominently displayed, good vision statements can even help orient customers, suppliers, and other stakeholders. Nonprofits often excel at having compelling, simple vision statements. The Alzheimer's Association, for example, is dedicated to "a world without Alzheimer's." And Oxfam envisions "a just world without poverty." A vision statement is a simple but foundational element of culture.

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WHY LEADERSHIP & TEAM-DEVELOPMENT PROGRAMS FAIL

Every organization wants to maximize the potential of their leaders and employees in order to achieve superior results. In fact, significant investments are made in programs that aim to improve performance by changing the way leaders, employees or teams behave. However, research shows that most development programs fail to deliver expected returns. Too often, there is more effort put into the design of the program, instead of what people need to experience in order to develop. If executives understood the mechanics of the mind and what it takes to create sustainable behavioral change, they would rethink their approaches to leadership and employee development and challenge their current beliefs about how behavioral change actually happens.

We now know so much about how the brain learns and how people develop. Recent advances in neuroscience are highlighting connections between cognitive and emotional functions that have the potential to revolutionize the way we develop our leaders and employees. In particular, the relationship between learning and emotion and what needs to happen in the brain for learning and behavioral change to take place. Those who are developing leadership and team development programs don't always

incorporate these advances in their approaches.

The following are the key reasons why most leadership and team-development programs fail:

REASON #1: **LACK OF SELF-AWARENESS OF PARTICIPANTS**

Personality assessments are often used in developmental programs to help leaders and team members to increase their self-awareness. However, existing approaches focus on strengths/weaknesses or preferences, leaving out insight into unconscious patterns of behavior and emotions that typically get in the way of development, despite everyone's best intentions. For leaders or employees to develop, they must understand how this happens for them by being aware of their nature, emotions, and how their brain is organized. This allows them to know how they process information and what gets in the way - fear, embarrassment, etc. - of trying new behaviors and shifting from unproductive reactions to other people and work situations.

REASON #2: **EXPECTING BEHAVIORAL COMPETENCY SYSTEMS TO DEVELOP BEHAVIOR**

Most behavioral competency systems use a one-size-fits-all

approach that doesn't account for the range of differences in personality styles and individual preferences across leaders. They don't consider the dynamic nature of the personality of the leader and the subjective responses of the employee. Leaders can believe they are changing their behavior when employees experience them to be exactly the same. Defining how we expect people to behave can raise anxiety levels in leaders and employees, causing the initiatives to fail as the brain cannot develop when it is in a self-protective state. Competency models that are not integrated with an understanding of the different personality styles of leaders and employees and that don't have an ongoing experiential development program with a sound accountability strategy are doomed to fail.

REASON #3: **NO ONGOING ENGAGEMENT IN DEVELOPMENT**

When we learn or experience new things, it is stored in our short-term memory. When we first use what we have learned it takes energy to retrieve it. Only through conscious repeated practice and emotional experiences does it then move to our long-term memory banks

where it then becomes easier to retrieve. This means that a workshop, reading a book or a couple of coaching sessions will not have any long term affect without consistent follow up and repeated experiences. Our brains are capable of creating new patterns of behavior and new pathways, but just knowing doesn't change our behavior or habits of mind. Unfortunately, how our brains function and what it takes to develop them is not incorporated in most leadership and team development programs. Without ongoing engagement in a development process, people act on automatic pilot, reverting to what they have always done.

REASON #4: **BELIEVING CONTENT IS MORE IMPORTANT THAN PEOPLE**

It is a basic and all too common misunderstanding that training content itself is most important; therefore, leadership and team development approaches focus on skills and behavior instead of what drives behavior and what leaders and employees need and feel during the development process. The underlying belief seems to be that development is solely a cognitive activity and on its own can produce changes in behavior. While this is a compelling and

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A GREAT CORPORATE CULTURE

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2. VALUES: A company's values are the core of its culture. While a vision articulates a company's purpose, values offer a set of guidelines on the behaviors and mindsets needed to achieve that vision. McKinsey & Company, for example, has a clearly articulated set of values that are prominently communicated to all employees and involve the way that firm vows to serve clients, treat colleagues, and uphold professional standards. Google's values might be best articulated by their famous phrase, "Don't be evil." But they are also enshrined in their "ten things we know to be true." And while many companies find their values revolve around a few simple topics (employees, clients, professionalism, etc.), the originality of those values is less important than their authenticity.

3. PRACTICES: Of course, values are of little importance unless they are enshrined in a company's practices. If an organization professes, "people are our greatest asset," it should also be ready to invest in people in visible ways. Wegman's, for example, heralds values like "caring" and "respect," promising prospects "a job [they'll] love." And it follows through in its company practices, ranked by Fortune as the fifth best company to work for. Similarly, if an

organization values "flat" hierarchy, it must encourage more junior team members to dissent in discussions without fear or negative repercussions. And whatever an organization's values, they must be reinforced in review criteria and promotion policies, and baked into the operating principles of daily life in the firm.

4. PEOPLE: No company can build a coherent culture without people who either share its core values or possess the willingness and ability to embrace those values. That's why the greatest firms in the world also have some of the most stringent recruiting policies. According to Charles Ellis, as noted in a recent review of his book *What it Takes: Seven Secrets of Success from the World's Greatest Professional Firms*, the best firms are "fanatical about recruiting new employees who are not just the most talented but also the best suited to a particular corporate culture." Ellis highlights

that those firms often have 8-20 people interview each candidate. And as an added benefit, Steven Hunt notes at Monster.com that one study found applicants who were a cultural fit would accept a 7% lower salary, and departments with cultural alignment had 30% less turnover. People stick with cultures they like, and bringing on the right "culture carriers"

reinforces the culture an organization already has.

5. NARRATIVE: Any organization has a unique history — a unique story. And the ability to unearth that history and craft it into a narrative is a core element of culture creation. The elements of that narrative can be formal — like Coca-Cola, which dedicated an enormous resource to celebrating its heritage and even has a World of Coke museum in Atlanta — or informal, like those stories about how Steve Jobs' early fascination with calligraphy shaped the

aesthetically oriented culture at Apple. But they are more powerful when identified, shaped, and retold as a part of a firm's ongoing culture.

6. PLACE: Why does Pixar have a huge open atrium engineering an environment where firm members run into each other throughout the day and interact in informal, unplanned ways? Why does Mayor Michael Bloomberg prefer his staff sit in a "bullpen" environment, rather than one of separate offices with soundproof doors? And why do tech firms cluster in Silicon Valley and financial firms cluster in London and New York? There are obviously numerous answers to each of these questions, but one clear answer is that place shapes culture. Open architecture is more conducive to certain office behaviors, like collaboration. Certain cities and countries have local cultures that may reinforce or contradict the culture a firm is trying to create. Place — whether geography, architecture, or aesthetic design — impacts the values and behaviors of people in a workplace.

There are other factors that influence culture. But these six components can provide a firm foundation for shaping a new organization's culture. And identifying and understanding them more fully in an existing organization can be the first step to revitalizing or reshaping culture in a company looking for change. 



Meet **BETSY MITTELSTET** » Branch Manager, Enid, OK

» How long have you been in the staffing business?

6 Years

» What was your first job? What do you remember most about it?

Movie Theatre Concession stand. My salary was 2.00 per hour.

» Who was the worst boss you ever had and why?

I really have not had any BAD Bosses.

» What motivates you each day to sell and service your clients?

The fact that without the company I staff for the hourly workers would not have any other options. It is for them that we

work hard each day, to ensure their future in Enid, Ok.

» **What are some of your long-term goals?** Getting both my beautiful daughters through college. After that it is all about leaving a legacy behind for my children.

» **What makes Peoplelink unique, from your perspective?** Peoplelink has been so accepting of me and our unique situation. Without Peoplelink being willing to think outside the box this Branch could never be successful.

» **What makes you successful as a Branch Manager?** Having the

Number 1 team in the business.

» What is the best advice you could give to other Peoplelink staff members?

Stay the course and don't get distracted on your mission and your goals.

» What is your favorite movie?

Big Fish

Book?

self help books

Drink?

Chocolate Martini

» If you could have any car you want, what would it be?

Mercedes S65 AMG

» What is the greatest feature about Enid, Oklahoma?

My kids love it here.


» How do you unwind when



you're not at the office?

House Remodeling

» What do people like most (least) about you?

I just asked someone and they said I was entertaining and funny. **Least?** Sometimes too passionate about my work. 

From the President's Desk »

WHY Leadership

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potentially time and money-saving idea, it simply does not work. Leaders and employees are emotional, social beings and program development needs to be inclusive of the whole person and how their brain is organized be considered for development to be effective. Left to implement new behaviors on their own without engagement from others, most leaders and employees will not change.

A Whole-Person Approach to Leadership and Team Development

Leaders and employees alike need to train their rational brain to work in sync with their emotional brain if they are to shift from self-protective behaviors that


get in the way of achieving their potential. As humans, it is only by understanding how to harness our emotions that sustainable development and behavior change occurs. Understanding how a leader or employee's brain is wired and the emotional drivers of their behavior is critical to their ability to engage in learning and developing.

The trends indicate that increasingly, employers will use personality assessments that help to understand the emotional drivers of behavior, psychological needs, emotional intelligence and behavioral competence in their HR strategies and leadership and development programs. Why? The bottom line is that money drives the need for inclusion. Studies show the total costs associated with turnover can reach as high as 90 percent to 200 percent of an employee's individual salary

and less quantifiable repercussions like diminished morale and lost productivity. As a result, organizations are using personality assessments in their leadership, team and employee development programs.

Brain-based personality systems reveal the neurophysiology of behavioral change and offer more than just insight into a person's behavioral style. According to Warren Birge and Deborah Dorsett, executive consultants with Personalis Corp., an instrument that measures instinctive dimensions as well as rational and social ones should be used to gain a deeper understanding of one's personality. Instinctive elements measuring how the person will behave during prolonged stress, multiple deadlines and competing priorities; emotional elements that predict how a leader or employee will bond and relate to others and

behave when upset, disappointed or embarrassed; and rational elements that show how leaders will make decisions and manage information.

Leadership and team-development programs need to change from cognitive and information driven approaches in a workshop or training session to ongoing, experiential learning activities that engage the emotions of leaders and employees positively in a variety of settings. If these critical pieces are left out of training and development efforts, organizational leaders will continue to be frustrated and workers are unlikely to reach their full potential. And loss of potential translates to losses for the bottom line. 

Bright Ideas

Your Employees Are Not Mind Readers

by Douglas R. Conant (Workforce.com)

As a leader, what do you want to accomplish? Do your employees know what needs to be done to reach that objective? Do they know how you expect them to behave? And — once they know the “what” and “how” — do you provide them with enough autonomy to get the job done in an effective and timely way? These are pragmatic business issues that all leaders encounter. Here are a few thoughts on how you can more effectively address these issues and reach your goals in an authentic and enduring way.

Collaboratively Develop The “What” And The “How”

Before anything else, you engage stakeholders in a conversation about where you are, where you want to go, and how to get there. By seeking and valuing their perceptions, you increase their commitment, confidence, and the likelihood of getting traction when it is time to execute. This collective perspective helps define what needs to be done (the what) and



the behaviors needed to deliver (the how).

Campbell Soup Company used a balanced scorecard to create an explicit understanding of each employee in terms of what they were expected to accomplish, including financial objectives, market share objectives and key project objectives. This scorecard defined the “what.” The “how” is defined by the Campbell Leadership Model, which highlighted six expectations for every employee. All employees were regularly evaluated on both.

Declare Yourself — and Live By Your Commitments

Often leaders have the best intentions, but people cannot read their minds. That’s why it’s important to declare yourself:

Tell people why you choose to lead and the code you live by. Lisa, a VP who led an innovation team, was struggling in her attempts to influence some of her peers. When meeting with one especially resilient colleague, she made a conscious decision to meet with him privately and do something she has never done before; Lisa let down her guard and was transparent. She declared herself by talking about her values and explaining why she cared so much about her work. Then she said, “I want to have a strong working relationship. Can you tell me what you look for in a colleague? What does it take for you to trust someone?”

It turned out that whereas Lisa valued being tough on results, her colleague

really cared about relationships. By letting him know who she was, she created a space for a heart-to-heart conversation that led to a stronger working relationship. This is what I mean by declaring yourself. These powerful insights for both of them became a turning point in the way they worked together.

But declaring yourself isn’t enough. When

providing people with the direction and expected behaviors, you need to be alert to the fact that they will hold you accountable. People want to know if you are walking the talk. They will be watching your every move and you need to be one in the same... every minute of every day.

You need to own a commitment to completion; you have to live with the consequences. Bill George, Professor at Harvard Business School and widely respected former CEO of medical technology maker Medtronic, is a great example of clearly declaring oneself, providing excellent results and remaining

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accountable. While at Medtronic, he pledged to create extraordinary value and build a better world by saving people's lives. As he told *Strategy & Business*, "You have to stay a step ahead. You have to say, 'This is what we stand for. This is a long-term growth company. It will give you great long-term returns, because we perform very well.'" This commitment to action was consistent with his company's strategy. Yes, organizations drift but you need to be persistent and follow through. Over his 13 years at Medtronic, annual revenue increased an average of 18% and earnings increased 22%.

As George realized, the lofty slogan and mission statement posted on a company's wall isn't enough. This declaration is not just a nice statement; you actually have to live it. If your actions aren't consistent with your words then your ability to lead is compromised.

Respect Autonomy

You need to be careful not to carry the "what" and the "how" to an extreme. It would be counterproductive to tell people exactly what they are supposed to do and exactly how they are supposed to do it to a point where they become more concerned about your expectations than about completing their work in a quality way.

In the book *Drive: The Surprising Truth About What Motivates Us*, author Daniel Pink

did a great job identifying what motivates people. His research uncovered that the number one key motivator is autonomy, or acting with choice. People hunger to be the master of their own destiny. Therefore, you have to recognize that people want to know what is expected of them but want as much freedom to operate as possible so that they can deliver the expectations in a way that works for them.

In fact, the best solutions often lie in the creative tension between these natural dualities.

To lead at a high level, you should be as prescriptive as necessary to give the organization a sense of direction on the "what" and the "how." Express it broadly enough so that it is clear, but not rigid to the point where it compromises the individual's ability to perform in the moment. Give them the flexibility and freedom to interpret it in a fashion that allows them to get the job done in a way that works for them and the organization. Remember, those on the front lines have to deal with the reality of executing these things. Leave it up to them to smartly manage and execute in the moment. By balancing this tension, you give them the pride of authorship as they solve problems in harmony with your expectations.

Be Consistent

Not only do you need to declare yourself early, you need to declare yourself over and over again. People lead complicated lives and aren't hanging on your every word or the company mission statement. You have to become a broken record of your expectations of the organization

"People hunger to be the master of their own destiny. Therefore, you have to recognize that people want to know what is expected of them but want as much freedom to operate as possible so that they can deliver the expectations in a way that works for them."

and show people why it is relevant and how it works in specific ways.

Be aware of, and act on, the need to be consistent. Weave the expectations of your organization into everyday conversations you have with employees. The more you do this, the more people will innately put your "what" and "how" into action.

Remain Adaptable

The one thing I know is that whatever decisions I make, they will sometimes be wrong. So, when I declare myself, I acknowledge that at some point I will make a mistake.

Making this room for


yourself, being flexible, does not say that you don't know what you are doing. What it does say is that you know exactly what you are doing and, because of this understanding, you know everyone makes mistakes. In my opinion, it is how you deal with mistakes that ultimately defines your legacy of contribution. As Charles Darwin observed, when the environment is changing rapidly, it is neither the strongest nor the most intelligent who

survive — it is the ones who are most adaptable. Thus, the fittest leaders are those most capable of learning.

When you do mess up — and you will — the key is to course-correct and to do it quickly. The most powerful thing you can do is acknowledge your mistake, commit to do better, and make sure you follow through.

Wrapping It All Up

Visions, strategies and declarations are merely promises. As a leader, your job is to translate those promises into real, on-the-ground performance throughout the complex sequence of interactions, every day.

Use each interaction as an opportunity to practice the elements listed here. Aim for improvement with each interaction. Commit to developing ever greater clarity and capabilities so that you may become ever more helpful in the moment. So say what you care about, make it clear what you intend to do, and remain accountable. 

2013 Temporary Worker Survey:

Data suggests generally high satisfaction of temporary workers with their staffing agencies.

Source: Staffing Industry Analysts

Key Findings:

- We asked over 4,700 temp workers a set of questions intended to measure temps positive and negative attitudes/feelings their staffing firms, generally and in reference to specific dimensions (i.e., Was I happy enough to recommend the agency? Did I assess various specific aspects of the agency positively or negatively).
- The Net Promoter Score (NPS) was a very respectable 45% (equal to the NPS score of a company like Mercedes Benz). To illustrate, fully 50% of respondents reported them-selves "Extremely Likely" to recommend their agency as an employer to a friend or colleague (and 86% of respondents were at least somewhat inclined to so—with less than 7% being clearly on the negative).
- Results did vary to some extent by individual staffing firms and occupations, but not by type or size of staffing firm.
- Staffing firms tend to get the most positive feedback when it comes to "quality of relationship" performance factors, such as: "This agency is trustworthy and honest," "People at this agency were responsive and polite," and "My relationship with my recruiter was productive." These results indicate that temporary worker satisfaction is not all about pay and benefits.
- Two areas in particular that staffing firms should focus on are: (1) open, honest, timely communications (which, last year, temporary workers said agencies could do much better) and (2) the personal side—respect, trustworthiness, etc. These were all highly correlated with overall temp worker satisfaction (and therefore possibly with retention and even productivity as well).

This insight report is based on a survey of temporary workers, implemented in conjunction with the 2013 Staffing Industry Analysts "Best Staffing Companies to Work For" competition. Over 4,700 temporary workers from over 40 staffing firms were surveyed; no single firm accounted for more than 25% of the total temporary worker respondents.

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Raising the Bar in Staffing

To us, raising the bar means not settling for "good enough." It means making the best matches between employers and job seekers. And it means working harder to provide the right talent, improved productivity, and innovative business solutions.

In simplest terms, raising the bar means **adding value**.

The Secret to Our Success:

- **Working smarter.**
Determination. Innovation. Performance. Those are the qualities we look for when hiring for our internal staff.
- **Better deployment efforts.**
Staffing isn't just about finding good workers or good jobs. It's about knowing how to match the two. At Peoplelink, we train our staff on how to best deploy our candidates. So we're making matches that are not only efficient, but effective as well.
- **More accountability.**
Peoplelink employs an in-house team that is solely dedicated to conducting internal performance audits and measuring the degree to which we're following our processes. These audits help ensure we're delivering on our promises.

For more information, call Jeannine Victor at 574.232.5400 x 261.



2013 Temporary Worker Survey

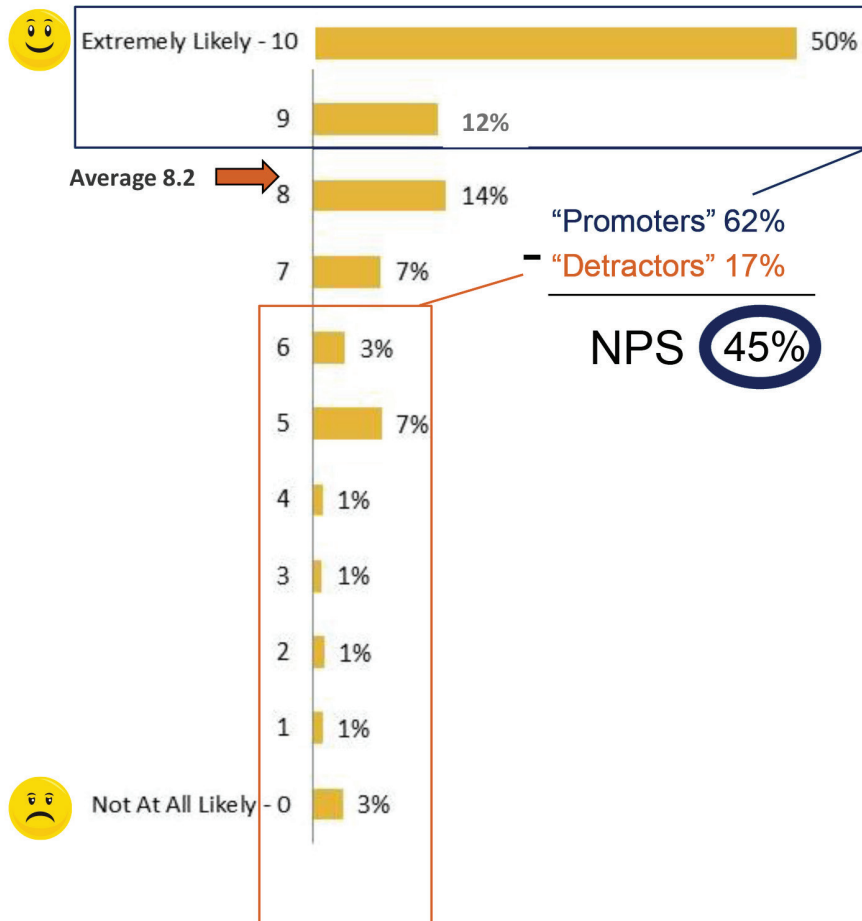
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NPS = 45%! A large majority of temps responded positively when asked: "How likely would you be to recommend this employer to a friend or colleague?"

- In our survey sample, over 4,700 temporary workers answered the question "How likely would you be to recommend this employer to a friend or colleague?" (rating their responses on a 0 to 10 scale, "Not at All Likely" to "Extremely Likely").
- Fully 50% of respondents reported themselves "Extremely Likely" (10) to recommend to a friend or colleague.
- 62% of all the respondents fell into the "promoter" category while only 17% fell into the "detractor" category, resulting in an overall NPS score of 45% (calculated in the diagram to the left).¹
- Though 45% is not the highest possible score (and, as we will see, it can vary by individual firm and occupation), it is still a very good score, on par with scores of companies like Mercedes Benz.
- This is a very clear indicator that temps who have been working through a staffing firm are typically pleased enough with their experience to recommend the firm to a colleague or friend.

¹ This method of question and scoring, developed by Harvard professor Fred Reichheld, has been shown to accurately reflect employees' or customers' general assessment and attitude about the organization with whom he or she has a relationship.

Distribution of Temps' Reported Likelihood Of Recommending Their Staffing Firm as an Employer





Ms. Tanna Cazier

Peoplelink is pleased to announce that Ms. Tanna Cazier is our *May Shining Star*. Tanna is a Shift Supervisor for Sustained Quality. She reports to the Greenville, Michigan Peoplelink branch.

Tanna has been with Sustained Quality since 2012. She started work as a Quality Inspector. Due to excellent performance and work ethic, Tanna was promoted to Shift Supervisor. Tanna's main responsibility is auditing parts. Her favorite aspect of the Shift Supervisor role is working with her crew.

According to Tanna's Supervisor, Melissa Staffen, Tanna is extremely reliable as evidenced by her perfect attendance record. The quality of her work is superior and she is an invaluable asset to Melissa.

Congratulations to Tanna for being Peoplelink's *May Shining Star*!

Find your shining star! Contact Peoplelink at 574.232.5400.



For 2014, Higher Limits for HSA Contributions, Out-of-Pocket Expenses

By **Stephen Miller, CEBS (SHRM)**

The Internal Revenue Service announced higher limits for 2014 on contributions to health savings accounts (HSAs) and for out-of-pocket spending under high-deductible health plans (HDHPs) linked to them.

In Revenue Procedure 2013-25, issued May 2, 2013, the IRS provided the inflation-adjusted HSA contribution and HDHP minimum deductible and out-of-pocket limits, effective for calendar year 2014. The higher rates reflect a cost-of-living adjustment and rounding rules under Internal Revenue Code Section 223.

A comparison of the 2014 and 2013 limits is shown below:

The increases in contribution limits and out-of-pocket maximums from 2013 to 2014 were somewhat lower than the increases a year earlier, reflecting the government's calculation of a more modest inflation rate. From 2012 to 2013 the contribution limit rose \$150 for individual coverage and \$200 for family plans, while maximum out-of-pocket amounts rose \$200 for individuals and \$400 for families, and HDHP minimum deductible amounts rose \$50 for individuals and \$100 for families.

Penalties for Nonqualified Expenses

Those under age 65 (unless totally and permanently disabled) who use HSA funds for nonqualified medical expenses face a penalty of 20 percent of the funds used for such ex-

penses. Funds spent for nonqualified purposes are also subject to income tax.

Coverage of Adult Children

While the Patient Protection and Affordable Care Act allows parents to add their adult children (up to age 26) to their health plans, the IRS has not changed its definition of a dependent for health savings accounts. This means that an employee whose 24-year-old child is covered on his HSA-qualified high-deductible health plan is not eligible to use HSA funds to pay that child's medical bills.

If account holders can't claim a child as a dependent on their tax returns, then they can't spend HSA dollars on services provided to that child. According to the IRS definition, a dependent is a qualifying child (daughter, son, stepchild, sibling or stepsibling, or any descendant of these) who:

- Has the same principal place of abode as the covered employee for more than one-half of the taxable year.
- Has not provided more than one-half of his or her own support during the taxable year.
- Is not yet 19 (or, if a student, not yet 24) at the end of the tax year or is permanently and totally disabled.

Stephen Miller, CEBS, is an online editor/manager for SHRM.

Expansion of FMLA to More Relatives Proposed

By **Allen Smith (SHRM)**

Since the Family and Medical Leave Act's enactment, in 1993, more than 50 million Americans have taken leave protected by it. But Sen. Richard Durbin, D-Ill., thinks the law's coverage is too narrow, so he reintroduced the Family and Medical Leave Inclusion Act on April 25, 2013.

The bill, S. 846, would amend the FMLA to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child (regardless of whether he or she has a disability), sibling, grandchild or grandparent who has a serious health condition. Rep. Carolyn Maloney, D-N.Y., introduced a companion bill, H.R. 1751, in the House.

The law has been expanded in recent years to provide up to 12 weeks of exigency leave annually for the spouse, son, daughter or parent of someone on or about to be on active military duty, and up to 26 work-weeks of unpaid leave for family caregivers of wounded service members.

But as conceptions of who is considered family has changed in the 20 years since the FMLA's enactment, its coverage has worn too thin, according to Durbin.

"When it was passed, the FMLA was an important and historic expansion of our nation's laws," he remarked on the Senate floor. "Unfortunately, as families have evolved and expanded, we've learned that the FMLA does not adequately nor equally protect all American families. Under current law, it is impossible for many employees to be with their loved ones during times of medical need."

Some Voluntary Inclusion

But Durbin has continued to persevere with the legislation, slowly gaining co-sponsors. He said it's time that Congress "recognize in law that a healthy workforce, regardless of sexual orientation, is a critical component of a healthy, modern and efficient national economy."

The FMLA also has been interpreted broadly by the Obama administration as requiring that an employee who will share equally in the raising of a child with a same-sex partner, but who does not have a legal relationship with the child, would be entitled to FMLA leave to bond with or care for the child.

"Polls related to recent cases before

Contribution and Out-of-Pocket Limits for Health Savings Accounts and for High-Deductible Health Plans			
	For 2014	For 2013	
HSA contribution limit (employer + employee)	Individual: \$3,300 Family: \$6,550	Individual: \$3,250 Family: \$6,450	Individual: +\$50 Family: +100
HSA catch-up contributions (age 55 or older)*	\$1,000	\$1,000	No change**
HDHP minimum deductibles	Individual: \$1,250 Family: \$2,500	Individual: \$1,250 Family: \$2,500	No change
HDHP maximum out-of-pocket amounts (deductibles, co-payments and other amounts, but not premiums)	Individual: \$6,350 Family: \$12,700	Individual: \$6,250 Family: \$12,500	Individual: +\$100 Family: +\$200
* Catch-up contributions can be made any time during the year in which the HSA participant turns 55.			
** Unlike other limits, the HSA catch-up contribution amount is not indexed; any increase would require statutory change.			

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the Supreme Court show that more and more Americans support marriage equality and recognize the need to extend federal rights and privileges to all American families," Maloney said on the House floor.

The Family and Medical Leave Inclusion Act is supported by more than 80 organizations, including the American Federation of State, County and Municipal Employees, the American Civil Liberties Union, Families USA, People for the American Way, the Service Employees International Union and the Leadership Conference on Civil and Human Rights.

Allen Smith, J.D., is the manager of workplace law content for SHRM. Follow him on Twitter @SHRMlegaleditor.

New OSHA initiative to protect temporary employees

(HR.BLR.COM)

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has announced an initiative to further protect temporary employees from workplace hazards.

OSHA sent a memorandum to the agency's regional administrators directing field inspectors to assess whether employers who use temporary workers are complying with their responsibilities under the Occupational Safety and Health Act. Inspectors will use a newly created code in their information system to denote when temporary workers are exposed to safety and health violations.

Additionally, they will assess whether temporary workers received required training in a language and vocabulary they could understand.

The memo says that the agency recently received "a series of reports of

temporary workers suffering fatal injuries during the first days on a job. In some cases, the employer failed to provide safety training or, if some instruction was given, it inadequately addressed the hazard, and this failure contributed to their death."

OSHA has also begun working with the American Staffing Association and employers that use staffing agencies, to promote best practices ensuring that temporary workers are protected from job hazards.

Small business owners not yet optimistic enough to hire, says survey

(HR.BLR.COM)

A new survey from TD Bank has found that while more than half (60 percent) of small business owners feel their business is performing at expected levels so far in 2013, that increase in performance does not make them optimistic enough to begin hiring.

The number of small business owners reporting that they plan to hire in 2013 went down by half, compared with data TD gathered through its small business owner outlook survey of more than 500 business owners in December 2012.

"It's not surprising that small business owners still struggle to be optimistic or confident about performance in the current economic environment," said Jay DesMariseau, TD Bank's head of small business.

Only 17 percent plan to hire at least one new employee, down from 32 percent 6 months ago. However, more than three-quarter of small business owners (79 percent) intend to keep staffing levels the same, up from 59 percent in December.

TD also asked those small business owners who do not intend to hire in 2013 whether they would hire if circumstances made it possible, and 68 percent said they would not. Reasons cited for not hiring include: 1) cost control (50 percent), 2) worry that there wasn't enough work (49 percent) and 3) lower sales and revenue (36 percent).

"Business owners are telling us they want to grow and expand, but they aren't ready to hire yet," said DesMariseau.

Employers can't be forced to display pro-union posters, court rules

**By Warren Richey
(Christian Science Monitor)**

A federal appeals court in Washington has struck down an Obama administration rule that required nearly 6 million businesses to display posters announcing that their employees have rights to organize or join a labor union.

The rule, enacted in 2011 by the National Labor Relations Board, said failure to display the notice in the workplace and on a company's website would be deemed an unfair labor practice.

The three-judge panel of the US Court of Appeals for the District of Columbia Circuit voted unanimously on Tuesday to invalidate the measure.

Labor leaders said the decision was a setback that would undermine workers' rights. Business groups hailed the opinion as an important victory.

"The poster rule is a prime example of a government agency that seeks to fundamentally change the way employers and employees communicate. The ultimate result of the NLRB's intrusion would be to create a hostile work environment where none exists," said Jay Timmons, president of the National Association of Manufacturers, which challenged the rule in court.

AFL-CIO President Richard Trumka denounced the decision. "In today's workplace, employers are required to display posters explaining wage and hour rights, health and safety and discrimination laws, even emergency escape routes," he said. "The Court's twisted logic finds that 'freedom of speech' precludes the government from requiring employers to provide certain information to employees."

Mr. Trumka added: "This is absurd: when workers know their rights, the laws work as intended."

Though the rule was enacted, it never took effect, because lawsuits against it resulted in an injunction against the posters.

Critics see the measure as part of an aggressive effort within the Obama administration to use the rulemaking authority of federal agencies to bypass congressional inaction or opposition in key areas, including immigration and health care.

Trade associations and business groups complained that the poster was one-sided, favoring unions. It did not advise employees of their right to decertify a union or their right to refuse to pay union dues in a right-to-work state, they said.

Two of the judges said they would go even further than Judge Randolph and declare that the NLRB is without any legal authority to force employers to display such signs in the workplace.

The federal labor relations law "simply does not authorize the Board to impose on an employer a freestanding obligation to educate its employees on the fine points of labor relations law," wrote Judge Karen Henderson in a concurring opinion joined by Judge Janice Rogers Brown.

Judge Henderson said although federal agencies enjoy broad rulemaking powers, the NLRB went beyond its authority in enacting the new rule.

The so-called poster rule was not "necessary and proper," to carry out the congressionally-enacted provisions of the labor relations act, she said.

"Such general rulemaking authority, although facially broad, does not mean that the specific rule the agency promulgates is a valid exercise of that authority," she wrote.

"An agency . . . is bound not only by the ultimate purposes Congress has selected, but by the means it has deemed appropriate, and prescribed, for the pursuit of those purposes," Henderson added.

The case is *National Association of Manufacturers v. National Labor Relations Board* (12-5068).