

## 5 MISCONCEPTIONS About NETWORKING

AND MORE

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# 5 MISCONCEPTIONS About NETWORKING

by Herminia Ibarra



**A** good network keeps you informed. Teaches you new things. Makes you more innovative. Gives you a sounding board to flesh out your ideas. Helps you get things done when you're in a hurry. And, much more.

But, for every person who sees the value of maintaining a far-reaching and diverse set of professional connections, many more struggle to overcome innate resistance to, if not distaste for, networking. In my 20 years of teaching about how to build and use networks more effectively, I have found that the biggest barriers people typically face are not a matter of skill but mind-set.

Listening closely to MBA students' and executives' recurrent dilemmas, I have concluded that any one or more of five basic misconceptions can keep people from reaping networking's full benefits. Which of these are holding you back?

**Misconception 1: Networking is mostly a waste of time.** A lack of experience with networking can lead people to question whether it's a valuable use of their time, especially when the relationships being developed are not immediately related to the task at hand. Joe, a Latin American executive in a large company striving to promote greater collaboration, for example, told me that every single co-worker who visits his country asks him to meet. Last year alone he had received close to 60 people, a heavy burden on top of the day job. Rightly, he wonders whether it's the best use of his time.

But, just because networks can do all these things, it doesn't mean that yours will. It all depends on what kind of network you have, and how you go about building it. Most people are not intentional when it comes to their networks. Like Joe, they respond to requests, and reach out to others only when they have specific needs. Reaching out to people that you have identified as strategically important to your agenda is more likely to pay off.

**Misconception 2: People are either naturally gifted at networking or they are not, and it's generally difficult to change that.** Many people believe that networking comes easily for the extroverted and runs counter to a shy person's intrinsic nature. If they see themselves as lacking that innate talent, they don't invest because they don't believe effort will get them very far.

Stanford psychologist Carol Dweck has shown that people's basic beliefs about "nature versus nurture" when it comes to personal attributes like intelligence or leadership skill have important consequences for the amount of effort they will put into learning something that does not come naturally to them. People with "fixed" theories believe that capacities are essentially inborn; people with growth mind-sets believe they can be developed over time.

As shown in a forthcoming academic paper by Kuwabara, Hildebrand, and Zou, if you believe that networking is a skill you can develop you are more likely to be motivated to improve it, work at it harder

at it, and get better returns for your networking than someone with a fixed mind-set.

**Misconception 3: Relationships should form naturally.** One of the biggest misconceptions that people have about networking is that relationships should form and grow spontaneously, among people who naturally like each other. Working at it strategically and methodically, they believe, is instrumental, somehow even unethical.

The problem with this way of thinking is that it produces networks that are neither useful to you nor useful to your contacts because they are too homogenous. Decades of research in social psychology shows that left to our own devices we form and maintain relationships with people just like us and with people who are convenient to get to know because we bump into them often (and if we bump into them often they are more likely to be like us).

These “narcissistic and lazy” networks can never give us the breadth and diversity of inputs we need to understand the world around us, to make good decisions and to get people who are different from us on board with our ideas. That’s why we should develop our professional networks deliberately, as part of an intentional and concerted effort to identify and cultivate relationships with relevant parties.

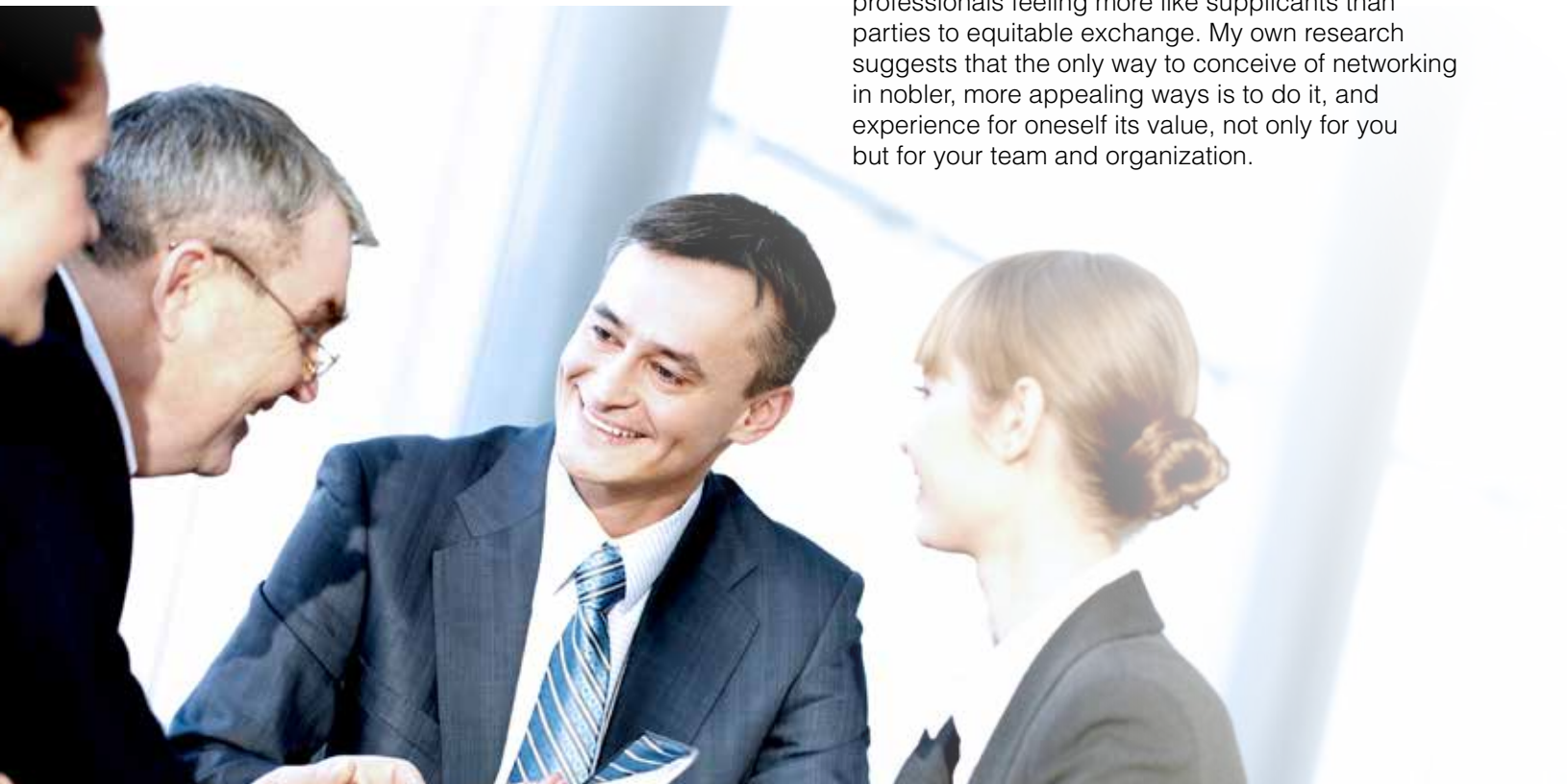
**Misconception 4: Networks are inherently self-serving or selfish.** Many people who fail to engage in networking justify their choice as a matter of personal values. They find networking “insincere” or “manipulative” — a way of obtaining unfair advantage, and therefore, a violation of the principle of meritocracy. Others, however, see networking in terms of reciprocity and giving back as much as one gets.

It’s important to view

**NETWORKING**  
in terms of *reciprocity*  
and **GIVING BACK**  
as much as one gets

One study discovered that views about the ethics of networking tend to split by level. While junior professionals were prone to feeling “dirty” about the instrumental networking they knew they had to do to advance their careers, their seniors did not feel the slightest bit conflicted about it because they believed they had something of comparable value to offer.

The difference came down to confidence or doubt about the worth of their contributions, with junior professionals feeling more like supplicants than parties to equitable exchange. My own research suggests that the only way to conceive of networking in nobler, more appealing ways is to do it, and experience for oneself its value, not only for you but for your team and organization.





**Misconception 5: Our strong ties are the most valuable.** Another misconception that gets in the way of building a more useful network is the intuitive idea that our most important relationships in our network are our strong ties — close, high trust relationships with people who know us well, our inner circle. While these are indeed important, we tend to underestimate the importance of our “weak ties” — our relationships with people we don’t know well yet or we don’t see very often—the outer circle of our network.

The problem with our trusted advisers and circle of usual suspects is not that they don’t want to help. It’s that they are likely to have the same information and perspective that we do. Lots of research shows that innovation and strategic insight flow through these weaker ties that add connectivity to our networks by allowing us to reach out to people we don’t currently know through the people we do. That’s how we learn new things and access far flung information and resources.

One of the biggest complaints that the executives I teach have about their current networks is that they are more an accident of the past than a source of support for the future. Weak ties, the people on the periphery of our current networks, those we don’t know very well yet, hold the key to our network’s evolution.

Our mindsets about networking affect the time and effort we put into it, and ultimately, the return we get on our investment. Why widen your circle of acquaintances speculatively, when there is hardly enough time for the real work? If you think you’re never going to be good at it? Or, that it is in the end, a little sleazy, at best political?

Mindsets can change and do but only with direct experience. The only way you will come to understand that networking is one of the most important resources for your job and career is try it, and discover the value for yourself.



## RICK RENEKER

**Regional Vice President,  
Peoplelink Central Indiana**



**How long have you been in the staffing business?** 26+ years

**What was your first job and what do you remember most about it?** Customer Service at a sporting goods store. Getting first exposure to “customer is always right” philosophy.

**Who was the worst boss you ever had and why?** One of my first bosses early on in my staffing career. They promised things that they knew they could not fulfill to both customers and staff. Our team was always in “damage repair” mode.

**What motivates you each day to sell and service your clients?** 1) I love to see what our customers produce, and how they produce it. I like being a part of their success 2) It is rewarding to help our employees find gainful employment, and support their families.

**What are some of your long-term goals?** 1) To lead the top producing Region in the company 2) To have a positive impact on at least one person per day 3) To win the company’s highest award, a Barracuda.

**What makes Peoplelink unique, from your perspective?** The ability to be nimble, and adapt to required changes in the field quickly.

**What makes you successful as a manager?** I started in a branch location as a staffing specialist, so I know the challenges that the branch teams face. I feel that my teams trust me, and I work hard to establish that trust relationship.

**What is the best advice you could give to other staff members?** This industry can be challenging at times — you cannot take every setback personally.

**What is your favorite movie?** *Avengers* (the first movie). **Book?** *The Stand*, *The Lord of the Rings*, and the *Bible*. **Drink?** Diet Mountain Dew.

**If you could have any car you wanted, what would it be?** Dodge Viper.

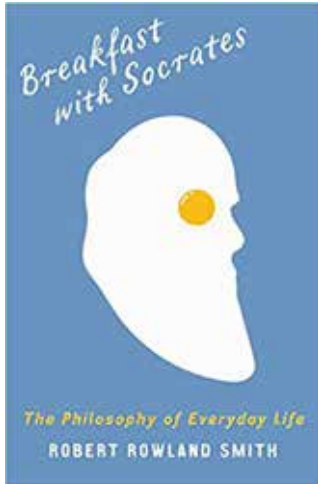
**What is your home city?** I was born in Warsaw, IN and have lived in Ft Wayne, IN for the past 17 years.

**What is the greatest feature about your home city?** Warsaw is the “orthopedic capital of the world” and Fort Wayne has one of the top minor league baseball stadiums in the country.

**How do you unwind when you’re not at the office?** I love hanging out with my family, watching sports and volunteering in the community by delivering groceries to senior shut-ins.

**What do people like most about you?** My long legs!

**Anything else you can think of?** I am very excited to be a part of the Peoplelink family!



# BOOK REVIEW

by Jay Mattern

**One-Sentence Summary:** *Breakfast With Socrates* takes you through an ordinary day in the company of extraordinary minds, by linking each part of it to the core message of one of several great philosophers throughout history, such as Descartes, Nietzsche, Marx and even Buddha.

Imagine you wake up in the morning and Sigmund Freud is sitting beside your bed to explain to you why you're struggling so much to get ready to leave for work on time. On the subway, Karl Marx tells you what's wrong with commuting and after work, Buddha gets you to be at peace with the world by telling you a story while you take a bath.

This book makes that fantasy come true. You'll be taken through an ordinary day, but be kept company by the world's most renowned philosophers throughout history.

Even if you're not big into philosophy, these three lessons will sure show you the practicality of this discipline:

1. Philosophy isn't about spinning your head all day, it's about making wise decisions.
2. Your morning routine is a battle of the egos.
3. A good way of assessing your happiness is to ask yourself if you'd live the same life again.

Ready for the most interesting breakfast you've ever had? Let's sit down with Socrates and his friends!

## Lesson 1: Philosophy gives you the tools to make wise decisions every day.

Like most people I used to think philosophy is just for dreamers and primarily concerned with giving yourself a headache from thinking too much. Man, was I wrong.

I've learned a lot about it from books and I've realized that it's probably the most practical discipline of all. Philosophy isn't just asking "What's the meaning

of life?" or "Is God real?" – it's just as much about answering "Should I buy these Cheerios because they're on sale?" and "Would it be better to walk to work?"

Philosophia in its original, Greek meaning translates to "love of wisdom" and that's all philosophy is. Wise people can look at the world and see it as it truly is – objective, rational, undistorted – and can therefore accurately reflect on what's going on. **This allows them to make better decisions by asking the right questions.**

Yes, asking big questions is also part of the deal, but just some of the time, not all of the time. Philosophy is the practice of thinking critically in your everyday life so you can navigate the world in the best way possible.

## Lesson 2: Every morning you fight a battle of the egos in your head.

I'd ask you if you have a morning routine or not, but in fact, we all do. Lack of a morning routine is a routine in its own way – you either have a process, or you don't, but chances are if you don't it's still the same cycle every morning (like waking up too late, brushing your teeth in a rush, throwing on the first outfit you find and running out the door).

Which end of the spectrum you fall on depends on the outcome of a battle that takes place in your mind every morning. The battle of the egos. Sigmund Freud defined two opposing forces in our minds in the early 20th century and labeled them **the ego and the superego.**



The ego is your lizard brain, it just wants to live comfortably, without stress or surprises. The superego then comes in and tells you to do what society expects of you. Naturally, these two tendencies clash, and whoever wins defines the progression of your morning.

When you stop hitting snooze and climb out of bed, that's a superego win. When you're at the breakfast table with plenty of time to spare, that's a superego win. And when you arrive at work 10 minutes early because of it, exceeding your boss's expectations, that's also a superego win.

Most of the time when you get your ego to surrender to the superego and thus delay gratification, good stuff happens.

**Lesson 3: You can find out how happy you are by asking yourself: Would you re-live every moment of your life in exactly the same way?**

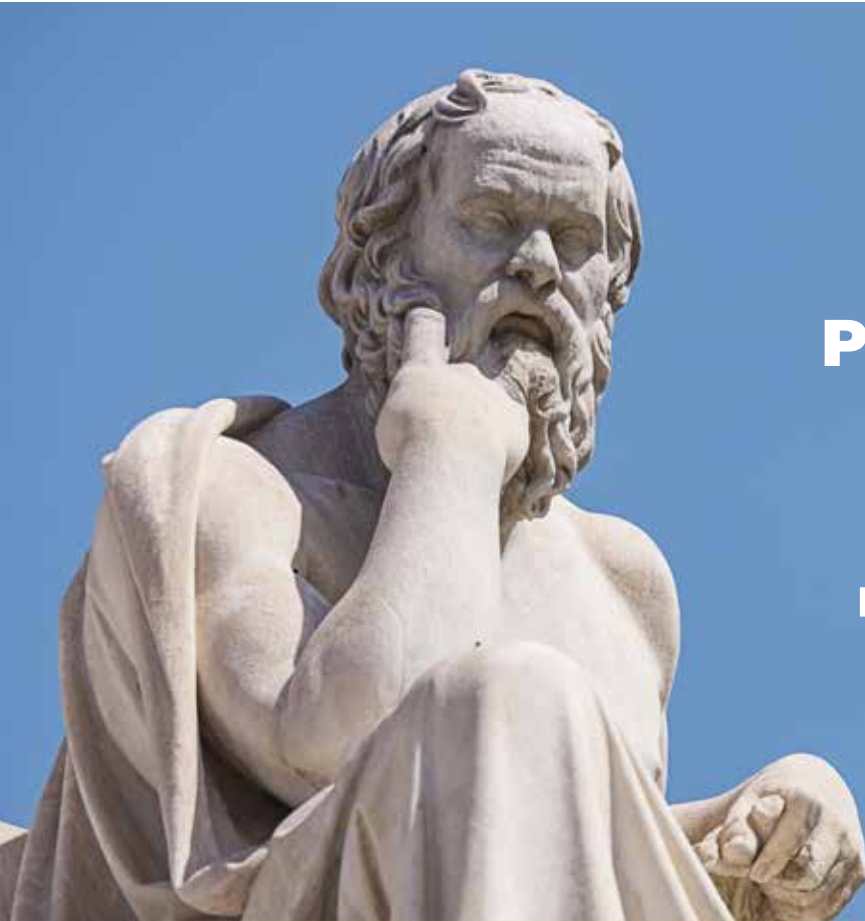
But maybe the thought of pleasing your boss is depressing to you, because you think working a 9 to 5 makes you miserable altogether. In that case, you

would've gotten along great with Friedrich Nietzsche. For a number of years, he concerned himself with answering the question: "If I had to live this life over again, would I be able to stand it?"

He coined the doctrine of two worlds, which says that next to the real world, we all conjure a fantasy world in our minds, in order to escape from the boredom and depression of our real lives. These mass hallucinations of better partners, better work, more money and fancier lives, however, are signs of weakness, he claims.

**To abandon the herd and live on our own terms, we must ditch the fantasies.** It's the only way to see the world as it is, master our destinies and start making them a reality. Nietzsche called people who do this "supermen" – those who embrace their non-conformity, aren't afraid to be different and start living in a way that'd make them happy to live every moment again in exactly the same way.

Would you re-live every moment of your life in exactly the same way? The answer will tell you if you're a superman (or woman).



## Philosophy is...



*the practice of*  
**thinking critically**  
*in your everyday life so you can*  
**navigate the world**  
*in the best way possible.*



In a Distracted World

# Solitude is a Competitive Advantage

by Mike Erwin

“Always remember: Your focus determines your reality.” Jedi Master Qui-Gon Jinn shares this advice with Anakin Skywalker in *Star Wars*, but in our hyper-distracted work world, it’s advice that we all need to hear.

Technology has undoubtedly ushered in progress in a myriad of ways. But this same force has also led to work environments that inundate people with a relentless stream of emails, meetings, and distractions. In 2010, Eric Schmidt, then the CEO of Google, shared a concern with the world: “Every two days, we create as much information as we did from the dawn of civilization until 2003. I spend most of my time assuming the world is not ready for the technology revolution that will be happening soon.” Are we able to process the volume of information, stimuli, and various distractions coming at us each and every day? A significant volume of research has outlined the problem with this onslaught of information. Research by the University of London reveals that our IQ drops by five to 15 points when we are multitasking. In his book, *Your Brain at Work*, David Rock explains that performance can decrease by up to 50% when a person focuses on two mental tasks at once. And research led by legendary Stanford University

professor Clifford Nass concluded that distractions reduce the brain’s ability to filter out irrelevancy in its working memory.

## Staying Focused

There is no silver bullet to solving the complex problems ushered in by the information age. But there are some good places to start, and one of them is counterintuitive: solitude. Having the discipline to step back from the noise of the world is essential to staying focused. This is even more important in a highly politicized society that constantly incites our emotions, causing the cognitive effects of distractions to linger. In our book, *Lead Yourself First*, Ray Kethledge and I define solitude as a state of mind, a space in which to focus one’s own thoughts without distraction — and where the mind can work through a problem on its own.

The ability to focus is a competitive advantage in the world today. Here are some thoughts on how to stay focused at work:

**Build periods of solitude into your schedule.** Treat it as you would any meeting or an appointment. If you don’t schedule and commit to solitude, something else will fill the space. One need not be Henry David Thoreau



...most of us

## underutilize our energy

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here; 15-minute pockets of solitude are very effective. If we spend our entire workday sitting in meetings and answering emails, it leaves little space in our minds to do the hard thinking that is essential to good decision making and leadership.

**Analyze where your time is best spent.** Most of us have meetings that we can afford to miss, and most of us underutilize our energy because we have not allocated time to reflect and be rigorous about our priorities.

**Starve your distractions.** Social media, YouTube, and the limitless possibilities of the internet hang over our heads. They tempt us to click links that take us to another five-minute video or article. Acknowledge the ways that the internet lures you in, and then intervene by logging out of your social media accounts and blocking certain websites during work hours — especially the ones you use for a quick distraction “when you have 10 minutes to kill.”

**Don't be too busy to learn how to be less busy.** One of the biggest reasons we struggle to focus is because we fill our schedules with too many commitments and we consistently prioritize urgent tasks over important ones. Leadership development and training opportunities exist to enhance your ability to understand yourself better, to reflect, and to grow. Don't let the tempo of work get in the way of good development opportunities (once in a while).

**Create a “stop doing” list.** There are only so many hours in a day. As your to-do list grows, you cannot keep accumulating more tasks. Solitude gives you the space to reflect on where your time is best spent, which provides you with the clarity to decide which meetings you should stop attending, which committees you should step down from, and which invitations you should politely decline. This is something that Jim Collins, author of *Good to Great*, has been advising people to do for many years.

The volume of our communication, and our unfettered access to information and other people, have made it more difficult than ever to focus. Despite this reality, there is another truth: Opportunities to focus are still all around us. But we must recognize them and believe that the benefit of focus, for yourself and the people you lead, is worth making it a priority in your life. In other words, before you can lead others, the first person you must lead is yourself.

## These 3 Industries Have the Highest Talent Turnover Rates

by Michael Booz

Seeing a spike in your company's turnover will probably cause a spike in your blood pressure. No one wants their business to be a revolving door.

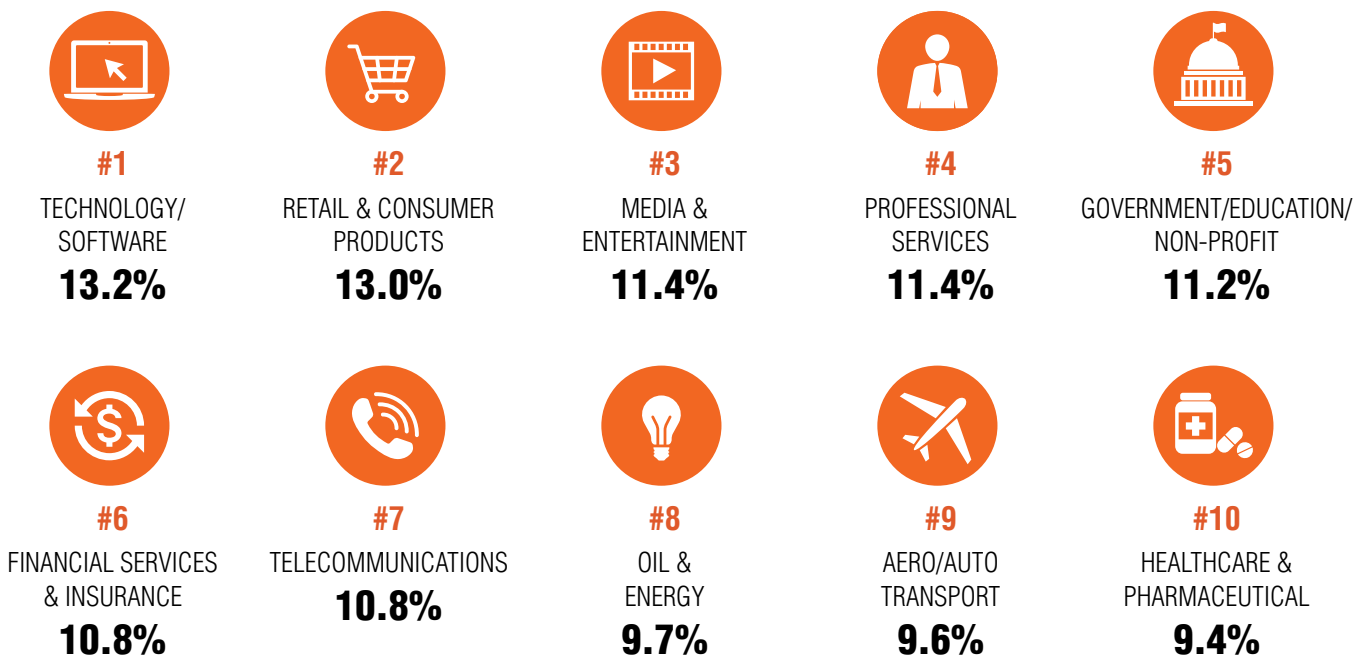
One thing that helps: arming yourself with insights. Once you have the data to anticipate turnover, you can act to retain key employees and recruit new ones way ahead of time. It's the difference between constantly reacting and proactively planning.

Here are the latest insights on the sectors, industries, and jobs seeing the highest levels of turnover, based on LinkedIn's data on half-a-billion professionals. Insight #1: analysis finds a worldwide turnover rate of 10.9%, defined as the percent of LinkedIn members who indicated they left a company in 2017.

Read on to discover where it's hardest to hold on to talent—along with helpful examples of how companies have used turnover data to keep their employees and plan ahead, complete with tips to help you do the same.

The sectors seeing the most talent turnover: **tech (software), retail, and media.**

## Sectors with the Highest Turnover Rates



Tech companies (software, not hardware) had the most turnover over in 2017 with a 13.2% rate. Retail — a historically high-churn sector — follows closely behind at 13.0%, while media/entertainment (11.4%), professional services (11.4%), and government/education/nonprofit (11.2%) round out the top five. Over the last few years, these sectors have consistently seen the highest turnover rates.

While tech, retail, and media may have the most “liquid” workforces, each one sees talent turnover for very different reasons.

Let's take a closer look at the industries and jobs driving turnover within these spaces.

If you work in tech, retail, or media, these insights will help you see where you stack up—but even if you don't, you'll gain a better understanding of the talent landscape and the forces shaping it.

**Tech turnover is likely driven by increasing demand and compensation.**

## Industries within **Technology (Software)** Sector with the Highest Turnover Rates



## Occupations within **Technology (Software)** Sector with the Highest Turnover Rates

- 1 USER EXPERIENCE & DESIGNER • 23.3%
- 2 DATA ANALYST • 21.7%
- 3 EMBEDDED SOFTWARE ENGINEER • 21.7%

The computer games (15.5%), Internet (14.9%), and computer software industries (13.3%) drove tech turnover the most—but those rates pale in comparison to the churn you see within particular occupations. User experience designers had extremely high turnover at 23.3% (they're also extremely in-demand), with both data analysts and embedded software engineers at 21.7%. In fact, embedded software engineers receive the most InMails per person of any occupation in North America.

There's good evidence to suggest that the trouble with retaining tech talent is high-demand and rising compensation within the industry: as employers and offers get more competitive, top talent is more eager to jump on new opportunities. The numbers support this theory: according to LinkedIn data, almost half (49%) of departing tech employees take another job within the tech sector.

Retail is transforming from brick-and-mortar to e-commerce.

## Industries within **Retail & Consumer Products** Sector with the Highest Turnover Rates



## Occupations within **Retail & Consumer Products** Sector with the Highest Turnover Rates

- 1 RETAIL SALESPERSON • 19.3%
- 2 FOOD SERVICE PROFESSIONAL • 17.6%
- 3 HOSPITALITY PROFESSIONAL • 17.0%

The industries with the highest levels of turnover here aren't terribly surprising, with restaurants (17.2%), retail (16.2%), and supermarkets (15.4%) leading the way. The roles that people left the most include lower-level, often-seasonal jobs, like retail salesperson (19.3%), food service professional (17.6%), and hospitality professional (17.0%).

The revolving door of retail may have clearer causes. The industry traditionally sees high turnover, and with the rise of online shopping, companies need far fewer people on the floors. Many former salespeople have to find completely new careers: only 35% of people leaving jobs in retail stay within the sector, according to our data.

Media and entertainment companies' need for talent comes and goes with projects.

## Industries within **Media & Entertainment Sector** with the **Highest Turnover Rates**

NEWSPAPERS	13.3%
ONLINE MEDIA	13.2%
SPORTS	13.2%
TRAVEL & TOURISM	13.0%
MOTION PICTURE & FILM	13.0%

## Occupations within **Media & Entertainment Sector** with the **Highest Turnover Rates**

- 1 ANIMATOR • 25.6%
- 2 3D ARTIST • 22.3%
- 3 MARKETING SPECIALIST • 19.8%

There's no single industry within media and entertainment that's driving turnover—newspapers (13.3%), online media (13.2%), and sports (13.2%) are all neck-and-neck. But the same can't be said for occupations: animators (25.6%) and 3D artists (22.3%) both have turnover rates more than double the global average (both of these jobs are in high demand). Marketing specialists (19.8%) within Media and Entertainment see the third-most turnover. Most people leaving jobs in media/entertainment also leave the sector itself: just 36% of job-leavers go to another job in the media/entertainment sector.

One reason why the sector may see so much turnover: it's extraordinarily project-focused. Whether it's motion pictures, music, or sports, the work revolves around projects with definite beginnings and ends (e.g., movies, albums, playoffs). Talent needs would naturally ebb and flow faster here than other sectors, resulting in more turnover.

### Here's how companies prevent turnover and plan around it — and how you can, too

Turnover isn't bad by nature, but it's obviously costly when your most valuable people leave. By paying attention to why employees leave and appealing to what they care about most, HR pros can retain talent more effectively and recruiters can replace those who do leave.

We surveyed over 10,000 people who recently changed jobs to see why they left.

## Why do professionals leave their jobs?

I was concerned about the lack of opportunities for advancement.

45%

I was unsatisfied with the leadership of senior management.

41%

I was unsatisfied with the work environment / culture.

36%

I wanted more challenging work.

36%

I was unsatisfied with the compensation / benefits.

34%

I was unsatisfied with the rewards / recognition for my contributions

32%

Source: LinkedIn survey, *Why & How People Change Jobs*, (Mar 2015). Showing global average. "Which of the following contributed to your decision to leave your previous employer?"

The top reason people leave: a lack of opportunities for advancement (45%). Other reasons people jumped included being unhappy with leadership (41%), being unhappy with the work environment (36%), and a desire for more challenging work (36%).

Sweeping trends can inform your approach to turnover, but every organization is different. It's essential to look at your own data in order to understand and address the causes of turnover.

Three brands have taken different data-driven approaches to retention.

- After talking to hundreds of top LinkedIn engineers, something as simple as a few conversations could have a major impact on retention rates. By encouraging managers to have more career-focused conversations with employees, attrition rates for those engineers plummeted to 5.5%.
- Nielsen found employees who made lateral career moves tended to stay longer. Lateral moves were nearly as effective as giving promotions.
- Hershey's model can predict employee retention with 87% accuracy. They found remote workers and those who have had multiple managers in a short period were less likely to stay. The company uses these insights to help retain valuable at-risk employees and to recruit new talent ahead of time to stay fully staffed.

In each of these cases, companies found relatively simple ways to keep employees and plan ahead—just by engaging their people, analyzing their own data, and executing a clear action plan.

Depending on the insights you find, the action you take could be anything from career coaching to lateral job moves: 94% of employees say they'd stay longer if a company invested in their career. Professional development resources can encourage employees to gain new skills and advance their careers without leaving the company.

### Final thoughts

Turnover can be from a healthy, increasingly competitive industry, like tech, or one that's rapidly changing, like retail. But even when there's turnover for all the right reasons, turnover poses real challenges to TA and HR teams. The right insights can help you mitigate those problems, improve retention, and attract more of the talent you need.

## HR News



### Employee on maternity leave fired: Here's why the company won the lawsuit

by Rachel Mucha

When an employee returns from protected leave, firing them soon after can look like retaliation. But at the same time, an employee on leave doesn't have immunity if there's a good reason for their termination.

### Falsified job qualifications

This is the dilemma that Oakwood Healthcare in Michigan faced.

Michelle Bailey worked in the HR department at Oakwood. While she was out on maternity leave for three months, some of her colleagues took over her duties. During this time, they discovered several problems with how she'd been doing her job.

This discovery caused Bailey's supervisor to take a closer look at the qualifications on her resume. Instead, the supervisor found Bailey had two resumes on file.

The first resume was from two years prior, when Bailey applied to a different position at the company. The more recent resume had been submitted for her current position. But a comparison of the two found some major inconsistencies. Bailey had exaggerated her experience and qualifications on the second resume to appear better suited for the job she currently had.

Between this discovery and the realization that Bailey hadn't been performing her job well, Oakwood terminated her when she returned from maternity leave.

### Employer acted reasonably

Bailey filed a lawsuit, claiming pregnancy discrimination and retaliation. She argued that "falsifications" was too strong a word, saying she simply "embellished" her resume. Bailey went on to say Oakwood didn't follow its normal disciplinary procedures or give her a chance to correct her performance problems before firing her.

While the court said the "timing of Bailey's termination was unfortunate," and the "manner in which the decision was communicated was clumsy," it still sided with the company, saying Oakwood acted reasonably.

This case shows that if an employer has a good reason to fire someone, it shouldn't shy away just because the employee took protected leave. However, leave does complicate things, and companies should take extra care in making sure they have everything documented to back up their decisions.



### Research: Employers Willing to Overlook a Criminal Record to Hire the Right Person

by Kathy Gurchiek

At a time when unemployment is at a 17-year low of 3.9 percent and 70 million Americans—or 1 in 3 adults—have a criminal record, employers are widening their search for job candidates to include people with criminal histories. U.S. employers are willing to hire someone with a record if that applicant is the best person for the job, according to a study from the Society for Human Resource Management (SHRM) and the Charles Koch Institute (CKI).

Employers are willing to consider candidates with criminal histories if they have good references, a solid performance record and a certificate of rehabilitation and are trained in skills the employer is seeking, according to the report. Six states—Arizona, California, Illinois, Nevada, New Jersey and New York—offer rehabilitation certificates or something similar.

In fact, two-thirds of managers and three-fourths of HR professionals have hired people who committed misdemeanors or substance-related felonies such as DUIs. Fewer report hiring people convicted of violent or theft felonies. And more than two-thirds of HR professionals who have hired people with criminal histories think their quality of work is as high as or higher than the work of employees who don't have a criminal record.

The findings are from a survey SHRM conducted with 1,228 HR professionals in March and interviews that the national opinion research center, NORC at the University of Chicago, conducted with 540 managers—including members of the C-suite—and 512 non-managers in

## HR News

March and April. CKI helped fund the research.

“A criminal record should never be viewed as an automatic disqualification for employment,” said Johnny C. Taylor, Jr., SHRM-SCP, SHRM’s president and chief executive officer. He is an advisor to the Safe Streets & Second Chances program, a project of the Right on Crime initiative at the Texas Public Policy Foundation.

Given the war for talent, “employers must think differently about both jobs and the people who can fill them,” he said, noting that many people with criminal records are willing and able to work.

“It’s time to put an end to the stigma that holds back inclusive hiring and retire outdated employment practices.”

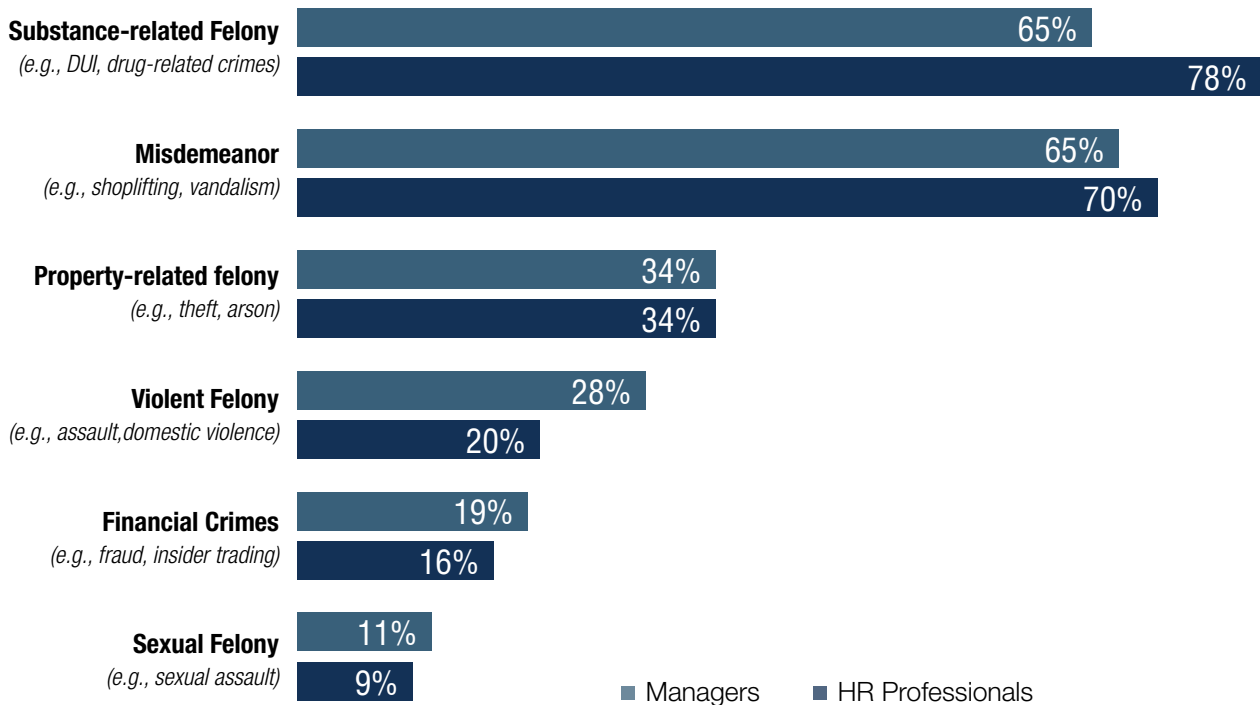
In 2012, the Equal Employment Opportunity Commission (EEOC) cautioned employers to be judicious about basing hiring decisions on job applicants’ criminal records, noting it could have a disparate impact on people of color and national origin, SHRM Online reported.

Blanket bans on hiring felons is unlawful, but criminal history and other background checks are common as prescreening hiring methods. Nearly half of those surveyed said their organization asks applicants if they have a criminal history.

But while managers and HR professionals are willing to hire someone with a criminal history, there is a lack of clarity around their organizations’ stances on this issue, said Trent Burner, SHRM-SCP, vice president of research at SHRM. Only one-third of HR professionals said their company has a formal policy about hiring someone with

## What Types of Criminal Records are Employers Willing to Overlook?

Employers are more likely to hire people with a criminal record of substance-related felonies and misdemeanors than those who have committed financial crimes or violent or sexual felonies.



Source: Society for Human Resources Management and the Charles Koch Institute.



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a criminal record, but a majority of managers and non-managers think such a formal policy exists. Even less clear to more than 40 percent of managers and HR professionals are their organizations' policies toward current employees convicted of a felony. Among HR professionals, 69 percent speak to the employee about the charge, 67 percent verify the company's policy regarding felonies, 21 percent suspend the employee and 17 percent issue a warning. More than one-fourth (27 percent) fire the employee.

SHRM found that while there is a willingness to hire people with criminal records, only 5 percent of managers and 3 percent of HR professionals said their company actively recruits people with criminal records. Main concerns HR professionals have about hiring someone with a record is the employer's legal liability

if something should happen, customer reaction if it were to become known that some employees had criminal backgrounds and government regulations that hinder such hiring. A number of industries and licensed occupations bar the hiring of people with certain kinds of criminal records, Burner pointed out. Managers share HR's concerns to a slightly lesser degree. Only a small percentage of HR professionals and managers were concerned about employee performance (15 percent and 9 percent, respectively).

In fact, 66 percent of managers and 60 percent of HR professionals at companies that have hired people with criminal backgrounds rated the quality of work by those employees as comparable to those without criminal records. And 82 percent of managers and 67 percent of HR professionals think that the value new employees with criminal records bring to the organization is as high

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as or higher than that of workers without records. SHRM plans to release a toolkit for members later this year to help organizations have conversations about hiring from this population. It is not advocating for or against hiring people with criminal records, Burner said.

“We’re advocating that HR lead a conversation regarding employment of people with criminal records to determine what stance is best for the organization.”



### **Chemical Plant Worker Can Proceed with FMLA Claims**

*by Jeffrey Rhodes*

A chemical plant worker can proceed with his claim that he was wrongfully discharged under the Family and Medical Leave Act (FMLA), even though the employer claimed that there were defects in his disability benefits application, the U.S. District Court for the Eastern District of Tennessee ruled.

The plaintiff was a former employee of Eastman Chemical Company, where he worked as a boiler auxiliary operator. In June 2013, he became ill and missed work. He e-mailed his supervisor and notified him of his intention to take 36 hours of medical leave under the FMLA. He was diagnosed with a viral infection and prescribed medication. His medical provider completed an FMLA certification form, through which she verified his illness and noted that he was unable to perform his job because of his illness. The plaintiff asked her to send the form to his employer, and the office’s staff told him that it mailed the form to Eastman.

During the plaintiff’s absence from work, Eastman continued to pay him his regular wages under its short-term disability plan. The plan required that in all cases of disability lasting 36 or more work hours, employees must provide medical evidence that confirms their disability no later than 20 days after it is requested. Also, they must furnish certain documents no later than two days after they are requested. The documents include:

- A Medical Evaluation Report Form TED 10975 (MERF).

- A release of the employee’s medical information.
- Any other documents necessary to validate the existence of a disability.

After learning that the plaintiff had missed more than 36 hours of work because of an illness, a nurse in Eastman’s work re-entry department mailed a packet to him containing information describing how to remain compliant with the company’s short-term disability program, a MERF and FMLA paperwork. Weeks later, Eastman told the plaintiff that it had not yet received the necessary medical documentation from his medical providers; specifically, it requested a MERF, which it said was essential for compliance with the plan.

The plaintiff responded that he did not apply for disability benefits, and he was unaware that Eastman was depositing these benefits into his account.

The plaintiff visited his physician, who ordered him to undergo numerous tests and completed a new FMLA form and MERF describing his primary diagnosis as uncontrolled hypertension and listing various work-related restrictions for the plaintiff. These included an inability to use a respirator, which was a regular part of his job. The restrictions would remain in effect for one to two weeks, and he was required to return for a follow-up appointment in three days.

The plaintiff went back to Eastman’s medical department on that same day and handed in his MERF and FMLA form. The medical department’s physician stated that the plaintiff’s physician would have to complete his next MERF. The plaintiff instructed the physician to hold his current MERF and said he would provide another one.

Before the plaintiff’s follow-up appointment, Eastman decided to end his employment, stating that he had not complied with the process of providing continuing evidence of disability and that his medical records contained no indication that he should be out of work. Eastman therefore concluded that his absence from work constituted a failure to adhere to the plan, which warranted his termination.

The plaintiff filed suit against Eastman, claiming it interfered with his FMLA rights and terminated him in retaliation for taking FMLA leave. Eastman moved for summary judgment on these claims.

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The court ruled that the record contained no evidence that Eastman ever formally placed the plaintiff on concurrent FMLA leave with his short-term disability leave, despite his requests for it. Eastman had yet to approve his FMLA leave by the time it chose to terminate him, though he turned in his paperwork weeks earlier. The plaintiff wanted only FMLA leave, but Eastman instead brought him into a disability plan.

The application for disability benefits under the plan was not mandatory, and the plaintiff did not originally apply for them. Thus, a reasonable jury could rule that Eastman violated the FMLA by discharging the plaintiff for failing to honor the terms of a disability plan that was optional and that the evidence shows he did not voluntarily take part in.

*McMurray v. Eastman Chemical Company*, E.D. Tenn., No. 2:16-CV-270 (Apr. 16, 2018)

**Professional Pointer:** Employer generosity in leave plans can sometimes backfire. A leave plan that provides disability payments during unpaid FMLA leave can actually run afoul of the law if it requires documentation beyond what the FMLA requires for an employee to qualify for leave.



### Thermostat wars: Too hot or too cold? Where do you stand?

by Ladan Hayes

If the temperature in your workspace is an ongoing battle, it could be hurting productivity.

Temperatures across the country are rising, which means temperatures in most offices are going down, turning your hot coffee into an iced one instantly. According to a new CareerBuilder survey, nearly half of workers (46 percent) say their office is either too hot or too cold — and 51 percent say sitting in an office that is too cold impacts their productivity, 67 percent say sitting in an office that is too warm does the same.

Never mind dirty office microwaves, noisy coworkers and battles over the conference room. No workplace dispute is as divisive as where to set the office thermostat. Fifteen percent of workers say they have argued with a coworker about office temperature

(7 percent of men vs. 22 percent of women), and nearly 1 in 5 (19 percent) have secretly changed the office temperature during the summer—13 percent to make it cooler, 6 percent to make it warmer.

### Where the battle is being fought

Broken down by industry, retail has the hottest employees, and health care has the coldest.

Top sectors with office temperature that is too hot

- Retail: 28 percent
- Manufacturing: 23 percent
- Health care: 19 percent

Top sectors with office temperature that is too cold

- Health care: 30 percent
- Retail 24 percent
- Manufacturing: 18 percent

### The greatest victory is the battle not fought

Thermostat wars have been being waged since the invention of the thermostat in the 1800s. So while it's impossible to please everyone, there are steps you can take to create a more comfortable working environment for yourself no matter what you're feeling. Here are some tip on staying comfortable in unpredictable office temperatures.

**Change up your environment:** If a particular time of day or office space is too warm or too cold for productive work, talk to your manager about adjusting your work schedule, telecommuting or moving to a conference room for a portion of the day.

**Get a personal fan:** If you don't have room for a large fan at your desk, you can opt for a small, smartphone-powered fan to create a comfortable breeze.

**Take breaks:** It's almost summer, so enjoy the sun and a little vitamin D. Even if your office temperature isn't bothering you, a quick break is always a good idea to boost productivity.

**Use a heated blanket:** Do your office rules prevent you from using a space heater? Try a heated blanket instead. These can be plugged in right under your desk and placed on your lap to keep you warm without looking unprofessional.

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### Job prospects for new college grads abound, according to a new survey

by Mary Lorenz

It's a good time to be a new college grad, according to CareerBuilder's latest survey.

Congratulations! You're a college graduate! No more homework! No more 8 a.m. classes. No more cramming for exams, writing papers or sitting through three-hour lectures. Feels good, doesn't it?

Unfortunately, that feeling won't last.

Because now, instead of worrying about how you'll ever write 10 pages about the philosophy of Nietzsche, you get to worry about how you'll pay rent, pay for groceries and pay off all your student loans. Cool stuff, huh?

Well, don't start panicking just yet. Because it just so happens that your job prospects are looking pretty good this year: According to a new CareerBuilder study, 80 percent of employers plan to hire recent college graduates this year.

Want more good news? The pay is pretty good, too. Nearly half of employers plan to pay new grads higher starting salaries than in previous years. Expected starting salaries for recent college graduates break down as follows:

- **Under \$30,000:** 21%
- **\$30,000 to less than \$40,000:** 23%
- **\$40,000 to less than \$50,000:** 22%
- **\$50,000 and higher:** 33%

### The hottest industries and most in-demand majors

While it's nice to know that employers are hiring, it probably helps to know what they're looking for and which roles they're looking to fill. According to the survey, employers hiring recent college graduates in 2018 say they're hiring the most in the following areas:

- **Information technology:** 31%
- **Customer service:** 26%
- **Business development:** 20%
- **Sales:** 18%
- **Finance/accounting:** 18%
- **Human resources:** 15%
- **Production:** 14%
- **Marketing/public relations:** 10%
- **Clinical:** 9%
- **Legal:** 5%

What's your major? The answer could increase your chances of getting your foot in the door at certain companies. According to the survey, employers hiring recent college graduates this year say the following majors are the most in-demand at their firms:

- **Business:** 35%
- **Engineering:** 22%
- **Computer and information sciences:** 18%
- **Engineering technologies:** 13%
- **Communications technologies:** 1%
- **Health professions and related clinical sciences:** 11%
- **Math and statistics:** 9%
- **Science technologies:** 7%
- **Mechanic and repair technologies:** 6%
- **Public administration and social services:** 6%
- **Construction trades:** 6%
- **Communication and journalism:** 5%
- **Education:** 5%
- **Transportation and materials moving:** 5%
- **Liberal arts and sciences, general studies and humanities:** 5%

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