



Self-Paced Guide

Human Capital

Appalachian Regional Commission (ARC) *READY Nonprofits*

Presented by Strategic Consulting Partners in collaboration
with Varsos Consulting

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Appalachian Regional Commission Overview

The Appalachian Regional Commission (ARC) is a regional economic development entity that represents a partnership between federal, state, and local governments. Established by an act of Congress in 1965 through the Appalachian Regional Development Act (ARDA), 40 U.S. Code §§ 14101–14704, ARC is composed of the governors of the 13 Appalachian states and a Federal Co-Chair, who is appointed by the president of the United States. Local participation is also provided through multi-county local development districts (LDDs). ARC serves a 206,000-square-mile region of 26.6 million people that includes all of West Virginia and parts of 12 other states: Alabama, Georgia, Kentucky, Maryland, Mississippi, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, and Virginia. To learn more about ARC’s strategic investment goals, objectives, and guiding principles, visit www.arc.gov.

Session 1

SESSION 1: Overview

- I. Welcome
- II. Course Overview
- III. Course Outcomes
- IV. Course Objectives
- V. Assignment

I. Welcome

Welcome to the Self-Paced Human Capital course for the *READY Nonprofits* Training Program. This course is designed to help Appalachian nonprofit organizations improve their internal capacities, which will help them leverage other resources to foster economic development in their surrounding communities.

II. Course Overview

The human capital and human resource management course for nonprofits will explore the unique challenges and opportunities in managing personnel within the context of mission-driven organizations. Participants will delve into the fundamental principles of human resource management, covering key topics such as recruitment, onboarding, employee relations, performance management, succession planning, and legal compliance specific to the nonprofit sector. Participants will focus on strategic human resource planning, emphasizing alignment with the organization's mission and goals. They will explore techniques for effective leadership development, team development, staff training, and conflict resolution, fostering an understanding of how human resource management can be a strategic asset in achieving the nonprofit's objectives.

This course includes five sessions with each session incorporating up to three modules. Each module provides content related to the course objectives and learning outcomes. We encourage you to explore the various reflection questions

and assignments to help further your engagement with the course materials and direct application within your organizational environment. This course is designed to be completed sequentially by starting with session one and ending with session five. Each session's assignments and activities build upon content covered in prior sessions. Throughout the materials there are questions to be used as a cue to pause and take notes or reflect in a manner and medium that best suits your learning style. Reflecting on application is key in extending learning and permeating the knowledge, tools, and practices throughout your organization.

III. Course Outcomes

The course will equip participants with the skills needed to attract and retain top talent, foster a positive organizational culture, and navigate the complexities of human resources (HR) functions within the constraints of nonprofit budgets. Participants will gain a holistic understanding of HR management principles tailored to nonprofit organizations, positioning them to contribute to the development of a motivated and high-performing team within their respective nonprofits.

IV. Course Objectives

At the conclusion of this course, participants will be able to:

- Understand key concepts such as legal compliance, recruitment strategies, and employee relations by applying it to a case study
- Explore the unique challenges and opportunities of HR management in nonprofits, understanding how the organizational mission and values influence HR strategies
- Use HR management principles by developing a recruitment and onboarding plan for a nonprofit position
- Evaluate the impact of HR policies on organizational culture and performance
- Apply the understanding of strategic HR management by developing a comprehensive HR strategy for a nonprofit organization

V. Assignment

For next session, be prepared to consider course concepts in conjunction with your organization's mission, the key positions within it, and the current number of employees.

- Review the [Glossary of Key Terms](#) that will be referenced throughout the course.
- Read the case study and preview the provided questions. At the end of Session 2, you will be asked to answer the questions.

- Navigate to the [Department of Labor](#) website and begin to familiarize yourself with the topics tab, which includes current laws and regulations.



Case Study: Legal Information

Background:

HopeForward is a non-profit organization dedicated to providing educational resources and support services to communities. The Community Outreach Department consists of 10 employees who coordinate programs, manage volunteers, and conduct community workshops.

Situation:

Morgan Chen, a 58-year-old outreach coordinator with 15 years of experience at the organization, has been consistently assigned to weekend and evening community events for the past six months. Younger team members with less experience are regularly given weekday daytime assignments that involve meeting with potential donors and community partners. Additionally, Morgan frequently works through lunch breaks to handle program emergencies, but has been told by the supervisor, Jamie, that this "extra time" doesn't qualify for overtime pay since Morgan is "just catching up on work."

When Morgan requested to rotate to weekday assignments like other team members, Jamie responded: "Donors and partners prefer interacting with younger coordinators who bring fresh perspectives. Besides, at your age, you're probably used to having a flexible schedule anyway." Jamie also mentioned that Morgan is "too traditional" in approach, despite Morgan recently completing an innovative program development training (which younger colleagues haven't taken).

The department recently opened a position for Senior Outreach Manager (a promotion). Despite Morgan's experience and qualifications, Jamie selected Tyler, a 32-year-old with only three years at the organization, stating, "We need someone with innovative ideas who can grow with the organization for years to come."

Morgan has also noticed that on payroll records, they are classified as "independent contractors" despite working fixed hours, using organization equipment, and following the same procedures as other employees classified as regular employees.



Questions to consider:

What specific discrimination issues can you identify in this scenario?

What Fair Labor Standards Act violations are occurring, and how do they apply to non-profit organizations?

How should HR respond to Morgan's situation regarding both discrimination and FLSA concerns?

What policies or procedures might have prevented these issues?

What documentation would be important for HR to gather in this case?

What remedial actions should the organization take?

How might these issues impact the organization's mission and reputation in the community?

Session 2

SESSION 2: Overview

- I. Session Outcomes
- II. Standards for Excellence
- III. Defining Human Capital vs. Human Resources Management
- IV. What is At-Will Employment?
- V. An Overview of Key Employment Laws
- VI. Key Essentials in an Employee Handbook
- VII. Assignment

I. Session Outcomes

Session Outcomes

After this session, you will be able to:

- Identify the key differences between Human Resource Management and Human Capital Management.
- Identify and be familiar with the key laws governing employment.
- Identify the significant elements of an employee handbook.

II. Standards for Excellence

Standards For Excellence



Developed by the Standards for Excellence Institute

By implementing the performance benchmarks in the code, nonprofit organizations will meet the highest ethical standards for effective service in the public interest.



By following the guidelines outlined by the Standards for Excellence Institute, nonprofits can meet the challenges facing nonprofits and provide the highest quality service in the public interest.

- The Standards describe how nonprofits should act to be ethical and accountable in their program operations, governance, human resources, financial management, and fundraising.
- The Standards are based on 58 guiding principles.
- This is one set of standards, but there are others successfully used by nonprofits.

A. Standards for Excellence and the Five Pillars

Standards for Excellence and the Five Pillars

-  1. Mission, strategy, and evaluation
-  2. Leadership: Board, staff and volunteers
-  3. Legal compliance and ethics
-  4. Finance and operations
-  5. Resource development



The Standards for Excellence include six pillars. A few of them are:

1. Mission, Strategy, and Evaluation: Mission and impact, planning strategically, organizational evaluation, program evaluation, strategic partnerships

2. Leadership: Board, Staff, and Volunteers: Leadership and governance, leadership and operational management, work culture

3. Legal Compliance and Ethics: Maintaining legal compliance, required public disclosures, reporting misconduct and whistleblower protection, conflicts of interest, ethics

4. Finance and Operations: Financial budgeting, reporting, and monitoring, internal controls and financial policies, personnel policies, administrative policies, risk management and insurance

5. Resource Development: Resource plan, sources of income, fundraising, donor relations, acceptance of gifts, fundraising on behalf of the organization

III. Defining Human Capital vs. Human Resources Management



Defining Human Capital



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

The terms Human Resource Management (HRM), and Human Capital Management (HCM) are often confused. HRM focuses on the administrative and transactional aspects of managing employees. HCM is a strategic approach focusing on partnerships, emphasizing investing in people/talent and organizational alignment.

Human Resource Management (HRM) vs. Human Capital Management (HCM)



HRM

Creates and Manages systems to facilitate recruitment, training, and retaining employees

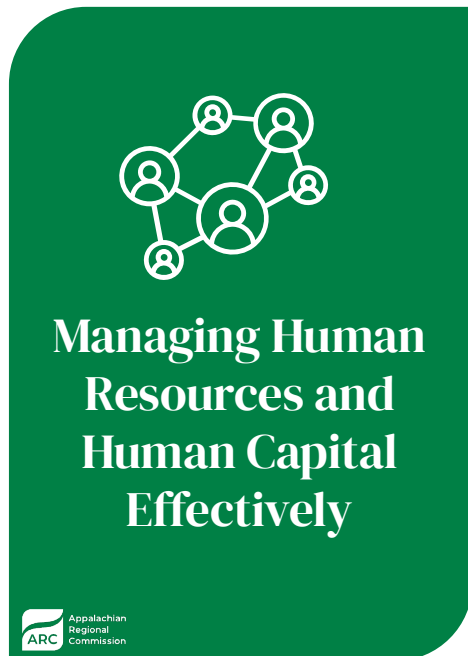


HCM

Maximizes the value and return on investment of employees through aligning people efforts with organizational efforts



A. Managing HR and HC Effectively



How does your people team ensure they manage both Human Resources and Human Capital effectively?

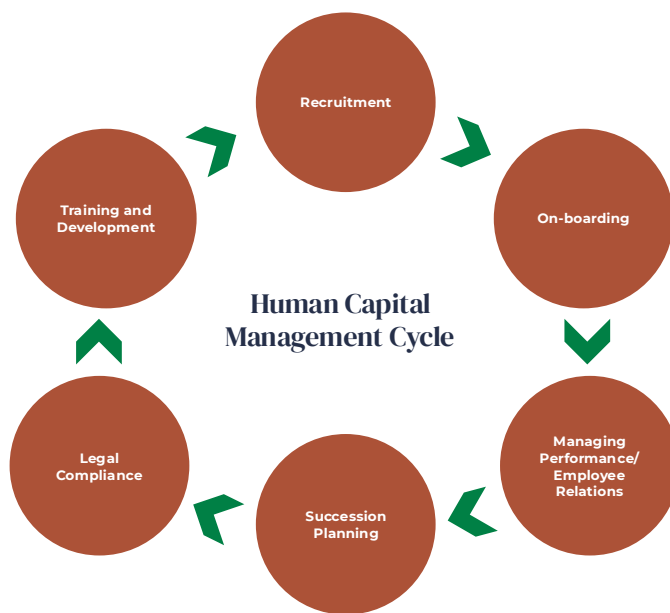
They:

- Truly understand the mission and goals of the organization.
 - Learn about the goals and obstacles each team faces in achieving the mission.
 - Consider how they can assist with achieving the goals and break down the obstacles to ensure success.
 - Connect each component of HRM with meeting organizational goals.
-

It is essential for HR to be involved in achieving the organization's mission and goals. Learning about the goals and obstacles for each team member allows HR to integrate themselves into the team and assist managers in achieving success for both the team and the organization. This also enables them to ensure that the mission, goals, culture, and people remain at the forefront of their thinking and administration.

B. Human Capital Management Cycle

The chart below shows the components of HCM. Each component is essential in building your organization's HR strategy. In this session, each component will be reviewed with accompanying tools for implementation.



The Human Capital Management Cycle:

- Recruitment
- On-boarding
- Managing Performance / Employee Relations
- Succession Planning
- Legal Compliance
- Training and Development

C. Your People Team

It is important that your organization and HR think strategically about creating, administering, and partnering with organizational leaders. As decisions are made, consider the impact on employee morale, productivity, and how the decisions being implemented. This is important because it affects the ability to meet the mission of the organization, the goals, impacts to those being served, and operational costs.



Your People Team

A people team who focuses on Human Resources and Human Capital Management keeps the following at the forefront of their thinking:

- Morale
- Productivity
- Meeting Organizational Mission, Goals, and Impact



IV. What is At-Will Employment?



At-Will Employment

This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice



Your organization should consult both [federal](#) and your state's Department of Labor website and labor laws. Some states might have exceptions to the general at-will rule and it is the responsibility of your organization to ensure compliance. To

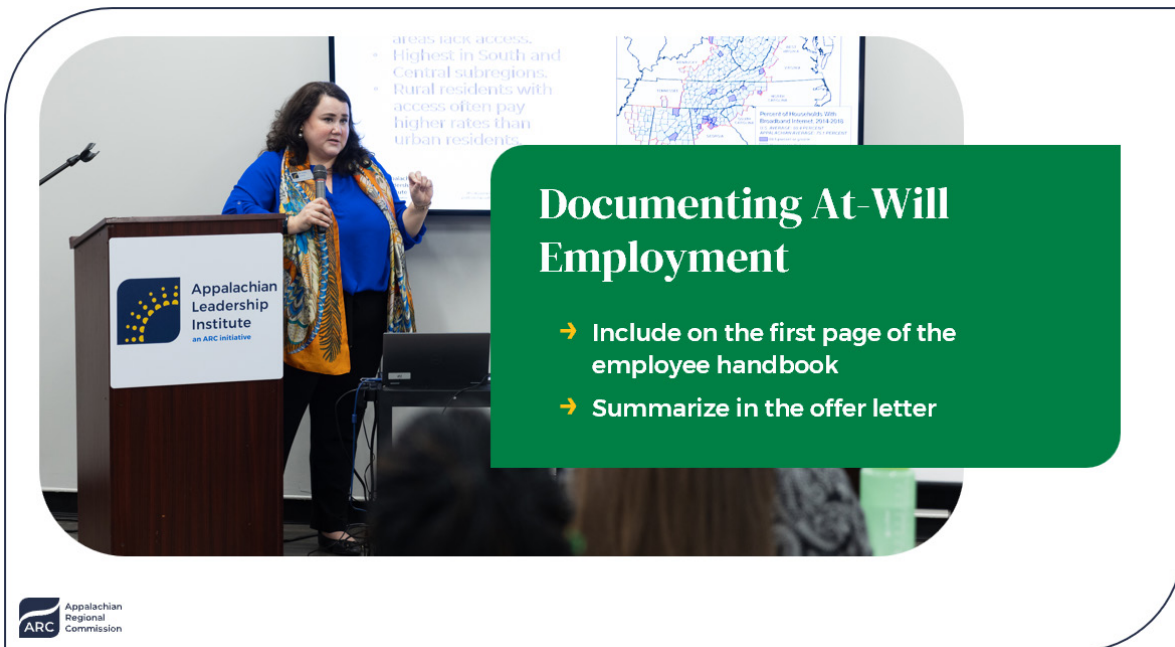
mitigate liability, many organizations access employment attorneys to provide proactive guidance and ethical practices around employment.

A. At-Will Employment Defined

At-will employment means that either the employer or the employee can end the employment relationship at any time, for any reason or no reason at all, without legal penalty. The primary exception is that employers cannot fire employees for illegal reasons, such as discrimination, retaliation, or in violation of a contract or public policy as applicable by law. This flexibility also applies to employees, who can quit their jobs at any time without notice or a reason.

B. Documenting At-Will Employment

There are two key places that the at-will employment policy should be documented. The first is on the very first page of your organization's employee handbook. The second place it should be clearly documented is the offer letter to the candidate.



The image shows a woman in a blue top and patterned scarf speaking at a podium. The podium has the logo for the Appalachian Leadership Institute, an ARC initiative. Behind her is a presentation slide with a map of the Appalachian region and text about internet access. A large green box is overlaid on the right side of the image, containing the title 'Documenting At-Will Employment' and two bullet points: '→ Include on the first page of the employee handbook' and '→ Summarize in the offer letter'. The Appalachian Regional Commission (ARC) logo is visible in the bottom left corner of the image frame.

areas lack access.
• Highest in South and Central subregions.
• Rural residents with access often pay higher rates than urban residents.

Percent of Households with Broadband Internet 2014-2016
by county in central and southern Appalachia

Documenting At-Will Employment

- Include on the first page of the employee handbook
- Summarize in the offer letter

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C. What Does At-Will Employment Mean for My Organization?

Many managers and supervisors' initial perceptions of employment at-will are outlined in the graphic below. It is not as simple as it seems!

There are red flags that leaders should consider when determining whether to, how, or when to make an adverse employment decision. Below are key questions to ask before terminating an employee.

What Does At-Will Employment Mean for My Organization?

Some common questions asked about at-will employment:

- Can you terminate an employee if they are not a good fit?
- The employee is struggling with their job, and we are an at-will employer. Are we allowed to fire them?
- We've decided an employee is just not working out. Why does HR or the attorney ask us if we have documented and managed the employee's performance?
- An employee left suddenly without giving two weeks' notice. Is that legal?



At-Will Employment | What to Consider

When weighing a decision to hire, not hire, discipline, reward, or terminate someone, consider the following:

- Have you **asked the person** their side of the situation?
- Have you treated the employee **the same as** other employees?
- Did you make an **assumption** due to a difference in the person's behavior?
- Have you provided **clear expectations** for their performance?
- Have you provided **clear, objective, concise, and timely feedback** about their performance?
- Have you consulted HR to **consider any red flags** that may exist?



Your organization's handbook should include a sample At-Will Employment Policy for your use.

D. At-Will Employment Policy Sample for Handbook

At-will employment with the **ORGANIZATION** is on an at-will basis unless otherwise stated in a written individual employment agreement signed by an authorized representative of the company.

This means that either the employee or the company may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this communication is intended to create an employment agreement, expressed or implied. Nothing contained in this, or any other document provided to the employee, is designed to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. Additionally, no company representative is authorized to modify this policy for any employee or to enter into any agreement, whether oral or written, that alters the at-will relationship.

V. An Overview of Key Employment Laws



Employment Law Overview



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

In addition to understanding at-will employment, it's important to understand that there are additional laws that govern employers. Let's dive in and discuss additional legal concerns.

A. What Employment Law Includes

- Defining Employment at Will
- Understanding the Hierarchy of Laws
- Review of Federal Law impacting the Employer/Employee relationship

Employment law is the body of laws that regulates the relationship between employers and employees, covering areas like wages, discrimination, benefits, and workplace safety. It includes federal and state statutes and administrative regulations, such as the [Fair Labor Standards Act](#) (FLSA) for minimum wage and overtime, and acts prohibiting discrimination based on factors like race, sex, and age.

B. Key Areas of Employment Law

Wages and overtime: The FLSA sets federal minimum wage and overtime pay standards, requiring most employers to pay non-exempt employees one-and-a-half times their regular rate for hours worked over 40 in a week.

Discrimination and harassment: Laws like the one enforced by the [EEOC](#) and the Pennsylvania Human Relations Act prohibit discrimination in hiring, firing, promotions, and other employment terms based on characteristics like race, color, religion, sex, age, disability, and national origin. Sexual harassment is also prohibited.

Employee benefits: Federal laws like the [Employee Retirement Income Security Act](#) (ERISA) set minimum standards for most private-sector health and retirement plans.

Workplace safety: Federal laws establish standards for workplace safety, and states often have their own regulations.

Child labor: The FLSA restricts the hours that children under 16 can work and forbids those under 18 from working in certain hazardous jobs.

Collective bargaining: Employees have the right to join labor unions to negotiate terms and conditions of employment through collective bargaining.

Protected concerted activity: Employees have the right to act together to improve their working conditions, such as discussing wages or requesting safety improvements, which is protected activity.

How to find more information:

Federal resources: For federal laws, the [U.S. Department of Labor](#) website is a primary resource.

State resources: For state-specific laws, check your state's Department of Labor or Human Relations Commission.

Legal assistance: For questions about your specific situation, consult with an employment lawyer or legal aid service.

C. Guidance for Employment Law and Policies



Guidance for Employment Law and Policies

- Federal Law
- State Law
- Employee Handbook/Union Contract

 Appalachian Regional Commission

Employers must abide by both federal and state laws. State laws might be more favorable to employees than federal laws. Federal law applies across all states and is in force unless/until repealed or overruled by the Supreme Court. Be sure to access any updates to laws by referring to the [U.S. Department of Labor](#) for the most current requirements.

Why can't I just terminate an employee for any reason at any time?

These federal laws prevent employers from discriminating in any employment practices, including:



Hiring, firing, promotion, demotion, reward, and access to benefits

- Title VII – Civil Rights Act of 1964
 - Age Discrimination Employment Act
 - Equal Pay Act
 - Americans with Disabilities Act
- Pregnancy Act
- Family Medical Leave Act
- Fair Labor Standards Act



As reviewed earlier in this session, at-will employment is not as simple as terminating for any reason at any time. The list above provides a summary of laws that offer foundational knowledge, highlight key indicators, and outline reasons to ensure effective performance management is in place. If your organization is effectively managing performance, documenting, and applying consistent treatment, your organization will be following compliant practices that are in support of the law. Knowledge of these laws helps your organization proactively comply. Your organization may choose to utilize an attorney or an HR professional before terminating an employee.

D. Title VII of the Civil Rights Act of 1964

Title VII prohibits discrimination in hiring, firing, promotion, compensation, or any other aspect of employment based on race, color, religion, sex, or national origin. Title VII classifies discrimination into three general categories: disparate treatment, pattern or practice, and adverse impact. Title VII also protects employees from wrongful discharge if the aforementioned qualifiers are used as a reason for termination.



Title VII of the Civil Rights Act of 1964



The federal act prohibits discrimination and harassment based on federal or state-protected characteristics.

Discrimination may not occur in any aspect of employment including:

- Hiring
 - Job assignment
 - Compensation
 - Promotion
 - Demotion
 - Discipline and termination
-

This law applies to employers with 15 or more employees and covers labor unions and employment agencies. Title VII creates the foundation for state law which makes it illegal to discriminate in all aspects of employment, including hiring, firing, pay, and promotion as well as prohibiting retaliation against anyone who reports discrimination. Each state may have further protected classes. It is essential to be aware of the federal and state-protected classes. The protected characteristics are listed below.



Title VII Protected Characteristics



-
- Race
 - National origin
 - Religion
 - Sex (including pregnancy, childbirth, and related medical conditions)
 - Disability
 - Age (40 and older)
 - Genetic information

* Each state may have further protected characteristics

E. What is Discrimination in Employment?

What is Discrimination in Employment?

Under Title VII, discrimination occurs when an individual is treated differently in a way that causes an adverse impact on them. Its definition includes:

- Unfair treatment because of your protected status (race, color, religion, sex, etc.)
- Harassment by managers, co-workers, or others in your workplace because of your protected characteristics
- Denial of a reasonable workplace change that you need because of your religious beliefs, disability, or domestic violence victim status
- Improper questions about or disclosure of your gender, religion, ethnicity, race, marital status, medical information
- Retaliation because of a claim of job discrimination or assisted with a job discrimination proceeding, such as an investigation or lawsuit



We'll now examine the major federal law that impacts employment.

Discrimination as described in Title VII is noted above. The U.S. Equal Opportunity Commission (EEOC), established in 1965 by the Civil Rights Act of 1964, is a federal agency enforcing civil rights laws against workplace discrimination. The EEOC investigates discrimination complaints. As your organization reviews policies and practices, consult with the guidance provided by EEOC.

EEOC Policy Resource alert:

- [EEOC Small Business Tips](#)
- [General Non-Discrimination Policy Tips](#)

F. Further Federal Law Protection Acts



→ **Age Discrimination Employment Act (ADEA)**

- Protects individuals who are 40 years of age or older

→ **Equal Pay Act (EPA)**

- Prohibits differences in pay based on gender

→ **Pregnancy Discrimination Act (PDA)**

- Protects the pregnant employee from discriminatory actions that are based on her pregnant status
-

Age Discrimination in Employment Act (1967)

Prohibits job discrimination against people 40 and older. ADEA outlaws mandatory retirement and provides for Equal Employment Opportunity Commission enforcement.

Equal Pay Act (1963)

Mandates that an employer cannot establish a difference in salary between the sexes for performing the same work. In this case, "work" is defined as essentially the same skill, effort, responsibility, and working conditions.

Pregnancy Discrimination Act (1978)

Prohibits an employer from discharging a pregnant woman or forcing her into a leave of absence. Furthermore, employers cannot fire or refuse to hire women of childbearing age because of fear of exposure to workplace hazards or toxins. Precautions should be taken to reduce exposure.

Americans with Disabilities Act (1990)

Forbids employment discrimination against qualified individuals with mental or physical impairments. Employers must make "reasonable accommodation" in the workplace by offering a modified work schedule, wheelchair-accessible facilities, job restructuring, or worker retraining.



The Americans with Disabilities Act protects workers with various disabilities.

Qualifications Under The Law:

- Must have a **disability** as defined by the ADA
- Be qualified to perform the **essential functions** of the job with or without reasonable accommodation by the employer
- Employers must provide **reasonable accommodation** for a qualified individual unless doing so would impose an **undue hardship** on the operation of the employer's business.

Examples of Disabilities: AIDS, alcoholism, illegal drug use (record of), pregnancy, chronic diseases, and psychiatric disorders

Examples of Major Life Activities: performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working

Key elements of this law discuss essential functions, undue hardship, and reasonable accommodations.

G. Defining Essential Functions, Undue Hardship, and Reasonable Accommodations

Essential Functions

Include the following requirements to achieve the position successfully:

- Skills
- Experience
- Education - degrees
- Job-related pre-requisites – certifications, training

Undue Hardship

An action that requires significant difficulty or expense when considered in relation to factors such:

- Business size
- Financial resources
- The nature and structure of the operation

Reasonable Accommodation

This refers to making existing facilities used by employees readily accessible to and usable by persons with disabilities. Examples include:

- Job restructuring
- Modification of work schedule
- Additional unpaid leave
- Reassignment to a vacant position
- Acquisition or modification of equipment or devices
- Training materials or policies
- Qualified readers or interpreters

H. Family Medical Leave Act (1993)

Family Medical Leave Act

- Entitles employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.



Eligibility: Employees must have been employed for 12 consecutive months & have worked 1250 hours during that period

Amount of leave: Up to 12 work weeks in a 12-month period (can be calendar or rolling)



Family Medical Leave Action (FMLA) is unpaid leave that only preserves the employee's right to return to their position upon completion of the leave. Organizations may choose not to charge for healthcare during leave, collect contributions from employees' paychecks (if they receive paid time off), have employees pay the organization if they are unpaid, or charge the entire premium. Most organizations opt to collect regular payroll contributions.

Key FMLA Points:

- Medical certification is required.
- It can be taken intermittently.
- Other leave can run concurrently with FMLA - short-term disability, state sick or family leave, sick, vacation, or personal time.



Other FMLA Facts

- Medical certification is required
- Can be taken intermittently
- Other leaves run concurrently with FLMA – NY STD, PFL, NY Paid Sick.

Organizations can mandate any paid time off must be taken concurrently with FMLA. Some organizations mandate only sick time and maternity/paternity leave, and others require all leaves to be taken before employees take unpaid time.

I. Reasons for Leave - Defining a Serious Health Hardship

Reasons for Leave

- Serious health conditions that make the employee unable to perform the essential functions of his or her job
- Birth or adoption of a child and to care for the newborn child within one year of birth
- Care for the employee’s spouse, child, or parent who has a serious health condition
- Organ or bone marrow donor
- “Covered active duty,” or 26 workweeks of leave during a single 12-month period to care for a covered service member

Serious Health Condition

- 3 or more days of incapacity for the same condition
- Any period of incapacity because of a chronic, serious condition

- Treatment by a healthcare provider at least 2x/year (e.g., asthma, diabetes, epilepsy)
- A period of incapacity that is permanent or long-term because of a condition for which treatment may not be effective (e.g., Alzheimer's disease)
- Any period of absence to receive multiple treatments by a healthcare provider (e.g., for reconstructive surgery after an accident or injury, cancer (chemotherapy), or kidney disease (dialysis))

J. Benefits Laws

Benefit laws are a set of federal and state regulations that mandate certain employee benefits and set standards for others. For additional reference, visit the [DOL Laws and Regulations](#) website.



COBRA (Consolidated Omnibus Budget Reconciliation Act)

- Federal law that mandates the offer of temporary coverage after a job loss
 - Mandated 18 – 36m of healthcare coverage
 - Employee responsible for up to full premium with 2% admin fee
 - May Drop at Any Time
-



Benefits Laws



ERISA (Employee Retirement Income Security Act of 1974)

- Federal act that sets minimum standards for voluntary retirement and health plans in private industry

HIPAA (Health Insurance Portability and Accountability Act)

- Law to protect the privacy of healthcare information about employees

ACA (Affordable Care Act)

- Comprehensive law developed in 2010 that expands mandates for healthcare coverage.
-

Some organizations utilize a Professional Employer Organization (PEO) to provide legal benefits like access to health, dental, and retirement plans by pooling employees, and ensuring compliance with laws like ACA, Consolidated Omnibus Budget Reconciliation Act (COBRA), and ERISA. PEOs handle the administration and take on the responsibility of managing the legal aspects of employee benefits for the organization.

K. Other Employment Protections/Laws/Acts



Other Employment Protections Laws/Acts



USMERA (Uniformed Services Employment and Reemployment Rights Act)

- An employer must not deny reemployment or retention in employment, promotion, or any benefit of employment to an individual on the basis of his or her membership, application for membership, performance of service, application for service, or obligation for service in the uniformed services.

OSHA (Occupational Safety and Health Administration)

- Assures safe and healthful working conditions by setting and enforcing standards, and by providing training, outreach, education and assistance.

Worker's Compensation

- Employers are required to provide insurance to cover medical and disability coverage for employees who are injured while working.

L. Fair Labor Standards Act

Fair Labor Standards Act (FLSA)

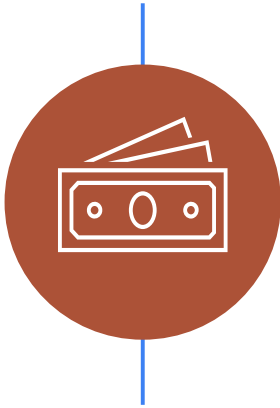
Known as the federal wage and hour law that regulates the following:

- Minimum wage
- Overtime
- Equal pay
- Record keeping
- Child labor



M. FLSA Guidelines

Fair Labor Standards Act (FLSA) Guidelines



Minimum Wage

- Federal - \$7.25
- Check for local minimum wage

Overtime – Federal & State

- Employees must be paid 1-1/2 times their hourly rate for all hours worked over 40 in the designated workweek
- Salary Minimum for the year - \$35,568 or \$684/week



Fair Labor Standards Act (FLSA) Guidelines



Payment Requirement

- Employees must be paid on a designated day for a designated period.
- Employers cannot hold payment for owed money without written permission.
- Last payment upon termination must be provided no later than the following payroll.
- Checks may not be held hostage.

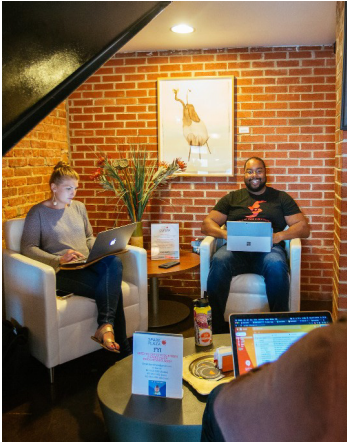
Written Requirements

- Provide the employee the following in writing: rate of pay, hours required to work, wage payment schedule, and any wage policies.



N. Exemption Guideline and Regulations

Exemption Guidelines and Regulations



Non-exempt Guidelines:

- Paid a designated hourly rate for all time worked
- Required to keep accurate time records
- Eligible for overtime for all hours worked in a designated workweek over 40

Exempt Guidelines:

- Employees are paid a designated salary to complete the requirements of the position
- Exemption from overtime is determined through the following criteria: Executive, Administrative, Professional

Fair Labor Standards Act (FLSA) Guidelines: Exemption Guidelines and Regulations



- Exemption status is determined based on the primary responsibilities and the amount of discretion and independent judgment with respect to matters of significance.



It is essential to understand that the determination of non-exempt versus exempt status does not correlate with how an organization would like to pay their employees but rather is based on the duties and responsibilities of the position as defined by the FLSA.

What FLSA does NOT regulate



-
- **Vacation time**
 - **Sick time**
 - **Break time (with the exception that less than 20 minutes must be paid)**
 - **Health and welfare benefits**
 - **Holiday pay**
-

When applicable, these should be captured in the employee handbook and must be consistently administrated.

*Many states have specific guidelines

Some states have begun to mandate sick, medical, and family leave. It is important to routinely review state regulations to ensure compliance with your organization's policies.

VI. Key Essentials in an Employee Handbook



Employee Handbooks



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

The purpose of an employee handbook is to communicate organizational policies, procedures, expectations, and benefits to all employees, providing a foundation for a consistent, fair, and legally compliant workplace. It serves as a guide for new hires, a reference for all employees, and a tool for management to ensure consistency and protection from legal disputes.

Why does an organization need an Employee Handbook?



A handbook fosters a culture of trust, engagement, and integrity, providing guidelines for leadership and staff. It also does the following:

- Ensures consistent and fair treatment for each employee
- Clarifies appropriate behavior
- Possible assists with litigation



Key Points to Consider:

- A handbook should not be punitive; instead, it should be a tool to outline expectations and serve as the guideline for organizational practices and procedures.
- A handbook is only practical if consistently followed and put into practice as documented. If policies are inconsistently implemented, the policy will not protect the organization.
- An attorney should review your organization's handbook to ensure that it accurately reflects federal, state, and local laws.

Handbook Vs. Procedure Book

Employee Handbook

→ Provides guidance and overview of organizational employee policies

Procedure Handbook

→ Offers detailed technical guidance for managers and HR professionals on implementing and enforcing those policies

These can be combined or separate manuals. Some organizations do not have a Procedures Handbook but do have an Employee Handbook.

ARC

There can be confusion around employee handbooks and operations, procedural, or program guide/handbook. There are certain third-party governing agents that require a Procedures Handbook for certification, such as the Joint Commission for Mental Health Clinics. A procedure handbook is not mandatory for legal compliance, but may be required for certifications, grants, or awards.

A. Key Suggested Policies

These are the key policies that are crucial for a handbook. The primary focus of a handbook is to ensure consistent adherence to policies. If the organization fails to follow them consistently, it sets them up for potential accusations of discrimination and potential litigation.



- At-will employment
- Workday
- Overtime
- Paydays
- Reference checks
- Code of conduct
- EEO
- Harassment

The EEOC has a Small Business Resource Center [here](#). Organizations can search the site for resources on creating policies that align with federal law. Additionally, the [US Chamber of Commerce](#) provides access to resources for small businesses on developing employee handbooks. Your state may have a nonprofit association that provides sample policies and training for employee handbooks.

Conclusion

The expectations you set and the way you treat your employees matters for success. Keep the following steps in mind:

- Measure the ability to perform the position based on skill and key responsibilities.
- Provide clear expectations for success.
- Never make assumptions.
- Understand the law.
- Utilize HR to assist with employee relations.
- Document, document, document.

By taking these steps, you may...

- Reduce chances for employee discrimination.
- Maintain a more productive team.
- Retain your talent.
- Eliminate negative behavior.



B. Legal Case Study Review

An assignment from Session 1 was to read the legal case study and to preview the provided questions. Session 2 reviewed federal laws around employment. Now that this session is complete and the information has been reviewed, please complete the questions.



Questions to consider:

What specific discrimination issues can you identify in this scenario?

What FLSA violations are occurring, and how do they apply to non-profit organizations?

How should HR respond to Morgan's situation regarding both discrimination and FLSA concerns?

What policies or procedures might have prevented these issues?

What documentation would be important for HR to gather in this case?

What remedial actions should the organization take?

How might these issues impact the organization's mission and reputation in the community?

VII. Assignment

- Locate a job description for any position within your nonprofit. Have the job description available as you begin Session 3.
- Locate and evaluate one of your organization's employment policies and practices related to compliance.
- Read the case study on interviewing, recruitment and selection before starting Session 3 and preview the provided questions. You will be asked to complete the questions at the end of Session 3.



Case Study: Interviewing, Recruitment and Selection

Background:

Horizon Community Partners is a regional non-profit organization that provides substance use disorder (SUD) treatment and community support programs. With 75 employees across three locations, they've experienced significant growth over the past two years. However, they've struggled with hiring candidates who truly fit their

organizational culture and mission, resulting in higher-than-desired turnover and occasional misalignment between new hires and existing teams.

The Executive Director and HR Manager have decided to implement a comprehensive recruitment process to enhance hiring outcomes, improve the candidate's experience, and better integrate new team members into the organization.

Scenario:

The organization needs to fill a critical Program Director position to lead their expanding youth initiative. This role requires not only technical expertise in SUD services and program management but also strong leadership skills, cultural competence, and alignment with the organization's values of compassion, integrity, and innovation.

Previous hiring processes relied heavily on traditional methods: resume screening, a panel interview with the HR Manager and Executive Director, and reference checks. However, this approach has missed important dimensions of candidate evaluation, particularly how candidates might interact with various stakeholders, including clients, direct reports, peers, and board members.

Training Exercise:

Participants will design and implement a recruitment process for the Program Director position, taking into account the unique needs and constraints of a non-profit organization.

The Recruitment Process Elements:

1. Pre-Recruitment Planning

- **Mission-Aligned Job Analysis**
 - Collecting input from board members, program staff, clients, and community partners about the essential qualities needed
 - Developing a comprehensive job description that emphasizes both technical requirements and cultural fit
 - Identifying key competencies and values to assess throughout the process
- **Well-Rounded Recruitment Committee**
 - Forming a committee that includes representatives from various levels and departments
 - Including a client representative or community member when appropriate
 - Training committee members on legally compliant hiring practices

2. Multi-Channel Outreach

- **Targeted Recruitment Strategies**
 - Identifying mission-aligned candidate pools and groups
 - Leveraging board and volunteer networks for candidate referrals
 - Creating compelling messaging that communicates organizational impact and values
 - Using a variety of platforms to reach a wide pool of candidates

3. Multi-Dimensional Assessment

- **Phased Interviewing Process**
 - Initial screening interviews with HR and hiring manager
 - Panel interviews with cross-functional team members
 - Peer interviews with potential colleagues
 - Client or community stakeholder interaction (when appropriate)
 - Board member or leadership conversation
- **Skill Demonstration Activities**
 - Case study or scenario analysis related to program challenges
 - Presentation on vision for the program
 - Facilitation of a mock team meeting
 - Written reflection on mission alignment

4. Comprehensive Evaluation

- **360° Feedback Collection**
 - Standardized evaluation forms for all interactions

- Weighted scoring based on critical competencies
- Qualitative feedback from all stakeholders
- Consensus-building discussion for final selection

5. Transparent Candidate Communication

● Relationship-Building Throughout

- Clear communication about the process and timeline
- Feedback loops at various stages
- Authentic representation of organizational culture and challenges
- Mission-focused discussions throughout the process

6. Pre-Onboarding Integration

● Transition Planning

- Introducing the selected candidate to key stakeholders
- Developing personalized onboarding plan
- Setting up mentorship connections
- Planning early wins and community introductions

Case Study for Discussion:

The recruitment committee has narrowed the Program Director search to three qualified candidates:

1. **Candidate A:** Has impressive technical credentials and experience managing similar programs but has primarily worked in for-profit healthcare settings.
2. **Candidate B:** Has less direct management experience but has worked in non-profits for 15 years and demonstrates deep commitment to the mission. Received mixed feedback from the peer interview panel about leadership approach.
3. **Candidate C:** Has a strong blend of technical and leadership skills from both non-profit and government sectors. Performed well in most interactions but seemed less enthusiastic during the board member conversation about fundraising responsibilities.

Discussion Questions:

1. How would the recruitment process help reveal important dimensions about each candidate that might not emerge in a traditional hiring process?
2. What weight should be given to feedback from different stakeholders (staff, clients, board members, etc.) in the final decision?
3. How can the recruitment committee manage potential opinions that might emerge from having so many perspectives involved?
4. What adaptations might be needed to make this process efficient and affordable for a resource-constrained non-profit?

5. How can the organization balance the need for a thorough process with respect for candidates' time and the urgency to fill the position?
6. What are some ethical considerations when involving clients or service recipients in the hiring process?
7. How might this process be scaled or modified for different positions within the organization?

Implementation Challenges to Address:

- Managing the logistics of coordinating multiple stakeholders
- Maintaining candidate confidentiality throughout an expansive process
- Balancing thoroughness with time and resource constraints
- Training various participants to conduct effective and legally compliant assessments
- Creating consistent evaluation criteria across different interactions
- Handling disagreements between stakeholders about candidate selection

Success Metrics:

- Improved retention rates for new hires
- Enhanced team cohesion and collaboration
- Better alignment between new hires and organizational culture
- Candidate pools and hires with varied experiences and skillsets
- Positive feedback from candidates about the recruitment experience
- Faster integration and productivity of new team members

Session 3

SESSION 3: Session Overview

- I. Assignment Review
- II. Session Outcomes
- III. Recruitment Strategy
- IV. Constructing a Job Description
- V. Recruiting and Interviewing
- VI. Onboarding
- VII. Assignment

I. Assignment Review

At the conclusion of Session 2, the following were assigned:

- Locate a job description for any position within your nonprofit. Have the job description available as you begin Session 3.
- Locate and evaluate one of your organization's current employment policies and practices related to compliance.
- Read the case study on interviewing, recruitment and selection before starting Session 3 and preview the provided questions.

Please have the job description accessible as this session begins. If your organization does not have job descriptions, please be prepared to develop a draft using the template and information provided in this session.



Questions to consider:

As you reviewed the assigned case study, what were your initial reactions?

Were there any areas within your organization that need to be reviewed or updated to ensure legal compliance?

What is your plan to address these areas?

Keep in mind that policies and compliance evolve, and it is important to schedule time to review existing policies and practices as well as the laws that govern employers to ensure alignment. Utilize legal counsel to support and confirm compliance.

II. Session Outcomes

Session Outcomes

After this session, you will be able to:

- Identify key components of crafting a job description.
- Develop a dynamic recruitment plan to attract top talent.
- Identify key elements of an effective onboarding plan and program.

III. Recruitment Strategy



Recruitment Strategy



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

Key elements of the recruitment strategy include identifying a candidate profile, which includes the necessary skills, certifications, experience, and core cultural competencies, reviewing the job description, and then determining the necessary resources for hiring and sourcing the candidate.

Recruitment Strategy

- Candidate fit (can do/will do/best fit)
- Job description
- Resources for hiring
- Interview process
- Interview preparation



A. Recruitment Plan

Recruiting candidates requires an investment of time and resources. The steps for successful recruitment are outlined below. Please review the steps outlined in the plan and then consider a position within your organization.



→ **Candidate fit (can do/will do/best fit)**

→ **Job description**

- Identify key skills necessary for success.
- Identify nice-to-have skills.
- Identify core competencies for the role.

→ **Resources for hiring**

- Budget
- Sources

→ **Interview process**

- What format?
- Who will interview?

→ **Interviewing and selection**

- Develop interview questions
 - Rate candidate
-

B. Steps for Successful Recruitment Plan

- Candidate fit (can do/will do/best fit definitions)
 - Can do - Necessary Skills, certifications/licenses/education
 - Will do - Effort and attitude, transferrable experiences
 - Best fit – Core culture competencies
- Job description
 - Identify key skills necessary for success.
 - Identify nice-to-have skills.
 - Identify core competencies for the role.
- Resources for hiring
 - Develop a budget.
 - Determine the best sources to list your job posting. e.g., website, Indeed, LinkedIn, Monster, or other professional recruitment websites.
- Interview process
 - Identify a format for the interview process.

- Identify who will participate in the interview e.g., peers, supervisor, team members, etc.
- Interview and selection
 - Develop interview questions
 - Rate candidate based on predetermined categories

Key essentials for hiring top candidates for the role and your organization require consideration of what technical skills and abilities are needed, what competencies can be identified that demonstrate mission and value alignment, and how to determine fit with the organizational culture.

Key Essentials to Hiring the Top Candidate for the Role and Organization



- **Can do – concrete set of technical skills and abilities**
 - Skills
 - Certifications
 - Training
- **Will do – Competencies that define the motivation and willingness to contribute to the mission and values of the organization.**
 - Innovation
 - Problem-solving
 - Determination
- **Best fit – culture fit**
 - Ways the organization operates
 - Passion for mission, values
 - Belief in mission over pay

In hiring, "can do" refers to a candidate's skills and competence, while "will do" assesses their attitude and motivation. "Best fit" considers both of these factors, along with the candidate's personality and values, to determine if they will succeed and thrive within the company culture. To evaluate candidates, you need to assess their "can do" and "will do" attributes through resumes, interviews, and other assessments to determine the best overall fit.

Can do: Skills and competence

Definition: This refers to a candidate's ability to perform the job based on their skills, knowledge, and experience.

How to assess:

- Review the candidate's resume for relevant experience and qualifications.

- Ask behavioral questions that require them to provide specific examples of how they have used their skills to solve problems.
- Evaluate technical skills through practical assessments or a portfolio review.

Will do: Attitude and motivation

Definition: This assesses a candidate's motivation, attitude, and willingness to be a team player and go the extra mile.

How to assess:

- Ask questions about their work ethic, how they handle challenges, and what motivates them.
- Look for signs of a positive, flexible, and service-oriented attitude.

Best fit: Overall success and cultural alignment

Definition: This is the combination of "can do" and "will do," evaluated alongside the candidate's personality, values, and work style; it is used to determine if they will be successful and happy in the role and company culture.

How to assess:

- Ask behavioral interview questions to understand their personality and work style.
- Check references to get an external perspective on the candidate's attitude and performance.
- Use a framework like the "3 C's of Hiring" (Character, Competence, and Chemistry) to evaluate candidates holistically.
- Ensure the candidate's values align with the company's, as hiring for culture fit can lead to better collaboration, engagement, and job satisfaction.

When hiring, determine candidate fit using the “can do, will do, best fit structure” to provide a foundation for finding the right match for the organization and the candidate.



Activity – Draft a Recruitment Plan

After reviewing the steps for creating a recruitment plan, complete the provided recruitment plan template for a role within your organization that aligns with the job description you were asked to locate for this session.

If you do not know the answers to the questions, consult with someone in your organization who can provide the necessary information to complete the plan or

complete to the best of your ability. If your organization has a recruitment plan, update the template with the information that is specific to your organization.

Recruitment Plan Template

Opening Date: _____

Job Opening: _____ Manager: _____

Salary: _____

CAN DO/WILL DO/BEST FIT

Can do - Necessary skills, certifications/licenses/education

Will do - Effort and attitude, transferrable experiences

Best fit – Core organizational competencies

1.

CAN DO

WILL DO

BEST FIT

2. Evaluate the most current job description to ensure it is up to date.

- Summary of organization
- Summary of the position
- Skills, licenses, certifications
- Competencies - organization, department, role

3. Determine the budget for hiring.

4. Select appropriate sources for recruiting candidates (e.g., LinkedIn, Indeed, job fair, referral, professional website, internal candidate).

5. Outline interview/screening steps (e.g., who will be involved, what type of interview/s will be conducted, how many steps).

6. Note other key questions.



Questions to consider:

What qualities and skills are essential for candidates in nonprofit roles?

What are the advantages nonprofits can utilize when recruiting employees to work for a nonprofit?

What are the obstacles nonprofits may experience when recruiting employees to work within nonprofits?

How can nonprofits attract and retain talented individuals?

IV. Constructing a Job Description



Constructing a Job Description



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

Constructing a job description is a fundamental practice as it provides a clear blueprint for both employers and employees. This description guides key functions across the entire employee lifecycle, from recruitment to performance management and legal compliance.

For Employers

A well-defined job description is a vital strategic asset that helps organizations in multiple ways:

Attracting the Right Candidates: A clear, detailed description helps in creating an accurate job posting, which in turn attracts qualified applicants who understand the role's expectations and requirements. Clear job postings help to deter unqualified candidates, saving time and resources in the recruitment and hiring process.

Setting Clear Expectations: It ensures that managers and employees share a common understanding of the job's duties, responsibilities, and performance standards from day one, which is crucial for overall productivity and success.

Performance Management: The job description serves as an objective benchmark for evaluating employee performance during reviews, enabling fair and consistent assessment, recognition, and constructive feedback.

Training and Development: By outlining the required skills and competencies, the job description helps to identify skill gaps and determine appropriate training and development needs, supporting career progression.

Compensation and Benefits: It provides the necessary information to align job roles with internal pay structures and external market values.

Legal Protection and Compliance: A detailed description serves as valuable documentation in the event of an employee lawsuit or dispute over job roles, performance issues, or wage classification (e.g., exempt vs. non-exempt status under the Fair Labor Standards Act). It also aids in the Americans with Disabilities Act (ADA) compliance by identifying essential job functions that may require reasonable accommodation.

Organizational and Workforce Planning: It clarifies the role's place within the organizational structure and helps identify staffing needs, potential overlaps, or gaps in coverage, which is essential for strategic planning and succession plans.

For Employees

For employees, the job description is equally important:

Role Clarity: It provides a clear roadmap of their assigned responsibilities, reporting relationships, and how their work contributes to the organization's overall mission, which fosters a sense of purpose and reduces confusion.

Job Satisfaction and Retention: When expectations are clear and met, employees are more likely to be satisfied and engaged in their work, leading to higher retention rates.

Career Pathing: It helps employees understand the potential for growth and advancement within the organization, empowering them to pursue relevant training and development opportunities.

Fairness: It ensures that employees are evaluated and compensated based on objective, job-related criteria rather than subjective factors.

A well-constructed and regularly updated job description ensures alignment, clarity, and fairness across the organization.

A. Key Components of a Job Description

There are several components that should be included in a job description as outlined below. The Can Do, Will Do, and Best Fit descriptors have been placed next to the components that align with those key areas.



-
- Overall description of the organization's vision, mission, and department
 - Summary of the role
 - Key responsibilities
 - Necessary skills
 - Preferred skills
 - Competencies
 - Physical requirements
 - Other factors
-



Activity – Construct a Job Description

Locate the job description you brought with you to this session. Review the Job Description Template (with instructions embedded into the document) and compare this template with the job description you brought to this session.

Update your organization's job description using the template categories provided. If your organization uses its own template, use it, but make sure it includes all of the fields from the template we provided you. Ensure all fields are updated and filled in.

Review the following checklist items:

- Overall description of the organization's vision, mission, and department
- Summary of the role
- Key responsibilities
- Necessary skills
- Preferred skills
- Competencies
- Physical requirements
- Other factors

Job Description Marketing Template

(Each section includes *instructions, followed by an example*)

Title

Department

Date: (date of draft)

Description of the organization:

Summarize the vision and mission. Discuss 'the why' a candidate would want to work for the organization. This is typically 3-4 sentences that engage the candidate.

We are a mental health clinic serving clients through the Rochester area of NY. Our focus is to provide children and families through grants to ensure they receive the top mental health care. We offer programs including support groups, transition care and home care.

Summary of the position:

A high level summary includes the key components of the role including key mandatory skills and credentials. Add the key elements of position that create interest and grab the passion for the mission. It can be helpful to bold the key requirements.

We have a fantastic opportunity for a **Clinician** in our Transition Care Program. This role will work with children transferring from residential care to home. This is a crucial position working with both children and families to ensure the smoothest transition returning to home. The right candidate will bring **experience working with children in a residential setting or in a transitional program. A license in Psychology, Social Work or Family Therapy is required.**

Key Responsibilities:

- Support the family in preparing for the transition of child from residential care to home
- Ensure thorough notes for each session are documented by next business day
- Visit home weekly to ensure set parent goals are met
- Participate and prepare client debrief for weekly team meetings
- Participate in monthly trainings

Key Skills and Core Competencies:

Essential skills needed for the role along with nice to have

- License in Social Work, Psychology, or Family Therapy required
- 5-7 years of experience working with a child transition program or in a residential facility essential
- The ability to travel weekly to patient homes
- Strong organization skills
- Experience working with children on state insurance or Medicaid

Physical requirements:

Detail the physical activities and environmental factors essential for performing the job like lifting, standing, or working in specific conditions. Be specific, objective, and realistic. Include maximum weight to be lifted and frequency of activities.

- Must be able to stand and walk 30% of the time
- Must be comfortable conducting home visits with clients

Other factors:

This includes miscellaneous but relevant information that provides a clear understanding of the role and work environment. It could include location (onsite, hybrid, remote), position time, expected schedule, travel requirements, disclaimers, or compliance statements.

- Local travel required
- Hybrid position, 50% remote, 50% community based
- Full-time, exempt position
- Valid FBI Criminal Record Check

Job Description Marketing Template

Title:

Department:

Date:

Description of the organization:

Summary of the position:

Key responsibilities:

Key skills and core competencies:

Physical requirements:

Other factors:

V. Recruiting and Interviewing



Recruiting and Interviewing



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

Recruiting is the overall process of identifying and attracting potential employees, while interviewing is a specific step within that process used to evaluate candidates.

Effective recruiting involves defining the ideal candidate and creating job descriptions, while effective interviewing uses structured questions and consistent criteria to objectively assess skills and fit.

A. Recruiting

Goal: To find and attract qualified candidates for open positions.

Key activities:

- Identifying hiring needs and creating detailed job descriptions
- Sourcing candidates through various channels
- Screening applications to create a shortlist of qualified applicants

B. Hiring/Sourcing Resources

As your organization prepares to recruit for open roles, you must determine the budget and sources to be used for hiring. Below, various options are listed for consideration. Always consider posting employment opportunities on your organization's website, in addition to sharing within your network on social media platforms.



Determining Hiring/Sourcing Resources



Determine the budget for hiring through the following sources:

- Recruiter
- Posting websites
- Referral bonus
- Job fair
- Sourcing/Searching for candidates

Determine the best source to hire:

- Type of job
 - Research job boards
 - Specific necessary skills are needed therefore, you need a specific source.
-

Recruitment sources vary in cost and effectiveness. Research the sources that align best with the type of role you are recruiting for. There are recruitment platforms that are designed to recruit candidates interested in working for nonprofit organizations and other sites may specialize in recruiting for specific roles like an executive director.

- **Recruiter** - 20-35% of first-year salary
 - Recruiters may provide a guarantee and will replace the selected candidate for free for a specified period of days; check the contract for specifics.
- **Posting websites** – costs vary with a wide range that is based on the specific websites.
 - Some sites offer a free option, with “sponsored” (paid) postings getting preferred placement or banners to attract candidates.
 - Some sites charge per day, some offer options for 30-day postings, others utilize a contract and reduce cost if recruiting for multiple positions within your organization.
- **Referral bonus** – at the organization's discretion, the bonus amount is at the organization's discretion and is dependent on various factors including role and location specifics
- **Job Fair** – costs vary; trade fair costs tend to be minimal.

C. Interview Process

To determine the interview process, you will need to consider the organization's structure and size, the candidate's level, who will interact with the candidate, and who is qualified to assess the candidate. It varies from organization to organization and can change over time. Consider conducting at least two to three interviews to thoroughly evaluate the candidate.

Interviewing

Goal: To evaluate candidates for a specific position to determine their suitability.

Key activities:

- **Preparation:**
 - Define clear evaluation criteria and prepare a set of questions beforehand to ensure consistency.
 - Determine recruitment system/process.
 - Determine screening format (s) to be used (phone/online).
 - Initial screening.
 - Determine how many candidates to move forward for an interview.
 - Determine the types of interviews to offer and who will participate.



What screening format(s) will you utilize?:

- Recruitment system - receive and qualify
- Resume screening
- Phone/online screening
- Interviews - how many?

Type of interviews - *It is important to determine why and the objective of each stage:*

- One-on-one
- Panel (cross-functional)
- Team members
- Assessment
- Speed interview session

Who will participate:

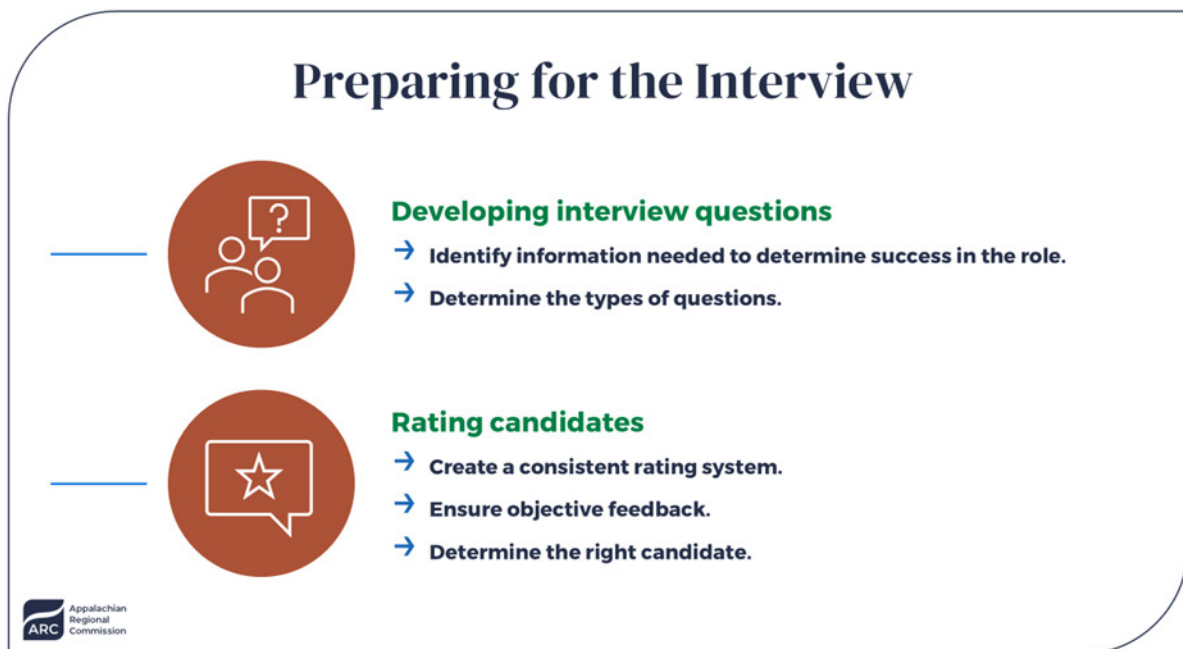
- Leadership
 - Team
 - HR
 - Other necessary teams
-

Types of interviews include:

- **One-on-one** is the traditional interview where the interviewee meets with an individual in a traditional interview format.

- **Panel** interviews involve bringing together multiple employees representing various departments and functions, who pose questions to the candidate at one particular time.
- **Team Member** interviews involve individuals from the team in which the candidate would be working to pose questions to the candidate.
- **Assessments** require candidates to complete a standardized series of questions to evaluate their knowledge, skills and/or fit within the organization's culture.
- **Speed Interviews** are where candidates meet with multiple people in short, focused interview sessions lasting 5-15 minutes.

D. Preparing for the Interview



A pre-planned process is essential for an effective interview process. It will facilitate a consistent and fair assessment of each candidate, enabling the identification of the best match. Developing interview questions in advance and creating a rating scale will establish a consistent process for evaluating the candidate; it also helps ensure your organization hires the top-qualified candidates who will perform the essential functions of the role and fit into the organization.

As interview questions are drafted and a rating system is determined, keep in mind the goal is to develop a system to support the selection of the candidate who best aligns with the role and organization.

E. Types of Interview Questions

When constructing interview questions, it is essential to use a variety of question types. This includes open-ended, closed-ended, hypothetical, past behavior, and probing questions. About 85% of your questions should focus on obtaining insights into the candidate's past behavior.

Types of Questions

Open-ended	requires the respondent to provide more detailed, thoughtful answers
Closed-ended	one word or definitive answer
Hypothetical	prediction of a solution
Past behavior	the candidate provides a situation from the past
Probing	question to ask further detail or explanation from a previous question



- We suggest that 85% of questions should be past behavior for the most effective interviews.
- Past behavior predicts future performance!

Organizations often use a multi-question structure when interviewing candidates. The graphic below depicts this structure for reference.

Multi Question Structure



Closed End



Past Behavior



Probing

Past Behavior



Hypothetical

Open Ended



Past Behavior



Probing



Activity - Developing Questions

Draft effective, high-quality interview questions, using your organization's job description, which you brought to this session. Specifically, develop the following:

- 3 past behavior questions
- 1 open-ended question
- 1 hypothetical question
- 1 closed-ended question

F. Conducting the Interview

To conduct effective interviews, prepare by reviewing materials and questions, set a comfortable and professional environment, and use a structured approach to ensure each participant knows their role in the process.

During the interview, listen actively, take notes, and ensure the conversation is a two-way street by allowing time for the candidate to ask questions.

Always conclude by explaining next steps and follow up with candidates afterward, whether they are moving forward or not.

Keep the following in mind as you prepare for the interview:

Before the interview

Prepare: Review the job description and the candidate's resume and application materials beforehand.

Set the stage: Choose a quiet, private location free from distractions, and ensure your technology works should the interview be virtual interview. Let others know you are preparing to enter an interview and to hold interruptions until it is completed.

During the interview

Build rapport: Start with a friendly greeting and introductions. Ask a few light, general questions to help the candidate relax before diving into more specific topics.

Be a good listener: Pay close attention to the candidate's responses and body language. Take notes to help remember key points and avoid making comparisons prematurely.

Ask relevant questions: Stick to job-related questions and probe for more information by asking follow-up questions like "why" or asking them to elaborate on their answers.

Keep it conversational: Make the interview a two-way conversation rather than an interrogation. Be flexible but keep the discussion focused on your goals for the interview.

Present the organization: Inform the candidate about the role and the organizational culture.

Post-interview

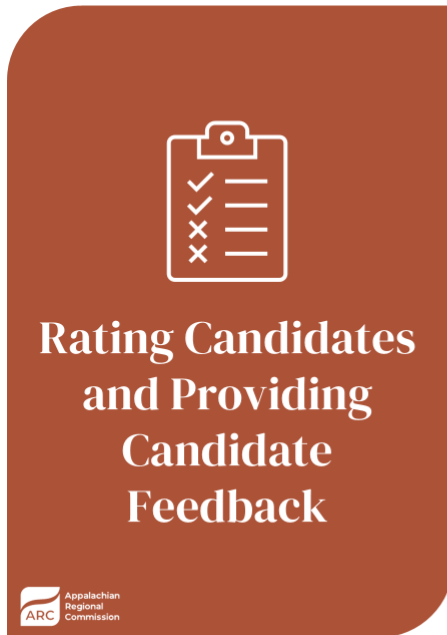
Explain Next Steps: Ensure the candidate knows what the next steps are in the process and provide a general timeline.

Follow up: Follow up with all candidates, even if they are not moving forward in the process. If you provide feedback, ensure it is relevant to the candidate and aligns with organizational policies.

Evaluate consistently: Utilize notes and structured questions to evaluate candidates against the job requirements.

G. Rating Candidates and Providing Candidate Feedback

Utilizing a rating system and evaluation process for assessing candidates is essential for ensuring consistency and objectivity. Key considerations are noted below.



It is important that candidates are rated consistently and fairly on objective feedback.

The process to provide feedback:

- Identify key competencies and skills to look for in candidates and clearly define what success looks like for each.
 - Determine a rating scale - clarify the definition for each rating.
 - Debrief with the team.
 - Be sure that if you provide any written feedback, it is objective, unbiased, and observable.
-

Use structure tools to evaluate and compare candidates against predefined criteria. This may include rating charts, scorecards, or matrices. The criteria are typically tied to job-specific competencies using a scoring mechanism. Allowing a space for notes where evidence or documentation of the rating can be included for reference. Keep the rating chart simple and provide directions and an example for any team members supporting the interviewing process.

A sample rating chart is depicted below.

VI. Onboarding



Onboarding the Candidate



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

After you have interviewed and selected your candidate, your next steps are making an offer and beginning the onboarding process. Onboarding is the process of offering the position and bringing the candidate onboard. This process is crucial to the candidate's success in the role. Providing the best information in a timely and effective manner will determine the engagement and success of the new hire. Onboarding should include an introduction to the role, department, and the organization in addition to the offer letter, orientation and a 90-day review.

Onboarding



Your on-boarding process should be dynamic and incorporate your CULTURE, TEAM, ORGANIZATIONAL information.



A. Offering the Role

After determining the first-choice candidate, a verbal offer should be extended to the candidate. HR should provide the hiring team with the verbal offer, along with guidelines on the minimum salary offer and a budget for negotiation if applicable.

For example, the initial offer is \$65k, with a budget to increase to \$70k if needed to close the candidate. It is good practice to provide the key components listed below to help the candidate decide whether to accept the offer or not.



Key components to determine and communicate for the verbal offer

- Base compensation (budget for negotiation)
- Bonus, if applicable
- Benefits eligibility
- Any other contributing factors
- Start date

Determine who will offer the role to the candidate

- HR or manager?

Once a candidate verbally accepts the offer, an official offer letter should be prepared and presented to the candidate to more formally communicate the offer in writing.

An offer letter is the candidate's first formal introduction to the organization. It should welcome the candidate and capture the essential components of the organization and the role.

Essentials of an Offer Letter

Paragraph 1

- Position title
- Reports to
- Office/work hours
- Start date

Paragraph 2

- Hourly/bi-weekly salary equates to \$\$\$ per annum
- Benefits eligibility
 - Bonus
 - Health & welfare benefits
 - Paid time off eligibility

Paragraph 3

- At will employment statement



This is only a template, not a legally approved document. Please refer to legal counsel for final approval. **Note: Be sure to check on state requirements for new hire paperwork requirements**

We have provided two sample offer letter templates for your review and use, as appropriate. One is for an exempt role (salary) and the other is for a non-exempt role (hourly).

Before adopting these templates for use, please consult with your legal counsel for approval to ensure state and federal compliance.

B. Offer Letter Templates

Exempt

Date

Organization Name

Address

Address

Dear [Candidate]:

It is with great pleasure that we welcome you to our team. We would like to extend a confirmation of our verbal offer of your employment for the exempt position of [Title] with an expected start date of Date. This position reports to Supervisor [Name], [Title].

Your compensation will be [\$X,XXX.XX] paid bi-weekly which equates to [\$XX,XXX.XX] per annum. This position is exempt from overtime.

You will be eligible to participate in our [include specifics]benefits effective the first day of the month following 30 days of employment. You will be eligible to participate in our [include specifics if applicable] retirement plan after [X] days of employment.

You will be eligible for up to 10 days of vacation time after completing your introductory period, prorated for your first year of employment. *(may include any further PTO or Sick Leave)*

This offer is contingent upon a successful background and reference check.

Your employment with the [Company] is considered at-will. As such, you will be free to leave your employment with the [Company] at any time. Similarly, the [Company] may terminate your employment at any time, for any reason, with or without cause, and with or without notice.

This letter serves as a summary of our employment offer and does not constitute a contract of employment for a definite period of time.

Sincerely,
[Supervisor Name]
[Title]

Please indicate your acceptance and acknowledgment of the terms of this offer with a signature below and return to Human Resources by email.

Signature of acceptance of offer: _____ Date: _____

Non-Exempt

Date

Organization Name

Address

Address

Dear Candidate:

It is with great pleasure that we welcome you to our team. We would like to extend a confirmation of our verbal offer of your employment for the non-exempt position of Title with an expected start date of [Date]. This position reports to [Supervisor Name], [Title].

Your compensation will be \$[XX.XX] per hour for a 35-hour workweek which equates to \$[XX,XXX.XX] per annum. This position will be eligible for overtime at 1-½ times your hourly rate for hours worked over 40 in a designated workweek.

You will be eligible to participate in our benefits effective the first day of the month following 30 days of employment. You will be eligible to participate in our [include specifics] retirement plan after [X] days of employment.

You will be eligible for up to 10 days of vacation time after completion of your introductory period, prorated for your first year of employment. *(may include any further PTO or Sick Leave)*

This offer is contingent upon a successful background and reference check.

Your employment with the [Company] is considered at-will. As such, you will be free to leave your employment with the [Company] at any time. Similarly, the [Company] may terminate your employment at any time, for any reason, with or without cause, and with or without notice.

This letter serves as a summary of our employment offer and does not constitute a contract of employment for a definite period of time.

Sincerely,

[Supervisor Name]

[Title]

Please indicate your acceptance and acknowledgment of the terms of this offer with a signature below and return to Human Resources by email.

Signature of acceptance of offer: _____ Date: _____



C. Orientation

Your onboarding/orientation program will market your organization and should make a positive, lasting impression on your new hires. The more you can engage and embrace new employees in a structured, consistent process, the more welcome they will feel.



Paperwork

Introduce and identify what is expected for success:

- Culture
- Department
- Organization

90-day review

Determine what employee needs to learn by the end of 90 days:

- Processes and procedures
- Mission
- Clients/customers

Ensure success

- Identify key learning goals
 - Introduce key people
 - Set up training schedule
-

D. Onboarding Checklist

Developing a checklist for documenting the onboarding process can ensure new hires receive the essential information about their new role in a timely manner. Review the checklist and assess if your organization should add any components to the list.

Onboarding Checklist Sample

New Hire:

Position:

Manager/Department:

- Offer Letter
- Background Check
- Reference Check
- I-9 Documents
- Tax Forms
- Direct Deposit
- Copies of Licenses, certifications, etc.
- Handbook
- Benefits Information
- Eligibility date
- Training Plan
- New Hire Orientation Date

E. Paperwork

Each organization has necessary paperwork for new hires to complete. Some documents, like the I-9, must be completed within the first three business days of employment with specific guidelines for how the document is completed and stored by the organization.

Some documents may be able to be fully digital; it is best to consult with your legal counsel to ensure you have provided all of the required forms and documents. Some organizations utilize a Professional Employment Organization (PEO) which is a third-party organization to facilitate the collection and completion of paperwork due to the complexities and strict guidance for legal compliance. Each organization should assess what process or support will work best for them.



Paperwork

- W2 – federal and state (if applicable)
- I-9 - Employment Eligibility Verification (must be completed within 3 business days of hire)
- Direct deposit form
- Handbook signature form
- Benefits enrollment (if applicable)
- Collection of licenses and certifications
- Please be sure to check on state requirements for new hire paperwork requirements.



The list above shares recommendations. It is important to check state and federal requirements for new hire paperwork.

F. Organizational Success Factors

As new hires are brought onboard, clearly explain what is expected for employees to be successful in their role and within the organization.

What is Expected for Success

Culture

- Dress code
- Preferred communications
- Paid time off
- Ways of working
- Breaks – lunches, break time

Department

- Introduction to team
- Processes and procedures
- Work area
- Mentor
- Hierarchy



The components of a comprehensive orientation are crucial to creating the success of the new employee. By providing an accurate picture of expectations, you can create a fun and engaging introduction to the organization by focusing on each of these areas and involving various members of the team. While many of these areas are outlined in an employee handbook, explaining acceptable practices and allowing the new employee to ask questions will provide a solid foundation and introduction to the organization.

What is Expected for Success

Organization

- Mission
- Vision
- Values
- Impact

Human Resources

- Benefits description and enrollment
- Policies and Procedures
- Payroll
- Paid time off



Onboarding and orientations should be fully customized to each organization and the specific role the employee will fill. While some components will be the same for each new employee, role or department, specific training or information should be prepared and provided to the employee.

G. 90-Day Review

Ensuring that your new hire has fully integrated into their role, department, and organization is essential for success. The 90-day review provides the supervisor and the employee with the opportunity to assess what has been learned and still needs to be learned or introduced and set goals for future success.



90 Day Review



The first 90 days of employment are crucial to long-term retention and success.

→ Determine what employee needs to learn by the end of the 90 days:

- Processes and procedures
- Mission
- Clients/customers

→ Ensure success by:

- Identifying key learning goals
- Introducing key people
- Setting up the training schedule

A 90-day review is a performance evaluation for new employees conducted around the three-month mark of their employment to assess their progress, set future expectations, and provide feedback. It serves as a structured opportunity for both the employee and manager to discuss achievements, address challenges, and ensure the new hire is a good fit for the role and company culture. Key aspects of the review include evaluating performance against initial expectations, clarifying responsibilities, and setting goals for the next period.

What to expect and how to prepare

For the employee:

Gather information: Document your successes, challenges, and any questions you have about clients, systems, or policies.

Reflect on performance: Be prepared to discuss what you've learned, your contributions, and how you feel about the role so far.

Discuss goals: Think about your career aspirations and be ready to discuss what you want to focus on for the next 90 days.

Provide feedback: Be honest about the onboarding process and offer suggestions for improvement.

Manage your mindset: Try not to take constructive criticism personally, and remember the review is for your development.

For the manager:

Set clear expectations: Ensure the employee understands their responsibilities and how they align with organizational goals.

Provide feedback: Give timely and specific feedback on the employee's performance, both strengths and areas for improvement.

Document everything: Keep a record of performance, training, and feedback throughout the probation period.



Questions to consider:

This session reviewed recruitment, interviewing, and onboarding. Before wrapping up, consider the questions from the case study assigned at the end of Session 2. Select three to four questions to complete from the list below:

How would the recruitment process help reveal important dimensions about each candidate that might not emerge in a traditional hiring process?

What weight should be given to feedback from different stakeholders (staff, clients, board members, etc.) in the final decision?

How can the recruitment committee manage potential opinions that might emerge from having so many perspectives involved?

What adaptations might be needed to make this process efficient and affordable for a resource-constrained non-profit?

How can the organization balance the need for a thorough process with respect for candidates' time and the urgency to fill the position?

What ethical considerations should be kept in mind when involving clients or service recipients in the hiring process?

How might this process be scaled or modified for different positions within the organization?

VII. Assignment

- Bring a copy of any performance tools that your organization uses i.e., development plan, performance review, or feedback tools
- Review case study in preparation for Session 4



Case Study: Feedback

Background:

The Community Wellness Initiative (CWI) is a non-profit organization that provides health education and preventive care services to communities. With 40 staff members, including program coordinators, health educators, grant writers, and administrative personnel, the organization has grown rapidly over the past three years. However, staff development has been inconsistent, with some managers providing regular feedback while others only address performance during annual reviews.

The Executive Director, Maya Johnson, has noticed varying levels of staff engagement and performance across departments. Exit interviews with departing employees have revealed that many felt they didn't receive enough guidance or recognition to grow professionally within the organization. The Board of Directors has made staff retention and development a strategic priority, recognizing that high turnover impacts program continuity and organizational knowledge.

Scenario:

CWI's HR Director, Jamal Washington, has been tasked with creating a comprehensive feedback system that incorporates various feedback methods throughout the employee lifecycle. He's organizing a training session for all managers to understand and implement four key feedback approaches:

1. On-the-spot feedback
2. On-the-job training feedback
3. Coaching feedback
4. Performance review feedback

The training will use role-playing exercises and case studies to help managers understand when and how to use each approach effectively.

Case Study for Training:

Participants will follow the experience of Elena Rodriguez, a Program Coordinator who joined CWI six months ago. She has strong potential but is struggling with some aspects of her role, including grant compliance documentation, team facilitation, and stakeholder relationship management.

Her supervisor, Marcus Chen, needs to use different feedback methods to help Elena develop in her role while maintaining her motivation and confidence. The training will explore how Marcus can address various situations using the appropriate feedback approach.

Session 4

SESSION 4: Session Overview

- I. Assignment Review
- II. Session Outcomes
- III. Developing and Managing Performance
- IV. Succession Planning
- V. Organizational and Employee Career Transitions
- VI. Assignment

I. Assignment Review

At the conclusion of Session 3, the following were assigned:

- Bring a copy of any performance tools that you use, including a development plan, a performance review, or positive/harmful feedback tools
- Review the case study

Both assignment items will be incorporated into Session 4, so please have them readily accessible.

II. Session Outcomes

Session Outcomes

After this session, you will be able to:

- Understand the tools to manage employee development.
- Identify the key steps to review your organization's learning and development needs.
- Identify and manage key transitions that affect organizations.



III. Developing and Managing Performance



Performance Feedback Tools



This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.

Investing in performance management helps nonprofits improve their mission impact by increasing efficiency, aligning staff with goals, and better serving their communities. It leads to better resource allocation, continuous program

improvement, and stronger employee engagement, which is especially critical in resource-scarce environments. This approach allows organizations to identify what works, adapt to challenges, and demonstrate accountability to funders and the people they serve.

Managing performance is crucial for all organizations, regardless of size. A poor performer without feedback can negatively impact the morale and productivity of the entire organization. It is also essential to manage your top performers to ensure retention. Organizations tend to focus on the poor performers and assume our outstanding performers don't need support. All team members benefit from performance management.



-
- Supports the success of your team
 - Provides an opportunity to reinforce positive actions and correct & develop new more effective actions
 - Creates an opportunity to develop your employees
 - Seeks to understand team members
 - Offers the perfect time to let an employee know they are doing a great job
-

How it works in practice

Continuous feedback: Instead of a single annual review, regular check-ins and feedback conversations help employees understand their progress and align their work with strategic priorities.

Data-driven decisions: Performance management is not just about evaluation; it's a tool for ongoing assessment and a basis for making smart decisions about how to improve and where to invest resources.

Focus on behavior and outcomes: Evaluating both what employees accomplish (outcomes) and how they work (behavior) helps to reinforce the organization's values and culture.

A. Effective Feedback

Effective feedback is specific, actionable, and focuses on behavior rather than personality, providing the recipient with clear insight for improvement or reinforcement. To give effective feedback, be timely and supportive, use specific examples to illustrate the impact of behavior, and make it a two-way conversation with the goal of development and growth.



Effective Feedback

- Immediate and/or quick
- Frequent
- Objective and specific
- Private
- Seeks employee's perspective on situation
- Creates an opportunity to develop
- Ensures follow-up - not a one-and-done

ARC Appalachian Regional Commission

Key principles for effective feedback

Be specific and behavior-focused: Provide concrete examples of the behavior you observed and its impact. Avoid vague statements like "good job" or "you did that wrong."

Example: Instead of "You need to improve your presentation skills," try "During the client meeting, I noticed you spoke very quickly, and the client seemed to have trouble keeping up. Maybe consider pausing after each key point to allow them to ask questions."

Allow the recipient time to reflect and consider the feedback and offer suggestions. People process and respond to feedback differently.

Focus on the impact: Clearly explain how the behavior affected the situation, others, or yourself.

Example: "When you arrived late to the client meeting, it meant we had to start without you, and we had to repeat the first 15 minutes of the discussion for you."

Be timely: Provide feedback as close to the event as possible to ensure it is relevant and impactful.

Be supportive and constructive: Frame feedback with the intention of helping the person grow, not to criticize or punish.

Make it actionable: The feedback should help the person understand what they can do differently or continue doing in the future.

Encourage dialogue: Make it a two-way conversation by asking open-ended questions and allowing the recipient to respond and share their perspective. Allow them time to reflect and provide insight which may require a follow-up meeting which gives an opportunity for additional considerations.

Keep it private: Deliver corrective feedback in private to avoid public embarrassment and to ensure a confidential setting.

B. Types of Performance Management



- On-the-spot
- On-the-job training
- Coaching Feedback sessions
- Quarterly/Bi-annual/Annual Reviews
 - Look back over a period of time
 - Set goals for future periods of time

There are various types of performance management that could be utilized within your organization. This session will explore five types of feedback. The first three on the list are part of day-to-day activities, whereas coaching sessions and reviews are forward-thinking and goal oriented. Each type is defined in the next section and should be considered with the assigned case study as a reference. Please have the case study available to review as each method is reviewed and applied.

C. On-the-Spot Feedback Method



On-The-Spot

- This is the opportunity to catch your employee in action and provide immediate feedback.

Feedback can be:

- Providing positive feedback for an action well done
- Correcting or adjusting an action for improvement

ARC Appalachian Regional Commission

Definition: Immediate, brief feedback delivered in the moment or shortly after observing a specific behavior or action.

Example: I noticed that you did a great job with the client you just spoke to. You used patience, took the time to listen, and provided a follow-up date; that was excellent customer service.

Appropriate for:

- Reinforcing positive behaviors
- Correcting minor issues before they become habits
- Time-sensitive adjustments
- Quick recognition of achievements

Example Situation:

Elena has just finished facilitating a community partner meeting. While she

presented the program data effectively, she failed to address some key concerns raised by a major stakeholder.

Discussion Questions:

- How should Marcus deliver on-the-spot feedback to Elena after this meeting?
- What elements should be included in effective on-the-spot feedback?
- When is it appropriate to give corrective on-the-spot feedback publicly versus privately?
- How can Marcus ensure his immediate feedback is specific and actionable?
- What potential barriers might make Elena defensive about receiving on-the-spot feedback?

Role-Play Reflection:

Consider how you would deliver on-the-spot feedback that is specific, balanced, and actionable while maintaining Elena's confidence in a public setting.

D. On-the-Job Training Feedback Method



Definition: Guidance and feedback provided during hands-on learning experiences or while performing actual job duties.

Example: It looks like that phone call was a tough one. Do you want to walk through the situation with me? (employee describes the situation)

How would you approach the situation if you encountered it again? Should we practice the situation?

Appropriate for:

- Teaching new skills or processes
- Guiding through complex tasks
- Building competence through practice
- Addressing knowledge gaps

Example Situation:

Elena needs to complete the monthly grant compliance report, a task she has struggled with previously. Marcus has allocated time to work with her through the process.

Discussion Questions:

- How can Marcus structure on-the-job training to include effective feedback loops?
- What questioning techniques could Marcus use to help Elena discover solutions herself?
- How should feedback differ when someone is learning versus when they should already know?
- What's the appropriate balance between demonstration and guided practice?
- How can Marcus gauge when to step back and allow Elena to work independently?

Role-Play Reflection:

Participants practice a guided learning conversation that includes demonstrating, observing, questioning, and providing constructive feedback during a task.

E. The Coaching Feedback Method

During feedback meetings, coaching for development is often incorporated into the session. For this course, we have combined the methods into Coaching Feedback providing information to support a constructive feedback meeting.



Definition: Scheduled, structured conversations focused on development, problem-solving, and growth over time.

Feedback meetings are more formal meetings that occur after an effort to shift actions has not been successful. Based on your organizational culture, a progressive discipline approach may be employed, which involves issuing verbal and written warnings, followed by suspension and termination. Feedback meetings should be held in private, at a scheduled time, and require preparation.

Example: Sample structure of the feedback session

Start with positive and specific feedback: Begin by acknowledging a recent success to build rapport and show appreciation.

"I was really impressed with how you led the volunteer recruitment drive last month. Your initiative to use social media effectively resulted in our largest group of new volunteers yet."

Transition to a coaching-oriented question: Frame the area for improvement as a question that prompts self-reflection and collaboration on solutions.

"The volunteer numbers are fantastic. Now, let's talk about how we can improve the onboarding process so new volunteers feel more prepared for their first assignment, even when we're under pressure."

Collaboratively develop a plan: Work together to create specific, actionable steps for improvement.

"What resources or support from the organization would be most helpful for you in developing a more structured onboarding plan?"

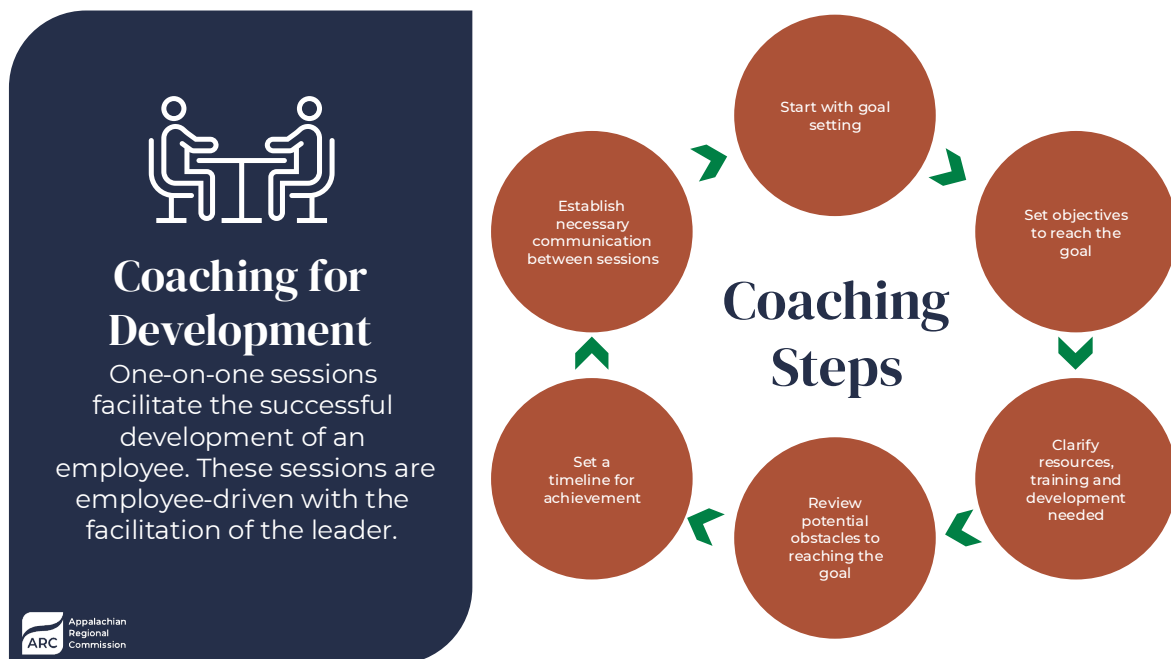
End with a forward-looking statement: Conclude by focusing on future growth and how this skill development will benefit the nonprofit.

"This is a great opportunity to develop a new skill that will not only help you but also improve our volunteer retention and engagement significantly.

Appropriate for:

- Addressing ongoing performance patterns
- Professional development planning
- Complex behavioral or skill issues
- Building self-awareness and reflection

F. Coaching for Development



Development coaching is a collaborative process that focuses on an individual's long-term personal and professional growth through increased self-awareness, skill enhancement, and sustainable change helping people navigate life transitions and develop skills like leadership and communication

Through the coaching for development process, the employee is given an opportunity to figure out possible solutions leading to the development of their skill

sets. The supervisors facilitate the process of creating an environment that allows for discovering a solution versus telling the employee what to do. Coaching is collaborative and creates an environment of trust and engagement.



-
- **Set a specific time and date.**
 - **Focus fully on the employee - no interruptions.**
 - **Seek understanding through reflection and clarifying questions**
 - **Remember to let employees take the lead on actions.**
 - **Allow for silence.**
 - **Speak 20% (as a coach) and listen 80% of the time.**
 - **Connect with the employee.**
 - Show empathy.
 - Seek their perspective.
 - Hear their side.
-

Preparing in advance will help you navigate the feedback meeting with your employees effectively.

Example Situation:

After three months, Elena is showing inconsistent performance in stakeholder management. Some community partners praise her responsiveness, while others have expressed frustration about follow-through. Marcus schedules a coaching session to address this pattern.

Discussion Questions:

- How should Marcus prepare for a coaching conversation about inconsistent performance?
- What framework could guide an effective coaching conversation?
- How can Marcus balance inquiry (asking) with advocacy (telling) in a coaching session?
- What types of questions would help Elena recognize patterns in her own work?
- How should Marcus and Elena document agreements and action steps from coaching sessions?

Role-Play Reflection:

Create an outline for a 15-minute coaching session focused on asking powerful questions, active listening, and opportunities for the employee to develop a plan.

G. Performance Review Feedback Method

Performance reviews should never be a surprise if managers are managing performance utilizing the day-to-day tools we discussed: on-the-spot, on-the-job training, and coaching sessions.

If managers make an effort each month to document just one accomplishment and one growth opportunity for each employee, reviews will be less overwhelming and more effective.



One-on-one reviews provide a performance lookback for a designated period and set goals for moving forward. They typically are annual or bi-annual.

→ **May be based on any or all of the following:**

- Competencies
- SMART goals
- Key responsibilities

→ **Must contain clear, objective feedback**

- Include specific examples
 - Include both positive and negative
 - Capture the full period of time
-

Definition: Formal, comprehensive evaluation of performance over an extended period, typically tied to organizational goals and career development.

Appropriate for:

- Holistic performance assessment
- Career development planning
- Compensation decisions
- Formal goal setting and evaluation

Example Situation:

Elena has reached her one-year anniversary at CWI. Despite some challenges, she has shown significant improvement in key areas. Marcus needs to conduct her

annual review, which will influence both her professional development plan and potential salary adjustment.

Discussion Questions:

- How should Marcus prepare for an annual review to ensure it's comprehensive yet focused?
- What role should self-assessment play in the annual review process?
- How can Marcus ensure the review reflects the entire performance period, not just recent events?
- What's the appropriate balance between reviewing past performance and planning future development?
- How can annual reviews connect individual performance to organizational mission and strategy?

Role-Play Reflection:

Based on the case study and example situation, what goals could be established for the coming year for Elena to work towards? Brainstorm three goals and consider how success would be measured.

Integration Framework Questions:

1. How do these four feedback methods complement each other in a comprehensive employee development approach?
2. What documentation practices would support each type of feedback?
3. How should feedback from multiple sources (colleagues, clients, direct reports) be incorporated into these different methods?
4. What role does the organization's mission play in framing feedback at all levels?
5. How can managers maintain consistency while adapting their feedback approach to different staff members' needs?
6. What systems or practices need to be in place organizationally to support effective feedback at all levels?
7. How can managers build their own skills in delivering each type of feedback effectively?

Implementation Challenges:

1. Time constraints in a resource-limited non-profit environment
2. Maintaining appropriate boundaries in small, close-knit teams

3. Addressing performance issues with long-tenured, mission-dedicated staff
4. Balancing directness with sensitivity in feedback conversations
5. Creating psychological safety for receiving feedback across power dynamics
6. Adapting feedback approaches for remote or field-based staff

Success Indicators:

1. Increased staff confidence and competence
2. Improved retention of high-potential employees
3. Greater alignment between individual performance and organizational goals
4. More proactive problem-solving by staff members
5. Enhanced program quality and stakeholder satisfaction
6. Development of internal candidates for leadership roles

H. Setting Performance Goals

It's not enough to set performance goals; it's important to set goals that are SMART :Specific, Measurable, Achievable, Relevant, and Time-bound. This method provides a clear path to achieving objectives by making them concrete and trackable, rather than vague or aspirational.

SMART Goals



Specific



Measurable



Achievable



Relevant



Time-bound

Setting Performance Goals

SMART Goals

- **SPECIFIC**-What needs to be accomplished?
- **MEASUREABLE**-How will you know when the goal has been reached?
- **ACHIEVABLE**-Is the goal achievable through effort and commitment?
What will it take?
- **RELEVANT**-Can you tie this goal to the goals of the company?
- **TIME-BOUND**-When does the goal need to be achieved?



Example of a SMART Goal

Specific: Increase the number of families served through expanded partnerships and volunteer support.

Measurable: Grow from 1,000 to 1,200 families per month.

Achievable: Securing two new donors and recruiting 15 volunteers is realistic with the organization's capacity.

Relevant: Aligns with the mission of reducing hunger in the community.

Time-bound: The goal will be achieved by December 31, 2024, with monthly progress tracking.

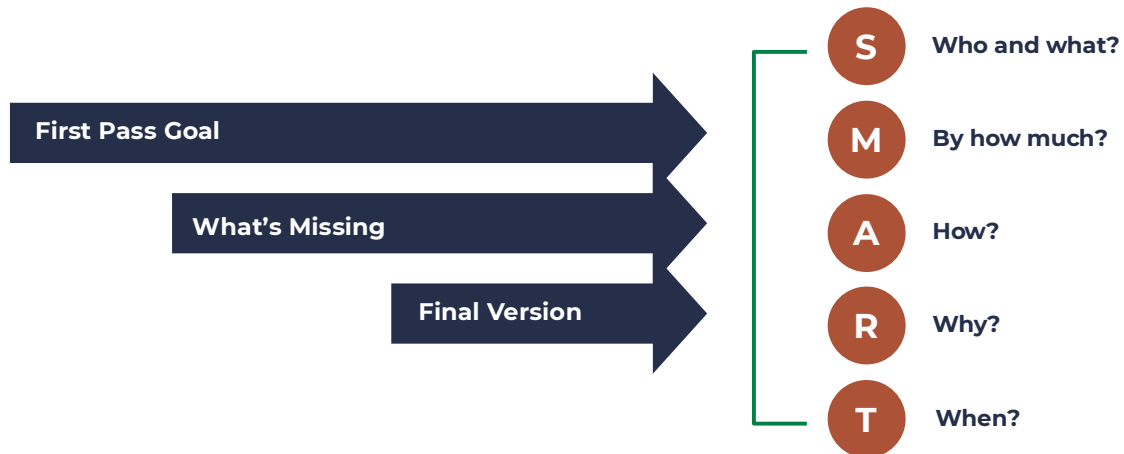


Additional Examples:

- Increase the number of active volunteers by 40% within the next two years
- Raise \$25,000 in the end-of-year campaign to help 500 students develop professional skills
- Recruit 20 new volunteers within the next quarter by enhancing social media outreach and partnering with local organizations

Refining First Pass Goals

Create a first pass goal, then refine the goal for you or one of your employees.



Activity - Write a SMART Goal

Identify one goal that may be used in a development session for an employee, following the SMART framework draft a goal statement.

Utilize the first pass goal tool to assist with testing how SMART your goal is.

An example:

By December 1, 2025, increase the number of people enrolled in the Communities that Care prevention initiative training program by 10% to promote healthy development and reduce problem behaviors in the community.

IV. Succession Planning

A dark blue rounded rectangular slide with a white icon of a person pointing at a board with three audience members below. The title 'Succession Planning' is centered in white. At the bottom left is the ARC logo (Appalachian Regional Commission) and a disclaimer: 'This presentation is for educational purposes only and nothing discussed should be understood as legal advice. If you have specific questions about employment or labor law, please contact an attorney for legal advice.'

Before starting this section, please pause and review the questions below. Note your responses.



Questions to consider:

What is succession planning?

Why is it essential for all organizations?

Have you witnessed a succession plan implemented? If so, how did it go?

Succession planning for nonprofits is a strategic process for ensuring leadership continuity by creating a plan for how key roles will be filled during planned or unexpected departures. A comprehensive plan includes assessing current leadership needs, identifying and developing potential internal successors, and establishing clear processes for both planned and emergency transitions to minimize disruption and safeguard the organization's mission.



Why succession planning is important

Ensures stability: It provides a roadmap for navigating leadership changes, ensuring a smooth transition and maintaining momentum for the organization's mission.

Builds a leadership pipeline: Developing internal talent ensures the organization is prepared to fill key positions from within.

Provides clarity: A clear plan offers clarity and calm for staff, board members, and other stakeholders during a transition.



Key steps for nonprofit succession planning

Assess current and future needs: Evaluate the organization's current state, identify critical roles, and determine the skills and experience needed for those positions in the future.

Identify and develop potential successors: Look for internal candidates who are committed to the mission. Create development plans with training, mentoring, and other opportunities to prepare them for leadership roles.

Plan for both planned and emergency departures: Outline clear procedures for different scenarios, such as a planned retirement versus an unexpected resignation.

Document the plan: Create a formal document that details the process, timelines, roles of the board and staff, and the steps for onboarding new leaders.

Ensure a smooth transition: Develop a streamlined onboarding process to help new leaders get up to speed quickly and minimize disruption to the organization's operations.

Review and update regularly: Succession plans should not be static. They need to be reviewed and updated regularly to reflect the organization's changing needs and leadership landscape. Take a team approach in planning.

A. Cycle of Succession Planning



Cycle of Succession Planning

- It is essential that it is an ongoing continuous process.
- It will change as transitions happen.
- It should always be collaborative.



Organizations should regularly align organizational goals with talent needs, assess gaps and proactively prepare for change. The leadership team should assess talent needs for success. Let's look at some tools to assist with this process. The cycle of succession planning steps is detailed below.



Cycle of Succession Planning Steps

- 1 → Review of organization
- 2 → Assessment of employees
- 3 → 9-Box grid of employees
- 4 → Locating talent
- 5 → Collaborative goal plan
- 6 → Coaching for success



The first step is to evaluate the previous state, current state, and future state of the organization, aligning its mission and future goals. This allows you to review the talent that facilitated your success and what talent is needed to reach your future state. This is a talent-focused assessment.

1 → Review of organization

2 → Assessment of employees

3 → 9-Box grid of employees

4 → Locating talent

5 → Collaborative goal plan

6 → Coaching for success

Step 1: Review of organization

- Review the goals for the next 3-5 years.
- Look back at what the organization has accomplished over the 3 years/1 year
- Discuss the necessary competencies required for the team to achieve its goals.
 - What was needed to reach the current state?
 - What will be needed for the future state?
 - What competencies does the team currently excel in?
 - What gaps need to be filled to reach the future state?

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The next step is to assess the current talent based on competencies, as we discussed in the last session. By understanding the team's strengths and opportunities, you can identify the development and talent needed to achieve the organization's future goals.



The 9-box grid is a tool to assist with assessing your team and their current demonstrated potential. A reminder that it can evolve and change over time. It will help you to think about developing the current team and establishing the gaps to reach success.

The grid is a tool that is used in talent management to evaluate and categorize employees based on two primary factors, performance and potential. The grid helps to visually categorize employees into nine segments based on their current performance and future potential.



Performance: The horizontal axis typically represents an employee's current performance, often based on performance reviews or other performance metrics, often rated as low, medium, or high.

Potential: The vertical axis represents an employee's potential to grow and advance within the organization, considering their future capabilities and taking on greater responsibilities in the future.

These intersect into nine categories, each representing a different combination of performance and potential.

How it works

Based on their evaluation/performance review, employees are placed into one of the nine boxes, such as "high performance/high potential" or "low performance/low potential".

Uses and benefits

Succession planning: The grid helps organizations identify and develop high-potential employees who can move into leadership roles in the future.

Talent mapping: It provides a clear, visual overview of the workforce's talent, helping managers understand the overall talent pool.

Performance management: It informs decisions about individual employees, including promotions, performance improvement plans, and career development opportunities.

Targeted development: By understanding an employee's position on the grid, managers can create specific coaching and development plans to help them improve.

Fairer decisions: It brings structure to talent assessment, reducing the influence of "gut feel" or favoritism.

Disadvantages

Oversimplification: The grid can oversimplify complex employee contributions and may not account for the unique strengths and qualities of every individual.

Subjectivity: While aiming for objectivity, the assessments of performance and potential can still be subjective.

Labeling: Placing employees into rigid boxes can lead to labeling and potentially demotivate them.



Talent for a particular position can come from a variety of places. The first step is to perform a gap analysis, which involves determining the skills and proficiencies of both current staff and internal candidates. A 9-box grid is a useful tool for measuring proficiency, enabling you to determine whether you have the internal talent to fill the position through upskilling and stretching, or if you need to search externally.

1 → Review of organization

2 → Assessment of employees

3 → 9-Box grid of employees

4 → Locating talent

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Step 5: Collaborative Goal Plan

Establish area of development based on assessment from Set 2 and 3

Create a goal plan based on talent:

- Internal talent - development needs for organization, department, role
- External talent - essential Information needed for success
- Ensure that the development goals align with the organization's needs, both in the short term and long term.
- Set up coaching sessions to ensure success.

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Now that you have identified your employees' areas of strength and assessed their potential for growth it is time to develop your key team members. It is important to have a goal plan for either an internal or external new incumbent to ensure goals are aligned with organizational needs and a plan for ensuring goals are met through structured coaching sessions.

1 → Review of organization

2 → Assessment of employees

3 → 9-Box grid of employees

4 → Locating talent

5 → Collaborative goal plan

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Step 5: Collaborative Goal Plan

Establish area of development based on assessment from Set 2 and 3

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Ensure coaching sessions are structured with the employee identifying goals and anticipated objectives. The leader should facilitate the sessions providing regular feedback with a goal of empowering the employee with opportunities for reflection and ownership over their development.

B. Training and Development



areas lack access.


- Highest in South and Central subregions.
- Rural residents with access often pay higher rates than urban residents.

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Training and Development

- Training and development focuses on enhancing the skills and knowledge of employees to align with the organization's mission and goals.

There are many types of training and development interventions available that are utilized within organizations. Training and development are complementary processes, where training focuses on teaching specific skills for a current role and development focuses on long-term career growth and professional advancement.



What Types of Training and Development are Available?

- **Courses outside the organization**
- **Schooling (college)**
- **Certification courses**
- **On-the-job training**
- **In-house course**
- **Online training**
- **Mentorships**
- **Project-oriented learning**

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Training and development can include workshops, seminars, one-on-one sessions, job shadowing, formal education, and online courses among other formats. Common types include orientation (for newcomers), job-specific (enhancing current skills), promotional (for higher positions), and refresher (updating current skills) training.



Most Effective Training

Learning initiatives that can be applied in day-to-day practice make the most effective training interventions.

- On-the-job training
- Training that can be engaged after learning

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On-the-job training and development is a process of learning and skill enhancement that happens within the actual work environment, using hands-on experience and guidance from experienced colleagues. It includes methods like job shadowing, coaching, and job rotation, and aims to improve current performance through specific tasks and procedures, as well as prepare employees for future roles and responsibilities.

Key aspects of on-the-job training and development

Immediate application: Unlike classroom settings, learning occurs directly in the context of the job itself.

Hands-on experience: Employees gain knowledge and skills by actively performing tasks, making the learning practical and relevant.

Guided practice: Experienced employees or supervisors provide guidance, feedback, and supervision while the trainee learns and takes on more responsibility.

V. Organizational and Employee Transitions



Organizational Transitions



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A. Organizational Change

Organizational change occurs when organizations go through a major transition that impacts staffing, company culture, infrastructure, technologies, or internal processes. These changes can be small and incremental or large and transformative and require careful management to ensure the continued alignment with organizational goals and to support employees throughout.

As this session moves onto the topic of organizational transitions, please consider the questions as outlined below.




Questions to consider:

What types of transitions has your organization experienced?

What was the impact on your organization?

B. Types of Transitions for Employees



What Types of Transitions Do Employees Face?

- Termination
- Resignation
- Promotion
- Cross-function move
- Leave of absence

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Organizational transitions for employees generally involve a core set of changes in status or role.

Termination: The end of an employee's employment by the employer, due to various reasons such as performance issues, restructuring, or policy violations.

Resignation: The voluntary decision by an employee to leave their job.

Promotion: The advancement of an employee to a higher position within the organization, often involving greater responsibility and increased compensation.

Cross-functional Move: The transfer of an employee to a different department or team to work on new tasks that utilize different skill sets, often for professional development purposes.

Leave of Absence: An approved period of time during which an employee is excused from work, which can be for reasons such as medical necessity (e.g., FMLA in the US), parental leave, or personal reasons.

These transitions are all managed through specific HR processes and often require updates to employee records, payroll, and internal systems.

C. Termination/Separation

Termination and separation refer to the end of an employment relationship, which can be either voluntary, like a resignation, or involuntary, such as a layoff or being fired. These events are often initiated by the employer but can also be employee-led, and they can happen for various reasons, including performance issues, business needs, or mutual agreement.

Key aspects of separation

Separation notice: A document that provides information about the end of employment, employee rights, and may include details for unemployment benefits.

Legal considerations: Employers must follow company policies and legal requirements, such as avoiding illegal reasons for termination like discrimination or retaliation.

At-will employment: In some states, this policy allows employers and employees to end the relationship at any time for any legal reason.

Alternatives to termination: Before a termination, employers may consider alternatives, especially for performance-related issues, and should consult legal counsel to assess risks.

The EEOC has a small business resource center that could be helpful that addresses termination. Link: [EEOC Termination Guidance](#)

D. Termination Checklist

A sample Termination Checklist is provided.

Sample Termination Checklist

Name:

Date of Termination:

Reason for Termination:

Supervisor:

To determine termination:

1. Is there previous documentation for the reason for termination? If not, explain why immediate termination is necessary.
2. Have you contacted HR to discuss termination?
3. Are there any legal red flags that need to be considered? Should legal counsel be contacted? (*check with HR*)

Termination Process

- Date of termination:

- Time of termination:
- Place for termination meeting:
- List of people who will participate in the meeting:
- What does the employee need for departure (collection of personal items, final pay, severance agreement)?
- How will the employee depart, i.e., return to the desk, walk out to the car, walk to door?
- When, what, and who will communicate to the team?
- What is the internal and external communication plan? (what, how, when to communicate)

E. Steps for Positive Employee Transitions

To ensure positive employee transitions, identify the event, create a transition plan with clear goals and a timeline, and involve the employee and manager in defining roles and knowledge transfer. For departures, conduct exit interviews and maintain professionalism, while for internal moves, provide structured onboarding and training. Key practices include open communication, assigning clear responsibilities, documenting processes, and monitoring to ensure continuity.



General steps for all transitions

Identify the transition event: Clearly define the type of transition (promotion, resignation, cross-functional move, leave) and its implications.

Set clear objectives: Establish what the transition plan aims to achieve for the employee and the organization.

Develop a timeline: Create a structured timeline with key milestones for the transition.

Notify stakeholders: Inform relevant parties (managers, team members, HR, IT) about the transition.

Communicate transparently: Keep all involved parties informed throughout the process to minimize uncertainty.

Create a transition plan: Collaborate with the employee and manager to complete a detailed plan outlining tasks, responsibilities, and timelines.

Assign roles and responsibilities: Clearly define who will take over duties, either temporarily or permanently.

Plan for knowledge transfer: Establish mechanisms for transferring essential knowledge and documenting processes.

Provide support and training: Equip the employee and their successor with the necessary training and support.

Monitor and follow up: After the transition, follow up to ensure continuity and make adjustments as needed.

F. When to Use Consultants

Some organizations utilize HR consultants for specialized expertise or project-based work, especially for complex compliance issues, implementing new HR systems, or when the organization lacks internal resources to handle a specific challenge like high employee turnover or strategic planning. Consultants can provide a neutral, third-party perspective and can provide specialized support and expertise, especially for small to medium-sized businesses that cannot afford to hire full-time specialists



Consultants can be helpful in the process to:

- Bring experience and expertise to assist with the facilitation of the people planning process
- Ensure the organization has the expertise to accelerate their impact on the community
- Expertise to audit and provide next steps for Human Capital Management and Human Resource Management

When talking to consultants, make sure to consider:*

- The team and the firm's capacity for this project.
- How communications will be handled throughout the engagement
- The process and steps
- The timeline
- The final outcome
- Rapport

* Ultimately, it's your call on consultants. You know your organization best

When to use an HR consultant

Lack of internal expertise: When your team doesn't have the specialized knowledge for complex areas like compliance, compensation, or talent management.

Need for specialized skills: To get a wider range of skills and deeper experience than is available internally, particularly for new or growing companies.

Strategic planning: To help develop a strategic HR plan, create new performance management systems, or design compensation and benefits programs.

Implementing new systems: To guide the implementation of new HR technology, payroll systems, or to design new workflows.

Compliance and legal issues: To navigate complex labor laws and regulations to avoid legal risks and penalties, especially since laws change constantly.

Addressing specific problems: To handle issues like high employee turnover, which requires identifying causes and improving retention strategies.

Need for a neutral perspective: To provide an objective, third-party viewpoint on sensitive issues, such as workplace investigations or restructuring.

Cost-effectiveness: When it's more affordable than hiring a full-time senior-level HR expert, especially for project-based work or for small businesses with a small HR team.

Each organization should assess their needs, budget, and organizational practices when considering consulting services. To interview and select consultants, define your organization's goals and project scope first, then screen candidates based on their skills, experience, and track record. During the interview, use behavioral questions and a structured format to assess their problem-solving abilities and fit, and always check references and get a clear contract in writing before hiring. Ensure all organizational compliance and legal practices are followed when selecting and hiring a consultant.

VI. Assignment

Identify three areas for improvement to enhance your organization's capacity in human capital and human resources practices.

Goal Plan

Develop 3-4 SMART goals to establish your plan. The plan is to cover the next 9 months to 1 year, focusing on the three session topics outlined below:

Session 2	Session 3	Session 4
Human Capital Management	Job Descriptions	Feedback Tools
Employment Laws	Recruitment Plan	Succession Planning
Employee Handbook	Onboarding	Transitions

Goal 1:

Objective 1:

Objective 2:

Objective 3:

Resources:

Obstacles:

Goal 2:

Objective 1:

Objective 2:

Objective 3:

Resources:

Obstacles:

Goal 3:

Objective 1:

Objective 2:

Objective 3:

Resources:

Obstacles:

Session 5

SESSION 5: Overview


- I. Session Outcomes
- II. Human Capital Learning Journey
- III. Learning Journey Reflection
- IV. Organizational Impact

I. Session Outcomes

Session Outcomes

- 1 → Our Human Capital learning journey
- 2 → Reflection
- 3 → Organizational impact

II. Human Capital Learning Journey




Our Learning Journey

What did we learn?

What were your key takeaways?

Do you have any further insights?



WEEK	1	Introduction session
WEEK	2	Fundamentals of Human Resource Management
WEEK	3	Jobs, Recruitment, and Performance
WEEK	4	Learning & Development and Transitions
WEEK	5	Summary Session

Session 1: Introduction to Course

- Welcome
- Course overview, outcomes and objectives

Session 2: Fundamental of Human Resource Management

- Defining human capital vs. human resources management
- What is at-will employment
- Key employment law overview
- Employee handbook essentials

Session 3: Jobs, Recruitment, and Performance

- Recruitment strategy
- Constructing a job description
- Recruiting and interviewing

Session 4: Learning & Development and Transitions

- Developing and managing performance
- Succession planning
- Employee transitions

III. Learning Journey Reflection



Questions to consider:

What were your key takeaways from the program?

What has surprised you?

How are you beginning to think differently?

IV. Activity – Organizational Impact Reflection

Assess the impact of the training program on your organization.

What has your organization already done to implement new knowledge, skills, or abilities gained from the training program?

How do you see new knowledge, skills, or abilities from the training program impacting your organization's capacity challenges?

Next, write three (3) action steps your organization needs to take to apply this new knowledge.

This month

This year

Next year

Glossary

ACA (Affordable Care Act): A comprehensive law developed in 2010 that expands mandates for healthcare coverage.

Age Discrimination Employment Act (ADEA): The ADEA protects individuals who are 40 years of age or older.

Americans with Disabilities Act (ADA): The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against individuals with disabilities in various areas of public life.

ATS (Applicant Tracking System): A database set up to post a position, receive a resume and application, track the status of the resume, and process the candidate. Some will include an offer letter, paperwork, and background checks.

At-Will Employment: An employer can terminate an employee at any time for any reason. Likewise, an employee has the freedom to terminate their employment for any reason at any time.

COBRA (Consolidated Omnibus Budget Reconciliation Act): A federal law that mandates temporary coverage after a job loss with 18 – 36 months of healthcare coverage. The employee is responsible for up to full premium with a 2% admin fee and can drop coverage anytime.

EEO (Equal Employment Opportunity): Aims to provide equal opportunities for employment and advancement, ensuring that qualified individuals are not disadvantaged based on protected characteristics.

Equal Pay Act (EPA): Prohibits differences in pay based on gender.

ERISA (Employee Retirement Income Security Act of 1974): A federal act that sets minimum standards for voluntary retirement and health plans in private industry.

Essential Functions: Requirements to successfully achieve the position.

Exempt: A position determined based on FLSA that is not eligible to receive overtime and is paid a designated salary to perform its duties.

Fair Labor Standards Act (FLSA): A federal labor law that establishes a minimum wage, regulates overtime pay, and sets limits on child labor.

Family Medical Leave Act (FMLA):

- Up to 12 work weeks of unpaid leave per year.
- Job-protected leave for specified family and medical reasons.
- Continuation of group health insurance coverage during the leave.
- The right to return to their same or an equivalent job at the end of their FMLA leave.
- The law applies to private employers with 50 or more employees.

HIPAA (Health Insurance Portability and Accountability Act) - Law to protect the privacy of healthcare information about employees

HRIS (Human Resource Information System): A database utilized for HR processing and procedures, including benefits, payroll, recruiting, and employee information.

Some organizations have multiple integrated databases, while others have a single system with integrated databases.

Human Capital Management: Maximizes the value and return on investment of employees by aligning their efforts with those of the organization.

Human Resources Management: Creates and manages systems to facilitate recruitment, training, and retaining employees.

Non-exempt: A position determined based on FLSA that is eligible to receive overtime and must be paid for all hours worked

On-the-Job Training: Providing training for a job skill or responsibility while working in that job.

PEO (Professional Employer Organization): A third-party organization that provides HR outsourcing, including benefits, payroll, and other HR functions on behalf of small to medium-sized organizations

Performance Management: A systematic process of improving employee performance, which includes setting clear goals and expectations while providing ongoing feedback and development opportunities.

Performance Review: One-on-one reviews typically occur annually or biannually. They capture performance feedback for a designated period and set goals for moving forward.

Pregnancy Act (PDA): An amendment to Title VII of the Civil Rights Act of 1964 that makes it illegal for employers with 15 or more employees to discriminate against women because of pregnancy, childbirth, or related medical conditions.

Reasonable Accommodation: Making existing facilities used by employees readily accessible to and usable by persons with disabilities.

Succession Planning: Identifying and developing potential employees within an organization to fill critical roles if and when current employees leave.

Title VII of the Civil Rights Act of 1964: A law that prohibits discrimination against a job seeker or employee based on race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), or national origin.

Undue Hardship: An action that requires significant difficulty or expense to the organization.

Additional Useful Terms (be sure to write your own here!)