



## **Profitable Employment Practices Help Employers Reduce Litigation and Increase Productivity**

**By P. Anthony Burnham, Esq. \***

Unfortunately, employing people today is a risky and complicated business. Yet despite the serious risks, without contributions from a skilled and dedicated workforce, no business can succeed. Employers of all sizes and types have adopted and benefited from six employment-related, profitable “best employment practices” to solve this apparent dilemma.

These practices make employers responsible for communicating clear performance standards and employees accountable for achieving the outcomes assigned to them. They help screen-in applicants and employees who want to produce more, better, faster, and cheaper results for their employer and themselves. They also help screen-out the blamers and victims that can cost an employer plenty these days in lost productivity and litigation.

Briefly, these six key practices are:

**Practice 1: Smart Hiring Procedures** – Carefully screening-in qualified applicants for clearly defined positions can save an employer both valuable time and money. Focused recruiting, a detailed application and effective interviewing are also essential to hiring smart.

**Practice 2: Informative Human Resource Policies And The Employee Handbook** – Clear and comprehensive written policies aimed at preventing employment practices liability claims and motivating productivity are more valuable today than ever before. Employee handbooks are an excellent way to communicate the organization’s policies, procedures, and rules to all employees. The existence of such an employee handbook, especially when signed by an employee, can provide crucial evidence in defending many kinds of employment lawsuits.

**Practice 3: Results-Focused Position Descriptions** – It is crucial for employers to have detailed descriptions for every position. Descriptions should clearly define the purpose for each job as well as the skills and results required. Essential functions and psychological qualifications, such as having the ability to follow directions, interact well with co-workers, understand work rules and accept criticism, all should be stated.

**Practice 4: Developmental Performance Management** – If work is not measured, it cannot be effectively managed. In order to conduct a proper performance evaluation, employees must be judged against clear and objective standards. Clarity as to what is

expected when a worker is hired, as well as throughout the employment relationship, is critically important for both employee and employer. Likewise, the employer should establish a clear link between job performance and reward.

**Practice 5: Comprehensive Employee Dispute Resolution** – Employers should avoid the expense and risk of court or jury decided employee disputes. Arbitration of all employee disputes is a fair, quick, and inexpensive means of avoiding litigation and resolving such disagreements.

**Practice 6: Cost-Effective Employment Practices Litigation Management** – If litigation arises despite these best practices, it must be resolved as quickly and cost-effectively as possible. The use of counsel specialized in handling employment litigation is essential.

Avoiding or defeating baseless employee claims is an economic necessity for employers of all sizes and types. Engaging in these best practices will help employers effectively reduce their employment-related risks and maintain a more productive and committed workforce.



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