

# Human Resources, Staffing & Employment

## Workplace Wellness: Motivating With a Nudge, Not a Shove

By PETER SARAVIS

LIKE many businesses across the country, Los Angeles employers are struggling to control their escalating healthcare costs. In fact, when it comes to personnel expenses, healthcare seems to be the biggest wild card of all. Total healthcare expenditures have risen year after year, and it is almost certain that implementation of the Affordable Care Act (ACA) caused a spike in U.S. health spending.

The biggest culprit, when it comes to driving up healthcare expenses, is clearly chronic diseases such as obesity, hypertension, diabetes and other preventable conditions. Collectively workers who are above normal weight or have at least one chronic condition take an extra 450 million sick days annually as compared with healthy workers – resulting in more than \$153 billion in lost productivity each year. It's no wonder that the 2011 Kaiser Family Foundation's annual survey of employer health benefits found that 67 percent of companies with three or more employees providing health benefits also offered at least one wellness program aimed at combating these conditions.

However, offering wellness programs is only half the solution. Motivating employees to take advantage of them is where the rubber hits the road on the path to decreasing healthcare costs. Smart employers know this which is why a new survey by the National Business Group on Health revealed that employers are sharply boosting financial rewards to engage workers in healthy lifestyles. The survey reports that, among employers that offer incentives, the median amount employees can earn has jumped 50% year over year. That is a serious – and expensive – investment in worker health. Fortunately, there are lower cost ways to achieve the same result.

An increasing number of employers are finding that simple strategies based on the psychology behind consumer “buying” decisions have made a real impact on motivating employees to take better care of themselves. While the study of consumer behavior is not new, it is only recently that “behavioral economics” has been applied to impacting the healthcare and lifestyle choices consumers make.

A team of investigators from the University of Pennsylvania, Stanford University, Yale University and Harvard University recently teamed with Evive Health to show how employers can effectively nudge workers to follow through on completing a health-related activity that enhances their wellness. The study compared the results of various direct mailings promoting on-site flu clinics to selected recipients. It found that, among recipients who

received mailers that nudged them to write down the date and time they planned to get a flu shot, 37.1 percent actually obtained their shot – an increase of 4.2 percentage points over those receiving an identical mailer with no prompt. The nudge mailer was most effective with employees who could only obtain on-site flu shots on a single day: compliance among these employees was 8 percentage points higher.

While simple (on the surface) in their approach, the study's mailers were based on sophisticated strategies that harness social behaviors to affect consumer choice. They prompted commitment (write down the day and time of the vaccination) and used the notion of scarcity (shots only available on a single day) to motivate employees to take healthy action.

Other types of “nudge” techniques have been proven to motivate employees as well. Some people respond well to the use of “To Do” lists. Employers have used this concept effectively in urging employees to follow through on obtaining preventive screenings. By receiving a list of recommended screenings that they can check off as they obtain them, these recipients feel empowered and a sense of satisfaction that they are taking better care of their health.

Other businesses have used small gifts such as retention items to not only remind employees to take a healthy action, but to instill a sense of reciprocation. One employer mailed refrigerator magnets to remind recipients to schedule a colonoscopy by a certain date. The reminder tool increased colonoscopy appointments from 6 percent to nearly 10 percent.

The concept of commitment works well in nudging employees to stop smoking and lose weight. For instance, in one case a mailer promoting onsite Weight Watchers meetings asked couples to write down their weight loss goals together, prompting significantly increased enrollment. At another employer, the company aggressively publicized the number of employees who had already completed their annual physicals and found that this “peer awareness” greatly helped to nudge those who had not had their physicals to take action. The use of testimonials, such as a breast cancer survivor talking about how a mammogram saved her life via early detection of her lesion, can be powerful motivators as well.

Nudges like these may seem too simple to be effective, but the science behind the psychology is sound. The data speaks for itself. In an environment where employers are actually paying employees to take better care of themselves, using nudges to promote healthier employee lifestyles can pay big dividends over the long term.

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## HUMAN RESOURCES, STAFFING &amp; EMPLOYMENT

# The Interview Process – How to Select the “Right” Person

How do you select the right person for your business? There is no perfect answer, but the interview process can be a tremendous help if you use it effectively. In other words, you must have completed all of the other steps in the hiring process in order to get the most out of the interview process.

Interviewing candidates for a position within your company is one of the final steps in the hiring process. Before you get to this step, you want to make sure that you’ve completed all of the preceding steps since each of these steps will have a direct impact on how effective the interview process will be. Below is a list of the steps involved in the hiring process. Note that after you have completed the interviewing process, there are still two additional key steps that you need to complete. In order to achieve the best hiring results possible, just remember that all of the steps are important.

In order, the key steps to finding the right person to fill a position in your company include:

- Determining your need to hire a new employee. Are you properly utilizing the skills and talents of your current employees? Do you know what needs to be done? Can your business growth support a new employee?
- Conducting a thorough job analysis. What are the job’s essential functions and key performance criteria?
- Writing a job description and job specifica-

tion for the position based on the job analysis.

- Determining the salary for the position, based on internal and external equity. Is the salary comparable and proportional with the salaries and responsibilities of other positions inside your company as well as similar positions out in the marketplace?

- Deciding where and how to find qualified applicants. What are the recruitment techniques to be used? What is the time frame for conducting your search? Remember, advertising is not the only, or necessarily the best, way to recruit.

- Collecting and reviewing a fair amount of applications and resumes and then selecting the most qualified candidates for further consideration.

- Interviewing the most qualified candidates for the position, based on the job’s description and specification.

- Checking references.
- Hiring the best person for the job.

Hopefully, after reviewing all of the resumes, you will be able to pick and choose a select number of qualified applicants to be interviewed. (If not, you may want to expand your time frame and re-write any ad copy and/or look at another recruitment technique)

Now that you know where the interview process fits into the hiring process, let’s take a look at the “do’s” and “don’ts” of conducting a Successful interview.

## CONDUCTING THE SUCCESSFUL INTERVIEW - WHAT TO DO

### 1. Prepare in Advance for the Interview

- Know what you want in a candidate before you begin the interview. Review the job specifications and requirements that have been prepared.

- Know the job and its responsibilities. Review the job description.

- Prepare a list of standard questions concerning the candidate’s skills, abilities and past work performance that you want him/her to answer.

- Prepare a list of prioritized and measurable criteria, either in the form of a worksheet or other method, for analyzing and comparing the candidates.

- Review the candidate’s resume prior to the interview.

- Set specific appointment times and reasonable time limits.

- Be prepared to justify the use of any required employment test. Typically, the most legally defensible tests are those that involve a “piece of the job.”

### 2. Collect Pertinent Information During the Interview

- Since past behavior predicts future behavior, look for the candidate’s behavior “patterns” as you collect information. For example, has the candidate enjoyed “big picture” work or detailed analysis more? Is he/she more of a generalist or more of a specialist? Oftentimes, by listening to how the candidate responds to your questions about previous jobs, you will be able to get a very good idea of what their behavior will be like in the future.

- Try not to offer too much detailed information up front so that the candidate will be

able to formulate answers that exactly fits your company’s needs. Don’t put the right words in his/her mouth! Remember, the candidate (hopefully) wants the job and will be looking to say the right thing to impress you.

- Ask questions that focus on the candidate’s past performances. For example, if the job, such as an office manager, demands an individual who is well-organized and handles paperwork easily, you may want to ask, “How do you keep track of your own schedules and desk work in your current position?”

- Ask specific, structured questions in regards to specific problems that the job holder may face. Focus on past behavior and the results of the candidate’s actions in a particular situation. For example: “As the customer service representative, you may encounter a few unhappy campers who will yell and scream at you over the telephone or in person. Have you had any experience dealing with difficult customers? Who was the most difficult customer you had to deal with? What was the situation? How did you resolve the problem?”

- Notice how well the candidate listens and responds to the questions asked.

- Note the candidate’s choice of words and non-verbal behavior. Are they answering your questions clearly?

- Listen to the questions the candidate asks. Clarify the reasons why the questions are being asked. Notice which questions he/she asks first as they may be his/her primary concerns.

- Take detailed hand-written notes concerning job related topics that will help you distinguish the candidates from one another (especially if you will be conducting several interviews).

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# Communicate Effectively with Your Staff

By BARTON GOLDSMITH, PH.D.

To understand how to effectively communicate in the workplace, you have to first understand some basic psychological truths about how we, as people, tend to communicate.

If we communicate to a person in the way they understand best, that communication will be accepted and the team member will respond faster and with more motivation. There are three types of communicators. The first are the Visuals, those people that take in and process information through their eyes. They also prefer to think, or rather visualize with their mind’s eye. To be effective with them, you need to use key words such as “look, see, picture,” etc. It is also valuable to give them printed or written materials to go along with what it is you are communicating. They prefer words that enable them to picture things.

The second type are Auditory communicators, these people use their hearing to develop understanding. They talk to themselves in words that their minds can listen to. They like words that help them hear things. When talking with them, use key words like “hearing, listening, sound,” etc. These people tend to process information quickly and are sometimes likely to respond before you have finished talking.

Kinesthetic, the third type, are feeling people. It doesn’t matter how things look or sound to them, it needs to feel right (not necessarily good). Still, others imagine things in terms of movement, feeling and action. The famous scientist Einstein used this kinesthetic type of thinking when he formulated his famous theory of relativity.

Listen to how your team member communicates, they will use the key words for their type in normal conversation. After you have discovered how they communicate, speak with them

## THINK LIKE AN INDEPENDENT CONTRACTOR, REGARDLESS OF WHAT YOU DO FOR A LIVING

By Dave Inglett

Independent contractors (freelance journalists, software programmers, gardeners) wake up knowing that before sunset they must 1) re-prove themselves to clients and 2) learn a new wrinkle to up the odds of survival. But the self-employed are not alone. I contend that everyone—bellhop, computer scientist, or boss had best achieve the mindset of an independent contractor.

### An Independent Mindset

People do realize that job security is gone, but many don’t realize what it’s been replaced by. The driving force of a career must come from the individual, not the organization. Every position must be created from scratch, a far cry from filling a set job description. Given the reality of today’s entrepreneurial economy, there are few jobs awaiting any of us out there. Instead, most good jobs are co-created. Jobs are joint

in the same manner. It will greatly enhance your interactions.

To gain maximum interest, remember people are most interested in anything that has to do with them. This isn’t egotistical - it’s natural. Once you understand this, you can tailor your communications so that you receive maximum interest.

## BE AWARE OF NON-VERBAL COMMUNICATIONS

Our senses shape our thinking. We remember and think about things as we saw, heard, or felt them. Some individuals and cultures stress one kind of thinking more than others do, though all cultures use all of them at one time or another.

ventures (with an employer) in problem solving. They are strategies to solve pressing problems in organizations.

### Succeed Serving Your “Customers”

You must do something concrete, finite and measurable in the eyes of internal and external customers and your teammates. (Teammates are growing ever more important, since it’s mostly your network of peers that gives you word-of-mouth credibility, on or off a payroll, and determines whether you’re recruited for new projects.) Then, you must look ahead toward inventing or signing up for the next project, or joint venture.

### Educate Yourself

You can’t ignore the requirements to move horizontally and pick up new skills. Careers are continuing education. Again, the shift is monumental. How many have historically chosen a job based on whether or not it provides an attractive “learning community?”

### If You’re The Boss

Pretend you are leaving the company in six months with no replacement, overhaul your organization, and train your

people to take over your job. Then find a new way to add value yourself. Be prepared to repeat the cycle, over and over again (maybe with different employers), until you retire.

### Organizational Design

“Think independent” also has a place in overall organization design. Corporate architects might imagine companies as collections of independent contractors. One manager, at an aging monolith of an organization says the lumbering firm is dealing with “the impediment of structure” by trying to make everyone an entrepreneur—that is, “turning the whole company into a type of franchise organization in which there is a more direct economic connection between tasks and rewards.” Contract the mindset of the independent contractor with this common experience: Following the last-minute change of plans, I phoned a hotel one morning for a reservation. I was disconnected, put on hold, etc. Finally, I reached a person at the front desk. He flatly declared he couldn’t help me. When I asked “Why?” (calmly), he responded (calmly), “I’m not a receptionist.” Nor is he long in the world of the employed.

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You may not be sending the message you intend when dealing across cultures. You may be misinterpreting the sender’s message because of cultural differences. It is important to be aware of mixed messages and not make assumptions about the meaning of non-verbal communications.

Many people believe that when they speak, their words are the primary transporters of their thoughts. That’s just not the case. Become aware of nonverbal messages to harness your communication power.

## DON’T LOSE IT

This final tip is one of the most powerful things you should NOT do. If you get angry,

you lose. When you “lose it” in front of team members, their confidence is shaken and your credibility is undermined. If you start to get over-excited, take 20 minutes to cool off and then reconvene your meeting. It may help you to remember this quote by Thomas Jefferson; “Nothing gives one person so much advantage over another as to remain cool and unruffled under all circumstances.”

Dr. Barton Goldsmith is a keynote speaker, business consultant and author. Considered an expert on small business, he has spoken to audiences worldwide. He may be contacted through his web site [BartonGoldsmith.com](http://BartonGoldsmith.com) or at (818) 879-9996.



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## HUMAN RESOURCES, STAFFING &amp; EMPLOYMENT

# Worker Misclassification: Are You Risking Millions Of Dollars Without Even Knowing It?

By PETER DAMERIS

ARE YOU aware that at this very moment, your company could be at risk? As the President and Chief Executive Officer of On Assignment, Inc. (NYSE: ASGN), I deal with myriad issues affecting employers and talent. We are one of the foremost providers of in-demand, highly skilled professionals in the technology, digital, creative, healthcare, and life sciences sectors. We pride ourselves on transparency and being best in class, remaining abreast of critical issues, sharing our knowledge and best practices with our community and our clients to help mitigate unnecessary employment risk.

One of the most critical issues today is worker misclassification. It affects companies of any size and, if left unaddressed, can have serious financial ramifications. It's important to understand what it is and alert you to the dangers involved.

Worker misclassification is the practice of labeling and treating workers as independent contractors rather than employees, whether deliberately or accidentally. Most companies are unaware that they're even doing it, let alone the risk it creates, even though the misclassification is accidental on their part.

However, some employers attempt to reduce

payroll costs and avoid paying standard benefits or unemployment and payroll taxes on these workers. Instead, they put workers under the independent contractor umbrella (commonly perceived as anyone who completes a 1099 form), hoping to cut costs.

These companies are putting their bottom lines at tremendous risk. Several large companies have already learned tough lessons about the consequences of misclassification. Heavy hitters like Uber, Lyft, and FedEx have all felt the financial sting of such consequences—with hefty price tags in the hundreds of millions.

In June, FedEx agreed to a \$240 million joint settlement stemming from a class action lawsuit involving misclassification. This comes on the heels of a \$226 million dollar settlement in 2015 for a California-only class action misclassification suit. That's a combined total of \$466 million paid.

Uber is currently embroiled in a class action misclassification lawsuit, and is in frantic talks with its drivers to strike a deal after a California judge threw out an initial settlement of \$100 million, finding it too low. That case is currently awaiting a trial date, pending appeals filed by Uber.

Equally alarming for employers is the crack-down on misclassification by the Internal Revenue Service (IRS) and the Department of Labor

(DOL), which estimates that 30% of employers may be misclassifying their workers. Meanwhile, the IRS has ramped up the investigation and enforcement of misclassification in an attempt to recoup what could be billions of dollars in lost tax revenue due to workers being misclassified.

In an effort to improve compliance and present a united front to employers on the issue, the IRS and the DOL signed a memorandum of understanding, allowing the sharing of information and resources to increase compliance with both federal tax requirements and labor laws.

Now, as a leader in your organization, it's time to ask yourself some difficult but necessary questions:

“As a company, are we creating unnecessary risk?”

“How would it impact us financially?”

As an employer, you should look at your business practices and determine if misclassification has occurred. If it hasn't, then you will have increased awareness and can stay vigilant to ensure continued compliance.

However, if you discover that misclassification is occurring, you should formulate a comprehensive plan to address it, correct it, and bring your company into compliance. The short-term promise of potential payroll savings won't matter if your company gets hit—either by a lawsuit, or

by a multi-agency audit. Are you prepared to risk that legal exposure or back taxes and penalties and the potential judgment they may bring?

We all endeavor to lower costs of services, turn human capital into variable costs versus a fixed cost, and improve productivity by reducing down time and attracting highly skilled employees. However, we must be aware of how to achieve these benefits without running afoul of labor laws. We want you to know that we are here to help organizations navigate these tricky waters and enjoy the benefits of attracting talent that are productive and flexible.

I feel tremendous pride in the fact that On Assignment provides a solid solution to remove the worry of “what if?” Let On Assignment partner with you and provide the talent you need and you can rest easy, shielded from misclassification claims.

Our companies are proven leaders in talent solutions, so regardless of your industry, you can feel secure in the knowledge that our 30 years of success and expertise are working to protect you and help safeguard your bottom line.

We are On Assignment.

Peter Dameris is President and Chief Executive Officer of On Assignment, Inc. Learn more at [www.onassignment.com](http://www.onassignment.com).

## Staffing: Plug a Hole or Take the Best “Player” Available?

By BOB GREENFIELD

IN most walks of life, establishing a clear focus is a good thing, and the sharper the focus the better. However, when it comes to employee recruiting and hiring to build a high performing team or workforce, I'd like to suggest that a narrow or laser-like focus might not be the best approach and can be unnecessarily limiting.

I'm always intrigued in learning about different professional sport teams' strategies as they prepare for their respective Leagues' drafts. A professional sport's amateur draft is one of its two principle mechanisms for recruiting and “hiring” its work force. Their broad strategic philosophies can probably be clumped into two main categories: drafting players to address clear needs or “plugging a hole,” and drafting the best player available regardless of their specific needs at that time.

This is a classic dilemma. Should a team draft a player who may fill a known and defined need, or take the best player available, even though that “best” player may be at a position where they are not currently in pressing need? This is a dilemma because it's always easier to build a work force when you hire to fill specific needs. It's easier. But is it more effective at building winning teams and organizations? Is it applicable to non-sports organizations like yours? It is an interesting debate and perhaps one without a clear-cut winner.

I'd like to argue the case for taking the best player available and its broader applicability to work organizations. In our non-sports businesses and organizations, it is unconventional and certainly less practical to simply hire the best player irrespective of the fit between skill and experience and a particular opening. I wrote

that it is easier for sports team to draft to fill specific needs. What is true in professional sports franchises is even more true in organizations where HR departments are often laser focused on meeting an internal customers' explicit specifications. I know from conversations with many managers that they often don't believe they have the luxury to take the “best player available” given the pressing need to backfill a particular position or address a critical staffing need.

**Should a team draft a player who may fill a known and defined need, or take the best player available, even though that “best” player may be at a position where they are not currently in pressing need?**

Let's start with the question of how to define “best player” in the first place. Is it the candidate with the best resume, brightest credentials, most prestigious pedigree, and best fitting job skills? I think organizations may too often hire the “resume” and skill and knowledge sets without looking carefully enough at organizational (culture) “fit” and key intangibles. Examples of such intangibles include adaptability, work ethic, humility and willingness to learn about and fit into the organization culture, winning attitude, etc. These qualities are worth their weight in gold.

When you find an employee with such qualities, someone who is truly a great “fit” in your organization's work culture, the odds are very high that they will become a valuable asset regardless of their current skill set. The preoccupation with hiring the right “skill” fit is similar to the preoccupation with having the right organizational structure. Even in the PERFECT organizational structure, a group of people poorly led and motivated and with commensurately poor attitudes will always find a way to fail. Yet in the most awkward organizational structure, the right people, a group of motivated go-getters willing to persist until they find a way to succeed will accomplish their goals in spite of the structural impediments. It's always about having the right people. I am convinced that the kind of “people” that differentiate winning organizations

he needs to about my business, than hire the experienced and credentialed person who may not be able or willing to Un-learn things that will not serve him well in my organization. So “best player” for me is much more a function of intangible qualities than technical job skills.

Am I saying that what a prospective employee “knows” is irrelevant to their future job performance? Yes and no. Yes, their job-specific knowledge may be irrelevant in the long term. No, their ability to know, i.e., their intelligence, is incredibly relevant. Intelligence is an absolute pre-requisite. I'm counting on that great attitude's ability to be a quick study and expeditiously make up for the gap in experience. Learning ability and curiosity are critical for both the experienced and inexperienced candidate.

But at the end of the day, I think there's something very analogous between sports teams and work teams. Talented and versatile athletes with a team-first attitude and an unshakable commitment to do what it takes (including subordinating an ego) to win will achieve superior results to the team with unadaptable experts who have a much clearer concept of what's “not my job.”

With a light apology to those who prefer not to see sports related to business, perhaps we can all learn something from the way professional sports teams' general managers think about staffing their high performing teams. In our narrowly focused efforts to fill a specific position, we may overlook the available all-star who plays a different position. Organizations are nothing more than the people who comprise them. Get the best ones you can.

Bob Greenfield is an expert in organization development and is owner and principal consultant of Greenfield Management Strategies (GMS). Established in 1999, GMS works in partnership with clients in the private, non profit, and public sectors on a variety of strategic, organizational, and people issues in order to improve collective performance and individual satisfaction. To learn more, visit [www.greenfieldmanagementstrategies.com](http://www.greenfieldmanagementstrategies.com).

from the rest has much more to do with attitudes than skills.

I would rather have dedicated, professional, resilient, self-motivated, refuse-to-lose “team” players developing the skills they need than perfectly-skilled people who are unmotivated and cannot (or will not) work well together, as it is far easier to teach the organization, product, market...anything, than it is to teach integrity, work ethic, diplomacy, political savvy, presence, and a winning attitude. Said another way, I'd rather hire the inexperienced candidate with the winning mind set and help him learn what

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Help yourself remember each candidate and each interview clearly.

- Record information pertaining to the set criteria that will help in the evaluation of candidates.
- Organize and analyze the information immediately after the interview when memory is fresh. Don't try to remember everything, it's impossible. One idea is to "rate" each candidate on each of the criteria immediately following the interview.
- 3. Look and Act Professionally During the Interview**
  - Dress appropriately.
  - Avoid appearing bored and fatigued.
  - Set a businesslike atmosphere.
  - Structure the interview and inform the candidate of the structure. Let the candidate know you will be focusing on past results and that you will be taking a lot of notes.
  - Provide information on the company and the job to each candidate.
- 4. Treat All Candidates Fairly**
  - Use your list of standard questions during each interview so that you treat the applicants the same and so that you can compare apples to apples.
  - Refer to the criteria for analyzing candidates. Ask questions in regards to the job criteria.
  - Keep all questions job-related.
  - Do not ask discriminating questions.
  - Show a genuine interest in every candidate you interview.
  - If possible, have at least one other person meet and/or interview candidates who are "finalists." They should also "rate" the candidates on each of the criteria; ultimately, all interviewers should compare their "ratings" and discuss any discrepancies. Having more than one interview-

**Having more than one interviewer helps control for personal biases.**

- er helps control for personal biases.
- 5. Be Courteous and Respectful**
    - Conduct the interview in a private place away from distractions.
    - Begin the interview on schedule.
    - If possible, conduct the interview without interruptions.
    - Allow sufficient time for the interview.
    - Appreciate the candidate's accomplishments.
    - Do not patronize the candidate.
    - Do not argue with the candidate.
    - Thank the candidate for his/her time and interest.
  - 6. Facilitate Open Communication**
    - Immediately attempt to establish a rapport with the candidate by breaking the ice; for example, ask about their experiences in a particular industry or geographical location (refer to his/her resume).
    - Promote a relaxed environment with free-flowing conversation.
    - Do not dominate the discussion by talking too much. Many experts use a 80/20 rule - you talk 20% of the time and the candidate talks 80% of the time.
    - Politely probe the candidate for information by asking open-ended questions that will provide insight into the candidate's values and traits.
    - Ask structured questions that will require some thought on the part of the candidate.
    - Listen carefully to the candidate's answers. If they do not provide you with specific results, probe until they do.
    - Explain the selection process to the can-

didate. Offer realistic time frames and stick to your word!

**THE SUCCESSFUL INTERVIEW - WHAT NOT TO DO**

- The following list is comprised of subject matter that is widely regarded as "off-limits" for discussion in an interview by employment experts. Most of these subjects relate directly to federal and state employment laws. Legislation covering equal employment opportunity is extensive and complex. Check not only federal laws, but also your own state's laws and guidelines. Remember, state laws vary! Consult an attorney for legal advice (before you begin the search process for a new employee).
- In an interview, or on an employment application, do not ask questions...
- concerning the age of the candidate. Be careful using the words "over qualified" with older candidates.
  - about their arrest record (this is different from convictions - in most states, it is permissible to ask if the candidate has ever been convicted of a crime).
  - about race or ethnicity
  - concerning the candidate's citizenship of the U.S. prior to hiring (It is permissible to ask "Will you be able to provide proof of eligibility to work in the U.S. if hired?")
  - concerning the candidate's ancestry, birth-place or native language (it is permissible to ask about their ability to speak English or a foreign language if required for the job).
  - about religion or religious customs or holidays.

- concerning the candidate's height and weight if it does not affect their ability to perform the job.
  - concerning the names and addresses of relatives (only those relatives employed by the organization are permitted).
  - about whether or not the candidate owns or rents his/her home and who lives with them. (asking for their address for future contact is acceptable).
  - concerning the candidate's credit history or financial situation. In some cases, credit history may be considered job-related, but proceed with extreme caution.
  - concerning education or training that is not required to perform the job.
  - concerning their sex or gender. Avoid any language or behavior that may be found inappropriate by the candidate. It's his/her standard of conduct that must be met.
  - concerning pregnancy or medical history. Attendance records at a previous employer may be discussed in most situations as long as you don't refer to illness or disability.
  - concerning the candidate's family or marital status or child-care arrangements (it is permissible to if the candidate will be able to work the required hours for the job).
  - concerning the candidate's membership in a non-professional organization or club that is not related to the job.
  - concerning physical or mental disabilities (asking whether the candidate can perform the essential job duties is permitted). The ADA allows you to ask the applicant to describe or demonstrate how they would perform an essential function(s) when certain specific conditions are met. Check the law or consult with an attorney before moving forward.
- Remember – When in doubt, ask yourself if the question is job-related; if not, don't ask!

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