

HUMAN RESOURCES

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HR REALITY CHECK

HR CASE
STUDY #25

Yep, the Stories are True!

Scenario: David Sully has a thriving funeral business in the southern United States comprised of three locations serving more than 700 families. Recently he decided to create a multi-denominational funeral home as well as building his own cemetery, crematory and pet cremation business.

Given the success of his existing businesses, the current staff did not have the capacity to take on the added responsibilities that would be associated with the new development. Further, they did not have experience in the cemetery, crematory and pet crematory segments. As part of his expansion plans, David anticipated that he would be locating and hiring an entirely new staff to handle the new business enterprise.

He carefully thought about the various positions and interviewed cemetery, crematory and pet crematory owners to understand the number of employees and the positions that he would need to have filled for those segments in addition to the new funeral home. He also worked with a consulting firm to create the various job descriptions and an employee handbook.

The construction of the new businesses had some bumps along the

road but eventually David began his search for staff. He hired several employees and a single individual whose title was general manager of the combined operations, Tony Fore. This individual was responsible for managing all the employees in the various segments and growing the business. The staff initially consisted of 15 employees including part-time help. Within a few weeks of hiring and training the staff, the business was up and functional.

David was initially happy with the performance of the business and the staff, but as time continued, he began to realize that things were not operating as smoothly as he hoped. He began to receive reports from various sources (both within the business and outside the business) that Tony was not effectively managing the entire operation.

This led David to begin spending many days at the business over the course of a three-month period. He would evaluate Tony and provide him with additional training on the areas that he determined needed improvement for Tony to successfully meet the guidelines of his job description.

Tony was receptive to David's feedback and attempted to implement his direction. Ultimately, David concluded that Tony was not going to be able to suitably meet the core functions required of the position of GM. David was truly disappointed because he liked Tony and there were elements of the position that he performed exceptionally well.

David decided to reach out to the consultant who provided the employee handbook and job descriptions about how he should address the situation. He was advised to consider revising Tony's job description and hiring another individual to perform the role of GM.

WHAT ARE THE RULES?

There are no federal rules that prohibit an employer from changing an employee's job description if there is no employment agreement or collective bargaining agreement that states otherwise.

Additionally, the change to the job description cannot violate or be the result of actions that would violate the U.S. Equal Employment Opportunity Commission which prohibits discrimination against an employee based on race, color, religion, sex (including

sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability or genetic information.

Also, the Family and Medical Leave Act may be applicable in certain situations (if you have 50 or more employees) and it requires that employees returning to work after approved FMLA leave return to essentially the same position.



DID THE EMPLOYER MAKE ANY MISTAKES?

David followed a well-laid-out plan to structure the staff of his new business. He had well-written job descriptions and an employee handbook. He interviewed multiple individuals for the role of general manager.

However, none of those factors preclude a successful hire in the long term. There is no foolproof way to ensure that a candidate is going to perform exactly to expectations. In hindsight, David did not make any mistakes in the process he followed.

RESOLUTION OF THE ISSUE

David worked with the consultant to create a new job description for Tony that focused on his strengths. In this case, Tony excelled in handling the daily operations of the cemetery,

crematory and pet crematory.

He struggled with the funeral home operations and the global oversight. David took the time to explain the job description to Tony and how he was valued for the role he could play focusing on those specific segments of the business.

Tony agreed with David's assessment and accepted the revised job description which included a salary adjustment. David then went through another interview process to locate a new GM that also had a revised job description including authority over an assistant manager who was responsible for the cemetery, crematory and pet crematory.

PREVENTIVE MEASURES

This is an example of doing everything the right way and the outcome not hitting the bullseye. Creating HR documents and processes do not guarantee that you will not have issues with your employees. Rather, they create a framework that assists you in addressing those issues that arise. David had all the tools he needed as a resource to get his new funeral business off the ground with the appropriate staffing, there was just a small stumbling block.

He was able to refine the organization chart after evaluating Tony more closely and identifying his strengths. This in turn allowed him to develop a new GM job description and hire a person that would not only have the right skill set, but the right personality to fit the existing team.

David's new business has been operating effectively since his reorganization. The key to the success has been not only the HR tools he had at his command, but the flexibility in his thought process on how to use the skill set of his current employee. In an industry where finding quality staff is a challenge, this perception is a winner. •