



REDUCING THE HIGH COST OF A BAD HIRE

Here are nine steps to make sure you lessen your risk in the hiring process.

By Jean Seawright

Before we know it, spring will be here again and garden centers and green industry leaders will be gearing up for their annual hiring blitz. Against a backdrop of a shrinking workforce, employers with seasonal hiring needs are evaluating their processes to ensure they onboard qualified candidates efficiently. After all, when you have to hire hordes of people in a very short span of time, time is money and efficiency is all that matters, right?

Wrong! An efficient hiring process that results in the selection of an employee who ends up poisoning the workplace, stealing someone's identity or, worse yet, harming a customer or coworker can cost much more than you can imagine.

No doubt, sacrificing quality for efficiency is not the answer. You must implement an efficient hiring process that helps you attract and select fit, competent and qualified workers who are trustworthy and who do not pose an unreasonable risk of harm to others.

Taking proactive steps to reduce risk is becoming more important as legal claims for negligent hiring rise. A claim for negligent hiring can occur when an employer knew (or should have known) that an applicant was unfit, incompetent or a risk of harm to others, and

the employer failed to exercise reasonable care to prevent foreseeable consequences of the individual's unfitness. Claims for negligent hiring often arise when an employer hires an individual without an adequate background check, reference check, application form, and/or interview.

Don't get caught in this trap. Use a comprehensive hiring process and dedicate the time necessary to ensure that you are hiring qualified, trustworthy workers who do not pose an unreasonable risk of harm. To minimize risk and increase your chances of hiring the right people, your process should include the following:

1. Position Analysis

Before you begin the hiring process, take the time to analyze the position. Determine the precise traits that are essential for success in the job along with the essential functions for the position, the physical and mental demands related to the work, the background requirements, the work location and extent of supervision necessary, the training needs, rate of pay and position classification for overtime purposes.

Develop a job description and a list of the attributes, experiences and requirements necessary for success in the position. Then, in

consideration of all these factors, determine the appropriate pre-hire requirements.

2. A Classified Ad That "Sells" the Company and the Position

If you want to attract talent, steer clear of two-line ads on Craigslist. Develop and use ads that send the right message about your company and image.

A candidate reading your ad should get hooked after reading the first paragraph that describes your company and your culture. To land the best candidate, make sure your ad sounds better than other ads posted in the same category and seeking the same types of candidates.

To increase the volume of responses, cast a wide net by posting your ad on multiple Internet sites, job boards and position- or industry-related online venues.

3. Trained Hiring Managers

From experience, we know that the chance of selecting the right candidate for a position is directly proportionate to the hiring manager's ability to discern if the candidate has the essential traits necessary for success in the position.

Make certain your hiring managers understand these traits and know how to obtain critical



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information about the individual who, if hired, you must trust with your business and customers. Untrained hiring managers typically default to hiring people they like; however, this doesn't mean the candidate is qualified or does not pose a risk of harm.

4. A Comprehensive Employment Application

Make certain your application includes security questions and a properly worded criminal conviction question consistent with state and federal employment regulations (including any applicable "Ban the Box" ordinances or laws in your area). Use an application that requests a complete work history and doesn't allow the candidate to skip questions or write "see resume" on the application.

Résumés do not contain reasons for leaving, rates of pay and other important information that is on a good application form. Compare the application to the résumé, and be sure to identify and address any discrepancies.

(Hint: This means you have to actually read it before conducting the interview.)

5. A Thorough Interview With Targeted Interview Questions

Hiring managers should be equipped with position-specific interview questions to identify the knowledge, skills and abilities of the candidate. Prior to the interview, develop and ask pertinent and probing nondiscriminatory interview questions that are specific to the position and that help get to know the candidate better. Devote the time necessary to conduct a thorough interview.

6. Employment Reference Checks

Don't overlook this important step in the hiring process. Remember, the best predictor of future performance is past performance.

Currently, over 40 states have laws that provide immunity to employers when they provide truthful and honest reference checks. If your state offers this protection, spread the word among employers so more of them are willing to open and share their experiences with former employees.

If you can't get any information from a former employer — document your attempt. This can help minimize the risks associated with negligent hiring or negligent retention.

7. Background Checks Suitable for the Position

These could include, but are not limited to, a social security verification (showing former addresses where the candidate lived for use in verifying whereabouts and ordering state or county criminal reports), a nationwide database scan of criminal records, select county or state criminal records and, for driving positions, a motor vehicle record check.

If your workers perform services on customers' properties (especially inside homes), it is imperative to run a background check on prospective candidates to help determine if an individual poses an unreasonable risk of harm.

If you use a third-party vendor for obtaining criminal records (recommended), be sure to use the appropriate

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AmericanHort is hosting its annual NextLevel event Jan. 18-20, 2016, at the Hyatt Pier Sixty-Six in Fort Lauderdale, Florida.

NextLevel is the industry's kickoff to the new year filled with networking opportunities, fresh and empowering speakers, and new ideas aimed specifically at leaders and emerging leaders.

This year's event gets started with a keynote presentation from Brian Kight "The Performance Pathway." During this talk, Kight will discuss the central role of The Performance Pathway (leadership, culture and behavior) and will provide actionable steps to build leaders who create a strong company culture that produces results, growth and sustainability.

Following the keynote, attendees will have their first Hub session and then join fellow attendees outside for a networking reception. Hub sessions are designed to provide a unique opportunity to share and connect with others in the same stage of business and career.

Choose from one of four Hubs: Advance My Career, Balance Life and Business, Establish My Legacy and Build My Bottom Line. Return attendees will see fresh content in the Hub sessions tailored to provide the most relevant and meaningful experience.

In addition to Hubs, NextLevel includes two days of breakout sessions focusing on four key areas: Family Business, Human Resources, Marketing and Leadership.

Also returning to the program are bite-sized learning opportunities with a specific industry focus known as Hort Huddles and Beyond the Classroom Learnings.

New for 2016 is a casual meetup on Tuesday night. This is a chance to talk and connect with other attendees before heading out for evening plans.

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8. Additional Pre-hire Screening Tests or Requirements

Where warranted, require prehire drug screens, personality profiles or other tests. All tests must be job-related and nondiscriminatory — even a simple math or spelling test. This means the test cannot disproportionately screen out candidates in a protected class.

The EEOC is currently focused on eliminating barriers in recruiting and hiring practices that discriminate, so before adopting or using a

pre-hire test, make certain that it does not have an adverse impact on any protected classes.

9. Verification of All Information Obtained and Provided by the Candidate

This is one of the most critical, but overlooked, steps that can help minimize risk in the hiring process. It calls for a thorough evaluation of all hiring documents to verify the candidate's honesty, to identify any red flags and areas in need of follow-up with the candidate or others, and to assess the level of risk that exists with the candidate.

Don't delegate this important task to someone who does not understand the risks involved with hiring and what to look for on the forms.

Implementing a comprehensive and efficient hiring process requires a careful and thoughtful approach, but the time, effort and cost are well worth it.

Contrary to popular belief, there are no shortcuts to a good hire! Without question, when it comes to a hiring decision, the more job-related information you have, the better.

Remember: Hire hard, manage easy...and reduce risk. **LGR**

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