

May 2024

Small Business Bulletin

Provided by Franconia Insurance & Financial Services

Addressing Small Business Talent Challenges

Employers of all sizes continue to face attraction and retention challenges. Successful efforts to win over workers can require significant time and carry high costs, but failing to attract talent or losing existing employees is particularly costly for small businesses. Unfortunately, small businesses often don't have the excess resources to invest in attraction and retention efforts in today's labor market, making it difficult to compete with larger organizations.

Attraction and Retention Tips

Economic pressures continue to make it challenging for small businesses to hold on to their best talent and appeal to other top-tier workers. Regardless of size, employers are straining to keep up with workers' compensation expectations and demands. Furthermore, rising health care costs are stressing employees and employers alike.

However, there are ways that small businesses can overcome these hurdles in the race for talent. Consider the following attraction and retention strategies:

- **Select the right benefits.** Health insurance is valued highly by workers. Simply offering health insurance can give small businesses a competitive edge against those that don't. However, health insurance is just one component to consider as part of a benefits package; small businesses should tailor their benefits offerings to meet the specific demands of current and prospective employees. The best benefits vary for each organization, but they can be used to attract and retain employees. In general, some popular benefits include competitive health insurance, leave benefits, performance benefits, retirement planning and professional development opportunities.
- **Expand recruitment reach.** If an employer isn't receiving the number of quality candidates they

desire, it's worth strategizing to grow their talent pool. Expanding an organization's online presence is a good start. This may include creating and maintaining multiple online profiles, posting content regularly and informing prospective workers of job opportunities.

- **Focus on developing employees.** Small businesses should consider how they can bridge skills gaps in-house. Some strategies may include providing career pathing plans, creating mentorship programs, offering microlearning workshops to focus on specific skills, or paying for employees to attain certifications or further their education outside the workplace.
- **Offer a flexible work environment.** Many of today's employees worked remotely during the COVID-19 pandemic and would prefer to work from home. Flexible work arrangements, such as work-from-home arrangements and hybrid or flexible schedules (including flex time or days), can help small businesses maintain a competitive edge over employers who don't offer such flexibility.
- **Create a strong workplace culture.** Small businesses should aim to foster a desirable workplace. A healthy company culture can help retain employees and, in turn, create an environment that's attractive to applicants. Many small businesses are currently focusing on creating a strong workplace culture by training managers to identify employee burnout, designate fair workloads and support workers' needs.

Summary

Like many organizations, small businesses face several challenges with attracting and retaining the employees they need. Fortunately, small businesses can leverage these strategies to help them compete in today's talent market.

Navigating “Watch Me Get Fired” Videos

An increasing number of employees are recording their termination meetings with HR representatives, managers and supervisors and posting them on various social media platforms, including TikTok, Instagram and Twitter. These videos, commonly called “Watch Me Get Fired” videos, have become a trend among workers in various industries, including fast-food employees, office workers and teachers. These videos often show private conversations between employees and supervisors, managers and HR representatives. Some videos receive millions of views.

“Watch Me Get Fired” videos demonstrate how younger generations turn to social media to speak out when they think they’ve been treated unfairly or want feedback or support. For some employees, these videos help them to process difficult emotions that often accompany being let go from their jobs. For others, these videos can lead to new employment opportunities. However, they can also bring negative consequences to the individual filming and sharing the video, including being stigmatized or having their severance withheld. These individuals may risk violating severance and other employment-related agreements.

In some cases, these videos have gone viral, exposing businesses to heavy reputational backlash and sometimes legal consequences due to substandard termination practices. They may reveal an employer’s illegal behavior when terminating employees, subjecting organizations to potential legal exposure and liability, especially since these videos can be used as evidence in a legal proceeding. Even when these videos do not result in legal action, they can cause severe reputational harm to an employer.

Best Practices for Employers

Despite the high stakes organizations face, some employers are still mishandling terminations. Here are some best practices for virtual termination videos and what employers can do about them:

- **Limit legal pitfalls.** Before conducting termination meetings, employers should ensure they avoid saying anything that could increase

the risk of or lead to legal liabilities. Training those involved in termination meetings to be aware of workers’ rights and legal protections can help ensure these conversations are conducted appropriately and avoid prohibited conduct or behavior.

- **Avoid false statements.** False statements can show bad faith and lead to legal troubles and reputational harm. Employers should avoid making statements during termination meetings, including promises of benefits or privileges to which an employee would not be entitled.
- **Establish workplace policies.** Employers can implement policies addressing audio, video and other recordings in the workplace. Such workplace policies can provide employers with grounds to terminate individuals who violate them. However, in some circumstances, employees may have the right to make recordings at the workplace (e.g., engaging in protected concerted activity under the National Labor Relations Act). Therefore, employers should ensure that any workplace prohibitions against recordings are consistent with federal, state and local laws.
- **Use performance management.** Lack of performance management can lead to a negative termination experience or even surprise when an individual is terminated for performance issues, which can often increase the odds of an individual taking legal action or cause reputational harm. Regular performance evaluations and proactive employee management can help lessen the surprise when an employee is terminated for performance issues. This can help employees recognize when they’re not meeting expectations.

Conclusion

Business interruption insurance can provide crucial financial assistance for small businesses if they need to temporarily shut down or reduce operations.

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