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26 JANUARY 2005

You Won't Want to Miss THIS!

TPO'S ALL-DAY EMPLOYER CONFERENCE!

MARK YOUR CALENDAR:

January 26, 2005, 8am-5pm, Embassy Suites Monterey Bay

Get ready to exercise your brain with **RICHARD J. SIMMONS**,
NATIONALLY KNOWN EMPLOYMENT LAW ATTORNEY
with the Los Angeles law firm of Sheppard, Mullin, Richter and Hampton.

Mr. Simmons has lectured extensively throughout the country and has authored numerous publications in the labor law field. If you've seen him speak before, you know why we're excited!

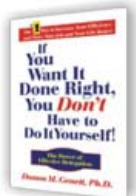
Each month until the conference, we will also be announcing our exciting afternoon breakout presenters. Let us begin by introducing (*drum roll please!*):

DONNA GENETT, Ph.D. author of **If You Want It Done Right, You Don't Have to Do It Yourself!**

Finalist of ForeWord Magazine Book of the Year Awards, Career Category.

Achieve Professional Success and Reclaim Your Personal Life!

"The most common management style is seagull management. A manager gives you a task, disappears, and then only returns when you make a mistake—they fly in, make a lot of noise, dump on you, and then fly out. If you read Donna Genett's book on delegating, these ineffective flights will not be necessary."
— Ken Blanchard, co-author, *The One Minute Manager*®



To learn more, go to www.wantitdoneright.com.

But wait...there's more! We are negotiating with a variety of top quality experts to present a dynamic lunch program followed by power-packed breakout programs for the afternoon to make this the most informative & memorable employer event of the year. Right in your backyard!

TPO Members attend free as part of Annual Membership! A registration fee will be charged for non-member attendees. Stay tuned for more details in the next TPO E-News!

HR Reminders

JUST KNOCK IT OFF AND GET BACK TO WORK!



**ADMIT IT, YOU'VE WANTED TO SAY THAT AT LEAST ONCE TO AN EMPLOYEE!
WE HAVE SOME OTHER APPROACHES TO CONSIDER...**

As managers, each one of us has the responsibility to jump in and talk with employees about unacceptable performance or behavior to get them back on track or transition them out of the organization. Not our favorite thing to do, but letting poor performance, coworker relationships, or employee conduct continue can have a devastating effect on morale, productivity, profitability...the list goes on. And guess what? If you are the manager turning your head on the situation, your employees won't respect you and your boss will eventually view you as an ineffective leader. That said, as humans we each have different approaches to managing conflict, the key is knowing your preferred style: the style that you automatically use when faced with a problem in the workplace. Once you are aware of your preferred style and other options to handling conflict, you might find that your preferred style is not the best choice in every situation.... another one of the styles might be a better fit to get the results you are after.

So let's acknowledge that conflict can and will happen at work... in other words, it's inevitable. Which communication style do you feel describes your typical approach to resolving conflict?

- **AVOIDING:** Always withdrawing from or sidestepping the conflict; keeping disagreements to oneself; staying away from conflicts entirely. (Not usually the best approach, but sometimes the ideal choice)!
- **SMOOTHING:** Giving in or accommodating the needs of the other person(s) at the expense of one's own needs; going along for the sake of agreement.
- **COMPETING:** Win-Lose mentality; adversarial; standing one's ground; not giving in on issues.
- **COMPROMISING:** Reaching an acceptable solution; giving up something to get something; trade-offs are involved.
- **INTEGRATING:** Goal-oriented solution to conflict; reaching a decision that addresses the concerns of each party arriving at a mutually beneficial solution.

Integrators understand that the other side of the story might provide useful information. They use open-ended questions to draw information from the other party BEFORE deciding on a measured response - and they do not focus on blame.

Any one of these styles might be appropriate, depending on the people involved and the situation at hand. Really understanding these individual styles and impact of using one or the other- or even a combination- will help you refine your conflict management skills.

Attend TPO's upcoming workshop on **THE ART OF EFFECTIVELY MANAGING CONFLICT AT WORK** to learn more:

- Take an assessment to identify your preferred method of dealing with conflict.
- Learn more about the five most common conflict styles.
- Identify when and how to use these styles.



**TPO UNIVERSITY
2004 TRAINING CALENDAR**

HR-101 SERIES

- a training series focusing on the **regulatory compliance** and **HR best practices** – the information & skills supervisors & managers need to keep themselves and the organization out of hot water!

■ **Gilroy** - September-November

MANAGEMENT EXCELLENCE SERIES

- a training series focusing on practical **leadership** and **communication** skills to help managers develop or refine their effectiveness as leaders!

■ **Gilroy** - November-December

YOU ASKED-

WE DELIVER!

Due to popular demand TPO's **HR-101** is now offered in **SAN JOSE!**

■ **San Jose** - 3 full days:
October 13, 20, 27.

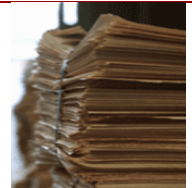
[Click here](#) to register!

SPECIALIZED WORKSHOPS

- **The Art of Effectively Managing Conflict at Work** - October 12
- **Motivating and Retaining Employees** - November 10
- **FMLA/CFRA/PDL Compliance** - December 1

HR Regs

**RESUMES, APPLICATIONS -
WHAT DO I NEED TO KEEP?**



Q: "I am getting bombarded with applications and resumes - I don't need to keep them if I don't have openings, right?" (And if I do keep them, am I required to give them consideration when hiring for future positions that do become available)?"

A: IT DEPENDS!

The Fair Employment and Housing Act (FEHA) requires all CA employers to retain all applications and resumes submitted for solicited, bona-fide positions for two years. A bona-fide position is one in which the company has solicited applicants for an open position through advertisements or through word of mouth. You are not required to keep unsolicited resumes or applications. If a person stops by your company (unsolicited) and asks to drop-off a resume even though no position was advertised or available, it is not a bona-fide position. In this case, your best bet may be to say, "We appreciate your interest, however we are not hiring for a position at this time. We do, however, welcome you to apply if you learn that we are hiring for a position." Unsolicited mailed resumes present another potential problem; some employers even send the resume back to the applicant along with a note explaining that there currently are no openings for the position sought.

Some employers accept resumes and applications for future reference even when there are no present job openings. In these cases, we recommend conveying to the applicant that the application will be retained, but there are no guarantees it will be referenced for future openings. As long as the employer has made no verbal or written agreement to review the resumes and applications in the future, there is no obligation to do so.

On a similar note, while it is tempting to let an unsuccessful applicant down gently, be careful. Many hiring managers tend to kindly say, "We hired someone else for the position, but we will call you when there is another opening". At TPO, we recommend that you say something like, "We hired the person whose skills and background most closely matched the position and our needs. If you would like to submit an application when future positions become available, we encourage you to do so." The first statement implies that you will give consideration to the applicant in the future, (the proverbial monkey is on your back...) while the second statement puts future action where it should be – on the job seeker.

Check out TPO website to learn more about **applications**, or in general about how TPO can help you with your **hiring needs!**

HR Rumors

**FIND OUT THE FACTS
STRAIGHT FROM YOUR TPO EXPERTS!**

Rumor:

I understand that "At-Will" employment means that employees can be terminated "at-will" for any reason, no exceptions.

Fact:

No. California is an "at-will" employment state, meaning that you or your employee can terminate the employment relationship at any time. While it is recommended to establish an "at will" relationship with your employees, there are scores of exceptions to "at will" employment, including statutes pertaining to discrimination, retaliation, and protected activities. Proceed cautiously!

Note: Make sure your **Employee Handbook** clearly states the "at-will" policy. Don't have a handbook or haven't updated it for a while? Talk to your TPO Consultant about the benefits of having a current and compliant Handbook!

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TPO HUMAN RESOURCE MANAGEMENT provides "outsourced" support to help employers understand and comply with confusing employment laws, train managers to avoid costly mistakes and promote positive employee relations.



FEEDBACK: We hope you enjoyed reading TPO HUMAN RESOURCE MANAGEMENT's E-Newsletter. If you have comments or suggestions, we welcome hearing from you at tpo@tpohr.com.

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