



Season 3, Episode 4: “Building Bridges: The Art of Employee Onboarding”

Speakers: Lee Jacobs and Rosemary Enright, Barclay Damon

[Lee Jacobs]: Good morning, and welcome to the *Labor & Employment Podcast*, everyone. We’re pleased to be here in our third season and our fourth episode. And my name is Lee Jacobs, and I’m being joined with my colleague Rosemary Enright to discuss what you need to know about the proper way to onboard ... and hence the title of our episode, “Building Bridges: The Art of Employee Onboarding.” But before we jump into it, good morning, Rosemary, how are you?

[Rosemary Enright]: I’m great, Lee, how are you today on this... it’s of course, who knows when people are listening to this. But I have to tell you, it’s a blustery day here in Buffalo.

[Lee]: I heard potentially snowy is the correct word, not necessarily blustery.

[Rosemary]: Yes. Well, I didn’t want to say snowy because it’s March 19 and everybody will say, of course, Rosemary, but we did have 65 degrees last week. But, yeah, it’s just blowing around out there pretty good right now, but it’s not sticking.

[Lee]: So that’s a good thing. That is down here in the city. It was a cold start this morning, but it is warming up and getting better as we move along. But I’m thrilled to be with you again to continue our discussions. I’ve truly enjoyed them. I’ve gotten some good feedback from some of our listeners. And I think we’ve got some good ones coming on here. And we’re starting from the very beginning of the employee relationship here now. Onboarding, and the proper way to do it.

[Rosemary]: And can I interrupt you for a second?

[Lee]: Of course.

[Rosemary]: I just want to say to our listeners, we actually had a couple of listeners reach out to us after listening to the employee handbook discussion. We had, Lee, and they said, hey, could you help us out with this? So I just want to let you know we’re always here to help. So don’t, you know, sit there and you’re listening, pause. Listen, trying to, you know, look at your handbook and make updates or check. Am I compliant? We’re happy to help. So I just want to let you know because you said we’ve gotten some great feedback and that is true. And as I said, we’ve had several people reach out and ask, could you help us? So I just ...

[Lee]: Without a doubt and the same is true with this with the onboarding process, because I’ve found in my career not just as a lawyer but as a, you know, human since I was, you know, my first job when I was 15 years old. Really, day one sets the tone for the employee relationship. And this is one of the few areas, where as the employer, you have full control over what, the first day, first week, and the first month looks like. So do it right. You know, there is the right way to do it. And then there’s the legal way to do it. And we’re going to hit on both of those things today. You know, also to keep in mind, onboarding and employee retention, and employee training and hiring is expensive. So onboarding is a good... effective onboarding is a way to minimize costs, retain your employees. And of course, at the end of the day, have a better workforce and save you money.

But before we do that, I think as is now customary with our podcast, we should start off with a fun fact for the podcast. And for me, I actually have a relevant, fun fact. That's the... to onboarding. So my first job as a lawyer, a lawyer, not my first job as a shoe salesman when I was in high school, but as a lawyer, graduating—after I graduated law school, I showed up to the law firm on day one, said hi, went to the receptionist, said, I'm Lee Jacobs, I'm here for my first day. And the receptionist says, you're who from where? And she has me sit down and then the receptionist makes a phone call. And then about 10 minutes later, I later learned who was the director of HR comes out, and she says to me again, your who from where now? And I said, um yeah, hi, partner X hired me and today's my first day. And she went, well, partner X is in Florida. He didn't tell me anything. Why don't you just sit here for sit here while I figure it out? And my first day was sitting in a conference room doing nothing, and that kind of set the tone for the rest of my time that I was there. And so from a personal and a professional standpoint, I always encourage and try to tell people onboarding is the way to really set everything off on the right foot. I don't know if you've got an onboarding story, Rosemary, but I turn it over to you.

[Rosemary]: Well, first of all, I have to say that is quite the story. I can't imagine. I think I would have been like, you know, this is not the place for me. You know, I want balloons. I want a welcome... you know, you're here, but, you know, I'm going to go with an irrelevant story.

[Lee]: Love those too.

[Rosemary]: All right. I'm going to go irrelevant. But who knows? In the middle, I may all of a sudden think of something. But we were just out in L.A. over Oscars weekend and were lucky enough to go to one of the parties. And so I'm sure he is not listening to this podcast, but Lee, I have to shout out to Sterling K. Brown. So for our listeners, if you're not sure who he is, he is an actor. He was on "This Is Us." He played Randall in "This Is Us." He was also he's been in quite a few movies, but he was associated with the Oscars this year because he was in "American Fiction," which was up for Best Picture with Jeffrey Wright. And he was just... I talked to him probably for about 10 minutes and I just want to say what a great guy. So it was interesting to talk to him. And if you've seen him in both and "This Is Us" and "An American Fiction," talk about range. I want spend the time going on, on and on about that right now. But that's what he and I were talking about. And he was laughing and he said, I so appreciate you recognizing it. And I said, how could you not? You couldn't get two more different characters, but so shout out to you, Sterling, if by any chance you happen to do Barclay Damon's L&E podcast...

[Lee]: Well, we'll have to ask our media team to send him a link to this... or his team to get a link to this. But it's great to hear sometimes, you know, when stars and celebrities turn out to be good people, you hear sometimes that they're just bad people. That's such a good thing.

[Rosemary]: Yeah.

[Lee]: Yeah, but. So let's jump into it, I think.

[Rosemary]: Yeah.

[Lee]: And if you are a regular listener of ours, you're going to be hearing this theme from me over the next couple of episodes. So we're going to be talking about onboarding and investigations, and off-boarding, you know, letting employees go. And before you... and this is where I come in, I want to say "step zero," which is actually before step one, you need to make sure, before you're ready to do the onboarding, the off-boarding or the interview, the investigation that all of your ducks in a row. So like for me, they my... you know, that first law firm that I work for failed at step zero. There was no communication from the department to the HR that was supposed to do the onboarding that one, a job is open. The job has been posted. An applicant has been applied, and we've hired them, and now put them into payroll and get them ready for the whole system. That failed. And that's not necessarily a legal requirement. But there are legal problems if you don't do it right and

that's the first thing here. Job descriptions and job postings, particularly, can be very problematic if they're not correct. So, for example and Rosemary, I'll give one job description problem that I know of in a job posting, excuse me, problem that I know of, and I'll ask you if you know it. So I came across this office of the Equal Employment Opportunity Commission in Boston that all they sit and do and do is troll on LinkedIn and look for positions that say "waitress" or "waiter," "hostess or "host"... things, "busboy." Positions that imply only a certain sex can do that job. And that job posting is per se, meeting automatically, in violation of the law. Because how can a girl be a busboy? And as you all know, for my avid listeners here, my practice area focus is in hospitality. So we had a change about five years ago in the industry where we went from busboys to bussers. You are no longer "hostesses" and "hosts." You are "greeters." You're no longer "waiters" and "waitresses," you're servers. So a job description, right? So if you have a rogue manager who's posting a job description or a job posting that does not coordinated with the business, it could be a problem. You have any you have any thoughts on this, Rosemary?

[Rosemary]: Yeah, absolutely. Well, and well, another one, Lee, that comes up a lot is "recent graduates." All right. "Recent graduates preferred," right? And you may be sitting there thinking, well, why is that a problem? Well, if someone's a recent graduate, what comes to mind? They graduated from college. They're maybe 22, 23, 24. I mean, some people are on the five-year and the six-year plan, but ...

[Lee]: Exactly.

[Rosemary]: But they're in that 22 to 24, 25, you know, age range. Right. And so we have actually handled some charges, Lee, in which person who was over the age of 40 said, I can't look at this job application. They're clearly looking for younger applicants because I'm not a recent grad. Right.

[Lee]: Yeah.

[Rosemary]: And so absolutely. And you know, the other thing, Lee, that has been quite interesting is, you know, a lot of companies will conduct a criminal background check. Have to be very careful about whether or not that is in the job post and how you state it. We have handled several charges of discrimination, saying that because of the way it was written in the job post about the background check and what was required and the complainant said it had a chilling effect. I looked at it and I thought, well, clearly the organization isn't going to hire me. Right. And so never gave us the opportunity, never gave the employer the opportunity to even engage in the individualized assessment under Article 23A of the corrections law, but didn't matter. In fact, we were not successful with the charges. And so there are a lot of pitfalls. And in fact, Lee, as we're talking about this, we should think about maybe doing a session on job postings.

[Lee]: I think... I have a feeling we're going to be saying that a lot during this podcast.

[Rosemary]: I think you're right.

[Lee]: Here in this episode, because here's another one. For example, in New York City, you have to now include a salary range in your job posting, and it needs to be a meaningful salary range. You can't be "minimum wage to \$500,000 a year." It has to be meaningful and real. So I think the key here is as it comes to be for your employees, even made an application to you—and we could do a whole episode on applications we were talking about earlier before someone does even apply and says, hi, I want the job. You could have already broken some laws and already been in violation. So here it's important, I think, before you even accept applications, make sure a job opening is valid, exists, and your posting is correct. And if you ultimately do a job description, that the job description is correct and right as well. And that's all things that we here can help you with. So please feel free to reach out. So before we now actually jump into the onboarding process, anything to add? Rosemary, before I also give a slew of some crazy onboarding statistics.

[Rosemary]: No, no, no, no. Just let's hit it with the statistics that will rock all of your worlds.

[Lee]: So. So here are I'm not going to give all of them. I have 16 statistics that I found from a Clickboarding 2024 study, but I'm going to give some of the ones that I thought were kind of really shocking here. The first is that one in three professionals reported that the quality of their onboarding program was not up to standard. So the people that are actually doing the onboarding program themselves, one third of them felt that the program was insufficient. And that's a common theme that I found in my practice that nine times out of ten, unless you are a Fortune 500 large business where you have professional, educated HR professionals, usually the person who's doing HR is a trusted family member. Someone that's been in there since day one that doesn't have the education or the experience, and they have just now fallen into the HR role and they need support and they need help. And this number shows that. Another one here: 58% of organizations say that their onboarding program is focused on processes and paperwork. That's a question of whether or not it's a good thing or a bad thing. Do you want to just have an employee on day one sit and fill out paperwork, or do you want to have them to be... have an orientation and understand what the business is, the culture, and how things work? Another one, another focus here is 93% of businesses agree that onboarding can help new hires decide whether they want to stay. We just you know, for me, I stayed at my first job. Rosemary, you would have walked away. And the last one that I want to give here is that a negative onboarding experience can make new hires two times as likely to look out for new jobs. So from day one, if you don't set off on the right foot, it is... can cause a problem. So first, there's a difference between onboarding and orientation. Orientation is a single event. That's that day where you walk in and you orient everyone to...here's the bathroom, here's the cafeteria. Think of your first day of school. Right? Here is your orientation day. Whereas onboarding is a comprehensive process where you fulfill all of the legal requirements to make someone an employee. But then separate from that, you are making them a part of your team. You're making them part of your culture, you're folding them into your organization. What... Rosemary, what do you see in your career as you help clients? What do you see as the goals of onboarding? What do you what do you advise people? What's the point? Why do we do this?

[Rosemary]: Well, I have to say, as I was listening to you say that, I thought to myself, I don't know that I could say it any better. I thought that was perfect the way you said it. I don't know that I could add anything to it. The only thing I would say is, you know, when you were going through the stats and you said whatever the last one was, with the process and the paperwork. One of the things I always say, even with the onboarding, which is, as you said, the legal and getting them, you know, here, here's your IT password, here's your fob, here's all of this. The other thing is you can't just make that rote, right? So I've looked at, you know, personnel files when I'm responding to a charge. And I see that, you know, the onboarding, because a lot of organizations have an onboarding checklist, right, Lee, you see it. And it says at the top, you know, welcome. And then, you know, their I-9 and their W-4 and that sexual harassment policy. And there's a list and I'll just see just a line down it. So they've just went right down the line. And they have done it in like half an hour or something. That's not effective. All right.

[Lee]: Correct.

[Rosemary]: So, yes, in New York state and the federal government, you know, require us to complete certain forms. But again, as Lee said, you are this is this person's first day. Think of, you know, your first day, like you said at school, how nervous you are and you're trying to learn everything and that. If you're just getting a firehose of information at you, none of that is setting in, right? It's not. Yeah. And you're not absorbing it. So I'm not saying you have to drag it out forever, but it's also not just going through the motions and drawing the line down the onboarding. Okay, here I just handed them everything and now I'm done. So

[Lee]: I actually create checklists for my clients for their onboarding process. But the last checklist item is incorporate into culture, like set meetings, assign a mentor like you with people, we're human beings. We make mistakes. So checklists help prevent that. Yes. So build it into the process.

[Rosemary]: That's right.

[Lee]: And I think that's part of one of an effective onboarding program is you actually have to plan it. You've got to create it. You have to think about it. It's not just, let me get your I-9, let me get your payroll, you're good, your good to work. No, it's more than that. Now, obviously, every business is different and not every business needs a full-blown, multi-week onboarding program and mentors, etc., etc. But you have to look internally and decide what you need, what's best for your business. How can you make your culture known and apparent to your new employees? How can you integrate your new employees into your culture? How do you foster includes inclusive excuse me, jumbling of the word? How do you make it an inclusive environment?

[Rosemary]: Yes.

[Lee]: Foster that environment for everyone.

[Rosemary]: And I'm an interrupt you for a second because I think the point for all of you is you're sitting there listening, thinking, wait, you know, I've got 20 employees or I've got 50 or like you said, I'm the HR person who is the relative. I don't have the time to do all of that. I think, correct me if I'm wrong, Lee, what we're getting at here is at least think about it. Think about what is important and know that. So, yes, those of you who have looked me up on our on our firm website, you can say I was with Oracle for 16 years. Okay the way Oracle is going to onboard people is going to be wildly different than some small manufacturer in, you know, Albany or something like that. But at least think about it. Think about, as you said, Lee, how do I, or how do we incorporate, like you said, incorporate the culture and this person so they walk out feeling, you know what, this is the right place for me. And by the way, I understand I may not have read the 50-page handbook, but I at least have it. Or I know who I can go too, and so on. So sorry to interrupt you about...

[Lee]: No, no, please. And that brings to the next point. Like you, as I see it, you have to when you're doing this internal self-assessment of what works best for you. Oracle, I'm going to assume had a very formal and rigid onboarding program.

[Rosemary]: Yeah, absolutely.

[Lee]: And whereas one for my first job as a shoe salesman in high school, was a very informal program and it worked, right? It did. What you need to have the program that works and matches what you have because imagine you're a, you know, a ten-person coffee shop. Having a formal, two-week onboarding program does not make sense, but maybe it does make sense to have the manager spend a hour or two with that employee on the first day, going over the handbook, going over the policies and procedures. You really need to figure out what works best for your own business. And as Rosemary, I think you said, think about it. Just think about it.

[Rosemary]: So. So, Lee, you know, before we move on to the next little section here, you know, as we're talking about the onboarding and not at all saying, you know, we should have a multi-day session, it's what works for your organization. But would you agree, Lee, that onboarding, I mean, the onboarding and how successful or how well we do that could come up, you know, six months or a year or two years later when we're dealing with a wrongful termination and somebody is commenting on how they were or were not onboarded.

[Lee]: Yeah, absolutely. Like the problems that will....as is with so much in labor and employment, things aren't a problem until they are a problem. But the problems will begin literally on... as we talked about with the job descriptions, maybe on day zero, nine times out of ten with individual employees, I agree with you. They start on day one. So, you know, not even the, you know, discrimination and harassment where you didn't give the policies, you didn't give you the complaint form. Things we're going to be talking about here that you're required to do and we talked about in our prior episodes. But if you don't onboard properly, like, for example, give a proper wage acknowledgment form and we're going to be talking about that today. You start accruing a \$50 per day penalty that begins on day one, and you can't go back and fix it. You can't go back and backdate it. You can't fix the mistake. It's just happens and it's there. And that penalty accrues daily up to day 100 to

\$5,000 per employee. And odds are, if you're making a mistake with one employee, you're probably making it with all of your employees. Right. So start right on day one. You're 100% correct, Rosemary.

[Rosemary]: Because you know doggone well, Lee, it's going to come up well on the right out of the gates. They did this wrong. They did this wrong or they didn't do this or they didn't tell me that. And as you said, you can't recover. What's done is done. So and so easy to do it right from the beginning. It is.

[Lee]: It is. And I have found that most people know what the right thing is, the right... the right conclusion. It's the process to get you to the right conclusion. And let us help you get... make sure you're doing that right process here. Here's a question for you, Rosemary: Where do you advise clients as to where they're onboarding documents? Right. So now we haven't hit on them yet, but we will and we're because we're here in the planning, the process phase, where should their documents live? The...They filled out their I-9. The W-4 is the emergency contact information. All of the documents that they sat there and filled out in the paperwork. Where do you advise clients they should let those documents?

[Rosemary]: I was trying to come up with a wise answer, but I couldn't. And but I do have to say, I think that's kind of a trick question, isn't it, Lee? Because there's all different forms reside in different places, right? And so, for example, all the I-9 paperwork I'm going to keep in a separate file. I'm going to advise my client, you have a separate file where you keep all your I-9s, some keep it in the personnel files. I have them keep it separately. You know, their W-4, all their tax forms and their emergency contact. You may disagree, Lee, but I'm going to keep that in a personnel file. All right. I suppose one could make the argument that you put the, you know, the contact information, you know, in a medical file, but it may not be something related to medical. So I like it in the personnel file. But depending on what we're talking about, there are different places that I would have them store them. But the bottom line is, they're secure wherever they are. So it doesn't matter if they're... you know if they're in a file cabinet and ...story. True story: I was onsite with the EEOC, and that way they were doing investigative interviews. They came into the HR office and the investigator was sitting there looking and there was a wall of all the file cabinets where everything was stored. But guess what? None of them locked.

[Lee]: Oh! That's a problem.

[Rosemary]: Of course. And the investigator looked and said, do those lock and the... and innocently, before I could stop my client, he said, well no and... bam! We were never... dead in the water out of the gates. So. So if it's in a file cabinet. All right, the file cabinets have to lock and again. And actually what's interesting, too, is they also had the medical files, right, with the personnel files. So right behind it. No, put it in a separate cabinet or a separate drawer that again, locks. And by the way, the room has to lock, where even where the locked file cabinets are. What were you going to say, Lee?

[Lee]: I was going to say my question to you is, do you have a feeling between paper versus electronic documents and saving things? But before you answer, I'll let you ruminate on that.

[Rosemary]: Okay.

[Lee]: And the way that I tell people that if you're going to do paper records, they need to be inside a locked room, that few people have keys and then inside a file cabinet, even less people have keys, which is. And then the...

[Rosemary]: Exactly! That's the same thing I was just talking about with EEOC, right. And they say.

[Lee]: And the same concept applies to your electronic whether you be electronic or not No, I want to hear your thoughts on that same concept. You can't share it with everyone. It's on a need-to-know basis. Yes, it's electronic, but do you like electronic HR records? Personnel files?

[Rosemary]: Well, full disclosure, when I am, you know, engaged in litigation, I like paper. I will admit it. I'm old school that way. I want to be able to sit and look at it and flip through it and read it and market and make comments, you know, all of that. But at this point, I also like trees, and the forest. Now I'm being a wise guy there. But no, I'm leaning more toward electronic now myself.

[Lee]: And then and to is sorry to depose you or cross you a little bit... by electronic do you mean like a where I'm using an HRIS through my PEO where I'm filling out a electronic form of, like, my emergency contact sheet or I have a paper copy, and it's scanned and saved. All right, what are your thoughts? See?

[Rosemary]: Well, see, that's just an old school preference thing. So. So. But you know what? Actually, what I'll say to that is I like, you know, paper and scanning, but often that's hard to read. Right. The writing and all of that. So I you know, I don't know, I guess I'm starting to lean toward, as you just said, some system where they're typing everything in. Well, what about you? I'd be curious to hear.

[Lee]: I have no preference. But the my preference is if you have it, keep it and there are no excuses anymore. Right. So I had after Hurricane Sandy, I had a client whose time-clock records he had like Fred Flintstone punchclock, you know, punchclock records, you know, six years' worth of records in the basement of his house that washed away in Hurricane Sandy. Literally had a video of the records being washed away in Hurricane Sandy. And it was the AALJ said, too bad. So sad. It's 2016. Dear listeners: it's 2024. There is no excuse, in my opinion. If you want to do paper, there's no excuse to have a paper backup. And conversely, if you have electronic records, there's no excuse for you to have a backup of those electronic breakdowns. We have a client of the firm, Rosemary, that I had a problem with their PEO who was deleting their HR records and their their former PEO, their former payroll company, excuse me, who was deleting on a daily basis records that were... so today's March 19, 2024, on March 18, 2017, erased. Tomorrow, March 19, 2017, erased. Daily each day it gets erased. And the records that we need are now gone. Because if something didn't wasn't a problem until it was a problem. So when you leave your PEO, your payroll company, your outsourced HR, You leave Google, you leave Dropbox, whatever it is, take a backup with you. It's 2024. There are no excuses.

[Rosemary]: That's... it's true. I love that. I love that "there are no excuses." But you're absolutely right. And I actually had a client. Same thing. They ...the records were destroyed in a fire and they... we ended up with a discrimination charge and the EEOC asked for specific records. We couldn't produce them. Fast forward 10 years. And what was it, over \$1,000,000 in damages awarded to the complainant for that.

[Lee]: And the... if you all haven't figured it out, you as the employer must have the records. And there are few, if any exceptions or excuses that will be accepted by anybody.

[Rosemary]: Except maybe the dog ate it.

[Lee]: Ehhh. You got to get a friendly investigation from an auditor who's a dog lover perhaps. Yeah.

[Rosemary]: That's right.

[Lee]: So I think, Rosemary, we should breeze through this, this next concept that I that I put together.

[Rosemary]: Okay.

[Lee]: On onboarding best practices. Right. So think about we again, haven't really spoken about legal things here. These are best practices to make best business decisions, but make your people feel welcome, make their, you know, announcements that people are prepared for a warm reception. Plan if you can, depending upon your business. Again, look internally, what works for you. Coordinate with supervisors, set up schedules so they can meet with people. Think about the first day and the first week training and development. Should you assign a mentor to this employee? Just take a moment and think about it. Do you have any thoughts on these concepts?

[Rosemary]: No, I'd agree with you. And I have to say, I think our firm does a great job of this. I mean, so, Lee, you were a part of it. I mean, Lee is, is a fairly recent addition to our firm. And I mean, how many days I mean, there was a whole set schedule. You know.

[Lee]: I, I had I, there wasn't a daily schedule for two weeks, but I had appointments going for through the first two weeks of my time here with people from different groups making sure I was trained and onboarding. And you use the phrase earlier, Rosemary, about like a water hose. It felt like drinking from a water hose at some point. A fire hose...at some points. But it did show, you know, the experience just for me from my first employment where "you're who from where now?" to, I showed up on my desk with my personalized schedule with appointments through the next two weeks. It's like, wow, these people actually think about me, they care about me, and they want to make sure I'm incorporated into the culture, into the firm. Makes a big difference.

[Rosemary]: It does it really.

[Lee]: Very, very big difference. And before we jump into the minutia of it, the last thing that I want to talk about of the minutia of your onboarding, the last thing I want to talk about is that we always need to consistently think about ways to improve and make it better. So check with your people, your people that are doing the onboarding, what support do they need? Check with people who have been recently onboarded. How can the program be better? How can it be made and improved and most importantly, set up time to audit the processes because we are human beings and we can make mistakes. So you can have a new person who's doing your onboarding that forgot to do X for everybody rather than learning about it six years later, when you're served with a lawsuit, perhaps, maybe you learn about it every six months. When you do an audit of the people that you've been onboarded. So you can perhaps go back and not necessarily fix the mistake, but stop the bleeding from continuing to happen.

[Rosemary]: There's a visual for you. Stop the bleeding, I always think, stop the hemorrhaging.

[Lee]: There's for you know, for so many of my clients that wind up either in lawsuits or the DOL audits. And we're not talking discrimination, harassment. We're talking about whether or not they've been paid, Right? Yeah, it's usually death by a thousand cuts. It's not that I didn't pay you the \$50,000 check. It's, I didn't pay you a dollar a day over the last six years. And then the fines and the penalties add up and it has... becomes a problem. Last topic here, Rosemary: special considerations. How do you know in this post-pandemic world... onboarding remote employees? Do you have any thoughts on that?

[Rosemary]: Well, you know, so and I have some employers who are clients who are larger and they can they can travel somebody. Right, travel them if they're to have. Now, if you say remote, like we've got I've got several clients right now who are based in New York, but they're letting people work anywhere now. Right. They have got people in Texas and Nebraska and Florida and Alabama and all over. And in some instances they will fly them to one of their major offices or their headquarters to onboard those individuals. Others, you know, unfortunately, they're doing it via Zoom or Teams. But when you do the onboarding with those individuals, it should be the same. Right. The same documents, the same process that you're following. You're just figuring out a different way to do it. As I said, it's maybe it's on Zoom, maybe it's a telephone call. Maybe it's them traveling to an office that's close to them. But at the end of the day, they need to be, you know, incorporated into the culture, and welcomed and onboarded just like everybody else. And realize there are some laws are come into effect here. So again, there's another episode, Lee. You know remote employees because you think about it like in New York now all of your posters, right so all of our state and federal wage and hour and your antidiscrimination and harassment—all of those have to be available electronically. Right. So now you've got and so you've got to set up your remote employees with access to that. So, I mean, there's you know, it can seem like a lot, but if you have a prescribed onboarding process and you've got your checklist, then you just figure out which of these are done. And in this way on Teams or on the call or bring them in. And, you know, and like you said, hello, it's 2024. A lot of this stuff can be sent electronically.

[Lee]: And I and I think too, to have another personal story and to toot Barclay Damon's horn as our listeners know or don't know we have a platform that ranges through the entire Northeast and then into Canada from Boston down to Washington, from New York City up to Buffalo through Albany and following the Erie Canal, heading up Rochester and Syracuse. So I'm in New York City, Rosemary is in Buffalo. So one can say I am a remote employee. And I did have those two weeks of my orientation, my onboarding at the beginning, I had meetings scheduled via Zoom with people in different offices. It was made a thought, a thought process here of the firm to incorporate people regardless of where they are. And even though I'm a remote employee. So it can be done, it's 2024, it really can be done. What about high level employees, Rosemary? Do...so a business that's onboarding or bringing on their new president and CEO, a high-level executive, do they need to go through this process as well? You know, this minutia that we've been talking about and we will soon be talking about.

[Rosemary]: I say yes. I say yes, Lee. What do you say?

[Lee]: I absolutely that for a couple of reasons. First, they're your actual employee. So they... the legal requirements apply to them as well. But, you know, if they're going to be overseeing an organization or they're a high-level manager or a department, whatever it may be, they should know what their employees go through.

[Rosemary]: That's exactly what I was going to say, Lee, exactly.

[Lee]: Yeah, they should absolutely know. And what if there's a message that's being said in onboarding that they want change? They'll never know that information until they actually engage in the onboarding process. And I think, Rosemary, you know, and dear listeners, please apologize with us. I think we're going to probably break this episode into two pieces, and this is going to be our first episode talking about the goals and thought processes behind the onboarding and the minutiae of the onboarding will be our next episode, which we will post very shortly after this one. So the last topic, I think here of special considerations, Rosemary, employees requiring accommodations. This is one that is.. I found to be not problematic, but something of a... takes time and understanding and depending upon whether you are a professional HR person or that family member that's now doing it for the family business. Because sometimes we don't know an employee needs an accommodation until they actually have started on day one or we're in week two or whatever it may be. What are your thoughts? What are your thoughts on this, Rosemary?

[Rosemary]: Well, you know, if I if I understand what you're posing to me, what I'd say is, you know, we're going to you're going to engage in an interactive process, just like you do an employee who's worked for you for six years or 10 years or 20 years. And something changes, right? Something changes and they now need an accommodation. And so the key for me is you engage in good faith with that individual to determine what, if any, restrictions they have and what, if any, reasonable accommodations we can make to ensure they can perform the essential functions of the job. And you always just focus on the job, right. And what they can and cannot do and the essential functions and how do we make it so you can perform those. So to me, it's the fact that they're a new person that I'm onboarding is no different than, as I said, someone who's been with us for years. It's a good faith interactive process with them. I don't know what you're thought on that.

[Lee]: I think that's right. No matter what, it has to be the good faith interactive process. And here to Barclay Damon's horn again. Right. I had as part of my onboarding process an ergonomics review and so for those that don't know what that means,

[Rosemary]: I did not know we did it

[Lee]: To make sure that, you know, when you're sitting at the desk, everything's comfortable and etc., etc., you can't tell this, but I'm 6' 4", and the desk that I originally had in my office was way too low and I could not roll underneath it. I wouldn't necessarily call that a disability accommodation, but I needed an accommodation. And Barclay Damon found that out because of its thorough onboarding process without

actually having to come up and say to me, Lee, do you have a disability? Do you need anything? Do you need any help? Which in and of itself can be problematic. So if you think about it with your team, when you're making these planning processes, you can get to the root of the problems you're trying to solve without actually asking the outright question. And again, these are all things we can help you with.

[Rosemary]: Yeah, well, and again, and it's as simple as like you said, somebody might have recognized because you're so tall. But the other thing is, you know, often when you're... once someone has been made a conditional offer of employment, you can sit down. Here's the job description. We talked about that. Let's go through it. Does again, while you're not out there on the floor doing the job, you're looking through this. Do you understand what these what these duties are and these responsibilities and these functions? And do you think you can perform all of those. Right. And so that's when something like this would come up, Lee, right? Somebody might look and say, you know what, this particular function might be a challenge for me. Okay, well, let's talk about that, you know.

[Lee]: And I think that is probably a good a good ending place, because that will lead very well into part two of our episode of "Building Bridges, The Art of Employee Onboarding." And dear listeners, we thank you for listening. As always, we'd love to hear from you about your thoughts. And we have a specific question for those of you that are listening to us on Spotify. And this is a question that I posed to Rosemary, and we're curious to hear what you think? Where does your onboarding paperwork live? And you'll see the various choices that will be posted up on Spotify, you know, whether or not you have any onboarding paperwork, whether it's paper in a file cabinet, electronically in the cloud or you or it lives with a third party like your payroll company or PEO. Because you need to think about that, because at the end of the day, your documents are the things that are going to save you when you try to recreate what happened three, six, seven years ago. So know where your documents are, protect them, keep them secure, and keep them safe. And until our next episode, we thank you for listening. And before I conclude and hit the end button, Rosemary, do you have any final thoughts, any final things you'd like to impart to our listeners?

[Rosemary]: No. I think we've taken up enough of their time for now. So I'll hold for the next episode.

[Lee]: All right. Perfect. All right. Thanks, everybody.

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