HR Survival Guide for Small Organizations

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This guide is intended for fledgling organizations that find themselves in a position to hire new staff. Any legal recommendations pertain to the United States, though many of the practices will be valuable for people in any area. If you are hiring in countries outside the United States, make sure that you become familiar with employment laws in your area.

Building your staff can be a daunting task. Good hiring is full of decisions for which there may not be easy answers online, or for which a certain degree of nuance is required. For example, what is the right language for the job posting, advertising strategy, interview approach, and pay/benefit package for your specific situation? What are the practices that will help you to avoid making a bad hire?

Even once the hiring process is complete, additional (and sometimes larger) challenges arise. You will need to find ways to keep the new employee motivated, manage him or her effectively, and create a set of necessary policies—all while avoiding any legal missteps.

Small organizations face virtually the same challenges as large employers, yet they often lack staff members dedicated to HR matters or with the relevant expertise. In this document we've compiled best practices around all key areas of HR: hiring, compensating, and developing/managing staff—with extra attention to legal essentials. Our main inspiration was to help animal charities and vegan businesses; however, these lessons apply universally. Included are additional tips that we anticipate may be useful for any project or business model which involves managing people.

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Hiring Employees

The quality of your hires will determine your organization's success. However, it may seem difficult to go after top-quality candidates if you are a new organization with a small salary budget. While that is true to some extent, remember that your mission is a high-value asset. Make sure to emphasize your cause throughout your recruiting process.

You may also have a logistical advantage over competing large employers. Their less nimble hiring process may often require weeks (or even months) to get to the offer stage. The ability to make an offer to your top candidate faster than the next employer can be a winning factor.

Having an efficient hiring process should never mean sacrificing quality or diligence, however. Below are some factors to consider.

The Sourcing Process

Seek as wide and diverse of an applicant pool as possible, as there may be good candidates in places you wouldn't typically consider. For smaller organizations, word of mouth or referrals may be the go-to strategy—as this is cheap and will likely generate candidates already involved with your cause. However, do not limit your organization to referrals only. Another good strategy is to pull from your existing volunteer or intern base—these individuals have already proved their passion and skills, so considering them may simplify the interview process and reduce your risk of making a hiring mistake.

Typical job sites, such as **Monster**, should also be on your list. Many of these sites charge employers a fee, so be sure to check for discounts or free trials. You'll likely receive a fair volume of lower-quality applications from these sites, but keep in mind there are also online job boards specific to nonprofits, such as Jobs That Serve or **Idealist**.

In addition to job sites and boards, be sure to advertise your opening on social media. This has the added benefit of serving as general promotion for your organization. An ideal job posting should be concise and include 5–7 bullet points about the position details. Make sure that your posting states the value proposition of working with your organization. Most organizations post job openings on their website, in addition to social networking sites such as LinkedIn, Facebook, Twitter,

and Instagram.

When collecting resumes, it is not necessary to use a complex system. Establish a clear process for the intake of resumes/cover letters or applications. This could be as simple as having a single point of contact in your organization designated to collect the resumes while recording names, contact information and other relevant high-level data about each candidate in an Excel spreadsheet. This will keep the process organized, in addition to being helpful for comparing candidates and facilitating communication regarding the progress. It is also helpful to track the source of each candidate (e.g. LinkedIn, referral, etc.) so that you have information about where your most successful candidates come from.

JOB SITES:

MONSTER	IDEALIST	SIMPLYHIRED
INDEED	JOB.COM	ZIPRECRUITER
GLASSDOOR	LINKEDIN	WORKFORGOOD
CAREERBUILDER	SNAGAJOB	COMMONGOOD

The Interview Process

It is essential to be organized about the interview process and to think through it carefully. Keep in mind that the goal is to find the best fit for your specific opening. Make sure you are focusing on matching the candidate to the job, rather than simply finding a generally highly desirable and/or well-rounded candidate. A brilliant strategist will make a poor hire if you are in need of a bookkeeper.

Always avoid asking personal questions in order to avoid Equal Employment Opportunity (EEO) or Americans with Disabilities Act (ADA) exposure. For example, if you are asking a candidate if there will be any problems with them staying the duration of the assignment, keep it general, e.g., "Are you able to commit to the full length of the assignment?" rather than "Do you expect to need time off during this assignment due to pregnancy?"

Most organizations use some form of behavioral-based interviewing, where the interviewer(s) ask questions like "Tell me about a time you've had to solve a problem and didn't have all the information. How did you approach it?" The assumption is that a person's past behavior will give insight into their handling of a similar situation

in the future. There are many online resources for behavioral interview questions. Make sure to select questions most applicable to the role the candidate would be performing at your organization (e.g. if they're not going to have direct customer interaction, don't ask about how they've handled a difficult customer in the past).

If needed, you can supplement a behavioral-based interview with what's called an "in-box exercise." Present the candidates with a situation or task that they would likely face in this role, and gauge how well they perform on that task. Examples include: fielding scripted calls for a customer service-type role; drafting a portion of a grant proposal based on a set of requirements; or pitching a product or service on the spot (the well-known "Sell me this pen" scenario).

Leave time for each candidate to ask you questions at the end of the interview. What they ask and how they ask it will provide insight into their values, personality, leadership and other qualities that might not be apparent simply through answers to pre-scripted questions. They also may ask something that you hadn't thought about, but that could be beneficial to consider—such as expectations around a specific part of the role, or the broader direction of the organization.

Whatever elements you decide to include, it's important that you follow the same process for every candidate. This gives you the best chance of ensuring that you take an equal look at each person, and provides protection in case of possible litigation.

The Selection Process

If you have more than one person involved in the interview process (which is recommended; it will provide a diversity of opinion and reduce conscious and unconscious bias), you should also involve them in the selection process. **Having multiple decision makers in the selection process will lead to a better sense of whether the candidate will be a good hire for your organization.**

The selection process style can vary from extremely structured (e.g., every interviewer rates/ranks each candidate on a predetermined set of items, and the candidate with the highest grand total will get the offer) to extremely unstructured (e.g., all the interviewers share their "gut feel" for who would be best for the role). Best practice is to incorporate at least some structure into the process. The "gut feel" approach can yield good hires but it may reinforce the current demographic trends in your organization (age, gender, race, views), despite the fact that bringing in more diversity would be beneficial. You should pre-determine a set of factors that you want the hiring team to weigh in on, and then discuss each candidate in this

framework. You should also document why a certain candidate was chosen over others (e.g., performed best on the in-box exercise and had the most fitting experience). In the unlikely event that a complaint is raised by a candidate you chose not to hire, having a documented process that you followed will be extremely helpful (assuming you truly did not improperly discriminate in your hiring process). For an overview of what is and is not legal to consider during the hiring process, see the final section of this paper and research "Title VII" online.

The Offer Process

Be upfront with the candidates about the likely pay range for your position. This saves you the risk of going through the entire process only to find your top candidate is way out of your reach financially. This is also another reason to always have a second-choice candidate.

There is no rule on who from the organization must make the offer (it does not need to be the executive director or the hiring manager—do what makes sense for the position). However, it is helpful if the person who makes the offer can answer any remaining questions the candidate might have at that time. Be prepared for the candidate to negotiate for more pay or benefits, but don't feel pressured to act on their counter offer on the spot. It is fine to say "I'd like to take a few hours to think about that and get back to you. You should hear back from me by 5pm" or "I'll need to review this with our executive director. I'll get back to you by 10am tomorrow." If you respond in this manner, be sure to follow up by the time established.

Employee or Independent Contractor?

It is very useful to know the difference between an employee and an independent contractor when hiring, not only for internal guidance on interacting with the new hire, but to ensure compliance with the law.

It is often easier—and cheaper—to hire someone as an independent contractor. By doing so, your organization generally does not have to worry about withholding income taxes, withholding and paying Social Security and Medicare taxes, or paying unemployment tax on wages for that individual. You also do not have to provide benefits, or worry about state and federal labor laws (which can be quite strict and onerous in some states such as New York or California). Note that you can always convert independent contractors to an employee status later.

Importantly, you cannot simply "decide" to classify someone as an independent contractor. This designation depends on the nature of the work arrangement. It is primarily a question of who decides how, where, and when the work gets done (i.e., set work hours, specific workflow, instructions or training, etc.), and how the parties perceive the relationship. Independent contractors generally determine their own hours and methods, and they pay their own taxes. (How/how often the worker is paid or whether the work is part-time or full-time may not be key factors.) See a useful decision checklist in the Resources section. Be aware that if you misclassify an employee as an independent contractor, the IRS might hold you liable for employment taxes for that work (plus penalties).

When hiring a contractor in the United States, they fill out a W-9 form. When hiring an employee, they fill out a W-4 form. Both also complete an I-9 form. There may be other state or federal forms or notices you need to provide a newly hired employee, so be sure to familiarize yourself with the requirements in their jurisdiction.

WHAT TO REMEMBER—HIRING EMPLOYEES:

- Make your nimble hiring process an advantage—you might win a top candidate simply by making them an offer first.

- Pursue at least the following sources of applicants: word of mouth, referrals, your existing volunteer base, job sites, and social media.

- During interviews, avoid questions about age, marital status and other "protected areas."

- Look up "Title VII" online for an overview of what is and is not legal to consider during a hiring process.

- Familiarize yourself with key differences between a W-4 hire and an independent contractor to avoid misclassifying an employee.

Retaining Employees

Occasionally you will lose a top employee, and sometimes this happens without warning. In some cases, your employee was seeking something you simply couldn't provide (higher pay, more resources, or a different culture). In that situation, there is little you could have done. In many other cases however, a loss of your top employee might have been prevented. Since the hiring process drains resources and is likely expensive (turnover costs are often estimated to be 150% of the salary of the position), you should endeavor to prevent this situation as much as possible. The strategies involved in keeping excellent employees fall under the category of retention.

Retention is a mix of art and science. It includes some topics formally taught in business schools—such as the principles of motivation, recognition, training, and the process of determining the "equilibrium" level of compensation—but there are also many intangibles. This section shares some best practices based on real experience. Perhaps the single best advice is that all managers in your organization should read Dale Carnegie's tremendous book *How To Win Friends and Influence People*. It covers many best practices on how to interact with people both inside and outside your team, and following these guidelines will help ensure that your organization is as productive as possible.

Compensation and Rewards

Your staff may have chosen to work at your organization because they identify with your mission. In most cases however, they do still require reasonable compensation. In many roles, especially those that are mission-centric (e.g. outreach coordinator), candidates may want the job regardless of pay. In the case of highly-skilled and less mission-centric positions (e.g. software development) you may have to pay closer to the market rate.

You're also not required to completely cover health insurance. If you employ fewer than 50 employees, you are not required to provide any health insurance coverage (note that this has not changed under the Affordable Care Act). At some point however, offering health benefits can become an important way to recruit and retain top talent. If you decide to do this, there are numerous online resources to guide you towards affordable options tailored to small or nonprofit employers.

Depending on the makeup of your workforce, there are benefits that you could

provide at no (or minimal) cost that could be seen as very valuable in the eyes of your employees:

- Flexible work schedules (e.g. core hours, shortened workweeks)

- Flexible work location (telecommuting)

- Flexible paid time off schedule (e.g., rather than 5 vacation days and 5 sick days, a "pot" of 10 days that employees can use as they wish)

In addition, spend some time thinking about rewards beyond compensation and benefits. Smaller-budget organizations (and even well-funded organizations at times) may want to think outside the box when it comes to rewards. Tickets to a great festival or other entertainment event, a staff appreciation event where the boss provides the food, or even a delicious box of vegan donuts coupled with a sincere, clear message on why you appreciate your staff can make a big difference in how invested employees feel in the organization.

Further in the realm of intangible benefits, an extremely motivational tactic that doesn't have to cost anything is on-the-spot feedback and recognition. According to Gallup's **research**, **recognition is one of the main drivers of employee engagement in any organization.** It's also something that many organizations (even those able to pay top salaries) struggle with. Use this insight. Work to create a culture of recognition in your organization by letting people know, specifically and in real time, when they do something well. Recognition can be public or private depending on your culture and the employee preferences; if you can, find out each person's preferred recognition style. Your web design person may love being called out in front of everyone in a meeting for a particularly awesome idea they implemented, but your development person may prefer a private e-mail or phone call to say how much you appreciate their extra work on getting those grant applications in before the due date.

Training and Development

Virtually all employees want to continue to learn and grow once they are established in a role.

At a small organization, a lot of this can and will happen on the job. If you're part of a 4-person staff, everyone is going to need to pitch in outside of their core job description. This benefits the employer (you'll have well-versed employees, plus the work will get done) but may also be appreciated by employees. Highlight this

benefit. If you're recruiting someone to work in fundraising at your organization, will they also have client interaction? Participate in strategic planning? Supervise volunteers? This diversity of experience is often absent in larger organizations where roles tend to be specialized. It's a perk to be able to try new things and build new skills while getting paid. This is also helpful to you in that it bolsters your succession planning—if someone leaves, you may have at least a few others already familiar with the work who could step in quickly.

There are also more formal training opportunities and workshops, which is what most people think of when they hear "employee development." It can make good business sense to send certain individuals to a more formal training opportunity— for example, send your operations manager to a seminar on employment law so that your organization can shore up its HR knowledge. Look into complementary and free-trial seminars, or ask for nonprofit discounts. Try to spread your training budget across departments, as it may cause some friction if the same person gets the best opportunities each year.

WHAT TO REMEMBER—RETAINING EMPLOYEES:

- Read Dale Carnegie's book *How To Win Friends and Influence People* to learn principles and methods strongly applicable to employee relations.

- If your salary budget is thin, think of ways to reward your employees besides pay. Personal recognition should be at the top of your list.

- Health benefits are not required if you have fewer than 50 employees, but they are a strong retention factor in the long term.

- Offer and emphasize diversity of experience and the ability to learn new skills. This is great for retention as well as your operation.

Managing Employees

This is a combination of performance management and assurance that employees are clear about their role. This doesn't mean you need complex bureaucratic management procedures or a thick book of job descriptions. It simply means that you should:

Have some written document that describes the functions in your organization. The process of composing job descriptions before hiring hopefully made you think through each role and put the requirements and success factors down on paper already. Ideally, you will have at least a brief catalogue of all the roles that exist in your organization, plus a visual of the organizational chart showing how the jobs and functions fit together, and who oversees what.

Have a regular process through which you give employees feedback and let them know how they are performing against the job expectations and/or periodic goals. The performance review process should be consistent throughout your organization and conducted by each of your managers who have direct reports. On that note, make sure everyone in your organization has a clear boss. Your less experienced staff will especially need direction to be successful, and even for your senior staff it is essential to have someone formally responsible for the results of the unit or project. In most cases, when everyone is responsible, no one is.

SMART GOALS:

SPECIFIC
MEASURABLE
AGREED-UPON
REALISTIC
TIME-BASED

A key component of a performance management system is having set goals for each employee (see reference on **SMART goals**) against which they'll be evaluated. The mechanism for "measuring the performance" can involve collecting feedback from coworkers or clients, some kind of a rating system (for example: 1: did not achieve, 2: partially achieved, 3: achieved, 4: exceeded), or it could be as simple as

documenting in what area(s) the employee performed well against their job expectations, and in what areas(s) they could improve. The most important thing is that employees know what is expected of them.

The frequency with which you do performance reviews is your choice. You should conduct them no less than annually, and ideally sooner for new hires—perhaps do an initial evaluation after 30 or 90 days. In addition to the formal review, employees should receive ongoing feedback on their performance. The annual review should never be the first time your employee finds out how they are doing. Make sure you have been providing them feedback all along, including specific examples so the employee knows what to repeat and what to avoid.

The performance management process is never a "nice to have." Even in the extremely lucky scenario where your employees are highly competent to the point where they manage themselves, you are likely leaving something on the table if you are not deliberate about goals and expectations. Performance management is a necessity, and it can be your best friend in any situation involving underperformers. The process can spare you the dreaded ordeal of firing someone, if you have communicated to them where they need to improve and given them a chance to do so. Or, if you do have to terminate an employee for non-performance, documented performance reviews are a must to protect you from a lawsuit.

Make productive use of these reviews and give your staff the opportunity to better themselves. They may not be aware of areas in which they could improve, especially in the softer skill areas such as communication (verbal or written), decision-making, workload management, poise, executive presence and so on. Be positive, be constructive and be specific—provide plenty of examples and illustrations of the do's and don'ts. Bookend your critical feedback with positive feedback: first acknowledge something positive about their work, then talk about the area to improve, then end on a positive note.

A note about volunteers: if your organization is lucky enough to have volunteers working alongside paid employees, it is important for the leadership to think through and delineate the differences between paid and unpaid staff—roles, standards, practices, etc. In general, your volunteers should also have direct managers (or at a minimum, access to a manager to provide guidance), goals, and some form of performance review process. You can and should fire volunteers if they do not meet expectations.

An organization's attitude towards performance management is often a testament to its broader culture. You cannot expect employees to do well if you do not have clear objectives and open communication. Be sure that employees are clear on what is expected of them, and that they feel they have an opportunity to advance.

Also be sure that they are given room to thrive, and that they are comfortable going to their manager with issues and suggestions. Insufficient bureaucracy can be just as detrimental as an overabundance of it.

It is important to set standards and expectations for your organization in general. This refers to things that would typically be covered in an employee handbook. While an old-school handbook is not required, it is a good idea to have documentation around broader conduct expectations (e.g., no tolerance for harassment or workplace discrimination), as well as some memorialization of available benefits. This will help you feel secure that everyone is on the same page in terms of broader expectations, and it could also help protect you in the event of a legal complaint. Regardless of what form your employee "handbook" takes, you should have some record of your organizational practices and policies that is easy to understand, consistently applied, and available to all employees. It is also another great venue for linking your organizational mission and strategy to workplace culture. For example, if your organization is devoted to protecting the rights and welfare of all living beings, you want to make sure you don't become so fixated on your mission as to forget to treat your own employees decently.

WHAT TO REMEMBER—MANAGING EMPLOYEES:

- Make sure all employees have a clearly defined role (and goals), receive regular feedback, and have a performance review at least once per year.

- Make performance reviews useful—let employees know about concrete areas for improvement. All parties will benefit.

- Don't forget to apply key management practices to your volunteer force.

- Have some form of an employee handbook documenting general conduct expectations and benefit policies.

Managing Conflicts in the Workplace

Different types of conflict can arise among your staff. Many are natural and can be healthy for your organization, but others can damage productivity and staff morale. The key types of conflicts to watch out for and prevent include the following:

Job and Organization Structure Conflicts

This can include tensions among employees due to unclear job descriptions, ambiguous goals or performance expectations, unclear chain of command, imbalanced workload, perceived favoritism, poor communication, too much or too little management, and so on. What links all of these issues is the ability to resolve them by improving the structure in your organization—which can involve taking a critical look at your management, and perhaps also making some hard decisions. Best is to prevent these issues by investing upfront effort into clear written job descriptions, performance review routines, merit-based promotions, and by nurturing a culture of constant organizational evaluation and open communication. If these issues escalate to a problem, consider actions such as one-on-one candid discussions with your staff, opinion surveys (make them anonymous), or even an organizational "clear the air" work session. Be sure your employees feel the leadership's commitment to addressing the root of the problem.

Discrimination or Harassment Conflicts

These are situations caused by an employee or employees who offend others or create a hostile environment on the basis of sex, race, religion and other characteristics (many of which are protected by law). Make sure to have a zero-tolerance policy for this, even if that means firing your top performer. Often, discrimination or harassment issues start small with "in good humor" remarks and subtle acts—so be sure to get in front of these early. Large companies often put in place mandatory annual trainings or certifications. Think about budget-friendly ways you can do this to keep the concept fresh among your staff.

Personality or Conduct Conflicts

This broad category includes workplace tensions due to strong personalities or conduct that another person considered rude, distracting, bothersome or otherwise disrupting of a productive environment. Here you may find yourself in the role of an arbitrator. If the issue is cut and dry by a reasonable person's standard (for example if someone keeps interrupting others in meetings or has poor personal hygiene habits), step up and have a constructive conversation with the "offender." People often have good intentions or don't realize their behavior bothers others. Sometimes there are cultural differences. Help the employee to see how their conduct comes across in others' eyes—you might be doing them a big favor with powerful career advice.

Remember that your goal is not to make your employees be each other's best friends. Your baseline is a positive environment and good working relationships. Rely on your common sense and watch for issues that get in a way of employee achievement. Lastly, be sure your policies and values apply to interactions with volunteers, community members, vendors, your board and other similar parties.

Knowing the Law

There are various legal essentials related to employment. Though these were mentioned in previous sections, they merit highlighting here.

Many small organizations hire, fire and manage people based on "gut feelings." Although those "gut feelings" can help inform your decisions, they should not dictate them. Especially when dealing with a termination, make sure your decision is supported by specific standards or requirements that the employee was not meeting, and hopefully with documented performance issues as well. Employees can sue for being fired without just cause, or they can file a claim of discrimination if they are in a protected class (which everyone is, since, for example, sex is a protected class—see below). Employment-related lawsuits can be a huge drain of time and resources, so it is essential to set clear job expectations and communicate them to employees, in addition to evaluating performance regularly. Documentation is important—it allows you to demonstrate that proper action was taken in line with your established practices.

The main employment law regulations to be aware of are:

- **Title VII:** Governs (and prohibits) discrimination based on a variety of protected factors (sex, race, color, national origin, and religion).

- **The Fair Labor Standards Act (FLSA):** Governs employee classification minimum wage, and overtime exemption.

Cities and states can also have their own fair employment laws, which may be more stringent than federal regulations (e.g., some cities or states may prohibit discrimination based on sexual orientation, even though this is not as of yet protected at the federal level, or cities or states may have higher minimum wages). Caution is particularly important in small organizations where employees can feel tied by friendship and shared social mission rather than by strictly professional relationships. Both employers and employees can assume a false sense of security that legal issues "could not happen here since we are all friends." Do what you can to keep the relationships professional, especially during the working day.

As mentioned earlier, it can be tempting to want to classify new hires as independent contractors to avoid having to cover them under Workers' Compensation Insurance and pay payroll taxes. However, if the IRS determines that employees were misclassified, you could end up responsible for fines and penalties as well as back payroll taxes, benefit costs, and possibly overtime pay.

Another common pitfall is to fail to pay non-exempt employees overtime, or properly pay for travel or other compensable time. See the FLSA resource below for an overview of what qualifies an employee for exemption from minimum wage and overtime pay, in order to make sure you are appropriately classifying and compensating your employees.

Additional legal regulations apply to larger organizations, such as the Family and Medical Leave Act. If you have more than 50 employees (even spread across several locations), make sure to be aware of the relevant details. While a lawsuit is unlikely, it is not impossible. Your best strategy is to make sure you're familiar with the main legal protections that your employees have. This will help ensure that you're always operating in accordance with the law.

Staying updated on regulations can be a challenge: there can be a lot of them, and they can change. If you have employees operating in more than one state, you will have to keep an eye on several "legal landscapes" at once. Ideally, you should designate someone to keep abreast of developments in employment law (e.g., changes in discrimination law, exemption or sick leave requirements, and any changes in the federal and state minimum wage standards). Some employment law firms or payroll providers offer free e-news and sometimes even live seminars when there are major changes in employment laws (since they're hoping you'll hire them as counsel). Do some research in your area to investigate available resources. Several excellent free sites are noted below. These can be helpful for staying up-to-date on this type of information.

References and Resources

General/Legal

Employment law perspective on policies, and current events: (**HR Hero**)
Hot issues in HR and all varieties of HR topics: (**Workforce.com**)
Wright, Greg (2015). SHRM 10 Tips to Help Small Businesses Avoid Costly HR Errors: (**SHRM**)
Exemption rules under the Fair Labor Standards Act: (**Department of Labor**) Note: most exempt employees in a professional environment will be classified as administrative, but not all; see the Department of Labor **website** for comprehensive guidance on the FLSA.

Recruiting Employees

Potential interview questions: (**Monster**)
Job posting sites for nonprofits: (**Forbes** and **Nonprofit Expert**)
Assistance determining whether a hire is an employee or an independent contractor: (**Flex Professionals LLC**)

Compensating and Rewarding Employees

Market data information: (**Pay Scale**) Note: Pay Scale Allows you to search by position, but keep in mind that data is self-reported
Information on considering health insurance offerings: (**Zane**)
Information on the Affordable Care Act: (**Council of Nonprofits**)
An overview of Gallup research on employee engagement: (**Gallup**)

Managing Employees

Information on setting SMART Goals (considered a best practice in employee management): (**Top Achievement**)

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