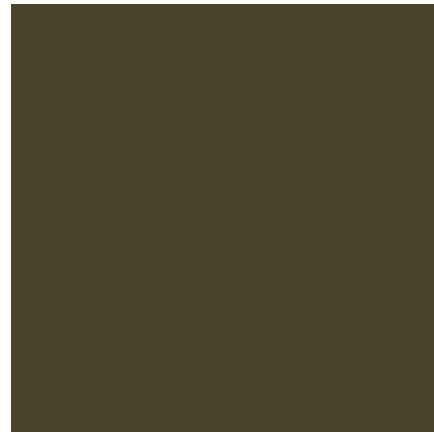




The One-Person H.R. Department



Bryan P. Cavanaugh

The Cavanaugh Law Firm
February 19, 2020

+ No one internally to rely on

- No one internally to rely on
- Relationships with managers
- External relationships with organizations, mentors, colleagues outside
- Keep up on legal changes and technology developments
- Maintain strong relationships with department managers



+ Questions to ask yourself

- What's my role?
 - Limit personnel demands on your time.
- What's the best way to execute my responsibilities?
- What activities do I perform and what do I outsource?
- Will I involve other employees in task forces or projects?



+ Taking time off

- Taking time off
- Make sure someone is cross trained. You need a backup.
- Law will not let you wait, and many employees plan on timing of paychecks.
- Prioritize scheduled time off.
- Communicate your planned time off well.



+ Outside Payroll Company



- Is an outside payroll company the answer?
- Do not fall into trap thinking it will solve everything. Need to work collaboratively.

+ Payroll Timing & Procedures

- Legal requirements of payroll timing
- Set internal procedures so you have enough time to review.



+ Documented policies & procedures

- Good documentation of policies and procedures.
- For you, for someone to cover for you, and for your successor.
- Creates efficiencies



+ Substantive Knowledge: What laws apply?

- Non-discrimination
- Non-harassment
- Workers' compensation
 - In Missouri, 5 employees is generally the key number





Substantive Knowledge: Non-discrimination & non-harassment



- In Missouri, 6 employees is the key number.
- Determine what traits are protected based on employee count at each location
- Need to look at federal, state, and local laws
- Different protections may apply to different offices: how do you handle this?

+ Substantive Knowledge: Fair Labor Standards Act

- Does it apply?
 - Independent contractors
 - Enterprise Coverage
 - Individual Coverage



+ Fair Labor Standards Act



■ Exempt v. non-exempt

■ Overview

- Common exemptions (administrative, executive, outside sales, professional)
- Salary test - \$684/week
- Duty test

■ Common errors

+ Fair Labor Standards Act

- Overtime and Minimum Wage
 - Over 40 hours in a workweek
 - Meal times and breaks
 - Overtime rate



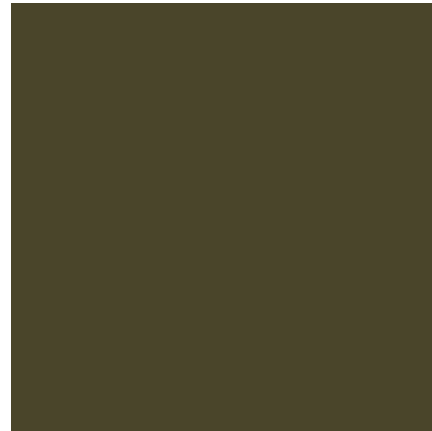
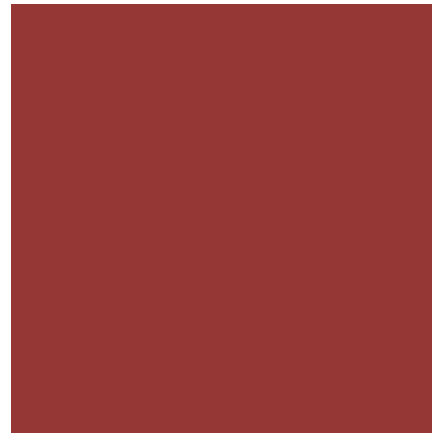
+ Fair Labor Standards Act

- Misclassification
 - Penalties for misclassification
 - Determining the appropriate classifications
 - Correcting misclassified roles





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Thank you for attending!