



The Newsletter of the Office of Human Resources

Federal Child Labor Law



Summer vacation offers an opportunity for many of our youth to solicit employment at the University. Consequently, departments need to be aware of the basic regulations that apply to the employment of minors.

The Child Labor Law is designed to protect young workers from employment that might interfere with their educational opportunities or be detrimental to their health or well-being. This law allows minors who are at least 14 years of age to work. However, it also states that school attendance is compulsory during the school year, and many minors participate on summer school programs. Minors aged 14 or 15 may work in various jobs outside school hours under the following conditions: no more than 3 hours when school is scheduled the following day. If school is not scheduled the next day, minors under 16 may work up to 8 hours per day with a maximum of 15 hours per week. The daily maximum during holidays and summer vacation is 8 hours per day, and no more than 40 hours per week.

Minors aged 16 and 17 may work no more than 8 hours per day and 30 hours per week during the regular school year, and have no restrictions on hours during holidays and summer vacation. Minors are required to provide proof of age to the business or organization that employs them. The following are considered acceptable proof:

- A photocopy of the minor's birth certificate.
- An age certificate issued by the minor's district school board.
- A photocopy of the minor's driver's license.

Youth under 18 may be exempt from classification as a minor, if they provide proof of their exemption in one of the following ways:

- A certificate of marriage, a court order of marital separation, or a writ of divorce.
- A copy of current military orders, a copy of discharge, or separation papers from military duty.
- A copy of a high school diploma, GED, or an official letter from the minor's school certifying graduation.

The Law identifies many jobs as dangerous to the health and safety of minors. Any occupation in which minors may be seriously injured, maimed, or killed is declared hazardous. Minors may not be permitted to work in these occupations. Please contact the Employment Section of the Office of Human Resources for assistance prior to offering employment to a minor.

Benefits Open Enrollment *from September 11th until October 11th, 2000.*

During this period, employees may enroll, cancel, or make changes in the Group Health Insurances (State Plan and HMO's), State Life Insurance Program and all Supplemental Plans administered by the State (dental, vision, hospital income, cancer/intensive care, etc). Employees will also be able to enroll in the Flexible Benefits Plan, and the legal insurances. All changes made during the open enrollment take effect on January 1, 2001. Information on these programs may also be obtained at the Benefits Fairs scheduled for September 27th in the GC Ballroom at University Park and September 28th in the WUC Ballroom at Biscayne Bay Campus. Both Fairs will take place from 9:00a.m. to 4:00p.m.

This year the Division of State Group Insurance will send the Open Enrollment package to the employee's home address. (There will be no packages mailed to the employee's office location). Therefore, it is important that you have the correct address on your W-4 card to be able to receive the open enrollment information timely. The address can be verified by reviewing the information in the next pay stub. If the address on the pay stub is incorrect, a Change of Information Form and a new W-4 card needs to be completed with the Payroll office as soon as possible.

DIRECTOR'S CORNER



VAL BERRY

Personal Social Security Statements

Since October 1999, the Social Security Administration has been mailing comprehensive social security statements to all workers age 25 and older who do not yet receive benefits. The Statement will continue to arrive annually and contains items such as your:

- estimated retirement benefits at age 62, at full retirement age, and at age 70
- estimated disability benefits if you became disabled immediately
- estimated survivor's benefits for your children and spouse if you die this year
- Social Security and Medicare earnings since you started working.

When you receive your Statement, make sure to:

- Check your earnings record carefully. If you find errors, notify the Social Security Administration at 1-800-772-1213.
- Use this estimate when planning your retirement. The Statement provides the Social Security Administration's best current estimate of your benefits upon retirement. When deciding how much you need to save for retirement, this is one factor you should definitely consider.

Dual Employment and Compensation

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay, record-keeping, and child labor standards that affect over 100 million full and part-time workers in the private sector and in federal, state and local governments.

The Act defines covered (white time cards) employees as those who are eligible to receive no less than one and one-half times his/her regular rate of pay for all hours worked over forty in a workweek. Excluded (blue time cards) employees are those not covered by the Act and exempt from the overtime provisions.

Under the FLSA, the State is considered the employer and, therefore, all hours worked by an employee for any State agency within the employee's workweek is joint employment, and consequently must be treated as overtime compensation.

If a covered University employee who is employed by one department (or grant), is offered employment by another University department (or grant), both jobs must be aggregated together to determine the overtime due over 40 hours. Since the

University is the employer over both departments, such employee must be paid at one and one-half times his/her hourly rate for all hours worked over 40 in a workweek. The funding source (OPS, C&G) does not alter the requirements of the Act.

All hours worked by a University employee that are within the scope of the employee's essential duties and responsibilities, are to be considered a continuation of the employee's regularly assigned duties, and paid as such using the employee's regular time card in the case of a USPS employee. For A&P employees, such hours will be considered part of the employee's regular assignment, and will not be paid as dual compensation.

The University must be in full compliance with the provisions of the Act. Consequently, any department that wishes to hire a USPS and/or an A&P employee on a Dual Employment and Compensation basis, must obtain approval from the Office of Human Resources **before** the commencement of the secondary employment.

HUMAN RESOURCES

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Improving Employee Performance

The success of a supervisor depends on his/her ability to provide leadership and maintain team work within the work unit. This is not an easy job. When an employee's difficult attitude and/or poor work habit becomes a pattern of behavior, it may create friction among employees and damage the entire group's morale. The great majority of employees want to resolve their problems and be fully productive. However, most problems between employees and supervisors are caused by misunderstandings, lack of communication, or sometimes by poor work habits that may affect the employee's performance and/or behavior.

The Performance Improvement Plan is a targeted performance planning and review process designed to help an employee improve his/her performance. It is the logical step for supervisors to use when an employee is underperforming or exhibiting poor work habits that are affecting the employee's overall performance. An employee is underperforming when the quality and/or the quantity of the employee's work (output) is not up to standards. An employee is exhibiting significant poor work habits when he or she is often absent or tardy, does not come back from lunch on time, does not follow safety rules, and so forth.

Communication is the key to an effective Performance Improvement Plan. Discussing an employee's performance or poor work habit is bound to be a sensitive issue. It is important that the supervisor identifies the problem focusing on the facts, not the person. Following are some steps that will facilitate this process:

- Have the employee take ownership of the problem. If the employee does not agree that a problem exists, he/she will not accept ownership of the solution, and there is little chance that the problem will be resolved. Supervisors must share in partnership with the employee towards the solution. ▶
- Mutually discuss alternative solutions to the problem. Breaking the problem down into smaller, more manageable actions, and setting timelines for those actions, gives the employee a game plan for solving the problem.
- Provide the opportunity for the employee to attend training sessions that would help improve the performance deficiency or poor work habit.
- Recognize any achievement, no matter how small. Feedback on good performance is a powerful motivator and builds trust and confidence in the partnership.
- At the end of the established period of improvement, the supervisor must evaluate the employee's performance.

Using this approach improves creativity in solving problems, fosters communication between supervisors and employees, provides the employee a clearer understanding of why and how he/she needs to change work behavior, and increases cooperation and trust between individuals and their supervisors.

For information concerning how to implement a Performance Improvement Plan please contact Grace Ulla, Assistant Director, Human Resources at (305)FIU-2525.

FIU Mentoring Partnerships

Calling all Faculty and Staff Mentors to participate in the FIU Mentoring Partnerships Program 2000-2001!

Join a valuable program co-sponsored by Alumni Relations and The Women's Center to expand opportunities for FIU students to succeed in their personal and professional lives. Utilize your expertise and experience to empower and educate students to pursue leadership roles on campus and in the professional world.



attention, encouragement, extensive knowledge and life experience. Moreover, you will gain tremendous satisfaction from enabling your student partner to grow and thrive in his or her chosen career.

You are encouraged to attend the Program Kick-Off and Orientation at a very special gathering at The Art Museum on University Park Campus on Wednesday, September 20th. A reception and opportunity to meet other program participants begins at 6:00 p.m., followed by an introduction to the FIU Mentoring Partnerships Program 2000-2001 at 6:30 p.m. Stay to view the Wednesday After Hours exhibit at 7:30 p.m. which concludes with coffee and dessert at 8:30 p.m.

Compelling evidence supports the power of the mentoring relationship in promoting academic achievement, professional success and personal development. You may be the beneficiary of a mentor's

Call *Alumni Relations* at 348-3334, or *The Women's Center* at 348-3692, for specific information.

Important Notice... Long Term Disability Insurance

The SUS Long Term Disability Plan sponsored by the Liberty Mutual Group will be having an Open Enrollment for eligible employees during the months of July and August 2000. Employees that currently do not have the Long Term Disability Insurance will be receiving information and the necessary enrollment forms through campus mail. **It is important that employees have the correct campus location in their Personnel records.** Employees who have changed their campus location need to notify the Office of Human Resources as soon as possible. An e-mail with the employee's name, social security number, new campus address and campus phone must be submitted to Employee Records at martincl@fiu.edu.

Losing your ability to work can be devastating to your financial and emotional well being. The Long Term Disability insurance is an employee pay all, inexpensive way to protect yourself in the unfortunate event that you become disabled and cannot work because of an injury or illness. Participation in the plan will provide you with cash benefits to replace lost income and will offer valuable assistance in helping you return to work as soon as possible.

This plan is not subject to the annual open enrollment, and in fact has not had an open enrollment since 1996. Employees who enroll during the open enrollment period will be accepted into the plan without evidence of insurability. If you do not currently have this coverage, do not miss this opportunity to enroll!



Humana Workers' Compensation Services Now Called Protegrity Services, Inc.

The name of the medical provider that offers workers' compensation medical care and treatment for State of Florida agencies, including Florida International University, has changed. The addresses and phone numbers still remain the same.

Humana, Inc. completed the previously announced sale of Humana Workers' Compensation Services through a management buyout. The newly independent, privately held company, Protegrity Services, Inc., is under the leadership of Gene Roberts, who has led Humana Workers' Compensation product business since its inception in 1993. Protegrity will continue to service existing customers and contracts held by Humana Workers' Compensation Services; there will be no material impact on the services provided to the State of Florida account.

"I am encouraged that this transaction will allow us to enhance our relationships with clients," said Gene Roberts, who is Protegrity's president and chief executive officer. "Our knowledge of the manage care industry, combined with the integrity of our employees, provides a springboard for our future success. We look forward to continue in a high level of service for the State of Florida account."

— *From Workwise, Summer 2000, a publication of Protegrity Services, Inc.*

Should you have any questions, please contact Serafin Alorro, Workers' Compensation Coordinator, 305-348-3273, email:alorros@fiu.edu.