



APPOINTMENTS

MAKING OPPORTUNITIES KNOCK ON YOUR DOOR

The Importance of outplacement services

Trimming a workforce is difficult. Both managers and employees are bound to experience emotional turbulence as they prepare to go their separate ways. To make this painful process easier, your company may want to look into hiring an outplacement service. Providing this thoughtful benefit to terminated employees can help them transition into the next phase of their careers.



What should you look for?

A good outplacement service will visit your company and provide on-site workshops and individual consultations. It should also provide specific functions to participants for an extended length of time, to include:

- Customized assessments
- Job search planning
- Professional help with resumes and cover letters
- Coaching on particular professional topics of interest
- Administrative support
- Help with research materials
- Financial consulting
- Entrepreneurial consulting
- Videotaping and mock interviews
- Information on online services, recruiting firms, and job fairs

Helping terminated employees get the most from outplacement

The outplacement process does not produce automatic results. Employees will get out of it what they put into it. For some workers, outplacement is a futile exercise that only prolongs their transition from one employer to another. However, many individuals benefit from outplacement as a means to redefine career goals and find other employment.

Encourage a positive relationship between employees and the outplacement service

Advise employees to trust the process. Outplacement might be a completely new experience for them and it can help them find the work they really want.

Encourage them to participate in the process. Employees shouldn't expect an outplacement consultant to do all the work; it's up to them to find the right job.

Help them articulate their thoughts, feelings, and ideas to their outplacement counselor. Employees need to be assertive so the counselor will under-

The Culture Audit: Building the Successful Company Culture

A company's culture can help ensure the success of its business objectives. However, company culture is about more than having free Coca Cola in the fridge and allowing employees to take their dogs to the office. Culture is how employees describe where they work, understand the business, and see themselves as part of the organization. Building a strong company culture will not itself guarantee business success, but culture is a key determinant in attracting talent—and it is that talent that carry a company forward.

A "culture audit" can help assess the culture that currently exists in a company. It also offers insights into the means to strengthen it. This process is more commonly referred to as an "employee survey," - it helps companies learn what *raison d'être* keeps employees at the company.

An effective corporate culture audit describes the overall working environment, identifies the unwritten "norms" and rules governing employee interactions and workplace practices, determines possible barriers to effective work practices and communication, and makes recommendations for addressing identified problems. Not only will it help retain top performers, it provides a blueprint of what



attributes to look for in applicants.

Sample questions might be:

- Are you being compensated fairly?
- Are your benefits comparable to those of the company's competitors?
- Does the company value your work?
- Are you getting the training you need?



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- Does open communication exist in the company?
- Do you feel challenged?
- Do your values match those of the company?

You might notice that a culture audit asks questions typically asked during an exit interview! Why wait to ask these important questions after the company has

already lost its investment in an employee. Audits uncover potential friction points as well as sources of synergy, and generate possibilities for internal process improvements within the organization. By uncovering trouble spots in advance, the audit encourages fun and creative ways for improving the already-existing culture.

Such creativity can be boundless. Growth oriented companies are notorious for coming up with notably unusual ways to improve the work environment—off-site retreats, impromptu recognition programmes, and the creative use of office space are all examples of how companies implement creative ideas to build their culture. These are just a few of the ideas often generated from the insights gleaned in a culture audit.

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Confidentiality and your employees

No company wants to lose its valuable sensitive information to a competitor, potentially creating negative client situations and compromising future growth. The vigilant protection of company information is an issue that needs to be discussed with employees during their employment and, more especially, as they are leaving your employ. What practical and legal steps can you take to guard your company's secrets?



Start at the beginning

The best time to have an employee agree to confidentiality obligations is right at the time of hire. Managers (or HR professionals) should have employees sign a confidentiality agreement unless they have already signed a document with confidentiality provisions during the interview process.

At times, it may also be desirable for a company to require stronger post-employment restrictions, such as non-compete obligations, on a key hire. In most states, non-compete agreements are fairly routine. For example, in California, the conventional wisdom is that enforceability is limited—which is generally true. There is, however, some belief for enforcing agreements that do not actually prevent that restricted employee from earning a living within his or her field.

What are trade secrets, really?

The core of confidentiality obligations is the protection of trade secrets. While many states have statutes to help protect trade secrets, specific confidentiality provisions in the terms and conditions of employment re-enforce those protections, calls them to the employee's attention, and binds the employee to them using the employee's signature.

A trade secret may consist of any formula, pattern, device, or compilation of information which is used in one's business and which gives the employer an opportunity to obtain an advantage over its competition. Generally, a trade secret is a process, device, or information intended for continuous use in the operations of the business.

Trade secrets can include customer lists, pricing structures, business strategy, marketing plans, financial information, product development strategy, intellectual property, current and anticipated research

and development, and inventions. Following are some questions that should clarify if you're not sure if some information, a device, or a formula constitutes a trade secret:

- Is the information known outside of the employer's business?
- Is the information known by employees and others involved in the business?
- What measures does the employer take to guard the secrecy of the information?
- What is the value of the information to the employer and to the competitors?
- What is the amount of effort or money expended by the company in developing the information?
- How easily or readily could the information be obtained by a competitor through an independent source?

Note that trade secrets need not be technical in their nature. Market-related information and documents may be deemed to be trade secrets, and thus confidential.

Is a customer list a trade secret?

Though very important to every company, customer lists may or may not be considered a trade secret protected by confidentiality obligations. If the customer list contains specific customer information such as the key contact person, particular needs or requirements, or other information about customers that would be advantageous in the business but not publicly available, then such lists should be considered a trade secret and receive protection accordingly.

Some practical ways to protect corporate assets

Employers should disseminate to their employees a written trade secret policy that specifically identi-

fies customer information, anticipated R&D projects, pricing, and other similar items as trade secrets. Most trade secrets are documented in some fashion, whether in paper files or computer disks. Here are some suggestions for keeping trade secrets:

- If it's a trade secret, label it! Mark confidential documents with the words CONFIDENTIAL or TRADE SECRET. But be selective. If all documents or files are labeled secret, even those that are not, the label may lose its effectiveness.
- Do not distribute confidential documents beyond the pool of people who need to see them.
- Securely store your documents and protect them from inappropriate access and disasters such as fire.
- Back up your computer information, and keep the duplicate files secure.
- Shred documents before discarding them.
- Erase boards and destroy flip charts after meetings.
- Collect all excess documentation after meetings.

With the increasing use of e-mail, intranets, and portals, companies also need to set up appropriate policies for technology security, including hardware, software, and data. Using firewalls to protect Internet access, employing reputable encryption programs on email, restricting access to servers, and developing sophisticated database security protocols are all valuable steps in ensuring that electronic copies of trade secrets are not deliberately or inadvertently released. Proper virus protection is also crucial to assure that critical documents are not damaged or destroyed.

Contd. on P3