

Summer and Seasonal Teen Workers – Be Careful!

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As school gets out you'll start to hear the roar of lawnmowers and the buzz of weed-whackers. Vacation destinations will have teens waiting tables and golf courses will have newly-hired kids getting the course ready for the summer rush.

While the activity is great both for businesses and for young workers there are numerous issues you need to be aware of to protect the kids and your business.

Teen workers are notoriously susceptible to discrimination and harassment because they are usually unfamiliar with the laws that are designed to protect them. They don't know what is "normal" and what is out of bounds. They have also been taught for years to respect people of authority (this may be a stretch for some teens but a large percentage do respect authority for authority's sake). When they realize, however, they have been wronged they have the law on their side (federal and state) and it will cost you. **Key Point; You are responsible for your actions (or inactions) and for the actions (inactions) of your staff, volunteers, customers, suppliers and anyone else you work with when it comes to your employees.** An easy rule of thumb is if there is discrimination anywhere near your business the buck stops with you.

Here are a few examples to consider:

1. A local manager from a national retail store was recently hiring summer help. She stated during the interview "we like to hire girls between the ages of sixteen and twenty-two who have a specific physical appearance." A jury would hang the business for even thinking these questions.
2. There was a recent claim filed when a delivery driver came into a business, "hit on" the receptionist in an inappropriate manner and the receptionist felt harassed. The employer is likely liable if the receptionist felt threatened. And if the roles were reversed (the receptionist "hit on" the delivery driver inappropriately) the employer is liable again.
3. Contractors usually lay off employees at the end of the summer because work is slowing. If only young employees are affected by the layoffs (one new hire who is older may be kept on longer due to experience, etc.) then you're looking at potential age discrimination.

What can you do?

- Make sure all employees (especially teens) are part of your orientation and training program.

- Use and distribute job descriptions and employee handbooks (with a short quiz and signature page at the end showing the employee received and understands the contents).
- Make all employees aware of what is acceptable behavior and what their rights are in regard to discrimination.
- Train and retrain and retrain again your managers and supervisors so they know what to do and what not to do.
- Be sensitive to the needs of young employees (and any employee for that matter) and be aware of their vulnerabilities from other employees and third parties.
- Pay particular attention to employees who interact with the public (i.e. delivery personnel, salespeople, lifeguards, etc.).

You can buy insurance protection for these areas (and I would recommend you do so) but preparation and prevention will save you a lot of headaches and long hours in the office. Use your trusted advisors to help you formulate a plan and if you need anything let me know. If we don't have it, I'll help you find it.

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