

- [Female Voice] Welcome to our special edition of PCTY Talks at SHRM 22 in New Orleans.

- [Interviewer] Joining me behind the mic today on Tuesday day three of SHRM is Brenda Casper. She is the founding member of Casper and Frank LLP, as well as being the 2015 San Diego SHRM Board President, and instructor for the HR certification program at the University of California, San Diego extension, and holds her SHRM SPC and SPHR California certifications. Brenda, thanks for joining me today.

- [Brenda] Thanks for having me.

- [Interviewer] So I was really excited to have you on, because we have all of these rapid changes we're experiencing, really in the last two years, right? HR and payroll sometimes feels like we're in a tailspin trying to make sure that we're on top of all the compliance items. And then we like layer on payroll and you have a great session coming up, we'll talk about that at the end here, but what wage and hour pitfalls have you seen employers really struggle with right now?

- [Brenda] So I think like anything with the pandemic and post pandemic, it's not necessarily that things are new, it's that the pandemic has exacerbated weakness that has already occurred. So, the big issues that are weaknesses are, time keeping for exempt workers, making sure that they record all their time, they're paid for all their time, you know, travel time, if you've got people driving around, coming to the workplace, those are probably the biggest issues. And then there are a couple new problems, expense reimbursement, to the extent you have people working from home. And then the other probably biggest issue that people are grappling with, and I'm not sure there's an answer, when you have remote workers, and you've decided to have no physical space and suddenly you're employing people all over the United States and maybe even other countries, OMG, what law applies?

- [Interviewer] I think that is so true. We've been navigating having employees just work remote for certain periods of time, you know, as they're traveling, they're mixing vacation, and personal time and we've done a lot of work to be like, "okay if you stay under this many days, we're gonna be okay from a tax perspective," but there's always a chance, right? There's all these other circumstances that could affect it. So yeah, definitely something people are considering.

- [Brenda] That's fascinating. And I think the challenge, again, exacerbation with COVID there are so many laws we have to worry about. And you mentioned a really important one, which is tax law and time spent. But, and my presentation's gonna be wage and hour, the problem with wage and hour is for example, California, if the worker comes here for one day and you're headquartered here you're gonna have to follow the California wage and hour law for one day. So it's just

these... I think to your point, it's so hard because you've got tax law, payroll, wage and hour, it's just what law are we even worrying about is part of our challenge.

- [Interviewer] So as HR professionals work through this what should we be looking at to navigate? We have hybrid, remote, and in person staff now, sometimes all in the same organization. So what are the things that we should kind of keep top of mind?

- [Brenda] What's the definition? I know that sounds basic, right? What do you mean? Like if you're gonna have categories, awesome, great. Define what they mean, put rules around them, and it doesn't have to be a contract, but have some agreements in place so everybody understands what the ground rules are. So that's what I would start with, and then, once you have that infrastructure, you can build out other parts of it. So, I mean, you know, part of the challenge is we can't solve everything at once. So being really basic and thoughtful and building the structure is really where people need to focus. And if you haven't done that yet they should go back and do that.

- [Interviewer] Having structure when it comes to wage and hour is so important. And those definitions, oh man, we could spend a whole episode just on definitions. But I completely agree, you gotta get the table stakes right first, and then you can build from that. I know we don't wanna give too much away because you actually have an upcoming session here at SHRM this week on this exact topic. It is called, "Managing employees in the virtual hybrid and in-person worlds avoiding wage and hour pitfalls." When is your session being offered and in what room, so that they can attend?

- [Brenda] So I don't know the room but I do know that it's Wednesday at 8:45. So it's an 8:45 concurrent breakout session, Wednesday.

- [Interviewer] Perfect. So bright and early, you know as you're thinking about packing up, you can come and do your last session with Brenda and really get some information out of it. As you think about the next two days here at SHRM, what are you most excited about?

- [Brenda] I'm actually most excited about being in person. Now having said that I was at SHRM, the conference in Vegas I was at National SHRM in DC. So I've been live, you know SHRM has kept itself live as much as possible during the pandemic, but I kind of feel at least I'm hopeful, fingers crossed, that this will be our first sort of more traditional in person because I think we all need the synergy. And, you know, the last time SHRM was in Vegas, and it was so much fun, right? It was so awesome. Now there was a hurricane, so I think there were still some issues, but I just think like being together, building on synergy and, you know SHRM always does a great job of having, you know the speakers, the keynotes and otherwise. So I think we all just need a dose of inspiration. which is what I hope to do too. Right? I

mean, I'm not gonna be doom and gloom. I'm just not, now there's plenty of doom and gloom out there, but you know, hopefully just some practical ideas and things to think about and work on, and we're never gonna be perfect.

- [Interviewer] I absolutely agree. And if you think this topic might be boring, think about it this way, payroll and getting it right is such a huge part of nailing the employee experience. So I definitely encourage you to check out Brenda's session. So thanks for taking a few minutes of your day to chat.

- Thanks for having me.

- Thanks for listening. And don't forget to join the conversation using hashtag PCTY SHRM.