

XpertHR Addresses 10 Most Common HR Dilemmas Faced by Franchises

Joint Employer Liability, Employee Leaves, and Paid Sick Leave Among Top HR Compliance Challenges For Franchises

New Providence, NJ (June 24, 2015) – These days, even experienced franchise owners can be overwhelmed by human resource demands and HR compliance challenges. In a new report, XpertHR identifies the [10 most common HR dilemmas](#) faced by franchises and offers guidance on how to address them. The [whitepaper](#) helps franchises deal with issues such as joint employer liability, employee leaves, reasonable accommodation requests, paid sick leave, employee classification, overtime requirements, finding and hiring the right employees, onboarding and training, protected activity, and more.

While all franchises face similar issues, small franchise owners, who are typically focused on running their business and putting out fires, generally focus on day-to-day employment challenges and struggle with staying current with legal and workplace trends. Many don't have an HR function but are still responsible for ensuring employment law compliance. Some might even be tempted to let employment issues slide, which can lead to significant legal problems and related costs.

“Most franchises are really small business owners trying to run their business, keep up with changing laws, evolving technologies, recruitment and retention challenges, and changes in workforce demographics,” says Tracy Morley, Legal Editor, XpertHR. “Franchise owners, both small and large, should have a thorough understanding of federal, state and municipal employment laws, anticipate changes and proactively manage their workforce to reduce the potential for employer liability.”

Franchisors should remember that franchisees are independent business owners responsible for the business decisions they make. While the overwhelming risk is primarily to franchisors if they are held accountable for the mistakes of their franchise owners, franchisees will feel the effects as well, since damage to a franchisor's brand could negatively impact a franchisee. In an effort to preserve the franchisor-franchisee relationship, franchise owners should ensure that customers and employees alike understand that the franchisor is not the employer.

XpertHR's top employee management and [HR compliance issues for franchises](#) are:

- **Joint Employer Liability** - Franchisors can reduce the risk of joint employment liability by not involving themselves in the daily operations of the franchisee, particularly when it comes to personnel-related decisions.
- **Employee Leaves and Reasonable Accommodation Requests** – An employer's leave policies should not contain provisions for automatic termination of employment of employees on leave and should demonstrate they are willing to provide reasonable accommodations to employees.

- **Paid Sick Leave** – An employer that operates in a state or city that requires paid sick leave should ensure compliance with existing laws.
- **Minimum Wage, Employee Classification and Overtime Requirements** - These areas pose a substantive risk for employers and are increasingly becoming the subject of class action lawsuits.
- **Hours Worked** - Since franchises often hire minors, it is important to have an understanding of working hour restrictions for those individuals.
- **Finding and Hiring the Right Employees** - Know how to conduct a job interview and exercise reasonable care in the hiring process. Ensure compliance with employment laws applicable to the recruiting and hiring process, such as ban the box legislation.
- **Onboarding and Training** - Have an onboarding procedure for new employees and offer required training such as sexual harassment training.
- **Performance Management** - Performance expectations should be clearly communicated, and performance-related issues documented, before they result in termination.
- **Changing Landscape of Protected Activities Under the National Labor Relations Act** - Franchisees should recognize that the National Labor Relations Act applies to their workforce, even if they are not unionized.
- **Workplace Safety** – Franchises should have appropriate worker’s compensation insurance in place and know how to handle a workers compensation incident.

For a free whitepaper on top 10 employment challenges faced by franchises and how to address them, visit [XpertHR](https://xpertHR.com).

About XpertHR

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