

The Performance Reporter

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Can You Really Fire Employees over Facebook Posts?

The National Labor Relations Board has ruled against a Buffalo nonprofit group in an employment dismissal based in part on Facebook postings, the first such ruling of its kind. The NLRB administrative law judge found that Hispanics United of Buffalo unlawfully discharged five employees after they posted comments on Facebook concerning working conditions, including work load and staffing issues. The post generated responses from other employees who defended their job performance and criticized

working conditions, including work load and staffing issues. After learning of the posts, HUB discharged the five employees, claiming that their comments constituted harassment of the employee originally mentioned in the post. HUB had said the discharged employees were terminated for harassing a co-worker both in and out of the workplace, including — but not limited to — the Facebook comments.

The NLRB says it has received an increasing

number of charges related to social media in the past year. This is the first case involving Facebook to have resulted in an ALJ decision following a hearing. The decision found that the employees’ Facebook discussion was protected because it involved a conversation among coworkers about their terms and conditions of employment, including their job performance and staffing levels. The judge also found that the employees did not engage in any conduct that forfeited

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When Praise Backfires – How Best to Motivate

Are you facing big goals and lots of plans? Do you have a well qualified team to help you get there? Do you give them lots of praise and recognition for everything they do? Well, according to some research, “cheerleading” for your team with an “everyone’s a winner” approach may actually be having the opposite effect.

As Stanford psychologist Carol Dweck’s landmark research showed, if kids believe that they are smart, when the work gets hard, they actually give up! Not being able to do something instantly makes them feel stupid and hopeless, so they quit. Conversely, if you

praise qualities and actions - not self-image - kids will persist with difficult tasks and achieve more. This shows us that simply having big goals and lots of plan together with lots of cheerleading is not a strategy; it’s a recipe for disaster. When the cheerleading doesn’t work and the goals prove elusive (or just plain stupid), the company risks being left with a management team that is confused, disheartened and demoralized.

So what should the company do instead? Have a real strategy - a way of connecting with external trends and partners that

enables the team to do more with less. Find an escalator, a rising tide or business collaborators whose contribution allows you both to do more together than you could do alone. Or develop complimentary/contingent strategies (Apple’s audacious retail strategy coupled with the development of the iPod) that lift each other. And when that succeeds, remember: it wasn’t you, it was the strategic thinking that made you a winner. Or as one sports psychologist put it: Confidence is an outcome.

*Source article by Margaret Heffernan, September 19, 2011
www.bnet.com*

Performance Recognizes its Employees!



Sandra Restrepo
Wins the employee award and a bonus check for \$250

Performance congratulates **Sandra Restrepo!**

It should go without saying that the cleaning industry is populated with some of the hardest working individuals to be found. Emptying trash, cleaning bathrooms, vacuuming and dusting are not tasks that most of us relish, and for the most part is a thankless endeavor. When an employee comes along who demonstrates a pride in their work and an ethic that far exceeds what

is required or even what is common, we at Performance believe that is an employee who is worth special recognition.

Sandra came on board with Performance in October of 2009 and quickly showed why she was on the road to win an employee award from the outset. Sandra regularly gives 110% each day going above and beyond her required duties to make sure the customer is satisfied. Sandra's work

assignment is a single employee zone (i.e. she works alone) and despite the opportunity to cut corners and drift off task, Sandra's pride in her work is evident in the result – as a quote from a customer survey submitted this August tells us:

“Sandra makes sure everything is picked up and clean.

She does a great job.”!

Congratulations Sandra!

Cleaning Tips!

Polish Rusty Chrome

“To remove rust from chrome, wipe it with aluminum foil dipped in Coke®. To polish chrome, use a crumbled up piece of aluminum foil and rub!



**960 Main St.
Hartford, CT**

Message from the President

Summer's Over!

Summer has ended and once again it seems another year is flying by! Performance has been fortunate to hold onto 98% of the clients that we started the year with by again hitting the mark with excellent customer satisfaction. We've also added a considerable number of new customers over the summer thanks to a diligent sales effort and a strong product offering. In fact we recently had a former customer

(educational facility) decide to bring Performance back for their janitorial Services!

Additional achievements such as new work with “a major cola beverage company” in Philadelphia, Massachusetts, Connecticut and Maryland is a wonderful opportunity and is helping to fuel our expansion efforts into new markets. In August we began work with the West Haven Board of Education and have been busy all summer with various School cleaning projects

and preparation work. The considerable volume of post-construction cleaning this summer was a hopeful indication that improvement in our economy is underway. Yes it seems that any way you slice it summer is unfortunately over. But with September comes a brace for winter and a continued dedication to each and every one of our accounts. We appreciate all our loyal customers and look forward to a strong finish to 2011 for all!

Steven B. Sadler

Watch Us Grow! Recent Business Activity

Performance Environmental Services is happy to announce that it *continues* to grow thanks to the hard work of its sales, operations and administration staff.
Recent New Business Includes:

960 Main St., Hartford, CT (Day Cleaning Conversion)

Big E Fairgrounds, “Maine Building,” West Springfield, MA

West Haven Board of Education, various locations, CT

Additional tenant space at 580 Cottage Grove rd

Warwick Community College, RI

Providence Community College, RI

Ackright Manufacturing, Coventry, RI

A major cola & beverage company in PA & MD

Performance Environmental
Services, LLC

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Firings over Facebook ... cont'd

their protection under the law. The agency has been ordered to reinstate the five employees and award back pay. It also requires the agency to post a notice concerning employee rights and the violations found.

An attorney representing HUB said they are extremely disappointed in the ruling and will pursue appeal based on several factors, including the fact the process disregarded the agency's right to uphold a zero tolerance harassment policy. "This was a direct attack on a co-worker," he says. "In today's environment, you can't pick and choose what type of

harassment you're going to allow to happen. Hispanics United has a zero tolerance policy about harassment." Though the case has focused on Facebook posts, the attorney says the only thing that was work-related was that the people mentioned work together. The comments had nothing to do with working conditions, hours or anything else that's protected by the National Labor Relations Act, he says.

He further commented that "the way the decision was framed and the arguments that have been put out there - they have chosen

what parts they want to disclose and left out the other parts," he says. "Our feeling is this Act is being stretched by the NLRB to protect employees in a manner it was never intended to do." The agency now has the ability to take exception to the ruling, and request oral arguments, with the NLRB then issuing a decision affirming, modifying or reversing the decision of the administrative law judge. HUB will also then have the right to take the case to a federal court.

**Source article by Tracey Drury
September 7, 2011,
www.bizjournals.com**

The Hidden Cost of Employee Turnover

Employee turnover has some obvious costs associated with it, including recruitment, training and salary. However, every time an employee leaves, there are a variety of hidden costs you might not have considered, says Toronto-based human resources consultant Tom Armour. While you might not be writing a check for these costs, here is how turnover can drain dollars:

Slippage. When an employee is missing, the work that isn't getting done has a price attached to it, Armour says. Lost sales, production delays and lags in new product introductions all cost your company money.

Ripple effect. Turnover has an impact on the peer group, as well as the

management chain, making everyone less effective. Co-workers need to pick up the slack, distracting them from achieving their own performance goals while managers need to devote time to finding a new employee. "One CEO I spoke with had his five-year growth plan turn into a six-year plan because of delays due to employee turnover," Armour says.

Customer loss. When a knowledgeable employee leaves, taking experience and customer service ability with him or her, that can have an impact on customer satisfaction. "Customer commitments are often not met, and the company loses important customers," Armour says. "Dealing with trainees can be challenging. If you have

a lot of unwanted turnover, customers can get annoyed or begin to lose interest in your business."

Lost credibility. Turnover is a cost to management in two ways, Armour says: Management can lose credibility when it creates an environment with excessive turnover, and existing employees can become demoralized and decide to move on.

It's important for smaller businesses in particular to work on creating environments that retain employees. "Too often, small-business owners don't consider how important it is to invest time and resources into their employees," he says. "Either way, you pay."

**Source article by BY Gwen
Moran | September 10, 2011 |
www.entrepreneur.com**



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