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for  
Positive  
Support  
Review's  
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## **How will the Family Leave Bill impact your mission critical projects?**

**On August 6, 1993 new government rules will change the ways you can staff your projects - are you ready?**

A new law on the books will make your life very interesting. Before it was your option on what to do when you had a family situation that an employee needed to deal with. Now your options will be limited. There is a whole new area of concern that we all must be aware of.

To understand the impact of this, new laws will have to be learned and understood. These impacts will be as complex as any you have seen so far. Add this to the Americans with Disabilities Act and we are now all in the business of being more than just the employer.

You should anticipate making changes to your staffing plans and modifying your employee handbooks. As we proceed into this new arena, beware of the pitfalls that prior mandated government rules have had on how your business is conducted.

### **What employees are eligible for leave?**

To be eligible to request leave under the Act, an employee must have been employed for at least 12 months and during that time period must have completed a minimum of 1,250 hours of service.

### **What employers must provide leave?**

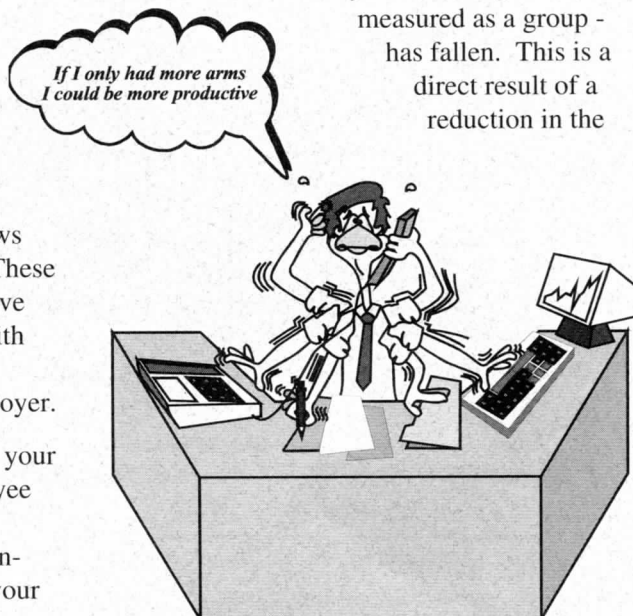
Employers who employ at least 50 employees at or within 75 miles of a worksite must comply. The impact of this on branch operations will be high.

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## **Compensation Pool for MIS Executives slides!**

**For the first time the compensation pool for senior MIS executives has stayed flat or fallen**

Many organizations are now seeing the benefit of downsizing and outsourcing. As a result, MIS salaries as an absolute dollar amount are lower. The total compensation of the top layers of management - measured as a group - has fallen. This is a direct result of a reduction in the



number of senior MIS positions as well as a reduction in the layers of management. Productivity has improved.

These findings were made in a PSR confidential study analysis of over seventy firms across the nation. The firms all had MIS budgets two years ago of between \$45MM to \$125MM. A significant number of these organizations no longer exist or have had their operations merged into others. Of this group of firms the following observations were made:

- ☒ The tenure of top MIS executives (CIOs) has fallen from 22 months to a little over 18 months.
- ☒ The number of individuals in the management ranks has fallen. Fewer people are managing more.

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**How long must the leave be?**

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An eligible employee is entitled to request up to 12 weeks of unpaid leave during any 12 month period.

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**What reasons constitute a basis on which a leave can be requested?**

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Leave must be granted for any of the following reasons:

- (1) Birth of a child of the employee;
- (2) Placement of a child with the employee for adoption or foster care;
- (3) Care of a spouse, child or parent of employee if such individual has a serious health condition;
- (4) A serious health condition of the employee.

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**Are any alternatives to a 12 week leave available?**

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If agreed to by the employer and employee, leave can be taken on an intermittent basis or on a reduced leave schedule (i.e., a schedule that reduces the usual number of hours per workweek or hours per workday).

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**How does this new leave interact with other leaves an employer already offers?**

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An employee may be required to take any accrued paid leave first, taking the balance of the 12 week period on an unpaid basis.

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**What obligations do employees have with regard to the leave?**

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Where possible, an employee must give at least 30 days' notice of the need to take a leave. For a leave relating to medical treatment, the employee must also make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the employer.

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**What documentation can an employer require of an employee requesting a leave under the Act?**

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In the case of a leave for medical treatment, the employer may require a certification from the health care provider. The certification shall contain the following:

1. The date on which the serious health condition commenced.

2. The probable duration of the condition.
3. The appropriate medical facts regarding the condition.
4. If the medical treatment is for an individual other than the employee, a statement that the eligible employee is needed to care for the individual and an estimate of the amount of time that such employee is needed to provide care.
5. If the medical treatment is for the employee himself or herself, a statement that the employee is unable to perform the functions of the position of the employee.
6. In the case of intermittent leave or leave on a reduced leave schedule, the dates on which treatment is expected to be given and the duration of such treatment.

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**What happens when the employee returns from the leave?**

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The employee has the right to return to his old or an equivalent position. An employer is allowed to require a certification of fitness to return to work for an employee who has taken a leave relating to his own medical treatment, provided such certification does not conflict with state or local law or with a collective bargaining agreement.

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**Are any employees exempt from the provisions of this Act?**


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An employer does not have to permit the taking of a leave by any employee who is salaried and in the top 10% of employees, ranked by compensation, if the taking of leave would cause substantial and grievous economic injury to the employer.

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**How must health care benefits be handled during the leave?**

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During the period of the leave, the employer must keep group health insurance in place on the same basis as is applicable for active employees (i.e., the employee can only be charged the normal employee premium, not the COBRA premium). If the employee fails to return to employment at the end of the leave, the employer has the right to recover the premium paid by the employer unless the employee is unable to return because of the continuation, recurrence or onset of a serious health condition that entitled the employee to leave or because of other circumstances beyond the control of the employee. 

## **Compensation Pool for MIS Executives slides!**

*(continued from page 1)*

- ☒ With the movement to client server, salary medians are moving down. Individuals are being paid more but they are less tenured than those in the "main-frame" world.
- ☒ Many senior MIS professionals have entered the ranks of the permanently unemployed MIS professionals. With the aging of this population, career changes are common.
- ☒ The MIS total departmental salary budgets have fallen by over 12% in the last two years. Fewer people are in the MIS function. There has been a strong move to the end user.
- ☒ The range of salaries have risen modestly through the recession. Where high demand skills used to command a 10% to 15% premium, there now is little significant difference.
- ☒ Within many organizations, average compensation levels have risen with the elimination of layers of management while retaining staff members with high tenure. We found one case where a "tape librarian" was being paid over \$73,000. Great job if you can find it.

**Many senior MIS professionals  
have entered the ranks of the  
permanently un-employed**

All of this data was gathered by PSR in its normal consulting practice. Based on client demand, PSR is in the formative steps of providing a quarterly service to provide comparative benchmark and metric data. This information will be gathered by survey and consolidated by PSR once a quarter.

On an annual basis PSR will provide a comparative analysis for each participating organization. This analysis will include size of organization and industry metrics. The data is of a confidential and competitive nature. It is for this reason that no mentions will be provided of any findings to the general public for a period of six months. Comparative measures will be provide in the following areas:

- ☒ Financial
- ☒ Staffing
- ☒ Competitive/Comparative
- ☒ Productivity
- ☒ System Development
- ☒ Office Automation / client server
- ☒ Quality Assurance
- ☒ Help Desk / client support
- ☒ Computer Operations
- ☒ Communications
- ☒ Other (to be defined by participants)

This service is slated to begin this summer. The first data gathering period will be January through June. After that period, data will be gathered on a quaterly basis and it should not take the participants more than a few hours a quarter to complete the survey.

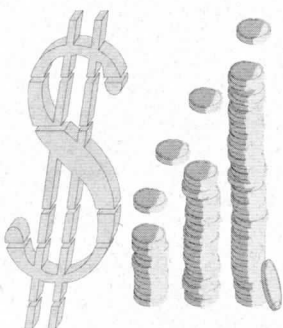
PSR will provide an electronic tool to help in gathering the data as well as reporting the same information back to the participating organization's senior management

The cost of the this service is \$1,500 per year per site. For more information please contact M. Victor Janulaitis



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## Forecast Of The West Coast MIS Job Market

***If Washington and the East Coast establishment can not help why don't they just stay out of the way?***

by M. Victor Janulaitis

Just as it starts to look up a little, one more "thing" gets in the way of the recovery taking hold on the West Coast. December and part of January were really up beat. Then came the volleys from Washington and the Supreme Court.

"Billy boy" announced his "investment" program that is a tax and spend program in the genre of loot, slash and then burn. He followed that up with the base closings that would eliminate almost 100,000 jobs from the most devastated parts of the economy. His investments are the same old set of tired re-distribution of wealth programs as defined in an East Coast liberal's view of the world.

Then the Supreme Court's ruling on in home offices brought an additional jolt. That item alone will generate over \$8 billion dollars in new taxes to pay for additional spending programs. One of the least appreciated aspects of that ruling, is its impact on the West Coast job creation process for small growing firms that depend on any incentive that they can get to survive in these times. In order to

help this the IRS has now instituted a special audit program to obtain these "enhanced revenues". Great, now the small businessmen will have to spend more time with government auditors and less with creating new products or dealing with customers. I guess that "Billy boy" thinks that this is time well spent. What do you expect from a guy that has lived in public housing for the last two decades.

With all of that going on, Southern California is bracing itself for the next wave of "disturbances" that are bound to happen when the King and Denny trials come to a close.

As a side benefit, the real estate market has started to soften. This along with the reduction of interest rates is now starting to make the cost of housing look reasonable. That may not be enough to offset the impact of downsizing and relocation for the San Francisco, Los Angeles and San Diego markets. The Denver metro area has been down for so long and the government / business alliance is starting to attract companies that want to move out of the

high cost areas of the west coast.

The recreation industry and hospitality industries have been hard hit by recession and government regulation resulting in massive layoffs at Knotts Berry Farm and Karcher Enterprises to mention a few. This on top of the fact that Disney is being inhibited by various government agencies in its

***...the recreation industry and hospitality industries have been hard hit by the massive layoffs...***

quest to expand is placing one more damper on the economy.

On the brighter side, there is extensive activity in many organizations that provide services to the rest of the country from the west. There still is magic in those words about the west. With improvement in the rest of the country, this recovery will be one of the first where the west is not a player. The worst is over but we must still wait a little longer to see significant improvement. ☞

*Vic*



Published by:

**M. Victor Janulaitis**

Industry	Prospects Short Term	Prospects Long Term
Aerospace	Poor	Poor / Worse
Distribution	Poor	Fair
Entertainment	Fair / Poor	Poor
Financial Services	Fair	Good / Fair
Health Care	Good	Good / Fair
Insurance	Fair	Fair / Poor
Manufacturing	Fair	Fair / Poor
National Consulting	Good	Good / Fair
Service	Fair / Poor	Good / Fair