

Texas Business Today

Aaron S. Demerson
Commissioner Representing Employers

October & November 2023

Updates from the Office of the Commissioner Representing Employers

Welcome to the October & November issue of *Texas Business Today*.

The “sky is the limit” for the Lone Star State and Texas has once again set new records for the civilian labor force (**15,141,300**) and number of people employed (**14,515,800**). This continued growth highlights the unwavering commitment of our Texas employers and the amazing business climate in our state.

In October, we celebrated National Disability Employment Awareness Month which recognizes and celebrates the contributions of America’s workers with disabilities past and present and showcases supportive, inclusive employment policies and practices that benefit employers and employees. In addition, National White Cane Day was recognized on October 15th and we gathered to celebrate the empowerment of people who are blind and visually impaired by running a 5k (plus) from downtown Austin to the Texas School for the Blind and Visually Impaired. We had others that marched from various locations near the school. Lots to celebrate in October!



In November, we are excited to recognize our veterans and the important people and asset that they are for many of our Texas Employers! If you are a Texas employer or veteran, check out the 2023 Hiring Red, White, and You! Job Fair, which will be held statewide from November 1-17 with traditional in-person events and opportunities to participate virtually. Click [HERE](#) for a full list of hiring events across the state.

In other news, I will be leaving my position as Commissioner Representing Employers and taking on a new role as the new President and CEO of the Texas Economic Development Corporation (TxEDC).

I am grateful to Governor Abbott for providing me with the opportunity to serve as the Commissioner Representing Employers at the Texas Workforce Commission and I look forward to working with the TxEDC team to further market, and share in even bigger ways, the continuing strong story of this economic powerhouse called Texas!

Please join me in those efforts as the one thing I know we ALL can agree on is the continuing success of our great state called TEXAS!

Lastly, thank you for your continued investment in our state. Each employer, large and small, contributes to Texas' success story and assists with making TEXAS the best state in the country to do business.

Let's Continue to Make Progress!

[Press Release to Announcement](#)

[Texas Named Top Business Climate in America](#)



Aaron Demerson
Commissioner Representing Employers
Texas Workforce Commission



Choosing Managers Wisely

By: Elsa Ramos

Legal Counsel to Commissioner Aaron Demerson

Choosing managers is one the most important decisions employers can make. Often, employers will take employees who are good at their job and promote them to management or supervisory positions, only to later realize they have inadvertently turned a good employee into an ineffective manager. This can be costly in more ways than one.

The following is a list of some of a manager's most common duties, which, if not performed well, could result in economic harm or legal liability for employers.

1. Ensuring that goals or objectives are met and that work is being performed according to employers' expectations.
2. Managing employees' schedules and monitoring timekeeping requirements.

3. Enforcing rules and policies and handling employee discipline fairly and consistently.
4. Lawfully hiring and firing employees.
5. Training employees effectively.
6. Communicating with employees on behalf of the employer regarding issues/problems/concerns/successes.
7. Communicating with the employer on behalf of the employees regarding issues/problems/concerns/successes.
8. Ensuring that employees have the resources they need to successfully perform their jobs.
9. Maintaining professional boundaries.
10. Acting in the employer's best interest while in compliance with local, state, and federal laws



Managers who are deficient in these areas subject employers to multiple avenues of potential liability. For example, poor handling of employee timekeeping opens employers to potential wage claims for failing to properly pay employees. Managers who are not able to maintain boundaries between professional and personal relationships, and

who let their personal feelings affect how they treat employees or handle employee matters, may expose themselves and the business to legal causes of action, such as sexual harassment, retaliation, and discrimination claims. Those managers who do not understand the laws involved in hiring and firing could engage in discriminatory practices; and poor handling of a termination could result in an unfavorable unemployment claim, which increases an employer's tax burden.

While the potential for legal liability can seem daunting, not all potential harm comes from legal action. Employee productivity, as well as quality of goods and services, all suffer when a manager does not ensure that the work product meets expectations. After all, a company's success is not built on producing a poor outcome. In addition, lack of proper training and necessary equipment may lead to employee injuries or damage to property.

Of course, one must never underestimate the cost associated with unhappy employees. It has been said that employees quit their managers, not their jobs. Bad managers lead to disgruntled employees, which in turn lead to complaints, lack of motivation and engagement, and finally to employee resignations. Managers must be able to meaningfully interact with employees. Managers and employees do not need to be friends, but employees should feel respected and valued by their managers.

Good managers should clearly and effectively communicate an employer's vision and guide employees to fulfillment of the company's mission. The right person can instill loyalty and a sense of purpose when employees know they will be treated

fairly, consistently, and with respect. The wrong person can result in unwanted and unnecessary problems, such as employee turnover, low productivity, unhappy clients or customers, and numerous potential legal claims and liability.

Bottom line: when choosing managers, choose wisely, because managers speak for you.



TEXAS EMPLOYER HOTLINE
1-800-832-9394

Hiring Issues · Medical Leave-Related Laws · Personnel Policies and Handbooks · Independent Contractors and Unemployment Tax Issues · The Unemployment Claims and Appeals Process · Texas and Federal Wage and Hour Laws



Employer Hotline Hours: M-F, 8am-5pm
Information provided by employment law attorneys in the Office of the Commissioner Representing Employers at the Texas Workforce Commission

Texas Business Today is provided to employers free of charge

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**Connect with the Office of the Commissioner Representing
Employers**

Email: employerinfo@twc.texas.gov

Mail: Commissioner Representing Employers
101 E. 15th St., Rm 630
Austin, TX 78778