

Workplace Training: 5 Most Dangerous Trends Facing You

How You Can Minimize Your Exposure to Lawsuits

A Research Bulletin by:

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Training, as a management practice, is often viewed in polarized terms by decision-makers in organizations. On the one hand, it is seen as a panacea for all problems; on the other, it is viewed merely as a cost for the organization in terms of time and money.¹ Certainly, training is a critical consideration that should be evaluated carefully to ensure it achieves its intended purpose. Ignoring training requirements leaves companies and organizations vulnerable to inefficiency, liability and possibly fatal consequences.

Recent Trends:

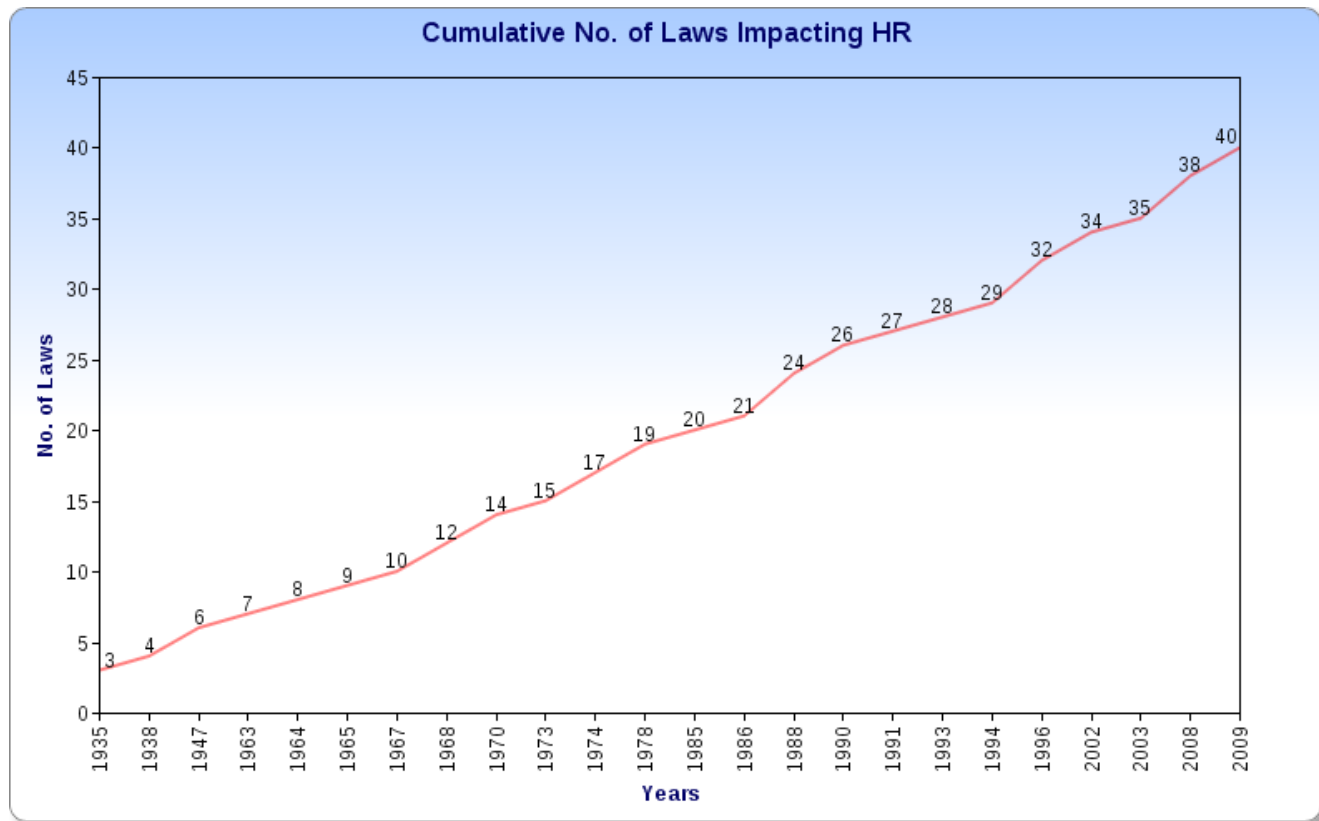
Five recent developments in employment law including compliance legislation, litigation, personal liability and high cost of training have conspired to make an already difficult situation get even more and less certain. In our 10 + years of serving the workforce development and e-learning technology needs of our clients, we have never seen a more complex, confusing and frankly scary landscape as we are seeing right now – when it comes to corporate compliance documentation.

Some of the most recent dangerous trends facing organizations and professionals like you include:

1. Overwhelming growth in Employment laws
2. Increasing Personal Liability of Professionals like you
3. Increasing Governmental/Legal Fines and Penalties
4. High Costs of Poor Training
5. Declining Competitive Advantage

Overwhelming growth in Employment laws

Over the last 30 years, there has been an increase of over 210% in the growth of Laws impacting HR and compliance.



Here's a Listing for Laws Impacting HR

Law	Year
Civil Rights Act of	1866
Civil Rights Act of	1871
National Labor Relations Act	1935
Fair Labor Standards Act	1938
Labor Management Relations Act	1947
Portal to Portal Pay Act	1947
Equal Pay Act	1963
Civil Rights Act of, Title VII	1964
Executive Order No. 11246	1965
Age Discrimination in Employment Act	1967
Consumer Credit Protection Act	1968
Omnibus Crime Control and Safe Streets Act (Wiretap Act)	1968
Fair Credit Reporting Act	1970
Occupational Safety and Health Act	1970
Rehabilitation Act	1973
Employee Retirement Income Security Act	1974
Vietnam Era Veterans' Readjustment Assistance Act	1974
Bankruptcy Act	1978

Protection of Jurors' Employment	1978
Consolidated Omnibus Budget Reconciliation Act	1985
Immigration Reform and Control Act	1986
Drug-Free Workplace Act	1988
Employee Polygraph Protection Act	1988
Worker Adjustment and Retraining Notification Act	1988
Americans with Disabilities Act	1990
Older Workers Benefit Protection Act	1990
Civil Rights Act of	1991
Family and Medical Leave Act	1993
Uniformed Services Employment and Reemployment Rights Act	1994
Consumer Credit Reporting Reform Act	1996
Health Insurance Portability and Accountability Act	1996
Illegal Immigration and Immigrant Responsibility Act	1996
Jobs for Veterans Act	2002
Sarbanes-Oxley Act	2002
Fair and Accurate Credit Transactions Act	2003
ADA Amendments Act	2008
Genetic Information Nondiscrimination Act	2008
National Defense Authorization Act (FMLA amendments)	2008
American Recovery and Reinvestment Act (COBRA amendments)	2009
Fair Pay Act (Lilly Ledbetter Fair Pay Act)	2009

Now more than ever, you and your organization need a system to track and document your compliance efforts including training and instituting your employee policies. We recommend checking out the Personnel Policy Manual System (www.ppspublishers.com).

Increasing Personal Liability of Professionals like you

Human resources professionals, supervisors, business owners, and other decision-makers can be personally liable for their actions under several employment laws. This fact may come as a shock to any manager who assumes that the corporate form of organization provides a legal shield against personal liability for business decisions.

Interestingly, this personal exposure has existed under various federal employment laws for quite some time. What is new is the fact that lawyers representing employees are becoming increasingly aggressive in suing managers as individuals, along with the employing organization. Many of these plaintiffs' lawyers have been encouraged to enter the employment litigation arena as monetary settlements have grown. Their tactic is to put more pressure on the employer to settle.

In addition to personal liability under federal employment laws, supervisors and managers may be liable for violations of state health and safety laws. For example, California law imposes criminal penalties for safety violations of up to \$5,000, six months imprisonment, or both, on any employer, individual officer, management official, or supervisor with control of a workplace and workers.

Furthermore, many state courts have found supervisors liable for tort claims (wrongful acts) under applicable state laws, including for negligent training. ⁱⁱ

[Recent lawsuits underscore a disturbing fact: Human resources professionals, supervisors, business owners, and other decision-makers can be personally liable for their actions under several employment laws. This fact may come as a shock to any manager who assumes that the corporate form of

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Areas where you may be particularly vulnerable include wage and hour, leaves of absence, equal pay, and benefit plan issues. Penalties can be significant and range from civil monetary fines to jail time. A particularly troubling aspect of this legal exposure is that if you are named in a legal action and later found not liable, you still will most likely spend a lot of time and money defending yourself.

Some Personal Fines Assessed on Supervisors and Managers:

In 2000, a school principal was personally liable for \$25,000 in punitive damages for sexual harassment¹.

In 2002, a City Solicitor (in Pittsburgh) was personally liable for \$10,000 in punitive damages for interfering with a settlement agreement².]

From: Personal Liability Report: <http://ppspublishers.com/pdf/PPM/PersonalLiabilityReport11.pdf>

Increasing Government/Legal Fines and Penalties

Just a few examples of the types of fines and penalties you can expect.

In March 2011, the California DIR fined Christopher J. Augusto \$512,000 for lack of compliance with laws that require contractors to provide training opportunities for apprentices.

<http://www.northbaybusinessjournal.com/31014/state-fines-novato-plumber-512000-over-apprentice-training-lapses/>

In November 2010, OSHA cited Interstate Brands Corp., \$274,500 for failing to properly train workers who operate powered industrial trucks.

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=18681

In 2001, Argenbright paid \$1.55 million in fines for failing to do background checks on security screeners and not providing them with required training.

<http://multinationalmonitor.org/mm2001/01december/dec01corp1.html>

The High Costs of Poor Training

The former ABN AMRO Bank, now named the Royal Bank of Scotland, agreed in 2010 to forfeit \$500 million to the United States in connection with a conspiracy to defraud the United States, to violate the International Emergency Economic Powers Act and to violate the Trading with the Enemy Act, as well as a violation of the Bank Secrecy Act (BSA).

The BSA violations involved the failure of the bank's New York branch to maintain adequate anti-money laundering procedures and processes. According to court documents, the office lacked adequate staffing, training and oversight, which permitted multiple high-risk shell companies and foreign

financial institutions to use the bank to launder money through the United States. According to court documents, more than \$3.2 billion dollars involving shell companies and high risk transactions with foreign financial institutions flowed through ABN AMRO's New York branch.

Private security firms are another example of a trend toward holding employers responsible for ensuring that their workers are well-trained. In a number of court cases involving assault, battery, false arrest, or false imprisonment, a lack of proper training is frequently a contributing factor. In cases where negligent training is claimed as a cause of injury, the courts have made it clear that they would consider a lack of training as a basis for cause of action or injury caused by private security personnel.

Only twenty-three states have any requirements for training of private security personnel. The type and amount of training vary from 30 hours in Texas to four in North Carolina. In states with no training requirements, armed and unarmed security personnel can be placed in assignments involving public contact and interaction with only the benefit of on-the-job training.ⁱⁱⁱ Training is frequently designed and delivered in ineffective ways, and few organizations conduct systematic evaluation of training results.^{iv}

Courts are increasingly addressing inadequate or negligent training. Often the issue is combined with charges of negligent hiring, negligent supervision or negligent retention. Employers have an affirmative duty to train each employee in the skills necessary to perform his or her job in a safe and reasonable manner. If the employer fails to train the employee and the employee injures a third person due to the lack of proper training, that person has grounds for a lawsuit.

Some sample cases:

Giant Food, Inc. v. Scherry, 1982, involved a security guard's negligent use of firearms. William Joyner was employed as an armed security guard at a grocery store in Silver Spring, Maryland. When an armed robber came into the store and robbed a cashier, Joyner pursued the man across the parking lot. As the robber drove away, Joyner fired two shots at his car. One bullet hit the car's rear end. The other went through Geraldine Scherry's fifth-floor apartment window across the street. Scherry was unhurt, but so unnerved that she suffered nausea, insomnia, headaches, and general mental and emotional distress, leading to the need for psychotherapy, hospitalization, and lost time from work. The Scherrys sued Giant Food, claiming the company was liable for Joyner's negligence and for entrusting him with a firearm without proper training. The Maryland Court of Special Appeals agreed.

Also in 1982, a Berkley, California, drugstore security guard was tried and convicted of shooting and killing a shoplifter. The incident led to a boycott of the store chain. The guard was sentenced to a work furlough program and three years' probation. The judge noted that the light sentence was given because the security guard was inexperienced and poorly trained.^v

Other Litigation Examples:

Security firms are far from the only organizations to have encountered training as a legal issue:

Davidson v. University of North Carolina at Chapel Hill. During the 1984-85 school year, plaintiff Robin Davidson was a sophomore at UNC and a member of the school's junior varsity cheerleading squad. On January 15, 1985, the JV squad was practicing a stunt in which two cheerleaders stand side by side on the floor, a third cheerleader stands on their shoulders, and a female cheerleader is lifted up to sit on his raised hand. The squad attempted the stunt with Davidson in the top position. She lost her balance and fell approximately 13 feet. The spotters were out of position and unable to prevent Davidson's shoulders and head from hitting the hardwood floor.

Davidson suffered permanent brain damage and serious bodily injury as a result of the fall. She filed a

negligence claim against UNC. The risks associated with a dangerous cheerleading stunt and cheerleading in general were similar for the varsity and junior varsity squads. However, as noted by the court, the level of supervision and instruction provided to these two groups was significantly different. The evidence showed that the varsity squad members, who were older, more skilled, and more experienced, were provided with a supervisor and safety instruction, were informed of the known risks involved in performing pyramids, and were admonished to create and abide by specific safety guidelines. However, the JV squad members, who were younger, less skilled, and less experienced, had no supervisor, received no safety training, and were left on their own to make decisions regarding safety procedures.

A state appeals court reversed an earlier state claims commission, declaring that UNC had an affirmative duty to provide safety training to Davidson and her fellow junior varsity cheerleaders. The appeals court refused to consider whether Davidson was negligent or had voluntarily encountered a known danger. Rather, the court stressed omissions on the school's part, including failure to train in safety techniques and cheerleading skills; failure to provide a coach or supervisor; failure to provide safety equipment; failure to evaluate the skill level of the squad members; and failure to institute cheerleading guidelines.^{vi}

Andrews v. Plum Creek Manufacturing. A woman was promoted from a factory floor to an office clerk position. However, she was given only 10 days of training on handling all of the company's deposits, petty cash, and retail sales accounts. For the next five years, she worked without supervision or guidance for handling these various accounts and procedures. She was never given a performance review. When an audit of the company's finances showed that there were discrepancies between deposit slips and other financial documents, the company demoted her back to the mill floor. She refused a floor position and was fired.

The woman sued the company for wrongful discharge. The company asked the court to dismiss the case, insisting that the employee didn't measure up. The court refused to dismiss the case, saying there was enough evidence to show that the company had failed to give the employee proper training or even monitor her performance. Furthermore, the company developed a procedure manual for handling company cash after the audit, and the plant accountant became more involved in reviewing account activity. These changes, the court said, could prove that the company knew there were problems with its system and that it was this system, and not the employee's poor performance, that led to the accounting problems. The case went to trial.^{vii}

Loss of Life:

Flight 3407 and the Queen of the North

Marvin Renslow, the captain of a commuter plane that crashed in February 2009 near Buffalo, N.Y., had flunked numerous flight tests during his career and was never adequately taught how to respond to the emergency that led to the airplane's fatal descent. All 49 people aboard were killed, as well as one person in a house below, when the plane crashed just a few miles short of the Buffalo airport.

As the plane made its approach toward Buffalo with the autopilot engaged, the crew initially didn't notice its speed had dropped dangerously low, sliding under 115 miles an hour, and risked going into a stall. The slowing speed set off an emergency system called a "stick-pusher," which pushes the control column down and sends the aircraft into a temporary dive so it can regain speed and recover from a stall. However, Renslow yanked back on the controls while adding thrust. His effort was strong enough to manually override the stick-pusher. Within seconds, the plane lost lift, bucked violently and started

to roll. It slammed into a house 5 miles from the runway.

The airline's standard training program stopped short of demonstrating the operation of the stick-pusher in flight simulators. Without such hands-on experience, safety investigators argued, pilots could be surprised and not react properly when the stick-pusher activates during an emergency. The Federal Aviation Administration is required to sign off on all airline training manuals.

Capt. Renslow had five “unsatisfactory” training check rides in his career, but passed a subsequent series of training tests, employment records show. He had a history of flunking check rides -- periodic tests of competency that are also required any time a pilot begins flying a new type of aircraft. He had about 109 hours of experience flying the Q400 as a captain, an unusually limited amount of time by industry standards. He had started flying the craft only two months earlier.^{viii}

Similar training lapses, including unfamiliarity with steering and navigational equipment, were blamed for the 2006 sinking of the British Columbia ferry Queen of the North, according to preliminary findings by the Canadian Transportation Safety Board. The ferry, with 101 people on board, ran aground and sank. Two passengers drowned. According to official reports, the bridge crew was so unfamiliar with the ferry's recently updated steering and navigational equipment that they turned off a monitor displaying their course.

“Although crew members who were involved with the refit had passed on information about the modifications to other crew members, not all crew members appear to have been adequately briefed,” investigators wrote. Members of the bridge team had different understandings of how the new steering-mode selector switch worked and were not aware of the settings available for display of the electronic chart system. The monitor had been turned off to reduce glare in the wheelhouse. “This effectively negated the benefits of ECS (electronic chart system) real-time display of the vessel's track and position vis-a-vis the planned courses and course alterations,” the report said.^{ix}

Accidents Waiting to Happen?

Across the United States, at least 150 students have been seriously injured in school lab accidents in the past four years. But the number is almost certainly much higher, according to interviews with researchers, school officials and insurance companies. While teachers are protected in the workplace by state laws, students are not covered by those laws. There is little regulation of school labs, and no government or private agency collects official data on accidents that happen there. As a result, the exact number of accidents is unknown.

Researchers found that more than 70 percent of high school science teachers in North Carolina had never received safety training, and surveys in 17 other states found similar results for 55 percent to 65 percent of teachers. Lab safety in North Carolina was described as “fairly typical.”^x

Almost all of the accidents and injuries could have been prevented with simple safety measures, experts said. But many teachers are unaware of the dangers, and there is no formal system to share information on accidents so teachers can learn from others' mistakes. One particularly alarming finding: Many teachers don't know how to safely store chemicals, which can cause dangerous reactions if they accidentally mix. Some teachers store chemicals alphabetically instead of by chemical type, or they keep them beyond their safe life span.

The accidents are a serious problem, according to safety experts and insurers who have paid millions of dollars to settle claims. “There have been some terrible accidents and injuries that are just absolutely gross,” said John Wilson, executive director of the Schools Excess Liability Fund in California, which recently paid more than \$1 million in one case involving a chemistry accident and more than \$3 million

in another. A settlement is pending in a third accident, involving a Riverside, Calif., girl who was burned over 20 percent of her body. She is getting treatment to reduce scarring and improve the use of her badly burned right arm.

World Wide Training Issues:

Safety training carries enormous costs – in lives, resources and business – around the world:

- ⤴ In India, a paper presented to the National Fire Academy reported that a majority of employees working in chemical industries lack training in handling explosives and hazardous chemicals that sometimes lead to major accidents resulting in loss of life and property. The authors expressed concern over lack of maintenance of chemical plants and storage of explosive chemicals without permission from local authorities. The paper also stressed the need for a state-level fire board that could suggest steps for fire safety.^{xi}
- ⤴ In China, the lack of in-house training programs for apprentices creates an unsafe working environment at a power plant, the Chinese Employees Union warns. Union officials expressed concern about the frequency of accidents at the plant and called for a safer working environment. Officials said one reason for the problems is the demise of the craft apprenticeship system over the past decade. “Some of the work has been outsourced to contractors, but with the lack of new apprentices in the industry, contractors can only hire workers with less specialized training, or those who have retired from the power station,” said one official, adding that the company has difficulties in monitoring the quality of technicians hired by contractors.^{xii}
- ⤴ In Spain, the industrial accident rate has grown steadily since 1994. In 2001, the total number of accidents reported during working time stood at 1,812,507, an increase of 87,277 accidents or 5 percent over the previous year. According to a national survey carried out by the Ministry of Labour and Social Affairs in 2000, 80 percent of employers claimed a lack of knowledge of the Law on the Prevention of Occupational Risks. Furthermore, 24 percent of the respondents stated that no preventive safety training had been carried out in their workplaces in the past few years, and in the service sector this figure rises to 30 percent.^{xiii}

Declining Competitive Advantage

Many small-business owners have confronted one or several of the following problems: a high turnover rate, excessive absenteeism, a high accident rate, an increase in customer complaints, operational errors, and costly delays brought about by a communication failure. Many firms have attempted to solve these problems, only to discover that they were dealing with indicators or symptoms of the more basic problem of not having properly trained employees.

Even though an effective training program could result in a more profitable operation, many managers object to it with a traditional argument: A small company can't afford a training program. But someone is needed to establish goals, plan to implement them, and direct the workers toward achieving them. In short, trained supervisors are necessary to manage an organization well.

Small business managers who wish to acquire a broad range of administrative skills for themselves and for their supervisors can benefit from training programs such as those sponsored by the Small Business Administration, the American Management Association, leading educational institutions throughout the country, and other organizations. Another option is a cooperative approach similar to that used by educational institutions. A joint training program entered into by several firms could solve mutual problems while lowering the costs for each participating firm.^{xiv}

In Ontario, Canada, a lack of appropriately trained workers creates big problems in staying competitive, says Gerry Cariou, executive director of the Sunset Country Travel Association. “It’s hard to find good management. There are some big challenges to finding those upper-level employees, so yeah, availability is a basic issue.”

These views are also reflected in a 2009 report on the sustainability of Ontario’s tourism industry. Among other things, the report touches specifically on the need to better develop the tourism workforce, specifically highlighting the lack of available labour and training for the tourism industry. Chief among the report's recommendations is the suggestion to create a tourism council to develop a proper human resources strategy. In addition, it says, employers should be provided with incentives through training credits to encourage worker education.^{xv}

Numerous studies have examined the effectiveness of sales training programs. American businesses continue to face a fluid economic environment with increased levels of competition and rapidly changing technology. Customers expect salespeople to be more knowledgeable, respond faster, and provide value-added, customized solutions to their problems. Given that the demands of the sales role have changed, it follows that the training salespeople receive is changing, as well. U.S. organizations spend \$7.1 billion annually on training salespeople, and devote more than 33 hours per year training the average salesperson. This figure reaches 73.4 training days for an average entry-level salesperson, and in technical markets (e.g., imaging systems, chemicals, and computers), the costs associated with the development of a salesperson can exceed \$100,000. Because of high initial costs, it may take as long as two years before any profit is realized from a new salesperson.^{xvi}

Organizations investing such large amounts of resources in sales training want to see that training expenditures actually aid the firm in reaching its goals. Training professionals estimate a 90 percent dissatisfaction rate among salespeople who receive training. Evidence also suggests that salespeople and sales leaders at all levels are generally dissatisfied with sales training. ^{xvii}

Little attention has been paid to the role of a central actor in the training process—the sales trainer. Researchers recognize the importance of the trainer, suggesting the evaluation of training personnel as one test of training effectiveness. In the past it was generally assumed that if a person had significant knowledge about his or her subject, he or she would be able to teach it well. Thus, training expertise was assumed to be a part of content expertise. Over time, training has come to be recognized as a skill associated with, but separate from, content expertise. In reality, subject expertise is necessary but not sufficient. Trainers must acquire new knowledge and skills in the instructional arena, which means the right people must be matched to the sales trainer position.^{xviii}

It is widely believed that more training will help organizations meet their long-term targets by providing the skill sets deemed necessary for business in the future. But are these calls being made with careful analysis of the problems at hand? Companies may be wasting millions of dollars on unnecessary training programs. Alongside calls for increased spending should be a greater acknowledgement that training needs to be seriously reviewed if it cannot prove it is providing benefit to the business. More often than not it is simply assumed that training is making a positive impact, with data such as attendance figures frequently used as the single criterion for a program's success or failure.

There is a widespread lack of process in place to ensure the most basic of training outcomes is met - that team members are doing their job more effectively and moving the business forward as a result. It may seem entirely obvious that staff performance should improve with training, but this is rarely measured. And even when it is measured, it is regularly done in such a rudimentary fashion that it ends up being a waste of busy professionals' time.^{xix}

7 Steps You Can Take to Now to Minimize Your Risk & Liability

There is no question that disgruntled employees and their attorneys have become more aggressive in pursuing lawsuits against individual decision-makers. The following are 7 steps you can take immediately to reduce exposure to lawsuits, both for you and your organization:

1. Know the law and understand your risks.
2. Make sure your policies are up-to-date.
3. Don't make hasty decisions.
4. Explain your decisions to affected employees.
5. Document your decisions.
6. Train and document your records to establish an 'Affirmative Defense' or 'Kolstad Defense'.
7. Check insurance policies and your employer's bylaws to see if you are, or can be, protected.

What You Can Do To Evaluate Your Training Programs

Experts assert that training must be seriously reviewed to prove its benefit to business. Leadership training programs and management development have become a multi-billion dollar industry on the national and international level. Research shows that three-quarters of U.S. organizations with more than 10,000 employees spend \$750,000 or more on leadership development each year, nearly \$8,000 per person.^{xx} Serious evaluation of this investment means collecting relevant, detailed data at every stage of the process and using that to guide future implementation decisions.^{xxi}

There are four main levels at which training can be evaluated:

- ⤴ Participants' immediate reaction to the training itself.
- ⤴ What they learned from the training.
- ⤴ The extent to which the new learning is transferred back to the job and results in new forms of behavior at work.
- ⤴ The extent to which the new job behaviors result in improved individual and organizational performance.^{xxii}

The measurement of trainee satisfaction, which generally takes place at the end of a course, is by far the most popular and often the only form of evaluation undertaken by organizations. However, this does not provide an in-depth understanding of the training's effectiveness. Examining trainees' reactions to the training as well as analyzing the factors that affect their reactions can contribute to a more effective planning, design and management of training programs.^{xxiii}

Organizations and their training programs have been affected by many trends in recent years. Each trend has created the need for training professionals to take a new look at what they do and has created an impetus for moving beyond training as a solitary change strategy and instead focusing on more holistic approaches to enhancing human performance. Four trends have exerted perhaps the most profound influence on organizations:

- ⤴ They are being challenged to keep pace with rapid external environmental change.
- ⤴ Efforts are under way to establish high-performance work environments that are optimally

conducive to human productivity.

- ⤴ Work activities are increasingly being organized in innovative ways, centering on teams or contingent or temporary workers or relying on outsourcing.
- ⤴ Employees themselves are finding that they must prepare themselves for continually upgrading their competencies in real time.^{xxiv}

Traditional training approaches rarely work any more as an effective tool for helping people meet the competitive challenges they face. One reason is that traditional training approaches—and even well-designed online approaches to training—are slow and require too much time to design and deliver. Worse yet, productive employees have to be taken off-line to participate in traditional training experiences or else sacrifice diminishing personal time off-the-job to do it. That is particularly problematic in downsized organizations in which managers cannot easily justify pulling stressed-out people away from their overwhelming workloads to attend corporate schoolhouses.^{xxv}

Traditional approaches to training can be fraught with problems in today's organizations. These problems can usually be classified into four general categories: a lack of focus; a lack of management support; a lack of systematic, effective planning and design; and a failure to link the training to other organizational initiatives. Each problem emphasizes the need to move beyond traditional training—and training as a stand-alone change strategy—to focus on more holistic approaches to enhancing human performance.^{xxvi}

The following questions can lead an organization toward a more integrated approach to planning efficient, useful training, as well as smarter assessment of its worth:

- ⤴ How does the training and development contribute to the organization's strategic objectives? To meeting or exceeding customer requirements?
- ⤴ How does training and development prove the return on training investments?
- ⤴ How are problems that should be solved by training distinguished from problems that should be solved by management action?
- ⤴ How do operating managers hold employees accountable on their jobs for what they learn in training?^{xxvii}

Each step in training or instructional design should be systematically linked to other steps. As a first step, training and development professionals should always analyze human performance problems or improvement opportunities to distinguish those that lend themselves to training solutions from those that do not. Training will solve only problems resulting from an individual's lack of knowledge, skill, or appropriate attitude; training will not solve problems stemming from poor management practices. Further, training and development professionals should analyze who will receive training, what working conditions will exist when learners try to apply what they learn to their jobs, and how work expectations will be measured to provide the basis for judging work performance. Third, training and development professionals should assess training needs to clarify instructional objectives. The fourth step is establishing measurement criteria with which to assess success in training. The fifth step is testing the instructional materials to ensure that they work and revising them to make them more effective. The sixth step is delivering the training to learners, and the final step is evaluating results and feeding the results back into step 1.

Unfortunately, training and development professionals do not always follow these steps. Some or all are often omitted, sometimes because training and development professionals have not been trained themselves on effective approaches to designing and delivering instruction.^{xxviii}

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- i Giangreco, Antonio, et al, "Trainees' Reactions to Training: An Analysis of the Factors Affecting Overall Satisfaction With Training," *The International Journal of Human Resource Management*, January 2009.
 - ii Thomas, Robin, "Your Personal Assets at Risk in Daily HR Decisions," Personnel Policy Service Inc., Louisville, Kentucky, 2009.
 - iii Moore, Richter, "Civil Liability for Negligent and Inadequate Training: A Private Security Problem," *Journal of Contemporary Justice*, 1988.
 - iv American Management Association (AMA), "Why Training is Not Enough."
 - v Moore, 1988.
 - vi Kozlowski, James, "Lack of Safety Information and Training Faulted in Cheerleading Injury," Parks & Recreation magazine, June 2001.
 - vii *Fair Employment Practices Guidelines*, Aspen Publishers.
 - viii Pasztor, Andy, "Captain's Training Faulted in Air Crash That Killed 50," *The Wall Street Journal*, May 11, 2009.
 - ix Daniels, Alan, "Lack of Training Cited in Queen of the North Sinking," *Air Cargo World*, 2006.
 - x Webber, Tammy, "Mishaps in School Labs Reveal Lack of Safety," *The Charlotte Observer*, February 9, 2011.
 - xi "Lack of Training Leads to Accidents," Express News Service, Mumbai, India, April 1999.
 - xii Lee, Diana, "Union Blames Lack of Training for CLP Accidents," *The Standard*, China's Business Newspaper, January 3, 2011.
 - xiii "UGT Analyzes Industrial Accident and Illness Rate," European Industrial Relations Observatory On-Line, 2003.
 - xiv Howell, D.L., and Boxx, Randy, "The Reduction of Small Business Failures Through Cooperative Training," *Journal of Small Business Management*.
 - xv Stewart, Nick, "Lack of Skilled Labour, Training Harming Tourism Industry," *Northern Ontario Business*, April 2009.
 - xvi Ricks, Joe, et al, "Sales Trainer Roles, Competencies, Skills, and Behaviors: A Case Study," *Industrial Marketing Management*, 2008.
 - xvii Ricks, 2008.
 - xviii Ricks, 2008.
 - xix Massey, Jane, "Training Need Not Be a Financial Risk," *Training Journal*, February 2011.
 - xx Parkin, Paul. "Leadership Communication Training for Small Businesses." Paper presented at the annual meeting of the NCA 94th Annual Convention, TBA, San Diego, CA, Nov 20, 2008.
 - xxi Massey, 2011.
 - xxii Giangreco, 2009.
 - xxiii Giangreco, 2009.
 - xxiv AMA
 - xxv AMA
 - xxvi AMA
 - xxvii AMA
 - xxviii AMA