When we were in medical school, we never imagined we would one day be acting as personnel managers or performing human resource functions. However, practicing medicine today has become a business, which requires, of course, hiring and firing. Some large practices outsource these functions or have human resource (HR) departments that handle the hiring, firing, and related HR issues (e.g. payroll, taxes, benefits, health insurances, 401K retirement plans, cafeteria plans, etc). On the other hand, small practices like mine can neither afford to outsource this job nor have a dedicated person acting as a “human resource department.” Like many of my colleagues, I have no choice but to perform the HR functions myself or to share the responsibility with my office manager or other appropriate employee.

Know the Laws
Faced with the challenges of being the HR department, dermatologists must be familiar with relevant regulations and establish appropriate protocols. In handling HR responsibilities, there are certain federal, state, and local employment laws that we have to know and follow. First, we need to have an employee manual that details job descriptions for each position in the practice. This document needs to clearly state what is expected from employees and what the consequences will be for those who do not follow the policies in the manual. We also need to have a written, uniform policy for vacation and sick days, health insurance, 401K offerings, profit sharing, etc. The employee manual should also emphasize training and implementation of HIPAA, OSHA, and CLIA rules and regulations.

Know the Interview Questions to Ask
Arguably the deciding factor in most hiring decisions is the interview. When hiring employees, we must be familiar with guidelines that dictate what we can and cannot ask during interviews. The best resource for this information is www.eeoc.com, which does an excellent job spelling out the equal opportunity employment rules. Below is a brief summary of questions we may and may not ask during an interview as well as tips on how to find out pertinent information about potential employees without running afoul of the law.

1. Avoid questions about race, color, and national origin. However, we are obligated to ask if the potential
employee is legally authorized to work in the United States on a full-time basis. This means you can ask if they have a work permit (such as a green card) or request a copy of their social security card. You can also ask for a copy of documents that show US citizenship or any other document that shows legal authorization by the labor department for that individual to work in this country.

2. You cannot ask about religious preference. If applicable, however, you can ask if they can work on Friday, Saturday, or Sunday—religious holidays for some. Also, you can ask if they are willing to perform blood draws or blood infusions, which may be against certain beliefs. An Ob-Gyn performing abortions can ask applicants if they have objections to that procedure.

3. You are not supposed to ask about anything related to pregnancy, future pregnancy, number of children, or childcare planning. However, you can ask if the potential employee has a problem with working late hours or weekends. Any time restrictions they mention will likely give you the information you need to know without asking any illegal questions.

4. You should not ask if the person has any specific disability (unless you can see they are in a wheelchair or are using a cane) or about their age. On the other hand, you can ask if they have any specific conditions that will affect their job performance (i.e., if they have problems seeing different colors, wearing goggles, or standing, sitting, or typing for prolonged periods). Answers to these types of questions will give you an idea about specific disabilities that may not be generally apparent during the interview.

5. You should never ask about sexual orientation.

6. You can ask why the applicant left his or her previous job(s) and what he or she expects from any future job.

7. You can (and in the case of medical practice must) ask if the applicant has the required licensing for the job you are offering. For example, does a nurse candidate have the required state nursing license?

8. You have the right to conduct a background check, which can be done with minimal cost per inquiry with useful results. These are not considered discriminatory and are absolutely within the law.

9. A pre-employment drug screening, which can cost about $40-50, is permissible and may reveal an employee's current drug habits. You certainly do not want to hire a nurse who is a drug abuser.

Additional Tips
Once you hire the “right” employee, it is critical to apply the time and effort to adequately train him or her in the job you want them to perform. Make sure to document in writing where, when, and what training occurred.

While it is important to create a professional, comfortable work environment where staff feels confident about performing their duties, this alone is not enough to retain an employee in today's dynamic work atmosphere. Financial incentives, such as bonuses, extra days off, treating employees to lunch or dinner with their families, or sending them on a paid vacation, can play important roles in rewarding and retaining employees.

Symbiotic Relationship
Practice success requires creating a symbiotic relationship with your staff. It is critical that staff understand that their well-being is directly dependent upon the overall well-being of your practice. They need to understand and feel that they are an essential part of the practice. Sharing the good fortune of your practice—as well as the headaches—with your staff will generate the most efficient engine to run your practice.