



# BALANCE *view*

NEWS AND INFORMATION ON HR AND AFFIRMATIVE ACTION ISSUES  
Berkshire Associates Inc. Newsletter ~ Qtr. 3 ~ 2007

## WHAT'S INSIDE

From Our Editor.....	2
Did You Know?.....	3
Out and About .....	3
Strengthening the Weakest Link....	4
The New BALANCE <i>trak</i> .....	4
Berkshire's Open House Celebration .....	5
Berkshire launches New Website ..	5
Putting the Action Back Into Affirmative Action .....	5
Compensation Professionals .....	6
BALANCE <i>pay</i> with Compensation Designer .....	6
Reader's Comments .....	7
Training, Meetings & Seminars .....	7

## Compensation Heat Wave: What You Need to Know to Stay Cool

Susan Willmott, SPHR

Compensation affects both the productivity and profitability of a company and has a major impact on the ability to effectively implement a strategy. Total compensation is typically one of the largest of controllable costs in business.

Competitive starting salaries are needed to attract talented employees. Once competitive pay ranges are established, increases in employee compensation should be tied to factors that add value to the organization.

A compensation structure design that includes fairness and internal equity (real and perceived) is a strong cultural imperative, as well as a requirement to minimize legal exposure. There are various methods in creating a compensation structure. However, the common purpose is to establish value and group jobs into grades or bands, such as:

- Defining three to ten factors that impact pay for each position (for example, time in company, market rate for job, performance). These will vary between jobs—The factors that influence pay for an HR Generalist, a Sales Manager, and a Receptionist are very different.
- Assigning a value to each compensable factor—Education may be very important for some jobs, less important for others, or not relevant at all.
- Grouping jobs with similar compensable factors and values of those factors—These groups become your grades or bands.
- Determining minimum and

maximums for each grade or band and then ranking them.

- Documenting processes for evaluating new jobs and slotting them into grades.

Once you have defined what is valued in each job and how they rank against one another, you have created the compensation structure and foundation for a compensation philosophy. This should be refined by the executive team and then communicated to employees and incorporated into the handbook. This allows employees to understand where the company stands. Once employees know what factors make them a more valuable employee, they are able to understand their current compensation level and how to increase it. Obviously not all compensation factors are quantifiable, so it is important to communicate that factors

See COMPENSATION HEAT WAVE...cont. on page 2

## Fast Facts

By: Lauren Perry

Two laws protect workers against wage discrimination. The Equal Pay Act of 1963 prohibits unequal pay for equal or "substantially equal" work performed by men and women. Title VII of the Civil Rights Act of 1964 prohibits wage discrimination on the basis of race, color, sex, religion, or national origin. In 1981, the Supreme Court made it clear that Title VII is broader than the Equal Pay Act, and prohibits wage discrimination even when the jobs are not identical.

What measures has your company made to ensure compliance with the Equal Pay Act and Title VII of the Civil Rights Act? To learn more about protecting your company against potential pay equity liabilities, please contact Berkshire Associates Inc. at 800.882.8904 or [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com). Visit [www.berkshireassociates.com](http://www.berkshireassociates.com).

## UPCOMING EVENTS

25th Annual Industry  
Liaison Group National  
Conference

New York, NY

August 21-24, 2007

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## From Our Editor

### Fighting for a Few Good Men & Women: The Employee Dry Spell

By: Dawn S. Hyde, SPHR

A recent article in *Recruiting Trends Magazine* states that 82% of the CEOs participating in Deloitte's Technology Fast 500 CEO Survey claim they are either very confident or extremely confident about continued company growth. In fact, 98% claim they will be hiring over the next 12 months and 37% plan to grow their workforce 26% to 50%—up from 30% last year. Half the CEOs will grow their headcount up to 25%, and 11% plan to increase their headcount more than 50%. So what does this mean for CEOs?

The good news is higher growth rates for businesses are right around the corner. The bad news is that once again the employee dry spell is blowing in. Meaning CEOs will need to grab their armor and battle in the recruiting wars for talent—fighting for a few good men and women in specialized industries and professions. You may recall a similar trend in the beginning of the century when job seekers were lured away with lavish perks and glamorous stock options, requiring offers within two days of an interview.

As a business owner, this market throws a monkey-wrench in our plans for steady growth. The increased demand for experienced workers will raise the demand for higher wages and overall increased expenses. This will result in a lag between the investment (increased expense) and the benefits of the growth that follows. Not only that, the sudden jump in the starting salaries opens the floodgates for a company-wide salary review and adverse impact analysis that follows. Ironically, the lagging market survey data does not support the higher wages, so how will you justify increases without supporting data? First, recognize the fact that the dry spell is coming. Proactively start revising your strategic plan, and revise your hiring strategy early. Start to look at some less-tapped job seeker markets such as:

- Job seekers fresh out of college
- Interns working on advanced degrees or nearing their graduation
- Women or other minorities
- Older workforce members
- Ex-employees who left on good terms
- Less experienced workers with growth potential

Try to sell your company's intangibles like culture, growth opportunities, friendly people, location, etc.—don't just throw money at them. Monetary supplements don't last, and you are competing against thousands of companies who are trying to do the same. Focus on the intangible benefits not only now, but in the future as well. These characteristics are not built in one day or one month—they take time to finesse, eventually creating an endless impact. Before the dry spell hits, do your homework, and make sure you have the right strategy in place to keep your organization hydrated with the best talent.

Call Berkshire at 800.882.8904 for more information on how to recruit the best talent for your organization. Or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com). Visit [www.berkshireassociates.com](http://www.berkshireassociates.com).

#### COMPENSATION HEAT WAVE...cont. from page 1

such as company financial performance and employee attitude are variables also.

Once a compensation structure is implemented your company can say, "We know our pay differences are not related to race or gender because they are determined based on job-based, non-discriminatory factors." This will limit liability by providing the often missing defense needed to rebut a race or gender complaint.

The compensation philosophy should be communicated early and often to employees as a proactive measure to ensure an understanding of how compensation is determined. This assurance that compensation is consistently determined based on value of the job will prevent the perception of inequities that can lead to complaints, and keep your company cool and compliant.

For more information on compensation structure and strategy, please call 800.882.8904 or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com).

## Mission Statement

BALANCEview is Berkshire Associates voice to the HR Community. Our mission is to provide up-to-date information on trends and challenges facing HR professionals. BALANCEview is also an extension of Berkshire's mission to provide outstanding, balanced services and software solutions, to organizations of all sizes, shapes, and business focus. Berkshire's balance comes from its staff of expert HR consultants as well as its innovative team of software developers that turn your ideas into reality. The entire staff of Berkshire Associates wishes to provide you with outstanding service, products, and information to help BALANCE your workforce.

## Did You Know?

By: Nicole Yeldell

It is almost September 30, 2007—time to complete your EEO-1 report using the new EEO-1 form. Are you ready? Here are some helpful reminders to keep you on track.

### **What are the new job categories?**

The new EEO-1 job categories divide “Officials and Managers” into two subgroups based on responsibility and influence within the organization. These two levels are “Executive/Senior Level Officials and Managers” and “First/Mid-Level Official and Managers.” Executive/Senior Level Officials and Managers include individuals who plan, direct, and formulate policies, and who set strategy and provide the overall direction of the company. First/Mid-Level Officials and Managers include employees who oversee and direct delivery of products, services, or functions at the group, regional, or divisional level of the company. Typically, these officials receive directions from the Executive/Senior Level Officials and Managers.

### **Do we have to use the new job categories when completing the 2007 EEO-1?**

Yes. Using the new job categories does not require an employer to survey or resurvey its workforce. The employer is responsible for determining to which EEO-1 category a job belongs. Consider reviewing position descriptions of each job title and assign jobs to EEO-1 job categories based upon the revised definitions in the EEO-1 report form.

### **Do I have to resurvey the race and ethnicity of my workforce, and, if so, when?**

The EEOC encourages, but does not require, employers to resurvey the race and ethnicity of their current workforce prior to the 2007 EEO-1 submission. However, the 2008 EEO-1 will only allow employees to be recorded under the new race and ethnicity categories.

### **If I do not resurvey for the 2007 EEO-1, how do I report employees?**

If an employer chooses not to resurvey for the 2007 EEO-1 report, employees should remain in the groups in which they were previously identified. Employees previously identified as

“Asian/Native Hawaiian or other Pacific Islander” should be identified as “Asian” for the 2007 EEO-1. Employees hired in 2007, should have been surveyed with the new categories and should therefore be reported in the appropriate categories.

For more information the EEO-1 report changes, please call 800.882.8904 or email [bjai@berkshireassociates.com](mailto:bjai@berkshireassociates.com). Visit [www.berkshireassociates.com](http://www.berkshireassociates.com).

## Out and About

By: Lauren Perry

Berkshire prepared for the HR heat wave by swimming ahead of the latest industry trends—on a mission to keep clients cool and compliant. We started out the quarter traveling to Austin, TX from April 25-28, where one of our senior HR consultants, and diversity specialist, Sybil Randolph, SPHR, presented at the American Association for Affirmative Action’s 33<sup>rd</sup> Annual Conference. Sybil discussed diversity preparedness; specifically, how to get your company to the finish line of diversity awareness by using the right metrics. The presentation drew many attendees; educating and impacting affirmative action and diversity professionals throughout the country.

We then traveled to sunny Orlando, FL from May 6-9 for the annual WorldatWork Total Rewards Conference & Exposition. Here we listened to HR professionals from across the globe and sized up their biggest compensation challenges and needs. Michele Whitehead, PHR, Berkshire’s Manager of HR Services, teamed up with LifeBridge Health to present a case study on streamlining a job description system to maximize compensation and performance management. The presentation was a success. As a result, Berkshire was able to identify the hottest compensation issues that HR professionals are facing today. According to Michele, these issues include executive compensation (stock options, equity, etc.), sales compensation, and work/life programs.

Our next stop was Las Vegas, NV, from June 24-27<sup>th</sup> to attend the 2007 Society for Human Resource Management



(SHRM) Annual Conference. There we mingled with some of the 22,000 HR professionals in attendance, learning more about the latest industry trends.

Amidst our travels, we continued to conduct numerous on-site training sessions and seminars. We have also been diligently working on audit plans, ensuring OFCCP compliance for all our clients. One of the highlights of the quarter was our Fundamentals of Affirmative Action Planning (FAAP) seminar which took place in the windy city—Chicago, IL. We met with HR professionals from around the country to train them on the latest affirmative action plan preparation techniques and regulation updates. Our next FAAP on the road will take place October 9-10, 2007, in Houston, TX. For more information or to register for this class, please visit <http://www.berkshireassociates.com/training/faap.aspx>.

The quarter ended with a splash when Berkshire was named one of the top software development companies in Baltimore by the *Baltimore Business Journal Book of Lists*. We were also notified that our President & Founder, Dawn S. Hyde, SPHR, was selected as one of the top 25 female entrepreneurs in the Baltimore area by *Baltimore SmartCEO Magazine*. Both of these awards were a tremendous honor for Dawn and a great inspiration for all of us at Berkshire.

To find out what we dive into next, don’t miss the fourth-quarter issue of *BALANCEview*.

# Strengthening the Weakest Link: The Connection between Compensation and Performance Management

By: Michele Whitehead, PHR

Despite the fact that a sound job description is the basis for a solid compensation plan, all too often job descriptions become the weakest link in the connection between compensation and performance management. Several years ago, a valued client of mine conducted an employee opinion poll on the company's performance management program. The results were grim. There was an overwhelming consensus that employees were unclear about job expectations. Their job descriptions did not reflect the work they were actually performing. If this scenario sounds all too familiar, consider reviewing the current state of your job descriptions. Things to consider are:

- How many job descriptions do you currently have? How many do you need?
- Are the descriptions consistent in format / content across departments, divisions, etc.?
- Are they electronically accessible for easy upkeep?
- What is your process for creating or editing job descriptions?
- Do your titles make sense?
- Are the titles clear, concise, and well formatted?
- Are essential functions and qualifications current?
- Are you in violation of any compliance requirements?

If you reach the realization that your job descriptions are in need of an extreme makeover, you'll want to begin



by conducting a comprehensive job analysis of each position. This can be accomplished through a job analysis questionnaire designed to capture job data related to the compensable factors that quantify the relative value each job brings to your organization. For example, most companies pay for a minimum level of education and experience. Other compensable factors include degree of autonomy, degree of problem solving, management of others, and working conditions. The questionnaire should be written in a multiple choice format so that managers and/or job incumbents can choose the phrase that best describes the job on each of the company's compensable factors.

Once the job analysis is complete, you will have a wealth of information at your fingertips to:

1. Write comprehensive, up-to-date job descriptions
2. Conduct a job evaluation
3. Conduct a market analysis
4. Create or update your compensation structure
5. Communicate job expectations for performance management
6. Pay for performance

Without a doubt, a well written job description will provide the necessary job-related criteria for fair and consistent performance evaluations and, subsequently, fair and equitable pay increases based on overall performance. Not only will performance evaluations become more meaningful, but the company will be better able to forecast pay increases and budgetary impact. Fortunately, the client mentioned

earlier took their employees' feedback seriously and set out to rewrite all of the 1,000 plus job descriptions that would later form the foundation of a revamped performance management process and compensation philosophy. The end result was a high-tech, automated system for creating and updating job descriptions and conducting performance evaluations; a better-managed salary budget; and a successful link between the job descriptions, performance management, and compensation.

The moral of this story is, don't underestimate the value of a comprehensive and up-to-date job description when it comes to paying your employees fairly and equitably. If your job descriptions are in need of an extreme makeover, or if you are looking to strengthen the link between your job descriptions and your compensation plan, contact Berkshire at 800.882.8904 or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com).

## The New BALANCEtrak

By: Candace Hepler

In May, Berkshire announced the latest release of its applicant tracking software, BALANCEtrak. This release includes ground-breaking enhancements that improve usability and functionality. Below is a partial list of the enhancements and new features included in the release:

**New Home Page with Dashboard**  
BALANCEtrak's new home page displays a dashboard giving users a snapshot view of a company's recruiting activities.

**Email Alerts to Notify You**  
BALANCEtrak can email a user to notify them when a new job seeker applies for a position, a job requisition is approaching its closing date, or a job seeker submits a background check form.

**Enhanced Reports in PDF**  
Better functionality and a professional presentation tie in perfectly with the report enhancements. All reports are now upgraded to PDF documents.

### Résumé Search using Keywords

BALANCEtrak users can now search on a specific keyword, and have the option of viewing a job seeker's résumé with the keyword highlighted.

### Data Archives

The Data Archive function allows administrators to backup data including job seekers, résumés, and applications.

### User Profiles with Permission Settings

User profiles allow administrators to restrict access to features and data fields in BALANCEtrak. Users are assigned function profiles that allow access to certain features. Users are also assigned data profiles to limit the user's access to available data.

To find out more information about BALANCEtrak, please call 800.882.8904, email [bjai@berkshireassociates.com](mailto:bjai@berkshireassociates.com), or visit <http://www.berkshireassociates.com/software/baaptrak.aspx>.

## Berkshire's Open House Celebration

By: Lauren Perry

Berkshire is opening its doors to fellow human resources and business professionals across the region for a one-of-a-kind networking celebration. On September 27, 2007, Berkshire will be hosting a delectable Belgian Waffle Breakfast open house ceremony at its new office building in Columbia, MD. Attendees will enjoy all the fresh berries, whipped cream, and melted butter imaginable, while coming together with other professionals, clients, and business owners.

Along with breakfast, President & Founder, Dawn S. Hyde, SPHR, will present a firsthand account of growing Berkshire from a home office, to operating in her own 25,000 square foot commercial space. Her inspirational story of entrepreneurial spirit, vision, and perseverance will be followed by a question and answer session for attendees to participate.

If you would like to attend the free event, please contact Lauren Perry at 800.882.8904, ext. 1307 or email [lauren@berkshireassociates.com](mailto:lauren@berkshireassociates.com).

## Berkshire Launches New Website

By: Lauren Perry

At the end of August, Berkshire will launch its new website, which will mark the next chapter in the company's 24-year history of growth and innovation.

According to the Senior Manager of Product Development, Karl Hester, "This new site is easier to navigate and is filled with the most up-to-date human resources and affirmative action information." New features on the site include:

- Sleek and updated layout
- Enhanced navigation for easier access to information
- Condensed text—highlighting the most relevant and important information

Another valuable enhancement to the website is to the training registration process. Now when a client wants to register for a class they will be able to:

- View the full schedule of classes and availability in real-time
- Register online for all public classes
- Sign-up multiple students at the same time
- Register different students for different classes
- Access detailed registration report before payment

Visit Berkshire's new website at [www.berkshireassociates.com](http://www.berkshireassociates.com) to see the improved navigation and usability first-hand.



## Prep School

## Putting the Action Back into the Affirmative Action Program

By: Dana Lake-Streams

Affirmative action programs are an important aspect of many organizations, ensuring equal employment opportunity for all applicants and employees. "Affirmative Action" means taking positive steps to increase the representation of women and minorities in areas of employment, education, and business from which they have been historically excluded. However, it is more than a formal announcement of good intentions; it is the *active* extension of employment and program participation opportunities to populations formerly under-utilized in employment or under-represented in program participation.

Your company's affirmative action plan should denote a program of *action* leading toward the accomplishment of specific and measurable results in connection with ethical and legal responsibilities of an organization. Putting the "action" back into affirmative action means that executives and upper level managers are responsible for becoming the champion of the program and should support the affirmative action officers and managers as they implement the affirmative action plan.

Affirmation action involves vigorous recruitment efforts centered around professional employment, representation within a company, and programs directed toward women, minorities, Veterans, and people with disabilities.

Putting the "action" in affirmative action also includes, but is not limited to the following:

- Continuously analyzing all positions and preparing written descriptions to accurately reflect functions—making sure that job specifications are consistent for the

See PUTTING THE ACTION BACK...cont. on page 6

same job title in all organizational units, excluding any requirements resulting in discrimination for the protected classes

- Sharing job descriptions with all employees, and anyone else involved in the recruitment, screening, selection, and promotion process
- Evaluating the total selection process to ensure the absence of discrimination
- Evaluating and improving recruitment techniques, and increasing the applicant pool for qualified minority and/or female applicants
- Implementing programs and procedures to ensure that the protected classes are given equal opportunities for promotions

Your organization's commitment to affirmative action is paramount to accomplishing organizational affirmative action goals. Top management should continuously take the appropriate steps to ensure commitment to action for the organization's affirmative action program.

For more information on affirmative action, please contact Berkshire Associates Inc. at 800.882.8904 or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com). Visit [www.berkshireassociates.com](http://www.berkshireassociates.com).

## Bench Press

### Compensation Professionals—Finding the Right Fit

By: Stephanie Jensen

The responsibility of administering a compensation plan is sticky business in today's world. Executive pay scandals and new OFCCP regulations regarding compensation analysis have turned up the heat on an already hot topic. Human Resources, Finance, Operations, and senior executives all have something to offer to this subject, but which department is best for this job? Where your compensation function exists in the

organization can have a big impact on the direction of the program.

There used to be a time when compensation consisted of merit increases and performance appraisals, but that's no longer the case. Today companies recognize that you can actually affect organizational behavior with compensation, and in return, grow and retain the best employees. To do this you must have deeper knowledge than just a scientific or technical approach. Compensation needs to focus on the development of people, along with compensation administration.

Human resource professionals have the necessary tools and background to handle the many complexities of compensation. They can even analyze data such as employee turnover to evaluate the effectiveness of the program. For example, the Sarbanes-Oxley Act of 2002 has put pressure on compensation committees. These committees are turning to HR professionals to ensure that recommendations from outside consultants are in line with the company's compensation philosophy. HR can provide the guidelines, but even the best laid-out plan will not be effective if it doesn't meet the needs of the company.

Senior executives must be involved in the process from the beginning in order to develop and maintain a compensation philosophy that meets the company's goals. If senior executives aren't onboard with what HR is proposing, the program is not going to have a big impact. HR and management can work together to learn what the organization really values in terms of compensation.

Operations managers can also be an invaluable source for compensation matters. They know the specifics of the jobs, the specialty skills, and which are worth paying for in their business unit. These days more employers are rewarding their employees with bonuses to keep their fixed costs down. Operations managers will need to be involved to pinpoint the top performers. If budgets don't allow for high annual increases, then performance reviews will be key in effectively allocating what is available.

It only seems logical that Finance—the department responsible for managing money—be a part of any compensation

program. They will have the data to review current salaries and are probably involved in implementing changes. They can crunch the numbers to see how new programs impact the organization. With the strong performance of the stock market, companies may be offering attractive employee stock and stock option plans as part of a total compensation package. Finance will be a key player in assessing the overall package and could help to communicate the value to employees.

Wherever your compensation function might be in your organization, it can increase the success of the program with assistance from other areas of the business, and where this responsibility falls may depend greatly on the size of the company. Those with fewer than 1,000 employees may have a generalized HR person handling compensation, where larger firms might have an entire compensation department. When deciding where compensation should be, consider the contributions from all departments to find the best fit for your organization.

For more information on compensation, please contact Berkshire Associates Inc. at 800.882.8904 or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com). Visit [www.berkshireassociates.com](http://www.berkshireassociates.com).

## Berkshire Introduces BALANCEpay with Compensation Designer

By: Karl Hester

BALANCEpay has provided assistance to compensation experts and human resources professionals in identifying areas of pay discrepancies and potential compensation problems for over six years. This year Berkshire is proud to announce the latest release of BALANCEpay, Service Release 2, which will include **Compensation Designer**—a function to help organizations establish a pay structure to accurately represent how their workforce is paid.

While BALANCEpay has always provided guidance to help companies react to pay discrepancy issues, **Compensation Designer** now allows

them to act proactively, building a compensation system that is fully defensible against such claims.

**Compensation Designer** guides users through the process of identifying which factors, such as education level, previous experience, or number of employees supervised, determine pay in your organization. Once the factors are identified, **BALANCEpay** with **Compensation Designer** provides a variety of methods to demonstrate how this factor contributes to pay.

How a factor value is analyzed can be calculated, or explicitly defined from a finite list of values. In addition, the contribution to pay by this factor can be calculated by a percentage or by a fixed dollar amount. An unlimited number of factors can be created in **Compensation Designer** to give you as much or as little control as necessary.

Once the framework is established, a basic or detailed statistical analysis can be performed on your workforce's roster to see if current pay practices are in line with your factors and framework. The factors defined can also be used to help determine the starting salary of an employee new to the organization, to ensure they will be in line with your structure.

**BALANCEpay** Service Release 2, including **Compensation Designer**, will be released in August of 2007. For more information on **BALANCEpay**, please call 800.882.8904 or email [bai@berkshireassociates.com](mailto:bai@berkshireassociates.com).

## Training Schedule

### Fundamentals of Affirmative Action:

September 11 - 12  
October 9 - 10 (Houston, TX)

### BALANCE<sup>aap</sup> Software Training:

September 13 • October 18

### Affirmative Action Plan Workshop:

(software purchase and training are required)

September 14 • October 19

### AAP Boot Camp:

(register for four days in a row for the above three classes and save \$170)

September 11 - 14

*We're partnering with the law firm of Gonzalez Saggio & Harlan LLP to offer:*

### Building and Defending your Affirmative Action Program A Legal Perspective:

September 18 (Des Moines, IA)  
September 20 (Waukesha, WI)

### Alumni BALANCE Workshop:

November 9

### Breakfast Series:

*Salary Equity*  
September 5

*Applicant Tracking*  
October 10

*Sarbanes Oxley & HR*  
November 7

*Diversity in the Workplace*  
December 5

Our classes are available at our facility or a location of your choice. Additional customized HR training options are also available. For more information, or to register online, visit: [www.berkshireassociates.com/training](http://www.berkshireassociates.com/training) or call 800.882.8904 ext. 2001.

Berkshire is a certified HRCI Approved Provider for PHR and SPHR recertification credits.

## Meetings & Seminars

### We Have Room!

#### Training / Meeting Room Available

Located in the Washington, DC or Baltimore, MD area?  
Planning a business meeting, seminar, or training session? Consider renting one of our training rooms. We offer a computer lab that can hold up to 12 people, as well as a larger meeting space that can hold up to 30 people!

For details and rates, please contact Berkshire at 800.882.8904 ext. 1220.

### Audio Visual Presentation

2 LCD Projectors  
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### Computers

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OR 800.882.8904  
EXT. 1307

## Reader's Comments

Want to throw out a question to other HR professionals?  
Send them to Lauren Perry at [lauren@berkshireassociates.com](mailto:lauren@berkshireassociates.com).

# *So Everyone Gets Their Piece of the Pie.*

**BALANCE**pay lets you:

- Easily identify pay disparities
- Reduce liability by monitoring pay equity
- Use company defined pay factors
- Take similarly situated employees into account
- Recognize client/attorney privilege



To see what **BALANCE**pay can do for you, contact us at:

800.882.8904

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