



Insights

APRIL | 2021 Newsletter



Private Team Trainings During the Pandemic

The Archbright University team continues to deliver our interactive courses as virtual private team trainings throughout the pandemic. Ideal for large groups or for topics specific to your company or culture, these sessions are held at a time convenient for your team.

When participating in a virtual Archbright University class, participants can expect the same interactivity as if they were in the classroom. They will learn and share ideas alongside coworkers and participate in small and large group activities.

Our virtual courses are always taught by an expert, live onscreen, so participants can ask questions throughout each class for deeper understanding. Here are just a few of the courses that are available as private team trainings:

- **Leadworker Effectiveness** teaches the skills leads use every day—managing changing relationships with co-workers, establishing open communication, clearly setting expectations, and giving feedback to improve performance. 7 hours (1 day)
- **Emotional Intelligence at Work** covers the ability to identify and effectively manage emotions in ourselves and with others. Developing emotional intelligence increases our capacity to make good decisions, deal with change, build relationships and manage stress. 7 hours (1 day)
- **Building Interpersonal Awareness with DiSC®** develops an awareness of your unique behaviors and the behaviors of those you work with to increase your effectiveness and reduce tension. Prior to attending the course, participants will take the online Everything DiSC® Workplace Profile. 3.5 hours (½ day)

To maximize the benefits of group learning at your workplace, please contact your Account Executive for more information about our private team trainings.

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CEO Corner

**Shannon Kavanaugh**

President and CEO at Archbright

**Save the Date:
HRLeadership2021!**

I am so excited to announce the date and line up for this year's HRLeadership 2021 Virtual Conference. The impact of the pandemic on HR and leaders of every organization has been monumental. And predictions for aftermath imply higher turnover is on its way for most organizations. This year's conference will help both understand how to bring humanity to their leadership and survive and thrive this next wave of impact. Registration will open soon, but in the meantime, **SAVE THE DATE!**

When: September 16th, 9am to 1pm (PST)**Where:** ONLINE**Who:** We have some wonderful speakers lined up you won't want to miss!

- **Eric Mosely** – "Making Human Work and Inclusivity in the Workplace"

Eric Mosely is an HR visionary, author, and the force behind the Workhuman movement. He is the author of The Crowdsourced Performance Review and co-author of the award-winning book, The Power of Thanks as well as Making Work Human. He is a regular contributor to Forbes on the topics of recognition and humanity in the workplace, as well as other prominent publications. As CEO and co-founder of Workhuman, he is leading the charge to dismantle old HR processes and challenge organizations to build new ways to connect the modern workforce.

- **Alison Levine** – "On the Edge – The Art of High Impact Leadership"

Alison Levine is a leadership expert, polar explorer and mountaineer who is no stranger to extreme environments. She has survived sub-zero temperatures, hurricane force winds, sudden avalanches....and a career on Wall Street. She is one of the most in-demand keynote speakers, delivering resounding leadership messages that transcend her extreme climbing expeditions and remain relevant in today's fast-paced business environments. She is able to draw relevant, authentic parallels between mountaineering and business because she has experienced both first hand—on multiple mountains, in multiple organizations, and in multiple industries.

More details about the event coming soon! In the meantime, block time on your calendar so you can attend.

PHR/SPHR Exam Scholarship from Archbright

The spring/summer session of our 12-week HRCI Certification Exam Prep Course starts on [April 27th](#). The program covers the six functional areas of the PHR® and SPHR® exam and the virtual classes are every Tuesday, from 8:30am to 11:30am.



Archbright is excited to announce we will award an exam scholarship to one of the participants of this session! If you are ready to pursue certification, now is the time. Registration is open at [Archbright.com](#).

Final Reminder: The Regional Pay Survey Closes This Friday, April 9

Archbright's Regional Pay Survey is a comprehensive benchmark that covers the full spectrum of organizational functions and industries. We collect wage, salaries, and bonus data on non-exempt, exempt, and executive level positions from organizations throughout Washington, Oregon, and Idaho. The survey opened for participation on February 8.

The final day to enter your data for the 2021 survey is Friday, April 9. Members who participate in the survey receive the data for free when published.

Please contact us with any questions you may have, we are here to help.

Maintain Your SHRM Recertification with Archbright

We are excited to announce that Archbright is now a SHRM Recertification Provider, offering Professional Development Credits (PDCs) for the SHRM-CP® or SHRM-SCP® for many of our Archbright University courses. Just look for the SHRM Recertification Provider seal in our course catalog on [Archbright.com](#) to find out if a class has been awarded PDCs, or reach out to Member Services at info@archbright.com.



Hiring for Equity - What Managers Need to Know Now

Spring has sprung at Archbright University and we are happy to report glimpses of our nation's workforce re-emerging. As more and more employees are being vaccinated, companies are beginning to invite their employees back to the office. And, with the re-opening, we are seeing new opportunities to hire, a breath of fresh air for a strangled economy as a result of COVID-19. According to the [CEO Economic Outlook Index for Q1, 2021](#), 34% of CEOs expect their company's U.S. employment to increase in the next six months. This is good news for our nation's unemployment. However, it leaves our HR departments scrambling to fill the many gaps left by the pandemic.

In addition to our nation's struggle to reclaim its economy, we face new civil challenges. The need for diversity, equity, and inclusion training tops the list of many organization's training plans in 2021. When the need for equity in the workplace is combined with an influx in hiring, it's necessary to identify opportunities for more equitable hiring practices.

Archbright University is excited to announce the launch of a new class, [Hiring Practices for Equity and Excellence](#). In this course, participants will identify key strategies to increase equity in interviewing using behaviorally based questions. They will learn to reduce interview bias by incorporating a candidate scoring matrix, while identifying common pitfalls that can increase an organization's legal risk throughout the hiring process.

After completing this course, participants will be able to:

- Use standardized interviewing and hiring processes
- Focus on equity in the interviewing and hiring process and avoid the most common legal risks
- Plan crucial questions to discover candidate skills and behaviors that align to job requirements
- Effectively review applications, resumes, and social media
- Improve the ability to ask behaviorally based interview questions
- Reduce interviewer bias with a candidate scoring matrix
- Complete the hiring process

[Hiring Practices for Equity and Excellence](#) will make its debut on April 29, 2021.

For more information about this new class, please visit [Archbright.com](#).

Amy Bachmann | Director, Archbright University

Upcoming Classes

For the complete course schedule, please go to [Archbright.com](#).

April 16 - [Leadworker Effectiveness \(Virtual\)](#)

April 19 - [Delegating and Setting Expectations \(Virtual\)](#)

April 19, 26, & May 3 - [Supervisory Skills \(Virtual\)](#)

April 22 - [Understanding Workers' Compensation and Controlling Costs \(Virtual\)](#)

April 23 - [Conducting Effective Internal Investigation \(Virtual\)](#)

April 27, 29, & 30 - [Management Fundamentals \(Virtual\)](#)

April 27 to July 13 - [PHR/SPHR Certification Exam Prep Program \(Virtual\)](#)

April 29 - [Efectividad del trabajador encargado "Leadworker Effectiveness" \(Virtual\)](#)

April 29 - [Hiring Practices for Equity and Excellence \(Virtual\)](#)

April 30 - [Workplace Harassment Awareness \(Virtual\)](#)

May 3 - [Holding Others Accountable for Great Performance \(Virtual\)](#)

May 4 - [Emotional Intelligence at Work \(Virtual\)](#)

May 4, 5, & 6 - [Supervisory Skills \(Virtual\)](#)

May 5 - [Time Management \(Virtual\)](#)

May 6 - [Stay Connected: Managing Virtual Teams \(Virtual\)](#)

How to Register:

Register online anytime at [Archbright.com](#).

You will need to log in to the website to register and see pricing for your membership level.

If you do not have an account on our website, it's easy to set-up. Click on the Login button, then select Create An Account and follow the prompts.

If you have any questions, please contact us at **206.329.1120, 509.381.1635 or info@archbright.com.**

Or, download Archbright Mobile to browse the calendar and register!



American Rescue Plan Expands and Extends Voluntary FFCRA

President Biden signed another round of COVID-19-related legislation designed to provide additional relief to workers and employers through tax credits, expanded federal unemployment benefits, and additional small business aid.

The new American Rescue Plan Act includes an extension of the paid leave tax credit under the Families First Coronavirus Response Act (FFCRA). The requirement to provide eligible employees leave under the FFCRA expired on December 31, 2020. Although employers are no longer required to offer the leave, employers may voluntarily continue to allow eligible employees to take leave under the FFCRA – and covered employers that voluntarily provide paid leave will now be eligible to take the tax credit for the leave through September 30, 2021.

In addition to the extension, the Rescue Plan makes certain modifications to the FFCRA for employers electing to voluntarily provide such leave, all of which are effective April 1, 2021, including:

- In addition to the six reasons for leave under the original FFCRA, employees can qualify for paid sick leave and family leave for 1) seeking or awaiting diagnosis or test results following exposure to COVID-19 or if the employer has requested employee undergo such test or diagnosis, 2) obtaining immunization related to COVID-19, and 3) complications, illness, or condition related to receiving the vaccine.
- Eligible employees may be provided an additional 10 days of emergency paid sick leave beginning April 1, 2021, even if they had already used the previously mandated FFCRA paid sick leave. An employer who voluntarily provides emergency paid sick leave can claim a payroll tax credit to offset up to an additional 10 days of wages paid for emergency paid sick leave taken between April 1 to September 30, 2021.
- The Act expands the qualifying reasons under the Emergency FMLA to include leave for any of the reasons set forth in the FFCRA, including the 3 new reasons above. The two-week waiting period on emergency FMLA is removed, and the limit of the credit for paid family leave increase from \$10,000 to \$12,000.
- New non-discrimination rules require employers who voluntarily continue emergency leave to provide such leave to all employees, without discriminating against certain categories of workers.

The new bill also includes a 100% government subsidy for COBRA insurance premiums for employees who lost their jobs, and for their covered family members. The Act does not appear to limit the availability of the subsidy based on whether the qualifying event was directly connected to the COVID-19 pandemic. Employers will obtain the subsidy, to be passed along to COBRA enrollees, through a payroll tax credit against employers' quarterly taxes. The subsidy will begin on April 1, 2021 and end on September 30, 2021. The subsidy is not available to employees who voluntarily end employment. The DOL is expected to issue a model notice to provide to eligible employees. Employers are encouraged to contact their benefits specialist or COBRA administrator with questions about this subsidy.

Unemployment benefits will be increased by \$300 per week between March 14, 2021 and September 6, 2021, and the Act adds weeks of additional unemployment benefits to eligible individuals who have exhausted the unemployment benefits available under state law.



Archbright will continue to monitor for updated guidance issued by the Federal Government. Archbright members should contact their benefit, tax, and payroll advisors to prepare for changes mandated by the Act.

Ami De Celle | Attorney

ADA Obligations After FMLA Expires

We often say “When FMLA ends, ADA begins.” When an employee’s FMLA expires, if additional leave is needed, an employer’s obligations to continue job protected leave may not be over. If an employee requests additional leave after exhausting FMLA, there are additional factors you’ll need to take into consideration before you respond. If the employee is on leave for their own serious health condition, additional leave may be required as a disability accommodation under the Americans with Disabilities Act (ADA) and corresponding state disability laws. The employee’s request for additional time should be considered a request for an accommodation, which would trigger the interactive process to determine if leave may constitute a reasonable accommodation—looping in the employee’s doctor to verify the employee’s request.

Granting additional time, of course, begs the question: How much additional time does the employee get? The answer is: until it becomes an undue hardship—which can vary greatly based on the employee’s position, the employer’s size, the ability for others to absorb the absent employee’s work, etc. Because determining undue hardship can be a very tall order, we recommend that you start documenting difficulties you’re encountering immediately and circle back with legal counsel when you suspect you’ve reached that threshold—either because your list of hardships is sufficiently long or managers and/or coworkers start ramping up their complaints regarding overtime or workload. Any additional time whatsoever may be an undue hardship if the employee is among your most senior staff, while months of additional leave for employees whose work is easily absorbed may be a reasonable accommodation. Please note: If the employee’s doctor returns a note stating they do not know how much additional time the employee needs off work, you are not required to offer open-ended accommodations. An indefinite leave is generally not considered a reasonable accommodation.

Another question we often field is whether the employer may replace the job and return the employee to a different, if equivalent, position. The ADA and state equivalents entitle employees to an accommodation of their job—not an equivalent one. In other words, if the employee is returning from a leave accommodation, they should return to the job they left. Do not restore them to a different job without seeking legal advice.

Shifting gears back to FMLA, if the employee is taking leave to care for a family member, to bond with a newborn or newly adopted child, for a qualifying exigency (for military family members), or to care for a service member with an injury or illness, the ADA and state disability protections (in Washington, Oregon, and Idaho) do not extend to family members. That said, there may be additional leave protections outside federal and state disability laws. Remember that employees in Washington may invoke Paid Family and Medical Leave (PFML) as well. While PFML may run concurrently with FMLA, there may be occasions when the leaves overlap. For example, if an employee has previously taken leave for, say, their own serious health condition and now suddenly requires leave for family reasons, PFML affords them an additional four weeks of leave in the same twelve-month period. Additionally, there may be other leave protections entirely, like those for military families. And, again, while you may generally run qualifying leaves concurrently, there may be occasions when the particular facts of your employee’s leave mean those additional leaves were never triggered. Always ask yourself whether you’ve considered every potential leave triggered by the unique facts of your employee’s situation before telling them they’ve run out of protected time.



For additional information, please reference the Resource Library for the *ADA Guide*, *FMLA Keynote*, and additional keynotes and sample leave policies. Eligible members are encouraged to contact an Archbright HR Advisor with any questions or to seek specific guidance.

Mark Nelson | Senior HR Advisor

HR FAQ **Question:** As the weather is beginning to warm up and our employees are getting vaccinated, everyone is starting to plan long overdue vacations. How should we handle employees that take vacations and what restrictions and/or protocols should we be considering?

Answer: The key to travel policies remains applying the policy consistently and equally among employees no matter what their vaccination status is. When revising or creating policies employers should carefully review guidance from the CDC, WHO, and/or state and local health departments. In general, employers may require employees to report if they have traveled outside of their local area and if the employee has had contact with an infected contagious person to stay home and self-quarantine even if they have received a vaccination.

Keep in mind that if you intend to require an employee to quarantine following travel, you should notify them ahead of time if the time off will be paid or unpaid. FFCRA, state and local law, and ordinances may entitle the employee to paid time off for the required quarantine period. Further, the employer should review any collective bargaining agreements that may impose differing payment obligations for unionized employees.

Many state and local health departments have provided guidance for travelers, in addition to guidance provided by the (CDC) when traveling internationally. The CDC currently requires all such air passengers to obtain a negative viral COVID test within 3 days of travel or to present proof of recovery from COVID-19. The CDC still recommends that travelers avoid all nonessential international travel and if you travel domestically to take precautions.

Eligible members are encouraged to contact an Archbright HR Advisor with any questions or to seek specific guidance.

Sarah Johnson | Senior HR Advisor



ARCHBRIGHT NEWS

Workplace Investigations Conducted by Archbright

There is still much uncertainty for employers as the pandemic continues, yet the need for timely and impartial workplace investigations remains a constant. In 2020, our team conducted over 30 investigations for members.

We understand investigations can be challenging to navigate for many reasons. They can be unpredictable, time-consuming, and highly sensitive. Choosing the right investigator is very important. You need someone who is credible, respected, regarded as fair and impartial, and knowledgeable about employer policies and employment law issues. Archbright can help.

After an initial consultation, we assign an attorney-trained, experienced investigator from our team. And within a few days, the process begins. The investigator independently reviews all pertinent documents and interviews all relevant witnesses, following the evidence as it develops and providing regular updates as to how many hours have been spent and how many likely witnesses remain to be interviewed.

When the fact-finding process is completed, you'll receive a verbal and/or written findings report that includes the specific reasoning for the determinations. Silver and Gold members also have access to our legal team for ongoing advice on the matter.

If you'd like to learn more about this service, please reach out to us at hrhotline@archbright.com for more information. Our team is ready to help.

mozzo's Video Training Library

From LinkedIn to YouTube, computer-based training is everywhere! The way we access and digest information has come a long way from our grandparents' encyclopedias. Online learning is happening at a remarkable pace from kindergarten to college. And, courses are getting shorter and shorter to meet the shrinking attention spans of learners. According to a Microsoft study, the human attention span is only 8 seconds, while that of a goldfish is 9 seconds. How then, can we ever get employees to sit still long enough to learn the leadership skills they need? The answer is microlearning!

What is microlearning?

Microlearnings are bite-sized learning sessions that are easily digested in under 10 minutes. They are typically organized in 'Training Tracks' to allow learners to build their skills, one microlearning at a time, and can be viewed when it's convenient for the learner. This allows employees to get their questions answered in real time, rather than waiting for the next professional development opportunity to come around.

What makes microlearning effective?

Because microlearnings are less than 10 minutes long, they are less daunting, especially for employees who do not favor traditional classroom learning. With the birth of electronic microlearnings, employees are not required to read through pages of training documentation to glean what they need. Instead, they are able to view fun, engaging videos that get straight to the point.

Archbright is excited to announce the launch of its very first microlearning Video Training Library for employees to access the skills they need at the click of a button. Microlearnings at Archbright are available on mozzo and are available in the following Training Tracks: HR Fundamentals, Management, Safety, Workers' Comp Claims Management, and General Professional Development.

For more information about the mozzo Video Training Library, please contact your Archbright Account Executive.



SAFETY AND LOSS CONTROL

OSHA's Top 10 Safety Violations for 2020

The Occupational Health & Safety Administration (OSHA) recently announced the most frequently cited workplace safety violations for the fiscal year 2020. Interestingly, the most commonly cited standards did not change from 2019; however, the order in which they were most often cited did:

- | | |
|---|--|
| 1. Fall Protection – General Requirements | 6. Lockout/Tagout |
| 2. Hazard Communication | 7. Powered Industrial Trucks |
| 3. Respiratory Protection | 8. Fall Protection – Training Requirements |
| 4. Scaffoldings | 9. Personal Protective & Life Saving Equipment – Eye & Face Protection |
| 5. Ladders | 10. Machine Guarding |

The Labor Department Office of the Inspector General (OIG) conducted an audit which found that during the COVID-19 pandemic, OSHA received 15% more complaints of workplace safety issues in 2020 than in 2019 but performed 50% fewer inspections and even fewer onsite inspections. The OIG concluded that OSHA's performance and lack of inspections placed the safety and health of workers in the U.S. at greater risk. The OIG audit also found that OSHA was not tracking whether inspections were performed onsite or remotely and recommended that OSHA retroactively review and update records to identify remote inspections back to February 1, 2020.

The OIG also criticized OSHA for not establishing a COVID-19 emergency temporary standard (ETS) even though four state plans issued their own ETS (California, Michigan, Oregon, and Virginia). Many other states, including Washington, have also developed emergency regulations that go a step beyond OSHA's guidance.

As with any new administration, there have already been changes taking place at OSHA. Jim Fredrick has been appointed as the new acting head of OSHA and Deputy Assistant Secretary. An updated interim enforcement response plan for coronavirus disease 2019 has also been provided to OSHA's area offices and Certified Safety & Health Officers (CSHOs) that provides new instructions and guidance to CSHOs on handling COVID-19 related complaints, referrals, and severe illness reports. Although OSHA still plans to use remote options for interviews to reduce exposure hazards, OSHA will perform onsite workplace inspections when practical. All enforcement and compliance activities must also be appropriately coded to allow for tracking and program review.



Archbright continues to monitor federal and state inspection activity. Employers are always encouraged to take all necessary steps to prevent injuries and illnesses in their workplace. Eligible members are also encouraged to reach out to the Safety Hotline with safety-related questions or to seek information about having one of Archbright's Safety Consultants come onsite to perform a mock inspection to identify potential compliance violations, safety hazards, and best practices.

Tiffany Knudsen | Safety Content Manager

Washington L&I Top 10 Violations from Oct. 2019 – Sept. 2020

- | | |
|--|--|
| 1. Fall Protection | 6. Personal Protective Equipment |
| 2. Accident Prevention Program - Construction | 7. Ladder Use |
| 3. Globally Harmonized System for Hazard Communication | 8. First-Aid Training & Certification – Construction |
| 4. Accident Prevention Program – General Industry | 9. Safety & health Core Rules |
| 5. Safety Committees & Safety Meetings | 10. Basic Electrical Rules |



Consumer Price Index

U.S. Cities Average—February 2021

CPI-W: 256.843 + 0.606% (1 month change) + 1.948% (1 year change)

CPI-U: 263.014 + 0.547% (1 month change) + 1.715% (1 year change)

Seattle/Tacoma/Bellevue—January/February 2021

CPI-W: 282.795 + 1.248% (bimonthly change) + 1.695% (1 year change)

CPI-U: 286.950 + 1.249% (bimonthly change) + 1.714% (1 year change)

1982-84 Base; CPI-U = Urban Consumers; CPI-W = Wage Earners & Clerical Workers

Please Notify Us of Staff Changes. Please take a moment to contact us to correct any staffing changes for your organization, including email addresses. **Email us at info@archbright.com.**

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We welcome your comments and suggestions.

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