



Insights

APRIL | 2022 Newsletter



The Reviews Are In—Our New Management Academy is a Hit!

Fine-tune your leadership skills, improve your approach, and learn with other business leaders in the Pacific Northwest! Through our cohort program, participants come from a variety of industries and backgrounds to share a one-of-a-kind learning experience.

But you don't just have to take our word for it. The first Management Academy of the year just concluded; here's what some of the participants had to say:

"Both instructors were insightful and used real-world discussion to help guide the course topic that was relevant to each class."

"Learning how to be a better leader by reflecting on myself and my tendencies as well as understanding the people on my team better. Learning how to prepare for and have conversations is something I will be able to use every day. It was also helpful to learn how to build relationships and trust with people on my team to help them perform at an optimal level."

"I appreciated being able to learn from others outside of my company."

The program consists of six modules that take place over six weeks. Participants attend class one half-day per week, providing an opportunity to put learned skills into action before returning to discuss results with the cohort.

Registration is now open for the next session starting on [May 4](#). To find out more about this program or to register, visit [Archbright.com](#).

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LOOKING AHEAD

CEO Corner



**Shannon
Kavanaugh**

President and CEO at Archbright

Archbright Awards 200K to Local Nonprofits that Provide Health and Wellness Services

In 2014, Archbright endowed \$1.8 million to be awarded over 10 years via the Seattle Foundation in the amount of \$200,000 each year.

The mission of Archbright's Health and Wellness Fund is to encourage healthy lifestyle outcomes of Pacific Northwest residents by providing the promotion of health and wellness education, research, and services.

Grants were awarded this year to these organizations:

- **Big Brothers Big Sisters of Puget Sound** (inspirebig.org) creates and supports one-to-one mentoring relationships that ignite the power and promise of youth.
- **Cascade Regional Blood Services** (crbs.net) provides a constant, safe, cost-effective supply of blood, blood components, and other related services to community hospitals and clinics in Western Washington.
- **Food Lifeline** (foodlifeline.org) is feeding children, adults, and seniors facing hunger today and working to end hunger for tomorrow.
- **Kids Company** (kidscompany.org) provides and advocates for affordable quality childcare that enriches and nurtures all children, supporting their success in school and in life.
- **Plymouth Housing** (plymouthhousing.org) provides permanent homes and comprehensive support to help our neighbors leave long-term homelessness behind for good.
- **Wellspring Family Services** (wellspringfs.org) prevents and addresses homelessness by connecting families and individuals in crisis to the support and resources they need to regain stability.

We are proud to support these organizations and hope you will too!

Last Month to Participate in the 2022 Regional Pay Survey

Have you submitted the survey yet? If your answer is no, then what are you waiting for? There's still time to participate! The last day to complete the survey is **Friday, April 29**. This survey covers wage, salaries, and bonus data for non-exempt, exempt, and executive-level positions from organizations throughout the PNW.

Remember, all Archbright members who participate in the survey will receive the survey data for free!

You can save your progress, so you don't need to worry about completing it all in one sitting. Please note that only one representative for each organization can complete the survey. We encourage you to contact us at regionalsurveys@archbright.com if you have any questions.

Upcoming Events

▪ Building a Business Case for HR Initiatives | South Puget Sound SHRM

Speaker: Rita Carson, SPHR, CPTD, Sr. Consultant, Archbright University

April 21, 7:45 AM-9:30 AM

How many times have you had a great idea to make your HR department, or whole organization, run more efficiently and needed buy-in from additional decision makers? This presentation will show you how to present a compelling business case that explains the project benefits and goals, supporting data, and the proposed plan of action. Participants will walk through a case study, learn how to use crucial tools and templates, and leave ready to build their own business case.

Register at <https://sps.shrm.org/events/2022/04/building-business-case-initiatives>.

▪ Springing Forward! A Joint HR Event with WSHRMA and SPS SHRM

Archbright is excited to be a part of this new half-day virtual workshop! One of the speakers is our very own Kellis Borek, Vice President, Labor & Legal Services & General Counsel.

May 11, 9:00 AM-1:00 PM | Looking Beyond the Pandemic: The Top Five Non-COVID-19 Employment Law Updates

For the last two years, the pandemic put HR Professionals' expertise, stamina, and patience to the test through ongoing COVID-19-related work rules, regulations, and the need for constant policy review and revision. As we move towards re-opening, now is the time to assess how other employment law updates may impact your organization. This session will address current employment and labor law updates outside of pandemic-related issues, including noteworthy and critical updates in labor, pay equity, wage/hour, OFFCCP, and employee agreements.

Register at <https://sps.shrm.org/events/2022/05/springing-forward-joint-event-wshrma-and-sps>.

HR Professionals Earn Continuing Education Credits through Archbright University

In the world of Human Resources, there are two paths available to professionals interested in becoming certified in the field. The Human Resources Certification Institute ([HRCI](#)) offers three different certifications: the Associate Professional in Human Resources ([aPHR](#)), designed for professionals beginning their career in HR, the Professional in Human Resources ([PHR](#)), designed for those already working in the field of Human Resources who are ready to deepen their knowledge and the Senior Professional in Human Resources ([SPHR](#)), for seasoned HR Leaders.



The second program, offered through the Society for Human Resources ([SHRM](#)), provides the option of two different certifications: the [SHRM-CP](#) and the [SHRM-SCP](#). The SHRM-CP, SHRM Certified Professional, is created for human resource



professionals who are newer in their careers or interested in pursuing a career in HR. The SHRM-SCP, SHRM Senior Certified Professional, is designed for experienced HR professionals ready to take their careers to the next level.

No matter the path taken, HR professionals are required to widen their knowledge base each year through continuing education. Passing the certification exam is only the beginning! To recertify and actively maintain an HRCI certification, candidates must complete 45-60 hours of continued education over three years and complete one ethics course. To recertify or maintain a SHRM certification, candidates must earn 60 professional development credits and complete an ethics course over a three-year period.

Archbright University is proud to provide professional development courses to satisfy requirements for both HRCI and SHRM. Archbright University courses have been evaluated and correlated to the objectives in the SHRM and HRCI certification process. Simply select any of our classes from the [course catalog](#) and then look for the HRCI or SHRM logo to find qualifying classes. These classes have a direct correlation with the HRCI Functional Areas or the SHRM Body of Applied Skills and Knowledge ([SHRM BoCK](#)). You can also find qualifying Archbright University continuing education classes listed on the [SHRM Certification Portal](#).

And, if an ethics course is on the list of things to do, Archbright University has you covered. [Tackling Ethical Issues](#) is offered as both a public course and as a private team training option for larger groups. For more information, contact info@archbright.com.



Amy Bachmann | Director of Sales and Training

Upcoming Classes

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

April 19 - [Leadworker Effectiveness \(Virtual Class\)](#)

April 19, 20, & 21 - [Supervisory Skills \(Virtual Class\)](#)

April 21 - [Understanding Legal Issues for Supervisors and Managers \(Virtual Class\)](#)

April 22 - [Managing Across Generations \(Virtual Class\)](#)

April 26 - [Holding Others Accountable for Great Performance \(Virtual Class\)](#)

April 26 - [Understanding Workers' Compensation and Controlling Costs \(Virtual Class\)](#)

April 28 - [First Aid /CPR/AED Certified Training \(In-Person\)](#)

April 28 - [Forklift Train-the-Train \(Virtual Class\)](#)

April 29 - [Coaching for Success \(Virtual Class\)](#)

May 2, 9, & 16 - [Supervisory Skills \(In-Person\)](#)

May 3, 4, & 5 - [Management Fundamentals \(Virtual Class\)](#)

May 3 to August 2 - [PHR/SPHR Certification Exam Prep Program \(Virtual Class\)](#)

May 4 to June 8 - [Management Academy \(Virtual Class\)](#)

May 5 - [Managing Leaves and the Law \(Virtual Class\)](#)

May 6 - [Feedback for Success \(Virtual Class\)](#)

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 **Sign In** button, then select **Sign up now** and follow the prompts.

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

HR ADVICE & COUNSEL

Gender Pay Equity in a Competitive Post-Pandemic Labor Market

It's almost the second quarter of 2022. Many employers, large and small, are currently facing a tight labor market, unprecedented turnover, and workforce disruption due to the COVID-19 pandemic. To help combat these challenges, employers may find that focusing on better pay equity practices will not only ensure compliance—but also help with diversity and inclusion efforts, recruiting talent, and retaining valued employees.

Pay Equity Today

In 1979, the average woman earned 62 cents for every dollar earned by their male counterpart. Forty years later, in 2019, the gender pay gap decreased significantly, with the average woman making 79 cents for every dollar made by a typical man. However, gains in closing the pay gap stalled in 2020 and 2021. According to Equal Pay Today, in 2021, the average woman earned 83 cents for every dollar earned by the average man. That number is even more pronounced for black women at 63 cents for every dollar compared to white men.

Why Has the Gender Pay Gap Stalled?

The COVID-19 pandemic and burnout disproportionately affected women and resulted in a 33-year low for women in the workforce. Millions of women left their jobs, at higher rates than men, due to significant layoffs in women-dominated professions and increased childcare responsibilities. Women lost out on opportunities to gain skills, earn pay raises, and seek promotions.

What is the Law?

The Equal Pay Act of 1963 is a federal law requiring equal pay for equal work. Other federal laws prohibit compensating employees differently based on their protected status, such as gender. The Washington Equal Pay and Opportunities Act of 2018 mandates equal compensation and career opportunities for similarly employed employees regardless of gender. Oregon's Equal Pay Act of 2018 requires equal pay for equal work with comparable knowledge, skill, effort, responsibility, and working conditions. Currently, 42 states have pay equity laws.

Transparency is the latest trend in pay equity. On January 15, 2022, New York City employers joined nine other jurisdictions requiring pay scale publication with job postings. Washington's Governor Jay Inslee is expected to amend the state's pay equity law, requiring that employers disclose the wage scale in each job posting and list the benefits and other compensation offered to the hired applicant. This amendment applies to employers with 15 or more employees and is expected to take effect on January 1, 2023.

Pay Equity and a Diverse and Inclusive Workplace Go Hand-in-Hand

Pay equity and Diversity, Equity, and Inclusion (DEI) are not siloed employer strategies. Pay inequities across gender and racial lines are examples of institutionalized racism and sexism at work. Employers committed to compliant pay equity practices will attract women to their workforce and simultaneously promote meaningful DEI.

Recommended Action

1. Establish a compensation philosophy that bases compensation decisions on objective criteria such as years of experience, education, special skills, and location.
2. Conduct a pay equity audit and consider doing so under attorney-client privilege. This audit should include changes in compensation due to the tight labor market; have inequities been created by paying higher salaries to fill high-priority positions?
3. Consider transparency on salary ranges even if not legally required. Pay information is available on the internet, and employees can access it. Attract the right candidates and get ahead of misinformation by adopting a pay transparency philosophy.

If you plan to address pay equity in your organization by conducting an audit or developing a formal compensation plan, consider using Archbright's help. Our legal team can guide you in a pay equity audit under attorney-client privilege, and a senior compensation consultant can help create a compensation philosophy and strategy tailored to your organization. Contact us at info@archbright.com to get started.



Kellis Borek | Vice President, Labor & Legal Services

Property Considerations Upon Termination

Most organizations make significant investments in equipment and property for employees to perform their jobs. Company-owned property, like computers, cell phones, or vehicles, must be safeguarded by employees to preserve its value. A well-defined policy can help remind employees that any equipment issued to them remains the company's property and that they must take care of it. For equipment intended for offsite use, it's wise to have the employee sign an acknowledgment of receipt form with an itemized list of the property in the employee's possession. In the mozzo Resource Library you can find examples in the *Company Property/Vehicles Policy* as well as the *Company Property Policy*.



Ben Eckhart | Attorney

What happens when the employee fails to return equipment upon separation?

Employers should provide clear instructions for returning equipment, such as asking the employee to drop off items within a reasonable amount of time, arranging for a manager/supervisor or courier service to collect the items, or instructing the employee to ship them. In some situations, the employer may need to send a letter stating that they will pursue legal action to recover the property. However, employers are strongly encouraged to seek legal advice before sending such a letter.

Before deducting from wages to pay for lost or damaged property, consider the following legal constraints:

Under federal law, exempt employees may not be subject to any pay deduction for negligent loss or breakage of equipment.

In Washington, employers may deduct the cost of lost or damaged equipment from a non-exempt employee's final paycheck (not a paycheck during ongoing employment) if:

- The equipment damage or loss is caused by the employee's "dishonest or willful act";
- The incident occurred during the final pay period;
- The deduction does not reduce the final paycheck amount to less than minimum wage; and
- There is an oral or written agreement between the employee and employer regarding a deduction from wages for lost or damaged equipment.

Idaho employers may withhold the cost of lost or damaged equipment from an employee's wages if the employee consents in writing.

Oregon employers are not permitted to deduct from wages for the loss or damage of company property.

What about an employee's personal property or unclaimed paychecks?

Personal property, including a paycheck, is considered abandoned if not claimed within a "reasonable time" by the employee. When an employee abandons property, the employer should first notify the former employee of personal items left at the workplace by phone, email, or text message (document these notifications).

If the employee does not respond to requests to pick up the items, consider packaging and shipping smaller items (take photographs) to them. For larger items that cannot be shipped, notify the former employee in writing at their last known address and send reminders at 30, 60, and 90 days, stating that if they do not arrange to pick up their items, they will be donated to a bona fide charity.

If, after doing all the above, the former employee does not collect their property, inventory and take pictures of the items, donate to charity, and send a copy of a donation receipt to the employee's last known address. The employer should maintain all correspondence, pictures, and receipts in the personnel file. If the property is of negligible value or cannot be donated, the employer may dispose of the items.

For uncashed or returned payroll checks, the employer must follow specific Washington state law and regulations as they are considered unclaimed intangible property. The Washington State Department of Revenue (DOR) handles all intangible unclaimed property, such as unclaimed payroll checks. Uncashed checks which remain unclaimed by the owner for more than one year are presumed abandoned. A "holder" of the unclaimed property (here, the employer) must file an electronic report with DOR for that property. Employers who fail to report unclaimed property may be subject to penalties.

Eligible members may contact the HR Hotline with additional questions.

HR FAQ

Question: If I suspect my employees of wrongdoing, am I permitted to video record them?

Answer: It depends. Generally, if employees have a "reasonable expectation" of privacy, you could invade that privacy by video recording them without their knowledge. If you wish to install surveillance cameras, the safest action is to post signage in all areas where you intend to conduct surveillance and notify your employees via your handbook or a separate policy (with a signed acknowledgment). A union employer that wishes to install surveillance cameras must bargain with the union before doing so. The purpose of conducting surveillance should not be to catch your employees in the act but to deter them from engaging in misconduct in the first place. If your intent is only to capture them committing theft, for example, theft, you may be inviting a cause of action for invasion of privacy.

Of course, even if you implement the above steps, there are some actions you should never take. Employers should never attempt to capture their employees on video in areas where they would likely be undressed, like a restroom or changing room. Additionally, you should never record audio with video—even if you've notified your employees of the recording. Washington State has a "two-party consent" law, which means that all parties to the communication must consent to the audio recording in advance. Before recording audio from any private conversation, an employer would have to announce their intentions in advance—which could be difficult for any video surveillance scenario.

It is also wise to have a policy that prohibits video and audio recordings at work or while performing any work-related activities—including recordings of video conference calls. Thanks to the COVID-19 pandemic, many employers conduct their meetings virtually, many of which address confidential matters and other topics the company has legitimate business interests in keeping from disclosure to third parties. Washington's two-party consent rules apply equally to Teams and Zoom calls. In other words, employees who record such meetings may not only violate company policies (assuming their employer has one); they may violate the law.



Mark Nelson | Sr. HR Advisor

ARCHBRIGHT NEWS

Check Your Company's Culture with the Denison Culture Assessment

When a job candidate is interviewing for a position, one common question is, "What is your company culture like?" Given the tumultuous changes and stress brought on by the pandemic, world issues, and potential personal obstacles, employees feel more burnt out than ever. Being proactive and assessing your company's culture allows you to make informed decisions to improve your culture to retain current employees and attract new ones.

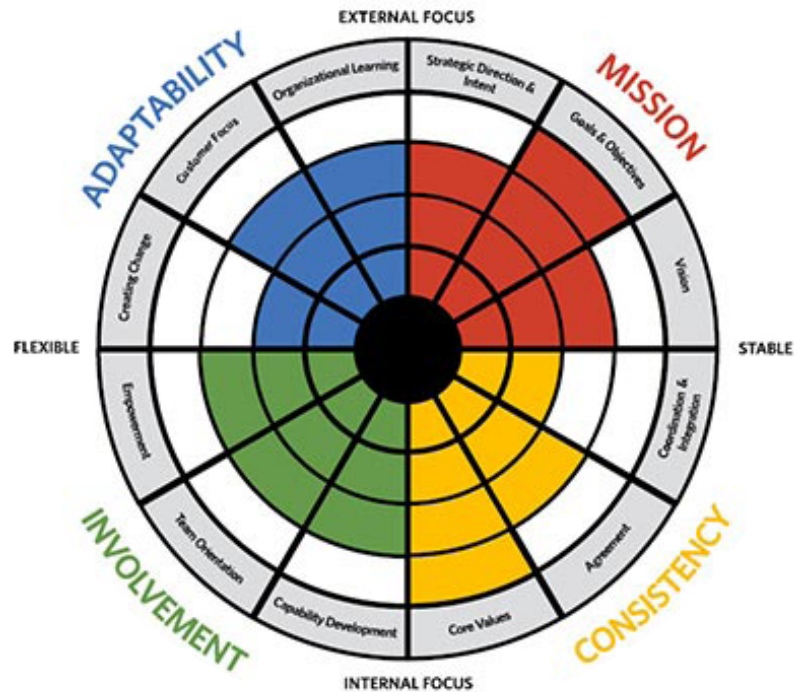
The Denison Culture Assessment is a comprehensive analysis of your organization's culture. Denison's research shows that healthier culture scores translate to higher employee engagement, enhanced customer service, increased workplace safety, and better financial performance. Without a clear understanding of your culture's current state, you risk intensifying the problem by directing resources in the wrong direction.

Archbright utilizes Denison's Organizational Culture Survey (DOCS) to help members assess and pinpoint areas of improvement for their company culture. This unique survey evaluates the underlying cultural traits and management practices that influence business performance.

As your employees take the culture assessment, we map their responses against the Denison Model. The cumulative data will show you areas of alignment and discord in the four key drivers of high performance—mission, adaptability, involvement, and consistency. We will provide you with a baseline against which to measure future improvement and then consult with you and provide a facilitated process for bringing about changes that result in a high-performance culture.

For more information, contact your Account Executive or email us at info@archbright.com.

About Denison Consulting | Beginning in 1998, Denison's global practice grew from a set of diagnostic assessments, rooted in their research linking organizational culture and leadership to business performance. Working with over 8,000 organizations, Denison has developed the best-in-class research and methodologies to help organizations use data to drive change.



Happy 10th Birthday to Washington's Stay at Work Program!

In 2012, Washington's Department of Labor and Industries initiated a formal Stay at Work program to incentivize employers to utilize light-duty positions to bring back injured workers. With the program now in its 10th year, we want to highlight and celebrate the program.

The Stay at Work program is a great benefit for employers. For example, you could receive a check for up to \$3,000 if you have an employee who makes \$25 per hour and is on an approved light-duty assignment for six weeks. That is because eligible employers receive reimbursement for half the base wage paid to the worker up to 66 days within a consecutive 24-month period with a maximum of \$10,000 per claim. Expenses for training, tools, and clothing related to the light-duty position are also eligible for partial reimbursement.

Archbright files Stay at Work applications at no additional cost for members enrolled in one of Archbright's retrospective rating programs or ReClaim. To date, Archbright members have received over \$6 million in reimbursements through the program! If you are not enrolled in Archbright's Retro or ReClaim program, you can apply for Stay at Work directly. You will need to assemble documents such as the physician's approved light-duty job description and pay records. For more information, visit www.Lni.wa.gov/StayAtWork.

If you would like Archbright to do the work for you and manage your workers' compensation claims, please contact your Archbright Account Executive.



Carolyn Harvey | Vice President, Member Services

SAFETY & LOSS CONTROL

Reporting COVID-19 Cases in the Workplace

During the COVID-19 pandemic, federal, state, and local regulatory agencies have published exhaustive guidance for employers to follow when an employee has a confirmed or suspected case of COVID-19, including case reporting requirements which remain even as mask mandates lift. With so many regulatory agencies involved, it can be challenging to determine the steps, conditions, and timeline for reporting. It's important to note that requirements vary significantly based on the job sector and the agencies covering your workplace.

Federal OSHA Requirements

For general industry employers covered by the Federal Occupational Health and Safety Administration (OSHA), such as Idaho employers, work-related and confirmed cases of COVID-19 that result in employee hospitalization must be reported to OSHA if the hospitalization occurred within 24 hours of the exposure to COVID-19. The 24-hour countdown to report begins as soon as the employer learns of the hospitalization. Employers must report work-related and confirmed cases of COVID-19 that result in an employee fatality if the fatality occurred within 30 days of the exposure to COVID-19. If a fatality occurs, employers have eight hours to report the case after learning of the death.

For employers covered by OSHA's Healthcare Emergency Temporary Standard (ETS), work-related and confirmed cases of COVID-19 resulting in hospitalization or fatality must be reported to OSHA regardless of the time between exposure and the resulting hospitalization or fatality. The reporting windows after the employer learns of the case still apply (24 hours for hospitalization and eight hours for a fatality).

Employers can report these cases to OSHA via telephone hotline (1-800-321-6742) or online at [OSHA.gov](https://www.osha-slc.gov).

Washington State Requirements

Employers in Washington have similar stipulations to OSHA's reporting requirements for hospitalizations or fatalities. What's different is that the reporting window for both events is eight hours. Reports should be made to the Labor & Industries (L&I) hotline (1-800-423-7233).

Employers in Washington with 50 or more employees must also report workplace outbreaks of COVID-19, regardless of whether they result in hospitalizations or fatalities, to the same hotline within 24 hours of learning of the outbreak. An outbreak is defined as ten or more confirmed cases at a workplace in the following timeframe:

- Start—When two or more employees at the worksite test positive for COVID-19 within 14 consecutive days of each other.
- End—When 28 consecutive days have passed since the last positive test result for any employee at the worksite.

Employers may also be required to report cases to their local health jurisdiction, such as the county Department of Health (DOH). Generally, if more than two suspected or confirmed cases of COVID-19 occur at your facility within 14 days, you must report them to your local health jurisdiction, although you should check with your local health jurisdiction for applicable rules.

Oregon Requirements

Employers in Oregon are required to report work-related cases of COVID-19 that result in hospitalization, catastrophe, or fatality to OR-OSHA's hotline (1-800-922-2689). Much like OSHA requirements, fatalities due to COVID-19 cases must be reported within eight hours if they occur within 30 days of infection, and hospitalizations must be reported within 24 hours if they occur within 24 hours of infection. Where Oregon differs is that catastrophes must also be reported within eight hours of learning of them. A "catastrophe" is an incident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility (such as a clinic) due to the same work-related incident.

Eligible members are encouraged to reach out to the HR and Safety Hotlines for additional assistance.



Korin Judge | Safety Consultant II



Consumer Price Index

US Cities Average—February 2022

CPI-W: 278.943 + 0.958% (1 month change) + 8.604% (1 year change)
CPI-U: 283.716 + 0.913% (1 month change) + 7.816% (1 year change)

Seattle/Tacoma/Bellevue—January/February 2022

CPI-W: 305.702 + 1.515% (bimonthly change) + 8.100% (1 year change)
CPI-U: 310.078 + 1.713% (bimonthly change) + 8.060% (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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