



Insights

JULY | 2022 Newsletter



Our Wage and Compensation Survey Reports are Now Available!

We are excited to announce that the results of the 2022 Wage and Compensation Survey are out now, with contributions from 418 organizations! Thank you to everyone who participated. The designated recipient for participating members were emailed access to the PDF results on Friday, June 17, 2022.

Members who didn't participate can purchase the report at their tiered rate for immediate access to PDF reports. Go to [our store](#) to purchase your copy.

We also launched a brand-new feature in mozzo, Salary Survey, where eligible members that completed the survey can view compensation amounts in relation to company size, pull data for specific job positions, filter the results for easier viewing, and more! Learn more about this new feature on page 8.

If you did not complete the survey and would like access to mozzo's Salary Survey feature, you can upload your organization's wage data. Contact us at regionalsurveys@archbright.com for more information.

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CEO Corner



**Shannon
Kavanaugh**

President and CEO at Archbright

Archbright Helps Members with HRCI Certification

As the warmer days arrive in the Pacific Northwest, we have officially made it halfway through the year. Time is flying by! I want to make sure your teams are taking advantage of a great membership benefit available to you—credits towards HRCI recertification!

As an Archbright member, your HRCI certified employees can earn up to 12 HRCI credits simply because of your current membership status.

This benefit includes:

- 3 credits per full year of membership (to a maximum of 9 credit hours) under the “Professional Achievement” category
- Plus, an additional 1 Business credit (to a maximum of 3 credit hours for SPHR) under the “Professional Development: Self-Directed” education category. Note: if the HRCI credential does not require Business credit, the credit type will default to HR (General) credit.

Archbright members pursuing HRCI certifications are also eligible to receive \$50 off their aPHR®, PHR®, PHRca®, SPHR® or GPHR® exam fee. Simply use the promo code ARCH50 when registering for the exam with HRCI.

And if your teams need help preparing for the exam, we’ve got you covered with prep courses coming up this fall. Registration is now open for:

- [PHR/SPHR Certification Exam Prep | Sep. 1 through Nov. 17](#)
- [aPHR Certification Exam Prep | Oct. 4 through Nov. 8](#)

Questions about any of the above? Contact us at 206.329.1120, 509.381.1635, or info@archbright.com.

Archbright Announces a \$5.5 Million Refund for Retro Manufacturing Group

We are pleased to announce our manufacturing Retrospective Rating program received a \$5.5 million refund from the Department of Labor & Industries. Eligible members who participated in our group during Plan Years 34, 35, and 36 will receive their refund check in the coming days.

To date, our program has received over \$196 million in refunds!

In the 2021/2022 plan year, we surveyed our retro participants about the program and made a few changes to the retro agreement based on that feedback. We are excited to say we are encouraged by the initial results.

The 2021/2022 plan year will come up for adjustment next year, and so far timeloss days have reduced by over 50% over the 2020/2021 year that was adjusted this year. While these are only early indicators, we anticipate that reduced timeloss will result in higher refunds for our group in the coming years.

For members not in one of Archbright’s Retro programs, Archbright returns all refunds to the group, distributes refunds based on merit, and does not require Kept-On-Salary. No other program provides the safety, HR, legal, and claims management support that we do!

We currently offer retro program options for organizations in manufacturing, wholesale, retail, professional services, and construction. To learn more, please contact your Account Executive or info@archbright.com.

Strengthen Your Leadership Skills with the Management Academy

The next public session of the [Management Academy](#) begins on July 20. Here's what leaders need to know before registering.

While still a cohort-based learning program, this six-module course is now richer in relevant topics such as emotional intelligence and change management, key training essentials that are often missed in leadership development programs. Over the course of six weeks, participants attend class one half-day per week, providing an opportunity to apply learned skills at work.

Management Academy is also available as a private team training. Utilizing CliftonStrengths and the Agile EQ DiSC assessment, this course is essential for senior leaders and is the perfect teambuilding course for director and senior leadership teams.

The modules in this program include:

Module 1: Defining Myself | Participants identify their strengths as leaders using the CliftonStrengths assessment and explore the four quadrants of emotional intelligence

Module 2: Managing Myself | Participants identify tactics to increase mindfulness to manage emotions in stressful situations.

Module 3: Understanding Others | Participants recognize sources of difficulty in communication using the Interpersonal Gap model. They practice active listening skills to manage relationships more effectively.

Module 4: Developing a Team | Participants outline the characteristics and operating norms of a highly engaged team while assessing the current state of their own team. They apply a conflict-resolution process to improve engagement and results and create an action plan to develop their own highly engaged teams.

Module 5: Building a Business Case | Participants conduct a current situation analysis, calculate Return on Investment (ROI), and end the day by outlining the steps of a true business case with a plan to present one within their organization.

Module 6: Implementing Change | Participants identify individual reactions to change and decide on appropriate leadership strategies to implement change within their own teams.

Registration is now open for the remaining 2022 public sessions of the Management Academy starting on [July 20](#) and [Sept 14](#).

For more information on The Management Academy at Archbright, please contact your Account Executive or email info@archbright.com.



Amy Bachmann | Director of Sales and Training

Upcoming Classes

For the complete course schedule, please go to [Archbright.com](https://www.archbright.com).

- July 15 - [First Aid/CPR/AED Certified Training \(Seattle\)](#)
- July 15 - [Hiring Practices for Equity & Excellence \(Virtual Class\)](#)
- July 15 - [Workplace Harassment Awareness \(Virtual Class\)](#)
- July 18 - [Feedback for Success \(Virtual Class\)](#)
- July 19 - [Forklift Train-the-Trainer \(Virtual Class\)](#)
- July 20 - [First Aid/CPR/AED Recertification \(Seattle\)](#)
- July 20 to August 24 - [Management Academy \(Virtual Class\)](#)
- July 21 - [Managing FMLA \(Virtual Class\)](#)
- July 21 - [Leadworker Effectiveness \(Seattle\)](#)
- July 22, 29, & August 5 - [Supervisory Skills \(Seattle\)](#)
- July 25 - [Tackling Ethical Issues \(Virtual Class\)](#)
- July 26 - [Conflict to Collaboration \(Seattle\)](#)
- July 27 - [Understanding Legal Issues for Supervisors and Managers \(Virtual Class\)](#)
- August 2, 3, & 4 - [Management Fundamentals \(Seattle\)](#)
- August 4 - [Emotional Intelligence at Work \(Seattle\)](#)

How to Register:

Register online anytime at [Archbright.com](https://www.archbright.com).

If you are an Archbright member, you will see the pricing for your membership level once you sign in and view the class details.

Visit our website to setup an account if you need one.

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

HR ADVICE & COUNSEL

With the Legalization of Medical and Recreational Marijuana, Is Zero Tolerance Still Realistic for Employers?

It has been ten years since Washington voters approved I-502, legalizing the recreational use of marijuana in the state. Oregon voters followed suit and legalized recreational use in 2014. Despite legalization at the state level, marijuana's continued unlawfulness under federal law has caused many employers to maintain their zero-tolerance policies against any marijuana possession or use by employees. However, employers' recent challenges with recruitment and retention are causing many to reconsider these policies. Employers rethinking their zero-tolerance policies should keep the following considerations in mind before finalizing any changes.

Is zero-tolerance still required for your workplace under federal law?

Employers who receive federal funding are covered by the Drug-Free Workplace Act, which requires employers to prohibit controlled substances—including marijuana—in the workplace. Yet, the Drug-Free Workplace Act does not require covered employers to drug test applicants or employees. This means that employers do not need to prohibit employees from having any amount of marijuana in their systems to remain compliant. Rather, employers may comply with this federal law by enacting a policy to prohibit any possession, use, or impairment at work, without going so far as prohibiting the use of marijuana outside of the workplace.

However, employers covered by the Federal Motor Carrier Safety Act must drug test all commercial vehicle drivers for controlled substances, including marijuana. Furthermore, as it currently stands, drug testing under this law must be done through urinalysis, which may detect marijuana use from days or weeks prior. This effectively means that zero tolerance of any marijuana use, on or off duty, is required to remain in compliance for employers with commercial vehicle drivers.

How do employers prevent impairment at work without prohibiting all off-duty use?

Drug testing has come a long way since the urine testing (which, again, is still required for commercial vehicle drivers) that may detect the use of marijuana days or weeks ago. More and more testing facilities are offering—and employers are opting—to test saliva instead. The saliva test is not entirely accurate for impairment only, as it may still detect the presence of a substance used up to a few days prior. But it is far closer to a test for impairment than traditional urinalysis, as it only detects relatively recent use.

Employers not covered by a testing requirement may still wish to limit drug testing to instances of reasonable suspicion rather than testing all job applicants. A broad pre-employment testing program may unnecessarily reduce the pool of applicants by discouraging applicants who may have used marijuana during the weeks before their application.

What about accommodation for medical marijuana?

Neither Washington nor Oregon requires employers to accommodate their employees' use of medical marijuana. Employers may still enforce a zero-tolerance policy and prohibit employees from having any detectable amount of a controlled substance in their system. These employers must still engage in the interactive process to determine whether another accommodation (that does not involve medical marijuana) can be made before separating an employee who requests an accommodation to use medical marijuana.

Note that several other states, all of which legalized the use of marijuana more recently than Washington and Oregon, do not allow employers to terminate employees for off-duty medical marijuana use. Employers operating in multiple states will need to carefully review the laws concerning medical marijuana use in each state before taking action to enforce a zero-tolerance policy against an employee who uses medical marijuana off-duty.

Eligible members are encouraged to access the mozzo Resource Library for guidance, including keynotes and sample policies related to drugs in the workplace. For additional help or questions, eligible members may contact the HR Hotline or chat with an advisor through mozzo.



Erin Jacobson | Director, Legal & HR Advice

In Case You Missed It: Recent Changes to the Washington Cares Act and Washington Paid Family and Medical Leave

Employers should be aware of a few changes to the Washington Cares Act that occurred earlier this year. First, employee contributions are now set to begin on July 1, 2023. At that time, employers will need to withhold payroll contributions unless the employee has an exemption from the Employment Security Department (ESD). Eligible employees will be able to draw on the benefits beginning July 1, 2026. Previously, employees could only apply for a permanent exemption from the law if they had an alternate long-term care insurance policy by November 1, 2021. The deadline for obtaining an alternate plan has not changed. However, employees who have not applied for an exemption still have until December 31, 2022. The employee must provide proof that they received an exemption from ESD to their employer before deductions are withdrawn from their pay. In addition to the long-term care policy exemption, there is another permanent exemption for veterans with a service-connected disability of 70% or more. Employees can apply for that exemption and a few other non-permanent exemptions starting January 1, 2023.

Non-permanent exemptions are for the spouse or registered domestic partner of an active-duty service member; employees who hold a non-immigrant visa for temporary workers and are employed in Washington; and employees whose permanent address is outside Washington.

There were also a few amendments to the Washington Paid Family and Medical Leave (WPFML) program that went into effect on June 9, 2022. The first amendment was that the first six weeks of post-natal leave for an employee eligible for prenatal or pregnancy disability leave is considered medical leave. There is no need for the employee to obtain medical certification.

Second, an additional qualifying reason for leave was added. Employees are now eligible for limited bereavement leave for up to seven days after the death of a child for whom the employee would have qualified for medical leave for their birth or family leave to bond after birth or placement.

The last amendment was to an exception which stated that for collective bargaining agreements (CBAs) in existence on October 19, 2017, the parties did not need to reopen negotiations unless and until the existing agreement is reopened or renegotiated by the parties or expires. That exception will now expire on December 31, 2023.

In addition to the amendments, there were some administrative changes to the WPFML rules. The regulation regarding waiting periods was clarified to state that the waiting period does not reduce the maximum duration of an employee's available paid family or medical leave. Further, the waiting period no longer applies to medical leave taken upon the birth of a child. Previously only family leave for bonding or leave related to a qualified military exigency did not need to satisfy the waiting period before an employee was able to start receiving benefits. The change also clarified that weekly benefits are not prorated in a week used to satisfy an employee's waiting period. Additionally, ESD will not look at the number of hours an employee claims during a week that is claimed to fulfill the employee's waiting period. Lastly, aggrieved parties under the law can now submit petitions for review via email.

Eligible members are encouraged to contact the HR Hotline with any questions concerning these changes.



Colleen Mayer | Attorney

HR FAQ

Question: We have been considering installing a biometric time clock. What risks, benefits, and possible legal issues should we consider?

Answer: Biometrics are unique physical characteristics, such as fingerprints and facial features, which employers can use for automated recognition for identification and access control purposes. In the workplace, biometrics can assist in providing confidential spaces within secure workplaces. For example, in our new work-from-home world, biometrics can help organizations secure company data in the case of a stolen laptop or hacked wi-fi network.

With the pandemic lingering, organizations have been continuing to look for ways to reduce the spread of germs. A time clock, which many employees use, is a logical place to look for alternative technologies, like facial recognition. When using facial recognition on a time clock, the process facilitates the speed of clocking in and out and helps prevent employees from needing to be clustered around the clock(s) to log in and out. However, if employees are required to wear masks due to company policy or illness, they would have to lower their masks to clock in and out, which could still spread airborne germs and defeat the intended purpose.

While biometrics are convenient and would end the constant replacement of missing scan cards, facial recognition can raise issues with privacy. Facial recognition software captures Personally Identifiable Information (PII), defined by the Office of Management and Budget (OMB) as "information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc." If this sensitive information falls into the wrong hands, the individual could fall victim to identity theft. Organizations collecting biometric records must safeguard and properly store this information to ensure their employees' PII is secure.

There is also the risk of errors due to flaws in the technology. Current biometric software often does not function well for people of color or women. People wearing hats or glasses, a new hairstyle, varying skin colors, or different facial expressions can also challenge the technology. If the time clock "reads" someone's face incorrectly, the organization must determine how to remedy the situation.

When implementing a biometric time clock into your organization, consider making these features optional and offer a scan card to those who want to opt out. Archbright recommends implementing a timekeeping policy that establishes guidelines and procedures for the collection, retention, and treatment of biometric data, as well as considerations for accommodation. A sample policy is available in the mozzo Resource Library.



Sarah Johnson | Sr. HR Advisor

ARCHBRIGHT NEWS

Archbright Recognized as one of Washington's Best Workplaces in 2022

We're excited to share that Archbright made the Puget Sound Business Journal's 2022 Washington's Best Workplaces list! Recognized amongst 100 other Washington companies, including 14 of our members. This is Archbright's fifth year that we've made this list.

The Archbright members also being recognized are:

- 1st Security Bank of WA
- AG Consulting Partners
- Corr Cronin LLP
- Creation Technologies
- JeffreyM Consulting
- JPC Architects LLC
- Kitsap Bank
- Merriman Wealth Management
- MN Custom Homes
- Salal Credit Union
- Talking Rain Beverage Company
- Thrive Communities
- Valence
- Wimmer Solutions Corp.

PUGET SOUND BUSINESS JOURNAL



2022 WASHINGTON'S
BEST WORKPLACES

The Business Journal partners with Quantum Workplace and surveys thousands of employees throughout the state. The survey asks questions about company culture and employee work experience. Washington's Best Workplaces then recognizes the highest-ranking companies, categorized into one of four lists based on employee count, based on the survey results scored by Quantum.

The final rankings will be revealed in the Washington's Best Workplaces special section of the Puget Sound Business Journal to be published on August 19.

Have You Used Your Archbright University Credit?

All Silver and Gold members receive public training credit through Archbright University each year. Often this credit goes unused, and we want to ensure you're making the most of your Archbright membership.

We have many courses available each month to help your team accomplish its goals. Archbright University has a variety of classes on professional development, management, HR, and safety.

This credit applies to live, instructor-led classes on our public calendar only and includes virtual or classroom delivery. It does not apply to onsite classes (private team training).

To view upcoming public training classes, visit [Archbright.com](https://www.archbright.com).

Thank You to Everyone who Attended our Portland CoffeeTalk!

Our first Portland CoffeeTalk is done, and our team was so excited to see so many new faces! Erin Jacobson, our Director of Legal and HR Advice, presented on the critical topic of employment law and Robin Corbo, our Oregon Account Executive, was there to welcome everyone as well!

We are continuing to offer in-person events and look forward to more CoffeeTalks in the future! Keep an eye out for our emails to be the first to know about these events.

SAFETY & LOSS CONTROL

Is Labor and Industries Keeping Too Much of Your Money?

With inflation, hiring struggles, and supply chain issues, it's harder than ever to run a business as usual in 2022. During these times, it's important for every employer to save money wherever they can. The Washington Department of Labor and Industries (L&I) offers employers the opportunity to recoup some valuable money through participation in Retrospective Rating programs.

What is Retrospective Rating?

Retrospective Rating (Retro) is a voluntary safety incentive program offered by L&I. Participating Washington employers have the potential to earn a partial refund on the workers' compensation insurance premiums they pay to L&I when they reduce workplace injuries and lower the associated claims costs.

How Retro Works

Retro works by adding in a secondary look at how much premium a participating employer pays to L&I for their insurance premiums. Retro participants pay their upfront insurance premium the same way all employers in the state do. However, about nine months after a Retro coverage period ends, L&I looks back at the employer's actual performance in terms of how much premium they paid versus how much claims costs they accrued, calculating a retrospective premium for the coverage year. If the employer has more premium than they did claims costs, they will be in line to earn a refund on a portion of the premium they paid. Each Retro coverage year is evaluated three different times, meaning there are three opportunities to earn refunds.

Are There Risks Involved?

Retro is a safety incentive program and is not risk-free. Retro participants only earn refunds on their insurance premiums when claims costs are lower than insurance premiums paid. When claims costs are higher than premiums, Retro participants could face an additional assessment, and this assessment has the potential to be significant based on Retro plan choice. Therefore, employers should only enter a Retro program if they are dedicated to performing above average regarding safety and claims management. However, positive-performing employers are letting L&I keep more of their money than they should if they don't participate.

Who Can Participate in Retro?

There are two ways to participate in a Retro program – as an individual employer or as a member of a group. To qualify for participation, at a minimum, employers must have an active L&I insurance account in good standing.

What's The Benefit of a Group Program?

Over 99% of Retro participants choose to participate in a group program primarily for risk-sharing benefits. Group participants are not only evaluated for refunds based on their own performance but on the performance of an entire group of similar-industry employers. This allows individual participants to have the occasional poor performing year and not receive an assessment. The downside of group participation is that poor-performing participants may reduce group refunds. Because of this, choosing the right group to join is of utmost importance. Employers should always research a potential Retro group's refund history and rules before joining. Although employers that choose individual participation are evaluated solely on their performance and can reap the rewards of positive performance, they also must cover all assessments associated with poor performing years, which will inevitably happen.

How Can I Learn More?

To learn more about the Archbright Retrospective Rating programs and whether one is the right fit for your organization, please contact info@archbright.com.



Tim Lundin | Director, Safety & Loss Control

mozzo MONTHLY UPDATES

Check Out the New mozzo Salary Survey Feature!

Last month, we launched this new feature in mozzo to make viewing Archbright's Wage & Compensation Survey results even easier.

Log on to mozzo through your internet browser (this feature is currently not available through mozzo Mobile) and click "Salary Survey" in the sidebar to get started.

This Salary Survey tool has many exciting features:

- **Pull specific data for the job positions that you're interested in.** Rather than going through a complete list of jobs, simply enter the job title you would like to search for to see the full compensation report for that role.
- **Download, save, and share reports.** For easy referencing, we recommend you save the reports, which you can view on the main page of the Salary Survey tab. You can share reports with other mozzo users as well!
- **Tailor the information to meet your needs.** All positions can be viewed by base salary or total cash compensation. Filter the report by region, industry, revenue, and type of organization.
- **View compensation amounts in relation to company size.** This feature is beneficial if you're trying to figure out what comparably sized companies offer for the role.
- **View compensation data for similar jobs.** You can also find direct links to other similar positions on the compensation report.

Initially, only the primary mozzo user can view the compensation data collected from this year's survey. However, your organization's primary mozzo user can grant you access to the Salary Survey tool by going to support, seat management, and clicking on the checkbox for the Salary Survey access. If your organization needs additional accounts, please reach out to your account executive.

Access dependent on membership tier and account permission.



Consumer Price Index

US Cities Average—May 2022

CPI-W: 288.022 + 1.211% (1 month change) + 9.260% (1 year change)
CPI-U: 292.296 + 1.102% (1 month change) + 8.503% (1 year change)

Seattle/Tacoma/Bellevue—March/April 2022

CPI-W: 310.928 + 1.710% (bimonthly change) + 8.451% (1 year change)
CPI-U: 316.525 + 2.079% (bimonthly change) + 9.121% (1 year change)

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

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Email us at info@archbright.com.

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We welcome your comments and suggestions.

Email: info@archbright.com | **Office:** 5601 6th Ave S, Suite 400; Seattle, WA 98108 | **Phone:** 206.329.1120 | **Web:** www.archbright.com