



Insights

NOVEMBER | 2022 Newsletter



Get Ready to Take on The New Year with HR Support

As we're nearing the end of the year, HR is hard at work ensuring compliance, championing their organization's people initiatives, and updating policies for 2023.

If you could use some extra help, our HR Consultants are available to support your organization. No project is too big or small.

Every day, our consultants help members with essential tasks, including:

- Covering open HR leadership or individual contributor positions
- Creating consistent and accurate job descriptions
- Reviewing and revising policies
- Managing employee relations
- Developing and/or facilitating new employee orientation and onboarding

If you could benefit from HR Consulting support, please reach out to your Account Executive or contact us at info@archbright.com. We are here to help.

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LOOKING AHEAD

CEO Corner



**Shannon
Kavanaugh**

President and CEO at Archbright

Prepare for Washington's Pay Transparency Law

On January 1, most employers in Washington State will be required to include the wage scale or salary range in each external job posting, as well as a general description of all the benefits and other compensation to be offered to the hired applicant.

If you are an employer with 15 or more employees, this law applies to you. Now is the time to ensure you fully understand the guidelines and how they impact your organization.

Our team has compiled several resources to make sure you are well-prepared:

- [Read about the new requirements and what employers need to do now.](#) Bridget Frolich, one of our Senior HR Advisors, breaks down the steps members should take now to prepare in this recent article on our blog.
- [Watch our new microlearning covering the Salary Transparency Law.](#) This training covers the details of the new requirements and is available in mozzo's Video Training Library. Share it with other members of your team to bring them up to speed.
- [Review the Pay Equity Keynote in mozzo's Resource Library.](#) This is an essential resource for Pacific Northwest employers, offering a summary of federal and state pay equity laws. It is available in mozzo to download and share at any time.

In light of the increased visibility the new law brings, we recommend you review your current compensation system. If you need support with this, we can help. Please contact info@archbright.com or your Account Executive for more information.

Remember, eligible members can reach out to the HR Hotline with any questions about the new law. Our advisors are available from 8:00 AM to 5:00 PM every business day.

UPCOMING EVENTS

Last Chance to Register for Our Spokane CoffeeTalk

If you're in or located near the Spokane area, this is your opportunity to get a breakdown of the recent employment and labor law changes to help you stay in compliance and prepare for the new year. Join us on November 9 for our last CoffeeTalk of the year. Archbright members and non-members are welcome, so we encourage you to invite your professional contacts. This is a free event, and seating is limited; [register](#) today!

At this event, we will discuss:

- Wage and Hour Laws
- Pay Equity
- Leave Laws
- And more!

WHEN: Wednesday, Nov 9 | 8:30 AM-10:30 AM

WHERE: Oxford Suites Spokane Valley, 15015 East Indiana Ave, Spokane Valley, WA 99216

COST: Free

A continental breakfast will be provided.

Join Us at GSI's 25th Annual Economic Forecast Event

Tuesday, November 15 | 7:00 AM - 9:00 AM PST
Spokane Convention Center

Greater Spokane Inc (GSI) and the Journal of Business are partnering on the 25th Annual Economic Forecast—Shocks, Mistakes, and Replays. This event will provide an economic update on the international/national economies, regional/local economies, labor market dynamics, and the social impact on people and goods/services. Get insight into the realities of the workforce, inflation, and what is happening in the economy.

Archbright is proud to sponsor this event! We hope to see you there.

Visit [GSI's website](#) to register.

Employee Training in the Labor Revolution

Employee training has evolved over the centuries in the United States based on technological advances and employee movements that revolutionized the way we work. With each revolution, the need for employee training shifted to meet industry demand.

The [American Industrial Revolution](#) began in the 1870s and continued through World War II. As the demand for manufactured goods soared, unskilled laborers moved to cities to work in higher-paying manufacturing jobs. In fact, by 1900, 40% of the US population lived in cities, compared to just 6% in 1800.

In 1908, the Ford Motor Company produced the first Model T marking the start of the [Age of Science and Mass Production](#). During this 30+ year Revolution, previous inventions were refined, creating the gasoline engine and improving mass production. This required employee training in speed, all with a focus on 'more is better'.

[The Digital Revolution](#) took over in the 1950s with the development of digital systems and advances in computing power, and it continues to this day. Workers are required to be highly skilled and expected to be educated prior to employment. With technical training already in place, employers have shifted to offering more soft skills training than the technical training of prior eras.

In 2022, there is a new demand for training based on the evolution of a post-pandemic workforce. I will coin this phase **The Labor Revolution**. The pandemic forced non-essential workers to work in a virtual world and to learn new ways to connect. [Employees are migrating](#) in the hundreds of thousands to more rural areas, the reverse effect of the Industrial Revolution. Managers must learn to lead virtual teams effectively.

Archbright University can help your organization take on the Labor Revolution with the following courses:

- [Stay Connected: Managing Virtual Teams](#)
- [Holding Others Accountable for Great Performance](#)
- [Time Management](#)

Each of these classes provides timely training for managers leading in uncharted waters. Employers who quickly adapt to this new Revolution will find themselves ahead of their peers by 2025 with a more secure workforce and stronger company culture, whether virtual or in person. For more information, please contact your Archbright 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).

- November 14 - [Workplace Harassment Awareness \(Virtual\)](#)
- November 16 - [Understanding Legal Issues for Supervisors and Managers \(Virtual\)](#)
- November 18 - [Training-the-Trainer \(Virtual\)](#)
- November 21 - [Diversity and Inclusion in the Workplace \(Virtual\)](#)
- November 29 - [Discipline and Documentation \(Virtual\)](#)
- November 29 - [Leadworker Effectiveness \(Virtual\)](#)
- November 30 - [Conflict to Collaboration \(Seattle\)](#)
- November 30 - [Managing Leaves and the Law \(Virtual\)](#)
- December 1 & 2 - [HR Fundamentals \(Virtual\)](#)
- December 1 - [HR Records: How, What, Where, Why \(Virtual\)](#)
- December 2 - [Building Interpersonal Awareness with DiSC® \(Seattle\)](#)
- December 5 - [Workplace Harassment Awareness \(Virtual\)](#)
- December 5, 6, & 7 - [Management Fundamentals \(Seattle\)](#)
- December 6 - [Understanding Wage and Hour Law \(Virtual\)](#)
- December 6, 13, & 20 - [Supervisory Skills \(Virtual\)](#)

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

Changes on the Horizon for 2023

What will 2023 bring for PNW employers? While we can't predict the future, there are several changes we know are coming. Employers would be wise to begin preparations for these changing laws and wage amounts:

Oregon Paid Leave—Beginning January 1, 2023, if you are an Oregon employer, you will be required to post the model notice poster at each work site and provide it electronically or by mail to any remote workers. In addition, if your business has 25 or more employees, you must start paying into the program. Employers and employees share the costs, which means employers will pay 40% of the contribution, and employees will pay 60%. Employees will be able to file for benefits starting in September 2023. See the Oregon Paid Leave Keynote in the mozzo Resource Library for more information. There are also employer resources, including a sample poster and an employer FAQ, on the Oregon Paid Leave website: <https://paidleave.oregon.gov/employers/Pages/default.aspx>

Minimum Wage Increases—Washington State's minimum wage will increase to \$15.74 an hour starting January 1, 2023 (an 8.66% increase from 2022). Seattle's minimum wage for 2023 will rise to \$18.69 an hour (or \$16.50 an hour for employers with less than 500 employees who pay more than \$2.19/hour towards medical benefits or tips). SeaTac's minimum wage for hospitality and transportation employees will increase to \$19.06. Oregon minimum wage is likely to rise in July 2023.

Washington Overtime Exempt Rates—The salary threshold for exempt employees will increase on January 1, 2023, as it is a multiplier of the minimum wage. Employees must earn at least the minimum salary to be exempt from overtime, and their duties must meet a job test. Small employers (1-50 employees) must pay their exempt employees at least 1.75 times the minimum wage, which equals \$1,101.80 per week or \$57,293.60 per year. Large employers (51+ employees) must pay their exempt employees at least two times the minimum wage, which equals \$1,259.20 per week or \$65,478.40 per year. Exempt computer professionals may be paid an hourly rate rather than a salary. The appropriate amount is 3.5 times the minimum wage, which equals \$55.09 per hour for 2023.

Non-Compete Minimum Salary Threshold—Under restrictions in Washington's non-competition law, if an employee or independent contractor has earned less than the threshold specified, the non-compete agreement is considered void and unenforceable. The amount enforced as of January 1, 2023, is scheduled to be \$116,593.18.

Washington Paid Family and Medical Leave (WPFML)

Rates—The 2023 premium rates will be 0.8%, an increase from 2022's rate of 0.6%. Of this total premium, employers will be responsible for 27.24%, and employees will pay 72.76%. Employers with less than 50 employees are exempt from paying the employer portion but must withhold the employee portion and remit to the Employment Security Department (ESD).

Washington Pay Transparency—Effective January 1, 2023, all Washington employers with 15 or more employees must include a wage scale or salary range in each job posting. Employers must also include a "general description of all the benefits and other compensation to be offered to the hired applicant." They must also provide this information for internal transfers upon request. A detailed description of the law is [available in the September edition of Insights](#).

Washington Cares Fund—Beginning July 1, 2023, Washington employers must begin collecting WA Cares premiums from employees who have not opted out of the program. The method of premium remittance to the state will be the same as for Paid Leave—ESD is updating the Paid Leave reporting system so employers can report for both programs simultaneously. For updated information, monitor the WA Cares Fund employer website: <https://wacaresfund.wa.gov/employers/>.

Workers' Compensation Insurance—The Washington Department of Labor and Industries (L&I) proposed a 4.8% increase in workers' compensation insurance costs for 2023. On average, this would result in an additional \$61 per year in premiums for each full-time employee. Public hearings on the rate change were held in late October, and final rates will be adopted on November 30 and go into effect on January 1.

In Oregon, the Department of Consumer and Business Services (DCBS) has announced that workers' comp rates will be lowered by 3.2% on average, marking the 10th straight year that rates have dropped. The new rates will be effective January 1, 2023, but employers will see the changes when they renew their policies in 2023.

While other changes are possible, this is what we know now, and employers should prepare for these changes in the coming weeks to avoid a year-end scramble.



Kathy Iverson | Sr. HR Advisor

Adopting an E-Signature Policy Provides Clarity to Employees and Protection for Employers

As we near the end of the year and employers check what policies and practices might need to be added, amended, or clarified, they often overlook their e-signature policy. With the rise in digitalization of onboarding documents and remote work, many employers rely on electronic signatures, or e-signatures, when requiring employees to sign important documents such as handbook acknowledgment waivers, non-competition agreements, or arbitration agreements. An e-signature can include digitally checking a box, signing with a mouse cursor, or typing one's name into a text field.

For signed agreements to be enforceable, employers need to ensure that 1) the employee understands that their electronic signature has the same legal effect as a manual or "wet" signature; and 2) that the person signing the document is the correct employee. Disputes can arise when, for example, an employer seeks to enforce an arbitration agreement only to have the employee deny that they have ever seen or signed the agreement. A clearly stated, uniformly applied e-signature policy can protect employers from this later denial and head off any disputes about the authenticity of an electronically signed document.

Two-factor authentication (or "2FA") is a process where users are asked to provide two different verification factors to access a website or app. 2FA ensures better security by confirming users are who they say they are, making it more difficult for others to access their accounts. Employers with the capacity to enable 2FA on hiring documents and employment agreements should do so to prevent claims that an employee did not sign the e-signed document.

State and federal laws recognize that an e-signature shall not be "denied legal effect or enforceability solely because it is in electronic form." The federal Electronic Signatures in Global and National Commerce Act (E-SIGN Act) and Uniform Electronic Transaction Act (UETA) created a framework to accept e-signatures. They apply to many types of transactions, including business and consumer transactions. Oregon's Uniform Electronic Transaction Act, ORS 84, et seq., was enacted in 2001, while Washington's law of the same name, RCW 1.80, et seq., went into effect in June 2020. Popular e-signature programs such as DocuSign claim to meet the requirements of the E-SIGN Act and UETA.

Employers that use e-signatures should consider a handbook policy that describes the legal effect of e-signatures and have signers acknowledge that they agree to e-sign on each occasion they are asked to do so. A sample E-Signature Policy is available on mozzo. For additional assistance, contact the HR Hotline.



Beth Touschner | Attorney

HR FAQ | Question: We have an employee who has been showing up late or missing shifts altogether due to anxiety and depression. Do I have to provide them with an accommodation and/or time off?

Answer: The Americans with Disabilities Act (ADA) defines a person with a disability as someone who (1) has a physical or mental impairment that substantially limits one or more "major life activities," (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

The term "major life activity" means basic activities and core functions that most people in the general population can perform with little or no difficulty. Examples include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working.

Therefore, the employee would likely qualify as having a disability under the ADA. You should have an interactive discussion with the employee and their healthcare provider to determine what reasonable accommodations may exist. That could include time off.

Remember that the employee may also be eligible for protected leave under the Family and Medical Leave Act (FMLA) and Washington Paid Family and Medical Leave.



Lindsey Sosa | Content Manager

ARCHBRIGHT NEWS

Get to Know Carolyn Harvey, Archbright's Vice President of Member Services

Whether you've engaged Archbright's HR consulting services, received assistance from one of our attorneys on a workplace investigation or bargaining, or participated in one of our retrospective rating programs, these services all fall under one leader, Carolyn Harvey.

Overseeing many of Archbright's service lines that members have come to know and rely on is no small feat. Carolyn has over 30 years of HR experience, with five of those years being at Archbright. We sat down with her to get more insight into her role at Archbright and get advice for other HR professionals.

Describe your job as the Vice President of Member Services at Archbright.

My role is to lead the teams that provide services to our members. This includes Archbright University, HR Consulting, Legal and HR Advice, Retrospective Rating Programs and Archbright ReClaim (Workers' Compensation services), and Member Services Operations. I work to ensure we provide the best value as the most trusted resource in the region.

What is something you would like to accomplish in the near future in your role?

I'm excited to be working with the directors of each Archbright team to define success for our brand traits that guide how we provide the best value. The way we provide excellent service can vary based on the service we are providing, yet we want each member interaction to meet our high standards for customer service.

Tell us something others might not know about your role.

My career in human resources plays a big part in how I lead internally and serve members externally. I often reflect on my time in previous organizations to remember the pressure and challenges our members face.

What's the most exciting part of your role?

I absolutely love improving processes to make them better for members and more efficient for Archbright. There is nothing better than talking through a complex process and finding an elegant solution!

What's the most challenging part of your role?

When a member faces an issue where our advice and counsel doesn't address the real pain point. For example, when we manage workers' compensation claims, we do so within the "rules" of the Department of Labor and Industries. While we can advocate for the best result possible, the member may still face costs they were not expecting.

What is some advice you'd give to someone that's just starting out in HR?

To learn what part of human resources you most enjoy as the skills needed within the field are so different. Some people prefer the data and operational work, while others gravitate toward facilitation and coaching.

Are there any resources or tools you'd recommend to other HR professionals?

I highly recommend Archbright's mozzo platform. There are so many helpful resources and trainings for HR professionals—to both support your organization and further your own development.



Carolyn Harvey | Vice President, Member Services

'Tis the Season for Renewals

As we approach the end of the year, you once again have the opportunity to change your membership level.

[Please click here for a summary of the benefits that come with each membership level next year.](#)

If you do want to make any changes to your membership for next year, please email your request to info@archbright.com on or before December 1. Note: If you would like to remain at the same level for 2023, then you do not need to do anything. Your membership will automatically renew on January 1.

If you have any questions about your membership benefits, please reach out to your Account Executive or email us at info@archbright.com.

Thank you for your continued membership!

SAFETY & LOSS CONTROL

Stay at Work: Getting Money Back for Light-Duty Accommodations

Despite employers' best efforts to ensure safe working conditions for employees, workplace injuries can still happen, which are hard for everyone involved. Injured workers often worry about their recovery and potential financial hardships if they cannot work due to their injury. Employers may be concerned about the employee's well-being, losing the worker's skills they've come to depend on, as well as financial losses associated with the injury.

Returning employees to a modified light-duty job as soon as their healthcare provider clears them following a workplace injury is vital for the employee and effective claims management. Studies show that returning an injured employee to work early improves their recovery time, keeps them in the routine of working, helps them feel more productive, and maintains workplace relationships. This can help keep morale high for both the worker and their coworkers. Continuing to work also allows recovering employees to earn their full wages, alleviating financial stress.

In addition to employee benefits, employers who offer light-duty job accommodations can recover some of the costs associated with workplace injuries by benefiting from the injured worker's contributions in other areas of the organization. Light-duty jobs also help avoid costly time-loss payouts if the worker otherwise misses time from work and help lower workers' compensation insurance costs. Some states, such as Washington, also offer incentive programs for offering light-duty accommodations.

What is Washington's Stay-at-Work Program?

The Stay-at-Work (SAW) reimbursement program is offered by the Washington Department of Labor and Industries (L&I). The program incentivizes employers to bring injured workers back to work in a light or modified duty capacity. The program awards an equivalent portion of the worker's wages back to the employer for offering these types of job accommodations.

Participating employers can recoup up to 50% of the injured worker's wages for up to 66 days or \$10,000—whichever comes first through the program. Additionally, an employer may be eligible to be reimbursed for some of the cost of training, tools, or clothing needed for the light-duty accommodation.

Who is eligible?

In Washington, employers must obtain their workers' compensation insurance from L&I or be self-insured. Employers who acquire their insurance from L&I are eligible for the SAW program.

How can employers participate?

To take advantage of the SAW reimbursement program, employers must follow certain criteria, including but not limited to offering a valid light-duty job offer to the injured worker that is approved and signed by the employee's healthcare provider. To learn more about the other criteria and qualifications, please visit [Archbright.com](https://www.archbright.com) for a blog post continuation of this article. Eligible Archbright members can find various resources for managing early return-to-work on mozzo, including the Light Duty Job Description Builder. Additionally, eligible members can contact their Archbright Sr. Claims Examiner or Loss Control Analyst for more information.



Eric Wood | Loss Control Analyst II

Changes to Washington's Unified Fall Protection Requirements

In August 2021, the Washington Division of Occupational Safety and Health (DOSH) received notification from the federal Occupational Health and Safety Administration (OSHA) that DOSH's Unified Fall Protection Rule did not meet or exceed OSHA's standards (required for state-run plans). Therefore, effective November 1, 2022, Washington Administrative Code (WAC) 296-880 has been updated to include new trigger heights for employers engaged in roofing work as well as constructing a ledge edge, use of warning line systems, use of safety watch systems, and personal fall arrest requirements for those working in ski area facilities and operations. Employers can see a full list of the amended sections in DOSH's Unified Fall Protection Quick Reference Guide.

mozzo MONTHLY UPDATES

Sign In to mozzo to Set Up Two-Factor Authentication

We rolled out two-factor authentication (2FA) to mozzo to strengthen our security protocol and better protect mozzo users.

If you have not yet set it up, when you log on to mozzo next, you will be prompted to enter your mobile number to receive a single use verification code. You will need to enter this code into the text field in order to sign in to your account. This additional layer of security will ensure only authenticated users will gain access to mozzo.

You can also opt to forgo the 2FA option.

Please contact us at info@archbright.com with any questions.



Check Out the Latest Additions to the Video Training Library

- **Protecting Employees from Wildfire Smoke (5:26):** Employers are responsible for protecting their workers from wildfire smoke exposure, particularly those who work outdoors regularly and have an increased risk of developing adverse health effects. This course explains wildfire smoke, the potential health impacts on employees, and steps for protection.
- **Tokenism Part 2 - Avoiding Tokenism and Creating an Inclusive Workplace (3:18):** After learning about the harmful effects of tokenism, organizations need to take steps to eliminate this practice in the workplace. This course reviews helpful steps to take to avoid tokenism. You can also watch Part 1.
- **Hazardous Energy Control for Authorized Employees Part 2 (9:04):** When authorized employees perform service or maintenance tasks on machinery or equipment, they must do so safely to avoid the unexpected release of hazardous energy. This course reviews a common method to control hazardous energy called lockout or tagout. You can also watch Part 1.

Remember: All trainings in the Video Training Library can be shared and assigned to learners. For additional learner seats, reach out to your Archbright Account Executive or info@archbright.com.

Consumer Price Index

US Cities Average—September 2022

CPI-W: 291.854 + 0.225% (1 month change) + 8.461% (1 year change)
CPI-U: 296.808 + 0.215% (1 month change) + 8.134% (1 year change)

Seattle/Tacoma/Bellevue—July/August 2022

CPI-W: 322.664 + 0.323% (bimonthly change) + 9.226% (1 year change)
CPI-U: 326.796 + 0.043% (bimonthly change) + 9.040% (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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