**Archbright™**

**Insights Newsletter**

**May 2017**

**We’re Moving!**

Exciting things are happening at Archbright and we wanted to share the important news with you, our valued members.

This summer, we are combining our Seattle and Kent offices to a new facility in the Georgetown neighborhood of Seattle. The move not only brings our team together under one roof, it also provides a much-needed upgrade to our training facilities and allows us to offer new resources to our members.

As of mid-June, our new address is:

5601 6th Ave S, Suite 400

Seattle, WA 98108

With this location change, we are able to modernize our facility and better serve members technologically, as well as provide a space for members to use for training, meetings, video conferencing, transient workspace, and more. We can’t wait to share it with you!

In the meantime, we are busy preparing for the consolidation of our offices. More details will be available in the coming weeks, so be sure to check our website for updates on the move, including when training classes will begin at our new facility.

Thank you for your support during this transition! If you have any questions, please reach out to us at info@archbright.com.

**CEO Corner, by Shannon Kavanaugh**

Two ways you can up your HR Game this year!

2017 is almost half-way over. Where did the time go? Time is moving fast and as it does, you might be missing two things that could make a significant impact on your organization’s workplace performance. To up your HR game this year, you should:

Improve your HR Systems….DATA is king! An HR System allows you to store, track, manage, analyze, and evaluate all HR-related data – essentially anything in an EE File – digitally. If you are still managing your employee files in hard files and/or spreadsheets somewhere, it’s time to reconsider a new way! Archbright can help by implementing InfinityHR for you! It’s modular, so turn on only what you need: Benefits Management; Performance Management; Core HR Management; and Applicant Tracking! Check out our article on Page 6 for more about HRMS.

Get rid of the dying Performance Appraisal! We have long known the performance appraisal was not getting us where we needed to be. But we didn’t always have a suitable alternative. Now we do! Archbright uses Catalytic Coaching, a replacement for the traditional performance evaluation, and is now helping members implement Catalytic Coaching in their own organizations. Call us and let us help you convert to a COACHING system from a REVIEWING system.

Both of the above steps are shifts from traditional ways we’ve managed HR functions, so we’re here to help. Are you ready to up your HR Game?

**Member Spotlight | FareStart**

FareStart provides a community that transforms lives by empowering homeless and disadvantaged men, women, and families to achieve self-sufficiency through life skills, job training, and employment in the food service industry.

Through social enterprise restaurants, cafes, catering, and community meals programs, FareStart teaches job and life skills to people who are determined to turn around their lives.

Their foodservice training programs help youth and adults overcome barriers to employment and provide hands-on job training, side-by-side with culinary professionals. In 2016, FareStart had a record-breaking 260 adult and youth graduates.

This year, Archbright awarded a grant from our Health and Wellness Fund to FareStart.

The mission of the 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.

“FareStart’s work is truly transforming lives,” said Archbright president and CEO Shannon Kavanaugh. “Through culinary training, life-skills classes, counseling, and more services, FareStart is making a positive impact in the lives of their students and in our community.”

”We are thrilled to be a recipient of Archbright grant funding,” said Michelle McDaniel, the chief development officer for FareStart. “The need has never been greater for our programs. Archbright’s generous support will enable us to provide more tools, training, and support to people in need.”

Since 1992, FareStart has prepared over 9 million community meals—from hot dinners for people in shelters to healthy lunches for students—each made by FareStart students, from scratch, with the freshest possible ingredients.

To find out more about FareStart’s mission and community service programs, please visit FareStart.org.

**A Trio of Classes for HR Professionals.**

*Increase your knowledge and protect your organization.*

**Conducting Effective Internal Investigations**

May 17 | 8:30am to 12pm | Seattle

Increasingly, employers find themselves the target of employment litigation and claims that are costly in terms of dollars and employee morale. Many times, employer liability hinges on the quality of the company’s investigation into complaints of discrimination, harassment, or other claims of workplace misconduct. In fact, an important consideration in an employee’s decision to ultimately file a lawsuit is whether the employer conducted an effective workplace investigation.

**HR Fundamentals**

May 17 and 18 | 9am to 5pm | Spokane

This two-day program is designed for individuals who are new to Human Resources or whose primary expertise is in another field (such as payroll or accounting) but who have some Human Resource responsibilities. HR Fundamentals provides an overview of the profession’s functions and competencies that the new HR generalist or other HR professional will use on a daily basis.

**Employment Law Update**

June 13 | 9am to 12pm | Kent

Each year brings many changes in laws, regulations, and court interpretations affecting employers in Washington State. Employment Law Update will review recent changes and other relevant employment law updates.

**Survey Reveals Employee Communication Habits Could Increase Legal and Data Governance Challenges**

More than half of office-based employees say their companies don’t have written policies on data retention or personal use of work devices, or if they do, they aren’t aware of them, a kCura survey found. In addition, 55% of office-based employees say they believe there is no harm to their companies when they use a work device for personal communications.

According to David Horrigan, e-discovery counsel at kCura and former data privacy analyst, the employee communication habits revealed by the study could put organizations at risk for increased data retention and discovery costs in today’s increasingly litigious business environment. That’s because laws which govern civil proceedings in U.S. district courts, have generally treated all data within the enterprise—even personal conversations—as potentially discoverable.

A data retention policy is a must-have. The survey results reveal that 63% of employees don’t believe their companies have policies on email retention or checking personal email and other accounts at work, or if they do, they don’t know about them. A slightly better 56% say the same about written social media policies.

An overwhelming majority of employees (70%) also admit to using email/folders in their inbox as filing systems on the job – a habit that makes it more difficult for enterprises to implement email retention policies without disrupting business, said Horrigan.

“Having a defensible data retention policy is one of the most fundamental necessities for mitigating risk in today’s digital business environment,” said Horrigan. “If a business faces a lawsuit or regulatory proceeding, it could face substantial sanctions for failure to preserve email.”

For example, in a 2016 decision, a U.S. District Judge sanctioned an electronics company $3 million in punitive sanctions plus costs for its unlawful deletion of email.

In another case, a major airline faced multiple discovery sanctions, including court sanctions of $2.7 million in August 2015 for discovery failures.

Employees care about privacy, but compromise it anyway. Although 98% of employees surveyed said privacy was important to them, they engage in communications habits that put their privacy at risk. For example, 60% have done at least one of the following on a personal device connected to company WiFi:

* Sent personal emails (47%);
* Used the internet for personal purposes (45%);
* Sent personal text messages (40%);
* Sent personal messages via messaging apps (23%);
* Posted on social media (22%);
* Sent personal photos (20%); and/or
* Sent personal video (10%).

Additionally, employees use work devices for personal conversations. 38% use work email at least sometimes to send or receive personal/non-work related communications, while 28% sometimes or often use a work device to chat online with friends using services like Skype, Google Hangouts, or Facebook Messenger.

Employees said they have also used work devices for personal conversations that may contain particularly sensitive information:

* 32% with their physicians;
* 28% with financial advisors; and
* 18% with lawyers.

Communicating with a lawyer via email, text, or social media on a work device could pose the greatest risk, said Horrigan. By doing so, employees could be disclosing the conversation to a third party—the company—which could waive their attorney-client privilege.

If an employer fails to create or enforce policies on privacy, they may find that employees still have a reasonable expectation of privacy.

“Laws surrounding employee privacy are still developing,” said Horrigan. “To protect themselves, employers must implement clear policies defining employees’ expectation of privacy at work. For employees, the best bet is to keep work and personal communications separate. If you’re wondering whether a certain communication or activity will remain private, you should assume that it will not.”

Archbright Gold and Silver members can review the Bring Your Own Device (BYOD) policy samples in the online HR Toolkit to uncover ways to tackle this pervasive problem.

Source: CCH

**New Seattle Secure Scheduling Ordinance to Take Effect July 1**

Another Seattle labor law passed last year will become effective this summer. The Secure Scheduling Ordinance only applies to hourly employees who work in Seattle for retail, food services, or drinking establishments with 500 employees worldwide or full-service restaurants with 500 employees and more than 40 locations worldwide.

The ordinance is designed to give shift workers more stability in their work schedules and opportunities to earn additional income.

The main provisions of the ordinance are cited below. For a more comprehensive look at the ordinance, Archbright Gold and Silver members can refer to the Seattle Secure Scheduling KeyNote on the Archbright Members Only website.

Upon hire, new employees must be provided a good faith written estimate of the number of hours they can expect to work each week.

Employees must be given their work schedule 14 days in advance. If the employer adds hours after posting the schedule, the employee is entitled to one additional hour of “premium pay”.

Employees have a right to decline any shift added to their schedule after the two-week notice period without fear of retaliation.

If an employee is scheduled for a shift and sent home early, the employee must be paid for half of the hours not worked.

Employees have a right to decline closing and opening shifts which are separated by less than 10 hours. If they accept and the gap between closing and opening is less than 10 hours, pay at time and half kicks in for the difference, e.g., 8-hour gap = 2 hours of overtime pay.

All employees must be given three days of notice of any additional available work hours before employer can hire externally. The employer must offer the additional available work hours to existing qualified employees before hiring externally, and provide such employees with two days to consider job offers.

Employees who are scheduled to be on-call and are not called in to work must be paid half of the hours not worked.

Employees may request preferences on their schedule to help balance their other commitments like caring for a family member, working another job, and attending school. Employers must engage in an interactive process with employees to discuss these requests, and must grant a request related to a major life event unless there is a bona fide business reason to deny the request.

Employees cannot be required to find replacement coverage due to an emergency or major life event.

Source: Jo Powers, Manager, HR Advisory

**HR FAQ**

Question: We have a Customer Service Supervisor whom I would describe as the cheerful “grandmotherly” type. She’s the one who bakes cookies on everyone’s birthday and hugs people every chance she gets. She even greets all new hires with a hug. I recently told

her to refrain from hugging at work as not all people enjoy it, especially those new to the organization. She dismissed my suggestion as being overly sensitive.

She explained she is a “touchy-feely” person and never knew anyone who didn’t like a hug. It is her way to make people feel welcome and appreciated.

Answer: You are right to be concerned about this behavior. While many could argue that hugging is harmless workplace socializing, for others it is clearly unwanted. Any unwelcome behavior of a sexualized nature in the workplace may create a “hostile work environment” and therefore violate the company’s anti- harassment policy. The standard used to determine hostile work environment is the behavior must be “severe or pervasive”, meaning the behavior is bad and it happens time and again. The issue on whether her platonic hugging can create a hostile work environment was addressed in a recent court case in California.

A female correctional officer sued her employer and male sheriff for harassment alleging the sheriff hugged her at least 125 times over a 12-year period. The hugs only occurred in public places such as parties, award banquets, training sessions and meetings. While the sheriff hugged other female employees as well, she only saw him give handshakes to male employees. She also described that the hugs where the kind that friends or relatives give each other. She did complain about the frequent hugging to her supervising lieutenants, but they did not forward her complaints.

The employer did not argue that the hugs occurred, but dismissed the conduct as “not objectively severe or pervasive enough to establish a hostile work environment, but merely innocuous socially acceptable conduct.”

The Ninth Circuit Court saw the situation differently. The court explained a reasonable juror could find from the frequency of the hugs, the sheriff’s conduct was out of proportion to “ordinary workplace socializing” and had become abusive. Additionally, the court held that “acts of supervisors have greater power to alter the environment than acts of co-employees generally.” The fact the sheriff held the highest rank in the department made the harassment have greater impact.

Revisit this discussion with your Customer Service Supervisor and educate her on what can constitute a hostile work environment. Ask her to stop her indiscriminate hugging. If your organization has not had recent Harassment Awareness Training for your managers and supervisors, now is the time to do it. Call your Archbright Account Executive to learn more about our onsite training program.

**Taking Advantage of Human Resource Management Systems**

A Human Resource Management System (HRMS) is defined by Wikipedia as “a form of HR Software that combines a number of systems and processes to ensure the easy management of a business’s employees and data.” Systems or processes that are combined vary from HRMS to HRMS. They can range from Applicant Tracking Systems (ATS), to Performance Management Systems, to Benefits Management Systems, to Payroll, and most everything in between.

Why would a small to mid-size organization need an HRMS? One benefit of an HRMS is the ability to turn your employee files into paperless online files. Most of these systems allow you to scan and upload documents. Many allow electronic creation and completion of documents.

Electronic files are more easily accessed and will free up real estate by ridding your office of file cabinets. You could be on a beach in Hawaii sipping a cool beverage in the sun and access employment information needed for a report or to respond to a question.

A HRMS with an ATS allows you to easily convert an Applicant into a Hire. Additionally, many of these systems will capture new hire paperwork electronically.

Have you ever had to ask an employee to recomplete a form because you could not read their handwriting?

How about finding out after two months of employment, you missed collecting a tax form? HRMS solutions allow employees to accurately fill in forms as well as easily track and confirm receipt of documents.

The tracking of information and due dates is another area most HRMS excel. For example, I-9 document expiration, or Forklift Training re-certifications are easily tracked and displayed on a dashboard view. Many systems send out reminders when items are due and flag managers when items are past due. Imagine a day when you are not spending hours updating an Excel spreadsheet or combing through documents to review due dates. That day is here with an HRMS.

For employers with Affirmative Action Plans (AAP), an HRMS can save hours pulling the data necessary to complete an AAP. The data is also more accurate and up to date as the HRMS is commonly the system of record where all information is updated and maintained.

Reports and analytics are also a common core of an HRMS. Most of these systems allow you to run a report and export to Excel to run further data analytics. Many systems offer standard analytics in addition to ad hoc reporting and analysis. These reports allow you to easily pull benefit census information or EEO reporting information.

The cost of HR Technology solutions has been steadily declining. Many systems are now more affordable then they were just three years ago and save time and money. Take the time to reach out to your Account Executive and ask about our HRMS team. We may have a solution that works for you. If not, we will certainly offer suggestions, option ideas, and questions to ask.

Source: Whittney Dideon, PHR, CPP, Director HR Systems & Services

**Demonstrate Your Mastery of HR Knowledge**

Your HR Certification Institute® (HRCI®) credential demonstrates your mastery of HR knowledge and skills.

Every three years, HRCI certification holders must recertify to maintain their credential. Recertification helps you accomplish two goals:

Boost your competencies and stay on top of HR trends through professional development.

Propel your professional achievements.

There are many convenient ways to recertify your credential. In fact, as of May 14, 2015, all HRCI certified professionals who are member’s of Archbright will be eligible to receive up to 12 hours of recertification credit. Contact your HRCI concierge to find out more!

Nella Deaza Nella.Deaza@hrci.org 571-551-6725

**Silica Standard for Construction Delayed**

OSHA is delaying enforcement of its updated standard on worker exposure to crystalline silica in the construction industry. Federal enforcement was set to begin June 23rd but has been delayed until September 23rd. The delay is allowing OSHA to “conduct additional outreach and provide educational materials and guidance for employers” according to an April press release from the agency.

The rule’s new permissible exposure limit (PEL) for respirable crystalline silica is 50 micrograms per cubic meter of air averaged during an 8-hour shift. The updated PEL is 5 times lower than the previous limit for construction.

Crystalline silica is a known carcinogen that is found in commonly used construction materials such as sand, concrete, brick, stone, and mortar. Exposure to silica dust can lead to silicosis, a chronic disease that involves scarring of the lungs.

As of the writing of this article, the Washington State Department of Safety & Health (DOSH), has not published a response to the Federal OSHA updated standard.

**First-Aid, CPR & AED’s in the Workplace**

Each year, more than 350,000 out-of-hospital cardiac arrests occur in the United States. Survival greatly depends on how quickly CPR is initiated.

Almost 90% of people who suffer out-of-hospital cardiac arrest die. If CPR is started within the first few minutes of cardiac arrest, the chance of survival can double or even triple.

In Washington State, Employers are required to make sure that first-aid trained personnel are available to provide quick and effective first-aid. Employers must comply with the requirements of 29 C.F.R. 1910.151(b) which state “In the absence of an infirmary, clinic, or hospital in near proximity to the workplace, which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first-aid.”

To determine how many first-aid trained personnel you need at your company, consider how many employees you have, if you have multiple shifts, multiple buildings, or potentially delayed response times. It is recommended to have multiple employees trained to cover the facility.

More companies are purchasing, or considering purchasing, Automated External Defibrillators (AEDs) for onsite use as technology gets better, safer, easier to use, and the price goes down. AEDs are medical devices that analyze the heart’s rhythm, and if appropriate, shocks the heart to re-establish an effective rhythm. Studies show that each minute that defibrillation (shocking the heart) is delayed, the chance of survival is decreased by approximately 10%.

Archbright offers combined Adult First-Aid, CPR, and AED training programs for both full certification and re-certification specifically designed for the occupational setting. These training programs offer a two-year certification for the attendee, and licensed electricians are able to take advantage of continuing education credits towards their electrical licenses. These programs also include and meet Universal Precautions for Bloodborne Pathogens training requirements for general industry.

For more information on first-aid requirements or for information on onsite training, please contact Archbright at 206.329.1120, 509.381.1635, or email safety@archbright.com.

**Monthly Webinar Ergonomics**

Thursday, May 18, 2017

2:15 p.m.

Injuries related to Musculoskeletal disorders are some of the costliest injuries in manufacturing today and many of these injuries are related to poor

ergonomics. In this webinar, you will learn ergonomic basics and how an ergonomics program can benefit your organization.

Topics include:

* Ergonomic fundamentals
* Ergonomics related to manufacturing
* Ergonomic program basics
* Cost savings from implementing an ergonomics program

This monthly webinar is complimentary for all members of our Workers’ Compensation and Retrospective Rating Programs. Attendees will receive an email approximately one week before the webinar with participation and login information.

For questions or more information on our webinar training, please contact safety@archbright.com.

The webinar is also available to members not enrolled in our Workers’ Compensation or Retrospective Rating Programs for a registration fee. Please visit Archbright.com or contact info@archbright.com for more information.

*Safety is a State of Mind. Accidents are an Absence of Mind.*

**Did You Know?**

* In 2015, there were 2.9 million non-fatal workplace injuries and illnesses
* Each year 27 million working days are lost due to injury
* Unintentional injury is the leading cause of death in the
* U.S. for individuals younger than 44 years of age
* 25% of all emergency room visits can be avoided with basic first-aid and CPR certification
* Sudden cardiac arrest represents 13% of all workplace deaths
* 75% of all out-of-hospital heart attacks happen at home
* Each year, an estimated 785,000 Americans will have their first heart attack
* The most common cause of shock is severe bleeding

**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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