**Archbright™**

**Insights Newsletter**

**May 2018**

**Archbright Membership Earns HRCI Credits**

An HR Certification Institute® (HRCI®) certification distinguishes you as a master in the HR field, with proven levels of skills and knowledge, and the competence necessary to mitigate risks and drive business results.

As an employee of an Archbright member company, you may earn up to 12 HRCI credits simply because of your organization’s current membership status. This includes:

* For each full year of Archbright membership, earn 3 credits under the MEMBERSHIP category−up to a maximum of 9 credits!
* Earn 3 additional BUSINESS credits - 1 per year for SPHR – under the continuing education category. (If your HRCI credential does not require Business credit - such as GPHR, aPHR, PHR, or CA - the credit type will default to the HR General credit.)
* For employees who haven’t yet earned a GPHR, aPHR, PHR, or SPHR certification but are planning on taking the exam, you can receive $50 off the exam fee!

Questions? Contact us at 206.329.1120, 509.381.1635, or info@archbright.com for more information.

**PHR/SPHR Certification Exam Prep Program**

If you are ready to pursue a Professional in Human Resources (PHR®) or Senior Professional in Human Resources (SPHR®) certification, Archbright can help! The next session of our certification exam prep program starts on May 15.

Our in-person, instructor-led HRCI certification exam prep program covers the six functional areas of the PHR and SPHR exam:

• Business Management & Strategy

• Workforce Planning & Employment

• Human Resource Development

• Compensation & Benefits

• Employee & Labor Relations

• Risk Management

Registration is now open at Archbright.com for our upcoming session. Classes occur 6pm to 9pm every Tuesday, May 15 through August 7 (no class on July 3) at our Seattle office.

**Archbright Awards 200K to Local Non-Profits that Provide Health and Wellness Service**

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 support the general operating expenses of these organizations:

* Bloodworks Northwest (www.bloodworksnw.org) saves lives through research, innovation, education and excellence in blood, medical and laboratory services in partnership with our community.
* FareStart (www.farestart.org) helps people overcome the barriers to employment by developing the work and life skills they need to have lifelong careers through social enterprise restaurants, cafes, catering, and community meals programs.
* Little Bit Therapeutic Riding Center (www.littlebit.org) improves the bodies, minds, and spirits of children and adults with disabilities through equine-assisted therapies and activities.
* Neighborcare Health (www.neighborcare.org) is the largest provider of primary medical and dental care in the Seattle area for low income and uninsured families and individuals, serving the community for almost 50 years.
* Northwest Kidney Center (www.nwkidney.org) is the world’s first dialysis organization, promoting the optimal health, quality of life, and independence of people with kidney disease through patient care, education, and research.
* CHOICES Education Group (www.choices.org) empowers teens to make positive choices to increase their life opportunities and support their health and wellbeing.

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

**CoffeeTalk: An Agile Workforce- How Flexible Are You?**

In today’s business environment “change is the new normal.” Yet, change is no easier than it was in the past. It takes resilience (the ability to bounce back quickly from challenges and setbacks) and it takes agility (the ability to move quickly and easily). A key component to an Agile Workforce, is your company’s workplace flexibility (when they work, where they work, and how they work).

In this CoffeeTalk, Joe Marth, PhD, VP of Business Solutions, will explore trends in workplace flexibility that are aimed at improving your organizations agility.

We welcome a maximum of 2 attendees per organization.

When: June 13 | 9:00 am to 10:30 am

(8:30 Check-in Begins; 9:00 am Program) Where: Seattle Office | 5601 6th Ave. S, Suite 400 Cost: FREE | a continental breakfast will be served

Note: This CoffeeTalk will be offered in Spokane on July 25th.

**Virtual Classroom: All the Learning. No Travel.**

Our virtual classroom courses are designed for those who want an interactive, instructor-led session without the time and expense of travel. The instructor uses a combination of presentation,

discussion, video, and break-out sessions to keep the participants engaged and learning throughout the class. You will need to join the class on a computer, but video camera is not required.

Understanding Legal Issues for Supervisors and Managers (May 10)

Supervisors and Managers are responsible for compliance within a wide range of complex laws and regulations. Avoid legal risk and maintain a healthy organizational culture by training supervisors and managers in handling employee concerns fairly.

Workplace Harassment Awareness (May 18)

In today’s business climate, it is essential for employers to take proactive steps toward preventing harassment in the workplace. This includes

training employees and managers to be sensitive to comments, gestures, behaviors, or mannerisms that may be construed as harassment or creating a hostile work environment.

Communicating with Impact (May 24)

Learn a powerful set of interaction skills that enables you to communicate more effectively with colleagues and customers and, in the process, build trust, strengthen partnerships, and achieve desired results.

**Washington Legislature Adds New Protections for Employees**

Several new laws will soon take effect in Washington State that will have significant impact on all employers throughout Washington state. These laws add new protections for employees – and create new challenges for employers of all sizes.

**Religious Protections**

Effective June 7, 2018, a new law limiting the disclosure of information about religious affiliation takes effect. House Bill 2097 amends the State’s law against discrimination by making it an “unfair practice” for an employer to require employees

to disclose their sincerely held religious affiliation or beliefs, except where a religious accommodation is requested by the employee. Similarly, it is also an unfair practice for an employer to require or authorize an employee to disclose information about the religious affiliation or belief of another employee, unless expressly approved by the employee.

Additionally, this new law also amends Washington’s public records law to exempt disclosure of an individuals’ religious beliefs, practices, or affiliation. State and local government agencies and public employees will be prohibited from disclosing any personally identifiable information relating to an individual’s religious beliefs, practices, or affiliation to any individual, unless it is in relation to a criminal investigation or criminal activity.

**“Ban the Box”**

On March 13, 2018, Washington Governor Jay Inslee signed into law the Fair Chance Act, which now extends “ban the box” protections to both public and private employers throughout the state of Washington.

Under the law, employers in Washington may no longer require job applicants to check a box on an employment application form indicating whether they have ever been arrested or convicted of a crime. Nor may employers exclude applicants with convictions in blanket statements in their job postings. The Fair Chance Act is designed to allow otherwise qualified applicants with arrest records from being automatically disqualified for the position. Employers may continue to require background checks and inquiries about job applicants’ conviction records after the initial screening or as part of a conditional offer of employment. For more information, a KeyNote on Arrest and Conviction Records is available to Gold and Silver members on the Archbright HR Toolkit.

**Gender Pay Equity**

On March 21, 2018, Washington Governor Jay Inslee signed the Equal Pay Opportunity Act, which prohibits discrimination based on gender. This new law enforces equal pay and career advancement opportunities for employees similarly employed – requiring similar skill, effort, responsibility, and under the same working conditions – regardless of gender.

This new law does not specifically prohibit salary history questions on employment applications or in interviews. Employers cannot require employees to disclose salary history but the salary history question can be optional. However, if an employer has obtained salary history information, they cannot use that information as a defense if a difference in pay exists between employees of different genders in a similar position. Additionally, employers may not retaliate, discharge, or discriminate in any way against employees for inquiring about, disclosing, comparing, or otherwise discussing their wages or the wages of other employees. For more information, a KeyNote on Equal Pay is available to Gold and Silver members on the Archbright HR Toolkit.

**NDAs Banned in Sexual Harassment**

Effective June 7, 2018, Washington law prohibits employers from requiring employees to sign, as a condition of employment, a non-disclosure agreement (NDA), waiver, or other document preventing them from “disclosing sexual harassment or sexual assault occurring in the workplace, at work-related events coordinated by or through the employer, or between employees, or between employer and an employee, off the employment premises.” The law also prohibits employers from retaliating against an employee who discusses sexual harassment or assault. This law follows similar laws passed and legislative action taken in more than 10 states to ban NDA clauses in workplace sexual harassment out-of-court settlement agreements. For more information, a KeyNote on Sexual Harassment in the Workplace is available to Gold and Silver members on the Archbright HR Toolkit.

**New Protected Class for Victims of Domestic Violence**

Effective June 7, 2018, Washington will recognize a new protected class for actual or perceived victims of domestic violence, sexual assault, or stalking. Employers will be prohibited from discriminating against applicants or employees because they belong to this protected class, including refusing to hire or terminating someone.

**Service Animal Definition**

Washington now recognizes the federal definition of a service animal – a dog or miniature horse that is trained to do work or perform tasks for the benefit of an individual with a physical, mental, or sensory disability. Pets or “emotional support animals” are no longer covered by Washington law.

Additionally, individuals who lie about having a service animal will be subject to civil infractions. For more information, a KeyNote on Service Animals is available to Gold and Silver members on the Archbright HR Toolkit.

Our HR Advice and Legal Team is here to help you navigate through these laws and continue to keep you updated on any further developments. If you have any questions about these new laws, please contact our HR Hotline.

Source: Joy Sturgis, Senior HR Advisor at Archbright

**New Mandate for Public Employers with Union Contracts**

This June, the U.S. Supreme Court will decide, in Janus v. AFSCME, whether public employees can be forced to pay union dues and fees by way of mandatory dues deduction. Currently, most public employers have a mandatory dues check off clause in their contracts which obligates employees to pay union dues and fees as a condition of employment. In anticipation that the Court will not rule in their favor, many unions are looking for ways to counter the decision and ensure that they can continue to collect dues from as many public employees as possible.

One such attempt is Senate Bill 6229, which was signed by Governor Inslee in late March and will become law on June 7, 2018. SB 6229 mandates that public employers must provide bargaining representatives reasonable access of at least 30 minutes to new employees of the bargaining unit for the purposes of presenting information about the union. The presentation may occur during a new employee orientation, or at another time agreed to by the employer and the union. The meeting must occur within 90 days of the employee’s start date and must be during the employee’s regular work hours. The law also provides that no employee may be mandated to attend the meetings or presentations.

Union employers are encouraged to contact an Archbright Attorney with any questions as to how to comply with this new law.

Source: Mara Vinnedge, Attorney at Archbright

**Study Shows More Than Half of Workers 60+ are Postponing Retirement**

Though the economy is improving, many U.S. workers are still pumping the brakes on their retirement plans. According to a recent CareerBuilder survey, 53 percent of workers aged 60+ say they are postponing retirement, with 57 percent of men putting retirement on hold compared to 48 percent of women. Four in 10 workers (40 percent) don’t think they’ll be able to retire until 70 or older.

“Postponing retirement will make an impact across all of our country’s workforce, along with retirement policy and financial and health care planning,” said Rosemary Haefner, chief human resources officer at CareerBuilder.

“With workers staying in their jobs longer, employers are adjusting hiring needs, but also reaping the benefits of the extra skills and mentoring abilities of mature employees.”

Postponing because of uncertainty. Are workers putting retirement plans on hold because they are unsure of how much to save? Approximately a quarter (24 percent) do not know how much they will need to save for retirement. Women are much more likely to be unsure of how much to save than men – 31 to 17 percent, respectively.

When asked how much money they think they’ll need to save in order to retire, workers said:

* Less than $500,000: 20 percent;
* $500,000 to less than $1 million: 31 percent;
* $1 million to less than $2 million: 14 percent;
* $2 million to less than $3 million: 5 percent;
* $3 million or more: 7 percent.

When asked if they’re currently contributing to retirement accounts, roughly 1 in 4 workers 55+ (23 percent) said they do not participate in a 401(k), IRA or other retirement plan, a rate even higher in younger adults ages 18-34 (40 percent). Sixty-seven percent of workers in the South

and 69 percent in the Midwest contribute to retirement accounts, compared to 73 percent in the Northeast and 71 percent in the West.

About the survey. This survey was conducted online by The Harris Poll from November 28 and December 20, 2017, and included a representative sample of 809 full- time workers across industries and company sizes in the U.S. private sector.

Source: CareerBuilder/CCH

**HR FAQ**

**Question:** One of our employees has submitted their resignation. Can we just let them go now? They probably will not do much in the next two weeks anyway!

**Answer:** Provided the employee is not covered by an employment agreement or collective bargaining agreement, you may release the employee early and choose whether to pay through the notice period or not. Employers do not have a legal obligation to pay the employee through the notice period and must only pay for hours worked.

However, if you choose not to pay the employee through the notice period, this may mean the employee has now been discharged in the eyes of the unemployment department. Should the employee elect to apply for unemployment benefits, benefits may be approved, which could affect your experience rating. If your employees are covered by a collective bargaining agreement which provides discharge only ‘for cause’, an early release means you could be looking at a grievance for wrongful termination.

Archbright is here to help you work through these issues and recommends a call to our HR Hotline before taking action on any termination.

**What’s Trust Got to Do With It?**

“We need better teamwork!” is the battle cry of frustrated people managers when things aren’t going well in the workplace. Missed hand-offs? Poor follow-through? Flaring tempers? Incessant (or so it seems) complaining? These are the hallmarks of a work environment where turf wars reign, productivity and engagement suffer, and leaders yearn for some of that elusive magic called teamwork. And if, after investigation, it turns out that the solution is to create better teamwork, the real question becomes where do we begin? If relationships have come unraveled from the friction of finger-pointing and blame, how can we help employees let that go and begin to engage with each other in healthier ways?

As unlikely as it may sound in that scenario, it all starts with trust – or ends for lack of it – because without trust, the relationship has no solid foundation. In his best-selling book, The Five Dysfunctions of a Team, Patrick Lencioni describes a 5-tiered model of interdependent behaviors that derail teams. At the base of the model is the most critical behavior of all: lack of trust. Here Lencioni is talking about a specific kind of trust, not what he calls predictive trust, which means that due to my past experience with you, I know I can count on you to do what you say you’ll do. In contrast, the kind of trust that strong teams are built upon is what Lencioni calls vulnerability-based trust, meaning that I can be open with you about my weaknesses or failings because I know you’ll respond with helpfulness and support. Building this vulnerability-based trust starting from a place of non- trust takes time and work. But teams that focus on the behaviors that foster an environment where members feel safe to make themselves vulnerable will in time develop into strong teams. Superb teams.

There are tools available to help teams overcome lack of trust and the rest of the dysfunctions that hold them back. Archbright is thrilled to now offer Lencioni’s toolbox for building strong teams, The Five Behaviors of a Cohesive Team, a series of facilitated sessions that bring teams together to build healthy, functional relationships. No ropes or raging rivers required! If you’re interested in learning more, contact your Archbright Account Executive today at 206.329.1120 or 509.381.1635.

**Vancouver CoffeeTalk: Building Your Hiring Toolbox**

The selection of the right person for a job is one of the most important business decisions that an organization makes. With the cost of turnover between 20% and 200% of an employee’s annual salary, depending on skill level and position, combined with a challenging labor market, hiring decisions have a significant impact on the bottom line.

In this CoffeeTalk, Whittney Dideon, Director of HR Systems & Services, and Katherine Kummerow, Senior Human Resources Advisor will review information, best practices, and tips on topics from job descriptions to applicant tracking systems (ATS) to interviewing to job offers.

We hope you can join us.

When: June 6 | 9:00 am to 10:30 am (8:30 Check-in Begins; 9:00 am Program)

Where: Clark College at Columbia Tech Center | Room 144 | 18700 SE Mill Plain Blvd, Vancouver, WA 98683

Cost: FREE | a continental breakfast will be served

**Hearing Conservation & Noise Protection**

If you are not careful, you can lose your hearing. If you are exposed to very loud noise or moderately loud noise for an extended period, you must take some form of hearing protection precautions. Between 2004 and 2010, the most recent study, the Bureau of Labor Statistics has reported that over 125,000 workers have suffered significant, permanent hearing loss. In 2009 alone, BLS reported more than 21,000 hearing loss cases.

Whether at work or outside of work, exposure to loud noise can also create physical and psychological stress. It can reduce productivity, interfere with communication and concentration, and contribute to workplace accidents and injuries - making it difficult to hear warning signals and pay attention to your job. Noise-induced hearing loss limits your ability to hear high frequency sounds, understand speech, and seriously impairs your ability to communicate. The effects of hearing loss can be profound, as hearing loss can interfere with your ability to enjoy socializing with friends, playing with your children or grandchildren, or participating in other social activities you enjoy, and can lead to psychological and social isolation.

Whenever a worker’s noise exposure is at or above an 8-hour average of 85 decibels, hearing protection is required, as is employee training and annual Audiometric testing. There are additional requirements the greater the noise exposure is. If you must raise your voice to be heard in the workplace, you should have a noise study conducted to determine the exposure. Employer’s with a Hearing Conservation Program need to have an 8-hour time weighted average certificate showing the facilities current noise levels.

Although, the best defense against hearing loss is to use engineering and work-practice controls to eliminate the excessive exposure wherever possible. You may be required to provide different types of protection based off the noise levels in your facility.

Here are some examples of how noise exposure can be reduced or eliminated through engineering and work-practice controls:

* Periodic rotation of workers to less noisy areas
* Adding or replacing mufflers on motorized or pneumatic equipment
* Following equipment maintenance procedures to keep bearings and other moving parts lubricated
* Isolating loud equipment such as compressors and generators away from work areas
* Replacing older, noisier equipment with newer, quieter models
* Installing sound absorbing materials on walls and ceilings

For questions or more information regarding Hearing Conservation policies or to inquire about having the noise levels in your facility tested, please contact the Safety & Loss Control Staff at 206.329.1120, 509.381.1635, or email at safety@archbright.com.

**Monthly Safety Webinar**

Hearing Conservation

Thursday, May 17, 2018

2:15 p.m.

Are there areas of your work environment that are noisy? If so, protecting your employees from the dangers of noise exposure and the threat of hearing loss should be an important aspect of your company’s safety program. This webinar will provide you with the tools and knowledge required to ensure your company’s hearing conservation program is effective and compliant.

Topics include:

* Requirements
* Monitoring
* Hearing protection options
* Engineering controls
* Training
* Recordkeeping

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.

A good safety record does not come by accident.

**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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