**Archbright™**

**Insights Newsletter**

**June 2018**

**Introducing HR Start-Up for Growing Companies**

We know how hard it is to find good talent in today’s market. Especially when HR is handled by the business owner or assigned to different managers and across departments. Recent studies show why we are all feeling the strain:

* 65% of all new jobs are created by small businesses, not large ones.\*
* HR work takes up 25-35 percent of a small business owner’s time.\*\*
* Businesses with less than 20 employees have 60 percent higher compliance costs.\*\*

As a company grows, the ad-hoc way of doing HR no longer works. Not only do federal laws start to kick in, but the day-to-day HR tasks of hiring, firing, policies, leaves, and benefits become more time-consuming and complex. It’s time for an HR department.

We are pleased to introduce HR Start-Up! This 3-step program assesses your company’s HR needs and provides a detailed roadmap for creating an effective HR department designed to support your organization.

1. First, we perform an HR Mechanics Assessment, focusing on compliance and the other HR Mechanics needed for an effective HR department.
2. Next, we help fill your HR role with the right talent through an HR Talent Assessment or Recruitment.
3. Finally, we create a Readiness Scorecard and Start-Up Roadmap to help you focus on your highest priorities as you build your HR department.

We’ll deliver an integrated plan to build the HR department your organization needs to ensure compliance and drive employee engagement.

To find out more about the HR Start-up program, visit Archbright.com, call us (206.329.1120 or 509.381.1635), or email info@archbright.com.

\*U.S. Small Business Administration

\*\* SCORE’s National Small Business Compliance Survey

**Archbright brings members a better benefits enrollment solution!**

When it comes to health benefits administration, we know HR can be pulled in different directions. Just the thought of Open Enrollment can give you hives. It’s no wonder members are asking for a better option!

I am pleased to announce that Trutina, our trusted partner for 401(K) services, is now our exclusive partner for benefits administration services offering Archbright members a full- service approach to benefits.

For Archbright members only, Trutina provides the following benefits to streamline and simplify enrollment processes at no additional charge:

* Branded Benefits Landing Page
* Employee Navigator Online Enrollment Platform
* Open Enrollment / New Hires Benefits Video
* Employee Electronic Packets
* Employee Benefit Contact Cards
* Market Analysis, Recommendations, and Implementation for Medical, Dental, Vision, Life, STD/ LTD, and Voluntary Life
* Annual Review of Insurance Contracts and Rates
* Annual Employee Survey
* Annual Open Enrollment Implementation: Included are expenses incurred for all necessary travel to facilitate strategic service and open enrollment meetings.
* Annual WRAP Document
* Section 125 Cafeteria Plan/Premium Only Plan

Archbright knows firsthand the level of support and care you’ll receive with Trutina. If you are looking to explore your options, we recommend the responsiveness, excellent customer service, and knowledge of the Trutina team.

To find out more, connect with your Account Executive or reach out to Trutina directly at ArchbrightBenefits@ TrutinaAdvisors.com.

**Member Spotlight: Bodypoint, Inc.**

On May 4th, Archbright member Bodypoint was awarded the Silver Manufacturer of the Year Award in the small firms category by Seattle Business Magazine.

We’d like to take a moment to congratulate Bodypoint for this accomplishment, as well as introduce you to their mission

to improve the safety, comfort, and function of children and adults who use wheelchairs and other mobility devices.

In 1991, founders David Hintzman and Matthew Kosh brought together their common industry experience, original product designs, and shared desire for a more serious approach to wheelchair seating accessories.

Their plan was to provide well-crafted, highly functional postural supports for people who use wheelchairs.

Recognizing the close physical connection between a wheelchair and its user, they chose the name “Bodypoint” as it suggests solutions for very specific needs at different points on the body.

“At Bodypoint, we work every day to better understand the capabilities and aspirations of people who use wheelchairs. As we imagine, design and manufacture our products, we strive to bridge the gap between the hard and the soft,

the inanimate and the living, to create a better connection between wheelchairs and people,” said David Hintzman, Bodypoint co-founder.

In addition to their products, Bodypoint also provides education, tools, and techniques that can transform lives and advocates for policies that support their users’ access to appropriate mobility devices and postural support.

Archbright is proud to have them as members and we congratulate the Bodypoint team on this well-deserved honor!

**Engage Employees and Reduce Risk with Discipline and Documentation**

From the informal surveys we conduct in class, we find that only about 20% of supervisors and managers keep any type of documentation on employee performance, let alone fair, relevant, and thorough documentation.

Proper documentation creates a record of positive and negative behaviors, work results, and expectations. It enhances communication, provides information for promotions and raises, and builds your legal case in the event a disgruntled employee challenges an employment decision.

After attending Discipline and Documentation, participants will be able to:

* Develop a simple yet effective system of recording observations in an ongoing fact file.
* Promote employee fairness and company protection with a 4-step disciplinary action process.
* Determine the appropriate disciplinary action.
* Document disciplinary action thoroughly
* Deliver disciplinary action to support improved performance.

Upcoming classes:

Seattle | June 21 | 1pm to 4:30pm

Seattle | September 18 | 1:30pm to 5pm

Do you have 10 or more supervisors/managers at one location? Bring the class in-house! Contact Archbright at 206.320.1120 or 509.381.1635 for more information.

**Religious Accommodation in the Workplace**

Federal and state laws in Oregon, Washington and Idaho prohibit discrimination due to religion or creed. A religion or creed is defined broadly and includes observance, practice, or belief, including those sincere and meaningful beliefs that occupy a central or important place in the life of an individual. Title VII of the Civil Rights Act of 1964 protects not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism, Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, or only subscribed to by a small number of people.

Religious beliefs can also include sincerely held moral and ethical beliefs as to what is right and wrong, and beliefs that address ultimate ideas, or questions about life, purpose, and death. Religion includes atheism; however, it does not include all beliefs that are deeply held, such as political beliefs or personal preferences. Membership in the Ku Klux Klan, for example, is not a religion and is instead considered an ideology.

Notably, employers must be aware that:

* An employee does not have to be part of an organization or church to have a creed or religion.
* An employee from a particular religion may adhere to different practices and beliefs than another employee in the same religion.
* An employee who does not have a creed or religion at one time may obtain one later.
* Employers may request some type of information to ensure that the employee’s belief is sincere, such as further information from the employee or a letter from a religious leader.
* It is important that employers recognize and provide reasonable accommodations for employees’ sincerely held religious beliefs, even if those beliefs seem implausible or incorrect to the employer.

Federal and State laws require employers to accommodate an applicant or employee’s religious belief, practice, or observance, unless doing so would pose an undue hardship.

Once the employee puts the employer on notice that a religious belief conflicts with a workplace rule, the employer and employee must enter into an interactive process – similar to that which occurs under federal and state disability accommodation laws – to find a reasonable accommodation. Common accommodations include scheduling changes, shift swaps, exceptions to dress and grooming rules, or use of a quiet area for prayer during break time. If an employee’s proposed accommodation would pose an undue hardship, the employer should explore alternative accommodations.

An employer’s burden of showing an undue hardship in religious accommodation situations is less than that of showing an undue hardship in disability accommodation situations. In religious accommodation, the employer can generally show undue hardship if the cost or impact is more than de minimis. For example, an employer can claim that changing a work schedule would result in an undue hardship if there is an actual cost to making the change, if there is an actual negative impact on other employees, or if the change would create a violation of a collective bargaining agreement.

Note that nothing in the law precludes an employer from making an accommodation that would not be legally required in the name of inclusive, respectful employee relations practices.

Employers are encouraged to call an Archbright HR Advisor or Attorney for assistance in exploring reasonable religious accommodations.

Source: Terry Briscoe, Archbright Attorney

**Oregon Minimum Wage Increases July 1, 2018**

Reminder: Effective July 1, 2018, Oregon’s standard minimum wage will increase to $10.75. Portland Metro minimum wage will be $11.25 and Nonurban Counties will be $10.00.

**Seattle City Council Passes Business “Head Tax”**

On May 15, 2018, the Seattle City Council unanimously voted to implement a business “head tax” with the stated objective of raising funds in order to combat the city’s ongoing and worsening homelessness problem. Under the new ordinance, effective January 1, 2019, businesses with gross revenue above $20 million must pay an annual tax of approximately $275 per full-time employee. Proponents of the tax originally proposed an amount of $500 per employee, but the amount was reduced after Seattle Mayor Jenny Durkan threatened to veto the proposal and Amazon threatened to scale back its presence in Seattle, including halting construction on a planned building and announcing plans to sublease a substantial portion of its presence in a new downtown high-rise. Large employers like Amazon and Starbucks are not the only entities affected by the tax, which requires employers to pay a little more than 14 cents per hour worked for each qualifying employee. Several businesses have a large number of employees but have a narrow profit margin.

Several cities outside of Seattle have taken advantage of the situation and are urging businesses to relocate from Seattle in order to avoid the tax. Several Pierce County cities have pledged a one-time benefit valued at $275 per employee earning

$65,000 or more, if the company relocates and provides at least five qualifying jobs.

Other area groups are also weighing in on the tax. The so-called “No Tax on Jobs Campaign” is seeking signatures from those who oppose the tax, with a stated objective of turning the signatures into a ballot initiative to repeal it. Several large companies, including Amazon and Starbucks, have pledged money to the effort to repeal the tax. Some groups supportive of the tax have taken to social media calling for a boycott of those businesses who oppose or seek to repeal the tax.

Archbright members who are subject to the tax may want to factor the cost into 2019 budgets and/or collective bargaining economic packages. Members are encouraged to contact Archbright if they have any questions about the tax.

Source: Ami De Celle, Archbright Attorney

**Research Shows Increasing Number of Professionals Can’t Unplug on Vacation**

According to a new survey from Accountemps, 44% of employees typically don’t check in at all with the office while on vacation, but the majority will. In fact, 70% of respondents ages 18 to 34 will maintain some contact with work compared to only 39 percent of those ages 55 and older.

Professionals plan to take an average of nine vacation days this summer, but the frequency of office check-ins varies by market. Here are highlights among the 28 cities included in the poll:

* Never out of office: Nashville, Dallas, and Los Angeles lead in terms of the number of workers who plan to take no summer vacation.
* Checking in constantly: Employees in New York, Charlotte, Los Angeles, Miami, and Seattle are most likely to connect with the office at least several times a week.
* Leaving town and never looking back: Professionals in Cleveland, Minneapolis, Denver, Philadelphia, and Salt Lake City are best at disconnecting from work while out of office.

Findings from similar surveys show employees are more connected to the office than ever: In 2016, a majority of workers (59%) said they never check in while on vacation; that number fell to 47% in 2017 and 44% this year.

Michael Steinitz, executive director for Accountemps, gives insight into the trend. “Employees need time away from work to rest, relax and recharge. Yet for an increasing number of people, totally disconnecting from the office can have the reverse effect and add stress,” he said.

Source: Accountemps / CCH

**HR FAQ**

**Question:** Some of our drivers have been getting speeding or parking tickets. Can we deduct the cost from their paycheck?

**Answer:** While the ticket is likely a clear violation of company policy (and the law!), unfortunately for Washington employers, Labor and Industries views this as an improper deduction from the employee’s paycheck. L&I views these kinds of tickets as a cost of doing business.

However, there are policies you can put into place to mitigate this situation:

* Have a good driving policy that outlines tickets and explains that if an employee receives a ticket (or too many tickets) they may be terminated for safety concerns or because they are no longer insurable under the company’s driving insurance.
* If the ticket is issued to an individual, that individual is responsible for paying it – which means you can simply pass on the ticket to the individual to pay. In this situation, there is no liability on the company if the employee does not pay the ticket.
* You can request the employee reimburse you for a ticket that was issued to the employer and discipline the employee for their unsafe, and in some cases illegal, behavior.

Whatever policies you put into place, ensure you communicate and enforce them consistently. Contact an Archbright HR Advisor if you have any questions or for assistance in implementing or enforcing your policy.

**Performance Management that Builds Employee Engagement**

***By Gary Markle, founder of Catalytic Coaching and SVP of Energage***

A great deal of work has gone into the study of Employee Engagement, which led to countless innovative ways to improve the problem of disengaged workers. Many of these ideas are quite interesting and effective. Most, however, fail to address one of the potential root causes of that disengagement—the damage done to people in performance reviews. But what if your performance management system can also be an employee engagement tool at the same time?

Instead of continuing the poorly performing practice of annual reviews and scratching your head to come up with ways to improve engagement, try coaching instead of evaluation. Watch performance management conversations become more effective and witness the buy-in and participation of your team increase. While you endeavor to make this change, be aware of two truths about performance management systems. If your approach does either of these two things, it is doing more harm than good:

1. Summarize performance with a label or grade
2. Attempt to justify next year’s salary increase with last year’s performance

The thing is, a lot of people are talking about this topic these days… that it’s time to stop doing performance reviews. The question is what to do instead and there are many interesting ideas being tested. Catalytic Coaching is different because it is well beyond the testing phase. It has worked for several hundred companies and it has worked for over two decades. Unlike performance appraisals, people actually

look forward to the annual coaching session. Imagine your people saying that about your performance review system!

Catalytic Coaching is a future-focused, two-way conversation between manager and employee with the employee’s development as the focal point. Employees on the receiving side have called it life-changing. Managers have said they wish they had this tool years ago. Senior leaders often refer to the process as a game changer. Hopefully by implementing a coaching approach you will find the same to be true as you aim to strengthen that critical connection between manager and employee.

*Archbright helps members implement Catalytic Coaching. A product of Energage, Catalytic Coaching fixes what’s broken with the traditional performance review by empowering employees to take ownership of their professional development. Contact your Archbright Account Executive or more information.*

**Spokane 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 of an Agile Workforce is your company’s workplace flexibility (when they work, where they work, and how they work).

In this CoffeeTalk, Joe Marth, Ph.D., VP of Business Solutions, will explore trends in workplace flexibility that are aimed at improving your organization’s 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: Mirabeau Park Hotel | 1100 N. Sullivan Road | Spokane Valley, WA
Cost: FREE | a continental breakfast will be served.

**Respiratory Protection**

An estimated 5 million workers are required to wear respirators in 1.3 million workplaces throughout the United States. Respirators protect workers against environments with insufficient oxygen, harmful dusts, fogs, smokes, mists, gases, vapors, and sprays. These hazards may cause cancer, lung impairment, diseases, and even death.

Everyone should be familiar with the basics regarding respiratory protection. However, there are many more issues that need to be addressed as part of a comprehensive Respiratory Protection Program. If you are responsible for managing or administering your company’s Respiratory Protection Program, the following are some questions you will need to be able to answer:

* Do you require respirators in your workplace?
* Who needs a respirator to be safe at work?
* Are your employees trained on how to use, care for, and maintain respirators?
* Have employees been cleared to wear respirators by a medical professional?
* Which type of respirator is right for your workplace?

Respirators protect the user in two basic ways. The first is by the removal of contaminants from the air. Respirators of this type include particulate respirators, which filter out airborne particles, and air- purifying respirators with cartridges/canisters which filter out chemicals and gases. Other respirators protect by supplying clean breathable air from another source. Respirators that fall into this category include airline respirators, which use compressed air from a remote source, and self-contained breathing apparatus (SCBA), and include their own air supply.

Respirator policies and employer requirements: If you or other employees in your organization wear a respirator, there are specific policies and requirements that include:

* Establishing a written respirator program (Mandatory or Voluntary)
* Hazard assessments, ventilation measurements, air exposure monitoring, etc.
* Respirator selection
* Employee training and documentation
* Medical evaluations from licensed health care providers (required)
* Fit testing using quantitative or qualitative measures (required for mandatory programs)
* Comprehensive training, to include the use, care, maintenance, and proper storage of the respirator
* Record keeping details

For questions or more information regarding Respiratory Protection policies, please contact the Safety & Loss Control Staff at 206.329.1120, 509.381.1635, or email at safety@archbright.com.

**Monthly Safety Webinar**

Respiratory Protection

Thursday, June 21, 2018

2:15 p.m.

Washington State law requires employers to develop and implement a Respiratory Protection Program whenever employees are exposed to respiratory hazards such as oxygen deficient conditions and harmful airborne hazards. This presentation will give participants an overview of the Respirator Standard (WAC 296-842), provide training materials and sample policies, and give guidance to employers in the development/ maintenance of an effective Respiratory Protection Program.

Topics include:

* Evaluating respiratory hazards
* Required Written Policies (Mandatory & Voluntary)
* Types of respirators
* Medical evaluations
* Fit testing
* Maintenance & Care
* Training, Recordkeeping & Documentation

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.

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