**Archbright™**

**Insights Newsletter**

**July 2018**

**Onsite HR Consulting to Balance Your Workload**

Today’s workplace is unpredictable, and no one feels the impact of this more than human resources. According to a recent survey\*, 45% of HR executives do not feel their department is staffed appropriately to handle its workload.

Whether your need is sudden and temporary, or so urgent that you can’t hire in time, Archbright can help. Our consultants provide quality, seasoned HR support on an ongoing or project basis. We help members like you:

* Cover for HR staff on leave
* Complete HR project tasks
* Manage employee relations
* Coach new HR professionals
* Develop HR policies
* Review employee files
* Administer leave policies

If you need long-term assistance or short-term relief, we’re here to help. There is no job too big or too small. To find out more about Onsite HR Consulting, visit Archbright.com, email info@archbright.com, or contact your Account Executive.

*\* Human Resource Executive’s 2018 What’s Keeping HR Up at Night Survey*

**Keeping up with the recent state and federal employment laws!**

There have been so many changes to state and federal regulations lately—Washington Paid Sick Leave, Pay Equity, and Domestic Violence Leave and Protection to name a few. It’s hard to keep up. You can always call our HR Hotline and for Silver and Gold members speak to an attorney…in fact many of you have as call volumes are up 30% this year over last year. That’s how we know you are under some pressure to stay on top of how these laws impact your business and that’s why we are here, to be your go-to-resource.

As an added layer of support, we now have a quick resource page on Archbright.com that lists the most recent updates to HR Toolkit resources available to silver and gold members. Just log in to your Archbright account, visit your Member Home page and find the link in the top right corner to access the quick reference! Our HR Advice team will keep this page updated as laws change… so bookmark it! Silver and gold members can also access the complete HR Toolkit on the same Member Home Page too. If you haven’t used it yet, check it out.

If you need help accessing your account, please email info@archbright.com for assistance.

**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: July 25 | 9:00 am to 10:30 am

(8:30 am 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

**Expanded Course Offerings with DDI**

Archbright University has partnered with DDI to expand our course offerings. Development Dimensions International has been offering leadership development classes for 45 years. This award-winning curriculum is offered in 93 countries and 21 languages around the world.

Now you can access this curriculum three ways:

1. Classes at our Seattle and Spokane offices, open to the general public
2. Fully interactive virtual classes (computer and headset required), open to the general public
3. Bring an Archbright instructor to your location to train 10 or more of your employees in the same class (available to Archbright members only)

Register now for these face-to-face and virtual classes:

**Thursdays, July 12-August 16 | Seattle | Management Academy:** A leadership cohort program. Six DDI courses with prep work, application assignments, peer check- ins, and online reinforcement resources. Courses: Communicating for Leadership Success, Building Trust, Addressing Poor Performance, Driving Change, Maximizing Team Performance, and Adaptive Leadership.

**July 18 | Virtual Classroom | Driving Change**

**July 23 | Seattle | Strategies for Influencing Others**

**July 30 | Seattle | Communicating with Impact**

Additional classes will be added for fall and winter

Or bring our instructors to you for any of the above classes as well as

* Developing Yourself and Others
* Engaging and Retaining Talent
* Your Leadership Journey
* Other topics by request

Contact Archbright at 206.320.1120, 509.381.1635, or info@archbright.com for more information.

**Audit Your I-9s Before the United States Government Does!**

The United States Immigrations and Customs Enforcement (ICE), the federal agency charged with enforcing employer compliance with I-9 and other requirements under the Immigration Reform and Control Act, recently released data to show that it has in fact significantly increased its worksite enforcement efforts. In the first eight months of its current fiscal year, which began on October 1, 2017, ICE has already initiated twice as many worksite investigations and I-9 audits as it did in the entire prior fiscal year. These actions are all part of ICE’s worksite enforcement strategy to use I-9 audits and civil penalties – as well as criminal prosecution for employers that intentionally violate the law – to encourage compliance with the law.

An important step that all employers can take to ensure that they are in compliance with the law, and are well-prepared for a visit from ICE, is to conduct an internal audit of their own I-9 practices and

forms. An internal I-9 audit will show where employers may be out of compliance and give them an opportunity to cure their deficiencies. In addition to fixing errors that are discovered on existing I-9 forms, employers should look closely at their current I-9 practices and develop consistent procedures for:

* Reviewing and verifying I-9 required documents
* Participating in E-Verify (or not)
* Copying employees’ documents (or not)
* Storing and retaining I-9 forms
* Training all employees involved in the I-9 process on the employer’s procedures

Please contact an Archbright HR Advisor with any I-9 audit questions. Additionally, Archbright HR Consultants are available to conduct an internal I-9 audit for you and assist you in fixing any errors that are uncovered in the audit, as well as helping you to

develop sound and consistent procedures going forward. All of these actions will put your company in the best position to respond if you are one of the thousands of employers expected to be faced with an ICE audit this year.

Source: Erin Jacobson, Attorney at Archbright

**Survey Shows Four in Five Employees Prefer Benefits, Perks to a Pay Raise**

Four in five employees prefer benefits or perks to a pay raise, according to new statistics gathered by SCORE, a network of volunteer, expert business mentors. Employee perks are growing in popularity for both employees and employers. Perks are privileges granted to employees in addition to their salaries and benefits, which have little to no cash value. Forty two percent of full-time employees reported having no employee perks at all.

According to survey results, employees considered the following perks when choosing a job:

* Flexible hours: 88 percent;
* More vacation time: 80 percent;
* Work from home options: 80 percent;
* Student loan assistance: 48 percent;
* Paid maternity/paternity leave: 42 percent;
* Free gym membership: 39 percent;
* Free snacks: 32 percent; and
* Weekly free outings: 24 percent.

Survey participants explain that perks contribute to employee satisfaction by creating a better quality of life (53 percent), making employees feel valued (49 percent), and improving employee physical and mental health (44 percent).

The most common employee perks reported include:

* Flexible working hours: 32 percent;
* Professional development: 28 percent;
* Fitness and health perks: 19 percent;
* Food and snacks: 19 percent; and
* Working from home: 14 percent.

Source: SCORE/CCH

**HR FAQ**

**Question:** We are in the process of auditing our I-9’s – is there anything special we should be aware of?

**Answer:** A little known fact is that when an employee notes their address on the Form I-9 they must use their physical address and NOT a PO Box. Fines to the employer for not catching this can be $2,000 per incorrect Form I-9.

As you audit your I-9 records and find employees have used a PO Box, have the employee draw through the incorrect PO Box address and write their correct physical address. You and the employee should both initial and date the correction and attach a memo to the corrected Form I-9 showing the date of the audit, the misinformation you found, and the date of the correction.

For information on I-9 Compliance and conducting self-audits, the KeyNote Form I-9 Compliance is available on the Archbright website for gold and silver members.

**HR Sharpens Focus on Engagement, Company Culture**

According to the newly released Paychex Pulse of HR Survey, HR leaders across the country have a renewed focus on talent management in 2018. The second annual report from Paychex, Inc. both reaffirmed HR’s critical role in shaping company strategy and revealed a sharpened focus on talent management activities that have a meaningful impact on employee engagement and company culture.

Advances in technology and evolving employee needs present HR with new challenges every day, but there is good news: today’s HR leaders continue to have strategic influence with their organization’s C-suite. Between 2017 and 2018, the same number (80 percent) of HR leaders said they feel they are a strategic partner within their organization—and nearly half (44 percent) report meeting with their CEO, CFO, or both on a weekly basis in 2018.

The report also showed a commitment to talent management, as 85 percent of respondents said they’re focusing on company culture to drive results, and 77 percent feel their current HR technology solution is improving overall employee experience.

“Between the U.S. reaching full employment, significant shifts in societal trends and priorities, and a new generation entering the workforce, HR is uniquely positioned to manage talent in a way that drives higher engagement and better business results,” said Leah Machado, Paychex senior director of HR services. “For that reason, attracting, engaging, and retaining high-quality talent is more important today than perhaps ever before.”

Employee engagement. Employees today want to be both empowered and engaged. In 2018, 65 percent of HR leaders reported that at least half of their workforce is engaged, up from 48 percent in 2017. Furthermore, of those surveyed, 62 percent of HR leaders are measuring employee engagement via pulse surveys throughout the year rather than on an annual basis.

Societal shifts. Societal trends and priorities are driving changes to employee protection policies. In fact, 83 percent of HR leaders surveyed say they now have a discrimination and harassment policy in place, and 65 percent have updated those policies within the last 12 months. Additionally, 67 percent have re-evaluated their pay practices this year with an eye on gender equality.

Multi-generational workforce. In 2017, HR leaders were far less likely to be comfortable supporting the HR needs of Millennials when compared to Gen Xers and Baby Boomers. One year later, though, managing the multi- generational workforce seems to have evened out, as perceived support for all generations hovered at around 51 percent. In 2017, 64 percent of HR leaders felt managing the needs of Gen X was a significant challenge, followed by Baby Boomers (57 percent) and Millennials (48 percent).

Source: CCH

**HR FAQ**

**Question:** We have a manager who sent an email to the entire company updating everyone on an employee’s surgery. I know he had good intentions, but is this something that should have been sent to everyone?

**Answer:** While an email saying an employee’s “surgery went great and the employee is doing well” is seemingly harmless, the fact that the employee had surgery is medical information and should only be shared with managers or employees on a “need to know” basis.

The basic principle that employers should follow is not to reveal medical information about employees unless there is a legitimate business reason to do so. The EEOC warns that medical information can be shared only for extremely limited purposes:

* To supervisors and managers where they need medical information in order to provide a reasonable accommodation;
* To first aid and safety personnel if an employee would need emergency treatment;
* To individuals investigating compliance with the ADA and with similar state and local laws; and
* Pursuant to workers’ compensation laws or for insurance purposes.

Even if employees are open with their medical condition and freely share updates (sometimes too often and too detailed!) with their manager or co-workers, managers, and HR representatives have an obligation to keep medical information confidential. Unauthorized disclosure of medical information can lead to liability for employers under ADA, HIPAA, or state protections.

Instead of saying “the surgery went great” limit your email notifications to how long the employee will be out and when they are expected back – and any pertinent information that relates to their position, not their condition. Contact an Archbright HR Advisor if you have any questions.

**Introducing Our New Attorneys**

Archbright is excited to announce we are growing yet again. We are pleased to introduce attorneys Theresa (Terry) Briscoe and Ami De Celle have recently joined our legal team. With extensive experience in both labor and

employment law, Terry and Ami have already provided trusted legal counsel, training, and labor negotiations services to members. “Both Terry and Ami bring the legal expertise and perspective that enables our team to grow not only in capacity but in the level of service we provide to members,” said Kellis Borek, Vice President, Labor & Legal Services and General Counsel. ”We are delighted to welcome them into the fold.”

Terry Briscoe is a Staff Attorney for Archbright. She provides legal advice to Archbright members regarding all aspects of Local, State, and Federal employment and labor law. On behalf of employers, she bargains labor contracts, responds to NLRB matters, and provides advice and counsel concerning wage and hour, leave laws, discrimination, labor laws, labor contract administration, and regulatory compliance. Terry has had 15 years of experience representing clients in the public and private sectors as both in-house and outside counsel. Terry’s passion for labor law and labor relations is a solid asset for our members, both at the bargaining table and during the contract term. Before obtaining her law degree, Terry was a Human Resources and Administrative Services Director for a local Washington city, giving her the members’ perspective when it comes to client- centered advice. She is licensed to practice in Washington and Oregon. Terry earned her B.A. from the University of California and her J.D. from the University of Washington.

Ami De Celle is a Staff Attorney for Archbright, where she provides advice and counsel to members on complex employment law. Ami has 15 years of experience representing employers in all areas of employment law, litigation, and advice and counsel. Prior to joining Archbright, she was a partner at an employment and labor defense firm in Seattle, where she represented private and public-sector employers in a variety of industries in litigation in state and federal courts, administrative proceedings, and labor matters. With Ami’s substantial years as an employment defense litigator, she brings to Archbright a “from the trenches” perspective on how today’s employment decisions play out down the road in tomorrow’s litigation or labor arbitration. She earned a bachelor’s degree from the University of California, Berkeley, and earned her Juris Doctorate from Santa Clara University School of Law. Ami is licensed to practice law in Washington.

Ami and Terry join Kellis Borek, Mara Vinnedge, Erin Jacobson, and Elizabeth Fell to create a deep bench of labor and employment expertise and skill with over 100 cumulative years of experience.

**Let’s connect through our new phone system!**

We at Archbright are committed to ensuring our customer service experience is best in class. Call volumes to our service groups have increased substantially this year and so in an effort to expedite getting you where you need/ want to go, we’ve made some changes to our phone system. You will now be given some options by an auto attendant that will help direct certain calls to the appropriate department. We haven’t lost the human touch, but with this modification to the system, we can process calls at higher volumes and provide you service even faster. If you have any questions on the details of the auto attendant, or any of the Archbright services, please email info@archbright.com, call 206.329.1120 or 509.381.1635 and press 3 for our Member Services department.

**Confined Spaces**

Workplaces contain areas that are considered to be “confined spaces” because while they are not necessarily designed for people, they are large enough for workers to enter and perform their jobs. Confined spaces also have limited or restricted means for entry and/or exit and are not designed for continuous worker occupancy. Confined spaces include, but are not limited to, tanks, vessels, silos, storage bins, hoppers, vaults, pits, manholes, tunnels, equipment housings, ductwork, pipelines, etc.

The term “permit-required confined space” is used to describe a confined space that has one or more of the following characteristics: contains or has the potential to contain a hazardous atmosphere; contains a material that has the potential to engulf an entrant; has walls that converge inward or floors that slope downward, and taper into a smaller area which could trap or asphyxiate an entrant; or contains any other recognized safety or health hazard, such as unguarded machinery, exposed live wires, or heat stress.

All hazards found in a regular workspace can also be found in a confined space. However, they can be even more hazardous in a confined space than in a regular worksite.

Hazards in confined spaces can include:

* Poor air quality: There may not be enough oxygen for the worker to breathe. The atmosphere might contain a poisonous substance that could make the worker ill or even cause the worker to lose consciousness. Natural ventilation alone will often not be sufficient to maintain breathable air.
* Chemical exposures by skin contact, ingestion, or inhalation of ‘bad’ air.
* Fire Hazard: There may be an explosive or flammable atmosphere due to flammable liquids, gases, and combustible dusts.
* Residual chemicals leftover from processes in the workplace.
* Noise.
* Safety hazards such as moving parts of equipment, structural hazards, entanglement, slips, and falls.
* Radiation.
* Temperature extremes including atmospheric and surface.
* Shifting or collapse of material.
* Flooding or engulfment-type hazards.
* Uncontrolled energy including electrical shock.
* Visibility hazards.
* Biological hazards.

For more information on developing or reviewing your Confined Space program, please join us Thursday, July 19th when we present our monthly safety webinar. For additional questions or more information regarding Confined Space policies, please email safety@archbright.com, call 206.329.1120 or 509.381.1635.

**Monthly Safety Webinar**

Confined Space Program

Thursday, July 19, 2018

2:15 p.m.

Every company that has confined spaces is required to have a written program developed that will identify, evaluate, and control such spaces, as well as detail procedures and responsibilities for entering and working within confined spaces.

Topics include:

* Confined Space Program Administrator
* Identify permit-required confined spaces
* Permit-entry procedures
* Alternative methods
* Roles & responsibilities
* Testing and monitoring
* Training
* Contractors
* Rescue procedures

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 us at 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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