**Archbright™**

**Insights Newsletter**

**July 2015**

**Archbright Announces Our New Office in Spokane**

We are delighted to announce the opening of our new office space in Spokane. Located at 5709 West Sunset Highway, Archbright’s Eastern Washington location will provide increased capacity for member services, sales, and training classes.

Our members are happy with the move. “Archbright has been a great support to us. We are thrilled with the announcement of the new offices,” said Nancy Nelson of Humanix. “We are really pleased with the expansion of training that this move provides to our employees in Spokane,” added Craig Diaz of Haskins Steel.

The Eastern Washington team has already scheduled a selection of our most popular Learning and Development courses. Registration is now open at Archbright.com for the following classes at the new Spokane facility:

* Forklift Training-The-Trainer | July 30 | 9AM to 3:30PM
* Understanding Legal Issues for Supervisors | August 18 | 8AM to Noon
* Supervisory Skills | October 15, 22, and 29 | 9AM to 5PM

Archbright’s president Craig Nelson summed up the team’s enthusiasm for the new office, “We look forward to building on our success in Spokane. We are excited and committed to the workplace performance success of employers in the Eastern part of the state.”

**HR Reminded of Value of EAPs**

According to a 2013 survey by the Substance Abuse and Mental Health Services Administration, 15.4 million U.S. workers admitted to illicit drug use and 44.5 million confessed to engaging in binge drinking. Those substance abusers are someone’s employee—most, if not all, of them and their substance abuse habits impact the American workplace via poor job performance, inconsistent work quality, and increased risk of on-the-job accidents.

Learning the signs of alcohol and drug abuse is an essential task for HR personnel, says Will Wesch, director of admissions at Novus Medical Detox. “Many employers are likely unaware of the extent of substance abuse in the workplace, but the evidence can’t be ignored. Millions of workers admit to illicit drug use and alcohol abuse, and it’s costing organizations billions of dollars each year.”

And the problem is only getting bigger, Wesch said in an interview with Wolters Kluwer Law & Business. “We have seen a 12-15% increase over the past few years in business professionals seeking help for alcohol and substance abuse,” explained Wesch. “From what we have seen, there are many factors that can contribute to this: work-related stress, stress at home, and so on. A large percentage, though, are detoxing from prescription drugs (opioids). These people have been prescribed medications by physicians for injuries or other ailment, but then become unwittingly addicted to what are highly addictive medications.”

**Warning Signs and What to do About Them**

Different drugs manifest in different symptoms, so HR should take note of the following:

* Alcohol: Impaired judgment, slowed reflexes, impaired motor function, sleepiness.
* Depressants: Inattention, slowed reflexes, impaired balance, drowsiness.
* Stimulants: Anxiety, inattention, paranoia.
* Opiates/opioids: Loss of interest, memory problems, severe withdrawal symptoms.
* Cannabis: Impaired memory, poor coordination, distorted sense of time.

If an employee is showing any of these warning signs, Wesch says the best thing to do is to involve the EAP. “An employee assistance program (EAP) will be up-to- date on applicable laws and is prepared to take action.”

Wesch explains that the value of an EAP is that it will know the laws and policies of the company and can assist the employee directly. “Roughly one in every 10 persons has an alcohol or drug abuse problem serious enough to interfere with work—and up to 20 percent of a workforce can be affected by personal problems that affect productivity,” said Wesch. “EAPs are there to assist the employees, but they also assist employers by helping their most valuable asset: the staff. EAPs help employees with personal issues, drug and alcohol awareness training, and even treatment options.”

**HR FAQ**

Question: We just rolled out our new employee handbook and one of our employees has refused to sign the Handbook Acknowledgement form which we require of all employees to prove they have received a copy. Now what do we do?

Answer: This is not uncommon and most often happens during a disciplinary meeting when an employee refuses to sign a warning notice. In any case, the employer representative should simply write on the document “employee refused to sign” along with the representative’s signature and a date and ask a witness to sign the form acknowledging the event. Tell the employee that he or she is charged with knowing and following all policies and practices in the handbook regardless of the refusal to sign the form and document this statement to the employee with the witness present.

Disciplining an employee for refusing to sign the form is an option, but is often counterproductive. Obviously, the employee’s refusal indicates a high emotional or stressful state and any threat can escalate the situation. Labeling this action as insubordination forces the employer to possibly discharge the employee. Given the high price of turnover, termination is not a cost effective solution.

The primary reason for requesting a signature is merely to provide evidence in an unemployment hearing or legal dispute that the employee was aware of the company rules and expectations. Showing a document which acknowledges a refusal to sign casts a bad light on the employee at the least favorable time for the employee.

**One in Four Workers Unsure How to Protect Themselves in Workplace Emergency, Survey Finds**

According to a new survey from CareerBuilder, while the vast majority of workers (94 percent) feel their office is a secure place to work, nearly a quarter of workers (23 percent) say they would not know what to do to protect themselves if there was an emergency in their office that posed a physical threat. When asked about their feelings of security in regards to specific forms of threat, three in ten employees (30 percent) do not feel their workplace is well-protected from a physical threat from another person, and the same percentage (30 percent) feel their workplace is not well-protected from a digital hackingthreat.

Most workers (85 percent) feel their workplace is well- protected in case of a fire, flood or other disaster, and 83 percent feel their workplace is well-protected from weather-related threats.

One in five workers (21 percent) report their company does not have an emergency plan in place in case of fire, flood, or other disaster, and 1 in 4 (26 percent) say the same of extremely severe weather. Even more workers (40 percent) don’t believe their company has an emergency plan in place in case of a physical attack from another person or a technology security breach.

Archbright’s all-new eLearning training helps employers prepare for possible violence in the workplace. Workplace Bullying and Violence Prevention, provides training on identifying the common signs and behavior patterns of potentially violent individuals, and what steps to take in situations where violence does arise. For more information, visit the eLearning page on Archbright.com.

Source: CCH

**Legal Update: Medical Marijuana and Employment**

On June 15, 2015, the Colorado Supreme Court issued its long-awaited ruling in *Coats v. Dish Network*. In *Coats*, Brandon Coats sued his former employer, Dish Network, for wrongful termination after he was fired for failing a random drug test that revealed marijuana use. Mr. Coats, a quadriplegic, was licensed by the State of Colorado to use medical marijuana to treat his medical condition. The facts revealed that at the time Mr. Coats was randomly drug tested at work he showed no signs of impairment.

Mr. Coats claimed that Dish Network violated Colorado’s off-duty conduct statute by terminating his employment based on his state-licensed use of medical marijuana at home, during non-working hours. Colorado’s off-duty conduct statute states that an employment termination is “a discriminatory or unfair employment practice” if the employee is fired for “engaging in any lawful activity off the premises of the employer during nonworking hours.”

C.R.S. 24-34-402.5. Mr. Coats argued that Colorado’s law permitting the licensed use of medical marijuana made his use “lawful” for purposes of the off-duty conduct statute, even though marijuana use is prohibited by federal law.

Mr. Coat’s complaint was dismissed at the trial court level for failure to state a claim. The court ruled that medical marijuana use was not “lawful” under Colorado state law. Mr. Coats then appealed to the Colorado Court of Appeals. The Court of Appeals affirmed the trial court’s ruling, and Mr. Coats then petitioned for review by the Colorado Supreme Court.

The Supreme Court affirmed, finding that the term “lawful” as used in the off-duty conduct statute was not “restricted in any way.” Accordingly, the court ruled that an activity such as medical marijuana use that is unlawful under federal law is not a lawful activity under the Colorado off-duty conduct statute. In other words, the justices interpreted “lawful activity” for purposes of the off-duty conduct statute, as extending to both state and federal law.

*Coats v. Dish Network* stood to be the first precedent in the United States arguably requiring employers to accommodate the medical use of marijuana in the workplace. With Mr. Coats’ loss, there remains no legal authority expressly requiring that employers accommodate the medical use of marijuana in the workplace. Indeed, the Washington Supreme Court has held that the Americans with Disabilities Act does not impose a duty on employers to accommodate the use of illegal drugs by disabled employees or applicants. And unlike Colorado, the State of Washington does not have an off-duty conduct statute.

Employers should, however, be aware that employees who use medical marijuana usually have underlying medical conditions that qualify as disabilities under the Americans with Disabilities Act and state anti-discrimination laws.

The issue of disability accommodation may still arise when, as in the case of Brandon Coats, an employee fails a drug test, or when an employee voluntarily discloses the use of medical marijuana.

**Instructor Spotlight: Tom Norwood**

Tom Norwood is the newest addition to the Learning and Development team at Archbright. Tom has been facilitating leadership development and team building experiences in higher education, non-profit, and corporate settings for over 20 years. In the last few years he has added wellness coaching and emotional intelligence training to his repertoire, and finds that the facilitating opportunities at Archbright are a great fit for his varied interests! On weekends Tom facilitates retreats with his wife, competes in archery tournaments with his two sons, and runs ultramarathons in sandals.

**Time Management**

All too often we are drowning in a sea of urgent projects and tasks. Last-minute customer demands, unproductive meetings, and too many administrative items can increase stress, zap our focus and prevent us from doing our best quality work.

In Time Management, you will learn to increase the quality and quantity of your work output in less time. Not only will you get more done, but you will accomplish the most important items in a way that sets you up for long-term success.

**Upcoming Dates**

July 14, 1:00-4:30, Kent

July 20, 1:00-4:30, Seattle

August 13, 8:30-12:00, Seattle

Sept. 18, 8:30-12:00, Kent

Register at [Archbright.com](http://www.archbright.com)

**Free CoffeeTalk!**

July 17 - Seattle: Boosting Performance Through Employee Engagement 9:30-12:00

**Upcoming First Aid/CPR/AED Classes**

**Full Certification 8:00-3:30:**

July 14 - Kent

July 23 - Seattle

August 18 – Kent

August 25 - Seattle

**Recertification 8:00-12:30**

July 15 - Kent: First Aid/CPR/AED

July 24 – Seattle: First Aid/CPR/AED

August 19 - Kent: First Aid/CPR/AED

August 26 - Seattle: First Aid/CPR/AED

Supervisory Skills

July 1 - Kent: Supervisory Skills Session 3, 8:30-4:30

July 8 - Seattle: Supervisory Skill Session 1, 8:30-4:30

July 15 – Seattle: Supervisory Skills Session 2, 8:30-4:30

July 16 - Kent: Supervisory Skills Session 1, 8:30-4:30

July 22 - Seattle: Supervisory Skills Session 3, 8:30-4:30

July 23 - Kent: Supervisory Skills Session 2, 8:30-4:30

July 30 - Kent: Supervisory Skills Session 3, 8:30-4:30

August 4 - Seattle: Supervisory Skills Session 1, 8:30-4:30

August 11 - Seattle: Supervisory Skills Session 2, 8:30-4:30

August 12 - Kent: Supervisory Skills Session 1, 8:30-4:30

August 18 - Seattle: Supervisory Skills Session 3, 8:30-4:30

August 19 - Kent: Supervisory Skills Session 2, 8:30-4:30

August 25 - Kent: Supervisory Skills Tune-Up, 8:30-12:00

Microsoft Office Mentor Led (8:00 – 4:00)

July 24 - TLG Bellevue: Microsoft Office Mentor Led (2010, 2013/Office 365)

August 10 - TLG Tacoma: Microsoft Excel Mentor Led (2010, 2013/ Office 365)

August 11 - TLG Tacoma: Microsoft Office Mentor Led (2010, 2013/ Office365)

Microsoft Office (8:00 – 4:00)

July 8 - TLG Bellevue: Microsoft Excel Instructor Led Level 3 (2010, 2013/Office 365)

July 27 - TLG Bellevue: Microsoft Excel Instructor Led Level 1 (2010, 2013/Office 365)

August 19 - TLG Bellevue: Microsoft Excel Instructor Led - Level 2 (2010, 2013/Office 365)

August 24 - TLG - Seattle: Microsoft Excel Instructor Led Level 1 (2010, 2013/Office 365)

August 26 - TLG - Seattle: Microsoft Excel Instructor Led Level 1 (2010, 2013/Office 365)

August 25 - TLG - Seattle: Microsoft Excel Instructor Led Level 1 (2010, 2013/Office 365)

August 31 - TLG - Seattle: Microsoft Excel Instructor Led - Level 3 (2010, 2013/Office 365)

Leadworker Effectiveness (8:00 – 4:00)

July 1 - Seattle: Leadworker Effectiveness

July 21 - Kent: Leadworker Effectiveness

August 6 - Seattle: Leadworker Effectiveness

August 18 - Kent: Leadworker Effectiveness

**FREE! Developing Your Company’s Training Plan (8:30 – 12:00)**

July 9 - Seattle: Developing Your Company’s Training Plan

August 13 - Kent: Developing Your Company’s Training Plan

Other Classes

July 7 - Kent: Training-the-Trainer, 9:00-12:00

July 9 - Seattle: Writing and Delivering Performance Reviews, 1:00-4:30

July 10 - Seattle: Shipping Hazardous Materials, 8:00-4:30

July 10 - Seattle: Shipping Hazardous Materials Update, 11:30-4:30

July 14 - Seattle: Crucial ConversationsTM Session 1, 8:00-5:00

July 14 - Kent: Building Interpersonal Awareness, 8:30-12:00

July 14 - Kent: Time Management, 1:00-4:30

July 20 - Seattle: Time Management, 1:00-4:30

July 21 - Seattle: Crucial ConversationsTM Session 2, 8:00-5:00

July 22 - Kent: Communicating for Success, 8:30-12:00

July 22 - Kent: Change Management, 1:00-4:30

July 28 - Kent: Project Management, 8:30-4:30

July 28 - Kent: Maximizing Your HR Value: An Introduction to Metrics, 9:00-12:00

July 28 - Seattle: Feedback for Success, 1:00-4:30

July 30 - Seattle: Discipline and Documentation, 8:30-12:00

July 30 - Kent: Coaching for Success, 1:00-4:30

July 30 - Seattle: Delegating and Setting Expectations, 1:00-4:30

August 5 - Kent: Hiring Winners, 8:30-4:30

August 6 - Kent: Understanding Legal Issues for Supervisors, 8:30-12:00

August 6 - Kent: Holding Others Accountable for Great Performance, 1:00-5:00

August 13 - Seattle: Time Management, 8:30-12:00

August 13 - Kent: Communicating for Success, 1:00-4:30

August 19 - Spokane: Understanding Legal Issues for Supervisors, 8:30-12:00

August 20 - Seattle: Project Management, 8:30-4:30

August 27 - Kent: 5 Star Service: Every Customer, Every Time, 8:30-3:30

August 27 - Seattle: Communicating for Success, 8:30-12:00

August 27 - Kent: Managing FMLA, 9:00-12:00

Planning for a Change

You may agree with American author Arnold H. Glasow who wrote: “The trouble with the future is that it usually arrives before we’re ready for it.” Depending on your circumstances, that statement is either humorously ironic or sadly accurate. It reflects a certain ambivalence about a fact of life that’s so common we may not pay attention to it until it lands on the doorstep: change. Noticed any lately? From the proliferation of construction cranes altering the Seattle skyline to the lengthening of daylight as we near the summer solstice to the new brand of office coffee that tastes terrible (making you realize too late how much you liked the old brand), change has us surrounded and there’s no escaping it.

Some change just happens without our will or consent, some happens in spite of our best efforts to avoid it (hello, Botox), and in the case of organizations, much of the change that occurs is necessarily intentional rather than happenstance. To keep our businesses viable, we invite all kinds of change when we introduce new systems, install sophisticated equipment, hire new people, or move to more spacious facilities. And although, even with planning, unintended consequences may throw things out of balance enough to jeopardize the success of our efforts, in most cases a planned approach lays a solid foundation that withstands challenges.

Before heading down the road to introducing a significant change in your business, a good place to start is by assessing the organization’s readiness for change. For example, consider the following:

* Communication — What’s our strategy and what methods will we use to keep all stakeholders connected to the process? What restraints are there on what we disclose or how much?
* Executive sponsorship — Who has the highest level of authority to deploy necessary resources and make final decisions? Do they solidly support the change?
* Buy-in — How will you engage the hearts and minds of those who must implement as well as those affected by the change? How will you sustain the momentum of support?

Much more can and should be asked, but your answers to the questions posed above will reveal an initial read on how ready your organization is to successfully navigate a change. Archbright’s organization development consultants are well versed in change management best practices and can work with you in planning, implementing, and ultimately sustaining your business change programs.

For more information on how we can help, please contact your Account Executive at 206.329.1120.

**Recognizing, Valuing, and Engaging Gender Differences: Foundational Skill Development in the Gendered Workplace**

Harvard researchers report that unconscious bias is one of the greatest challenges for women in today’s workplace. Oftentimes, unexamined assumptions and double standards, as well as invisible barriers embedded in organizational cultures, constrain opportunities for women. In this interactive session, you will analyze your organization for the presence of elements that work for women, learn how to advocate for practices that create new archetypes, and design tailored developmental activities that reduce second-generation gender bias in your workplace.

Join us on September 16 for Time to “Woman Up”: Discover Your Unconscious Biases and Double Standards. Register online at Archbright.com.

**Upcoming Sessions:**

Session 5: September 16 Time to “Woman Up”: Discover Your Unconscious Biases and Double Standards

Session 6: November 5 Time to “Woman Up”: Leading the Paradigm Shift to Gender Equity in the Workplace

Register online today at [Archbright.com](http://www.archbright.com).

Respiratory Protection Program

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

Everyone should be familiar with the basic issues 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), which 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
* 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 your Safety & Loss Control Representative at 206.329.1120.

Monthly Safety Webinar

**Respiratory Protection Program**  
Thursday, July 16th   
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 those not enrolled in our Workers’ Compensation or Retrospective Rating Programs, there is a $49.95 fee. Please contact learning@archbright.com for registration information.

“Safety might not always be common, but it always makes sense.”

**Did You Know?**

WAC 296-27-031 Takes effect on July 1st:

* You must report to DOSH within eight hours of a work-related incident that results in:
* A fatality; or an inpatient hospitalization of any employee.
* You must report to DOSH within 24-hours of a work-related incident that results in either an amputation or the loss of an eye that does not require inpatient hospitalization.

Contact by calling toll-free telephone number, 1-800-4BE-SAFE (1-800-423-7233) or in person to the Labor and Industries’ Division of Occupational Safety and Health (DOSH) office located nearest to the site of the incident.

REPEALER The following section of the Washington Administrative Code is repealed: WAC 296-800-32005 Report the death, probable death of any employee, or the in-patient hospitalization of any employee within 8 hours.

**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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