**Archbright™**

**Insights Newsletter**

**June 2021**

**Spotted: The mozzo Mobile App is now available in the App Store and Google Play**

We’re excited to announce the mozzo Mobile App is now available! Created exclusively for Archbright members, you can now easily access our expert HR and safety resources through your phone!

A few key features:

* Interact with your fellow Archbright members – Ask questions, share your experiences, exchange advice, and build your professional network through the Community forum.
* Grow skills across your organization – mozzo’s Video Training Library contains a wide range of courses, available to you 24/7. Most videos are microlearnings under 10 minutes long, making it easy to fit into your workday.
* Get your questions answered right away – Message our experienced team of HR and Safety Advisors through Advisor Chat, available every business day from 8 am – 5 pm.
* Access HR and safety resources – mozzo’s Resource Library contains hundreds of forms, sample policies and programs, training materials, and legal guidelines. All resources are vetted by our experts and are available to download and share at any time.
* Check the status of your claims – If we manage your workers’ compensation claims, you can track their progress through mozzo’s Claims Tracker.

To access mozzo Mobile, you must have an active mozzo user account. If you aren’t sure about your status, please reach out to your Account Executive or contact
info@archbright.com for assistance. We’re ready to help!

Availability of some features is dependent on the user’s membership level and permissions.

**The Regional Pay Survey’s Custom Report Tool**

The Archbright team, in partnership with Cascade Employers Association, recently published the annual Regional Pay Survey! With 553 participating employers (during a global pandemic!), we are proud to offer one of the largest and most comprehensive pay surveys in the Pacific Northwest.

As part of this year’s package for participating members, we are excited to also offer the Custom Report Tool, a web-based reporting tool that gives members on-demand access to this incredibly valuable pay data.

The Custom Report Tool allows users to create online custom reports by choosing one or more filters—such as job title, geographic area, company size, revenue, industry, and more—to produce and download their own reports. These queries are easy to create in real-time!

Survey reports and Custom Report Tool access are available for free to all members who participated in this year’s Regional Pay Survey. (We sent access information to designated contacts in mid-May. Contact info@archbright.com if you did not receive it.) For members who did not participate in this year’s Regional Pay Survey, you may purchase survey reports or a full subscription on Archbright.com.

Finally, a huge thank-you to our members! Your participation year after year ensures our pay surveys remain an invaluable resource for compensation planning in the Pacific Northwest!

If you have questions about how to access or purchase this year’s survey reports or a full subscription that includes the Custom Report Tool, please reach out to our Member Support team at info@archbright.com. If you have questions about the survey or survey participation, contact our Survey Team at regionalsurveys@archbright.com.

**The Regional Benefits Survey Opens on June 7**

Participate in this year’s Regional Benefits Survey and learn how hundreds of companies across the Pacific Northwest support work-life balance, increase employee satisfaction, manage compensation programs, promote health and well-being, and encourage financial wellness.

Last year’s survey included data from 306 participants including for-profit, nonprofit, and public sector organizations.

Archbright Members who participate in this survey will receive the Full Report (reg. $500+tax) and the Non-Profit Report (reg. $300+tax) for free.

All survey contacts will receive an email invitation to complete the survey in early June. The survey will close in mid-July.

Questions? Contact our Survey Team at regionalsurveys@archbright.com.

**Regional Pay Survey is now available for purchase on Archbright.com**

Our Regional Pay Survey is a comprehensive benchmark of wage, salaries, and bonus data. Find out where your company stands and see if your employee compensation is on par with other businesses in Washington, Oregon, and Idaho. This year our survey included 527 jobs from 553 participating employers.

We have four options available:

The Full Subscription | Contains all of the reports plus access to the Custom Report Tool. This is a web-based, on-demand reporting tool that provides access to the full dataset collected during the survey. (See this month’s CEO Corner for more information!)

The Wage Report | Contains exempt and non-exempt pay data from for-profit and non-profit organizations

The Non-Profit Report | Contains pay data collected from 192 self-identified non-profit organizations and includes executive compensation data

The Executive Report | Contains executive compensation data for both for-profit and non-profit organizations

Go to Archbright.com to purchase any of these surveys.

**Training Trends in 2021: Employee Upskilling and Reskilling**

At the end of 2019, organizational leaders were preparing for a generational shift in the workforce, with more than half of the Baby Boomer population looking towards retirement. However, no one could have predicted the ‘silver tsunami’ that ensued with the onset of COVID-19.

“In the third quarter of 2020, about 28.6 million Baby Boomers – those born between 1946 and 1964 – reported that they were out of the labor force due to retirement. This is 3.2 million more Boomers than the 25.4 million who were retired in the same quarter of 2019,” according to Pew Research Center.

This massive shift in the employee population has left a skill gap that employers are still scrambling to fill in 2021. In its 5th Annual Workplace Learning Report, LinkedIn Learning reports that organizations’ top priorities are “upskilling and reskilling (59%), leadership and management (53%), and virtual onboarding (33%).” Additionally, “69% of Gen Z learners reported that they are making more time to learn” and “platform data shows Gen Z learners watched 50% more hours per learner of learning content in 2020 vs. 2019.”

Archbright University is laser focused on employee upskilling and reskilling, particularly in the areas of leadership and management. Recently updated, Supervisory Skills and Management Fundamentals are a one stop shop for new supervisors and managers. Both courses are taught virtually to the public or privately to a single organization, ensuring all leaders are in step as they tackle the challenges of a post-COVID world.

This is also good news for Archbright members who now have access to our entire Video Training Library on mozzo. The Video Training Library offers microlearning content in the areas of Management, Safety, Workers Compensation, HR Fundamentals, and General Professional Development. Every Archbright member has access to three free learner seats that can be assigned to employees immediately. Its LMS look and feel also allows employee learning to be tracked through mozzo, so you can keep track of completed trainings and hold employees accountable.

For more information on assigning learner seats in mozzo or to schedule a private team training, contact your Archbright Account Executive.

**Paid Family and Medical Leave Requirements for Multi-State Workers**

Earlier this year, the Family and Medical Insurance Leave (FAMILY) Act was introduced into Congress with broader support than ever before. If passed, the law would allow workers nationwide to receive at least partially paid family and medical leave. While some form of the FAMILY Act has been introduced in Congress since 2013, its recent broad support is likely due to both the COVID-19 pandemic and the increasing number of states and localities that have successfully enacted their own forms of paid family and medical leave, including Washington and Oregon. However, since no federally mandated paid leave law is currently in place, employers with workers in multiple states are left to contend with varying and distinct sets of rules to navigate. Further complexities arise when workers live and work in different states or work in more than one state.

How Washington and Oregon’s Paid Family and Medical Leave Laws Differ

Washington’s Paid Family and Medical Leave law went into effect in January 2020. Oregon’s Paid Family and Medical Leave law is currently scheduled to start collecting contributions in January 2022, with benefits available beginning January 1, 2023. However, last month the Oregon House introduced a bill to extend the implementation date, due primarily to the overextension of the Oregon Employment Department’s resources during the pandemic. Under the proposed change, the deadline for collecting contributions would be delayed by one year, until January 1, 2023, and benefits would be delayed by nine months, until September 3, 2023. When the Oregon law does go into effect, there will be several key differences from Washington’s law.

Washington employers with more than 50 employees are required to provide job restoration rights to employees following leave. In Oregon, employers with 25 or more employees must provide job restoration rights. If an employer has less than 25 employees and the employee’s position no longer exists, reinstatement is discretionary based on business necessity. Employee qualification also differs between the two states. In Washington, employees are eligible if they worked at least 820 hours for any Washington employer during the first four of the last five quarters. Oregon employees who have earned $1,000 in wages during the base year are eligible for paid family and medical leave. Oregon paid leave runs concurrently with the federal Family and Medical Leave Act, while this is not necessarily the case in Washington. These are just a few examples of the differences in the law.

Determining Eligibility for Those That Work in More Than One State

Employees who live in Washington, but work solely in Oregon, even for a Washington-based company, would not qualify for Washington’s paid leave program. However, the analysis becomes more complicated when employees perform some work in Washington and some in Oregon. When employees work in both states, but their work in Oregon is “incidental” (i.e., temporary or transitory) to their work in Washington, they would qualify for Washington’s paid leave. However, if the employee earns over $1,000 of wages in Oregon during the base year, they will likely be eligible for Oregon’s paid leave as well. Employees regularly working in both states would qualify for Washington’s paid leave if their work is directed or controlled from Washington. If the employer has no base of operations in any state, then employees who reside in Washington would qualify for Washington paid leave. If the employee earns sufficient wages in Oregon during the qualifying period, they may be eligible under the Oregon law as well.

Paid family and medical leave laws are rapidly evolving, and employers with workers in multiple states face unique considerations. The team at Archbright continues to monitor changes in the law at the national, state, and local levels. Eligible members are encouraged to contact an Archbright HR Advisor with any questions or to seek specific guidance.

**With Summer Beginning, Don’t Forget About Special Requirements for Employment of Minor Workers**

Teen employment was down last summer overall, but as restrictions ease and vaccination rates increase, teen workers can meet the demand for summer seasonal labor.

However, employers must keep in mind several key federal and state laws and regulations when hiring and employing minor workers:

Federal Fair Labor Standards Act (FLSA): The FLSA prohibits the employment of children under 16 years old unless regulations have specifically authorized the position for minor workers aged 14 or 15. If the job is allowed for 14- and 15-year-olds, employers must ensure that the work hours do not interfere with the minor’s education and the working conditions do not jeopardize the minor’s health and well-being. During summer break, June 1 through Labor Day, 14- and 15-year-olds may work up to 40 hours a week, up to eight hours per non-school day, so long as they do not work before 7 am or after 9 pm.

Federal Department of Labor, Wage and Hour Division (WHD): The WHD prohibits minors from working in jobs that they classify as hazardous, including forest firefighting, wrecking, demolition, shipbreaking operations, and operations that expose them to radioactive substances and ionizing radiation.

Washington Department of Labor and Industries (L&I): Employers must obtain a work permit from L&I, as well as the consent of their parent or guardian, to employ minor workers. When school is not in session, minors aged 14 or 15 may work up to eight hours per day, 40 hours per week, and six days per week, between 7 am and 9 pm. Minors who are 16 to 17 years of age may extend their workweek to 48 hours, between 5 am and midnight, when school is not in session. There are separate hour restrictions and exemptions that are only applicable to minors employed in agricultural occupations.

Idaho Department of Labor: Idaho law allows children 12 years of age or older to work during school breaks of two weeks or more in certain occupations. Children under age 14 are prohibited from working in certain businesses, and minors under the age of 16 cannot work before 6 am or after 9 pm. Employers must retain records of the minor’s name, age, and address.

Oregon Bureau of Labor and Industries (BOLI): An employer must verify the minor’s age through acceptable proof of age and apply for and obtain a validated Employment Certificate from BOLI. With limited exceptions, minors must be at least 14 years old to work. Minors who are under 16 years old may work in non-hazardous occupations, between the hours of 6 am and 10 pm, up to eight hours a day.

Minors who are 16 to 17 years of age do not have daily hour restrictions and may work up to 44 hours in a week, with limited exceptions for those working in agricultural occupations or organized youth camps. Also, if a minor employee arrives for their scheduled shift but is not needed, the employer must pay either half the wages of the scheduled shift or one hour’s wages, whichever is greater.

Equal Employment Opportunity Commission (EEOC): Although the EEOC has specifically authorized temperature screening for adult workers during the pandemic, there is no such broad authorization for minor workers. Employers should obtain parental consent before conducting temperature screening on minor workers, just as they would before performing any other medical exam.

Eligible members are encouraged to view Archbright’s *Hiring and Employing Minor Workers Keynote* for additional information and contact an Archbright HR Advisor with any questions regarding the employment of minor workers.

**HR FAQ**Question: I had an applicant refuse to turn on their webcam for a virtual job interview. Do I have to accommodate that, or can I require it?

Answer: In general, you may require an applicant to participate in a video interview, but there are a few things you should consider first:

Is there a need for medical accommodation? Ensure there isn’t a medical reason that restricts them from participating in a video conference. Tread carefully when investigating this option. While highly unlikely, it is necessary to make a reasonable accommodation under the Americans with Disabilities Act (ADA) if the reason for the request is related to a medical condition. When scheduling the interview with the applicant, explain that the interviewer’s video will be on and invite the applicant to turn on their video as well. If they refuse, follow up with a question like, “Is there a need for accommodation under the ADA?” Failing to accommodate an applicant’s legitimate request could be a violation of the ADA.

Does the applicant have the resources to participate in a video interview? Be mindful that the applicant may not have the appropriate technology to participate. If this is the case, allowing a little extra time before the interview will enable the applicant to either acquire the needed technology or make alternate arrangements. Questioning could sound like, “Do you need an extra day or two to make arrangements for a virtual interview?”

If both of the above aspects are considered and don’t appear to be relevant, then yes, go ahead and require virtual participation. If an applicant is genuinely interested in the job, they should make an effort to participate in any manner the organization requires.

For additional information, eligible members are encouraged to contact an Archbright HR Advisor.

**June Session of the Northwest Diversity Learning Series: Being an Anti-Racist Organization**

By early June of 2020, 76% of Americans saw racial and ethnic discrimination as a “big problem,” a significant increase from only 50% in 2015.

Participants will take away processes and tools they can share with their co-workers. They will leave with a clear understanding of what it means to be an anti-racist organization, and a champion for inclusive culture at your organization.

Register at: https://www.i4sdi.org/session-4-june-30

Archbright is a proud sponsor of the Northwest Diversity Learning Series.

When: June 30 | Time: 9 am to 11 am (PDT) | Where: Virtual

**Top Three Benefits of Compensation Consulting**

Determining appropriate employee wages can be complicated, but it doesn’t need to be. If you’re planning to hire in the near future, or you want to evaluate your current employees’ wages, compensation consulting is vital to ensuring you provide new and current talent with wages that are on par with your competitors and are fair across your company. Here are the top three benefits of Compensation Consulting with Archbright.

Experience – Take the guess work out of compensation. Our experienced consultant will work directly with you to develop compensation plans that are objective, easy to administer, understandable, and fair.

Employee retention – It can be hard to find great employees, so make sure you’re doing everything on your end to keep this talent. By evaluating the wages of your employees on a recurring basis, we’ll help you to ensure that you’re paying your employees fairly as they accumulate job experience and spend more time at your company.

Align with your organizational strategies – Create a plan that is specifically geared towards your company’s goals. Our consultant will help you create salary bands and plan for periodic adjustments in pay ranges.

**Meet Joe Padilla**

Joe has been a Compensation Consultant at Archbright since 2019. He provides Archbright members support with their compensation challenges such as market data analysis,
full-scale broad-based compensation projects, and variable pay plans.

“It’s important for organization leaders to understand how their pay and pay practices compare to the market. This is why I believe compensation studies are crucial as they enable smart, resourceful decision-making that has both short- and long-term benefits for the financial health of the organization.”

**Getting Ahead of Heat Stress at Work**

Every May 1st through September 30th, employers in the state of Washington must follow the safety planning, training, and other requirements of the Outdoor Heat Exposure rule, WAC 296-62-095. This rule is applicable for workers who perform job duties outdoors for more than fifteen minutes in any sixty-minute time period. Employers must address Heat Exposure in their Accident Prevention Program if any workers meet these time period specifications and are exposed to outdoor heat at or above the applicable temperatures listed below:

|  |  |
| --- | --- |
| Non-breathing clothes, including vapor barrier clothing or PPE such as chemical resistant suits | 52° |
| Double-layer woven clothes including coveralls, jackets, and sweatshirts | 77° |
| All other clothing | 89° |

Heat Stress occurs when the body cannot get rid of excess heat. When this happens, the body’s core temperature and heart rate increase. If not cooled down, the person will begin to lose the ability to concentrate, finding basic tasks difficult. The person may also become irritable or sick, and their speech can become slurred. If symptoms are not addressed, the individual may lose the ability to sweat and the desire to hydrate, both of which would help cool them down. Eventually, the person can faint, seize, suffer permanent disability, or in extreme cases, die.

Affected employers must train workers and their supervisors in a language that they understand on the different types of heat stress, including signs and symptoms, environmental and personal factors that may impact the individual, and how to address heat-related illnesses. Employers must also provide a sufficient quantity of drinking water to outdoor workers. Employers may find that this quantity is larger than at other times of the year. The Occupational Health and Safety Administration (OSHA) says that employers should be prepared to supply at least one quart of drinking water per employee per hour, as well as the opportunity to drink the water. Some employers may also choose to provide electrolyte beverages or frozen ice pops on extra hot days to supplement the water supply. In addition to water, employers need to allow workers to take breaks in a cool area, and when possible, schedule more strenuous work during cooler parts of the day.

Eligible members can find a sample Heat Exposure plan as well as additional helpful tools in the Resource Library on mozzo. Eligible members are also encouraged to reach out to the Safety Hotline with any questions.

**HEAT STRESS & FACE COVERINGS**

Studies have shown that face coverings alone will not cause someone to overheat and removing a face covering is not an effective way of reducing body temperature. In situations where face coverings are still required, workers can lower their masks below their chin occasionally throughout the day when working alone and during cool-down breaks, if they maintain appropriate distances from others. Employers should plan to keep additional face coverings available for workers to swap out as needed if they become wet or soiled.