**Archbright™**

**Insights Newsletter**

**June 2020**

**Introducing the COVID-19 Digital Inspection & Safety Roadmap**

The pandemic has brought new safety directives and recommendations to help keep employees safe and slow the spread of the virus. This includes Washington State’s Safe Start plan for reopening that contains general safety requirements for all businesses as well as industry-specific guidance.

The amount of information can seem overwhelming, but its urgency is undeniable.

Archbright can help.

Our **COVID-19 Digital Inspection & Safety Roadmap** service provides the support you need to ensure your workplace is in compliance with COVID-19 safety requirements.

It includes a digital safety inspection survey designed to capture relevant safety information in your workplace specifically related to COVID-19. From this, we outline potential program deficiencies, uncover workplace hazards, and identify opportunities to prevent the spread of the virus.

We then create a detailed recommendations and findings report for your workplace that includes best practices and next steps. Best of all, we do this quickly as you prepare for your employees to return to work.

We understand the urgency required to safely resume operations during the pandemic. And, to ensure we can meet our turnaround time, we are limiting the number **of COVID-19 Digital Inspection & Safety Roadmap** services we take on each month. Space is limited.

For more information, contact us at info@archbright.com, 206.329.1120, or 509.381.1635.

**Virtual Onsite Classes for the New WFH World**

I am so proud of our Archbright University team and how they have responded to the COVID-19 pandemic. Their transition from teaching in-person classes to offering the same high-quality experience in a virtual environment would seem effortless if I didn’t know better. But it has been a labor of love for this inspiring crew.

Over the past 3 months, we have converted nearly every single course into a virtual delivery. We can also now deliver all of these classes to your teams in place of onsite training you’ve experienced in the past.

Member feedback has been incredible. Participants of **Supervisory Skills**, our most popular course (and longest at 3 full days), have told us that they highly recommend the virtual version. Attendees at our new **Workplace Wellness from Home** class have told us how informative, enjoyable, and engaging it is to attend the class with their coworkers.

Teams are reconnecting through the virtual classroom and rebuilding the camaraderie that has become more elusive when working from home, all the while improving their skills and learning from each other.

And isn’t that the lesson for this time that we are living in? We all need to find new ways to accomplish our goals.

I encourage you to consider an onsite virtual class for your organization. During this time of uncertainty, offering employees the opportunity to further their development and connect with their colleagues will deepen their engagement and boost their performance.

Reach out to your Account Executive to get started!

**Register Now for Our June 18th Webinar:**

**Are You Ready to Return Your Employees to Work?**

As Pacific Northwest employers prepare to resume operations, learn more about what you should consider before reopening your doors.

We’ll tackle these questions:

* How do you recall employees from lay-off?
* What do you do when they don’t WANT to come back?
* What do you do when they CAN’T come back?
* What are the general safety considerations?

This 60-minute webinar, presented by Ami De Celle, Attorney, and Kathy Iverson, Sr. HR Advisor, will cover employer considerations for returning employees to work, such as ADA, protected leave, workplace safety, employee morale, and communication.

Please limit to one attendee per organization. To read more about why we limit attendance for our webinars, click here. Please note that a recording of the webinar will be available for download on our website within 2 days after the live event.

**When**: June 18 | 9 am to 10 am   
**Where**: Webinar – WebEx   
**Cost**: FREE for Members; $25 for Non-Members

**Member Spotlight:**

**Excel Supply Company Offers PPE Supplies for a Safe Return to Work**

Excel Supply Company is one of the nation’s leading suppliers of medical, safety, industrial, janitorial, and office supplies for any business. They are also an Archbright member!

In light of the pandemic and the upcoming return to work for so many of our members, we wanted to let you know about Excel. An importer since 1993, they are a cost-effective and high-quality source for all your PPE needs, including a variety of masks, hand sanitizer, and gloves. **Excel is now offering a 10% discount to all Archbright members for orders over $100.**

To learn more, please visit ExcelSupplyCompany.com or reach out to Irene Reyes, CEO/President at glovelady@excelsupplycompany.com or 253.896.1195

**Prioritizing Workplace Wellness for Remote Employees**

The year 2020 has presented employers with nearly insurmountable obstacles and leaders are facing new challenges at every turn. They are pivoting on a daily basis to meet the needs of their employees. Likewise, employees are scrambling to work from home, make ends meet, homeschool their children, all while staying in quarantine for months on end.

“More than 7 out of 10 employers, or 71 percent, reported that they are struggling to adapt to remote work, according to a new survey from the Society for Human Resource Management (SHRM).” To combat this, employers are implementing new technology and new processes.

**In the midst of all of the transition, is employee wellness being addressed?**

Workplace wellness programs have long proven their worth within organizations. It’s now time to take wellness to the home office. With a large portion of our workforce working remotely, self-care and stress reduction are just as important as technology to ensure employees have what they need to succeed.

Archbright University is here to support all employees with a new virtual, public class: Workplace Wellness for the Home Office. In this 90-minute, interactive, virtual class, employees will learn:

* Practical applications for managing stress and workloads while working from home.
* Solutions for organization and time management, as well as ideas for separating work and home life.
* Strategies to improve energy, hone focus, and boost effectiveness.
* Ways to connect meaningfully with colleagues and peers to ensure maximum productivity.

When kids and pets are underfoot, employee stress can be overwhelming. Providing a culture of wellness, even at the home office, can be just the relief they need.

Workplace Wellness for the Home Office is open for registration on our public calendar twice a month through the end of 2020, as well as available as a virtual onsite class for teams. Connect with us to learn more.

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

With employers so focused on the impacts of COVID-19 on their businesses and workforces, and schools out of physical session for months now, it may be easy to forget that summer is upon us! This year, minor workers may be entering the workforce in even greater numbers due to the economic need created by the high rate of unemployment within families and the demand for employees in critical roles such as grocery and retail.

Here are some of the federal and state laws and governing agencies that employers must keep in mind when hiring and employing minor workers:

* Federal Fair Labor Standards Act (FLSA): The FLSA prohibits the employment of children who are under 16 years old, unless the job is specifically authorized by regulation for minor workers age 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, defined as June 1 through Labor Day, 14 and 15 year olds may work up to 40 hours a week and up to eight hours per non-school day, so long as they do not work before 7 am or after 9 pm.
* Department of Labor Wage and Hour Division (WHD): Minors are prohibited from working in jobs that are classified as hazardous by WHD. These hazardous jobs include forest firefighting, wrecking, demolition, shipbreaking operations, and operations that expose them to radioactive substances and ionizing radiations.
* Washington Department of Labor & 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 age 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 are not able to work before 6 am or after 9 pm. Employers must retain records of the minor’s name, age, and address.
* Oregon Bureau of Labor & Industries (BOLI): An employer must verify the age of the minor 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 at organized youth camps.
* Equal Employment Opportunity Commission (EEOC): Although typically not an agency of note with respect to minor workers, the current COVID-19 pandemic places the EEOC in an interesting role with respect to minor workers and temperature screening. Although the EEOC has specifically authorized temperature screening for adult workers during the pandemic, there is no such broad authorization for minor workers. Absent such authorization, employers should obtain parental consent before conducting temperature screening on minor workers, just as they would before conducting any other medical exam.

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

*Source: Erin Jacobson, Director, Legal and HR Advice*

**Oregon Minimum Wage Increases July 1, 2020**

Reminder: Effective July 1, 2020, Oregon state’s standard minimum wage increases from $11.25 to $12.00. Portland Metro minimum wage will increase to $13.25 and non-urban counties to $11.50.

**Exemption Threshold May Increase July 1, 2020 for Washington Employers**

Under Washington’s Minimum Wage Act (MWA), employees must be provided a minimum wage (currently $13.50 per hour), overtime for working above forty hours in a seven-day workweek, and paid sick leave. The MWA exempts certain kinds of covered employees from its requirements, including bona fide Executive, Administrative, and Professional (“EAP”) workers, as well as Outside Salespersons. These terms are defined by the Department of Labor & Industries (L&I).

In December of 2019, L&I finalized rules which updated the MWA exemptions for executive, administrative, professional, and outside salespersons. On April 7, 2020, L&I adopted minor technical corrections to these rules, including changes which extend the implementation schedule of the salary threshold increases from 2026 to 2028.

In addition to ensuring employee’s job duties meet certain criteria, employers must also ensure employees meet a salary threshold to be classified as exempt from overtime.

Beginning July 1, 2020, and through December 31, 2020:

* The minimum salary threshold would be not less than 1.25 times the minimum wage ($675) for forty-hour workweek;
* For employers with 50 or fewer employees, computer professionals must be paid a minimum of $27.63/hour (no change). For larger employers, computer professionals must earn an increased amount of not less than 2.75 times the minimum wage ($37.13/hour).

For most employers, this may have little impact until January 1, 2021, since the federal salary threshold was increased to $684 per week on January 1, 2020.

Beginning January 1, 2021 through December 31, 2021:

* For employers with 50 or fewer employees, the minimum salary threshold would be not less than 1.5 times the minimum wage for forty-hour workweek; for computer professionals, 2.75 times the minimum wage per hour.
* For larger employees, the minimum salary threshold would be 1.75 times the minimum wage for a forty-hour workweek; for computer professionals, 3.5 times the minimum wage per hour.

The threshold will increase incrementally, with a more gradual phase-in for small businesses, through 2028. Beginning January 1, 2028, the state minimum salary threshold will be at least 2.5 times the state’s minimum wage for all size employers. The draft language states that the size of the employer is based solely on the number of Washington based employees the company employs at the beginning of the effective period. Both full and part-time employees count in determining the employer’s size.

In addition to the salary threshold increase, employers must also ensure the employee’s job duties meet certain criteria to be exempt from overtime. Eligible members are encouraged to review Archbright’s KeyNote Overtime Exemption Checklist, available on the HR Toolkit on the members only website and mobile app. Gold and Silver members are encouraged to contact an Archbright HR Advisor with any questions regarding exemption status and/or to coordinate a FLSA review by one of our attorneys.

*Source: Joy Sturgis, Content Manager*

**HR FAQ**

**Question**:With the weather getting warmer we are considering offering our employees a summer flextime program. What are the best practices for setting up a program like this?

**Answer**: As companies consider alternative benefits to offer employees, flextime programs have become increasingly popular to allow employees more flexibility to enjoy the summer months. Flextime programs generally offer staff an opportunity to work a compressed work week (4-10 hour shifts or 4-9 hour shifts) to allow for a half day or full day off once a week between Memorial Day and Labor Day. When considering a program of this nature, it’s important to assess the following:

1. Company-wide: Can all essential functions of your business be performed in a compressed workweek?
2. Department-wide: Individual department managers should assess workflow, coverage, and being available for customer needs.

In some cases, a flextime program may not work for some departments or may work only for a short period during the summer due to business needs. If summer flextime program will work, managers must ensure that employees are taking appropriate rest and meal breaks to accommodate an employee’s longer workday. Employees should be required to provide their schedule request in writing to their manager for prior approval.

Don’t be afraid to be creative with solutions to make this work. If some flexibility can be allowed for even a short time during the summer, for example, July or August only, suggest considering the option to increase employee morale.

*Source: Sarah Johnson, HR Advisor*

**Creating a Healthy Culture in the Post-Pandemic Workplace**

The post-pandemic workplace is going to look, feel, behave, and operate differently than it did before—and many of these changes may be permanent. It is more important than ever for leadership teams around the world to invest real time, energy, and commitment to their work environments, and in particular, their employees, as we all try to embrace this new normal.

The challenges are significant. Your employees may have feelings of uncertainty – they may not know how to act and react around others. They may not want to be at work because their children are still not back in school and they are struggling with childcare. Your employees may be either overly cautious regarding the pandemic, or not cautious at all, or anywhere in between. Your employees may have experienced, and still be experiencing, heightened levels of anxiety – and they may not know how to manage it or deal with it.

**How does the employer manage all of these emotional reactions?**

The workplace itself will likely be different. Employees will have new rules, new processes, new safety guidelines – all of which will bring about varying opinions (like everything in our world now, right?!). How does the employer implement things in the new workplace, yet still be productive and viable?

There are several key considerations and actions that employers can – and should – be taking in the current and post-pandemic world of work to create a healthy and productive culture and environment for all stakeholders:

* Communication and Connection
* Empathy, Compassion, and Grace
* Managing Change
* ACT!

First and foremost, you must **communicate effectively, often, and with as much transparency as possible**. Whatever your platforms for communication happen to be – stand-ups, staff meetings, electronic communications, Zoom, videos, etc. – it will be more important than ever that you are keeping your employees informed of what is going on. Require managers and supervisors to check in frequently with their direct reports and communicate consistently. Maybe it’s a weekly video from the CEO, weekly all-staff meeting, weekly 1:1s between managers and their direct reports – or better yet, all of the above. Consistency will be key!

Second, being empathetic and showing compassion and grace will be incredibly important in keeping your workforce, period. Your employees will look elsewhere if your managers and supervisors don’t care about them, but it is critical that your managers are trained to react accordingly, particularly in times of high emotion. This requires being a good listener. You must stop what you are doing, give your undivided attention to your employee, respond with empathy. And a little compassion and grace goes a very long way towards your employees feeling supported.

Next, effectively implementing change means helping employees to accept and even embrace change more quickly. It is now more important than ever. Three actions can help you do that:

* **Describe what is changing and why.** People tend to respond favorably to change when they understand the business reason for it and can see its benefits.
* **Seek employees reactions to the change.** It helps them feel heard (remember empathy?) and involved in what’s happening. This goes a long way toward building trust and commitment.
* **Regain a sense of control.** If people learn that they can control aspects of the change, or at least have some influence over them, they’ll be more open and more likely to embracing the change.

Lastly, **leadership has the responsibility to ACT**. They must have a plan in place, communicate that plan effectively, and connect the dots by sharing how “the plan” relates to each employee. It will also be helpful to create rituals and routines, while also being realistic and flexible with regards to your expectations. And what is your rallying cry – what do we need to be doing right now? Your employees will need and appreciate a sense of control, to see that things are being handled. It is another vital human need. Your employees want to feel that they are in good hands and that the company has things under control.

*Source: Krisann Hatch, Director of Workplace Innovation*

**Bringing Workers Back Safely**

Because of the COVID-19 pandemic, safety is more critical now than ever. June is National Safety Month, and although the annual event may look different than previous years, employers are encouraged to evaluate the current state of workplace safety programs, identify any trainings that employees are behind on, and establish a plan to bring workers back to work in a safe manner – in addition to incorporating new COVID-19 safety precautions.

It is likely your workplace looks different than it did six months ago. Allowing employees to go back to work or resume work activities without reviewing safety practices and awareness could result in an increase in workplace injuries.

Washington’s Department of Safety & Health (DOSH), issued a directive in March 2020 stating that during the COVID-19 pandemic, DOSH would not cite training and certifications that expired on February 28, 2020 or later. As such, many businesses have put employee required safety training that is conducted by an outside trainer or facility (such as first aid certification or annual audiograms) on hold.

Postponing training was intended to aid in COVID-19 prevention by deterring employers from gathering employees in a group setting for training. While in compliance with current regulations, this may mean that many workers have not received proper safety training. Add in employees working remotely, furloughed, or laid-off, and you have a large group of workers that have either not gone through safety training or are behind on training. Bringing workers back to the workplace and allowing them to work without conditioning or hazard awareness could be a recipe for a serious injury.

Consider easing employees back into hazardous job duties and review any job hazard analysis’ before work is performed. In the case of physically demanding jobs, be mindful of workers who may have been away from the job for an extended period and consider task-conditioning to help prevent overexertion injuries.

Organizations should note that requirements for training that is provided in-house by employers that are not affected due to staff quarantine does not qualify for postponement and could still be cited by DOSH in the usual manner. Employers conducting training in-house should keep training groups small, under 11 students, and enforce 6-foot physical distancing rules. Shared materials should be avoided when possible, and cleaning procedures should be enforced. Students also must wear face coverings in accordance with current Washington regulations as long as they do not create an additional health risk for the user.

Employers that find that they could use assistance with their workplace safety programs and training ideas, or who have questions about current safety regulations, are encouraged to reach out to the Safety Team at Archbright at 206.329.1120 ext. 4, 509.381.1635 ext.4, or email safety@archbright.com.

*Source: Tiffany Knudsen, Content Manager at Archbright*

**Safety & Health Webinars**

**Safety awareness tips, compliance information, and tools to take safety programs to the next level!**

Archbright’s extensive safety & health webinar library is available to membership. Our Safety, Loss Control, and Worker’s Compensation experts record monthly webinars that employers can use to build, or update, required written safety programs and establish best practices.

Topics include:

* COVID-19 Safety Program Requirements
* 8 Essential Elements of Safety Series
* Required Written Programs
* Safety Train the Trainer Topics
* Employee Safety Engagement
* Claims’ Financial Impact
* Retrospective Rating
* And More!

Most webinars are designed in conjunction with sample templates and tools for employer implementation. Contact safety@archbright.com for more information about this webinar library!

*People can be unpredictable…  
your safety program shouldn’t be.*