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WOULD YOU BELIEVE IT NUMBER 1?

According to a survey conducted by Robert Half for *Office Team*, professional employees say that they are bored about 26.5% of the time at work. That is a whopping 10.5 hours every week, and about 68 work days a year!

The survey solicited answers from 680 professional employees and senior managers. Employers acknowledged that their employees are not challenged by every work assignments, but were surprised to find out the extent of the boredom.

So, what do employees do when they are bored? They review their emails, including ones having nothing to do with work; they shoot rubber bands at one another, they work on crossword puzzles, make videos, play ping pong, and delve into other creative pursuits.

Bored doesn't necessarily mean dissatisfied. Think about ways to increase challenges, conduct team-building (they may be doing a good job of this already), and asking them what they would like to work on when they are feeling a bit bored. This may provide some great ideas about how to generate a greater sense of engagement for them. If the employees are truly bored then what else can they do that would connect with their capabilities

WOULD YOU BELIEVE IT NUMBER 2?

For years we have heard that employees don't leave their organizations, they leave their bosses. But some recent research done by IBM's Smarter Workforce Institute says that is no longer true. (Maybe it is an organizational myth that was never true!).

Some of the highlights are:

- 14% of people left because they were unhappy with their managers
- 40% left because they were unhappy with their job
- 39% left for personal reasons identified as health concerns, child-care issues, and spousal relocations
- 20% left due to dissatisfaction with the organization
- And about 18% left because of organizational changes that caused them a great deal of uncertainty

Lest you think that this was a small or isolated survey, you would be wrong. IBM looked at data from 22,000 employees.

Follow the understanding of the numbers, the question that must be asked is what can HR do to minimize the departures that can be prevented.

LEARNING TO INNOVATE IN THE GOOD TIMES

The news media reported this month that the US economy expanded at an annualized 3.1 percent in the second quarter of 2017, beating market expectations of 3 percent. It is the strongest growth rate since the first three months of 2015. The only complaint about these good times that we hear from employers is the inability to hire qualified workers in most fields. So, what do we as employers do with all this seemingly unchecked growth – ride the wave right? Wrong. Time and again history has proven that in order for us to grow effectively in the good times, we must plan in the good times, not just ride the wave. In particular, in an era of IT and technology that seems to reinvent itself every 6 to 12 months, the half-life of change and knowledge gets shorter and shorter.

We ran across an article in *Forbes* by Adam Hartung about the demise of Sears. In a nutshell, Sears was one of the most innovative companies in the United States from its founding in 1893, until the 1990s. Here is a short version of this important story.

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In Adam Hartung's words, "Sears became a retailing juggernaut via innovation." Sears began its life in a time when more Americans lived and worked in rural areas. Sears figured out that in order to reach the purchasing power of these rural folks, it had to go to them. Born from this innovation was the mail order catalogue, and it was hugely successful.

Sears' next level of innovation was to open massive stores in urban areas to sell its catalogue items, thereby capturing markets across multiple segments. In the 1970s when malls came along, Sears was the first to see the value and quickly became "anchor" tenants enabling them to secure low cost retail space.

Also noteworthy, is Sears expansion of its Allstate Tire line into Allstate Auto Insurance in the 1930s. As customers matured and began to gain wealth, Sears bought Dean Witter to assist its customers with retirement planning. Sears vision then led them to providing its customers with installment loans, understanding that young couples could not afford the cost of many items, but could afford monthly payments. To put it mildly, Sears was the most innovative retailer of all time. All of its innovation was driven by supporting its core business. Then in the early 1990s it all changed, as Sears management seems to have completely lost its innovative genius. As technology began to take over how innovation was thought of, Sears ignored upstarts like Amazon. Amazon used the internet as its growth platform to become a distribution and warehousing giant. Interestingly, this is exactly what Sears had done in the beginning, the only difference was that the platform was a catalogue instead of the internet.

The morale of this story is, don't wait for a failing economy to plan your organization's future, because by then, it may be too late. Think Hollywood Video and Borders Bookstores. When we talk to businesses about planning, we get various reasons why they cannot plan. We worry about what their employees are thinking as they see the organization ignoring the obvious concerns that are on the horizon. We are reminded about a saying in the constant boom and bust oil and gas industry where one of our staff members, Paul Hutter, spent the early part of his career. He says it went like this, "Please just give us another boom, and we promise this time not to waste it this time!" (Thanks, Paul, a wonderful reminder for all organizations!)

NEW CALIFORNIA REQUIREMENTS

In May 2017, the California Department of Fair Employment and Housing (DFEH) approved new regulations regarding transgender identity and expression in the workplace. [The Regulations](#) became effective July 1, 2017 and the new required poster is now available. The new rules further expand the Fair Employment and Housing Act's (FEHA) role in preventing discrimination in employment and housing on the basis of gender identity. In addition, the regulations describe some new policies that employers must implement, including the following:

- **Restroom Facilities**
Employers are now required to provide equal access to facilities regardless of the sex of the employee. Employees must be permitted to use facilities that correspond to the employee's gender identity or gender expression. Employers must use gender-neutral signage for single-occupancy facilities under their control. They cannot require any proof of sex or gender for an employee to use a particular facility.
- **Transitioning**
The new regulations add a definition of "transitioning" and prohibit discriminating against an individual who is transitioning, has transitioned, or is perceived to be in transition. Transitioning is defined as a process in which an individual begins living as the gender with which they identify and can include changes in name usage, participation in employer-sponsored activities, undergoing hormone therapy, etc.
- **Dress Standard**
An employer cannot impose a dress standard that is inconsistent with an employee's gender identity or expression in the absence of a business necessity.
- **Preferred Name and Identity**
The new regulations require employers to abide by an employee's request to be identified by a certain name or a certain gender identity. Employers can only insist on using an employee's legal name or gender if it is required to meet a legally-mandated obligation.
- **Documentation**
An employer cannot inquire or require documentation on sex, gender, gender identity, or gender expression as a condition of employment.

Employers with California operations should ensure their policies comply with these new regulations regarding transgender identity and expression. Employers should also review their employee handbooks to make sure their policies detail the new regulations and employee protections.

Editor: Judy Clark, CPC, SPHR, IPMA-CP: Advantage is published monthly and is designed to provide information on regulations, HR practices and management ideas and concerns. The intended audience is managers, supervisors, business owners, human resource and employee relations professionals. If you have questions about the content, an opinion about the information, or questions about your subscription, please give us a call at (503) 885-9815 or e-mail info@hranswers.com.

HR QUESTION

Last month we asked you to answer a question about Employee Assistance Programs. The question was how many employers provide that benefit to their workforce. The answer is 77%. If you selected this answer, well done! Then the next question is, do your employees appreciate the EAP and do they use it?

This month's question is a bit different and it deals with a major change that will be occurring in the future which will have a significant impact on the workplace. In what year with the artificial intelligence that is being built into machines exceed the human intelligence that is held by people in your workplace? elect your choice from the following:

- 2021
- 2037
- 2030
- 2046
- 2052

UPDATE ON FAIR LABOR STANDARDS ACT

On October 30th the Department of Labor indicated that it would appeal a summary judgment against the DOL regarding the Overtime Rule they had published. Just to recap...last December employers expected to have made changes to their wages and salaries that reflect the new exempt and nonexempt rules that had published. Just before the implementation date, there was a lawsuit that put the changes on hold because it was found that the DOL had exceeded their authority. This year in July, the Department released a Request for Information asking the public to please let them know what their feelings and ideas were regarding a change in FLSA. Which brings us to the appeal that DOL is making. Additionally, the DOL is processing all the comments they got and will be working on making a new set of rules regarding a new pay threshold for employees classified as exempt. We will continue to update you on this important change.

WINTER IS COMING!!! WINTER IS COMING!!

For those of you who remember last Winter, the statement that this coming Winter is likely to be similar can send shivers up your spine. Last year, we in the Northwest had one of the most severe Winter's in memory. It probably wasn't that severe for folks who had moved here from Minnesota or Michigan, but for us who have always lived here it was a challenging year. To hear that it may occur again means that we all need to start our planning now. Employers need to begin the conversation with their employees about closing for extreme weather, plans to get employees to work using 4-wheel drive vehicles, and what to do when cars get stuck in your parking lot, etc.

Here are some ideas you may wish to consider:

1. Purchase some bus passes so that if employees are apprehensive to drive in or home, you can make their situation a bit easier
2. Identify who has 4-wheel drive and determine if they are interested in providing transportation to other employees.
3. If you have an Inclement Weather or Emergency Policy, it is time to dust it off, review it, and see if any changes are needed, and send it out to refresh employees' memories.
4. Encourage employees to print out information on bus routes so that they already know which buses will get them closest to the facility or to home.
5. Determine what your policy will be:
 - a. for employees who arrive late for work
 - b. what bank of time can employees use if they cannot get to work
 - c. regarding call in procedures.
6. If you have employees who work outside during extreme weather, think about any adjustments that should be made to that work schedule. OSHA has a variety of notices and information to assist employers with making good decisions about this.
7. If your office/plant is going to be shut down for part of a day or all day, make a decision about how employees are going to be paid during the closure. Remember that there are specific rules about paying exempt employees. (See info regarding employer requirements [here.](#))

8. There may be some special circumstances where additional thought will be needed. In the event that the National Guard is used to respond to weather or any other type of disaster, you will need to address any situation where your employees are called up.
9. The best advice that we can offer is to have an Emergency Action Plan which addresses all types of disasters that may occur. There may be special responsibilities that some employees have to stay in touch with their staff. These should be spelled out in the Plan and in their Job Descriptions.

Thinking about this in advance will ease the process should there be inclement weather or any other emergency. And if the expected Winter doesn't occur, then we can all just be pleased that we were prepared!

THOUGHTS TO THINK ABOUT

Autumn is the season of change.

~Taoist proverb

O' pumpkin pie, your time has come 'round again and I am autumnrifically happy!

~Terri Guillemets

Do what you can, with what you have, where you are.

~Theodore Roosevelt

As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.

~John Fitzgerald Kennedy

The difference between ordinary and extraordinary is that little extra.

~Jimmy Johnson

Ever ask yourself what you would do if you had tomorrow to live over again?

~Robert Brault

Small cheer and great welcome makes a merry feast.

~William Shakespeare

HR ANSWERS PUMPKIN DECORATING CONTEST!



Thanks to everyone for their participation in this event.

And the winners are...

Best in Show: Caroline Funniest: Deborah
Most Unusual: Rachelle Scariest: Laurie



HR BY THE NUMBERS

An interesting contradiction is occurring. Working remotely is growing. According to a new Gallup poll, 43% of employees said they spend at least some of their time working remotely. Employers save about \$11,000 per half-time teleworker. Across the existing work-at-home population, that adds up to nearly \$44 billion in savings. However, some large, well-known organizations (Best Buy, Yahoo, IBM, and Bank of America just to name a few) are re-thinking their policies. They are stepping away from telecommuting. It appears that when this decision is being made, it is less about telecommuting, and more about an effort to solve other issues. The key take-away from the survey is that communication needs to be intensified if working remotely is going to remain an option. Most telework arrangements fail because of a lack of communication or employee connection to the organization.

Two numbers jumped out at us recently. The first is that 22% of new hires will resign during the first 45 days on the job. All that work to hire them, and they don't stay. The second number is even more depressing. Only 35% of people hired have the necessary skills to perform the work of the position. With the unemployment being so low and employers faced with such difficulty finding qualified individuals, there are a substantial number of people hired that do not meet the qualifications. Careful screening and training time during the first few weeks is essential to ensuring that you have someone who can perform well for you.

The preliminary numbers are in. It looks as though the average pay increase for 2018 will be nearly the same as last year. The mean number for all categories of employees is 3.1%. One of the interesting items in the Economic Research Institute is that executives and high-level managers are forecast to have the same level of increase as their employees. Often, this is a slightly higher percentage.
Editor's Note: If you have questions regarding any of these, we would be happy to talk with you about your needs!

WASHINGTON PAID SICK LEAVE

Initiative 1433 made at least four changes to the Washington Sick Leave program. The rules have not yet been completed, but are expected to be published prior to the beginning of next year. We will keep you advised as those become available. Washington employers may wish to add their name to the list serve for updates which can be found at <http://www.lni.wa.gov/WorkplaceRights/Wages/Minimum/1443.asp>

The four areas of change that we are aware of are:

1. Requiring employers to provide paid sick leave to most all employees effective January 1, 2018. Exceptions are Farm employees; domestic service employees; exempt employees but there is no exemption for computer professionals; newspaper employees, anyone employed by the federal government, anyone working for a fire department, etc. (We will need to take a look when the final rules have been written.) More information can be found at RCW 49.46.005.
2. Even though the Initiative was mostly about Sick Leave, it also altered the state's minimum wage.
3. Stipulations about which employees receive tips and service charges.
4. Protecting employees from retaliation when they exercise their rights under this law.

Once this is effective, most employees must accrue sick leave at the rate of 1 paid hour for every 40 hours worked. The rule applies to all employees (except those listed above), including seasonal and part-time. Employees can begin to use their Sick Leave on the 90th day of employment. Employees are allowed to use 40 hours of sick leave a year. Any sick time not used of that 40 is to be carried over into the next year. The new rules that L&I are writing now cover how employers are to notify employees of their rights and benefits, how Sick Leave is to be reported, and policies to protect employees from retaliation. Please remember that the City of Seattle has slightly different rules so those of you who are within the City limits need to follow those provisions. One of these different provisions are that the city's law applies to exempt employees in addition to nonexempt staff.

CLIENT ACCOLADES

Equilibrium Capital has a winner in its portfolio of companies in their Agriculture Capital division. Specializing in hazelnuts, blueberries, citrus, and table grapes are the focus of their attention and efforts. Their recent efforts to solicit investment resulted in \$148 million more than their original target. The firm indicates that it invests in farmland as well as midstream processing assets. One of the most substantial impacts is reshaping the hazelnut industry in Oregon. While Oregon produces 99% of US hazelnuts, the state is only 5% of the world's hazelnut usage. With their continued efforts, this is likely to increase significantly! Congratulations Equilibrium!!!

Schwabe Law firm recently made a major announcement. They have named one of their shareholders to a new post of CEO. They have not had such a position previously. Mark Long and David Bartz were the previous leaders of the firm for 17 years, and they will continue to work with the firm. The new Individual at the helm is Graciela Gomez Cowger. In addition to her lawyer credentials, she was educated as an engineer and worked at Hewitt-Packard. She says that her gender, her immigrant background, and her patent attorney work will be blended to serve the firm and its clients. We are delighted to learn about her promotion, and wish her the very best!!

There are positive changes at the Coast! The new name for **Martin Hospitality is Martin North**. And with that new name comes new activity. There is a new brewery, **Pacific Coast** and a new music festival, **Stackstock**, which was held in September. The 40-year-old family-owned business is increasing their footprint and their contribution to the Oregon coastal image. The company has big plans for additional expansion. And in the meantime, they continue to cater to guests with the extra touch of service. The President Ryan Snyder (whose wife, Stephanie is the namesake of the **Stephanie Inn**), says, "You need to provide guests with a special spot that exceeds their expectations." With a concept like that, we know that we will be able to offer our congratulations to you for many more positive actions!! Way to go!!

FOR YOUR CALENDAR

Open up your Daytimers, Outlook, Palm Pilots, and all those Smart Phones. The following is a look at upcoming events, special days and other diverse and fun activities you will want to be aware of and get scheduled. **To register for our workshops, please call any of our offices, or send an e-mail to Petrina Bigford at info@hranswers.com, or fax it to (503) 352-5582.**

NOVEMBER

Month of Aviation History, Epilepsy Awareness, Family Stories, Gluten-Free Diet Awareness, Military Family Appreciation, Gratitude Month, Native American Heritage Month

- Nov. 10 Vanilla Cupcake Day
- Nov. 12 Chicken Soup for the Soul Day
- Nov. 14 HRA Workshop – HRA Office – Tigard
Developing & Utilizing Job Descriptions
8:30am – 12:30pm**
- Nov. 18 Mickey Mouse Birthday
- Nov. 20 Peanut Butter Fudge Day
- Nov. 23- 24 Happy Thanksgiving! Office closed.
- Nov. 29 HR Lunch Bunch – Chemeketa Business Center – Salem
12pm-1p

Planning Ahead:

- Dec. 5 HRA Workshop – HRA Office – Tigard
Preventing Discrimination & Harassment in the Workplace
8:30am – 12:30pm**
- Dec. 6 HR Lunch Bunch – HRA Office– Tigard
12pm-1pm
- Dec. 25 Happy Holidays – Office closed

Flyers for our workshops can be found on our [events](#) page under each workshop. View more details and register on our website: www.hranswers.com.

ON MY SOAPBOX

If you were to listen to a group of HR professionals, you would likely hear frustration, disbelief, and anger about all the revelations recently about sexual harassment. We don't know how to make it easier for employees to report an uncomfortable situations or comments. We don't know why people (mostly men, I fear) do not get that this is prohibited behavior. We may not be shocked anymore, but we are dumbfounded that it continues to happen, and in some case, it is blatant.

I remember talking to a friend in Seattle and listening to her say that the focus of her consulting practice was going to be sexual harassment. We chatted about how long it would take for that to no longer be a viable service. That was in 1986 and our guess was that she would have 5-6 good years addressing that concern with employers before there would no longer be a need for that assistance.

There are issues with consensual relationships at work to be sure, but at least they are between two people who care (even if it is for a short time) about each other. Real relationships are not based on intimidation and coercion. The workplace is not a bar, not a gym, and not a matching service. It is not a place for pick-up lines. When the activity is not willingly engaged in; it is disgusting, insensitive, and vulgar. It is all about the abuse of power which isn't sexy at all.

So how do we make a difference? How do we stress that anyone who is uncomfortable or being propositioned can speak up? How do we build the culture of respect and ensure that there are appropriate consequences if someone fails to follow the organization's guidelines? There are no guarantees, but I think one step is to change the training that is periodically done for employees and for supervisors/managers.

Ordinarily there is a training program, and many of them now are just videos which does very little to really grab the employee's attention and say that this material matters. The new training would be done in person and it would be much more down to earth. It would say, "if you do this, here is what is going to happen." The trainer would be accompanied by the owner or the most senior person in the organization. The trainer would talk about what is the law, what is not allowed, and provide some examples. But the owner or President would talk about the way we do things here. He or she would be explicit. They would make a commitment to the employees that things were not going to be swept under the rug.

The recent examples that have exploded across our TV screens and social media tell us all too clearly that what we have been doing since that conversation in the 1980s isn't working. We need to find new ways to ensure our employees' safety and make the point that our policies are not just idle statements. They are expectations we take seriously. And should incidents occur, there will be serious consequences because we have the obligation to safeguard our employees. Employers must have a zero tolerance for harassment. We simply cannot permit our employees to be bullied, scared, or mistreated.

Let us know when you want to schedule your training program, we just happen to have several staff members who can assist you.

- Judy Clark, President



ANSWERS, Inc.

"Whatever the Question"