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COULD BE GOOD NEWS

There is some buzz in Washington DC about another round of tax changes. While there is very little detail yet, a couple of them sound like they could be good news for employers. The first addresses expanding education assistance.

The Upward Mobility Enhancement Act has been put forth to expand Section 127 so that increased dollars can be used to fund employee education efforts. There is no guarantee that the amounts allowed currently would increase or that the bill will even become law, but the amount being discussed is \$11,500 (current amount allowed is \$5,250) and that amount would be indexed to grow each subsequent year. This would be a welcome offering to employees and organizations who provide this level of tax-free benefit to employees, they could find themselves in an advantageous position regarding recruiting and retention.

The second bill that is being considered is the Employer Participation in Student Loan Assistance. This would allow employers to assist employees with student loan repayment. Under this bill, employers could repay \$5,250 of an employee's student loans per year. This too would be tax-free to the employee.

There is a long way to go before these get passed or passed over, but the fact that they are talking about this in Washington DC, is a good thing. So, keep your fingers crossed!

OTHER NEWS FROM WASHINGTON DC

If you have been waiting for the other shoe to drop, you may need to continue to wait just a little bit longer. The rumors were that the revised Fair Labor Standards Act (**FLSA**) thresholds would be out by the end of 2018. Now the rumors have changed. It may be the proposed rates for the exempt threshold will be published by the end of the year, but they will be sent out for public comment and there is no rumored deadline for them to be finalized. The best that can be said is, "Hang in there, we may know something by sometime."

ESPECIALLY FOR PUBLIC SECTOR EMPLOYERS WITH UNIONS

This could be a game-changer! Be on the watch for a ruling from the Supreme Court that may overturn Fair Share requirements. The speculation, based on some recent decisions and the make-up of the current Court, is that the decision in *Janus v. AFSCME* will reverse the current precedent and state that the mandatory agency fees for public employers is unlawful. That decision will be before the end of June. We encourage you to start thinking about how this will impact your operations and your contract(s). There are several steps that it might be worthwhile to begin planning for just in case the ruling is what is considered a strong possibility.

1. Advise your Board or Commissioners of this possibility so that they are not caught off-guard.
2. Check your contract for sections that will need to be changed. Typically, these would be the Union Security clause, the Indemnity clause, and the Saving clause.
3. Identify any employees who are making Fair Share payments as opposed to dues so that you and the union can discuss the changes with them.
4. Think about what changes to payroll will be necessary to stop the automatic deductions from employee paychecks if they are affected.
5. Once a decision is announced, be prepared to talk with your union representatives and Business Agents about communicating with employees and making the necessary changes in the contract and payroll systems.

EXPANDED RETALIATION FOR OREGON EMPLOYERS

On May 31st, the Oregon Court of Appeals expanded liability for employment retaliation. Their decision in *McLaughlin v. Wilson, 292 Or App 101 (2018)*, covers two situations where liability has increased. First, the Court ruled that individuals, not just employers, can be liable for retaliation under Oregon Law. This could create substantial risk for supervisors, managers, executives, and owners. Secondly, the Court ruled that retaliation post-employment was also a cause for new attention. The most likely way that this would occur is if a poor recommendation was made when the former employee was looking for other employment. The Court held that the anti-retaliation provision of the statute contained the words, "...any person" and therefore a person, even if they no longer worked for the organization, could be liable for retaliating behavior.

It will be even more critical that employers conduct training and insist that supervisors, management and executive/owners take part in the sessions. It will also be critical to ensure that these individuals understand the personal liability they have in situations where a claim has been made. It may also be important to review any Employment Practices Liability Insurance to see if it covers the liability that individuals would have. However, if a manager resigned because of an employment issue and then talked negatively about an employee or a former employee, it is likely that there will be no coverage for them since they are no longer employed by the organization.

CLIENT ACCOLADES

A recent article in the online edition of the Portland Business Journal had an intriguing posting about the ten best places to retire in Oregon. Given that someday I expect to do that (personal note from the Advantage Editor – Judy Clark), I had to take a look. At the top of the list was Roseburg Oregon; and the picture they chose to highlight was **CHI Mercy Medical**. It is a great hospital and we are proud to say, a client of HRA. Way to go, Roseburg, and what a perfect picture of the medical center.

The Portland Business Journal has released it's 2018 Fastest Growing Companies list. One of the 22 new companies listed is **Cura Cannabis Solutions** founded in 2015 is on their list and it is not surprising given that they are one of the largest companies in the Cannabis industry world-wide. Congrats **Cura**, your growth has been tremendous! Now at 270 employees and still growing, we are proud to be associated with you!

Also, on the fastest growing list were two other organizations that deserve special mention. **Certified Languages International** has been on the list before and they are still growing. Founded in 1996, this company has been identified as a top employer and ninth largest in their sector. We are pleased to have the chance to work with you! Keep up the good work!

The Partners Group was also listed as one of the fastest growing firms. HR Answers has an alliance with them because of their benefits brokerage. We really appreciate this relationship and look forward to many more prosperous years as a result of working with you. **The Partner Group** is 35 years old and has been serving the financial and insurance needs of employers, medical professionals, and successful individuals with services including employee benefits, retirement planning, investment services, wellness consulting, commercial and personal insurance.

Also published recently were the 50 Fastest Growing Not-for-Profits. Five of our clients were identified for this list. Our congratulations go to **CODA #34, Portland Opera #32, Reach Community Development #27, Portland Art Museum # 12, and OCHIN #11**. This is great news and you all deserve to take a bow!!

In a recent Willamette Week there was an article about summertime at the beach. It was informing folks about Cannon Beach and the fact that it is no longer that sleepy little town. Under the heading Public Coast Brewing, it said the following: "Much of the credit for Cannon Beach's renaissance goes to Ryan Snyder, owner of **Martin Hospitality**, the company behind Surfs and Resort and the Stephanie Inn. He has taken one of the nicest properties in town known as the Lumberyard and turned it into Cannon Beach's first destination brewery." Compliments to Ryan for this excellent new facility at the beach!!

And one more shout-out; actually, it is two... **Tualatin Country Club** and **Easter Seals of Oregon** have teamed up to promote and organize the 17th Annual Les Schwab Send a Kid to Camp Golf Tournament July 16th. We are blessed that both of these fine organizations are clients of ours. We commend them for this worthy community service and wish all the kids that go to Camp have a fun summer!

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.

RETIREMENT HORIZON JUST GOT A LITTLE FURTHER AWAY

Once upon a time, retirement almost always happened at 65. However, it is no longer a given. A Harris Poll survey showed that for employees 60+, fifty-three percent said they will be postponing retirement. A full 40% say that they likely won't retire until age 70. So, what are the reason for this postponement? Twenty four percent say that they don't know how much to save and aren't sure that they are saving enough. Approximately one in four say that they do not participate in a 401(k) or some similar vehicle. Statements like "I like to work; what would I do if I didn't have a job?" "I can't image what life would be like without my job," "Staying at home will be fine in a few years, but not now."

This significant change is likely also to be a product of the advancing length of life span. The chart below shows how that has changed over the decades.

Retirement Changes Dramatically Over the Years

<i>Year</i>	<i>Life Expectancy at Birth</i>	<i>Average Age of Retirement</i>
1910	50	74
1940	61	70
1970	67	65
2000	73	62
2010	75	66

Note the interesting lack of correlation between lower life spans and higher age of retirement. As a result of the recession and longer life spans during which individuals are more active, the retirement age is increasing. But, as of 2010, the average retirement is beginning to increase. Worries about financial resources are primarily behind this significant shift.

HELPING WORKING PARENTS

A recent article published by *BenefitNews* offered some ideas that may make it easier for working parent(s) households. They suggested the following:

1. Get Real about Childcare – Employers do not need to provide free childcare, but they can provide lists of resources that can assist parents with the juggling act that is managing childcare and work responsibilities simultaneously. Making information available that covers back-up child care, sick child care, dependent care flexible spending accounts, adoption assistance, etc. can make the challenges a little easier.
2. Work hours flexibility – one of the most requested and most valued employer programs is work hours flexibility. Not all positions can have flexible hours; and if an applicant for a receptionist position talks about wanting a flexible work schedule, that is just not in the cards. But for positions where it could be effective, allowing some work at home, alternative work schedules, and time to attend to parental tasks for parent-teacher conferences, recitals, are highly prized.
3. The ability to get some of the tasks of living taken care of while at work is in the words of one employee, "terrific, really terrific." Any on-site amenities that employers offer can be a great retention tool in addition to making life just a little less hassle. Fitness center, dry-cleaning pick-up and delivery, personal copying and postal support are just a few of the items that can be considered.
4. Offer wellness and ergonomic support – whether it is a standing desk, stretching before the work starts for physically active jobs, or ensuring that the vending machines are filled with healthy foods, employers can provide an atmosphere where the emphasis is on healthy life styles.

There are a myriad of other options for employers to demonstrate that they truly care about their employees. A little creativity and input from workers can reap positive results and increase retention and satisfaction.

TARDINESS REMAINS AN EMPLOYER ISSUE

Employers have to deal with tardiness continually. A study done by AccounTemps identified being late as the single most irritant that makes other employees mad. Often the supervisor or manager is the one who has to have conversation (sometimes multiple conversations) with the tardy employee. They most often cite the Employee Handbook which contains information about the organization's expectation that employees will be at work on time. But there are two other ways to be able to emphasize why being on-time is an important expectation. First, there are the other employees who may have to pick up the slack of one person being tardy. That can build resentment and create more challenging work relationships. This is especially true if the workload (think about the Receptionist position) that has to be picked up interferes with the work already being done by whoever has to fill-in.

Secondly, being late is almost always seen as a sign of disrespect or lack of courtesy to the other employees. In the study mentioned above, 65% of managers and 46% of employees think that being courteous to co-workers can lead to career advancement. Stressing the perceptions of other employees can be a positive way to address tardiness. Being on time to work, to meetings, and returning phone calls and emails are signs of respect for others. Talking about these behaviors and emphasizing organizational expectations can increase respect in your workplace and minimize the number of times conversations about tardiness have to occur.

HR BY THE NUMBERS

Ready for a hurtful number? Only 7% of the world's 3.3 billion adults who are working or looking for work say that they have or had a great job! This is from a recent Gallup Poll called the 2018 Global Great Jobs Briefing. Based on the responses, of the 5 billion people on the planet, only 1.4 billion have a "Good Job", and of those only 16% are fully engaged with their employers. The end result of the Poll is that 3 billion people who want a "great" job don't have one.

A lot more attention is being paid to hotlines or emails that allow employees to blow the whistle on their employers or report inappropriate actions or incidents. No doubt some of this is because of the current emphasis on harassment, including sexual issues. But employers recognizing that if they don't provide some way for employees to voice concerns about a wide range of topics, the employees will seek legal counsel or government agency reporting. The investigation of these changes in employer action has resulted in 1.4 reports for every 100 employees. Case closure rates which were improving, now have begun to revert to previous highs. The median closure time is 44 business days.

If you want to know whether your thinking about politics is in the mainstream of Americans; compare yourself to these numbers. Pew Research found that six in ten Americans say that "significant changes" are need in our government. Only one in three have a favorable opinion of the federal government. But those are not the high impact number! This is: The Pew Poll found that of 3% of those surveyed say that they have a great deal of confidence in the elected officials. These are the folks making the rules and laws about employment. So, HR professionals must do their best to explain and educate our employees because there isn't an environment that is willing to just accept the wisdom of the new or current requirements.

THOUGHTS TO THINK ABOUT

"Don't worry about failures, worry about the chances you miss when you don't even try."

– Jack Canfield

"The pain you feel today is the strength you feel tomorrow. For every challenge encountered there is opportunity for growth."

– Unknown

"Build your own dreams, or someone else will hire you to build theirs."

– Farrah Gray

"The only thing that stands between you and your dream is the will to try and the belief that it is actually possible."

– Joel Brown

"Self confidence is the most attractive quality a person can have. How can anyone see how awesome you are if you can't see it yourself?"

– Unknown

"We learn something from everyone who passes through our lives...Some lessons are painful, some are painless... but, all are priceless."

– Unknown

"Being happy doesn't mean that everything is perfect. It means that you've decided to look beyond the imperfections."

– Unknown

"Love what you have. Need what you want. Accept what you receive. Give what you can. Always remember, what goes around, comes around..."

– Unknown

"Life has two rules: #1 Never quit. #2 Always remember rule # 1."

– Unknown

NEW OREGON WAGE WITHHOLDING TAX

The Oregon Legislature approved a new withholding tax to support transportation throughout the state. Effective July 1, 2018, every employer will be required to withhold and remit 0.1% on an employee's wages. This will be in addition to any other taxes withheld. For more information or detail about this new withholding, readers can look at HB 2017.

HR QUESTION OF THE MONTH

Last month the question was which state has the longest statute of limitations on pay related violations. **The answer is Texas which has a 10-year period for employees to raise pay issues or concerns.** This month's question is in the year 2038 (twenty years from now) what percentage of current jobs are thought to be automated? Don't despair, there are thought to be a plethora of new jobs that will be created, some of which we can't even imagine at this time.

HAPPY 4TH OF JULY

Next month we celebrate the 4th of July. A couple of years ago, one of the websites I visit regularly had this quote from Erma Bombeck. "You have to love a nation that celebrates its independence every July 4th, not with a parade of guns, tanks, and soldiers who file by the White House in a show of strength and muscle, but with family picnics where kids throw Frisbees, the potato salad gets iffy, and the flies die of happiness. You may think you have overeaten, but it is patriotism." She added this statement from James Blaine, "The United States is the only country with a known birthday."

FOR YOUR CALENDAR

Open up your Daytimers, Outlook, and all those Smartphones. The following is a look at upcoming events and workshops, special days, and other diverse and fun activities you will want to be aware of and schedule. **To register for our workshops, go to [HR Answers Events](#), or email your registration form to info@hranswers.com.**

JUNE

Month of Adopt a Cat, Camping, Fishing and Boating, Iced Tea, LGBTQIA Pride, Men's Health, and Soul Food

- Jun. 21 Summer Solstice
- June 27 HR Lunch Bunch – Chemeketa Small Business Development Center – Salem
[Separation Practices](#)
12:00pm – 1:00pm
- June 28 “No More Negativity” Program – PacificSource (Guest Speaker Deborah Jeffries) —
[Register Here to attend in person or via webinar](#)
9:00am – 10:30am
- Jun. 28 HRA Workshop – HRA Office – Tigard
Job Search Workshop
9:00am – 11:00pm
- June 30 Meteor Watch Day

Coming Up:

- July 3 NO Portland HR Lunch Bunch – Enjoy the Holiday!!
- July 4 HRA offices are CLOSED
- July 25 HR Lunch Bunch - Chemeketa Small Business Development Center - Salem
[Oregon Saves Program](#)
12:00pm – 1:00pm

Planning Ahead:

- Aug. 1 HR Lunch Bunch – Portland/Tigard
[Pay Equity](#)
12:00pm -1:00pm
- Aug. 29 HR Lunch Bunch – Chemeketa Small Business Development Center – Salem
HR Department of One
12:00pm -1:00pm
- Sep. 25 - HRA Workshop Series – HRA Office – Tigard
Nov. 13 [Supervisory Success - Fall 2018](#)
8:30am – 12:30pm

View more details and register for our workshops and luncheons on our website at hranswers.com.

ON MY SOAPBOX

The word “moral” is showing up in articles of all kinds and in news and commentary TV. There are lamentations and hand-wringing about how we as a society have lost our moral compass. And there is certainly a significant struggle as we try to understand and to address the deep divisions within our country. Is this the new normal? Why did this happen? How do we minimize or deal with the stresses coming from these conflicts? What role does leadership have in getting us to living our values? And whose values are we trying to live---mine, yours, someone else’s?

There are those that say none of these questions really matter. We should just go about our own business and let the powerful forces within our country fight it out. We should live our own lives and work to ensure our own families and friends are making it through this maelstrom.

And the voices from the contrary view say that we all must weigh in on this because our very democracy is at risk. That this is not a time for people to duck or ignore. It is a time for action and serious conversations about who we are as a country and what we want our future to be.

It is true that if enough people gather together to state their views that the course of events can be changed. We don’t have to look very far to see examples of that. The Civil Rights movement, the Protests against the Viet Nam War, Marches for Women’s Suffrage, Gandhi’s non-violent actions in India...there are many that changed history.

But what will it take for us to develop a more collective sense of values that resist the profound divides that we are now experiencing? There is a website, www.thindifference.com that regularly provokes thought amongst its readers. A recent topic was Moral Courage. I couldn’t help but think about when I see that in others; and when I think I am achieving or not achieving that myself.

I wondered if I had the right definition of those two powerful words. I looked it up and the definition is “Moral courage is the behavioral expression of authenticity in the face of discomfort of dissension, disapproval or rejection.” It is about standing up for what you believe even though no one else is standing with you. It is the feeling that you have to say something even though you already know that others, perhaps everyone, will disagree with you. It is expressing an opinion, not because it will influence others, but because it needs to be said. And sometimes, it is revealed in an action not in words. Remember the song lyrics, “...a little less talk and a little more action please.”

I now believe that you can’t have true leadership without moral courage. If the leader is thinking more about how they will be received, more about whether or not the audience will approve of the message, more about acceptance, than the hard truth that must be recognized, that isn’t moral courage, it is pandering to others a false message with no integrity.

As we approach July 4th I think about the courage our forefathers had to build this nation on a remarkable document, the Constitution. They debated, they fought, they argued, they listened to one another, and they wrote inspiring words that still ring true today. Would they be disappointed now about how far we have strayed?

- Judy Clark, President



ANSWERS, Inc.
“Whatever the Question”

PLEASE FEEL FREE TO VISIT OUR WEBSITE:

WWW.HRANSWERS.COM