



# advantage

## Table of Contents

|                                      |   |
|--------------------------------------|---|
| HAPPY HOLIDAYS .....                 | 2 |
| PAY EQUITY – ONE MORE TIME .....     | 2 |
| MAKING INTERACTION CHOICES .....     | 3 |
| INFO FOR SEATTLE EMPLOYERS.....      | 3 |
| IN OTHER WASHINGTON NEWS .....       | 4 |
| AND IT ISN'T EVEN HALLOWEEN .....    | 4 |
| HR BY THE NUMBERS.....               | 4 |
| CLIENT ACCOLADES.....                | 5 |
| HR QUESTION OF THE MONTH .....       | 5 |
| UNDERSTANDING SPOUSAL BENEFITS ..... | 6 |
| THOUGHTS TO THINK ABOUT.....         | 6 |
| FOR YOUR CALENDAR.....               | 7 |
| ON MY SOAPBOX.....                   | 8 |



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## HAPPY HOLIDAYS

At HR Answers, we wish each of you a very special Holiday Season. As you and your organizations move into 2019, we hope the New Year will be one of progress and new opportunities, that your celebrations are joyous and special, and that you are able to spend time with friends and family, too. We are so very proud and honored to have had the privilege of working with you and serving so many of your HR needs in 2018. We want to say a BIG “Thank You!” We value and appreciate the relationship we have built with each of you and look forward to your continued referrals and future projects together!!

To each of you, as you celebrate the season, we wish you a Merry Christmas, Happy Hanukkah, Yule Tidings, a joyous Kwanzaa, Feliz Navidad, Felices Fiestas, God Jul, Froche Weihnachten, Buon Natale, Vesele Vianoce, Vrolyk Kerstfeest, Boas Festas, Houska Joulua, Joyeux, Happy New Year, Kala Christougena, Buone Feste, Fijne Feestdagen, Joyeuses Fêtes, and Boze Narodzenie!

## PAY EQUITY – ONE MORE TIME

The countdown is progressing towards January 1, 2019, which is when the Oregon Pay Equity Act takes effect. If you aren’t familiar with the obligations it imposes on employers; if this is the first you have heard of it, then there is important work for you to do in order to meet compliance requirements. However, please don’t rush or have a knee-jerk reaction. Meeting the requirements of Pay Equity takes some time and thought. HRA stands ready to assist you as you work your way through the necessary steps; just give us a call.

BOLI has published the [final rules](#) that lay out the detail of what is expected. Scroll down to find the Q & A at the bottom of the link.

One area that employers were hoping would be addressed was the “safe harbor” provision. Here is what the Jackson Lewis employment law firm said about that provision:

“The law broadly defines “equal-pay analysis” as “an evaluation process to assess and correct wage disparities among employees who perform work of comparable character.” To meet the safe harbor requirements, an employer, in good faith, must complete a reasonable pay analysis within three years prior to any lawsuit. The employer also must show reasonable efforts based on the analysis to eliminate any indefensible wage disparities for the protected class asserted by the plaintiff.

There is a catch, however.... conducting a proactive pay analysis does not offer a complete defense to any pay equity claim.

The Oregon Pay Equity Act only permits employers to file a motion to disallow compensatory or punitive damages in any case, including class actions, brought under the new law. The employer still would be responsible for up to two years’ back pay and attorneys’ fees.”

Their final comment about this information was, “No additional guidance regarding the safe harbor pay equity analysis was provided and it does not even mention the safe harbor.”

The last item the final rules addressed is the requirement to put up a poster so that employees understand the law and their rights. The [poster](#) is now on the BOLI website and can be downloaded from there. Employers are expected to have this poster where employees and applicants can easily see it.

## MAKING INTERACTION CHOICES

“S/he made me do it.” Almost every parent has had a conversation with their young children about “accountability” without using that word. The conversation goes something like this, “Just because someone else does something doesn’t mean you have to do it. You are responsible for your own actions. You make a choice about what you are going to do or going to say. The choice you made to (insert any improper action or statement here) was not a good one; you need to make better choices.”

It takes a bit of time and repetition for children begin to understand that the words they say or the actions they take are a choice; their choice. They are not something they can blame on others. It is interesting that many people are still in the process of learning that as adults. But it is true! If someone is a supervisor, the learning process is even more important. It not only impacts one’s ability to build positive relationships, but it can compromise the employees with whom interactions occur. To be our best selves, we need to be thoughtful and intentional about our interactions.

Some of the interaction behaviors that are best to avoid are:

### One-Upping Others

Have you ever been in a conversation with several others when one person tells a story and everyone else has to tell their story about that same type of situation? It feels as though we are playing a game of “Can you top this?” When we do this, we may be trying to say, “I understand, something like that happened to me once.” If that is what we are trying to say, that’s OK, but when the story takes on a competitive air, we aren’t saying that happened to us, we are trying to say, “My story is better than yours.” By the time that everyone is through with their story, all the adjectives have been used. The person who told the first story can think that the incident they were pleased or excited about sharing has lost its luster.

### Speculation and Gossip

Human minds are fascinating things. Unbidden, they wonder and conjure possibilities based on things we see around us. There is the person who is normally the prankster of the workplace, who when s/he gets really quiet we can’t help but wonder if there is something wrong. Instead of saying, “You are really quiet today; is everything OK?” We engage in conversation with others to speculate about what might be going on.

A co-worker used to be driven to work by her husband, but now he is nowhere to be seen and she is driving herself to work. Quietly we check with others to see what they know about this change. By the time we have checked with a half dozen or so folks, we still don’t know what caused her to drive herself to work, but now we have everyone watching and speculating. Our thinking isn’t wrong, but our actions are. The phrase that you sometimes hear is so correct for this situation. We should all remember the phrase, “It isn’t my story to tell,” and that it isn’t our place to guess or assume, either!

### I’m Sorry, I Guess I Wasn’t Really Listening

You would think that listening would be really easy. We don’t have to do anything but sit or stand and listen to something that someone wants us to know. How hard can that be? Evidently, it is harder than it sounds. We, who can have as much concentration as a gnat, may find it difficult to give someone our undivided attention. The much-ballyhooed ability to multi-task subtracts from our ability to focus. Which means that people we talk with get only a fragment of our attention, especially if we have our phone in hand. And isn’t it interesting that when someone does that to us, we are offended? Active listening with our whole selves is saying that we care; that we value the interaction and the person.

Think about the ways you might not convey the image you wish to, as we end 2018. Look for an article next month on ways to positively interact with others as a kick-off for 2019.

## INFO FOR SEATTLE EMPLOYERS

The Seattle Office of Labor Standards (OLS) has announced that the 2019 minimum wage for all large employers (employing more than 500 workers worldwide) will be \$16.00 per hour. In past years, there was a two-tier system under which large employers that contributed toward individual medical benefits paid a lower minimum wage than those that did not. This two-tier system ends in 2019.

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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](mailto:info@hranswers.com).

Also, beginning on January 1, 2019, small employers (with 500 or fewer employees) must pay at least \$15.00 per hour. Small employers can meet this requirement by paying no less than \$12.00 per hour in wages and contributing at least \$3.00 per hour toward an employee's medical benefits and/or reported tips.

The OLS also reported the new fines that will be assessed if employers violate these pay levels.

## IN OTHER WASHINGTON NEWS

The Washington Department of Labor and Industries is collecting information explaining how a change in the state's regulations regarding exempt and nonexempt status might look. They are seriously considering raising the pay threshold for exempt status to somewhere between \$56,100 to \$70,200. This would drastically increase the number of employees eligible for overtime payments, and would hit the non-profit and public sector employers hard. Understandably, there is significant resistance from such employers, and it is likely to be a very contentious battle as the research continues. If you have an opinion or concern about this, it may be time to contact your legislator. The Washington Paid Family and Medical Leave requirements start in the coming year. On January 1<sup>st</sup> 2019, employers will be required to collect and remit premiums to the state on a quarterly basis. Washington employers should ensure they are prepared to implement this new payroll deduction when the month starts. Although premium collection starts in 2019, employees will not be able to utilize this benefit until January 1, 2020. Also, do not forget, a poster which has not yet been released, must be posted where employees can see and reference it. Read the article from [The Seattle Times](#). More information is available on the [Washington Paid Family & Medical Leave website page](#).

## AND IT ISN'T EVEN HALLOWEEN

There is a new term in HR (borrowed from social media). It is called "ghosting." According to an article in the *Human Resource Executive*, ghosting is defined as, "A practice of ending a relationship by suddenly, inexplicably withdrawing from all communication." It can be used to describe applicant behavior as well. The assumption is that the employee-centered economy now being experienced allows employees and applicants to disappear if they find another employment opportunity more lucrative. A recent study of this behavior done by Clutch, a business-to-business research firm, found that 48% of survey respondents thought that ghosting was reasonable when applying for a position. The percentage declined a little if the applicant was deeper into the selection process, but a full 10% still thought ghosting at any time was okay, at any time.

Randstad Professional, a staffing organization, in its own research and found that ghosting isn't just happening during the selection process, it is happening well into employment. Jodi Chavez, the firm's President, says, "We have cases where people are sending emails at 2 am on a Saturday saying, 'I resign.'" "It's happening more and more."

When employee opinion was sought to learn why this was happening, there was a simple answer from many. Many applicants report having applied for jobs in the past and interviewing without ever hearing back from the prospective employer. The tables have now turned and it is the applicants turn to abruptly cease communications.

Some tips for avoiding ghosting when recruiting are:

- Work with the hiring manager to select days on which they will commit to interviewing qualified candidates – then schedule the HR interview so the hiring manager's interview can be held on the same day.
- Speed up your selection process...the longer you take, the less likely it is that your candidate will still be available and interested. According to Adecco, some candidates only have a shelf life of 24 hours.
- Make sure that you provide information about the hiring process. Interviewed applicants say that they are more likely to ghost when they haven't been informed about the interview process or what to expect.
- Provide regular updates to applicants about the progress being made in the selection process.

The research seems to suggest that the more an employer stays in touch with a candidate, the greater the likelihood ghosting will not occur.

## HR BY THE NUMBERS

This month we offer some interesting numbers from Devskiller.com, a developer skill assessment platform which analyzed various reports from the Bureau of Labor Statistics.

- Digital HR is a process optimization in which social, mobile, analytics and cloud (SMAC) technologies are leveraged to make HR more efficient. In other words, it's a tectonic shift in the way Human Resources functions. It is something that as HR practitioners,

we need to understand and get used to because it is one of the largest trends now being encountered. According to Deloitte University Press, **56%** of businesses are in the process of redesigning their HR programs to leverage digital and mobile tools.

- Eighty percent (**80%**) of executives think employee experience is very important (**42%**) or important (**38%**), but only **22%** believed their organization “was excellent at building a differentiated employee experience.”
- Seventy-two percent (**72%**) of recruiters believe advancement opportunities are the most attractive factors to prospective hires. Their beliefs differ from the applicants’ opinions; applicants say that a competitive compensation program is the most attractive.
- The biggest percent change in the workforce between now and 2026 will be a **30%** increase in Software Application Developers. The next three largest gains are also IT related.
- If you guessed that the skilled trades were hardest to fill right now, you would be correct. Electricians, plumbers, bricklayers, and plasterers are the **number one** hardest to fill vacancies.

## CLIENT ACCOLADES

Once again, it is our pleasure to offer congratulations to the **Arlington Club** for their recognition as a Platinum Club. This award is the result of voting by 3,100 private clubs in the US. Only 50 private city clubs in America have received this distinction, and this is the third time that Arlington Club has earned this honor. We are so proud to be your HR resource!!

This month we take our hats off for six organizations who have achieved such a positive reputation that they landed on the *Portland Business Journal's* Most Admired list. Those admirable organizations are:

Benchmade Knives – client

Gerding Edlen – client

R&H Construction – client

ZGF Architects – client

Columbia Bank – friend of our firm

Schwabe Williamson Wyatt – friend of our firm

Our final accolade of 2018 goes to all the clients we have had the privilege of working with this year. We had wonderful opportunities to assist in projects designed to enhance workplaces; had the trust of organizations in times of challenge; and were a part of so many organizations’ efforts to create programs that truly benefitted their employees. It has been an honor to be your HR resource! We congratulate and thank you all!!!

## HR QUESTION OF THE MONTH

Last month’s question was:

National Bullying Prevention month is recognized each October. What percentage of American Workers that say they have been bullied at work?

Your choices are:

22%    17%    41%    **35%**

The answer is 35%, which is a staggering number. When you put into perspective that over one-third of our workforce reports having been bullied at work.

The question for December is:

Who were the first people to make New Year’s resolutions?

Your choices are:

The Egyptians    The Babylonians    The Greeks    The Druids

Look for the answer in next month’s Advantage Newsletter.

## UNDERSTANDING SPOUSAL BENEFITS

For many employees, it is difficult to understand everything about their employee benefits. It is definitely more challenging to understand a spousal benefits. This article, written by one of the Social Security Administration's Public Relations Specialists, may help. It may also assist employers who wish to make information more accessible to the employees' spouses.

"Marriage is a cultural institution that exists all over the world. Having a partner means sharing many things including a home and other property. Understanding how your future retirement might affect your spouse is important. When you're planning for your fun and vibrant golden years, here are a few things to remember:

If a spouse accepts reduced retirement benefits before starting spousal benefits, the spouse will not receive the full 50% percent of the worker's benefit amount.

The spouse's full benefit could be up to 50 percent of the spouse's full retirement age amount if you are full retirement age when you take it. If you qualify for your own retirement benefit and a spouse's benefit, Social Security always pays your own benefit first. (For example, you are eligible for \$400 from your own retirement and \$150 as a spouse for a total of \$550.) The reduction rates for retirement and spouses' benefits are different. If your spouse is younger, you cannot receive benefits unless he or she is receiving benefits (except for divorced spouses. If you took your reduced retirement first, when you add spouse's benefits later, your own retirement portion remains reduced which causes the total retirement and spouses benefit together to total less than 50% percent of the worker's amount.

On the other hand, if your spouse's retirement benefit is higher than your retirement benefit, and he or she chooses to take reduced benefits and dies first, your survivor benefit will be reduced, but may be higher than what your spouse received.

If the deceased worker started receiving reduced retirement benefits before their full retirement age, a special rule called the retirement insurance benefit limit may apply to the surviving spouse. The retirement insurance benefit limit is the maximum survivor benefit you may receive. Generally, the limit is the higher of:

- The reduced monthly retirement benefit to which the deceased spouse would have been entitled if they had lived, or
- 82.5% percent of the unreduced deceased spouse's monthly benefit if they had started receiving benefits at their full retirement age (rather than choosing to receive a reduced retirement benefit early).

Spouse and Survivor benefits are complex programs. If you have questions, please review the [FAQ](#) section. When it comes to information, we have over 80 years of experience. Access a wealth of useful information as well as our benefits planners [here](#)".

*Article written by Kirk Larson, Social Security Public Affairs Specialist for Alaska Idaho Oregon Washington*

### THOUGHTS TO THINK ABOUT

Rejoice with your family in the beautiful land of life!

~Albert Einstein

Only those who will risk going too far can possibly find out how far one can go.

~T.S. Eliot

You can never go home again, but the truth is you can never leave home, so it's all right.

~Maya Angelou

If you have built castles in the air, your work need not be lost; that is where they should be. Now put the foundations under them.

~Henry David Thoreau

It is easier to act yourself into a better way of feeling than to feel yourself into a better way of action.

~Orval Hobart Mowrer

One resolution I have made, and try always to keep, is this: to rise above the little things.

~Author unknown

Seventy percent of success in life is showing up.

~Woody Allen

A promise is a cloud; fulfillment is rain.

~Arabian Proverb

## 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](#) page.**

### **DECEMBER**

National month of the following: AIDS Awareness, Drunk & Drugged Driving Prevention, Human Rights, Ties, Operation Santa Paws, Trinity, and Root Vegetables & Exotic Fruits.

- Dec. 21 Winter Solstice
- Dec. 23 Festivus
- Dec. 24 Christmas Eve -Happy Holidays!  
HRA Office Closed
- Dec. 25 Christmas Day - Happy Holidays!  
HRA Office Closed
- Dec. 28 Chocolate Candy Day
- Dec. 31 New Year's Eve

### **Coming Up:**

- Jan. 1 New Year's Day – HRA Office Closed.
- Jan. 2 No HR Lunch Bunch
- Jan. 9 HRA Workshop – Mid Valley Pain Clinic – Salem  
[The Engaged Leader Series](#)  
8:30am - 12:30pm
- Jan. 15 & Jan. 22 HRA Workshop – HRA Office – Portland/Tigard  
[Performance Management #1 and #2 \(a two class series\)](#)  
8:30am - 12:30pm
- Jan. 17 HRA Workshop – HRA Office – Portland/Tigard  
[FMLA / OFLA Workshop](#)  
8:30am - 12:30pm
- Jan. 24 HRA Workshop – HRA Office – Portland/Tigard  
[Oregon Pay Equity - Job Profiling](#)  
1:30pm - 5:30pm
- Jan. 30 HRA Workshop – HRA Office – Portland/Tigard  
[Corrective Action](#)  
8:30am - 12:30pm

### **Planning Ahead:**

- Feb. 5 HRA Workshop – HRA Office – Portland/Tigard  
[Disabilities – What Case Law Teaches Us](#)  
8:30am - 12:30pm
- Feb. 6 HR Lunch Bunch – Harassment Reporting – HRA Office – Portland/Tigard
- Feb. 7 HRA Workshop – HRA Office – Portland/Tigard  
[Reasonable Suspicion – Drug and Alcohol Testing](#)  
8:30am - 12:30pm
- Mar. 7 - HRA Workshop Series – HRA Office – Portland/Tigard
- May 2 [Supervisor 8 Part Series](#)  
8:30am - 12:30pm

View more details and register for our workshops and luncheons on our website at [hranswers.com](http://hranswers.com).

## ON MY SOAPBOX

It is the year-end...so, what are you going to do? Will you sit down and write resolutions soon to be forgotten? Will you spend time with family members but not really understand what a gift you have been given? Will you set up folders for the months of next year uncertain about what they will be filled with? Or will you just be glad for whatever reason that 2018 is almost in the rearview mirror?

One of the things I will do is say “thank you” to the people who have sustained me through this year. It has been a difficult year, people I loved and have lost, and issues that seem to defy resolution. But it has also been a very good year! The company is doing well under its shared leadership; I have a date for surgery (hip replacement for those of you who don’t know – I have been waiting for this for four years); and, a significant uptick in the Expert Witness work I have been doing. So, like most years, it has had its ups and downs. And I don’t think I am any different than most of you. Somethings worked well while others most certainly did not.

But if I can end the year saying thank you to those who have hugged me when I needed one, who have listened when I needed to talk, and who have affirmed that the product of my work has made a difference, then I will be focusing on the right things.

There is a story about a manager who knowing how much affirmation means to people, sat down every December to write individual notes to each of his employees saying in part, “Thanks.” He didn’t stop there. He thanked each employee for something that was related to their work during the year. Maybe it was a project that they saw through to completion or shepherding a new employee through their first few months or tackling an issue that had the department tied up in knots. Each note was personal and specific to that employee.

A few days after distributing the notes to his staff, an employee came into his office after asking if the manager had a couple of minutes. The employee said that “thank you” goes both ways. He explained that he was going to give notice at the end of the year. He felt stalled and wasn’t sure he was giving his best work anymore. The note his boss had given him made him stop and think about the place and the person he worked for. He explained that the recognition of his work detailed in the note said volumes to him about how much he was appreciated and that his handling of a sticky situation had been adroitly solved. The manager said that he was really sorry that the employee had felt so depressed that he thought about leaving. He told the employee that he would be better, much better, at not waiting for the end of the year to say thanks, but find time and methods of saying thanks all year round. The employee laughed as he said that he couldn’t help but think it was funny that the whole conversation started with the manager saying thanks, the employee trying to say thanks, the manager then saying that he hadn’t said thanks often enough. In the end, it was hard to figure out who was saying thanks to whom. They smiled as they left the brief exchange and decided that they both had been thanked and that no separation was going to occur. The story ends with the fact that both people continued to work together and said “thank you” often. Employees around them wondered what was behind the big smiles and light laughter when one of those gentlemen said thanks to the other. There wasn’t any explanation offered to those who watched this regularly occur. But I bet if there had been, both men would have said that they learned something valuable on that day long ago. And what was that? That saying thank you and appreciating the good work that someone does is a powerful glue resulting in employee retention and positive workplaces.

I want to say “Thank you” to the clients of HR Answers. You all make this a wonderful endeavor! I want to say “Thanks” to the staff who care deeply about the work we do and the people we do it for. You really are a most special group of individuals. And, for Mark, the reader of every Soapbox, who has offered his encouragement and appreciation of what I try to say in this column, “This time, this is especially for you! Thanks!”

- Judy Clark, President



ANSWERS, Inc.  
“Whatever the Question”

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[WWW.HRANSWERS.COM](http://WWW.HRANSWERS.COM)