HR Answers
advantage
October 2019

ANSWERS, Inc.

October

Table of Contents

Portland Office
7650 SW Beveland Street
Suite 130
Tigard, OR 97223
(503) 885-9815

Willamette Valley Office
7287 Park Terrace Dr. NE
Suite 101
Keizer, OR 97303
(503) 463-7269

HR Answers

advantage

ANSWERS, Inc.

October 2019

ADDRESSING THE LONELINESS OF REMOTE WORKERS

AMANDA WERNLI, PHR, PROFESSIONAL CONSULTANT

Remote work is an ideal situation for some workers; it allows them to travel nationally or globally or tend to other personal needs and perhaps the absence of a traditional office environment is not keenly felt. For some other individuals, however, it can lead to loneliness and potentially feeling disconnected from work or the organization as a whole. We are social animals, and as so, many of us do not thrive in the absence of regular social interaction.

An obvious initial consideration here is whether or not an employee with the desirable skills and requisite experience is the right fit for a remote work opportunity. Will this person adapt to a non-traditional work situation appropriately, potentially with limited human contact, and be able to self-monitor work progress and remain motivated enough to complete assigned tasks? Selecting the right person for such a job/assignment is an important aspect of addressing loneliness.

Even employees willing to accept remote work or seeking such assignments, of their own volition, who are ultimately selected for remote positions are likely to experience some loneliness, however. With this in mind, what else can organizations who employ remote workers do to lessen the experience of loneliness for these individuals?

- *Optimize available technology for connectedness, not just efficiency and technical necessity.* A remote employee may already have a high-speed internet connection, cloud connectivity, email access, WebEx, Skype capability, and a company-issued cell phone and laptop. If not, consider what tools are available to ensure that this person can easily make calls and have a face-to-face conversation with other employees, without time constraints or connectivity constraints, if possible. If a remote individual can be granted access to instant messaging capability, this may increase their ability to develop a friendship within the organization or to maintain contact with an onboarding buddy or communicate with a mentor more easily.
- *Increase frequency of contact with a supervisor*. Consider providing a supervising employee with adequate time in the work schedule to have extra phone or face-time check-ins with remote staff. Biweekly or even once a week may not be enough, and two to three times per week may foster the support and presence that can make the difference, without micro- management, when meetings are handled appropriately.
- *Increase the amount of teamwork or number of interactions with others inherent to the job.* Can this assignment be structured to make work project-based and with the involvement of others, so that a remote employee (or team of employees) have the opportunity to interact regularly with one another or with in-office staff? Can it be structured so that contact with customers or industry partners either by phone, electronically, or in-person is regular, ensuring that adequate social interactions do occur? Is any combination of the two possible? Putting this time into designing work prior to deploying a remote worker or backfilling a remote-work role with frequent turnover can make the difference in reducing disconnectedness and increasing job satisfaction.
- *Create opportunities for contact with other remote workers.* Are there other remote field staff in the area with whom an employee might periodically be encouraged to partner with, as part of annual team building or periodic training requirements? Are there other opportunities for employees to meet and interact, even if they perform different work, although this may be slightly more costly than having all requirements completed individually and/or electronically?
- *Create opportunities to interact with home/regional office staff.* How often can this employee reasonably be brought into the office for organizational meetings or other activities without breaking the department's budget? Although likely one of the most expensive options, this one may provide an "in-person experience" for particular projects or initiatives that helps to sustain a positive long-term working relationship with a remote employee. From a Supervisor standpoint reaching out on a regular basis for check-ins and updates is extremely important. Remote workers need a supervisor's time and attention too.

If you ever find yourself needing support or advice on any aspect embarking on a remote relationship with an employee or handling a strained relationship with a remote worker, don't hesitate to reach out to us for support.

WINTER IS COMING!!! WINTER IS COMING!!

As many of you have noticed our weather is changing. The Famers Almanac is suggesting that the NW will have several storms this year. It might be a good idea for employers 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 a 4-wheel drive vehicle and available to provide transportation to other employees who have critical positions,
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 (*see some sample language below*).
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; and
    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.
8. There may be some special circumstances where additional thought will be needed. For example, if you have employees who are currently active in the National Guard and they are called to duty to respond to weather or any other type of disaster.
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.

Inclement Weather and Emergency Closures

Emergencies such as severe weather, fires, power failures, earthquakes, and other natural disasters can disrupt organizational operations. In extreme cases, these circumstances may require the closing of our office.

In the event that **[Organization Name]** makes the decision to close the office prior to the start of the business day, the closure will be announced via an organization-wide email from the [**Designated Position, Human Resources Manager**]. A closure message will also be recorded on **[Organization Name]**'s general voice message line. It is the responsibility of each employee to check e-mail and call the voice message line (or other point of contact) for an update, if there is any doubt regarding office operations.

If a decision is made to close the office after the business day has already begun, the closure message will also be announced via e-mail (or other method).

Exempt employees will be paid for all absences **[full-day or partial day]** related to emergency closures.

Non-exempt employees will not be paid for time away from work due to office closure; however, with supervisory approval, available **[PTO, vacation, personal time]** may be used. Non-exempt employees who have reported to work before the decision to close is made will be paid for time worked, or a minimum of two (2) hours, whichever is greater.

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!

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..

OREGON 2019 LEGISLATIVE UPDATE

Items Affecting Human Resources

The Oregon legislature went home in June and left employers with a number of new obligations that affect compliance and operations of Human Resources. Some of this legislation is specific to certain industries or certain types of work. We have complied a **complete list** for your review. There are four areas that we believe every employer should pay attention to.

1) Pay Equity updates - SB 123

2) Prevention of Workplace Harassment, Discrimination and Retaliation; mandating of polices and notices – SB 726 or SB 479

3) Non-Disparagement or Confidentiality agreement content and notice requirements – SB 726

4) Family and Medical Leave Insurance – HB 2005 (Note: while not implementing for some time this will be something to keep your eyes on.)

If we can be of assistance in the application or navigation of these changes, please let us know.

CHANGES IN THE OVERTIME RULE - WILL IT IMPACT YOU?

Effective date: January 1, 2020. You may remember the Department of Labor (DOL) intended to change the Overtime Rules back in 2016 butan injunction stopped those changes from going into effect. Several months ago, a revised version of the rules was released for comment resulting in what are now “the Final Rules”, which will go into effect on January 1, 2020. This may leave you wondering if the same might happen again. This is unlikely. The DOL has paid specific attention to the challenges faced in the injunction and the rules have been crafted in a way that lead most to believe a challenge is unlikely.

So, what’s changing?

- Raising the “standard salary level” from the currently enforced level of $455 per week to $684 per week (equivalent to $35,568 per year for a full-time worker);
- Raising the total annual compensation requirement for “highly compensated employees” from the currently enforced level of $100,000 per year to $107,432 per year;
- Allowing employers to use nondiscretionary bonuses and incentive payments (including commissions) paid at least annually to satisfy up to 10% of the standard salary level, in recognition of evolving pay practices; and,
- Revising the special salary levels for workers in U.S. territories and the motion picture industry.

Action items:

- Determine if you have any employees classified as Exempt with a salary between $23,660 and $35,567.
  - If the answer is yes, and you do nothing else, these employees will become non-exempt and eligible for overtime on January 1, 2020. (This may also impact benefits eligibility depending on how your policies and vendor contracts are written.)
  - If the answer is yes, and the organization wants to maintain the Exempt classification, consideration should be given to raising the salary of those impacted. (This may have compression implication within your salary ranges and other jobs/employees.)
  - If the answer is no, no further work is needed.
- Notify employees of any changes being made. Remember classification under the FLSA is a criteria based assessment not a choice made by the ”want” of organization or the employee.
- Update any documentation or processes that refer to the specifics that are changing.
- If using the Highly Compensation Employee exemption, determine if any of these employees are currently receiving less than $107,432 annually.
  - If the answer is yes, and you do nothing else, these employees will become non-exempt and eligible for overtime on January 1, 2020. (This may also impact benefits eligibility depending on how your policies and vendor contracts are written.)
  - If the answer is yes, and the organization wants to maintain the Exempt classification, consideration should be given to raising the salary of those impacted. (This may have compression implication within your salary ranges and other jobs/employees.)
  - If the answer is no, no further work is needed.

Please don’t forget that these changes apply to the Federal rules. Your individual state laws will also need to be assessed to determine which is most generous to the employee and applied.

If we can be of further assistance on this or any other questions, please feel free to reach out.

Q & A

Q: What's the real purpose of an exit interview? Can I politely decline to do an exit interview at the job that I'll be leaving at the end of the month?

A: As you leave your current position, your employer most likely offers an exit interview as a way to learn more about the reasons why you are leaving.

Exit interviews can help organization leaders understand and address potential business or workplace issues that you or others may have.

At the same time, the interview enables you to raise awareness of problems without fear of repercussions. However, don't view it as an opportunity to vent. You'll want to share honest, but thoughtful and constructive, comments.

In fact, this also is your chance to talk about what works well at the company. You can even recognize a manager or co-worker who you respect as a role model, high performer or leader.

The interview is likely to be conducted by an HR representative rather than a direct manager. This allows the departing employee to feel comfortable sharing information.

And yes, you can decline to do an exit interview. But we encourage you to do one.

If you feel uncomfortable with a face-to-face exit interview, you may want to request a format that's more comfortable for you such as a questionnaire. The same guidelines apply if you are commenting in writingbe honest, thoughtful and constructive.

HR BY THE NUMBERS

A couple of our HRA staff members attended the SHRM National Conference. Here are some stats from the conference (May 2019 Survey: The Future Workplace by InsideOut Development) we thought you would find interesting:

35% of boards say that companies should take positions on social issues.

5% of remote workers see themselves working at their company long term.

91% of HR professionals believe "soft skills" are very important to the future of recruiting.

75% of workers believe they should get a promotion after one year.

53% of employers expect workers to response to emails while on vacation.

****

LinkedIn's "2018 Workforce Diversity Report" revealed approximately half of their U.S. workforce is white, 39 percent is Asian, 5.7 percent is Hispanic or Latino, 3.3 percent is African American and 2.5 percent identified as two or more races. Less than one percent identified as "other." To put this in a national perspective, more than 13 percent of the U.S. population is African American, and 18 percent are Hispanic or Latino, while about 76.6 percent of Americans identify as white, according to 2018 U.S. Census Bureau data.
How does your Diversity make-up measure up?

****

The 3rd Annual HR Acuity Employee Relations Benchmark Survey is out. With data gathered from more than 150 enterprise organizations, representing more than 4.4 million global employees, the Study identifies and defines best practices on organizational models, staffing ratios, case management, issue trends, metrics and more.

A few of this year's key findings include:

- Currently, 30% of employee relations professionals juggle more than 26 employee issues at any given time; and for those who only conduct investigations, almost half report an average of 7 or more open investigations at a time.
- Organizations receive approximately 10.87 allegations of harassment, discrimination or retaliation for every 1,000 employees – up 48% from last year.
- The majority of organizations are using ER metrics to analyze employee behavior, engagement and performance and to influence policy changes.

HRA HAPPENINGS

We just wanted to take a moment to let you know there have been some new developments at HR Answers. We are so pleased to announce the addition of two new staff members. Please join us in welcoming **Samara Azzawi** and **Glenn West, MA.**

Samara will be working as a Recruiter in our Staffing and Recruiting Division. She comes to us with a B.S. in Microbiology from Baghdad University. She has 2 years' experience working as a full-cycle and internal recruiter and has over 6 years working in customer service in management, training and quality assurance. She also spent over 3 years working with non-profit organizations (citizen projects) in Iraq. She is bilingual (Arabic) and even speaks a little French.

Her "Fun Fact": she learned to speak English before Arabic listening to the band ABBA. To many of us in the office we think this is pretty AWESOME. Can you say karaoke night?

Glenn will be serving as a Senior Consultant with a focus on Labor Relations. He has been a professional in the HR and Labor Relations field since 1981, first as a member of a negotiations team, then as a Steward for a state employee union in Minnesota. Later he served as a union's Executive Director. Glenn advocated at 11 arbitrations while also achieving a Master's Degree from the University of Minnesota's Industrial Relations program.

For the past 13 years, Glenn has served as a management representative at the State of Oregon's central Labor Relations office. In this capacity, he served as chief spokesperson for over 70 agency management teams while facilitating equitable labor agreements.

His outside interests the Oregon coast, mastering the Ukulele, and foreign film festivals.

QUESTIONS ABOUT EMPLOYEE EXPENSE REIMBURSEMENTS

The legal and financial risks of mishandling employee expense reimbursements have spiked in recent years. And the IRS is in the middle of a wide-ranging audit crackdown on employment-tax issues. From a recent CPA session on employee expense reimbursement we've collected a handful of the most pertinent questions and answers:

1. When it comes to meal and entertainment expenses, what is the IRS' dollar minimum that requires substantiation from an employee?

The IRS requires substantiation at $75—but most organizations lower their own bar to about $25.

2. If an employee uses a personal credit card for a business purchase, is there a time limit for reimbursement?

Most organizations stick with a flat-out 60-day rule: Expenses such as these will be reimbursed up to 60 days from the time the charge was incurred or paid for by the employee, but not beyond that.

3. What is considered adequate substantiation for mileage reimbursement?

Technically, the employee has to maintain a log or record of some type; the format should be mutually agreed upon in advance. To reimburse individual trips, ask for a printout from something like Google Maps noting the miles traveled. For example, the standard mileage rate is 58.5 cents a mile for 2019. If you drive 1,000 miles for business purposes in 2019, you could deduct $585 under the standard mileage method.

4. If a dinner or event is held in which the expense report simply states 'alumni event for $3000,' and there is a receipt for it on the books, is this enough documentation for the IRS, or should we try to get a list of attendees?

To comply with IRS requirements, at least get a hard number of how many people attended the event—and perhaps a copy of a contract from the caterer or event provider showing how many people they were expected to provide meals or other services for.

5. An employee has a credit card bill showing a transaction; do they still have to turn in a formal expense report?

Absolutely—there needs to be a business reason noted for the expense, which a credit card bill will rarely make clear.

6. We bought a $10 gift card for an employee as a way of expressing appreciation for pitching in with an office move. Does that low dollar amount mean we can forget about it?

A gift card to an employee is considered a cash or cash-equivalent reward and is subject to tax regardless of the dollar amount. There's no de minimis qualification in this area as far as the IRS is concerned.

7. We're paying for an employee's temporary housing while he finds permanent accommodations near his new job. How do we handle this tax-wise?

Temporary housing is always taxable. If, however, an employee is still assigned to a previous location, that person might be considered on travel status—but the IRS might see this as splitting hairs, and it's a little dangerous to try to make that distinction.

8. If a company pays a recruiter directly to acquire a new employee, is that taxable to the employee?

It would not be if you are paying the recruiter to go out and find someone. It would be considered compensation to the employee in the case of the employee paying a recruiter to secure a job with your organization, and then you reimburse them for that service. The question to ask in all cases is: Whose obligation was it to pay the recruiter for their services?

9. If an employee's spouse travels with the employee but no extra expenses are incurred because of it, are there issues of extra compensation? In our example, the hotel rate that the employee booked was the same for one person as for two.

No, it's not considered compensation as long as no additional expenses were incurred at all. For example, an employee who rents a car may carry someone along, or a single-bed hotel room might be shared. If an additional plane seat is purchased, though, or a double room needs to be reserved, then the added expense becomes compensation.

10. We have a modest flat rate that we use when we reimburse staff for travel from one office to another if done for business purposes. Is there a problem with it being a flat rate and not calculated by specific mileage case by case?

Your flat rate better have some basis in reality compared to the standard IRS mileage rate. If you're paying more than the standard rate, the IRS will want to know why.

11. At our end-of-the-year fundraiser, those employees who pledge a certain amount have their names put into a raffle to receive a gift card. Do these gift cards still need to be treated as compensation?

Unfortunately, if this is a raffle that is confined to your employees, yes. The key is that it's an incentive. If you remove the incentive, or it's truly a random event with people outside the organization able to participate, you might be able to convince the IRS that it is not compensation.

Your books might not survive an IRS spot-check. You must know which reimbursements for employee expenses should be treated as expenses … and which as compensation.

HR LINK

Every year on Veterans Day, our nation honors the people who risk their lives to protect our country. Social Security's disability program is an important part of our obligation to wounded warriors and their families.

For military members who return home with injuries, Social Security is a resource they can turn to. If you know any wounded veterans, please let them know about Social Security's Wounded Warriors website. You can find it at www.socialsecurity.gov/woundedwarriors. The Wounded Warriors website answers many commonly asked questions, and shares other useful information about disability benefits, including how veterans can receive expedited processing of disability claims. Benefits available through Social Security are different than those from the Department of Veterans Affairs and require a separate application.

The expedited process is used for military service members who become disabled while on active military service on or after October 1, 2001, regardless of where the disability occurs.

Even active duty military who continue to receive pay while in a hospital or on medical leave should consider applying for disability benefits if they're unable to work due to a disabling condition. Active duty status and receipt of military pay doesn't necessarily prevent payment of Social Security disability benefits. Although a person can't receive Social Security disability benefits while engaging in substantial work for pay or profit, receipt of military payments should never stop someone from applying for disability benefits from Social Security. Social Security honors veterans and active duty members of the military every day by giving them the respect they deserve. Let these heroes know they can count on us when they need to take advantage of their earned benefits. Our webpages are easy to share on social media and by email with your friends and family.

THOUGHTS TO THINK ABOUT

My favorite color is October.

~Author unknown

The first requirement in taking a step in the right direction is to take a step in some direction.

~Robert Braul

I don't know that there are real ghosts and goblins, but there are always more trick-or-treaters than neighborhood kids.

~Robert Brault

A promise is a cloud; fulfillment is rain.

~Arabian Proverb

There are very few monsters who warrant the fear we have of them.

~Andre Gide

A person should always choose a costume which is in direct contrast to her own personality.

~ Lucy Van Pelt from It's the Great Pumpkin, Charlie Brown

Autumn is the season of change.

~Taoist proverb

Just because I cannot see it, doesn't mean I can't believe it!

~ Jack Skellington in The Nightmare Before Christmas

Don't find fault. Find a remedy.

~Henry Ford

Do not be wise in words — be wise in deeds.

~Jewish Proverb

CLIENT ACCOLADES

We have two sets of client accolades to share with you this month. The first is an excerpt from the Top 40 Philanthropic organizations list from the *Portland Beguines Journal.* We offer our congratulations and our appreciation of how you are making a difference in our community. The accolades go to **Advantis Credit Union** and **Elliott Powell Baden and Baker Insurance group.** They both deserve our applause. One of our partner organizations, **Partners Group**, also deserves recognition for being on that list. Way to go, folks!

Our second accolade goes to our two clients that were listed as making a significant difference in our community through their work in Workforce Development. **AGC (Associated General Contractors of Oregon)** and **Northwest College of Construction** offer education, business support, and opportunities for those seeking skill development and employment. They are at the forefront of making progress possible for individuals, construction professionals and businesses, and skilled trades. Thanks for all you do for Oregon employers!

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.

OCTOBER

National Month of Breast Cancer Awareness, Disability Employment Awareness, Dyslexia Awareness, Ergonomics, Emotional Wellness, Halloween Safety, LGBT History, Pizza, and Work and Family.

Oct. 12	National Farmer's Day
Oct. 14	Columbus Day
Oct. 16	National Boss's Day
Oct. 17	HRA Webinar – Online / Teleconference 2019 Oregon Legislative Briefing 9:30am - 11:00am
Oct. 21	National Pumpkin Cheesecake Day
Oct. 22	HRA Webinar – Online / Teleconference Oregon Public Employers - Requirement for writing a policy to Prevent Workplace Harassment 2:00pm – 3:30pm
Oct. 25	National Frankenstein Friday
Oct. 28	National Chocolate Day
Oct. 31	Halloween

Coming Up:

Nov. 7	HRA Webinar – Online / Teleconference Oregon Public Employers – Requirement for writing a policy to Prevent Workplace Harassment 9:00am - 10:30am
Nov. 14	HRA Webinar – Online / Teleconference Oregon Public Employers – Requirement for writing a policy to Prevent Workplace Harassment 3:00pm - 4:30pm

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

On My Soapbox

Some of you know that I am a vociferous reader. I can easily get sidetracked if an interesting headline shows up while I am researching information for a client. I read fiction, non-fiction, professional journals and blogs, and am the recipient of literally dozens of internet feeds about HR, business, the future, and human behavior. One of my current favorites is Curiosity Daily. It has some of the niftiest information about things I might not even have known to ask about.

Earlier this week one of the article caught my eye. The title was “The Framing Effect Shows How Simple Word Swaps Can Secretly Trick Your Brain.” I have always believed in the power of words to shape our communications. I teach this because I believe that words carry a lighter or heavier impact. If I say, “I would like to talk with you.” It conveys one message; but the sentence “I would like to chat with you.” carries a lighter, easier message.

I was tickled to read the material and discover that there really was science behind my thoughts about words. The text provided sources of research that was done to support this theory. The author gave several examples of using different words and the impact that has on our answers. One of my favorites was a situation about gambling. The scenario goes like this:

> You have been given $50. You can either gamble that amount and see what you get with that or choose to not to gamble and instead lose $30 now. Which are you going to do? What if instead the option was presented simply – gamble or keep $20?
>
> His statement is that when you talk about keeping something versus losing something, even if the outcome is the same, people’s perceptions can be quite different.
>
> The research done with this set of sentences showed that 62% of the participants chose to gamble the money when it was phrased as the other option was to lose $30 bucks. But when it was phrased as gamble or keep $20 bucks, only 43% chose to gamble. Since the word difference was the only variable in this experiment, it shows the powerful impact of words.

The article concludes with a statement about the importance of framing our words by using this example. Should a driver be punished less if their car “contacted” another car or if the car “smashed” into another car. He closes with this sentence, “We make hundreds of decisions every day and it is important to understand how easily those decisions can be manipulated.” Anyone who has raised kids know how well they understand this, even without the benefit of reading this article. This is why it is so important to think about the words we want to use with family, co-workers, and everyone else. What impression are we trying to convey? Your words can help or hurt your accomplishment of that.

- Judy Clark, President