



# advantage



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## MANAGING REMOTELY

The United States (well the world), is experiencing the largest remote work experiment in its history. Quarantine forced all non-essential businesses to make as many employees remote as possible. Organization after organization is reporting that overall, the experiment shows signs of success. This doesn't mean that employers who have previously said employees can't work from home were wrong. It only means the conditions have changed and with that change new alternatives have become available. Just as employers are experiencing a change in what tools are provided to accomplish remote work, employees are also changing as well, and we do mean the reality of web-based meetings versus conference room meetings. Some people are more adept at self-motivation and monitoring than others. DO you know what kind of employees you have? Not everyone is hard-wired to be able to work from home successfully. But that's a conversation and article for another time.

When employees work remotely please consider and discuss company culture, productivity impacts, amount of face time and creativity, coworkers and perceived fairness and the body of work to be accomplished (alone and within the team). These are all things that should be continually reviewed and discussed within an organization which has a remote workforce. These reinforce common goals, shared responsibilities, and teamwork.

A majority of CFOs in a [Gartner survey](#) regarding office space said they are looking at maintaining at least a portion of their workforce in a remote capacity. Seventy-four percent indicated they will maintain a remote arrangement permanently for at least 5% of their workforce. Nearly 25% said they will shift at least one-fifth of workers to remote working arrangements.

Managing a remote team can require you to employ a different set of leadership skills, and it's only partially a matter of productivity. It is only human to want more than just checking off items on a to-do list – and to need a deeper sense of accomplishment from the work we do. So, even if your operations are airtight, it's critical to maintain regular, effective communication and nurture a shared sense of purpose with remote team members. Here are several ways you can build and manage a highly productive and happy remote team:

**1. Honor your regular one-on-ones and team meetings.** Avoid the temptation to treat your 1:1 meetings and team meeting as moveable. To establish a sense of structure and framework, treat recurring meetings with staff as set in stone. You do not want to stop monitoring employee performance and you certainly don't want

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to let performance issues slip. Continue to set clear expectations (best reinforced when in writing), be sure to continue to document and continue to work on all performance improvement plans. Focus on what employees should be accomplishing.

Emphasize objectives over processes to create greater clarity for employees — and drive greater engagement levels. Your 1:1 meetings also need to be a time to listen and look for any signs of distress. Use every opportunity to make clear to employees that you support and care for them.

**2. Make sure employees have the technology** they need to be successful, which may be more than just a mobile phone and laptop. For example, if you expect employees to attend virtual meetings, do they have a camera? Even if you don't have an extensive set of technology and collaborative tools available, you can equip employees to function effectively when remote. Also, don't just assume that people know how to operate with virtual communications — or are comfortable in that environment.

**3. Trust in your employees.** The best thing you can do as a manager is to suspend your disbelief and put utmost trust and confidence in your employees that they will do the right thing — offer them a supportive structure. Managers may be concerned and even frustrated to lose the constant visibility they once had into their employees, and micromanaging is rarely ever the best answer. That will only disengage, and fatigue already stressed employees.

**4. Embrace real-time collaboration apps.** From Slack to Asana, there are many highly sophisticated applications that facilitate real-time collaboration. These platforms help keep remote workers from feeling like they're in the dark on project status by providing visibility into relevant conversations, and they also keep workflow, dependencies, and key milestones in check.

**5. Establish virtual drop-in hours.** Use a video conferencing platform of choice to establish a virtual meeting room that allows people to pop in and out of live conversations with you in a way that resembles in-house stand-ups or drive-by chats. By making yourself accessible to your team in a more informal way, you can get all the productivity-boosting benefits of working side-by-side without being in the same physical location.

These drop-ins can also promote dialogue. Employees' understanding of organizations' decisions and their implications during times of change is far more important for the success of a change initiative than employees "liking" the change. Two-way communication with managers and peers provides employees with the information and perspective they need and enables them to express and process emotions and feel more in control.

**6. Turn on your video camera.** It can be tempting to turn off the camera or post a standstill picture during the live broadcast, and it's best to turn on your camera as much as possible. Especially when working remote, it's key to get input from facial expressions and other non-verbal cues, and it also fosters a sense of connection and camaraderie that's so important for any team.

**7. Schedule time to blow off steam.** In-person team-building events have been a luxury of proximity, that doesn't mean remote workers can't bond. There are lots of creative ways to stay connected. Some ideas include a Friday afternoon virtual cocktail or kombucha date, a Slack channel dedicated to a shared team love of a fun reality show, or a regular meetup in a cooperative video game.

**8. Increase recognition.** According to research by Gartner during periods of disruption, employees' desire for being recognized for their contribution increases by about 30%. Effective recognition not only motivates the

recipient it also serves as a strong signal to other employees of behaviors they should emulate. Recognition does not need to be monetary; consider public acknowledgment, tokens of appreciation, development opportunities and low-cost perks.

If your organization is not well practiced at remote work it will take dedication and trying new things to stay connected when you're not in actual physical proximity of your co-workers, team members and colleagues. With a dollop of discipline, a cup of creativity, and a touch of technology – it is possible to keep both productivity and morale high.

Using the right toolkit for managing remote workers and work from home employees is critical the success of remote teams. Click here for an article outlining a combination of tools and processes for managing remote workers. <https://www.hivedesk.com/blog/managing-remote-workers-toolkit/>

## OREGON EMPLOYERS:

### NEW POLICY REQUIRED - PREVENTION OF DISCRIMINATION AND SEXUAL ASSAULT

Have you implemented the newly required Prevention of Discrimination and Sexual Assault policy?

As consultants and HR Professionals we will welcome the day that harassment is no longer a necessary topic of training and policy writing. Until then, the Oregon legislature has helped us down this path by requiring every employer to edit or implement policies to include various unlawful actions. **Public sector employers were required to complete this work by January 1, 2020. Private Industry employers are required to complete this work no later than October 1, 2020.**

At a minimum, the policy must:

- (a) Provide a process for employees to report prohibited conduct;
- (b) Identify the individual or position (for example the Store Manager or HR Director) as well as an alternate individual or position to whom an employee can report of prohibited conduct;
- (c) Include a statement that an employee who pursues legal action on alleged conduct prohibited by ORS 659A.030, 659A.082 or 659A.112 must do so no later than five years after the occurrence of the violation;
- (d) Include a statement that an employer may not require or coerce an employee to enter into a nondisclosure or non-disparagement agreement, including a description of the meaning of those terms;
- (e) Include an explanation that an employee claiming to be aggrieved by unlawful discrimination or sexual assault may voluntarily request to enter into a settlement, separation or severance agreement which contains a nondisclosure, non-disparagement, or no-rehire provision only if the employee has at least seven days to revoke the agreement after signing; and
- (f) Include a statement that advises employers and employees to document any incidents involving unlawful discrimination and sexual assault.

All employers must:

- (a) Make the policy available to employees within the workplace;
- (b) Provide a copy of the policy to each employee at the time of hire; and
- (c) Require any individual who is designated by the employer to receive complaints to provide a copy of the policy to an employee at the time that the employee discloses information regarding prohibited discrimination or harassment.

Public Sector employers have a few additional requirements regarding who is covered by the policy and follow-up after a complaint is brought forward. We strongly recommend that you take steps to meet this new requirement as well as provide training to all staff and supervisors about what the policy means in their everyday interactions while on or off company time. We have sample policies and can schedule a virtual or appropriately socially distant in-person training, just give us a call.

## FEELING A LACK OF CONTROL - HRA'S LIST OF 35

Have the last several months left you with a feeling of lack of control? Well you are not alone. Control is a defense against uncertainty and is a very common coping mechanism. Right now, many are not coping well whether it's because of a lack of uncertainty about a number of items or just too much to handle. This will be the first of two articles we share with you about "coping". This month we want to focus on ways to deal with stress and give you some positive coping options.

**Please Note:** *We at HR Answers, Inc. are not healthcare providers and we do not pretend to be. We share these ideas out of a genuine concern for our fellow human beings., We are not making medical claims and we are not making recommendations for people with diagnosed conditions. We encourage you to see your doctors for the best options for you or perhaps it would be helpful to discuss options with a mental health professional who might suggest something you hadn't thought of before.*

Try these coping strategies when you're feeling anxious or stressed:

- **Take a time-out.** Listen to music or learn relaxation techniques. Do something you like. Taking a step back from the situation can clear your head.
- **Eat well-balanced meals.** Do not skip any meals. Do keep healthful, energy-boosting snacks on hand.
- **Limit alcohol and caffeine,** which can aggravate conditions and symptoms.
- **Get enough sleep.** When stressed, your body needs additional sleep and rest (6-8 hours).
- **Take deep breaths.** Inhale and exhale slowly. Try breathing in for 4 counts and breathing out for 4 counts for 5 minutes in total. By evening out your breathing you'll slow your heart rate which should help produce calmness. The [4-7-8 technique](#) is also known to help anxiety.
- **Count to 10 slowly.** Repeat, and count to 20 if necessary.
- **Do your best.** Instead of aiming for perfection, which isn't possible, be proud of however close you get.
- **Accept that you cannot control everything.** Put your stress in perspective. Ask yourself "Is it really as bad as I think?" Another way is to challenge your fears, ask if they're true, and see where you can take back control.
- **Welcome humor.** A good laugh goes a long way.
- **Maintain a positive attitude.** Make an effort to replace negative thoughts, negative self-talk with positive ones. Reframe your thoughts.

- **Get involved in your community.** Find a way to volunteer or be active in your community. Create a support network. Science shows that helping others may influence levels of oxytocin in the brains of volunteers, according to a [study in hormones and behavior](#) by Michael J. Poulin and E. Alison Holman. Oxytocin helps the body manage stress. Helping others also allows people to focus on something other than their anxiety.
- **Learn what triggers your anxiety.** Is it work, family, school, or something else you can identify? Write in a journal when you're feeling stressed or anxious and look for a pattern. When you do figure out your trigger, you should try to limit your exposure if you can.
- **Talk to someone.** Tell friends and family you're feeling overwhelmed and let them know how they can help you. Talk to a physician or therapist for professional help.
- **Think about what you really want your life to be like.** Make notes to yourself and plan your strategies to get what you want.
- **List those things** that have kept you from doing the things you wanted to do. Write down ways you could resolve these.
- **Exercise daily** to help you feel good and maintain your health. Sometimes, the best way to stop anxious thoughts is to walk away from the situation. Taking some time to focus on your body and not your mind may help relieve your anxiety.
  - **5 X 30:** Jog, walk, bike, or dance three to five times a week for 30 minutes.
  - **Set small daily goals** and aim for daily consistency rather than perfect workouts. It's better to walk every day for 15-20 minutes than to wait until the weekend for a three-hour fitness marathon. Lots of scientific data suggests that frequency is most important.
  - **Find forms of exercise** that are fun or enjoyable. Extroverted people often like classes and group activities. People who are more introverted often prefer solo pursuits.
  - **Distract yourself** with an iPod or other portable media player to download audiobooks, podcasts, or music. Many people find it's more fun to exercise while listening to something they enjoy.
  - **Recruit an "exercise buddy."** It's often easier to stick to your exercise routine when you have to stay committed to a friend, partner, or colleague.
  - **Be patient** when you start a new exercise program. Most sedentary people require about four to eight weeks to feel coordinated and sufficiently in shape so that exercise feels easier.
- **Use aromatherapy.** Whether they're in oil form, incense, or a candle, scents like lavender, chamomile, and sandalwood can be very soothing. Aromatherapy is thought to help activate certain receptors in your brain.
- **Write down your thoughts.** Writing down what's making you anxious gets it out of your head and can make it less daunting.
- **Consider adopting a pet.** Studies have found that people with pets have lower blood pressure in stressful situations than those without pets. A pet doesn't necessarily have to be a dog or a cat. Even watching fish in an aquarium can help reduce muscle tension and lower pulse rate.
- **Do a daily or routine meditation.** Mindful meditation, when done regularly, can eventually help you train your brain to dismiss anxious thoughts when they arise. If sitting still and concentrating is difficult, try starting with yoga.
- **Acupuncture.** There are specific points on the body for calming the nervous system. It is called the Shen in Chinese medicine. Research shows that acupuncture releases endorphins and calms the release of neurochemicals implicated in the brain's response to stress.
- **Seek out support groups.** Support groups can be great. When we have a community around us, that is safety and security. These support groups can be found online or in person.



- **Control stimuli.** Be aware of what you let in your mind...what you surround yourself with. This includes what you watch, what you read, who you hang out with, etc. You want positive influences around you.
- **Music.** Often sounds of nature (the ocean, birds chirping) and some classical music can bring about calm for individuals.
- **PLAY have FUN!!**
- **Pamper yourself.** Plan a spa day or virtual games with fiends. Hire someone to do landscape maintenance or chores around the house. Or stay in bed that extra 15 minutes or so.
- **Set boundaries for yourself.** Boundaries are often necessary to protect your time, your space, and your feelings.
- **Try supplements or change your diet.** Changing one's diet or taking supplements is definitely a long-term strategy. Research shows certain supplements, nutrients and herbs can help anxiety reduction. These include:
  - *lemon balm*
  - *omega-3 fatty acids*
  - *ashwagandha*
  - *green tea*
  - *valerian root*
  - *kava kava*
  - *dark chocolate (in moderation)*
  - *chamomile*
  - *rosemary*
  - *lavender*
  - *nutmeg*
  - *fennel*
  - *almonds*

However, it can take up to three months before your body is actually running on the nutrition these herbs and foods provide. If you're taking other medications, make sure to discuss herbal remedies with your doctor.

- **The 5-4-3-2-1 Coping Technique.** The 5-4-3-2-1 coping technique for anxiety allows people to refocus their mind on the present moment and stop fixating on anxious thoughts by using their five senses: sight, touch, hearing, smell, and taste. To use this technique, start by taking a few slow, deep breaths and follow these five steps.

#### **Step 5**

Look for and notice FIVE things you see around you. Examples: A person, place, or thing, like a pen on your desk.

#### **Step 4**

Look for and notice FOUR things you can touch around you. Examples: The ground under your feet, your hair, or your clothes.

#### **Step 3**

Look for and notice THREE things you can hear. Examples: Music, people talking nearby or birds chirping.

#### **Step 2**

Look for and notice TWO things you can smell. Examples: Your sheets, food, a pencil on your desk or soap in your bathroom.

**Step 1**

Look for and notice ONE thing you can taste. Examples: Coffee, gum, or a sandwich from lunch.

- **Make a habit of trying new things.** When friends propose new adventures, jump right in, and say “yes”. The more “yeses”, the more invitations then more new adventures can be discovered. Make “yes” your new mantra.
- **Read the book [Chicken Soup for the Soul: Time to Thrive: 101 Inspiring Stories About Growth, Wisdom, and Dreams](#)** which is all about how to take charge of your life, pursue your passions and lead a meaningful life.
- **Tiny, daily mindset shifts.** An opportunity to see things differently...in more empowering and positive ways. A mindset shift starts by asking yourself key questions and opening your mind to new possibilities. This means believing whatever you want is achievable and envisioning yourself achieving success. When we see differently (reframe things), we then behave differently.
- **Do something that scares you.** Fear holds us back from doing what we want to do in life. When you build the habit of facing your fears, you become inured to fear. And then, you start breaking free of the artificial self-imposed constraints that fear creates.
- **“Not now, but later”.** Taking a step back and considering what will make you feel better in the long run, instead of in the next five minutes. Giving yourself that critical space between stimulus and response has been dubbed "the 72-hour rule," which simply means waiting a full three days before deciding.
- **Watch your favorite movie.**

## OPEN POSITIONS? ARE YOU RECRUITING?

Organizations are still hiring during this uncertain time and they need to fill some essential roles. Do you have open positions that need attention? Are you are feeling overwhelmed by the recruitment process (resume review/selection and phone screenings) and the time it takes? Do in-person interviews have you worried? Would you like a helping hand? It's easy – give us a call.

Did you know that HR Answers has a recruiting and staffing division? We can assist with talent acquisition from A to Z. From reviewing and revising job descriptions to posting and advertising positions to screening and interviewing candidates, we have the expertise to help. When you have a challenging position to fill and don't have enough time because of competing priorities, we can take the lead and offer you qualified, final candidates to interview. Just let us know how much help you are looking for and our recruiting team will assist. This also includes completing reference checks and/or background checks; we can make that happen too! Please give us a call at 503.885.9815 and see how we can make your life easier!

[Visit our website](#) for a copy of our Ounce of Prevention Assessment Tool on Recruitment.

## THOUGHTS TO THINK ABOUT

*“When we seek to discover the best in others, we somehow bring out the best in ourselves.”* —William Arthur Ward

*“Shall I compare thee to a summer's day?”* —William Shakespeare



*“Summer afternoon, summer afternoon; to me those have always been the two most beautiful words in the English language.” —Henry James*

*“Deep summer is when laziness finds respectability.” —Sam Keen*

*“And so, with the sunshine and the great bursts of leaves growing on the trees, just as things grow in fast movies, I had that familiar conviction that life was beginning over again with the summer.” —F. Scott Fitzgerald, The Great Gatsby*

*“Like a welcome summer rain, humor may suddenly cleanse and cool the earth, the air and you.” —Langston Hughes*

## Q & A: COVID-19 and HIPAA

**Q: As an employer what can I say or disclose? What do I need to know or avoid?**

**A:** Great question. There are probably four areas to pay attention to: medical information, medical inquiries, ADA, and health plan disclosures.

Medical Information. To the extent employers are getting information about employees who may have been exposed to or tested positive for COVID-19, that information will generally not be protected by HIPAA, unless HIPAA already applies to the organization. However, this information is confidential and should be maintained on a need to know basis. The outcome is the same, the reason is ADA confidentiality.

Medical Inquiries. If an employee tests positive for COVID-19, your organization may be contacted by public health authorities or a contact tracer seeking information about worker’s schedules and facility logistics. This information will most likely be used to connect the dots and form a picture about exposure. It would be very unlikely that your organization would be asked to share medical information related to workers. Again, the type of information asked is not likely HIPAA protected, rather confidentiality should be maintained to the highest degree possible. NOTE: As with all this COVID-19 we are learning as we go. This also means that government officials are doing the same. Contact tracing on this scale is new and will continue to develop as the need remains present.

Confidentiality under the ADA. The Americans with Disabilities Act (ADA) requires employers that obtain medical information through inquiry or examination to maintain it in a confidential medical file and keep it separate from the employee’s personnel file. Employers have been encouraged by the CDC and EEOC to question their employees regarding travel, exposure, or symptoms related to COVID-19. Any medical information disclosed as part of this dialogue should be treated as confidential. If a positive case is identified in the workplace, the employer is encouraged to investigate the exposure of others in the workplace without disclosing the name of the individual or any personally identifiable information about the person. The confidentiality requirements under the ADA do not prohibit disclosure to state, local, or federal health departments.

Health Plan Disclosures to Public Health Entities. It is possible that the CDC, HHS, or a state agency may directly request information from the group health plan to determine whether other persons have experienced

symptoms consistent with COVID-19. HIPAA generally permits a health plan to disclose PHI to a public health authority to prevent or control the spread of an infectious disease.

Such a public health authority can also request that the health plan disclose such PHI to a foreign government agency. If a health plan is unsure whether this permitted use exception applies, it could always seek an authorization from the participant to disclose the information.

To be clear, even though an exception would permit a health plan sponsor to disclose PHI without the participant's consent in this context, other HIPAA rules continue to apply, including the minimum necessary rule (limiting the scope of the disclosure) and the record-keeping requirements (tracking such disclosures and making them available upon request).

**SIDE NOTE – Remote Work Planning.** Many health plan HIPAA privacy and security policies limit or prohibit employees within the HIPAA “firewall” from bringing home materials containing PHI or from accessing ePHI or creating paper copies of PHI remotely. Health plan administrators should consider whether to relax this requirement (and amend their policies accordingly) to facilitate remote working/quarantine-type situations. To ensure proper safety standards exist (and depending on the nature/scope/sensitivity of PHI workers will be accessing), some health plan administrators might determine that it is appropriate to invest in equipment (software, locking file cabinets, etc.) to facilitate this remote-work shift.

## FOR YOUR CALENDAR

Open 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.

**PLEASE NOTE: due to COVID-19, we have adjusted our educational calendar offerings.** To register for our workshops, go to <https://hranswers.com/events/> or click on the event below.

**July:** National month of the following: Blueberries, Watermelon, Grilling, Hot Dog, Ice Cream, Picnics, Family Golf, National Parks and Recreation, Culinary Arts, Women's Motorcycle and Cell Phone Courtesy.

- Jul 10** National Kitten Day
- Jul 11** World Population Day
- Jul 13** National French Fry Day
- Jul 14** Shark Awareness Day

**Jul 14** **HRA Webinar: Pay Equity**  
9:00am to 10:30am  
[Register Here](#)

**Jul 16** **Job Search Workshop: Free Webinar**  
11:00am to 1:00pm  
[Register Here](#)

**Jul 17** World Emoji Day 🥰  
**Jul 19** National Ice Cream Day

**Jul 23** **HRA Webinar: Self-Awareness Through DiSC**  
 8:30am to 12:30pm  
[Register Here](#)

**Jul 24** National Amelia Earhart Day  
**Jul 28** World Hepatitis Day  
**Jul 30** National Father-in-Law Day

**COMING UP:**

**Aug 5** **HRA Lunch Bunch Webinar – FREE**  
 Topic: Generational Considerations  
 12:00pm to 1:00pm  
[Register Here](#)

**Aug 13** **HRA Webinar**  
 Emotional Intelligence  
 9:00am to 10:30am  
[Register Here](#)

**Aug 13** **Job Search Workshop – Free Webinar**  
 11:00am to 1:00pm  
[Register Here](#)

**Aug 18** **HRA Webinar: Just Cause – Due Process**  
 9:00am to 10:30am  
[Register Here](#)

**LOOKING AHEAD:**

**Sep 2** **HR Lunch Bunch Webinar - FREE**  
 Topic: Employee Engagement  
 12:00pm to 1:00pm  
[Register Here](#)

**Sep 3** **HRA Webinar: Do You Have a Renegade on the Team?**  
 9:00am to 10:30am  
[Register Here](#)

**Sep 10 to** **Supervisor Success - Eight Week Series**  
**Oct 29** 8:30am to 12:30pm  
[Register Here](#)

**Sep 22 HRA Webinar: Second Chance Employment**

9:00am to 10:30am

[Register Here](#)**Sep 24 Job Search Workshop – Free Webinar**

11:00am to 1:00pm

[Register Here](#)

## HR LINK

The Social Security Administration announced the first of several steps the agency is taking to improve the public's experience on its website. The newly redesigned retirement benefits portal, which can be found at [www.socialsecurity.gov/benefits/retirement](http://www.socialsecurity.gov/benefits/retirement), will help millions of people prepare for and apply for retirement.

The redesigned portal will make it easier for people to find and read about Social Security retirement benefits, with fewer pages and condensed, rewritten, and clearer information. The portal also is optimized for mobile devices so people can learn and do what they want from wherever they want, and the portal now includes the ability to subscribe to receive retirement information and updates.

Click on [www.socialsecurity.gov/benefits/retirement](http://www.socialsecurity.gov/benefits/retirement) to share with your employees and find out more on how to Learn, Apply, and Manage your retirement benefits.

## REMINDERS: MINIMUM WAGE IN OR, WA, FACE COVERINGS AND MORE

**Oregon's** minimum wage increased on July 1, 2020, but the raises won't be the same across the state. The minimum wage increases to \$13.25 per hour inside the Portland urban growth boundary, \$11.50 per hour in non-urban counties, and \$12.00 in other areas of the state.

**Washington's** minimum wage is \$13.50 per hour. Workers who are 14 or 15 years old may be paid 85% of the adult minimum wage, or \$11.48 per hour. Some local jurisdictions have higher minimum wage rates and different labor rules than Washington state. The more generous minimum wage may apply in these localities:

- [Seattle](#): \$15.75/hr.
- [SeaTac](#): \$16.34/hr.

Starting in Sept. 2020, L&I will make a cost-of-living adjustment to the minimum wage based on the federal Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W). This new minimum wage will take effect Jan 1, 2021, and yearly thereafter. [2020 minimum wage announcement poster](#)

### Face Coverings: Recommendations, Guidelines, or Requirements

We believe underlying every mask question is the good intention to protect the health of employees and others. Test your research and planning against that standard and you will be on the right track.

**What does the Center for Disease Control and Prevention (CDC) recommend about face coverings for your industry?** Remind employees and customers that [CDC recommends wearing cloth face coverings](#) in public settings where other social distancing measures are difficult to maintain, **especially** in areas of significant community-based transmission. Wearing a cloth face covering, however, does not replace the need to practice social distancing.

**What does United States Department of Labor, Occupational Safety and Health Administration (USDOL, OSHA) say about cloth face coverings?** Employers have the discretion to determine whether to allow employees to wear cloth face coverings in the workplace based on the specific circumstances present at the work site.

For some workers, employers may determine that wearing cloth face coverings presents or exacerbates a hazard. For example, cloth face coverings could become contaminated with chemicals used in the work environment, causing workers to inhale the chemicals that collect on the face covering. Over the duration of a work shift, cloth face coverings might also become damp (from workers breathing) or collect infectious material from the work environment (e.g., droplets of other peoples' infectious respiratory secretions). Workers may also need to use PPE that is incompatible with the use of a cloth face covering (e.g., an N95 filtering facepiece respirator).

**What does your state or local health department say about face coverings?**

[State of Oregon – Health Authority](#)

[State of Washington – Health Department](#)

[State of California – Health Department](#)

Unfortunately, this is one of those questions where there will be multiple answers. Again, test your plan against the question, “What will provide the best protection for the health of our employees and others?” and you will be on the right track.

This information and more can be found on our [website](#).

## **UPDATE: NLRB TO IMPLEMENT ALL ELECTION RULE CHANGES UNAFFECTED BY COURT RULING**

The National Labor Relations Board announced June 1 that it will implement in full all of the rule changes unaffected by the recent U.S. District Court order. The order was issued on May 30, 2020 regarding implementation of certain provisions of the Board’s December 2019 Representation Procedures amendments.

While the Court’s order prevents the Board from implementing five provisions of the December 2019 amendments, the Court did not vacate the majority of the rule. Accordingly, pursuant to the Court’s order, the Board has directed the amendments unaffected by the Court’s order to remain in place as of June 1 effective date, consistent with the National Labor Relations Act and the Administrative Procedure Act.

The Court's Order granted summary judgment as to Count One of the complaint, which challenged the following five provisions contained in the December 2019 amendments:

- Reinstitution of pre-election hearings for litigating eligibility issues;
- Timing of the date of election;
- Voter list timing;
- Election observer eligibility; and
- Timing of Regional Director certification of representatives.

The remaining provisions are effective immediately, pursuant to the rule's May 31 effective date. These include:

- Scheduling the hearing at least 14 days from issuance of the notice of hearing;
- Posting the notice of election within 5 days instead of 2 days;
- Changes in timeline for serving the non-petitioning party's statement of position;
- Requiring petitioner to serve a responsive statement of position;
- Reinstatement of Post-Hearing Briefs;
- Reinstating Regional Director discretion on the timing of a notice of election after the direction of an election;
- Ballot impoundment procedures when a request for review is pending;
- Prohibition on bifurcated requests for review;
- Certain changes in formatting for pleadings and other documents; and
- Terminology changes and defining days as "business" days.

The General Counsel has issued a guidance memorandum regarding implementation of the rule. [GC 20-07](#).

The Board continues to believe that it followed all legal requirements in issuing the December 2019 amendments to its procedural rules. The Board intends to appeal the Court's order to the court of appeals once the Court issues its memorandum opinion, which it promised to issue soon.



## ON MY SOAPBOX

On one of the 4<sup>th</sup> of July TV programs, they showed a group of second graders learning how to do the Pledge of Allegiance. They taught them how to stand with hand over heart and to repeat the words. Then the teacher talked with them about what the Pledge meant and why it was important to say.

With all the turmoil and difficulties of today, I really appreciated the news segment. It was positive. It was a reminder of better times and the innocence of children. But I was also struck by one word of the Pledge...

*I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, **indivisible**, with liberty and justice for all.*

I wonder if this isn't the crux of most of our challenges. We don't see ourselves as "indivisible." And I question whether we ever have. I think that we are more divided now than in our past, except for the Civil War. I hear people talk about "American values," but I feel sure we don't all subscribe to the same ones. I hear people talk about the divisiveness of politics and the damaging words used to describe those of different beliefs. I see the protests in the streets and how they can turn to rioting, looting, and damaging our stores and infrastructure. None of this speaks to our indivisibility. It feels like the fabric of America is being torn apart. There are some who lament our current chaos and their words seem intended to encourage us to act in a more tolerant and collaborative fashion. But so many in our society seem undeterred in their efforts to be right or to win. I keep wondering if this isn't the same fight we had in the 1860's when the war was more clearly defined as North and South. Even though all of those who fought that war are long gone, each new generation seems to carry forward that anger and resentment and act it out in hostility to people they think of as "other."

In my Economics class, I remember the professor saying that a good economy is not about some people getting a bigger piece of the pie; it is about creating a bigger pie by working together so everyone will flourish. America's success shouldn't be a zero-sum game with some winners and losers. We can all be winners, but only if we focus on what we can contribute to our success. If our focus is tearing others down, striking out with our verbal assaults or our Molotov bottles of gas, there will be no positive energy to capitalize on.

If only we could be second graders again and just be learning the lessons of our country, maybe we could start over again! Our forefathers wrote words to inspire us to build a "more perfect union." It is with tremendous regret that I feel we are so divided that we are losing sight of the goal. "A more perfect union..." "indivisible..." may be idealistic or aspirational, but if we continue to fail to see the **worth of each person**, we will surely fail to achieve that goal. And how very sad that is!

*Judy Clark, Founder*



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