



advantage



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Time For Open Enrollment Planning

Your 2023 benefits open enrollment period is approaching and new needs will pop up as we continue with our hybrid workplaces. You will have to decide whether conducting your meeting in person, virtual, or a mix is going to be best for your employees. You need to ask yourself:

- **Are you able to have all-staff meetings**, or do you need employees to meet in smaller groups to avoid disruptions in production or safety considerations?
- **Are there some employees who will be best served by meeting in-person**, while others will need to go through open enrollment virtually?



Whatever option you pick, your communication planning is paramount. Your messaging is important and the medium you use (well-crafted emails, brochures, and reminders) live, in-person, or virtual meetings vs. pre-recorded can also be productive and offer the opportunity as an on-demand feature. Your considerations may be number of employees, locations, employee tenure, your benefit offerings, the changes that need communicating, etc.

We are sharing some checklist items from Celeste DaVault from USI and Deena Harvanek from Mercer along with some of ours as the backdrop to suggestions and planning steps for your consideration:

Make a plan and develop a strategy

- Review your notes from what worked and what did not work from last year.
- Set goals and measures for outreach, use of digital resources, and enrollment.
- Conduct employee surveys or conduct employee listening sessions (when, how, who).
- Determine your media plan, develop key messages, and identify all audiences, making content personal, simple, and direct.
- Consider that most employees base their enrollment decisions on; answers to four basic questions:
 - ⇒ What is it?
 - ⇒ How does it work?
 - ⇒ What's in it for me?
 - ⇒ How do I sign up?

Get the word out

- Let employees know it is coming...and your deadlines.
- Think generational – what works best with each of your populations to hit your targets.
- Distribute a pre-enrollment flier (printed and online).
- Hold a virtual benefits fair
 - ⇒ Who will attend – all of your providers/partners? Any incentives offered? Single event or multiple sessions/days?
 - ⇒ Distribute an enrollment packet, again with a reminder of due dates (printed and online).

Ready, set, go

- Launch enrollment through a benefits portal, for a period of about three weeks.
- Take this opportunity to rethink your approach to open enrollment – create opportunities for “open door office hours” if people need to talk one-on-one.

Measure success

- Consider your stakeholders. What is it they want and need to know?
- Developing year-round communications,
- Research and update your offerings and support services
- Track the results of your efforts. If possible, gather data related to:
 - ⇒ Health plan and retirement plan elections
 - ⇒ Increased contributions
 - ⇒ Video views and material downloads
 - ⇒ Email open rates and click throughs



An additional observation for your consideration: Often times employees do not know what they had....what was offered until they “need” it or until they leave. So, take this concept and work backwards with “how do I convey the messages I want or need the employees to hear and understand?”

Hire Is A Big Deal - Use the Right Tools

According to a 2020 Harris Poll, 70% of employers check out applicants' profiles as part of their screening process, and 54% have rejected applicants because of what they found. Social media sites like Facebook, TikTok, and Instagram offer a free, easily accessed portrait of what a candidate is may be like, potentially yielding a clearer idea of whether that person will succeed on the job—however, one should be asking if what is seen has anything to do with the job?

Very little of what you find is predictive of performance. What information is discovered is ethically discouraged or, in some cases, legally prohibited from being taken into account when used to evaluate candidates or make your hiring decisions. So extreme caution should be used when accessing this information.



There were three studies conducted offering employers' insight into recruiting concerns and flaws. In the first of the three studies, the researchers examined the Facebook pages of 266 U.S. job seekers to see what they revealed. Some of the information that job seekers had posted (education, work experience, and extra-curricular activities) covered areas that organizations routinely and legitimately assess during the hiring process. But a significant number of the profiles contained details that organizations will be legally prohibited from considering, including gender, race, and ethnicity (evident in 100% of profiles), disabilities (7%), pregnancy status (3%), sexual orientation (59%), political views (21%), and religious affiliation (41%). Many of the

job seekers' profiles also included information of potential concern to prospective employers: 51% of them contained profanity, 11% gave indications of gambling, 26% showed or referenced alcohol consumption, and 7% referenced drug use.

This may give you a peek into why recruiters love social media—it allows them to discover all the information and details they aren't allowed to ask about during an interview. Remember, our interviews need to focus on behaviors within the work context.

In a second study, the researchers explored whether such information affects recruiters' evaluations. They asked 39 recruiters to review the Facebook profiles of 140 job seekers (obtained from a previous larger study) and rate each candidate. The researchers then mapped the recruiters' ratings against the content in each profile. Although the recruiters clearly took heed of legitimate criteria, they were also swayed by factors that are supposedly off-limits, such

as relationship status (married and engaged candidates got higher marks, on average, than their single counterparts), age (older individuals were rated more highly), gender (women had an advantage), and religion (candidates who indicated their beliefs got lower ratings). Factors such as profanity, alcohol or drug use, violence, and sexual behavior lowered ratings; extracurricular activities had no effect on scores.

In the final study, the overall outcome: neither group's assessments of the candidates accurately predicted job performance or turnover intentions, indicating that hiring representatives stand to gain little from probing applicants' online activity. Details on the third study can be found with the information below.

There are better options! Steps and actions within your control and job preview. Please consider your candidate experience from beginning to end. Think of the questions you are asking: focus on questions that provide insight to the applicant's emotional intelligence, to their soft skills that make them successful in the job, situational and behavioral questions focusing on their behaviors of the past, as well as cultural questions to confirm the applicant is in alignment with the values and mission of the organization. Ask about work related pet peeves, what motivates them, best work environments, greatest accomplishments, etc. Think about what they are bringing to the table today and what they bring that will benefit the organization in the future so that you are hiring for today and for tomorrow. Ask them what they want to learn. Seriously, you want to develop your employees over time. What do they want to learn? How do they want to learn it? How do they think they learn best? What can they teach others? Wrap this up with your onboarding process and training. **Please do not forget or rush this step.** This time sets the stage for the employment relationship which equals retention.



Side Note: participants in the studies willingly granted the researchers permission to view their Facebook pages—but as we know in many cases hiring managers don't need to ask, because profiles are often public. What's more, previous research found that a third of U.S. recruiters request access to candidates' Facebook pages, and the vast majority of job seekers comply. As we know, that is changing. More than 20 U.S. states now prohibit employers from asking applicants to pull up their social media pages during an interview or to share their usernames and passwords. EU regulators go a step further, forbidding hiring managers from viewing a candidate's social media unless that person explicitly consents.

About the research: “What’s on Job Seekers’ Social Media Sites? A Content Analysis and Effects of Structure on Recruiter Judgments and Predictive Validity,” by Liwen Zhang et al. (Journal of Applied Psychology, 2020)

Ergonomics: You And Your Staff Deserve To Work Pain Free!

Have your employees complained that they are uncomfortable in their physical work environment? Do they complain of back, neck, or wrist pain (or other physical discomforts)?

Both answers give you important and valuable information. If you answered “Yes,” what are you currently doing to address this issue? If you answered “No,” how do you know this is true? There are many reasons employees might not complain. Are they afraid of speaking up for fear of being scene as difficult or disgruntled? Or are they afraid to speak up for another reason?



HR folks often allow employees to pick and choose a “product solution” for their discomfort. This does not address the “HOW.” How do you use this new product using neutral posture principles AND is this product solution the “REAL” solution to the underlying issue? Let’s say someone has wrist pain, they get a new mouse but don’t know how to use it properly and their wrist problem does not get better but gets worse. Maybe the mouse was not the issue to begin with – it could have been caused by a non-neutral position, i.e.: reaching too far out to the mouse or maybe the person’s mousing height was incorrect and that was the cause of the issue. Ergonomics deal with root causes and takes the guessing out of the equation.

This is where an ergonomic professional comes in. They can help your employees who have physical discomforts feel better, have more energy and be more productive by teaching and training them in neutral posture (ergonomics). But even more important they can help you keep healthy people to STAY healthy. Ergonomics is a preventative tool. Kind of like brushing your teeth. We don’t wait to get a cavity; we brush them regularly to PREVENT cavities from occurring in the first place. Simple steps can make a BIG difference.

Here are examples which show that working from home without workplace assessments or appropriate equipment has increased musculoskeletal discomforts:

- *A study showed more than one-third reported more aches, pain, and discomforts in the neck (37%) and back (35%) than usual. An increased level of fatigue was seen at 42%. ~Wellbeing under lockdown, Occupational Health at Work*
- *With two in five workers reporting new pain or increased pain in their shoulders, back, or wrists, it’s time to make home workstations more ergonomically sound. <https://news.chubb.com/Chubb-Survey-of-Americans-Working-from-Home>*

Here is an example from an ergonomic point of view when walking into a meeting or video conferencing in with employees: a five foot tall woman was sitting in a room with three identical desks and chairs. In that room was the five foot tall woman, a man over six feet tall, and a person of “average” height. All working at three identical desks, with their keyboard, and monitors at the same height. Do you think this solution was working for any of them? The answer is No! All three people had obvious different physical characteristics, yet they were working at identical work areas. Of course, aches and pain will follow, it is just a matter of time. Obtaining adjustable equipment or having the existing equipment adjusted for individual physiques, should be standard. It is important for employers to remember that standard height desks and standard height monitors can never fit all the different kinds of physiques employees have.

“You and your staff deserve to work pain free all of the time.”



How ergonomics can benefit your organization:

Workers' compensation - Invest money in your employee's health and wellbeing to save you money in the long run

1. Happier employees lead to higher productivity
2. Probably the most overlooked aspect is having your employees feel cared for. As one person stated “I feel different about my employer knowing they care about my physical wellbeing. I have never had that feeling before in working for a company. It makes me feel important and that what I do and how I do it is valuable.”
3. Employee retention
4. Reduced missed days at work due to discomforts
5. Help employees feel good and have more energy

How you can use ergonomic services for you and your employees:

Individual work-site assessments identify potential sources/causes of discomfort, pain, and fatigue. These assessments focus on:

- Improved work practices and techniques
- Adjustments to the work environment
- Selection of equipment or furniture as needed

Virtual ergonomic classes cover principles including:

- Ergonomics in general
- Adjusting the chair for comfort and positioning
- Adjusting the keying/mousing height and positioning
- Adjusting monitor height and distance

Interested in learning more? Please feel free to connect with Serafine Lilien, MS at serafine@ergoarts.net. She has 20 years of experience and has completed over 15,000 ergonomic evaluations. Reach out to her for classes, training information, and individual ergonomic evaluations for you and your staff. You can visit her website at: www.ergoarts.net. She also has an ergo tip newsletter and you can email her to get on her list.



hr links

Your team is growing across various borders. Not sure what to do or what compliance elements might be in play? Of course, there are the local laws, complex tax systems, and international payroll to consider, let alone the cost to hire anywhere in the world.

We've got a source for you to consider. Oster has their **Global Employment Cost Calculator** which will generate a detailed breakdown of costs based on where you want to hire new team members. Take a look...and the best news - it's free! [Oyster App \(oysterhr.com\)](https://oysterhr.com)



whatever the question

Q: Our organization recently changed our remote working policy for all employees from working fully remote Monday through Friday to working in office on Monday, Wednesday, and Friday and remote on Tuesday and Thursday. What do employers need to consider if any employee is reluctant to return due to anxiety related to COVID-19? What if an employee refuses to return to the office or perform an essential function of the job?

A: According to the World Health Organization (WHO), the COVID-19 pandemic has triggered a 25% increase in the prevalence of anxiety and depression worldwide.

When an employee is reluctant to adhere to the revised remote work policy, the employer should acquaint themselves with their internal leave or workplace policies contained in the employee handbook or collective bargaining agreement, as well as the following laws which are most common in these situations.

Law	Type of Organization / Number of Employees
Family Medical Leave Act (FMLA)	Private - sector employers / 50 or more employees Public – federal, state, or local / All Schools – public and private / All
Oregon Family & Medical Leave (OFLA)	All employers with 25 or more employees
Americans with Disabilities Act (ADA)	All employers with 15 or more employees

The Equal Employment Opportunity Commission (EEOC) states employers are not required to make accommodations for employees who prefer to work remotely due to the concern of contracting COVID-19 or transmitting it to a loved one. But if an employee is requesting to remain remote because of an underlying disability, the answer may be different.

Under the ADA, an employer is entitled to understand the reason for an accommodation request, and if it is not related to a disability, the employer doesn't have to grant it. It's also possible that an employer can address the need by providing a different accommodation - such as offering a separate workspace or flexible hours - instead of approving the request to work remotely.

An employer is responsible to apply the provisions of each law, seek appropriate medical certification, and maintain an activity log of process. This information assists the employer in identifying the appropriate laws to apply and the type of accommodation(s) to consider implementing, unless it creates an undue hardship.

More information on ADA accommodations related to anxiety may be found at <https://askjan.org/disabilities/Anxiety-Disorder.cfm>

Is there a question you would like us to answer?

Email the question to info@hranswers.com and include the subject "newsletter question". We will publish the answer in our next issue.



hr by the numbers

As part of their diversity, equity, and inclusion (DEI) programs, many organizations have started to reform their hiring processes to target neurodivergent talent. Not only is it the right thing to do, but studies show that a neurodiverse workforce can increase productivity by 30%. It's not just in tech jobs; neurodivergent people can be top contributors in many hard-to-fill roles.

'Neurodivergent' is a term which refers to people with autism, dyslexia, dyspraxia, ADHD, and other neurological differences. These include 'spectrum conditions' with a wide range of characteristics. Many organizations fail to understand neurodivergent talent and the potential scope of their contributions, as neurodivergent people can struggle to fit the 'mold' or 'profile' sought by many employers.



The Mental Health Parity and Addiction Equity Act (MHPAEA) is a federal law requiring health insurers to provide mental health and substance abuse disorder services that are equal to medical/surgical services. So, if your plan offers unlimited doctor visits for a chronic condition like diabetes, it must offer unlimited visits for a mental health condition like depression. Most organization with 51+ employees must abide by MHPAEA. If your state has stronger mental health parity laws, health insurance plans must follow those laws.

The pandemic increased substance abuse and mental health conditions like anxiety and depression. It is critical to offer comprehensive coverage for these types of disorders. Too often, health plans and insurance companies fall short of providing access to treatment, which creates barriers to affordable, accessible care and reinforces a stigma around seeking mental health treatment. From April 2020-April 2021, more than 100,000 Americans died of an overdose. That's a 30% increase YoY (CDC).



In January 2022, the DOL announced a prioritization of MHPAEA enforcement. In 2021, United Healthcare agreed to pay \$15.6 million to affected parties and in fines to settle alleged violations against the MHPAEA. Employers should consider any actions necessary to ensure compliance with MHPAEA and the new comparative analysis requirements. Review your benefits and determine where additional offerings may be valuable and where unnecessary restrictions can be removed. Document your comparative analysis to show compliance or have a plan in place with your carrier or TPA to provide this analysis if requested by plan participants, the DOL, or state agencies.



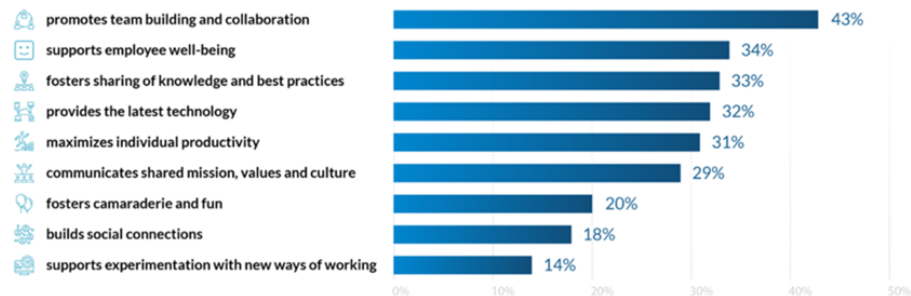
hr by the numbers

3 Key Collaboration Trends You Should Know

FinancesOnline
REVIEWS FOR BUSINESS

1 Leading attributes of great workplaces

Source: Gensler



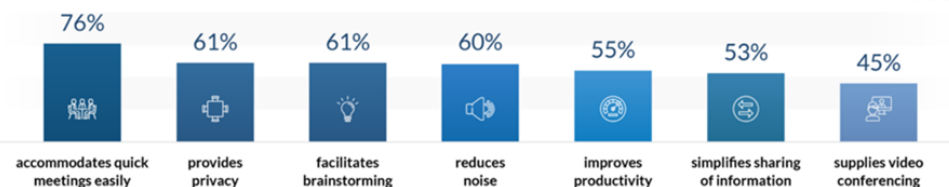
2 Leading collaboration/communication market growth segments

Source: Synergy Research Group



3 Why organizations increasingly rely on huddle spaces for collaborative meetings

Source: Cisco



REMINDER

Oregon's Minimum Wage Increase

On July 1, 2022, Oregon hourly minimum wage became \$13.50 in Jackson and Josephine Counties and other "standard" counties.

The minimum wage in non-urban counties rises from \$12.00 per hour to \$12.50. The Portland metro area minimum wage increases 75 cents to \$14.75 per hour.

Oregon's minimum wage rate depends on work location, as the state is divided into three minimum wage regions. More information is available at <https://egon.gov/minimumwage>.



thoughts to think about

Don't fall into the trap of thinking your intelligence and skills are fixed variables. With a good work ethic and a shift in perspective you can turn a fixed mindset into a growth mindset. Changing your life starts with changing your mind . ~Mark Mastrandrea

"Every person is defined by the communities she belongs to." ~Orson Scott Card

"One of the most important things you can do on this earth is to let people know they are not alone." ~Shannon L. Alder

"Sometimes Grace comes in the form of a punch in the face." ~Mary Elder

"Inside of a ring or out, ain't nothing wrong with going down. It's staying down that's wrong." ~Muhammad Ali

"A good half of the art of living is resilience." ~Alain de Botton

"Man never made any material as resilient as the human spirit ." ~Bernard Williams

"It's not the winning that teaches you how to be resilient. It's the setback. It's the loss." ~Beth Brook

"Success is not final, failure is not fatal; it is the courage to continue that counts." ~Winston Churchill

"Nothing travels faster than light, with the possible exception of bad news, which follows its own rules" – ~Douglas Adams

"If you're not gonna tell the truth, then why start talking?" ~Gene Wilder

"Bureaucracy defends the status quo long past the time when the quo has lost its status." ~Laurence J Peter

"It's all about quality of life and finding a happy balance between work and friends and family." ~Philip Green

"A challenge only becomes an obstacle when you bow to it." ~Ray Davis

calendar of events



03 Employee Retention Tax Credit **FREE**

03 HR Lunch Bunch: Leveraging Turnover **FREE**

04 Employee Retention Tax Credit **FREE**

05 Supervisory Short: Documentation Tips



09 Professional Practices: Auditing Oregon Pay Equity

10 The Power of Appreciation

16 Turning Lemons into the Watermelon Credo

18 Essential Skills: Emotional Intelligence

25 Success for Beginning Supervisor (Series) Starts!



02 Supervisory Short: 1-on-1 Employee Conversations

07 HR Lunch Bunch: The Mental Health Crisis - A Conversation About Workplace Solutions



14 Professional Practices: Job Descriptions - A Valuable Resource in Risk Mitigation and Compliance

20 Essential Skills: Conflict Resolution for Leaders



21 Professional Practices: Corrective Action

calendar of events



07 Supervisory Short: Stay Interviews



12 Professional Practices: Americans with Disabilities Act



13 Interviewing for Culture



18 Professional Practices: Prevention of Discrimination, Harassment, and Retaliation



25 Professional Practices: HR Compliance - What You Don't Know Can Hurt You.

27 Essential Skills: Delegation

REGISTER

on my soapbox

When I was in high school and college, I majored in Speech and Communications. My Mom wanted me to consider a healthcare future, but I was committed to teaching Speech to high schoolers. (We have seen how that turned out.) That was the beginning of my relationship with stories. Over the many years since then, I have learned and re-learned the power of stories. A well-crafted story engages the audience. It creates a memory far better than simple stating facts. It generates emotions. It can persuade people to act. Think of all the commercials tugging at our heart strings so that we will donate to a cause designed to help children, pets, or conquer a disease.



I want to introduce you to a former client. We had the privilege of working with them to connect their compensation program to their mission and desired culture. They designed equipment for the out of doors. Some of it was for the weekend campers who enjoyed the get away at a nearby campground or national park. But their real claim to fame was the equipment meant for high elevations, challenging ascents, and wilderness exploration.

To ensure they were producing equipment that would stand up in the difficult situations, employees tested the equipment in actual conditions so that they knew what it could and couldn't withstand. They learned how each item operated in high winds, blizzard conditions, and extreme altitudes. They learned what modifications or adjustments were needed to improve the customers' experience. Based on their testing, they were able to describe in detail how equipment worked and why their equipment was the best the customer could buy. Mountain Safety Research adopted a storytelling approach to their marketing campaigns and personal interactions with their customers. (To read stories they tell, I encourage you to visit msrgear.com/blog/category/trip.)

Not every organization has the obvious stories to tell that MSR has. Every organization has stories to tell if only they would think about it. Here is one formula for building stories according to the editorial board of Indeed:

1. Determine the audience – the same story can be used for different audiences, but some tailoring may be necessary to ensure the story has relevance to each group
2. Fine-tune the message – what do you want the audience to walk away with? Is it a solution to a problem; a lasting impression you want them to have; or a values connection you want them to experience?
3. Choose a hero – every good story has a hero. Be careful about casting yourself in that role because that may seem like boasting. The hero can be someone from your past, a customer, or a book's author, etc. You must be able to describe how you learned new information, a technique, or a new concept. This will not only give the audience an approach they can use, as well making the material feel more relevant when they know they can do it themselves.

4. Draft the story – write the story and think about the words you use and the tone of voice that will be employed if the story is going to be used in speeches and workshops. There is a big difference between telling someone you want to “talk” with them or that you would like to “chat.” One sounds so much more intimidating.

Many of my stories have lived in my presentations. I use them to illustrate a point or suggest how something might be accomplished. I am so tickled when someone approaches me and says something like, “I remember you. I attended (fill in the blank) and you told the story of the old man, the sailor, and the girl. I have used that with the employees at my current company to demonstrate that there are always two sides to an issue, so don’t forget to explore both when you are trying to address a disagreement.

If I haven’t persuaded you yet to focus on stories your organization can use to distinguish itself, consider this –

- The earliest known writing was invented around 3400 B.C. in an area called Sumer near the Persian Gulf. The development of a Sumerian script was influenced by local materials: clay for tablets and reeds for styluses (writing tools).
- We do know that all cultures have told stories. Some of the earliest evidence of stories comes from the cave drawings in Lascaux and Chavaux, France. The drawings, which date as far back as 30,000 years ago, depict animals, humans, and other objects. Some of them appear to represent visual stories.
- We can piece moments together by working through the various mediums humans have tailored in order to suit our evolution. “It is the distinctive ability to believe in stories that separate sapiens from other creatures,” says Yuva Noah Harari in his book *Sapiens*. He wrote that “You could never convince a monkey to give you a banana by promising him limitless bananas after death in monkey heaven.”

Storytelling can be found scattered in most human societies, popping up as myths, legends, or religion, and seems to be something that we binge and crave. “Tell me a story” is not just what young children say, but seems to be a mantra that we play on repeat in our daily lives. If your organization can fashion compelling stories then it is likely that prospects, customers, and employees will forge a stronger relationship with what you do and who you are. So, what will you have to say when asked, “Please tell me a story?”

Judy Clark, Principal and Founder

To see more of Judy’s writing and read the history of HRA Answers, [visit our website](#).

Editor: Deborah Jeffries, SHRM-CP, PHR, CPC: **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 resources professionals and labor relations professionals. If you have questions about the content, an opinion about the information, or questions about your subscription, please call us at 503-885-9815 or email us at info@hranswers.com

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