

Employee mental health isn't improving: What HR can do .... **6**

Building a healthy company culture must be intentional... **11**

Top 3 benefits trends for 2022..... **14**

# Employee well-being:

## Positive leadership is key





# In This Month's Issue

## Articles

Upcoming Events.....3

News Briefs .....4



Employee mental health isn't improving: What HR can do .....6



Building a healthy company culture must be intentional.....11



Top 3 benefits trends for 2022.....14



2 years of COVID: How HR has – and will – change .....19

## Insider Content

### HR Case Study



How we navigate remote work challenges to have a happy, healthy workforce.....9

### HR Case Study



Created a novel PTO approach to give every employee what they needed .....10

### Legal Q&A



A few employees have expressed interest in being paid in cryptocurrency.....13

### Cost of NonCompliance



Tree service company threatened employees for talking to DOL .....17

### Test Your Knowledge



Do you ever have to pay salaried employees OT? .....22

### What Would You Do?



Employee is disengaged and withdrawn: How can HR get to the root of the problem? .....24

### You Be the Judge



Boss wants med records; fired worker claims ADA bias .....25

### You Be the Judge



ADA violation? Company didn't accommodate all of disabled employee's wishes .....26

# Upcoming Events

## Free Webinars

Thursday,  
April 14th  
2022



### Increasing Engagement and Retention Through Scheduling

Top HR departments have found a way to end the turnover and start building a long-term workforce.

sponsored by  ..... [learn more](#) 

Wednesday,  
April 20th  
2022



### Starting the Job Remotely: How to Onboard New Employees in a Physically Distanced Work Environment

Imagine starting your brand new job at your dining room table. In 2022, it's happening all the time.

sponsored by  ..... [learn more](#) 

Thursday,  
April 21st  
2022



### How to Retain Employees with Effective Communications in the Hybrid Workforce Model

The framework you need to implement for a successful hybrid work transition

sponsored by  ..... [learn more](#) 

Thursday,  
April 21st  
2022



### Unconventional Benefits With Sharlyn Lauby: What Does Your Workforce Really Want?

Presented by Sharlyn Lauby, President ITM Group Inc.

sponsored by  ..... [learn more](#) 

Monday  
April 25th  
2022



### The State of Employee Listening

New Research on the Promise & Pitfalls

sponsored by  ..... [learn more](#) 

# News Briefs

## HR Stories You Might Have Missed

### OT lawsuit settlement calls for \$4.25M payout

published February 3, 2022

Santander Bank is set to pay \$4.25 million to settle a class action lawsuit. The suit accused it of violating Fair Labor Standards Act provisions relating to the payment of overtime.

The suit was filed in a New Jersey federal court. It said Santander did not pay branch operation managers in seven states for overtime hours.

[Read more](#) 

### Employer not liable for death of employee who drowned at work

published February 10, 2022

How far do employers have to go to keep their employees safe at work?

In this case, an employee drowned while pressure-washing a dock. At the time, he was not wearing a personal floatation device.

The big question: Did his employer have a legal obligation to make sure he used one?

[Read more](#) 

### Fatal admission dooms terminated employee's ADA lawsuit

published February 15, 2022

Plaintiffs asserting a violation of the Americans with Disabilities Act (ADA) must walk a fine line.

On the one hand, they must show that they have a "disability" within the meaning of the statute. That means they generally must prove the existence of a physical or mental impairment that substantially limits at least one major life activity.

[Read more](#) 

### Win over job candidates with highly desired info: Salary ranges

published February 28, 2022

If you want to know one thing job candidates want to find in your job listing, it's salary ranges. How else will they be able to decide if your position, which seems perfect for them, will allow them to pay their mortgage, bills and other financial commitments.

[Read more](#) 

### Desired benefits: Parental leave, child care subsidies

published March 2, 2022

Parental leave is a sought-after benefit by many U.S. workers. It gives them the much-needed time to bond with their new child whether it be an adoption or a biological birth. But once parental leave is over there's the challenge of finding affordable child care. And that's not an easy task.

[Read more](#) 

### 5 under-the-radar legal risks of managing a remote workforce

published March 3, 2022

Make no mistake about it: The COVID-induced seismic shift to remote work is likely permanent, especially in light of evidence that remote workers tend to be more productive and happier.

For employers, that shift has created a host of new challenges.

[Read more](#) 

## U.S. women's soccer team wins \$24M in equal pay lawsuit

published March 7, 2022

After a years-long battle, the U.S. women's soccer team is finally victorious in their fight for equal pay.

[Read more](#) 

---

## Rage quitting: Survey says many employees regret it

published March 9, 2022

By now, HR pros are well aware of the Great Resignation. Employees have been leaving in droves, in search of higher salaries and better opportunities.

But a new study suggests the grass isn't always greener.

[Read more](#) 

---

## Promotions: Are remote employees more likely to be passed over?

published March 9, 2022

Many employees love working remotely. But there's something they're afraid of – being passed over for promotions.

Are they correct? Is it really “out of sight out of mind” when it comes to remote employees?

[Read more](#) 

---

## The Great Resignation has 53% of HR pros burned out

published March 10, 2022

When it comes to the Great Resignation, employers are mainly concerned about losing talent and finding suitable replacements. Few have stopped to think about how this situation is affecting managers and HR.

[Read more](#) 

---

## DOL 401(k) plan advice: Don't add cryptocurrency

published March 14, 2022

It has come to the Department of Labor's (DOL) attention that some firms are offering cryptocurrency investments as an option in their 401(k) plans. This is not something that the DOL endorses.

[Read more](#) 

---

## COVID-19 vaccines & religious exemptions: EEOC updates guidance

published March 16, 2022

Though COVID-19 case numbers are dropping, employers are still dealing with workers seeking exemptions from vaccine requirements.

And one popular reason for refusing the vaccine is due to religious beliefs.

[Read more](#) 

---

## Financial struggles are stressing employees

published March 16, 2022

Is this statement true or false: One-quarter of full-time workers say they're struggling financially.

[Read more](#) 

---

## Study: Younger employees have lowest job satisfaction

published March 21, 2022

A lot of employees are reevaluating careers and job prospects right now, but a recent study found that younger employees are the group with the lowest job satisfaction.

[Read more](#) 

---

# INCREASE SUPPORT IN 2022



## WELLNESS

# Employee mental health isn't improving: What HR can do



by Michele McGovern

**E**mployee mental health isn't getting better – and HR will likely need to do more to help.

Nearly a year ago, we reported employee burnout raged on. By now, we all thought we'd rebound, but that doesn't seem to be so.

More than half of all employees say their mental health deteriorated since the beginning of the pandemic, according to research from The Conference Board. Women have suffered at a higher rate than men.

That probably doesn't surprise HR pros though. You witness it almost daily in practice: More employees than ever have quit.

Many requested or just took leave. Others complained about incivility. And you've probably had increased demand for mental well-being resources.

Not to mention, many employees aren't engaged or as productive as they once were.

"We are no longer as 'fresh' as we were even a year ago. At that point, we were about nine months into the pandemic and still had emotional and physical resources to manage the ups and downs of the new normal," says Andrew Shatté, PhD, chief knowledge officer and co-founder of meQuilibrium. "But now we are witnessing more fatigue and burnout than we have

ever seen. And there is still no end in sight."

After years of volatility, uncertainty and change, mental health is a top priority for employers. Here are trends in workplace mental health, the solutions HR leaders are leaning into, and considerations that should be top of mind as you work to create a culture of well-being at your organization.

## Address anxiety head on

Employees are as anxious as ever.

"Employees are dealing with ... anxiety regarding return-to-work



timelines as well as the uncertainty that, at any time, things can be shut down again," says Dr. Rachelle Scott, medical director of psychiatry at Eden Health. "This can trigger feelings of fear, loneliness, sadness and hopelessness that many people felt earlier in the pandemic."

To ease anxiety, be as transparent and proactive as possible. With so much uncertainty in life, find ways to make the workplace predictable. Continue or restart informal rituals that employees enjoyed. Schedule meetings and workflows as far in advance as possible so employees know what to expect.

"There's no such thing as overcommunication," Scott says. "You want to make sure you communicate what your plan is and what the expectations are for each of your employees."

That should include return-to-work, continued health and safety, and contingency plans, too.

### Get ahead of burnout

Employees continue to feel burned out and isolated – the two major contributors to the mental health crisis.

"We are social animals and all of us, including introverts, need that real contact," Shatté says. "When we spend this amount of time away from others we are at risk of big spikes in mental illness, especially clinical anxiety and depression."

Rather than treat burnout, HR leaders and front-line managers

will want to try to prevent it.

Shatté suggests employers:

- train front-line managers to detect signs of mental illness and how to direct their people to helpful resources
- offer resilience training, and
- review employee conditions to ensure they have enough flexibility to balance their work and lives.

Now's probably a good time to "renegotiate the employer-employee social contract since what we are going through now is *not* what employees signed on for," Shatté says.

### Recognize, adapt to change

The pandemic changed people's perspectives on nearly every aspect of their lives, most especially work.

"What's important to people, in many cases, has changed," Scott says. "Even in the early days of the pandemic, things such as salary, title and location were the most important considerations. But now, having a good work/life balance is, in many cases, even more important."

So employers will want to work toward alignment with employee perspectives and expectations.

The best way: Ask employees. Create surveys that ask them to rate priorities – such as work/life balance, workplace safety, teamwork, compensation – before

versus after the pandemic started. It could also be an eye opener for employees to see how their perspectives have changed.

In HR, you can adapt or design benefits, policies and procedures to reflect overall shifts. On an individual level, front-line managers might be able to use the feedback to create new goals, rewards and expectations for their employees.

### Avoid assumptions, expand options

On the downside, the pandemic caused more mental health issues. On the upside, the increase has made talking about and managing mental health more common. Negative stigmas associated with employee mental health have vanished.

"The pandemic really did alter people's assumptions of their own lives. It altered assumptions they had made about having to be at work every day. It altered assumptions about what is acceptable and what isn't acceptable," says Dr. Srin Pillay, co-founder and chief medical officer at Reulay Inc. and former head of the Outpatient Anxiety Disorders Program at Harvard Medical School's McLean Hospital in a Conference Board podcast.

Now they have new ideas on what works best to help combat mental health issues. According to Conference Board research, here's what employees would appreciate most:

- flexible working hours or a compressed work week
- hybrid work schedules

## Employee mental health isn't improving: What HR can do

- recognition, appreciation and team building events
- mental health employee resource groups (ERGs)
- paid sick leave, and
- support for childcare and dependent-care.

### Make it easier to access help

Regardless of the resources you offer to improve employee mental health, you'll want to make it easier for people to access those.

"Make sure you communicate thoroughly the resources available

for your employees to receive mental health support," Scott says.

Beyond a mental health communication plan, consider giving employees the time and opportunity to take mental health days.

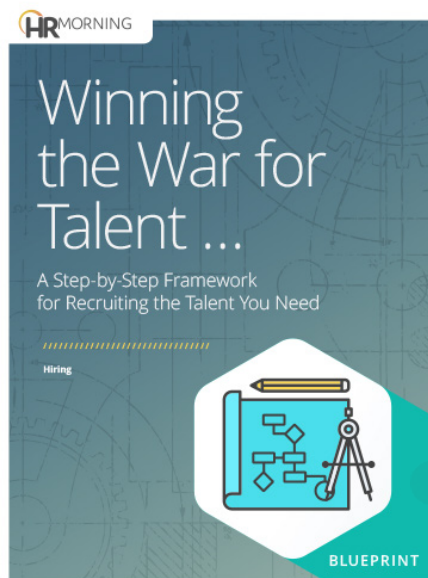
For instance, in the pandemic's wake, many companies instituted a regular cadence – perhaps quarterly or monthly – of companywide mental health days. They're extra helpful because everyone takes a day to improve their well-being without worrying about having colleagues do their work, leaving messages unanswered or being accountable to anyone.

Another idea: Offer regular training on how to navigate your

healthcare benefits. The easier it is for employees to tap resources, the more likely they'll use them to stay ahead or recoup from mental health issues.

"The healthcare system is complex, fragmented, and hard to navigate. Many employees don't know where to begin, especially when dealing with a mental health concern," Scott says.

[Read this article online](#) 



## Winning The War For Talent

### A Step-By-Step Framework For Recruiting The Talent You Need

Whether you're filling a position in the warehouse or the board room, you'll always be under pressure to find and hire the very best.

With so many influences affecting your company's approach to hiring, you need a foolproof way to improve the likelihood of finding the best candidate time and again.

This Blueprint provides a 6-step framework with clear strategies to ensure your time and energy are used wisely to effectively pursue the most successful paths and get the most out of your recruiting efforts.

[get the guide](#) 



## Case Study

# How we navigate remote work challenges to have a happy, healthy workforce



When the pandemic first began in 2020 and the world switched to remote work, a lot of employers struggled with the change.

And while many eventually adjusted and adopted remote work on a full-time basis, other employers remained very eager to bring employees back into the office the minute it was safe.

But we knew that forced proximity doesn't automatically translate into connection. Our employees weren't going to be a collaborative, well-oiled machine just because they're sitting in the same office together.

We set out to prove that our workforce could be happy, healthy, connected — and, most importantly, remote.

### Intentional culture

To achieve our successful remote workforce, we knew it wouldn't just happen. We had to be intentional about cultivating this.

First, we thought about what people need to connect with one another. We decided on:

- focused time for collaborating
- consistent communication, and
- sharing personal narratives.

We knew we had to set expectations for this right off the bat. We let all of our remote employees know how often they were expected to communicate and check in with teammates and managers. This was nonnegotiable if they wanted to continue working remotely.

After setting this precedent, though, we had to follow through on our end to make sure our workers had the tools and support they needed.

### Various communication channels

The next step was setting up channels and workflows to facilitate all this collaboration.

We set up various Slack channels, which we liked to think of as “virtual hallways” for quick check-ins and chats. For more in-depth collaboration, we set up video calls with screen-sharing. We also created breakout rooms for people to collaborate one-on-one after a group meeting.

All our communication channels weren't just for work-related things, either. We wanted to ensure our team could share personal interests, experiences and professional accomplishments.

Our people loved creating all these different channels, and we have everything from music to animals to cooking to astrology.

### 8% turnover rate

Employee appreciation is something that can fall through the cracks with a mostly remote workforce, so we make sure to spend time on that.

We have employee celebration groups set up to discuss achievements and promotions, as well as new hires. It's not unusual for us to do virtual lunches or Zoom parties, either.

Our employees love everything we've done to make a productive, healthy remote work environment. They recognize that we've worked hard to put our people first, and overall our workforce is extremely happy and healthy.

We have numbers to back it up, too. Last year's turnover rate was only 8%, when our industry standard is around 25%.

*Lucy Suros, CEO, Articulate, New York*

[Read more Case Study in your Membership Dashboard](#)

# Created a novel PTO approach to give every employee what they needed



Being in the business, we wanted to make sure we were meeting the modern-day challenges of high turnover, the Great Resignation, etc. So, we decided to evaluate a number of different policies across the company.

How would it look if we, the fintech company that predicts employee PTO usage, wasn't meeting our employees' needs when it came to PTO.

We wanted our new PTO policy to underscore our mission to create a cultural shift around PTO, prioritizing employee wellness by promoting the use of data and technology to legitimize time away from work for de-stressing and recharging through flexible and individualized time plans which optimize the value of employees' time.

## Meeting employees' needs

Due to so many employees burning out due to the effects of the pandemic, not only at our company but everywhere, we wanted to make sure their needs were being met. Our PTO policy already exceeded the average company by 40%.

We didn't want to offer "stunt" benefits like the four-day work week that some companies have been implementing since the pandemic. We don't want to force employees to take time off regardless of preference and choice. We wanted our employees to take vacation when they wanted to and when it was beneficial for them.

Our new plan offers employees 25 PTO days a year. And we encourage employees to spend at least 15 paid days away from work each year. But we also allowed them to cash out 10 days at any given point during the year.

In addition, long-term employees (those that had been with the company over three years) got an extra five days of PTO for a total of 30 days and could cash out 12 days.

We felt this was a novel approach to PTO that recognized that each and every employee has their own needs and may want to spend their PTO differently from others and should be allowed to do so whenever possible.

## Went one step further

But we felt we had to take the program a step further to show

our commitment to the changing culture and normalizing self-care, so we made several significant changes to our internal processes. All time off taken up to one day will be pre-approved so there is no second guessing from managers and employees can take the time when they need it.

Also, managers are required to track PTO usage and will be evaluated on their employees' use of their PTO, which will influence their annual performance review.

We also are giving employees our app to help them plan their PTO. It allows them to see when the best time to take a vacation is. It also allows them to seamlessly cash out on the days the algorithm predicts they will not use and spend the value of the cash on unique travel and wellness rewards, and perks with our national and local brands.

On average employees gain about \$3,000 in cashed out days a year which otherwise would be lost under use-it-or-lose-it plans.

*Veetahl Eilat-Raichel, CEO and Co-founder of Sorbetk*

[Read more Case Study in your Membership Dashboard](#)

## LEADERSHIP & STRATEGY

# Building a healthy company culture must be intentional



by Rachel Mucha

## HOW ONE COMPANY ACHIEVED A 1% TURNOVER RATE



**W**ith so much of employers' focus on recruiting and retaining talent this year, a lot are concentrating on revamping company culture.

While good pay and benefits can convince a lot of employees to stay, a healthy work environment can be just as critical — and it costs virtually nothing to create.

Research by Deloitte found that 88% of employees believe company culture is crucial to an organization's overall success, as well as employee happiness.

Here are just some of the benefits of a healthy company culture, according to Forbes.com:

- **Attracting more talent.** Who wouldn't want to work for a company known for its happy employees? Word of a positive culture will get around and could be the thing to seal the deal for prospective employees.
- **Less turnover.** Positive culture will help recruit workers as well as retain them. If people are pleased with their work environment and enjoy going to work, they'll be more loyal.
- **Better teamwork.** A good company culture fosters collaboration and socialization. It's only natural this would lead to employees effectively working together. Employees also tend to be more motivated and to produce better work in general.
- **Less stress.** Companies with healthy cultures tend to see fewer stressed employees.

## Building a healthy company culture must be intentional

### Focus on employees

So how can employers build a healthy company culture? It's not overly difficult, but it won't fall into place just because you want it to, either. Here's how one company went about it.

Jeff Chambers, CEO of Lumin Digital, knows how important it is to intentionally create the kind of culture you want.

"A lot of companies are focused on performance metrics and revenue, and a culture just sort of emerges," Chambers said. "Sometimes it's a good one, and sometimes it's not. We wanted to avoid falling into that."

Chambers' goal was to create an intentional culture at Lumin Digital — one employees would love to be a part of. So company leaders got together and came up with some values they wanted the culture to consist of, transparency, inclusion and flexibility making the top of the list.

"We decided we wanted managers to focus on employee behavior instead of fixating on outcomes," Chambers said. "When you invest in the people, they'll produce the results you want."

knew management trusted them. Chambers said this meant managers weren't constantly checking in with workers. Instead, they expressed confidence in their employees that they could get the job done.

Transparency is key to help build this trust. "This can be uncomfortable for leaders," Chambers said, "but at our company, we know it's important to share everything — even the not-so-great news."

Lumin Digital has weekly roundtable meetings between small groups of employees and company leaders. This creates a relaxed setting for leaders to share important news and for employees to give their input. Employees appreciate the fact they have easy access to company leaders — and this allows them to feel good about sharing opinions.

Chambers' efforts to achieve a transparent, trustworthy culture have paid off, the company boasting an impressive 1% turnover rate. Lumin Digital has also ranked in the 95th percentile for employee engagement.

"We put effort and trust into all our employees, and we get that from them in return," Chambers said.

healthy culture strategies employers can implement:

- 1 Focus on wellness.** Employees won't be able to appreciate company culture if they aren't feeling their best. Physical, mental and emotional wellbeing are the foundation to a great culture. Leaders should look into providing wellness tools and on-site health opportunities.
- 2 Share your values.** Employees feel more connected to their job and company if they know their work has purpose. Give your workers concrete examples of how they're positively contributing to the company or clients.
- 3 Keep things positive.** Leaders should lead by example and praise employees and practice kindness. It's important to show any rude or negative employees that their behavior won't be tolerated.
- 4 Always listen.** The easiest way to know what will make employees happy is to ask them! Not only can you tailor a culture to what they need, but they'll be appreciative you took their opinion to heart.

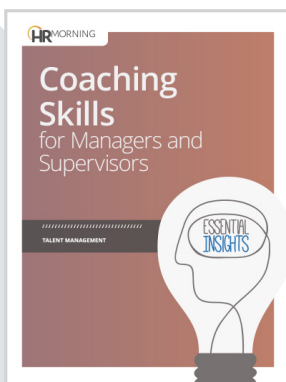
### Transparency and trust

A big thing Lumin Digital focused on was ensuring employees

### 4 more strategies

While working on building trust and transparency, here are some other

[Read this article online](#)



Want to help employees reach their full potential?

### Coaching Skills For Managers And Supervisors

Managers are under more pressure than ever to increase their employees' performance.

Coaching employees to be more effective, productive and motivated is challenging for even the most experienced managers, but it can be done.

And when done right, star employees, middle-of-the-road contributors and poor performers will improve and consistently deliver their best efforts.

So how do you get your people to step up?

[get the guide](#)

## Legal Q&A

### Question

**A few employees have expressed interest in being paid in cryptocurrency. Is that legal?**

### Answer

While offering wages in cryptocurrency could help attract new talent, it also puts employers at risk of running afoul of the FLSA, says employment law attorney Allan Bloom of the firm Proskauer Rose LLP.

The FLSA requires “payments of the prescribed wages, including minimum wage and overtime compensation, in cash or nonnegotiable instrument payable at par.”

There are some exceptions, such as the FLSA allowing food and/or housing to count toward wages under certain circumstances. And while the FLSA has allowed employees to be paid in foreign currency in certain cases, it's currently unclear if courts consider cryptocurrency to be comparable to a foreign currency.

Cryptocurrency is still fairly new and evolving, and since courts haven't weighed in yet, it's a safer bet for employers to refrain from using it for now.

### Question

**I'm having trouble attracting entry-level candidates, and raising the salary isn't an option. What can I do?**

### Answer

Since offering a higher salary is the easiest way to get more candidates to apply, it's understandable you're feeling stuck, says HR expert and author of Evil HR Lady blog Suzanne Lucas.

Here are some other tactics to get candidates' attention that don't involve money.

**Emphasize how little experience is required.** A lot of candidates get frustrated when entry-level jobs turn out to require experience. If your job opening is truly entry-level (no experience required), talk that up!

**State that resume gaps aren't a problem.** Did someone take time off to raise their child? What about a candidate who got laid off during the pandemic and hasn't worked since? Or a retiree who wants back in the workforce? People with resume gaps might count themselves out before even applying. Make it clear that's not a turn-off.

**If you offer flex schedules, say so!** These are a huge pull. Being an employer who can work around college class schedules or childcare demands is highly attractive to candidates.

### Question


**If we provide flexible, remote schedules to working parents only, are there potential discrimination concerns?**

### Answer

There's a way to do this without running afoul of discrimination laws, the EEOC said in a recent release. Employers just have to ensure their remote policies aren't treating employees differently based on protected characteristics.

For example, if an employer was giving female employees with children more flexibility because they were viewed as the “primary caregiver,” male employees with children could file a sex discrimination claim.

While providing all working parents (male and female) with more flexibility doesn't violate any discrimination laws, it's important to note it could upset employees without children, causing morale issues.

[Read more Legal Q&A in your Membership Dashboard](#) 



# Top 3 benefits trends for 2022



by Renee Cocchi

## Hybrid work, mental health, leave policies



**W**hile most people were happy to say goodbye to 2021 and welcome in 2022, there's still some apprehension. How can there not be after the past two years? But now that we're well into 2022, how's everything going? Is the business running smoothly? Are there things that need to be adjusted? If you're feeling that something isn't just right, maybe look at the top three benefits trends of 2022 and see if everything's copasetic.

### No. 1: Flexible, hybrid work arrangements

Yeah, yeah, yeah, you've heard it before. But chances are you're going to hear it again and again.

Why?

It's considered the No. 1 benefit employers can provide outside of salary and standard benefits.

"Hybrid work is here to stay," said Jennifer Schoenig, VP, Guardian, in the webinar, *The Future of Benefits*. "We've become accustomed to new behaviors and lifestyles. Work and life have intermingled more than they did before. Now it's the norm for most of us."

Schoenig, who works from home, was able to coach softball for the first time. Working in the office with the time demands and commuting never allowed it previously.

But not everyone wants to be at home 100% of the time. Some people miss being with their colleagues. Others, who live alone or

have children, want to get out of the house for a while. And each side has its benefits.

### In-office perks

Being in the office allows employees to grow their networks faster and build those interpersonal skills. And you don't have to be as intentional about scheduling meetings to have a conversation you could probably just do in the hallway or at a colleague's desk.

For employers to attract and keep talent, it's important in 2022 to be able to say you have a flexible work arrangement, whether it's how many days you come in or what time you come in.

"And nearly two-thirds of employers are planning to have at least a portion of their workforce be remote



in 2022,” said Gene Lanzoni, SVP, Thought Leadership, Guardian. “One reason for that is they’re better prepared for remote work than ever before. A majority have implemented technology to support remote work since the pandemic started. Compared to a year ago when most employers were concerned about retaining customers and growing their business again. Now, in 2022, it’s about retaining employees and figuring out the optimal workplace model.”

### Community, engagement

But there must be an emphasis on fostering community and keeping remote workers engaged.

So don’t forget about those people who are working from home, advises Schoenig. “Invite them into the office. Let them know they’re welcome at any time. And for those who aren’t local, invite them to be part of the conversation.”

In addition, she suggests using video meetings because then you know the person is paying attention and not multitasking. And ensure you’re treating people equitably in terms of assignments. “Don’t just give things to the people sitting right outside your door.

For those employees who aren’t jazzed about having to come into the office, how do you make it a place they want to be?

You have to make sure employees can’t say, “Why the heck did I come in here today. I could have done this at home!”

Schoenig said Guardian deals with this by having core days which are Tuesday, Wednesday and Thursday. On those days they hold things like Free Lunch Tuesday and Wellness

Wednesday. They try and change it up and do programs that offer employees things they aren’t getting at home. People see it as they are getting something. Not just as an opportunity to collaborate.

“Really make it a great experience when someone comes in, so it’s well worth their time,” advises Schoenig.

## No. 2: Improvement of emotional & mental health program

Why the constant focus on mental health?

Well, let’s face it. The last few years haven’t been easy. Add to that, one in five adults experience mental health issues every year, and 55% of adults with mental health disorders go untreated.

It’s been that way for years. It’s just that the pandemic put a bigger spotlight on the issues and got more people talking about it which has reduced the negative stigma.

And while many employers do offer mental health resources, the problem is they’re underutilized. So how do you improve employee utilization of mental or emotional health resources?

### Accessibility

Accessibility to care is one of the biggest impediments. People just don’t know where to start.

“First off, mental health benefits need to be accessible,” said John Modica, Head of Go-go-Market Strategy, Guardian. “And the access needs to be digital, and you need a variety of resources that flex to the needs of employees. Care options should include self-pace cognitive behavioral therapy tools, as well

as treatment aligned to the needs of each individual. This can include coaching, help navigating care, therapy – both digitally enabled and in person – and lastly options for medication management.”

Employees can’t use these benefits if they aren’t aware of them. Take the time to communicate benefits often and work with your care provider to ensure there’s visibility into employee utilization and the outcome is achieved.

Mental health programs also must be tailored to fit differing expectations of the multiple generations.

To keep and attract the cream of the crop, companies need to prove they care about their employees. And one way to do that is to show you care about their mental health and well-being.

Given the different needs and perceptions of the generations, a one-size-fits-all approach rarely works. “There are, however, certain things you can do to tailor employee benefits for each generation,” said Modica. “For example, Millennials value benefits choices, paid time off, the ability to work remotely, control over their schedule and a great deal of flexibility. Delivering to these needs may contribute to better mental health.”

Also, listen to your employees wants and needs when it comes to options for benefit packages.

## No. 3: Implement a holistic employee leave strategy

The pandemic has caused 75% of employers to change their unpaid leave policies. And this trend will

## Top 3 benefits trends for 2022

continue through 2022, according to a Guardian study.

This may not be surprising when you think about the fact COVID-19 prompted brand new or separate COVID-19-related policies. It was a must. And now 80% of employers said that senior leadership's awareness of the "importance of leave management" has increased significantly due to COVID-19 and the number of employees that had to take leave to care for a family member or their own illness.

"COVID-19 definitely shifted the mindset of leave management and gave employers the opportunity to really hit a reset button on leave policies," said Garlande Patz, Sr. Absence Management Practice Leader, Guardian. "So, we're seeing the pandemic put that spotlight on the importance of supporting the emotional well-being of employees and realizing that many employers didn't have policies or process in place that really permitted employees to take paid time off to care for a family member."

From a policy perspective there's been a huge growth in the number of companies that are offering paid family care benefits. In part it's due to COVID-19, but it's also due to the introduction of numerous paid state leave regs many of which do include coverage for family care. And employers want to ensure that their company policies are keeping up with those state benefits as well.

From a process standpoint COVID-19 has also highlighted some gaps,

the biggest one being the lack of education that employees have regarding their company's leave benefits. When it comes to leave, employees really want to know what benefits are available to them, where to go to read about their benefits, and then how to claim the benefits when they need them.

### **Paid leave, mental health priorities**

So COVID-19 really forced employers to review the policies they offer to their employees to make sure they're meeting employee needs, but then also making sure that the policies are clearly defined, easy to understand and accessible so that employees can use them.

And for 2022 the top two leaves that'll take front stage are paid leave and mental health, noted Patz. The expansion of paid company leave will continue to be front of mind for employers in 2022. However, employers also need to be mindful of the rapidly evolving leave landscape.

"The complexity and compliance of leave is a concern, and when you talk about that you also have to look at state leave and accommodations under the ADA," said Patz. "So, employers really need to be prepared to enforce the complexities there, as well as the added complexities from COVID-19 vaccine mandates and any legally required exemptions or related accommodations."

### **Employee health, productivity**

That's a lot to deal with in and of itself, but there's also a renewed focus on employees' health and productivity. So, employers really need to ask themselves how they can keep employees healthy and productive. Burnout is still prevalent thanks to the pandemic which of course takes a toll on employees' mental health.

"So regardless of employer size in 2022 I think a focus really does need to be on mental health in the workplace," said Patz. "What resources are available to employees? How are employees made aware of these resources? How does the company culture support mental health to begin with?"

When it comes to challenges in 2022, smaller firms generally face more barriers when we're talking about offering paid company leave when compared to larger firms. But these benefits are vital for any firm.

These are the types of perks that are going to attract and retain top talent moving forward. Ping pong tables at lunch are a thing of the past now. Employees are really looking at the benefits package.

And remember employees want to be able to access their leave information, file a leave request, get status updates, and they want this through multiple digital channels.

---

[Read this article online](#) 

## The Cost of NonCompliance



**\$25,000**

### Tree service company threatened employees for talking to DOL

**What happened:** PS Tree Service Inc., Holbrook, MA, and owner Ronan A. De Souza must pay \$25,000 in punitive damages for threatening a former employee who took part in an investigation by the DOL's Wage and Hour Division.

**Result:** In addition, the U.S. District Court for the District of Massachusetts, banned the company and its owner from threatening or retaliating against any employee or former employee or their family for cooperating in a DOL investigation or otherwise exercising their rights under the Fair Labor Standards Act.

They're prohibited from taking actions, including the following:

- terminating employees
- inflicting physical harm or verbal abuse on employees or their family members
- reporting employees to immigration authorities or using an employee's immigration status against them
- Disparaging employees to other employers, and
- Instructing employees to not cooperate with department investigations.

In related litigation, the department obtained a separate consent judgment and order requiring PS Tree Service and De Souza to pay \$82,123 in back wages and an equal amount in liquidated damages – a total of \$164,246 – to eight employees to resolve violations of the FLSA's wage, recordkeeping and child labor requirements.

**What people did:** Division investigators determined that De Souza and the business paid employees straight time no matter how many hours were worked, failed to maintain accurate records and allowed a 17-year-old worker to operate a woodchipper and a chainsaw. The order also requires PS Tree Service and De Souza to comply with the FLSA's overtime, recordkeeping and child labor requirements, cooperate with future U.S. DOL investigations and pay \$3,907 in civil money penalties.

"Employees have a right to be paid their wages, to seek those wages and cooperate with investigators without fear of employer retaliation or threat of physical harm or harassment. The Wage and Hour Division uses a variety of tools to ensure workers are informed of their rights and employers are aware of their responsibilities under the Fair Labor Standards Act, and will not tolerate interference with its investigations or intimidation of workers," said Wage and Hour District Director Carlos Matos in Boston.

"This case should remind employers and workers that the U.S. Department of Labor will take legal action on behalf of workers when their employers threaten or intimidate them, shortchange them of their wages, expose minor workers to hazardous jobs and equipment or otherwise disregard the Fair Labor Standards Act's requirements," said Regional Solicitor of Labor Maia Fisher in Boston.

[Read more The Cost Of Noncompliance in your Membership Dashboard](#)

## The Cost of NonCompliance



**\$58,000**

### Racial harassment costs employer almost \$60K

**What happened:** Discrimination based on gender, age and race has been illegal for a long time. That doesn't stop some employers from trying to get away with it, though.

Philadelphia-based Eureka Stone Quarry Inc. was sued by the EEOC after permitting severe racial harassment to occur for a long period of time.

**What people did:** An African American employee experienced racial harassment from his colleagues for years, including being called the n-word. Threats of violence cropped up as well, which progressively got worse. There was one incident where a gun was fired on company property, intentionally in the vicinity of this worker.

Even worse, Eureka Stone Quarry was aware of the harassment, and failed to take action. The employee eventually quit, out of fear for his life. This is a violation of the Civil Rights Act.

**Result:** The employer will pay \$58,000 to settle the lawsuit. Eureka Stone Quarry is also required to implement anti-harassment policies and training to ensure something like this doesn't happen again.

[Read more The Cost Of Noncompliance in your Membership Dashboard](#)



**\$87,213**

### Nonprofit cheats workers, who take care of vets, out of their pay

**What happened:** The Journey Home, a Winchester, IN, non-profit provider of social services cheated workers out of their hard-earned pay. At least, that's what the DOL's Wage and Hour Division discovered during its investigation.

All government contractors by law are required to pay their workers the federal minimum wage. The Journey Home, which serves homeless and at-risk veterans, shortchanged its caregivers to the tune of \$87,213 in back wages for 19 caregivers.

**What people did:** The facility, which has a contract with the U.S. Department of Veterans Affairs, paid workers above prevailing wages. However, the hourly rate was still lower than the required minimum wage set by Executive Order 13658 for workers on a federal contract.

**Result:** "Employers holding federal contracts must abide by the terms of their contract to pay federally required wage rates and benefits," said Wage and Hour District Director Patricia Lewis in Indianapolis. "Workers should be paid all of their hard-earned wages. Our nation's veterans depend upon the essential services provided, and the caregivers who provided those services must be properly compensated."

The miscalculation of the wage rate also led to a violation of the Contract Work Hours and Safety Standards Act, because the employer failed to calculate the correct hourly overtime rate for hours worked over 40 in a workweek. The Journey Home also violated the McNamara-O'Hara Service Contract Act by failing to compensate some employees correctly for holidays and vacations.

[Read more The Cost Of Noncompliance in your Membership Dashboard](#)

# 2 years of COVID: How HR has – and will – change



by Michele McGovern

## A LOOK BACK, A LOOK FORWARD

**HR**MORNING



**T**wo years of COVID. How has it changed Human Resources – and reshaped its future?

A lot. To say the least.

COVID-19 and the ensuing pandemic changed everything. Worldwide. Locally. Home. Work.

Some days it may seem like we've always done things the way we do them now. After all, everyone

adjusted through lockdowns, remote work, virtual everything, delayed re-openings and actual re-openings.

"Two years ago, a global pandemic turned nearly every universal truth about work on its head. Take the very idea of an office. Pre-pandemic, work was a physical place for most people – at least for part of the work week," says Chris French, EVP of Customer Strategy at Workhuman, one of the researchers behind

the report *Two Years Into COVID: The Great Resignation Isn't Over, as Many Employees Are Still Considering Leaving*. "When health and safety concerns compromised the office, companies that once refused to accept remote work were forced to allow flexibility so business operations could continue."

What we do at work now – regardless of where that actually happens – might seem natural, but



if we reflect on where we were before the pandemic, you'll see a lot has changed in HR. Some has remained the same. And change will continue going forward.

### What was hot in late 2019, early 2020

Let's take a look back at the months prior to March 2020. Here are the headlines from HRMorning stories, reflecting what HR professionals cared about most pre-pandemic.

- [13 employee development tactics every manager can take advantage of today](#)
- [The 7 hidden benefits of team-building activities](#)
- [Retention drives employee recognition ROI](#)
- [How to write job descriptions that attract Millennials](#)
- [2020 trends: More employers offering paid parental leave](#)
- [In the age of legal weed, new breath tests show promise for employers](#)

### Then the pandemic ...

In early 2020, the coronavirus started to spread, and was the topic – but not the headline – of mainstream news because it seemed distant from the U.S. As it approached, HR leaders took notice. These HRMorning headlines from late February and through March – before we recognized it would be a full-blown pandemic for two years – reflect what you were concerned about.

- [Coronavirus: What employers need to know about travel restrictions](#)

- [13 essential steps to great employee recognition](#)
- [Could coronavirus lead to workers' comp claims? Experts say 'yes'](#)
- [4 keys to a successful remote work strategy, when you have to close your doors](#)
- [Drafting a remote work policy: 5 legal pitfalls to watch for](#)
- [5 ways the COVID-19 crisis will transform HR's role](#)

And transform it did!

### 2 years into COVID

Fast forward to now, two years of COVID. Some of our most recent, popular stories include:

- [5 under-the-radar legal risks of managing a remote workforce](#)
- [Desired benefits: Parental leave, child care subsidies](#)
- [5 ways to become a more inclusive workplace](#)
- [Study finds flexibility is the key to improving employee mental health](#)

These reflect some of the pre-COVID issues and the lingering realities. While most of the topics we've always covered for you are still important, the HR approach to addressing each has evolved – and will likely continue to.

Going forward in a workplace that's learning to live with COVID-19, here are some of the biggest HR trends.

### Hiring at heart of matter

Spawned by the pandemic, HR will continue to face turnover issues and

a volatile labor market. So hiring right remains a critical factor for companies going forward, according to Monster's Future of Work Report.

"The future of work appears strong," says Scott Gutz, CEO at Monster. "But we must recognize the long-term effects of the pandemic and its impact on work/life balance, a growing skills gap, and employee well-being. The findings in our report also indicate that competition for talent is extremely high and will continue to increase through 2022 and beyond."

The biggest issue could be the skills gap. Eighty-seven percent of employers have struggled to fill positions because of skills gaps. That's up from 80% the previous year.

But HR leaders don't need to fear it. Embrace the skills gap. Nearly three-quarters of managers and HR pros are willing to hire and train candidates with transferable skills.

The key might be to broaden job descriptions to focus more on desired, transferable skills and performance outcomes. Then you might loosen experience and education requirements so roles become more attractive to people who can deliver the skills, interest and adaptability to get the work done.

### Employees need to connect again

You might curb turnover by helping employees connect on different or deeper levels.

"At a time when people are questioning how they spend their time and how they make a living, HR and business leaders should take a step back and think about ways



to make work less transactional – and more human,” says French. “Doubling down on connection, community, and belonging makes the most sense financially, in terms of mitigating turnover. And it’s also what employees expect.”

HR leaders will want to work up and down the chain of command to ensure employees become engaged in the workplace again. To help build connections, you might get a team of executives and front-line managers to put together a social and professional plan that includes appreciation, recognition, fun and meaningful events and interactions.

From there, involve employees more. As they come back to the workplace – and even if some stay remote – perhaps they can take the reins in organizing social events and resource groups that fit their needs in the post-COVID workplace.

### Amp up diversity, equity & inclusion

Nearly every organization is emerging from the pandemic with an eye toward continuing to increase diversity, equity & inclusion (DEI) in the workplace.

But fewer than 40% of companies actually have a DEI strategy, according to the McLean & Company HR Trends Report. Instead, many organizations are more reactionary to DEI. While they might plan initiatives and execute some ideas, they tend to address issues as they come up.

Going forward, companies want a more defined strategy. In fact, DEI-proactive companies are more productive, effective with their HR functions and successful with employee inclusion efforts, the McLean researchers found.

To build a strategy that is progressive, consider – and address – these key areas:

- the level of diversity across the organization
- how diversity, equity and inclusion play out for employees now – and how you want it to play out going forward
- ways to create alignment and commitment across the organization for all DEI initiatives
- how you’ll train for your DEI initiatives, and
- how you’ll sustain efforts and evolve with time.

[Read this article online](#) 



Learn the secrets of retaining high-performing employees ...

### Why Good People Jump Ship And What You Can Do To Keep Them

Good employees – the ones who are engaged, productive, and look forward to coming to work each day – are a hot commodity. There just aren’t enough of them to go around, and competitive organizations find a way to steal the best and brightest. Your challenge is to keep them engaged and avoid having a revolving door that lowers morale and eats away at productivity, efficiency and profit.

[get the guide](#) 

## Test Your Knowledge

# Do you ever have to pay salaried employees OT?



Is there ever a time when you have to pay salaried employees overtime?

It's commonly thought that salaried employees are exempt from overtime pay, but that's not always the case.

Do you know when you have to pay salaried employees overtime?

Test your knowledge.

Decide whether the following statements are True or False.

[check answers on the next page](#)

- 1 TRUE OR FALSE:** If a salaried employee has been working a lot more than 40 hours a week, he's entitled to overtime pay.
- 2 TRUE OR FALSE:** Relying on the title test to classify employees isn't a good idea.
- 3 TRUE OR FALSE:** It's fairly safe to assume that all supervisors qualify for the executive exemption.

*Go to the following page to see if you are correct.*



## Test Your Knowledge: Answers

### Answers from previous page



- 1 FALSE ... *for the most part*:** In general, exempt employees earn a predetermined amount that doesn't fluctuate and is at least \$35,568 annually. But that isn't the only factor in figuring out OT. To be exempt, salaried employees must also do executive, administrative or professional work. That includes, but isn't limited to: managing a few people, performing office/non-manual work, possessing hiring/firing power, and doing work that demands advanced knowledge.
- 2 TRUE:** This is a common mistake. Don't rely on position titles or job descriptions. Look to the job duties test to assess the actual work performed, advises employment law attorneys Jennifer Prozinski and Karel Mazanec from the firm Veneable LLP. If their duties don't satisfy one of the applicable duties test, they don't qualify for an exemption.
- 3 FALSE:** If the supervisor's primary duty is managing the business, a department or subdivision of a firm, they may qualify for the executive exemption. However, just because they're a supervisor doesn't mean they automatically qualify for the exemption. You have to ask yourself two questions: 1) Does the person customarily and regularly direct the work of at least two or more full-time employees or their equivalent? and 2) Does the person have hiring and firing authority? If the answers are yes, then they qualify for the executive exemption.

[Read more Test Your Knowledge in your Membership Dashboard](#) 



FREE GUIDE FROM

**iCIMS®**

### Guide to Attracting Talent

*Get more qualified candidates – faster*

Increase the effectiveness of your recruitment efforts with this free guide.

If you're looking for a way to improve your recruitment efforts, then download iCIMS Guide to Attracting Talent. It contains strategies you can use to differentiate yourself from other employers and find the right person for the right position faster – before the competition beats you to them.

[get the free guide](#) 

## What Would You Do?

# Employee is disengaged and withdrawn: How can HR get to the root of the problem?



### The Scenario

HR manager Stu Capper was walking through the office, glad to see everyone's faces after the company dropped the mask mandate.

"Hi, Stu," department manager Casey Dutton said, catching up to him.

"Hi, Casey," Stu replied. "Nice to see your face again."

Casey smiled. "Yours, too. Do you have a minute to talk?"

"Sure." Stu led Casey into his office. "What's up?"

"It's about Beth," Casey said as she

sat down. "I think something's going on with her."

### More issues could arise

Stu frowned. "What is it?"

"Beth has been quieter than usual," Casey said. "She's getting her work done, but she's not participating in meetings like she used to. I rarely see her smile anymore."

"That's not good," Stu said. "Have you talked to her? Maybe something's going on at home?"

"I did," Casey replied. "I reminded her that FMLA leave is available to her, or we could give her a flex schedule if she needed it — but she assured

me that wasn't necessary and things at home were fine."

"So, something else is wrong, but it sounds like she doesn't want to say what," Stu said.

"I did a little digging, and apparently she and Mike have been clashing a bit," Casey said. "Another colleague mentioned he talks down to her a lot. I'm wondering if this is a bullying issue."

"I can't force Beth to tell me about it," Casey continued. "But I'm worried if we don't get to the bottom of it, more issues will arise. This isn't the kind of culture we want."

**If you were Stu, what would you do next?**

## Reader Responses

**Tom Miller,**  
*CEO, ClearForce, Vienna, VA*

**What Tom would do:** I would send out a reminder to employees about anonymous reporting methods we have — and if we didn't have one, I'd work to get one established immediately. I'd also remind people that the reporting hotline can be used for a lot of things, such as bullying and other interpersonal issues at work.

**Reason:** Beth might not feel comfortable speaking to her manager face to face about what's going on — or might not think the bullying is severe enough to warrant a complaint. An anonymous reporting method would probably make her more comfortable. HR can't work to correct the issue if it never gets reported.

**Alexandra Schrecengost,**  
*founder, Culture With Us, New York*

**What Alexandra would do:** I would examine the company's overall culture, as an employee showing the signs Beth is suggests a deeper problem. I'd encourage more manager check-ins and teambuilding exercises, as well as to survey employees for their thoughts on the current state of the company's culture.

**Reason:** Disengagement like Beth is exhibiting is typically a sign of a company culture problem. If there is bullying going on, somewhere along the way, Mike figured that was acceptable, and Beth didn't think it was worth reporting. To correct this issue, we need to focus on fostering a safe and healthy work environment as a whole. Focusing on just fixing the bullying would be ignoring the bigger issue.

[Read more What Would You Do? in your Membership Dashboard](#) 

# Boss wants med records; fired worker claims ADA bias



"We're looking forward to getting you back to work," said Manager Paul Whitehead. "As soon as we get your doctor's clearance, plus the other medical documents we asked for, you'll be set."

"No problem," said Andrew Walker. "This ankle tear has been a real 'Achilles Heel' for me!"

"We miss that sense of humor on the floor," Paul said. "Remember, safety is the No. 1 priority, so let's get everything in order."

"I need the doctor's note, plus all the documentation on those medications

I asked you about before the injury."

"That, too? Still?" Andrew questioned.

"Yes, our work presents hazards, so we need to make sure everyone is fit to handle them," said Paul. "No hurry.

Before you come back."

Andrew turned in some medical notes – a clearance to work with no restrictions and some notes on his prescription medications.

## Not enough or too much documentation?

"That's not everything we asked for," Paul said. "Unless you give us all the records we need to determine if you're fit to work, we can't allow

you to be on the floor."

When Andrew was let go, he felt it was a violation of the Americans

with Disabilities Act (ADA).

He sued, and the company fought the case. Did it win?

## The decision

Yes. The company won when an appeals court agreed with a lower court's ruling in its favor.

The employee's attorney claimed he was the victim of ADA discrimination. The company knew he had a disability – his injury – and made improper requests for medical records around that and other, previous health issues.

### Case dismissed

Then the company fired him because of the disability, the employee's attorney claimed.

The company's attorney argued the manager had a business need to request the medical documents: They needed proof the employee could do his job safely.

All employees in roles that presented hazards were required to submit medical documents to prove their ability to work safely. Asking for the documents, and firing the employee when he didn't provide the necessary information, were legal under the ADA, the attorney said.

And the court agreed with that.

## Medical doc requests OK sometimes

The court said the document requests were consistent with the ADA because they were job-related and consistent with

business safety protocols.


In safety-sensitive work, it's usually OK to ask for medical proof that

employees are fit to work. But feel free to get a legal experts take on it to stay in compliance.

Cite: *Coffey v. Norfolk Southern Railway Co.*, U.S. Crt. of App., No. 21-1248, 1/14/22. Dramatized for effect.

[Read more You Be the Judge in your Membership Dashboard](#) 

# ADA violation? Company didn't accommodate all of disabled employee's wishes



HR manager Lynn Rondo was taking a walk around the building, enjoying the sunshine and warmer weather, when company attorney Eric Bressler came hustling around the corner.

"Hi, Lynn," he panted. "I've been trying to catch up with you. You're quick."

"Walking this fast helps me think," Lynn said. "What's up?"

"Well, I have some bad news. We're being sued," Eric said. "Eva Landry is claiming she was forced to quit because we didn't accommodate her."

Lynn stopped dead in her tracks. "What?"

## Minor complaint

"We *did* accommodate her!" Lynn insisted.

"Remind me what happened," Eric said.

"As you know, when Eva first started here, she was a driver," Lynn began. "However, she had a chronic back condition — she showed me paperwork — so driving that much caused her to be in a lot of pain. To accommodate her, we decided to move her to an office position. No more driving, no more pain."

Eric nodded. "I'm with you so far. Why did she quit, then?"

"Eva continued to complain about things that had nothing to do with her condition," Lynn said. "She started saying the noise in the office gave her headaches, and we needed to accommodate her again."

Eric frowned. "Hmm."

"I know," Lynn replied. "She didn't

have any paperwork to suggest headaches were an ongoing medical problem she had. Then, Eva just quit when we didn't do anything to help with the noisy office."

"I think she's reaching here," Eric said. "Let's fight this."

When Eva sued for an ADA violation, the company fought to get the case dismissed. Did it win?

## The decision

Yes, the company won when a court dismissed Eva's case.

Eva's attorney tried to argue that Eva was in pain again, yet the company failed to accommodate her like it had

before. But the court wasn't convinced.

It said the company did accommodate her back condition, for which she had medical paperwork. But the headaches had no medical

backing, the court said. It seemed like just a run-of-the-mill complaint. Because Eva provided no medical paperwork for the headaches, the company wasn't obligated to accommodate her again.

## Case dismissed.

### Analysis: Difference between disability and minor ailment

This case shows that not every minor ailment is considered a disability. If the employee doesn't have medical paperwork for the condition, and it doesn't interfere

with their job, employers likely aren't obligated to accommodate the worker.

To avoid lawsuits like this one,

employers should ensure employees are informed of their ADA rights and the process to go through to request an accommodation.

Cite: *Powley v. Rail Crew Xpress LLC*, U.S. Ct. of App., 8th Circ., No. 21-1131, 2/15/22. Dramatized for effect.

[Read more You Be the Judge in your Membership Dashboard](#)



**H**RMorning, part of the **SuccessFuel** Network, provides the latest HR and employment law news for HR professionals.

But we don't stop there.

Our editors read and vet hundreds of sources and hand-select the most relevant, practical content. Then we add our seasoned perspective and deliver actionable insights to help you understand what today's trends mean for your business.

## Meet Our Editors



### Renee Cocchi

Renée Cocchi has a passion for learning and helping other professionals do their jobs more effectively and efficiently. She's spent decades working as a writer and editor in the publishing industry, covering a wide variety of fields from benefits and compensation in HR, to medical, to safety, to business management. Her experience covers trade publications, newsmagazines, and B2B newsletters and websites.



### Tom D'Agostino

Tom D'Agostino is an attorney and legal editor who has three decades of experience following employment law, disability law and education law trends. He is a graduate of the Duquesne University School of Law and a member of the Pennsylvania bar.



### Michele McGovern

Michele McGovern writes. A lot. In the professional world, she's covered HR, leadership, customer service, sales, crime and passion in 25+ years as a journalist. In the real world, she manages to be a decent wife, mediocre mom, wannabe athlete and consummate pursuer of fun.



### Rachel Mucha

Rachel writes about Human Resource management and has been a member of the HRMorning staff since 2017. She is a graduate of Ithaca College.

## Get In Touch

Phone:

484-207-6343

Email Customer Support:

[support@hrmorning.com](mailto:support@hrmorning.com)

Mailing Address:

660 American Avenue, Suite 203

King of Prussia, PA 19406

## About SuccessFuel

at **SuccessFuel**, we equip professionals to do great work with news and analysis, online workshops, step-by-step training guides, digital newsletters, and much more. Our sister brands include:

RESOURCEFUL  
**FINANCE PRO**  
Powered by  SuccessFuel

Safety|NewsAlert  
Powered by  SuccessFuel

 **Better Buys**  
Powered by  SuccessFuel

 Premier Learning Solutions  
Convenient. Affordable. Actionable.

**Resourceful Compliance**  
Powered by  SuccessFuel

**resourcefulmanager**  
Powered by  SuccessFuel

**SWAG ENVY**  
Powered by  SuccessFuel

## Not an HRM INSIDER yet?

This monthly newsletter is just one of the benefits of being an HRMorning INSIDER. Find out more at

[www.hrmorning.com/join-insider](http://www.hrmorning.com/join-insider)

become an Insider 