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Engaged employees are satisfied *-and loyal!-* employees



HR MORNING

December 2021



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Upcoming Events

Free Webinars

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People Analytics: The top HR Metrics Being Used in Organizations Today

How to Create Business Impact Through HR Analytics and Insights

sponsored by Sage People learn more [🔗](#)

Monday,
December 13th
2021




What Primary Care Should Be

How to Protect Employee Health and Productivity

sponsored by Accolade..... learn more

Tuesday,
December 14th
2021




Creating an Accountability Culture

How to Change Behavior and Drive Innovation

sponsored by Crucial Learning learn more [🔗](#)

Premium Event

On-Demand
Webinar



Taxing Your Remote Workforce:

Compliance Guidelines for Employers

brought to you by Premier Learning Solutions learn more [🔗](#)

News Briefs

HR Stories You Might Have Missed

Tragic accident kills employee: Is workers' comp all he gets?

published 11-16-21

A mini-excavator operator died in an accident at work when the machine rolled down a mountainside.

A lower court dismissed a lawsuit filed by the estate. It relied on a state workers' compensation law provision that says employees cannot sue their employers for work-related injuries.

[Read more](#) 

Is a 4-day workweek the answer to burnout?

published 11-16-21

Want to know how to avoid [burnout](#)? Implement a four-day workweek!

That's what the 2021 [Eagle Hill Consulting COVID-19 Workforce Burnout Survey](#) found. The survey, conducted by Ipsos from Aug. 11-16, 2021, randomly sampled U.S. employees. The 1,010 respondents answered questions about burnout and retention.

[Read more](#) 

Religious group to 5th Circuit: Vaccine mandate is 'sin against God'

published 11-15-21

With OSHA's emergency temporary standard (ETS) in place and going into effect on Jan. 2022, many employees have begun to push back against the COVID-19 vaccine mandate.

Most recently, a religious group petitioned the 5th Circuit to put a stop to OSHA's ETS, saying imposing the COVID-19 vaccine mandate would violate religious workers' beliefs.

[Read more](#) 

What benefits keep employees in their current jobs?

published 11-12-21

The types of benefits people are getting excited about today are really changing. They look different than a few years ago. So, which of these benefits that have been implemented during the pandemic are instrumental with retention?

[Read more](#) 

Court rules United Airlines' vaccine mandate is lawful

published 11-11-21

After several employees filed an injunction claiming United Airlines' COVID-19 vaccine mandate failed to accommodate workers wanting an exemption, a Texas federal judge dismissed the case.

The lawsuit claimed employees were retaliated against for seeking exemptions, which the judge also ruled wasn't true.

[Read more](#) 

Are you asking too many questions? Employer pays \$100K

published 11-11-21

Be super careful about asking medical questions and requiring medical exams.

For a medical exam or inquiry of a current employee to be legal under the ADA, it must be "job-related and consistent with business necessity."

[Read more](#) 

Employee fired for airing discrimination complaints, court says no retaliation

published 11-10-21

Every employer knows that firing an employee who makes discrimination complaints can lead to a retaliation lawsuit. But what happens when the employee is fired for *how* they made the complaints, and not for making them?

[Read more](#) 

IRS releases 2022 flexible spending account cap

published 11-10-21

The IRS just announced the cap for health flexible spending accounts (health FSAs) for 2022. The good news: It increased. The bad news: For many employers it may be too late for their employees to take advantage of the increase.

[Read more](#) 

401(k) contribution limits increased for 2022

published 11-9-21

It's almost 2022 and there's some news you need to let employees know about. [The IRS](#) raised 401(k) contribution limits \$1,000 from [2021](#). So, for 2022, employees can stash away up to \$20,500 in their 401(k), 403 (b) and the federal government's Thrift Savings Plan.

[Read more](#) 

Study: One in three employees unmotivated, unhappy

published 11-8-21

Heads up, employers. Just because your employees are sticking around, it doesn't mean they're happy about it.

People analytics company Perceptyx reviewed data from 15 million employees, finding that nearly half are unhappy at work, and one out of three employees are unmotivated as well — yet they have no plans to leave the company.

[Read more](#) 

Was it pregnancy bias, or just poor job performance?


published 11-2-21

An office manager who recently had a child filed a lawsuit alleging violations of Title VII and the FMLA. She was told by her employer that she could take up to three months of FMLA leave but was pressured to return to work sooner.

She told it she could not get childcare right away, and it terminated her employment.

A lower court ruled for the employer, and the appeals court upheld the decision, saying the employee did not show these reasons to be a pretext for unlawful discrimination.


[Read more](#) 



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HOW TO MANAGE HIGH PERFORMERS



Performance Management

Keep your superstars! 4 ways to promote employee loyalty



by Michele McGovern

Beware, HR professionals: Employee loyalty is in danger. Other companies across town and around the globe want to steal your superstars.

As more companies offer remote work – and employees want it – they're moving fast to hire away your best employees because ... well, they're the best.

So you'll want – actually, *need* – to do all you can to keep high performers happy and in the fold.

Here are four best practices to promote employee loyalty. Even better, the strategies work for middle-of-the-road employees who you want to keep happy, too.

Challenge them

Top performers care about challenge – want it, need it, are enthused by it.

"Stretch assignments are essential to keeping rock stars engaged," says [Jeff Hyman, chief talent officer at Strong Suite Executive Search, in research at Kellogg School of Management at Northwestern University](#).

Review superstars' performance at least quarterly with them to determine what they're capable of. Then decide together what to crank up – quantity or quality of work, level of responsibility or autonomy.

And, Hyman says, don't ignore compensation. Top performers who do more deserve more (or they'll leave).

Set a straight career path

Top performers don't follow the same trajectory of most intended corporate career paths. Theirs is

higher and faster. So if you want to keep them happy, you need to help them rise like that.

You want to tailor a professional development plan for superstars.

"It's important to put your arm around them and say, 'I think you have a lot of potential and one of my key jobs is helping you reach your potential,'" says Carter Cast, a clinical professor of innovation and entrepreneurship at the Kellogg School of Management at Northwestern University.

Two keys:

- Continually give superstars [opportunities to improve skills](#), and
- Get their input so you assign them valuable projects geared specifically toward where they want to go.

Put them in the right place

Top performers are not immune to toxicity in the workplace. Negative people and poor performers can bring down superstars' morale and performance, according to Dylan Minor, a Kellogg professor of managerial economics and decision sciences.

"Once a toxic person shows up next to you, your risk of becoming toxic ... has gone up," Minor says – and that can spoil an entire department.

Here's the kicker: A superstar can help [improve the performance of colleagues](#) sitting within 25 feet. A toxic colleague can hinder performance of everyone on his or her floor!

Seriously: Carefully position employees' workspaces.

Hire slow, fire fast




Now that you know what toxic employees can do to the morale and performance of good employees, can you avoid introducing them to your team? Even worse, you definitely don't want to put or leave toxic employees in leadership positions.

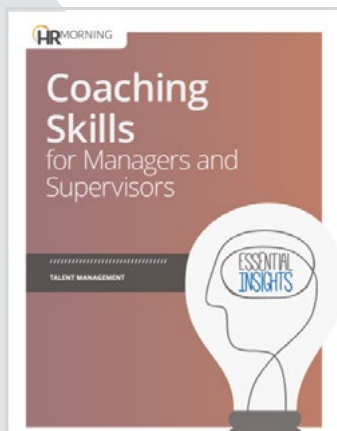
"The most serious toxic worker is one that has any kind of power or authority," says Brenda Ellington Booth, a Kellogg professor of management and organizations. "My favorite phrase is, 'They tend to kiss up and crap down.'"

Hire slow and fire fast, she suggests. Check references beyond the few job candidates supply. Use trial periods before offering full-time employment, if you can. That way, you can be certain the right person is in the right place.

And if you still end up with toxic employees you can't fire, isolate them as much as possible so they don't have a negative effect on employee loyalty.

Recommended reading from Michele McGovern

- [Coaching keys to fuel a culture of belonging](#) 
- [What's good about work? A lot, employees say \(Woo-hoo!\)](#) 
- [The key to building better workplaces: Humanity at work](#) 



Read this Essential Insight now

Want to help employees reach their full potential?

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

So how do you get your people to step up?

Read the report: **"Coaching Skills for Managers and Supervisors"**

get the guide 



Worker with disability fired: Was it discrimination?

"Hey Betty, got a second?" asked April Nolan, one of the company's supervisors.

"Sure, April. What's up?" asked Betty.

"You know Derek, one of the project managers, right?" asked April.

Betty nodded.

"Well, he's always been a good worker," said April. "He doesn't set the world on fire, but he gets the job done.

"All of the sudden he's been letting things slide. I've talked with him, but he hasn't improved. So, I'm placing him on a performance improvement plan (PIP)."

"You've been documenting his slip ups, right?" asked Betty.

"Absolutely," said April. "I just wanted you to know, because he's been with the company for 15 years."

"As long as you have documented everything and spelled out what he has to improve on in the PIP, we should be fine," said Betty.

Medical issue

A few days later, April was back in Betty's office.

"Derek is now saying he has cervical dystonia and needs medical accommodations," said April.

"Did he ever mention before about having a disability?" asked Betty.

"Nope never," answered April. "He

also asked for a leave of absence."

"OK. Thanks for letting me know," said Betty. "I'll talk to him right away and get all of the paperwork started."

The company accommodated Derek's medical restriction and approved his leave of absence.

But when Derek returned, he was

terminated. The company said it was because he didn't satisfactorily complete the PIP.

Derek sued under state law alleging disability discrimination and denial of accommodations.

Betty's company fought the lawsuit. Who won?

The Decision

A lower court ruled in favor of the employer, but then Derek appealed. The appeals court, however, agreed with the previous ruling and affirmed the decision to rule in favor of the employer.

The employer provided a legitimate, nondiscriminatory reason for its decision to terminate Derek: poor job performance. The reason was supported by documentation.

At that point, the burden shifted to the employee to show that the proffered reason was just a pretext for unlawful discrimination based on disability.

He didn't create a factual issue as to pretext, the court said.

"The record is replete with evidence concerning [the employee's] deficient performance, none of which was

related to [the employee's disability]," it added.

The court also rejected the employee's claim of unlawful failure to accommodate because the employee was unable to perform the essential functions of his job.

The decision for the employer was affirmed.

Lesson: Document everything

It doesn't matter how long a person has worked for a company. What matters is their performance.

Even if someone has a disability, your responsibility is to

accommodate any needs they may have. But you don't have to lie down and let them walk all over you.

If an employee is placed on a PIP and they're given steps to take to

improve and they don't do it, they can be let go.

Remember, document performance deficiencies to defeat allegations of unlawful bias.

Vinh v. Express Scripts Services Co., No. 20-2017, 2021 WL 3354350 (8th Cir. 8/3/21).

Employee mental health: HR's big challenge and great hope



by Michele McGovern

6 WAYS TO SUPPORT WORKPLACE WELL-BEING

HR MORNING



Employee mental health could be HR's biggest challenge and greatest hope these days.

More than 85% of employees said their workplace well-being declined since the start of COVID-19, according to [a Harvard Business School study](#). The problems, to name a few: increased job demand, disconnection and disengagement.

Couple that with life's issues, and it's a bigger mess. About 85% of employees said their overall well-being went downhill. They [feel isolated, lonely and often too stressed](#) to take care of basic needs.

"By all accounts, employee mental health has taken a hit from the pandemic," said [Anna Mittag, Senior VP of Products and Services at LifeSpeak](#). "It's always been an issue, but the pandemic put employee

mental health at the forefront of the conversation. It's something employers must deal with. The pressure is on now."

Regardless of the source, when mental health issues affect employees, that will affect their work. So they need support and resources to regain mental well-being.

Here are six ways HR can help now:

Give more easy-access information

You can provide employees with a bounty of information and resources on mental health well-being, but like a horse to water, you can't force them to take it in.

That's why it's critical to make the information uber-easy to get a hold of and understand.

"No-barrier access is really important," Mittag said. "Head people off at the pass with education and help. Then make it easy to consume the content."

Promote the services and information you have with:

- HR benefits specific email
- push notifications, and
- links in general corporate messages.

With each, tell employees how long it'll take them to read or listen to the resource. Also make each resource – such as a short mindfulness session or advice on parenting when dealing with depression (which Mittag said is an increasingly hot topic) – just one click away.

Double down on manager support

Many front-line managers face a mental health double-whammy: They struggle with issues such as stress and isolation. And they support many people who share the same struggles with them in hopes of getting help.

"They're not counselors, therapists or psychiatrists," said Mittag, "yet they're called to be these. So what front-line managers really need is recognition from HR and the executives that they need help and tools to support their employees."

You'll want to start or bolster front-line management training to include how to:

- identify when employees are struggling with mental health issues
- initiate and have conversations around mental health care
- respond to employees who bring mental health concerns to them, and
- send regular, ready-made email with links to support mental health, plus content that helps them decide if or when it's time to get more help.

Make strides every day

Nearly 85% of employees feel emotionally drained from their work, according to [Mental Health America's Mind in the Workplace report](#). It's not a big occasional project, dispute with a colleague or failure that causes that kind of drain.

"Workers were more stressed than ever. They were more worried about their physical health and mental health. They're more anxious about their financial well-being. They were more concerned that their employers and supervisors were unsympathetic to the stresses they felt," said [Paul Gionfriddo, President and CEO of Mental Health America](#).

Almost every day there's a struggle. So almost every day employees need help to stay balanced.

Add – or again, bolster – resources to help employees with their lives outside of the workday. For instance, share recorded expert tips on financial health or help them create Employee Resource Groups (ERGs) so they can collaborate on issues such as parenting in a pandemic, caring for older adults or [socializing in a remote work model](#).

Address what's important

While you want to give employees plenty of information and easy access to it, it's equally important to provide what's most useful to them now.

For LifeSpeak and its clients, requests for expert mental health advice and resources jumped 60% from March 2020 to March 2021. Mittag said most of the requests were on the subjects that had always been popular – anxiety, resilience, depression and relationships. But one in particular shot up: sleep hygiene.

That prompted LifeSpeak to amp up information and resources on sleep's role in mental well-being, while providing great content on the usual most requested subjects.

So keep an eye and ear on the pulse of your employees' needs. Pay attention to the subjects and resources they tap so you're sure to have the most up-to-date information available to them, plus access to experts in those fields.

Build the culture

As with most workplace issues, efforts to improve and support mental health well-being will be most effective if they're championed from the top.

"If you're going to have a corporate culture that acknowledges mental health as important as all physical health – the same as treatment for cancer or broken bones, for instance – it has to be made explicit by leadership and HR," Mittag said.

So the stronger the support you get from the C-Suite, the more likely HR's efforts to help employees with mental well-being will work.

One effective tactic Mittag shared: One CEO starts companywide meetings with a brief video on a mental health issue – for instance, work-related stress – and a tactic

to help cope with it. Then the CEO shares a struggle he's had with stress and how he deals with it. That helps normalize mental well-being for all employees.

And if you think – or know – you'll get pushback when pursuing support for mental well-being support, remind the C-Suite that investments in it pay off. In [a Deloitte study](#), researchers found for every \$1 a company invested in mental health care, it realized a \$6 return – on important Key Performance Indicators (KPIs) such as improved employee productivity to reduced sick time.




Encourage proactivity and positivity

With the support of the C-Suite, you can likely build momentum in a well-being initiative that takes any negative stigma out of mental health issues.

Then you can hold and promote initiatives aimed at maintaining a mentally healthy workforce. You might create – or invite employees to create – mental health support groups that fit their interests. Some might use time in nature. Others might want yoga or meditation. Some others might want group therapy on issues that impact their lives.

Keep your focus on employee needs, and you'll find positive mental health initiatives for your organization.

Recommended reading from [Michele McGovern](#)

- [Burnout isn't going away: 4 ways HR can help employees](#) 
- [6 ways to help employees deal with stress](#) 
- [What benefits keep employees in their current jobs?](#) 

What Would You Do?

Staffing nightmare: Employee can't work during her unpredictable migraines



The Scenario

"Hey, Jackie, how are you feeling?" HR manager Stu Capper asked as he walked into the kitchen to get some coffee.

"Much better than yesterday, thanks," Jackie replied, sipping from her mug. "Unfortunately, when I feel a migraine coming on, all I can do is just ride it out."

"That's awful," Stu replied.

"I actually wanted to talk to you about taking days off when I get my migraines," Jackie said.

Unpredictable absences

"But haven't you been coming to work with them?" Stu asked.

"I've been trying to tough it out," Jackie said. "But it's impossible to get any work done. The glare from my computer and all the noise in the office makes my head hurt so much worse."

"Well, how often do you get your migraines?" Stu asked.

"Usually once or twice a month," Jackie replied. "So I wouldn't be missing that many days."

"The number of days isn't the issue," Stu said. "It's the unpredictability. What if a headache strikes on the day of an important meeting? Your input really matters."

Jackie shook her head, frustrated. "I don't know what to tell you. I can't control when it happens. I just wake up, feeling like my head's going to explode."

"I feel for you, I really do," Stu replied. "But it would be really tough for us to deal with you calling out a few times a month on such short notice."

If you were Stu, what would you do next?

Reader Responses

Maya Baker

HR generalist, AMR Medical Transportation, Tucson, AZ

What Maya would do: I'd start looking into ADA and FMLA options right away. I'd need Jackie to get more information from her doctor – there might be an accommodation that helps her but allows her to work, such as moving to another area of the office that's quiet and more secluded. If she's eligible for FMLA leave, that needs to be explored as well.

Reason: We'd obviously want to go through the interactive process and get all the information we can. If intermittent leave isn't reasonable, we need to explore every other possible accommodation.

Kim Reed

HR rep, Dells Insurance Agency Inc., Alamosa, CO

What Kim would do: I'd allow Jackie to take the absences. If one of her migraine days ended up conflicting with an important meeting, I'd have someone take notes to brief her later, or (if possible) reschedule the meeting.

Reason: We can't expect Jackie to work when she's in a lot of pain. If her presence at a meeting was that important, moving the meeting could be an option. Taking notes for Jackie would keep her in the loop if we couldn't reschedule it.

Talent acquisition vs. recruitment: Understanding the difference



by Rachel Mucha



Hiring. Recruiting. Talent acquisition. Doesn't it all mean the same thing?

There's actually a crucial difference between recruiting and talent acquisition, and understanding this will help you establish a more effective hiring strategy.

Recruiting happens when employers are addressing a current opening — they need a spot filled right away, so they look for candidates to do that job.

Talent acquisition is long-term planning that involves building relationships with talent — with the

intention of hiring them at some point in the future. For example, some roles take much longer to fill than others, so proactive employers begin looking for potential talent before the job is even open.

So really, recruiting is just one small part of your overall talent acquisition strategy.

When recruitment is necessary

Of course, recruiting is a necessary tool to fill open positions. While it's more of a short-term measure,

sudden openings are inevitable and just a part of doing business.

And when a job needs filling quickly, it can be easy to pick a candidate who isn't the best fit. But a [mistake](#) like that can prove to be both costly and time-consuming.

Here's how some companies ensure they're recruiting the best candidates.

Caitlyn Metteer, the recruiting manager of Lever, makes sure that applicants are very clear on what the job entails. She began tailoring job descriptions differently. Instead of having the job postings focus on past

experience and future job duties, Metteer focused on the outcomes the company expected in the first year on the job.

This new focus allowed candidates to have a better idea of what would be asked of them, and whether they could see themselves being successful in the role and completing these goals. Metteer found that the candidates who applied to these jobs ended up being better fits compared with jobs that used traditional ads.

The right skill set is a big part of ensuring the candidate is a good fit — but so is making sure they fit in with your company's culture.

Thibaud Clement, CEO of Loomly, found a way to address this issue. His company created a "Culture Code," which included a description of the culture they strive to create, as well as a list of their core values: kindness, integrity, fairness, etc.

Once finalized, Clement sent the Culture Code out to all candidates early on in the hiring process. The people who weren't a fan of the culture would self-eliminate, and those who liked what was described became even more enthusiastic about the position. It was a win-win.

While these companies' recruiting tactics were successful, the better plan is to focus on long-term hiring goals — which is why it's so important to have a talent acquisition strategy.

Importance of a TA strategy

[Talent acquisition](#) takes work and is an ongoing process, but it will make your hiring so much more efficient in the long run.

Here are the three main benefits of having a TA strategy, courtesy of TA tech company Skeeled:

1. **You'll get the best people.** Since you aren't feeling the pressure to fill a job opening ASAP, you can

take your time and truly find the most talented candidate.

2. **You'll be competitive.** When it comes down to it, employees determine the success of a company. Good people will give you a competitive edge — the best talent will want to work with equally talented team members.
3. **You'll save money.** Making a bad hire ends up being very costly when you need to replace them. TA helps prevent that from happening. It also saves on expensive and time-consuming processes like advertising jobs, sorting through resumes and screening and interviewing candidates.

And a [great talent acquisition strategy](#) has three key components:

- Having a good employer brand
- Creating a talent pipeline, and
- Maintaining candidate relationships.

Employer branding

So first things first — to evaluate your employer brand, you need to check your reputation. What are people saying about you? A good place to start is Glassdoor. Most candidates go there early on in the hiring process to find out what employees are saying — so you should check these as well to see what they see.

If you find negative reviews, don't ignore them. The best thing to do is to respond in a professional manner, so candidates can see both sides of the story.

Here's an idea for letting candidates know your company is a great place to work, courtesy of Procon's employer brand consultant Annette Carroll. She had the company's happiest employees make short videos explaining why they loved

their jobs. Carroll then attached the videos to job postings, so everyone could get a feel for what the company was about.

Filling the pipeline

Once your brand is polished to perfection, you'll want to start filling your talent pipeline. One way to achieve this is hosting networking events with the main mission of finding future talent. This is exactly what [Tequilla Lopez](#), director of diversity at Best Buy, did.

By explaining to the event attendees she was looking for future talent, Lopez said it took a lot of the pressure off. She could speak with candidates about their skills and goals in a more casual setting — like a coffee date. Everyone was at ease, knowing they had nothing to lose but everything to gain. If the conversation went well, Lopez would exchange information and keep in contact with them, and begin preparing them for their potential future role.

Another option for filling your talent pipeline is to turn your attention to colleges. Talent acquisition manager for CVS Health, Christy Del Regno, partnered with colleges to reach top students for internship opportunities. Del Regno would send representatives to schools to promote the company and internship program. Del Regno stays in touch with interns even after they leave the program, and many end up taking on full-time positions after they graduate.

Candidate relationships

Once you have talent in your pipeline, it's crucial you keep in touch and continue to maintain those relationships — or all that work of finding them would be for nothing.

Olivia Melman, recruiting operations

manager for Digital Ocean, has an interesting way of doing this. She focuses on staying in touch with past applicants.

When Melman finds people who didn't get the job they applied for but were impressive candidates, she puts them on a list. Every month, these candidates receive emails with updates on the company, as well as new job listings that may be a good fit.

Melman has had over 4,000 people reapply for jobs, and has hired a good number of them. Many of these hires ended up in positions that hadn't even existed when they first applied to the company.

And even those who weren't hired after all end up leaving with a great impression of the company, and would be more likely to recommend it to other job seekers.

Who's responsible for TA?

Talent acquisition is a team effort. While HR pros take the lead, it's important to be on the same page with higher-ups and hiring managers as well.

If everyone on your TA team isn't in sync, it can cause major issues. A few common problems are that hiring managers can sometimes have

unrealistic expectations for their ideal candidates, or want the process to move too quickly.

Founder of online hiring resource Recruiter Toolbox John Vlastelica says HR pros can help clear up [some common misconceptions](#) hiring managers have, which will ensure everyone is on the same page.

- **More applicants is better.** Some managers might want to see a ton of resumes, but trying to compare too many is impossible. HR should emphasize that reviewing three to five at a time is best.
- **Cultural fit is the most important thing.** Managers often want a new hire who'll fit in, but this can actually discourage diversity. Not to mention, a candidates' skill level and work ethic are the biggest factors that predict success — not cultural fit.
- **A large panel of interviewers is necessary.** If a manager has trouble making decisions, they may think more interviewers will help. But inviting too many opinions is a recipe for disagreement. The interview panel should have no more than three people — unless it's for a senior-level position.

Conclusion

Talent acquisition takes a lot of forethought and effort, but will save so much time and money in the long run when you aren't scrambling to fill a position every time an employee leaves.

Ready to come up with your own TA plan? Assemble your HR team to discuss the best way to begin filling your talent pipeline, and be sure to check in with managers to see what kind of talent they're looking for.

Recommended reading from [Rachel Mucha](#)

- <https://www.hrmorning.com/hiring-is-tough-what-strategies-can-hr-use-to-attract-new-talent/> 
- <https://www.hrmorning.com/articles/find-new-hires/> 
- <https://www.hrmorning.com/articles/recruit-gen-z/> 

Case Study

We got our employees interested in mindfulness by easing them into it



Personally, I've been practicing mindfulness for twenty years now, and I know how effective it can be.

But mindfulness is still a pretty new concept to most companies and people. And when I was brought on as the Chief Mindfulness Officer at my company, a lot of employees were confused about what that meant.

So the first thing I did was explain to the staff what my role entailed, and what I planned to achieve while there.

Help from marketing, wellness

My company hired me because they were very interested in making mindfulness a part of its culture. Leadership had laid the groundwork, but it was very broad, so I still had a lot to do.

I knew communication about the mindfulness program was going to be key. So instead of starting from scratch, I went to the marketing and wellness departments. They both helped brand mindfulness as a wellness program, and got our website up and running. They

helped us assemble email lists to get the word out to everyone who'd expressed interest in wellness initiatives before.

We started small — we wanted to ease people into mindfulness. Our first offering was called the Mindfulness Challenge. It was a four-week online program, and each week was focused on a different theme.

For example, week one went in depth about what mindfulness was. The following weeks centered on focus, energy and resilience, respectively. This covered a lot of ground in a short amount of time, and was a big hit. We ended up doing many more four-week modules, with different themes each time.

Overcoming hesitancy

Even though our first mindfulness program was a success overall, we still had a few hesitant leaders. We addressed this by tackling their questions and hesitations head-on — we didn't let it be a hurdle.

We used certain stats to help sell the idea, such as the fact that

75% of large companies offer some kind of mindfulness program. I also emphasized the point that, with the stress of COVID-19, healthy coping mechanisms were more important than ever.

One-off options

As for hesitant employees, we figured we might have a better shot at drawing them in gradually. If they weren't ready to commit to an entire mindfulness program, we offered quick one-off options.

We had one-time workshops, daily 15-minute meditations and presentations done by guest speakers. We also had employees who were fans of mindfulness act as our advocates. People are much more likely to participate if they know colleagues who have done it. Our goal was to normalize mindfulness.

We're still working to get more people on board, but currently we have 8,000 employees participating (about 20% of our workforce) — and the number keeps climbing.

(Andy Lee, chief mindfulness officer, Aetna, New York)

A look at open enrollment and 2022 trends



by Renée Cocchi



It's that time of the year! No. I'm not talking about the holidays. I'm talking about [open enrollment](#).

Tired of hearing about it yet?

Of course not, you're a Benefits professional. And just like Santa, this is your big/busy time of the year.

To help you keep your finger on the pulse of the industry, HR Morning (HRM) had a chat with industry expert, Sally Prather, who's the Executive Vice President and Employee Benefits Practice Leader for [Alera Group](#), an independent, national insurance and financial services firm. She shared with us what's going on with premiums and deductibles for the new year, and how Benefit pros can keep costs aligned while providing employees with the benefits they want and need.

Premiums increase, deductibles don't

First thing to know is that premiums will likely increase this year.

"I asked a couple of our chief actuaries what they were seeing in their renewal projection for their clients. And on average, [their response was] a 3% to 8% increase in premiums this year – depending on what part of the country you're in," said Prather. "And they've also seen stop loss rates, which are built into many self-insured programs, a little bit higher at 5% to 15% increases. But interestingly, we aren't seeing a lot of changes to deductibles. Our 2021 benchmarking survey found that less than 30% of employers were looking at increasing deductibles or out-of-pocket expenses – that's good news for employees."

Open enrollment trends

A big trend this year is employers making the enrollment process as easy as possible for their employees. This especially rings true since many firms still have remote and hybrid workforces.

"We're seeing a lot of employers build decision-making support tools (e.g., videos, infographics and online calculators) into the open enrollment process to make it even easier for their employees," noted Prather. "We're asked continuously for help with education and communication that's simple and easy, either leading up to or during open enrollment, to make employees' decisions as easy as possible for them."

While the core benefits – medical, dental and life insurance – are still the focus of most firms for 2022, along with vacation and paid time off programs, Prather said they're seeing a lot of interest in family care leave type programs, as well as student debt repayment programs.

In addition, due to high deductible plans, employers are looking at voluntary benefits, like hospital indemnity plans.

"We've also noticed, because of the environment we are in, telemedicine is a prominent benefit now and most likely will be here to stay, as individuals have become more comfortable with telemedicine during the pandemic," said Prather. "And – not surprisingly – there's been an interest in mental health benefits and things employers can do to provide access to mental health

services through their medical plans, as well as employee assistance plans.”

When Alera did its benchmarking surveys at the height of the pandemic, three to four months later and when folks were returning to work in 2020, the results revealed that mental health had deteriorated, especially among larger employers and those in industries like healthcare, education and nonprofits.

Smart offerings

Providing the most affordable, [best benefits](#) to their employees without breaking the company bank, is a balancing act most firms undertake every year.

And the problem: The benefits employees value most varies from person to person.

So how can employers figure out the best offerings to provide?

Prather suggests employers look at the demographics of their workforce to figure out what benefits would be the best fit. For example, do they have a younger workforce who are looking for more work/life balance? If so, some of the things that might be important to them are pet insurance and student debt assistance. Or are they a little older and juggling childcare? Or maybe they need help caring for aging parents.




Whatever it is, employers should think about flexibility as a key and how they can build an employee benefits package that meets the needs of their workforce.

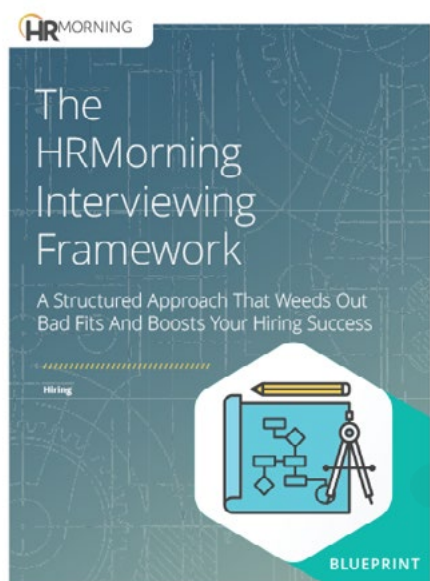
“We encourage our clients to survey their employees to see what benefits they value most and what benefits they’re interested in,” she said. “It’s the simplest way to find out what’s important to them. But it’s a double-

edge sword because you must do something with that feedback. Then look at the types of things they could add to their standard benefit package to provide as much added value as possible.”

Recommended reading from

[Renée Cocchi](#)

- [Reward your teams with these budget-friendly perks](#) 
- [Open enrollment: Financial planners share most asked questions](#) 
- [HSAs: What do your employees really know?](#) 



The HRMorning Interviewing Framework

A Structured Approach That Weeds Out Bad Fits And Boosts Your Hiring Success

This systematic, repeatable interview process – when properly applied – is designed to help you develop a structure that provides you a better-than-average success rate for bringing outstanding new employees on board.

In this Blueprint, you’ll discover how to:

- Create a scorecard that quantifiably identifies “A” players you need.
- Develop custom interview questions specific to your company and jobs.
- Structure your interview to qualify and assess candidates when they all are trying to convince you they’re the best.
- Measure and refine the effectiveness of your interview process over time.

[get the guide](#) 

Case Study

Found an alternative to high deductible employee health plans



It seemed like a majority of companies our size were offering an HSA-eligible high deductible health plan (HDHP).

At first, an HDHP seemed appealing to employees because of the low premium.

They're appealing to employers, especially those with self-funded health plans, because the high deductible discourages inappropriate use of healthcare services which controls costs.

An HDHP was supposed to make our employees more savvy healthcare consumers and give them more "skin in the game" by investing pretax dollars into an HSA.

But what it did was create unaffordable health costs and an underutilization of necessary services like prescriptions, check-ups and specialist visits. One example was when the son of an employee broke his leg.

After the cast came off, the follow-up care became costly because the deductible hadn't been met. The family had to make hard decisions about whether or not to keep physical therapy appointments.

Lacked primary, coordinated care

A sustained relationship with a primary care physician (PCP) can keep people out of the hospital and away from expensive hospital bills. Yet one out of every four employees doesn't have a PCP.

Instead of a disorganized network of providers with a gatekeeper, what our employees needed was a health plan in partnership with a primary care organization that:

- charges consistent copays instead of a deductible
- doesn't charge for PCP visits
- makes referrals to appropriate specialists
- compensates providers based on meeting the employer's goals, and
- has provider/member tech tools on a common platform that reinforce coordinated care.

Health programs centered around primary care like this do exist. In recent years healthcare systems have become more clinically integrated, with providers on common technology platforms capable of collaborating on an employee's care.

Predictable copays is the key to healthcare affordability.

Smarter option

Switching health plans from a deductible system to a copay system results in better coverage, low costs and high quality of care.

Along with an out of pocket maximum of \$1,000 for individuals and \$6,000 for families, we found that having predictable copays is the key to healthcare affordability:

- specialist visits, \$50
- urgent care, \$100
- hospitalizations, \$100
- outpatient surgery, \$500
- inpatient surgery, \$700, and
- emergency room visits, \$200.

(Ashok Subramanian, founder and CEO, Centivo, as presented during the webinar "The Social, Economic and Health Impacts of High Deductibles")

Don't let quitters ruin it for everyone: Give employees who stay the best experience



by Michele McGovern



With so many people quitting, HR pros might only focus on turnover.

But don't! Instead, turn your attention to the employees who stay.

Sure, it's called the Great Resignation. But the smartest companies – and they feel the [turnover and hiring crunch](#), too – hone in on retention by engaging loyal employees even more.

In fact, 80% of best-in-class companies doubled down on what's critical to employee retention – communication, flexibility, relationships and culture. That's according to the [Conference Board's study, Reshaping Employee Experience and Organizational Culture: Lessons From the Tumultuous Events of 2020 and 2021](#).

"Businesses not only need to trust their employees, but to gain their employees' trust," said Robin Erickson, PhD, Principal Researcher, Human Capital at The Conference Board.

Now's the time to focus on employees in the building or at home – those who show up day-in, day-out making the wheels turn. Here are six strategies to improve their employee experience.

Communicate more

Communicating more doesn't mean just putting more information in employees' hands. They don't need

Don't let quitters ruin it for everyone: Give employees who stay the best experience

more. They need personal and authentic information.

How? Try:

- Town hall meetings with company leaders talking realistically about business in language employees "get"
- Regular forums between departments that rely on each other
- Skip-level meetings where people can give upper management their view of the employee experience, and
- A regular cadence of one-on-one meetings between managers and direct reports.

"These intentional opportunities for meaningful conversation provided a platform for employees to provide honest feedback," Erickson said of the study's best-in-class companies. "[The companies] broke down barriers between leadership and staff, and helped leaders to be aware of the experiences of their employees."

Ask the right questions

Asking the right questions – and reacting to the responses – goes hand in hand with more communication. And employees' well-being has never been more important.

Managers in one-on-one meetings can improve the experience when they make an effort to understand their employees' well-being.

Try these questions from [Leadership Coach Suzi McAlpine](#):

- On a scale of 1-10, how would you rate your well-being right now? What do you think influences that score?
- How do you feel about your workload at the moment? Tell me more.

- What can be done to improve things when it comes to your well-being at work? How can I help?
- What worries you the most with work?
- When are you at your best at work? What are you doing?
- Compared to when you started in this role, how would you say your mental health is?

Talk about potential, possibilities

Leaders can make good employees feel even better about their loyalty by asking for and using their feedback.

Even better, get their thoughts and ideas on the challenges you face because of last year's turbulence. Ask them to help you shape your organization's future. Maybe they can help with hiring – instead of just filling the holes left by those who've quit.

When you're solving problems or planning strategically, ask loyal employees:

- What do you think is the best possible outcome for us in this situation?
- How do you think we can reach those goals?
- Where do you and your personal goals fit in this?

Focus on mental health

Nearly 60% of employees would quit their job for another where the employer makes mental health a higher priority, a [TELUS International study](#) found.

Most loyal employees have been charged with extra responsibility, tasks and demands as their colleagues left. So they're under

more pressure than ever. That takes a toll on their mental well-being. And if their employer isn't watching out for them, they might not do it themselves.

"The result has been a much needed shift in the past year from a 'don't ask, don't tell' attitude to a 'do ask, do tell and let's talk' mindset that has transformed the way society perceives and discusses mental health, both more generally and in the context of the workplace," said [Marilyn Tyfting](#), Chief Corporate Officer at [TELUS International](#). "Employees need, and are increasingly asking for, resources to help them cope with mental health challenges."

Another way to help loyal employees reduce or handle stress: Institute designated mental health days for the whole company. When everyone is off for the day – and encouraged to do things they enjoy – no one feels pressure to be responsive or responsible.

Recruit loyal employees again

Most people don't mind being courted, whether in professional or personal relationships. So when you court – or, technically, re-recruit – loyal employees, you naturally make them feel better about themselves through the process.

Go back to the "recruitment table" and have renewed conversations about:

- **motivations and ambitions.** Most employees' dreams and ambitions evolve over time. They might have new ideas on what personal success looks like – and you might be able to help them fulfill that through different opportunities in your organization.

Don't let quitters ruin it for everyone: Give employees who stay the best experience

- **contributions.** Create a list of their accomplishments and the positive impact those have on the company, colleagues, customers and/or community. Talk about why that matters. Thank them for the difference they've made by showing up during difficult and changing times.
- **the future.** These shouldn't be one-time, let's-get-through-this conversations. Managers want to create reasons to follow up on each chat so another meeting is scheduled to check in again on motivations, ambitions and contributions.

Reward loyal employees

When it comes to rewarding employees, what worked before the pandemic probably won't work as well now. Employees' lives and

expectations changed – and how you recognize and reward them for increasing contributions makes a difference in their desire to stay.




Compensation matters, but pay raises and cash bonuses don't necessarily increase engagement and loyalty, according to [research in The Harvard Business Review](#).

What does? Researchers found investing in workplace culture pays dividends. The most successful investments are focused on:

- positive culture and values
- quality senior management
- training that helps employees improve their careers and lives
- creating pathways for employees to build careers, and
- [diversity, equity and inclusion](#).

Those kinds of investments have an impact on the larger population, not just the top performers. And when everyone feels the love, they stay engaged and continue to build a better culture where more people want to stay.

Recommended reading from [Michele McGovern](#)

- [Boost employee experience by reeling in killjoy managers](#) 
- [7 ways to improve civility at work – on-site and remotely](#) 
- [Employees are disengaged: Strategies to win them back](#) 



Read this Essential Insight now

Handling Difficult Conversations With Employees: What Every Manager Needs To Know

No one likes having a difficult conversation with an employee, but why do you try so hard to avoid it? You know stalling doesn't help. The problem isn't going away by itself and if you don't deal with it, you're encouraging it to continue.

The poor performers think it's great because they'll just keep doing it. But your good performers? They'll get sick of it and leave – only to be replaced by more problem employees.

Read the report: **"Coaching Skills for Managers and Supervisors"**

[get the guide](#) 

When can rescinding a job offer get you sued?



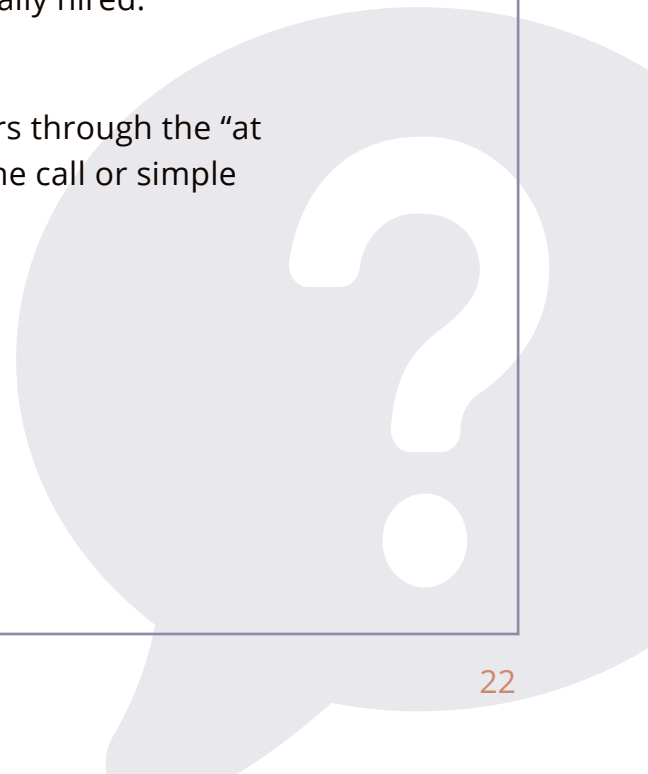
Many employers think that [“at will” employment law](#) always protects them if they pull a job offer – especially if the offer includes specific conditions. Are they right?

Test yourself by answering *True* or *False* to the following statements and checking responses against the answers below:

[check answers on the next page](#)

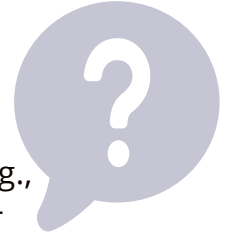
- 1 TRUE OR FALSE:** A candidate who quits their job after getting a job offer can sue if you rescind the offer.
- 2 TRUE OR FALSE:** An employer has no liability if someone from the company, outside the hiring process, suggests to a candidate to resign their job or take other actions before they are officially hired.
- 3 TRUE OR FALSE:** Because courts view most job offers through the “at will” lens, if you decide to pull an offer, a quick phone call or simple email to the applicant is enough.

go the following page to see if you are correct.



Test Your Knowledge: Answers

Answers from previous page



- 1 FALSE:** If a job offer and job description state conditions to the offer (e.g., satisfactory references or valid immigration status), pulling an offer for not meeting them is usually safe.
- 2 FALSE:** It doesn't matter if it's the CEO or an admin who encourages an applicant to give notice or move. If they act on the advice and you pull the offer, they likely have a claim for lost wages or expenses.
- 3 FALSE:** Be sure of your legal footing before talking to the applicant. Have Legal check the offer letter and your reasons for pulling it. Make sure no one made expressed or implied promises. And let them know in writing (not by phone or email), with a way to track and confirm the applicant received your note.



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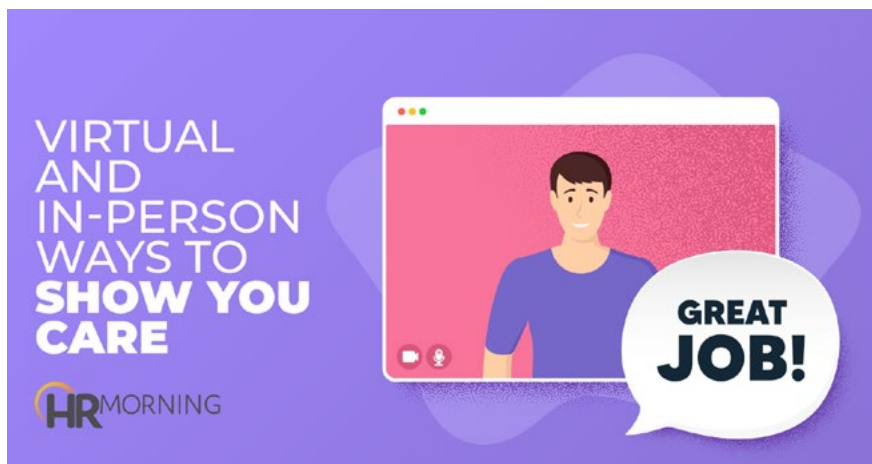
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BENEFITS

Employee appreciation & holiday celebrations



by Renée Cocchi



Employee appreciation is more important now than ever. Why?

Many people have been working from home for over a year and a half. While some companies have returned to the office or have a hybrid schedule, a good chunk are still fully remote. And they don't have many of those one-on-one interactions and opportunities to be appreciated.

People want to work for companies that care about them. If your company shows its employees they care about them, they'll be more likely to stay during the "great resignation" era.

And with the holiday season upon us, it's vital for firms to do something for employee recognition and appreciation. They want to [celebrate this year](#) and have fun now that some of the restrictions have been lifted and many people are vaccinated.

But it's not going to be easy. And while the pandemic isn't over, the

year almost is. So, you want to go out showing your appreciation and gratitude.

Whether you show that appreciation in person or virtually doesn't matter. Just do something because what you do matters.

Here are some ideas from employee reward and recognition expert [Blueboard](#):

VIRTUAL CELEBRATIONS

If you're not comfortable doing an in-person celebration, it's understandable – whether you're in a high-rate COVID-19 area or not. You know your situation and your employees best. Just one word of warning if you're [celebrating virtually](#), skip the Zoom happy hour. People are Zoomed out nowadays.

1 Secret Santa with a personal touch

Most people have done a Secret Santa gift exchange at

some time. But make yours a little extra special. Have participants give the name of a co-worker who knows them well. The gift "givers" then use these "special co-workers" to come up with meaningful gifts. Set a budget and give employees pre-paid shipping labels to send their gifts. Then, to spread holiday cheer, have employees share what they got online via Slack or another company source and tag the gift giver in the photo – if they want to.

2 Traveling gift box

The first step for the traveling gift box is to find out who wants to participate. Then, group them by similar locations. The next step, send out a gift box filled with holiday cheer to one person in each group. That person then refills the box with new holiday cheer items and sends it to another person in the group and so on. Again, give employees pre-paid labels and set spending limits. It could be things to decorate your home office space, or things for a special holiday meal. And as always, post pictures along company channels to share the cheer!

3 Holiday playlist for the company

If your budget is stretched thin this year, consider creating a company-wide Spotify playlist. Have everyone add their favorite holiday tunes. When they're done adding to the playlist, encourage employees to play the music while they're wrapping gifts, cleaning or whatever. Then have

them comment on their favorite tunes, songs they've never heard before, etc. It'll be a fun bonding activity.

4 Adult show-and-tell holiday traditions

Kids love show-and-tell!

And there's no reason adults can't love it, too! So, try a virtual show-and-tell during which employees share their holiday traditions. Again, it's a bonding activity for employees to get to know each other better. And they may find a new tradition that they want to make their own.

IN-PERSON CELEBRATIONS

If you go for an in-person event, remember all the COVID-19 safety guidelines, and do your best to keep employees safe. And remember, some people won't be comfortable with an in-person event. So, consider offering a virtual option for them.

5 An old fashion holiday party

No, it doesn't mean dress in colonial garb. It just means throw a pre-pandemic holiday party. Things, however, you'll want to consider:

Only allowing vaccinated people to attend or requiring unvaccinated people to wear masks.

The type of venue – bigger rooms may make people feel safer, as will having an indoor/outdoor space.

Will event staff have to mask up?

How to minimize risk when having food, like having event staff pass trays instead of a buffet.

6 Desk decoration event

Have employees decorate their desk/work area representing what the holidays mean to them. Maybe it's a favorite song, vacation, event, meal, etc. Then stop work and have everyone take a tour and share the story behind their decorations.

7 Local lights tour

If you don't have the budget for a holiday party, consider a local lights tour.

Schedule a time when employees can meet up and peruse nearby holiday decorations. You can do it at different locations, and help employees create groups to sightsee with. You could even set up a little hot cocoa, cider stand at the company or someone's house after the tours are done. And as always, sharing photos is enjoyable.



8 Glam up holiday trees

Get some trees and decorate them throughout your office. Make each tree a different theme. They can be silly, like holiday socks or a candy bar tree, or non-silly, like a Hanukkah tree or homemade decorations. Your imagination – and the strength of the tree limbs – is the limit. Again, stop all business at some point and have everyone tour the trees! It's a fun way for employees to be creative and silly, and a bonding activity.

One thing to remember when planning your holiday celebration as far as employee recognition goes, you won't please everyone.

That's why it's important to do a few different activities to cover as many employees as possible. Your events/activities don't have to be expensive to show you care. They just need to show you've put thought and effort into them.

Recommended reading from [Renée Cocchi](#)

- [Reward your teams with these budget-friendly perks](#) 
- [Rewards Matter: 4 great ways to recognize employees](#) 

The Cost of NonCompliance



\$27,027

9 workers cheated out of OT pay

What happened: Nine electricians and electrician helpers were paid flat salaries for all hours they worked, just so the Tulsa oilfield construction company could avoid paying overtime.

What people did: The DOL's Wage and Hour Division investigated and found ME3 Oilfield Services LLC didn't pay employees for the overtime they earned when they worked more than 40 hours in a week. Because these electricians and electrician helpers weren't managers or supervisors they legally should be paid overtime when required.

"Workers have the right to be paid all of the wages they've earned," said Wage and Hour District Director Michael Speer in Oklahoma City. "When employers violate this right, they hinder the worker's ability to provide for themselves and their families."

Result: The nine workers will be paid \$27,027 in overtime back wages for violations of the FLSA.



\$242,794

3 MA restaurants cheated workers out of OT pay

What happened: Three Massachusetts restaurants intentionally failed to pay workers earned overtime pay.

What people did: The DOL's Wage and Hour Division investigated and found that between January 2017 and August 2020 Wan Feng Ye and his restaurants, Feng's Asian Cuisine in Wakefield, Oye's Chinese Restaurant & Bar in Reading and Oye's Chinese Restaurant in Saugus, willfully paid workers less than the required OT rate when they worked more than 40 hours in a week. In addition, the restaurant didn't keep accurate hours worked for employees or payments.

"Unfortunately, the Wage and Hour Division finds violations like these are all-too-common in the restaurant industry," said Wage and Hour Division District Director Carlos Matos in Boston. "This investigation illustrates how employers who violate the law face costly consequences. This case has recovered the wages these workers should have been paid and held the employers accountable for their failures to comply with the law."

Result: A federal court entered a consent judgment, recovering \$165,044 for 75 workers. The judgment also requires the restaurants to pay \$77,750 in civil money penalties.

Employees are disengaged: Strategies to win them back



by Rachel Mucha



PERFECTING THE EMPLOYEE EXPERIENCE



With all the hiring difficulties employers are facing now, many are so focused on securing new talent, current employees' needs get pushed to the backburner. Employers might make the incorrect assumption that if employees are staying with the company, they must be happy.

But this isn't always true. According to a [Perceptyx](#) study, one in three employees are [unhappy and unmotivated](#) in their jobs – yet they have no plans to leave.

Dubbed the “working dead,” it's crucial employers correct this, because no employee does great work when they lack motivation and engagement.

Employee experience

So why are these employees so unhappy? Perceptyx identified three major workplace factors that impact employee experience the most.

- 1. Basic needs.** Turns out, the basics are really important. Working with the proper tools in a respectful environment have a big effect on the employee experience. Often, a lack of good management drives workers out the door.
- 2. Fitting into the company's future.** Employees aren't going to want to stay if they feel like they don't fit into the company culture, or there's no way to grow within the company. If someone can't envision their future at their workplace, they're going to disengage.

Employees are disengaged: Strategies to win them back

3. Healthy workplace climate. A physically and psychologically safe workplace is paramount – especially after experiencing the COVID-19 pandemic. Employees want to work somewhere the stress is manageable and they can stay physically healthy.

So how can you tell which of your employees are the disengaged ones? It's not always obvious. Some may be keeping up with their work and seem fine, while really struggling internally.

Perceptyx identified four distinct personas your employees have, and its report delved into what these personas want, and how you can [meet their unique needs](#).

1 The Energized

Nine percent of employees surveyed fall in "The Energized" persona. These workers are go-getters who aim to spend their whole careers at their current companies.

If they were to leave their company, it would only be because an opportunity arose that they couldn't refuse. These employees act as a company's unofficial brand ambassadors and will likely refer future hires.

As for the three major workplace factors, The Energized believe their basic needs are being met consistently, their work environment is physically and emotionally healthy, and company leaders are setting them up with a clear future.

2 The Contented

Forty-four percent of employees embody "The Contented" persona. These workers make up the largest portion of the workforce and are often considered the backbone of the company.

The Contented have a positive attitude about their companies, though they aren't as vocal about it as The Energized. They feel passionate about their jobs, and while they have no current plans to quit, they could be convinced for the right opportunity.

This persona has their basic needs met regularly, their work environment isn't actively detrimental to their health, and leaders have done an adequate job providing them with growth opportunities.

3 The Disconnected

Thirty-four percent of employees embody "The Disconnected" persona. These employees are far more likely to leave their company sooner rather than later. However, the bigger issue is when they stay, but phone it in.

These employees will only do the bare minimum of what's required, because they feel their leaders aren't investing in them. Their basic needs are met inconsistently, their work environment is having a negative impact on their wellbeing, and leadership is giving mixed messages about the company's future.

4 The Neglected

Thirteen percent of employees embody "The Neglected" persona. These workers are twice as likely to resign than any other group. They're burned out and feel hopeless working for a company they want to leave.

The Neglected's basic needs aren't being met, the work environment is damaging their physical and mental health, and they see no future with their company.

Act now

It's important to address The Disconnected and The Neglected personas before it's too late. Here are Perceptyx's strategies to turn things around:

- 1. Assess.** Leaders should take a close look at their listening strategy. Do you conduct an employee satisfaction survey? Have the questions been updated recently? And, if your survey doesn't include questions about the three major workplace factors (basic needs, healthy workplace climate, fitting into the future), you'll want to add those.
- 2. Analyze.** It's important to pinpoint where you're falling short. There's no single survey that will help you identify the problem areas. After you collect your basic information, you'll need to analyze it and probe deeper. You can engage certain groups of employees in meetings and dialogues so they can be part of the solution.
- 3. Act.** Listening and collecting your data is only half the battle. Look for ways to remove stumbling blocks and issues employees pointed out. It's also important to continue having these conversations to ensure your solutions were successful.

Recommended reading from [Rachel Mucha](#)

- [Great Resignation or Great Retention? How HR can win](#) 
- [Your 6-Step Guide to Boosting Employee Engagement](#) 
- [We got employees to engage with financial wellbeing program](#) 

Question

Is employee monitoring software legal?

Answer

In short, yes, it's legal to keep tabs on your employees' keystrokes and web browser history, says employment law attorney Mark McCreary of the firm Fox Rothschild. You just have to give them proper notice.

Typically, telling employees you have the right to monitor work-provided resources is enough. That can be placed in the employee handbook or displayed on their computer's login screen.

It's important to note that just because this is legal, doesn't mean it'll be popular with employees. There may be pushback if workers discover you're monitoring their activity, so you should be prepared for that possibility.

Question

An employee has missed quite a bit of work to attend doctor's appointments. When can we ask them for a note?

Answer

A lot of this depends on what type of leave the employee is taking, and what kind of attendance policies your company has, says employment law attorney Rob Thomas of the firm Holland & Hart LLP.

If the employee is missing work without approved leave, you can ask for a doctor's note to cover the absences if your attendance policy spells that out. If this employee is using FMLA or ADA leave, you have to be a little more cautious when requiring a note.

For example, you can ask for a doctor's note to approve an absence under the FMLA or ADA, but you can't inquire about when they'll be cleared to come back to work, or any other specific details about their health.

Question

If we give an employee an ADA accommodation, are we allowed to rescind it later if it no longer works for us?

Answer

Depending on the circumstances, yes, an employer can rescind an ADA accommodation if circumstances change, says employment law attorney Bernard Jacques of the firm McElroy Deutsch Mulvaney & Carpenter LLP.

A recent court decision addressed this scenario. A woman's condition prevented her from wearing the required steel-toed boots for her job. Her employer allowed her to wear flexible shoes as an accommodation. This went on for a year.

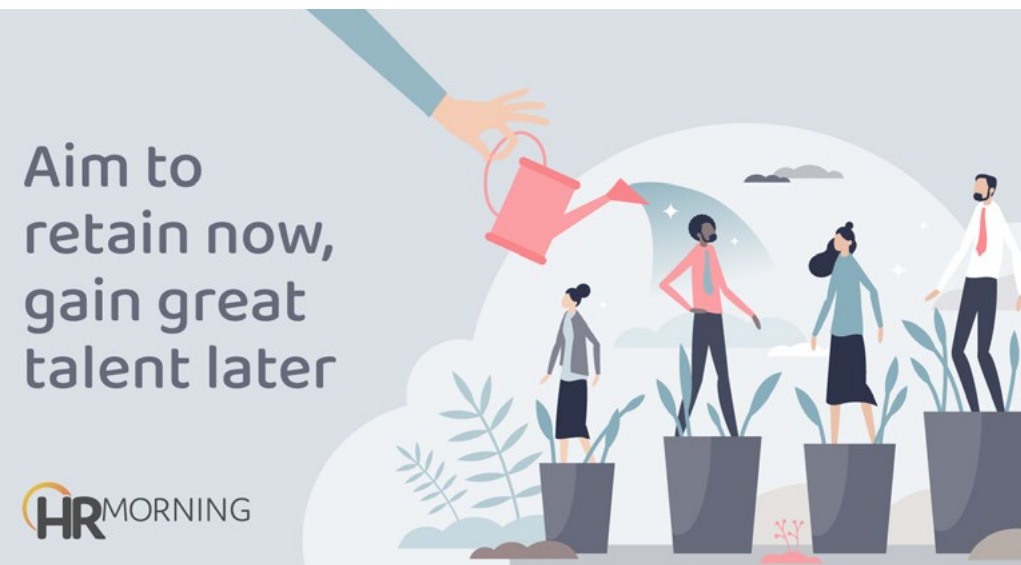
Eventually, the company was cited for a safety violation because this employee wasn't wearing steel-toed boots. The company realized it could no longer grant this accommodation without putting the employee's safety at risk, so it stopped letting her wear sneakers to work. The employee fought back, refusing to wear the steel-toed boots or consider a different accommodation.

The employee sued the company, saying it needed to continue to allow her to wear flexible shoes since she'd been doing it for a year. But a court dismissed her case. It said not wearing the steel-toed boots was a safety violation, and the company was within its rights to rescind the accommodation. It had been dangerous for the company to allow her to forgo the boots, and it corrected its mistake by rescinding the accommodation.

Great Resignation or Great Retention? How HR can win



by Michele McGovern



What will it be for you – the Great Resignation or Great Retention?

As an HR pro, you likely have the power to win in the increasingly difficult talent war. Instead of watching good employees walk out for the supposed next, best opportunity, you can stay ahead of resignations with solid retention strategies.

Almost 4 million people quit jobs in July – and nearly the same number quit each previous month this year, according to [the U.S. Bureau of Labor Statistics](#). About 40% of employees say they're at least somewhat likely to leave their job in the next six months, [a McKinsey study](#) found.

Those are the big numbers. You probably don't need to read them to know there's a labor crunch. You might experience it every day, trying to fill positions or increase staff.

But, as in many business situations, your best defense is likely offense. Fend off resignations with more and better strategies to retain employees.

"In today's labor market, retention is the most important HR priority. Tenured employees are culture bearers for your company, and hold the institutional knowledge that keeps teams working smoothly," says [Linda Shaffer](#), Chief People and Operations Officer at [Checkr](#).

"The good news is that retention is an organization's greatest recruitment tool. When staff are happy and engaged at work, they

will take it upon themselves to share their positive experience with others," Shaffer says.

So here are six strategies and tactics to improve the employee experience and retain good employees – and possibly attract more.

IMPROVE EMPLOYEE DEVELOPMENT

Best-in-class HR departments – those that lay claim to low turnover rates, and high productivity and mobility rates – have this critical element in common: They focus intently on employee development, according to [Fuel50's Global Talent Mobility Best Practice Research](#).

Employees who feel they are valued and have opportunities to learn, become better and advance, won't likely walk out the door for a one-time signing bonus. They're more likely to stay where they can grow.

Help: HR almost always plays an important role in developing employees. But Fuel50 found the most effective employee development programs give front-line leaders time and tools to help. You might develop training for front-line leaders on how they can identify and fairly distribute a variety of development opportunities. Bonus: In learning (and implementing), leaders naturally become development role models for employees.

GAUGE YOUR UNDERSTANDING

One of the biggest problems with retention is employers don't know why they fail at it. In the McKinsey study, HR and other leaders said turnover stems from issues with compensation, work-life balance, and poor physical and emotional health. In contrast, employees say they mostly quit because they didn't feel valued by the company and their managers, or they didn't feel a sense of belonging at work.

Ouch!

Help: Research like this is a clear call for a [dedicated process to do exit interviews and act on what you learn](#). More importantly, you want to do frequent employee feedback surveys so you can [get a pulse check on employee engagement before it goes sour](#).

FOCUS ON MENTAL WELL-BEING

You likely already help employees with their financial well-being by compensating them at or above industry norms and offering generous benefits.

For retention, it's also critical to help with their mental well-being.

"With over half of the workforce considering new job opportunities, money is no longer the No. 1 motivator for employees," says Laura Sage, CEO at [Chill Anywhere](#). "Employees know when their employer is genuinely looking out for their best interests, which ultimately results in a more stable workforce."

Help: When it comes to any health care, preventive maintenance trumps reactive measures. So you'll want to promote your mental well-being resources regularly through email, internal app campaigns, and in on-site and virtual meetings. "It's

also imperative to create a culture in which your team feels comfortable discussing mental health issues and that they readily have access to the resources that can help," Sage says.

IMPROVE THE TOGETHER EXPERIENCE

As much as we [talk about remote and hybrid work](#), some people are sick and tired of it. You likely have a population of employees who miss – dare we say, crave – personal connections and engaging with colleagues.

They want a renewed sense of connection with their bosses, co-workers and their actual work. Some feel frustrated meeting online, doing virtual happy hours and managing email beyond normal working hours.

Help: Give employees reasons and opportunities to be together again. Of course, you don't want to force anyone who isn't comfortable to share space with colleagues. But you can retain employees who want to re-establish interpersonal connections by giving them the opportunities. Plan on-site social and professional events again. Or give some Employee Resource Groups (ERGs) the tools and/or resources to plan in-person events again.

FORCE THEM OUT

You can temper turnover by making sure employees – and especially front-line managers, who carry their employees' struggles and their own – get out of the office. Detach. Rest. Refresh.

Regardless of where employees work, they aren't using their sick or well-being time. Nearly two-thirds of employees say they've worked through physical illness. And 42% say they've worked through mental illness during the pandemic,

according to [research from Skynova](#).

Employees who don't take time off when they physically or mentally need it experience more stress. That leads to turnover.

Help: Regularly remind employees about your health and wellness time-off policies. Try to remove negative stigmas for taking time off – such as a fear the boss will be suspicious of their behavior. To note, 33% of the employees in the Skynova study said they feared just that. Add a direct HR email, phone or text line for employees to use for sick days.




REVIEW COMPENSATION

At HRMorning, we don't believe in encouraging readers to throw money at problems. Money alone won't fix underlying issues, such as low morale and poor employee experience.

But you can't overlook compensation in the race to retain employees. So regularly compare your comp and benefits packages to industry and geographic trends.

Help: If you decide to make changes, Marsha Akpodiete, HR Coach at [PayChex](#) cautions: "When [establishing such plans](#), businesses will need to establish criteria for awarding this extra compensation and ensure they avoid any discrimination, as employment decisions, including changes in compensation, cannot be based on reasons that violate federal, state or local laws."

Recommended reading from [Michele McGovern](#)

- [Retain employees now: 5 ways to stop the exodus](#) 
- [Attract, retain employees with the flexibility they crave](#) 
- [Employees are ready to quit — with or without a new job secured](#) 

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