

January 2022

2022 workplace trends:  
What HR needs to know –  
and do – now ..... **6**

The new push for DEI:  
Strategies for better recruiting  
and hiring ..... **14**

How COVID-19 killed sick days ... **11**

# Top 6 HR Trends

in










# HRMORNING

## January 2022










## In This Month's Issue

### Articles

	2022 workplace trends: What HR needs to know – and do – now ..... 6
	How COVID-19 killed sick days ..... 11
	The new push for DEI: Strategies for better recruiting and hiring..... 14
	Tools for combating burnout..... 18
	8 ways to improve the employee experience in 2022..... 21
	Should you rehire old employees? 4 pros and cons ..... 25
	Mental health benefits: A must-have resource for employees ..... 29
	Upcoming Events..... 3
	News Briefs ..... 4

### Insider Content

	<b>You Be the Judge</b> Was reason for job transfer retaliation or legit?..... 9
	<b>Legal Q&amp;A</b> We're having a holiday party this year and want it to be as safe as possible. .... 13
	<b>HR Case Study</b> Vacation policy: Went from traditional to unlimited ..... 16
	<b>HR Case Study</b> How we got employees through new software training more easily..... 20
	<b>What Would You Do?</b> New employee has a bad work ethic, attitude ... but he's the boss's nephew ..... 24
	<b>Test Your Knowledge</b> Overtime pay: Do's and don'ts for FLSA compliance ..... 27
	<b>Cost of Non-Compliance</b> NY contractor nailed for just under \$1M in back wages, liquidated damages..... 31

# Upcoming Events

## Free Webinars

Tuesday,  
January 11th  
2022



### What's New in 2022: Understanding Workplace Compliance Trends

Brush up on new compliance trends before the clock strikes midnight.

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

Thursday,  
January 13th  
2022



### Advancing Health Equity in Employee Benefits

Learn how you can help employees achieve their full health potential.

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

Thursday,  
January 27th  
2022



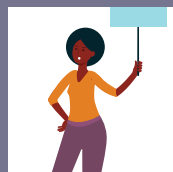
### Moving from Ping-Pong to Purpose: What Your Candidates Want From Their Next Career Move

How today's candidates view work opportunities.

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

## Premium Webinars

Tuesday,  
January 25th  
2022



### Attract, Retain & Develop Millennials: Retention Tools to Keep Top Performers

Understanding Who the Millennial Worker is, Their Needs & Expectations

hosted by Premier Learning Solutions .....learn more [🔗](#)

# News Briefs

## HR Stories You Might Have Missed

### Tornado victims sue employer: Were workers forced to stay?

December 16, 2021

In what may be the first of many similar suits to follow, a group of workers from the candle factory that was leveled by a devastating Kentucky tornado have sued their employer.

The group says the employer illegally subjected the workers to [unsafe working conditions](#).

According to the suit, the first tornado warnings sounded at the factory at approximately 6 p.m. on December 10.

[Read more](#) 

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### ETS vaccine mandate to be heard 'en banc' denied

December 16, 2021

On Dec. 15, 2021, the [Sixth Circuit Court of Appeals](#) denied OSHA's request to hear its ETS vaccine-or-test mandate via the court's full panel of 16 active judges – also known as en banc – instead of a three-judge panel.

[Read more](#) 

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### Appeals court: City botched response to requests for vaccine exemptions

December 14, 2021

An employer might want all its workers to get the COVID-19 vaccine. But it must sometimes yield to the requirement that it accommodate legitimate requests for a [religious exemption](#).

Employers that don't allow for such requests to be made – or don't evaluate them properly – can quickly find themselves smack in the middle of a big legal mess.

[Read more](#) 

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### Members of Congress support four-day workweek bill

December 13, 2021

Despite other countries around the world adopting the [four-day workweek](#), the idea seems like a pipedream for most American workers.

But a handful of members of Congress are hoping to change that. In an [effort led by Rep. Mark Takano](#) (CA-D) and backed by thirteen other Democratic congressmen, a new bill aims to reduce standard workweek hours from 40 to 32.

[Read more](#) 

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### Court rules employee was fired for insubordination, not gender discrimination

December 8, 2021

It may seem like firing a poorly performing employee would be cut and dried. But when that employee belongs to a protected class and feels they were discriminated against, things get tricky.

[Read more](#) 

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### 10 steps from IRS to keep employees' financial info safe

November 30, 2021

This is a critical time of the year. First you have Black Friday, then Small Business Saturday, then Cyber Monday, then Giving Tuesday, and you get the picture. And after the holidays are over, it's prep time for tax season. There's financial information being sent back and forth everywhere!

[Read more](#) 

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## Employee must arbitrate bias claims: Here's why

November 30, 2021

A new ruling from a federal appeals court favors employers who seek to steer employees toward arbitration and away from a courtroom in the event of an employment-related claim or dispute.

The ruling makes it relatively easy for employers within this court's jurisdiction to show they provided fair notice of a new arbitration rule – and that their employees agreed to arbitrate any claim that might arise.

[Read more](#) 

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## Mixed signals: Court says this was not a valid request for FMLA leave

November 23, 2021

Do you know the duck test?

If it walks like a duck, quacks like a duck and looks like a duck, it's a duck.

In *Blake v. City of Montgomery*, a firefighter-paramedic argued he didn't resign. He said he asked for a [Family and Medical Leave Act](#) (FMLA) leave.

[Read more](#) 

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## Employers, beware: Fake vaccination cards are on the rise

November 23, 2021

With more employers enacting mandatory COVID-19 vaccination policies — and [OSHA's emergency temporary standard](#) (ETS) requiring many companies to have these policies in place by January — some employees are going to extreme measures to get out of it.

[Read more](#) 

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# 2022 workplace trends: What HR needs to know – and do – now



Michele McGovern

## EXPERTS WEIGH IN ON 6 CRITICAL ISSUES



**A**nother weird year of work almost in the books. What kind of workplace trends can we anticipate in 2022?

Things will be different, that's for sure. Many trends will be carved out of the changes the pandemic forced us all to make.

Others will reflect both employers' and employees' desire to get back to normal – even if it's a new normal.

Here are the top six workplace trends HR pros will want to prepare for as we turn the calendar year.

### High turnover rates continue

Nearly 55% of HR leaders say turnover is higher than it was before the pandemic – and they don't expect that will change anytime soon, according to [MindEdge's second annual HR in the Age of](#)

[Workplace Uncertainty survey](#).

What's worse, most leaders also say [hiring remotely and onboarding](#) is more difficult than in the office. (On the upside, most leaders in the MindEdge's survey agree remote interviewing is just as effective as in-person interviewing.)

So for now, HR leaders will want to accept that some degree of [recruiting, interviewing, hiring and onboarding](#) will remain remote. To make it better, consider putting a



bigger emphasis on the remote, online interviews, considering those still seem effective.

You might let team members sit in on later-stage virtual interviews. If you can't do that, invite them to submit questions for all candidate interviews.

## Hiring evolves

HR's hiring woes won't likely ease up in 2022. Almost 50% of small businesses reported having job openings they can't fill, according to [research from the National Federation of Independent Businesses](#).

The need to hire, and the difficulty in finding new hires, will likely increase for most HR professionals. So you'll want to [explore new places to recruit, different populations to pursue and a variety of avenues to post jobs](#).

One growing recruiting trend is a focus on finding and hiring recent military veterans.

"The hiring and reskilling of veterans can be an extremely viable way to address the skilled talent shortage," said [Sarah Peiker](#), CEO of [Orion Talent](#). "They also have a strong sensibility about the dynamics between quality, quantity, maintenance, safety, procedural compliance and the people they work with or supervise."

You can [partner with organizations](#) throughout the United States to find, recruit and even train recent military veterans.

Another emerging group to consider: Candidates with criminal records.

"Workplace stigmas and outdated hiring processes exclude the 77 million formerly incarcerated Americans from even getting considered for positions," said

[Linda Shaffer](#), Chief People and Operations Officer at [Checkr](#).

Employers who seek and hire workers with conviction histories often improve diversity, equity and inclusion efforts.

"For organizations to reach this needed level of full inclusivity, they must integrate fair chance hiring," Shaffer said.

## Uncertainty, contention continues

This could be the least surprising of 2022 workplace trends: Two years after it started, the COVID-19 pandemic will continue to affect workplaces in ways beyond physical well-being.

Most companies and their leaders will need to address uncertainty and possible contention prompted by [federal government COVID-19 vaccination mandates on employers](#) – and its [almost immediate hold](#).

In fact, [employees in a Qualtrics survey](#) said discussions about vaccinations in the workplace have decreased trust among colleagues and between management and employees. It's also caused more division between groups and cliques.

HR leaders and front-line managers may need to focus on softer skills – such as teambuilding and conflict resolution – in 2022. As more employees come back to work in office spaces, you may want to [post etiquette reminders](#). And managers may want to review collegiality and team performance expectations.

## Remote work leaves on-site issues

Facebook gave a [headline-worthy warning](#) of the potential

problems with some remote work arrangements. The tech giant experienced a huge outage when 75% of its employees were working offsite. Many of the in-office skeleton crew was locked out of critical systems and they all scrambled to get things up and running again.

As more companies [adopt hybrid or remote work experiences](#), they face similar setbacks, such as not having the people, processes or protocol ready to react to difficult situations.

It'll be more important than ever to get IT and remote workers aligned.

"With up to 80% of employee IT issues typically going unreported, support teams might not become aware of some problems until they've escalated to full-blown crises," said [Marc Moesse, SVP Product at Lakeside](#). "By aligning IT with hybrid workforces, companies can futureproof themselves. They'll want to keep devices, networks, applications, and security optimized, healthy, and prepared for anything – no matter where they are."

## Engagement issues remain

Most experts agree remote work is here to stay among the 2022 workplace trends. And most HR leaders and front-line managers agree it presents a new set of issues for keeping employees engaged.

Employees may continue to feel isolated. They'll likely find collaboration less effective as when they work together on-site. And without daily interaction with the boss, they might not get the feedback they need.

"It's vital for managers to shift from thinking of employee appreciation as taking time out of their day.

Instead view it as a necessary aspect of good leadership,” said Ken Schnee, General Manager of [Sterling’s Technology, Media, Entertainment, and Hospitality Group](#). “Employee appreciation can take many forms, including compensation, team recognition, learning and development opportunities. They’re the foundation of a strong workplace culture.”

And they can help improve engagement whether employees are on-site, remote or hybrid.

### Safety, health concerns continue

Regardless of where employees work in 2022, health and safety will remain atop their priorities. Companies will want to continue to stress their focus on keeping employees well.

While the federal vaccination mandates are up in the air, “Managers can help keep their

workers healthy and safe by mandating COVID-19 testing and vaccination tracking,” Schnee suggested.

In addition, you probably want to continue on-site health and safety protocols you already have in place. Work to accommodate employees who might still feel more comfortable avoiding the office.

### Well-being remains center stage

Similarly, and on a more holistic view, employee mental well-being will likely continue to be a priority. Many employees – and their managers – still struggle to find a healthy balance between work and life in a pandemic.



“Mental wellness programs are especially important now because the workforce is really struggling. Nearly half of the workforce suffers from some type of mental health issue,” said [Laura Sage, CEO of Chill Anywhere](#). “The consequences of

a team that is mentally unhealthy include poor culture, high turnover, and high absenteeism.”

So you might want or need to increase access to [mental well-being benefits](#) in the new year. One of the growing 2022 workplace trends: Give employees anytime access to tools they can use to stay ahead of stress. For instance, you might offer subscriptions to meditation apps, memberships to yoga centers, or passes to well-being events or webinars.

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Recommended reading from [Michele McGovern](#)

- [Win at hiring: 6 ways to get the talent you need](#) 
- [8 signs your hybrid work model will fail](#) 



### Put an end to problematic behavior and attitudes

#### The 7 Most Disruptive Workplace Issues - And How To Handle Them

It’s hard enough for good managers to get results without having to deal with prima donnas, know-it-alls, gossipers and employees with acidic attitudes.

Fortunately, supervisors don’t have to go it alone. This essential insights report offers proven techniques and advice you can put into action – right now – to control and eliminate destructive behavior while keeping morale high and productivity up.

[get the guide](#) 



# Was reason for job transfer retaliation or legit?



"I'm telling you Betty, the school is retaliating against me, and it's creating a hostile work environment," said Janice Glass, a school principal. "What should I do?"

"Let's back up a minute," said Betty Murphy, a benefits manager and Janice's friend. "What are they retaliating against you for?"

"It happened before we met. I advocated for stronger affirmative action practices at our school," said Janice. "The case was settled seven years ago, and the school agreed to create and fund an affirmative action

position and to not retaliate against me. But lately things have gotten very unpleasant."

"That seems like a long time for them to wait to retaliate against you," said Betty. "Are you sure it's retaliation?"

"Yes!" said Janice. "First, the superintendent denied my request for a room divider and rug for my

classroom. Then he told me to 'make a convincing case' for the rug."

"Did you?" asked Betty.

"No. I wouldn't ask for it if I didn't need it," said Janice. "I'm the principal for crying out loud."

"Well, if you didn't do what he asked of you, then you can't blame him for not getting it for you."

## Unwanted transfer

"I thought you might say that," said Janice. "But after I asked for the rug, I also asked for extra staff and lodged a complaint against a substitute teacher. Since then, they've been lessening the time between my performance reviews, and now they're transferring me to a new pre-K school. What else could it be but retaliation?"

"Wait, aren't you credentialed for pre-K work?" asked Betty.

"Yes, but I didn't ask to be transferred," said Janice. "And when the substitute was dismissed, they didn't even include me in the process. I was the one who wrote up the complaint. I should have been involved in it."

"That's true, you should have been involved in the process," said Betty.

"I can't take it anymore," said Janice. "I'm suing."

Janice sued asserting that the school retaliated against her based on her advocacy for affirmative action, and she claimed that she was subjected to a hostile work environment.

Did she win her case?

## The Decision

### Case dismissed.

No. The court said Janice didn't produce any evidence of her claims and didn't sufficiently supported her hostile job environment claim.

Janice appealed, but the U.S. Court of Appeals for the First Circuit affirmed

the district court's ruling.

Her lawyer argued that because Janice voiced her opinion about situations at the school and didn't accept the way things were done for years as acceptable, the school

retaliated against her.

However, the school district's lawyer showed:

- Janice never made her case for a new rug

## You Be The Judge (cont.)

- The school hired a new teacher when she asked for it
  - It dismissed the substitute she lodged a complaint against
  - Her performance review intervals were no different than they were for other principals, and
  - The school district was transferring her because she had considerable experience as an elementary school principal and she was officially credentialed for pre-K work.
- Faced with those solid reasons, Janice didn't produce any evidence that would allow a rational factfinder to conclude otherwise.
- None of Janice's allegations sufficiently supported her hostile job environment claim, the court said.

### Analysis: Document reasons for actions

Employers accused of acting against an employee for an illegal reason must be prepared to say what the real reason was – and that it was perfectly legitimate.

In a typical case, articulating a nondiscriminatory reason places

the burden on the employee to show that the reason isn't real, but instead is just a pretext for unlawful bias. And if no pretext is shown, the case usually ends.

In this case, an employer defeated hostile environment and retaliation

claims by giving good reasons for taking the action that it did. And produced documentation to back up its actions.

As is the situations for many lawsuits, sound documentation prevails in the end.

**Cite:** Lima v. City of East Providence, 17 F.4th 202 (1st Cir. 2021). Dramatized for effect.



# *Remote employees feel guilty for taking time off*



## BENEFITS

# How COVID-19 killed sick days



by Rachel Mucha

**T**he COVID-19 pandemic brought many changes to the working world, some good and some bad.

A lot of employees liked the newfound flexibility of remote work and hybrid arrangements. According to [Beamery's Talent Index](#), half of all workers feel their careers can progress faster with remote work options.

Not to mention, many people reported a better work/life balance since telecommuting regularly.

But the survey also found an alarming result: 65% of employees said that remote options put pressure on them to work while sick. Since there's no risk of spreading an illness to colleagues while working from home, many feel obligated to work through

a sickness. In fact, 39% of workers surveyed said they're now more likely to work while sick — when, before COVID-19, they would've just taken the day off.

Experts are saying [sick days](#) are becoming a thing of the past.

### Sick day taboo

Even before the pandemic, sick days were [somewhat taboo](#), according to Dan Schawbel, managing partner of Workplace Intelligence. Many employees felt the pressure to push through, or over-justify why they needed to take one. Not to mention, the average cold lasts a week — but most workers simply can't miss that much work, whether they have too much to do, or they don't have enough sick time saved.

In that sense, the transition to remote work has been beneficial. Employees can work from their bed with a box of tissues and avoid infecting their colleagues, while not getting too far behind.

But this comes with a catch. Employees don't want managers to think they're taking advantage of the remote work benefit, so they tend to work through an entire sickness without taking any time off at all.

Another downside of COVID-19 — it made other illnesses seem like no big deal, according to about half of employees. Even worse, 66% of workers worry that taking time off for anything less severe than COVID-19 would make them look bad to the boss.

## Lead by example

Employers may think remote work is the perfect solution for employees lacking sick time, but when employees aren't at their best, it ends up costing the company more than if they'd taken a sick day.

Multiple studies have shown when employees are ill or burned out, they're three times less productive. Instead of having an employee come to work for several days not at their best, giving them time to recover would be more productive in the long run.

Ultimately, employers can't force people to take a sick day if they don't want to, but making it known that employees are encouraged to take sick time even while working remotely can go a long way.

Another way to send the message that sick days are OK is to give your employees more, or to offer mental health days. When time off is specifically allotted for rest that has nothing to do with physical illness, employees will feel

it's less of a taboo to take time off to recharge.

Some companies are also training their managers to be more empathetic toward employees calling in sick. It also helps for employees to see higher-ups taking sick time. Leading by example can do a lot.

## The future of remote work

So what does this all mean for the future of remote work? While employees are aware of the sick day problem, they certainly don't want remote work to go away.

Beamery's Talent Index found employees want flexibility to continue throughout 2022, and some even are asking for a [four-day workweek](#) (37%).



This doesn't mean employees don't want to put in hard work. The survey found they also want their companies to provide them with more professional

development (85%) and better training options (45%).

Another thing workers are expecting is more help with childcare. Almost 80% wish employers would have greater flexibility and understanding for working parents juggling their careers and kids.

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Recommended reading from [Rachel Mucha](#)

- [Should ill employee working remotely be told to take sick day?](#) 
- [One in five employees worked while sick during pandemic](#) 



FREE REPORT FROM **JOBVITE**

## 7 Sourcing Hacks

Your Guide to Out-of-the-Box Talent Search Optimization

Let's face it. Sourcing has never been easy. Hiring agencies are good at finding candidates, but the service can be very costly. And sourcing in-house can take as much as 30% of your recruiters' time.

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Ready to put some new ideas into practice?

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**Download your complimentary white paper to learn more!**

[get the white paper](#) 

### Question

**The managers at my company seem to be under the impression that it's HR's job to handle everything people-related, including performance evaluations and final interviews. How do I let them know they need to do these things without stepping on any toes?**

### Answer

This is a tricky situation, but you're right in that boundaries need to be set ASAP, says HR expert and author of *Evil HR Lady* blog, Suzanne Lucas.

Since this will be a big change, it's best to go about it gradually. Start with going to the department heads and explaining the situation, and make sure you play up the benefits of having managers take over these tasks.

For example, it's highly important for managers to be very involved in interviewing candidates. They are more familiar with the role being filled and will know what they're looking for better than an HR manager.

The same goes for performance evaluations. Managers will be better informed on how workers are doing on their everyday projects.

If managers aren't used to doing all of these new tasks, they'll likely be overwhelmed. The best method would be to train them one on one, which will help them get comfortable with the role faster than if you conducted a group training session.

Eventually, you'll be able to let go of all the extra tasks you were doing, and your managers will get the hang of it.

### Question

**I work at a small company and a new hire shares a name with another employee. Due to our size, I can foresee this being confusing for both clients and colleagues. Can I ask the new hire to go by a nickname, or is that inappropriate?**

### Answer

Yes, it would be out of bounds to request that, says management expert and author of Ask A Manager blog, Alison Green. Names are personal, and you could offend someone by asking them to change theirs.

However, you could have this person referred to by their first name and last initial. It's also possible this person will volunteer to go by a nickname instead of the last initial, which is fine — but you shouldn't pressure them into it.

Lots of people share the same name and have been making due. If this person has a common name, they're likely already used to the situation. It could be a little confusing for your clients and employees to get used to two Johns or two Sarahs at first, but they'll get the hang of it.



## RECRUITING

# The new push for DEI: Strategies for better recruiting and hiring



by Michele McGovern

**M**any companies' efforts to improve diversity, equity and inclusion (DEI) took a hit throughout the pandemic. Now let's make a new push for DEI.

Unfortunately, COVID-19's effects on the workplace worsened many of the inequities that HR pros and organizational leadership had worked to lessen.

For instance, [people of color were less likely to be in roles](#) that were remote-friendly. [Women with childcare duties](#) who couldn't take on remote roles were likely to leave work. And [employees with disabilities such as hearing loss found it more difficult to work](#) remotely, making them more likely to resign.

Losing good employees at any time is difficult. It's even more difficult if you lose good employees who bolstered your DEI efforts.

But there are ways to get rolling again. In fact, many organizations already have boosted efforts. In the past year, hiring searches for diverse talent increased by 250%, according to a report from [Hiretual](#).

Now's your chance. Here are five [strategies to improve DEI](#) through recruiting and hiring in your organization now.

## Broaden your view of DEI

Just 7% of employers focus DEI hiring strategies on people with



disabilities (PWD), according to [Monster's Future of Work](#) survey.

"This is a segment of the workforce that is highly skilled but is left behind," said [Monster's Chief Human Capital Officer, Claire Barnes](#).

With the increasing number of remote and hybrid roles available, accessibility to work is better than ever for some people with disabilities. You can hire beyond traditional geographies and can open the virtual door to candidates who might not have been able to work in your facility.

Start with a better hiring approach.

"Ensure your career site and application process are accessible, using appropriate language in job postings, and extending remote and flexible working options beyond the pandemic," Barnes said. "Tell all applicants in advance what the hiring process involves – for

example, an interview, timed written test, or job demonstration."

And look at what you can remove or accommodate in your process. For instance, is a written or cognitive test necessary if it eliminates a candidate with dyslexia, who could be an asset to the company?

## Look to veterans

People transitioning out of the military and into civilian life and careers are an underrepresented population. They can bring diverse skills and insight to the workforce.

"Most veterans get impressive amounts of advanced training in their area of focus, and are known to be quick learners and disciplined, dedicated team players," said [Sarah Peiker](#), CEO of [Orion Talent](#). "They're used to working autonomously in stressful environments, and know



## The new push for DEI: Strategies for better recruiting and hiring

how to stay focused on deadlines and the mission even in the most high stakes situations.”

That’s quite a desirable candidate. Problem is, many organizations don’t make special efforts to find military veteran candidates.

Fortunately, Peiker offered several resources to help HR pros find and recruit military veterans.

- Some colleges have [Student Veterans of America](#) chapters you can work with in your college hiring programs
- Connect with prospective hires still on active duty today through [Military Transition Centers](#), or
- Check out [Diversity in Action](#) and [US Veterans Magazine](#) for veteran profiles and the types of roles they can fill.

### Partner with marketing

Some HR leaders have created a unique partnership in recent years to improve DEI in their recruiting and hiring process. They’ve worked with Marketing to build and promote their culture so it can be marketed and sold.

You might set up regular meetings to establish and promote initiatives around [the new push for DEI](#). Start by making sure you’re aligned on the image and brand you want to promote. It may be built from the ground-up or you might work on what’s already solid.

### Stretch your search

Almost 45% of HR pros have a difficult time reaching and finding a diverse applicant pool, according to [research from Lever](#). So if they don’t come to you, you’ll want to increase your search to reach more or different populations.

Some ways to stretch the search in your new push for DEI:

- **Get involved** in more career fairs, job boards, media outlets, networking events, and affinity groups. Target those that have diverse candidates by design because of their following or geographic location.
- **Tap your team’s network.** If you don’t already encourage employee referrals, start to do it. And don’t be afraid to make a push for diversity. [One study](#) found that when employees recruit from their personal networks, their employers’ workplace diversity improves.
- **Modernize your approach.** You might attract a different pool of job candidates if you promote your jobs in video. Then share those through Instagram or Snapchat.
- **Find new communities.** You might work with community groups, churches, staffing firms and adult education centers to find and reach a growing population – refugees and immigrants.

### Rethink, redo requirements

In the new push for DEI, many companies have shifted from applicant expectations based on education to core competencies. And it’s working to attract a more diverse and talented workforce.

For one reason, employees might see themselves as candidates for jobs they would’ve never considered because they don’t have degrees. On the other side, employers get a look at candidates whose broader experience might bring something new to a role.



Companies and their leaders differ in how they present core competencies and how candidates meet those.

A few approaches:

- Focus on goals. In your job description, you might focus on the goals you expect employees to reach within a certain amount of time rather than years of experience requirements. Then candidates can identify if it’s a realistic position for them.
- Loosen education expectations. Instead of requiring a diploma or degree, give more credit for years of experience. For example, if you traditionally required a college degree for a role, change it to a high school degree and five years of work experience in the related work.
- Zero in on experience. You might also increase the importance of certifications or job-related experience – a particularly helpful strategy in recruiting military veterans – and lessen the focus on role-specific degrees.
- Avoid broad requirements. Narrow in on skills that are often stated broadly in job requirements. For instance, instead of requiring good “communication skills,” make it clear you want candidates who must collaborate with teammates daily, talk to customers hourly, respond to email with proper grammar and spelling, and change assignments seamlessly. Another example: Instead of advertising a need for “technical skills,” explain the technology candidates must use, how quickly they’ll be required to master it and the expectations for using it.

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Recommended reading from [Michele McGovern](#)

- [How HR can move the needle on diversity and inclusion](#) 
- [Was push for diversity illegal race bias? Court backs claim](#) 

## Case Study

# Vacation policy: Went from traditional to unlimited



Our company wanted to revamp our vacation policy so employees would be able to get more from the benefit.

Like most firms, we previously had a traditional vacation policy.

Employees were allotted time each year and could carry some days over each year.

But two things central to our company are self-governance and trust.

And in looking at our setup, we figured that if we extended trust to all our employees to take whatever vacation they felt was necessary to manage their lives and their work, it'd not only be an effective policy but it would also result in a more productive workforce.

To exemplify self-governance, we decided to run with the idea of unlimited vacation.

### Communication

Of course, we knew there would be some initial work to do up front to make the move a reality.

And one of our concerns was how to transition from our traditional vacation policy to an unlimited one.

Our solution involved a transition period where time off was still tracked until all accrued time had been exhausted.

Another worry was making the policy comfortable for everyone.

We were aware that if we didn't communicate the change well, colleagues might feel like they could never take vacation.

So we communicated the policy in three major ways: companywide conference calls, emails and our annual Company Kickoff Meeting.

There, we made sure that we explained the nuts and bolts of the policy and gave people an opportunity to ask questions.

We also spent time writing articles on our company blog on what "unlimited" means and how to go about arranging time off.

### Stressed transparency

From the start, we recognized that an unlimited vacation policy is not the norm, and our employees admittedly took a little while to get used to it.

One issue we found was making sure colleagues communicated their intentions about taking time off.

We've found that under an unlimited vacation policy, people are more spontaneous about when they take off since they don't have a finite allotment of time to plan and manage.

Since we've implemented the policy, we've taken steps to communicate the importance of being transparent about vacation plans.

### Same time, less tracking

Our vacation policy has been in place for three years, and our workers have become very comfortable with it.

Overall, we're seeing colleagues take about the same amount of vacation time they had before the policy was in place.

But what the new policy has over the old one is the offer of greater flexibility and the demonstrated level of trust we place in our staff.

Plus, our company has saved time and resources because we no longer need to keep track of accrued leave and vacation time.

*(Michael Salvatore, New York)*

# Tools for combating burnout



by Renee Cocchi



**T**ired of hearing about burnout yet? It feels like we've been talking about it for years now.

Wait. We have!

And, sorry to tell you, it [won't be going anywhere](#), anytime soon!

One of the sad facts about our world today is many employers are understaffed. And, because of that, the workers they do have are carrying the burden to get everything done.

In fact, you'd be hard pressed to find a company nowadays that doesn't have at least a minor issue with burnout.

And we aren't just talking about stressed out employees.

## What is burnout?

Specifically, "job burnout is a special type of work-related stress – a state of physical or emotional exhaustion that also involves a sense of reduced accomplishment and loss of personal identity," according to the Mayo Clinic.

Here's a little [quiz from the Mayo Clinic](#) you could give employees to see the varying degrees of burnout you're dealing with. Have them ask themselves:

- Have you become cynical/critical at work?
- Do you dread going to work?
- Do you have issues with making yourself start working?
- Have you become irritable, impatient with co-workers or customers?
- Do you feel unproductive?
- Do you have issue with concentrating?
- Does your job not give you a sense of satisfaction with your achievements?
- Do you feel disillusioned with your job?
- Do you need to use food, drugs or alcohol to feel better or not feel at all?
- Are you having issues with sleep that you didn't have before?

## Tools for combating burnout

- Do you have new physical issues like headaches, stomach or bowel problems, or other thing?

Saying yes to any of these questions could mean your employees are experiencing burnout. However, the more questions they answer yes to, the greater the odds they have it.

## Burnout hurts business

The bottom line: Burnout can hurt your business big time.

Employees who experience burnout are:

- 13% less confident in their performance
- 63% more apt to use their sick time, and
- 2.6 times more likely to “actively” look for a new job, according to a Harris Poll of 1,136 employed U.S. adults, commissioned by [Spring Health](#).

## How to reduce burnout

How can Benefits pros play a role in reducing burnout?

Twenty-five percent of U.S. workers say they'd be better able to fight burnout with “better mental health-related policies,” according to a Spring Health report.

Here are four tools the company says work for leaders and managers:

- **Get people talking.** Encourage open communications and let employees know that as a Benefits pro you are there for them as are their managers. People need to feel comfortable with you to open up. It's also a good idea to provide training for managers and other leaders.

- **Keep tabs on employees' workloads.** Employees who are loyal and good at their jobs are often rewarded with more work. These employees end up overloaded and burned out because they don't want to disappoint you. Communicate to managers and leaders to watch for unbalanced workloads.

- **Encourage healthy habits.** Again, you can't do this all on your own. Although you can send out emails, infographics, etc., to remind people to eat healthy, get good sleep and take breaks, you need managements help, too. Encourage them to not require overtime, and to advise employees to keep set workhours that don't run into their personal time. People need to keep work and their personal lives as separate as possible. Also, encourage employees to take vacations.

- **Be fair.** Burnout is often spurred on by inequities. Whether that is favoritism, workload, etc. Be sure everything from your policies to compensation to diversity and equity initiatives are fair and support everyone.

## Give employees tools they need

It's also a good idea to tackle the subject head on. Give employees the information they need to identify burnout and handle it.

For instance, the Mayo Clinic says to handle burnout employees need to:



- **Talk to their supervisor about concerns they have.** Then work with them to come up with a solution and prioritize responsibilities.
- **Reach out.** It doesn't matter to whom they reach out to. It

could be co-workers, friends, loved ones, whomever they feel comfortable talking to about their situation. Basically, they're looking for support. So, guide them toward any relevant services your company offers or any kind of employee assistance program.

- **Enlighten employees about relaxation activities** as a great way to help them deal with stress. Send them information on yoga, meditation, tai chi, etc., and any classes in the nearby vicinity.
- **Encourage them to exercise.** Getting regular physical activity can help employees process stress better and get their mind on something else besides work.
- **Remind them how important sleep is** at restoring their well-being and protecting their health. There are several apps available, as well as devices, that track the amount and quality of sleep. Employees may be surprised at how poorly they're sleeping. It may also uncover an underlying condition like sleep apnea.
- **Promote mindfulness among employees.** Focusing on breathing and being aware of what they're sensing and feeling helps center the mind and put clarity on situations. Again, you may want to have information available on this that you can send to employees.

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Recommended reading from [Renee Cocchi](#)

- [Manager burnout: 16 harrowing statistics from 2021](#) 
- [Is a 4-day workweek the answer to burnout?](#) 

## Case Study

# How we got employees through new software training more easily



Change is always tough to implement at work. Employees get used to doing things a certain way and often push back when any kind of new system is announced.

It's even more frustrating when you know the change will simplify things in the long run and make employees' lives so much easier.

And we had this exact problem when we were trying to implement new software at our company.

### Time constraints

We announced the new software, and immediately, employees were having trouble adapting to the idea.

While pushback was expected, we were a little surprised. Our employees were doing a lot of manual, tedious tasks that this software would streamline. It would be tricky to get the hang of, but would be so worth it in the end.

We decided to ask some employees what their biggest hesitation was about the new software. And while the change itself made them nervous, they also explained they were worried about time constraints.

They still had to get their regular work done while completing

the software training. Not to mention, the training courses came with paperwork and data entry to complete. People were overwhelmed.

### All chipped in

We knew this struggle was temporary, but from our employees' point of view, there was no end in sight. That's when we decided to put our heads together and address the core issue.

There were only three of us in the HR department, but we knew even a little help could go a long way.

We each volunteered our own time and began taking half our days to assist employees learning the new software.

While they focused on the system and their more involved assignments, we tackled the paperwork and data entry that was slowing them down. Suddenly, the transition seemed more surmountable with us chipping in.

### Helping each other out

This helped alleviate employees' stress over the heavier workloads. Workers could fully focus on learning the ins and outs of the new software, which allowed them to get the hang of it much quicker.

The payoff didn't stop there. Employees were so grateful that we volunteered our time to help out, now they offer to lend us a hand when they see we're overwhelmed.

*(Julia Bryan, HR director,  
Oscar Winksi Company, Lafayette, IN)*



# 8 ways to improve the employee experience in 2022



by Michele McGovern



**W**ho wants a better employee experience in 2022? Almost everyone, and especially HR professionals.

After a surreal employee experience in 2020, and an uncertain one in 2021, it's time for a change. Time for an improvement. Time for stability.

More than 90% of employers plan to make enhancing the employee experience a top priority in 2022, according to [research from Willis Towers Watson](#). That's a good idea after many companies and their [employees strived, but didn't exactly thrive](#), since the pandemic.

"The role of the leader has changed and will continue to change," says [Jennifer Kraszewski](#), VP of Human Resources at [Paycom](#). "As a manager in the current environment, it's imperative to make an intentional

effort to create a bond with your employees, allowing them to feel certainty, significance, connection and ultimately, empowerment."

In the new workplace, employees won't be looking for the perks that made some companies uber-attractive in the past decade – such as stocked break rooms, catered happy hours, on-site game rooms and dry cleaning services.

Not now. An enhanced employee experience will take a more holistic approach this year. So here are eight ways you can make the employee experience better in 2022.

### Show more empathy

Perhaps the best thing to do now is start from a place of empathy. When you approach the employee experience from their point of view,

you'll likely come up with impactful ways to engage them again. "Leading with empathy means understanding and accepting that people are not always operating at their very best," says [Kathleen Quinn Votaw, CEO of TalenTrust](#). "Issues from home affect work lives. Working within and around that reality is the best way to create a place where people want to come to work."

Quinn Votaw offers these tips for all leaders. So you'll likely want to pass them along to your front-line managers, too.

- **Be authentic.** Take extra steps to ask questions to show you care about and are interested in what will make employees' experiences better.
- **Add a personal touch.** Consistently communicate with a personal touch – specific employee praise, genuine concern for well-being – to build morale and increases engagement.
- **Make time to connect.** Give employees time and opportunities to connect personally at least weekly. Ask them to cultivate ideas for better experiences during the social time – and bring them to you.
- **Respect boundaries.** Don't assume everyone's definition of a great employee experience involves experiencing everything with everyone! Find out where employees want the line drawn between life and work.



### Go to the source

The reasons employees leave and the reasons employers think they leave don't line up, according to [a Joblist survey](#).

For instance, more than 70% of employees say their companies can prevent turnover by improving benefits. Yet, just 42% of employers thought benefits were an issue. Another disparity: Nearly 60% of employees would stay more loyal if the company offered unscheduled raises or promotions. Meanwhile, less than 40% of employers have done that.

You don't necessarily have to serve up better benefits and pay to improve the employee experience. But you do want to find – through surveys, town hall meetings, focus groups, etc. – what would make employees' experiences better. Then determine what's possible – and explain what's not and why.

### Make value matter

The workplace isn't that much different than any place employees do business. They talk about the stores and restaurants where they felt they were valued.

To improve the employee experience, you might consider – and treat – them as customers in 2022 and beyond.

"It can be something as simple as setting up consistent one-on-one time with employees and giving them the space to ask questions, discuss their development and gauge progress," says Kraszewski. "Let them lead the conversation. The key is to not only address professional topics, but also to get a measure of how they are feeling personally."

### Improve engagement

Increasing engagement won't just improve the experience in 2022.

"Highly engaged teams experience [greater profitability](#), a reduction in absenteeism, and decreased turnover," says [Dr. Natalie Baumgartner, Chief Workforce Scientist](#) at the [Achievers Workforce Institute](#). "To foster an environment of engagement, start with creating a culture of recognition."

The key nowadays: Give everyone opportunities and tools to recognize and reward others in the organization. If you just wait for scheduled ceremonies, leadership's time and big prizes to come in, you'll miss organic chances to boost morale and improve culture.

"Consider developing a recognition strategy to provide employees with a dedicated channel to acknowledge one another, whether it's through written kudos or physical rewards," Baumgartner suggests. "This allows team members to give more frequent and meaningful feedback, even when physically distant."

### Maintain a remote option

Like it or not, many employees now expect their work experience to be not at work. Nearly 65% of employees say flexible scheduling and remote work options will improve their experience and loyalty, the Joblist survey also found.

While you might not be able to offer fully remote roles, can you offer more hybrid options?

To do that, you might work with front-line managers to:

- separate roles that must be done on-site all the time (high-physical-touch duties)
- find the duties in each role that can be done effectively while remote

- determine the percentage of time people in each role need to be on-site versus remote to do the work (for instance, 25% remote and 75% on-site per week), and
- offer employees hybrid options based on the ratios.

### Offer more learning opportunities

Many employees cite opportunities to grow as a reason to stay at their job – or a reason to go after another. Of course, you want to be on the reason-to-stay end of that in 2022.

But just offering employees a splattering of learning opportunities won't cut it. To improve the experience, you want to give them time and resources to learn in areas that will expand their careers.

The first step is to help employees establish a career path. When they have an idea of where they want to go, they can choose training that will help them get there.

Then, lead them to self-directed learning, webinars, in-person events, schooling and company training to stay on the path. Or head in a new direction if or when that happens.

### Focus on company culture

Look around. Are people happy to be with each other, engaged in their work, concerned about the company and its success? Those are critical factors in a positive company culture.

The better a company culture, the better the employee experience. Often, the best way to improve company culture is to [remove negative barriers](#) to it.

You could watch for signs you have a negative workplace culture,

but it would be better to survey employees to find out if these conditions exist (and affect their engagement):

- gossip and social cliques
- frequent miscommunication
- aggressive and/or passive-aggressive behavior
- dictatorial management techniques
- excessive absenteeism
- excessive employee complaints
- imbalanced/favoritism management
- employee exhaustion and lack of work/life balance
- unrealistic workloads, and
- high turnover.

Those are signs you likely need to make top-level decisions to [reboot culture](#) with employee input.

### Increase the sense of belonging

People stay where they feel they belong. And if you aren't in a position to increase pay, technology or perks, you can almost always do something to help employees feel like they belong.

"With intentional inclusion initiatives, employees can maintain their initial feeling of inclusion throughout their career. Specific programs employees can implement include a mentorship program, company-wide employee resource groups, and scheduled check-ins to foster their sense of belonging," says Baumgartner.

But you can't stop there. HR pros and front-line leaders want to do a regular pulse check on all of their efforts to improve the employee experience.

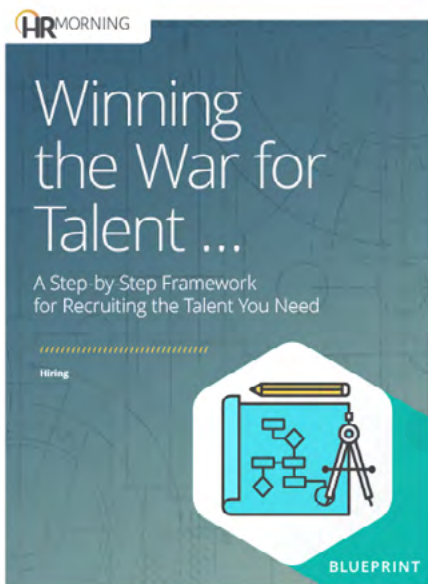
"There is no finish line for this initiative; instead, it is an ongoing journey that will change with

employees' needs. It is going to take time and effort but when [employees feel a sense of belonging](#) they rarely think about looking for a new job, are more enthusiastic at work, have higher job satisfaction and are more engaged, making the work worth it," Baumgartner says.

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Recommended reading from [Michele McGovern](#)

- [2022 workplace trends: What HR needs to know – and do – now](#) [🔗](#)
- [Don't let quitters ruin it for everyone: Give employees who stay the best experience](#) [🔗](#)



## 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.

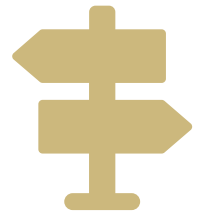
With so many influences affecting your company's approach to hiring, you need a foolproof way to improve the likelihood of finding the best candidate time and again.

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](#) [🔗](#)

## What Would You Do?

### New employee has a bad work ethic, attitude ... but he's the boss's nephew



#### The Scenario

HR manager Stu Capper was anxiously staring at his office door, waiting for company president Leo Murphy to stop by. Finally, there was a knock.

"Come in," Stu called, clearing his throat.

"Hi, Stu," Leo said, taking a seat. "What can I do for you?"

"Thanks for coming by, Leo," Stu said. "I wanted to talk to you about Aidan."

"Ah, how's my little nephew doing?" Leo asked, smiling.

Stu paused. "That's the thing ... he isn't doing too well at all."

#### 'He's still getting settled'

"What?" Leo asked, blinking. "Aidan told me it was going fine."

"We're just having a few problems," Stu said carefully.

"Like what?" Leo demanded.

"Aidan just doesn't have much of a work ethic," Stu started. "Someone needs to remind him of his assignments at least three times before he gets them done."

"Well, he's pretty new," Leo said. "He's still getting settled."

"It's been three months," Stu pointed out. "It's not like he's struggling with deadlines. Aidan can't seem to take the initiative to start anything."

"He just needs a little more guidance," Leo said simply.

"Aidan can get a little testy when someone tries to help him, though," Stu said.

Leo shook his head, frustrated. "He's a good kid. Just try to make this work, OK?"

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

## Reader Responses

**Ed Flohre,**

*VP of HR, Dorothy Lane Market, Dayton, OH*

**What Ed would do:** I'd try to find out exactly why Aidan isn't getting his work done. Is he bored? Is he not interested in his department? If Aidan is disinterested or not challenged enough, we can try and move him to a new department and see how that goes. If Aidan continued to perform badly, I'd have to have another talk with the boss.

**Reason:** Aidan's poor work and bad attitude might be because his department isn't a good fit. He could possibly do very well in a different area. Since the boss wants to make it work, I'd try and move him around before resorting to more drastic measures.

**Lynne Beardsley,**

*HR manager, Central VA Electric Cooperative, Arrington, VA*

**What Lynne would do:** I'd start documenting Aidan's performance immediately. How is he impacting other departments? The company? Then I'd go back to the boss with hard evidence that Aidan isn't working out.

**Reason:** The boss might not realize how bad Aidan's performance is – but by handing him documented proof of how the company is being negatively affected, it'll be hard for him to continue to defend his nephew.

## RECRUITING

# Should you rehire old employees? 4 pros and cons



by Rachel Mucha



## GETTING CREATIVE IN THE TALENT SEARCH

**HR**MORNING

**Y**ou've probably had it happen at least once. A great employee resigns for a new opportunity elsewhere ... only to contact you a few months later asking for their old job back.

A few years ago, most HR pros would say no. How could you trust this person wouldn't just leave again when the next good thing comes along?

But now, with [retention and hiring more difficult](#) than ever, attitudes are changing. According to a survey by WorkplaceTrends, 76% of HR pros are more likely to rehire old employees, also known as "boomerang employees."

With so many employers considering it, the real question becomes should you hire old employees?

The answer isn't a simple one. You could make the case either way, so you'll need to evaluate each boomerang employee on an individual basis.

Here are the pros and cons to consider, according to the hiring experts at [Glassdoor](#).

### The pros

There's a sense of security in rehiring an ex-employee since you already know what to expect from them. Sure, a new hire could be better, but why take the risk?



## Should you rehire old employees? 4 pros and cons

Here are four other pros in taking back a boomerang employee:

- 1 They know how the company operates.** This employee is familiar with company culture, already has a relationship with their colleagues, and knows how systems and processes work. You wouldn't have to spend time getting a new employee adjusted.
- 2 They've improved their skills.** While this employee was gone, more likely than not they gained experience at another company. Maybe they learned a brand new skill, or they have a new perspective that will be highly valuable to add to your team.
- 3 They send a message to your other employees.** When your staff sees someone return after leaving, it sends the message that things aren't always better somewhere else. Workers will see their colleague wasn't happy at a new job and ended up back here, which will encourage them to stay put.
- 4 It'll save you time and money.** This employee won't need any training or time to get up to speed. They can hit the ground running — something you can't get with a new employee.

### The cons

That said, there are reasons taking on a boomerang employee is a bad idea. The biggest risk is that they might quit again! Not only will you have wasted time

you could've been looking for a replacement, but there's a sense of embarrassment about having an employee leave you twice.

Here are four other cons in taking back a boomerang employee:

- 1 Their history could be a bad thing.** Did this employee butt heads with a manager or colleague? Odds are, they're going to have the same issues with these people if they come back, which could harm overall morale and productivity.
- 2 They could have a sense of entitlement.** While these employees worked with you before, technically, they are "new" again. This could cause issues if the employee expects to pick up where they left off with certain seniority perks, accrued vacation time, etc.
- 3 They might fight change.** Have any of your processes changed since this person worked for you? If so, they could have trouble adjusting to the new way of doing things — particularly if they returned to the company looking for familiarity.
- 4 They might not be the best fit for the job.** Maybe their past performance was just OK, and a new candidate would be a much better fit. If you hire back the ex-employee without considering other applicants, you could be missing out on great talent.

## Recruiting boomerang employees

Whether you've made up your mind about [rehiring old employees](#) or not, it's a good idea to lay the groundwork, just in case.

The WorkplaceTrends survey also revealed that 80% of employees don't hear from their old employers again after they leave the company, which is a missed opportunity.



Keeping in touch is always a good idea, and it could make a potential transition back to the company much easier.

What's the best way to do this? Here are some ideas, courtesy of WorkplaceTrends:

- Be sure to get an employee's feedback during their exit interview so you know if any problems would need to be addressed to get them to return
- Let them know you would be open to them coming back in the future
- Connect on LinkedIn
- Post exciting company updates on your social media, and
- Reach out once or twice a year to see how things are going.

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Recommended reading from [Rachel Mucha](#)

- [Question: Is it a good idea to rehire an ex-employee who has reapplied with our company?](#) 
- [The new push for DEI: Strategies for better recruiting and hiring](#) 

# 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?

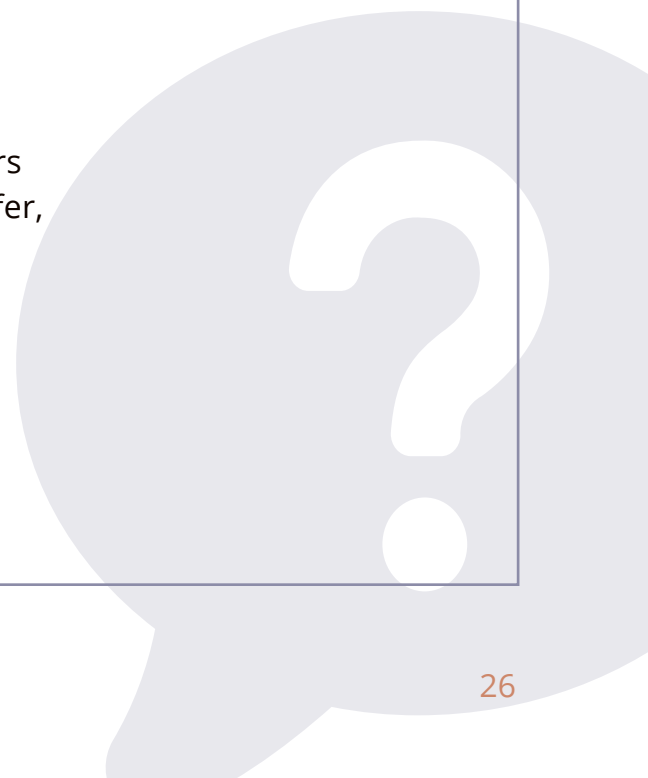
Test your knowledge.

Decide whether the following statements are True or False.

[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 to 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.



For definitive guidance on tricky FMLA challenges ...

### The Right Answers To The 33 Toughest FMLA Questions You'll Ever Face

Here's help. This report gives you answers to the 33 toughest FMLA questions you'll ever face - straight from two top labor lawyers. It clears up the gray areas of the law and offers advice on how to handle tricky situations, so you're prepared for any incident or request that comes your way.

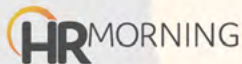
get the guide 

# Mental health benefits: A must-have resource for employees



by Renee Cocchi  
December 16, 2021

## EMPLOYEES NEED DIFFERENT LEVELS OF CARE



**F**orty-two percent of employees with access to [mental health benefits](#) say they're more likely to stay at their job than if they didn't have them, according to Mercer's 2021 Health on Demand [report](#).

That's an impressive number for providing mental health benefits.

The reality employers must come to terms with is mental health support at work is no longer "a perk". It's a must-have resource for employees.

The survey of 14,000 employees across 13 countries, also found that 44% of employees, who didn't have access to mental health benefits, felt unsupported by their employers. And employees who feel unsupported are often unmotivated and don't feel attachments.

"Mental health benefits are just as important as physical health benefits," says Dr. Sherry Benton, founder of digital behavioral health platform [TAO Connect](#), in an interview with HRM. "And for employers, they're important for a few reasons. First, providing them shows employees you care about and have compassion for them. Second, it actually benefits the company."

She explained that when people struggle with common disorders, like anxiety and/or depression, one of the first things that happens is their memory and concentration are impaired. That means any kind of creative thinking is impaired.

"Your employees aren't functioning at their best, if they're struggling with mental health problems. And getting those issues resolved gives

you a more productive and effective employee," said Dr. Benton.

Who wouldn't want more productive and effective employees, right?

### Nothing New?

But let's face it, mental health issues aren't new. They've been around for as long as people have been on this earth. You don't think prehistoric man had anxieties being chased by tyrannosaurus rex? It's just that the pandemic brought it very publicly into the light.

Why's that?

According to Dr. Benton, one of the protective factors with any kind of mental health problem is social support. And a lot of social support happens in the workplace. Employees are interacting with colleagues, forming friendships that develop into relationships in which they support and encourage each other. So, when everyone had to go home to work, it pretty much killed that camaraderie.

"While a lot of people tried to do their Friday afternoon cocktail/coffee hours on Zoom at first, it just wasn't the same, and they started to drop off," said Dr. Benton. "They weren't getting their essential needs met. And then they started experiencing anxiety and depression."

She also pointed out that there has always been a stigma around

## Mental health benefits: A must-have resource for employees

developing mental health problems and seeking help for them. But with so many people experiencing depression and anxiety from the pandemic and the isolation, more and more people started talking about it. And it brought it to people's attention that it's "OK not to feel OK."

"For most employers, addressing employees' mental health needs was new," said Dr. Benton.

"As was the realization that attending to your employees' mental health actually got you higher functioning employees."

Plus, the fact that it's much easier to address the needs of the employees you have, than to go find new employees when those suffering from issues must leave. That's an expensive and difficult process that can land you in the same situation you were in. So, it behooved employers to address mental health benefits.

### Levels of care

For employers who haven't implemented a mental health benefits program yet, it's not too late.

"It's good to think about mental health as something absolutely everyone needs at some level," said Dr. Benton. "Just like you don't have to wait until you're physically sick to attend to your physical health, the same is true with mental health."

And just as there are levels to taking care of physical health, there are levels to [taking care of mental health](#).

Dr. Benton explained that there are basic skills that everyone can benefit from, including things like mindfulness, meditation, and learning to work with helpful and unhelpful thoughts. There's also working on communication skills,

problem solving and emotional intelligence.

"That's a good place to start because they don't have stigmas attached to them," she said.

"After addressing the basic skills that everyone needs, go on to offer other levels of care, like self-help resources, coaching, therapy and psychiatry."

### OK to talk about

But above all else, employees must know it's OK to talk about these things. And by starting with group training on soft and resilience skills, it becomes OK to talk about mental health aspects of life.

Sometimes, however, the people who have the hardest time being open about mental health issues are C-suite level executives.

"They feel they need to be above all of that and in many ways that works against them," said Dr. Benton.

"While it does show vulnerability, pretending that everything is perfectly fine and nothing bothers us isn't helpful for anyone. No one in a C-suite position gets through life without struggles. And to own your own struggles doesn't make you any less of a great leader. And in many ways, it probably makes you a better leader."

The more OK it is to talk about mental health struggles, the more likely people are to get effective help.

### Effective care

What is effective help?

That depends on the person and what they are dealing with. It may be an app on a phone or a coach or group therapy or a medical professional. What's not effective is a one-size-fits all solution. One hour of therapy once a week may help

some people, but it won't help everyone.

That's why employers need to provide a tiered mental health benefit program.

But whatever kind of mental health program you provide, it's Benefits pros' responsibility to make their employees aware of what they offer and help them understand the benefits.

What you don't want to happen is to pay for benefits employees don't use because they don't know about them or how to use them.



Dr. Benton said a classic example of this is employee assistance programs (EAPs) where you have 1% or 2% of people who use them because they don't see them as a real option. With EAPs, users typically get one or two phone sessions after which their benefits are used up and they get referred to a medical professional. But that's a huge out-of-pocket expense, which is often why EAPs don't get used and aren't very effective.

Having in-house soft skills is a way to make it real to people that the company really wants you to do this no matter your position.

"In my company, we do online morning meditation once a week. And we have different people in the company lead it, which is nice because it's not all from the top down," said Dr. Benton. "Every level of employee tunes in and does it, including the CEO and the front office receptionist – despite it being voluntary. It's very equalizing and sends the message it's important and valued."

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Recommended reading from [Renee Cocchi](#)

- [Employee mental health: HR's big challenge and great hope](#) 
- [Preparing for return-to-work mental health challenges](#) 

## The Cost of NonCompliance



### \$987,591 plus interest

#### NY contractor nailed for just under \$1M in back wages, liquidated damages

**What happened:** To escape paying OT requirements, Manuel Macedo and his three Bellport, NY, concrete supply and construction companies will pay \$987,591 in back wages and liquidated damages, plus interest, thanks to a DOL investigation.

According to the DOL, the companies denied OT pay to 99 laborers for three years. They combined the hours worked at the commonly owned businesses. However, they were paid with multiple checks from the three businesses to avoid OT requirements. The checks from each company indicated the employees worked less than 40 hours in a pay week. When they worked up to 48 hours per week.

Also, the employees weren't paid for the time they spent traveling from the companies' work yards to the jobsites, and records weren't created or kept of employees' work hours and pay rates.

**Result:** Macedo Construction Inc., Macedo Contracting Services Inc., Odecam Concrete Supply Corp. and its owner, also have to pay \$53,249 in civil money penalties to the DOL for their willful violations of the FLSA.



### \$136,849

#### Restaurant pays \$135K in back wages, liquidated damages

**What happened:** The DOL's Wage and Hour Division investigated The Roll Pod, a restaurant in Bellevue, WA, and found it failed to pay workers overtime rates for time worked over 40 hours in a workweek.

In addition the restaurant blatantly disregarded the FLSA. It attempted to evade OT requirements by paying workers less than they were legally due in the form of a "bonus."

**Result:** "Many restaurant industry employers shortchange vulnerable workers, depriving them of their full earnings and making it difficult for them to care for themselves and their families," said Wage and Hour Division District Director Thomas Silva in Seattle. "Employers who evade the law, exploit workers and cheat their competitors will be held accountable and face costly consequences for their actions."

Now, The Roll Pod has to pay \$67,699 in back wages and the same amount in liquidated damages for a grand total of \$135,399 for 23 workers. The restaurant was also assessed \$1,450 in civil money penalties because of the willful nature of the violations.

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## Meet Our Editors



### Renee Cocchi

Renee 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.



### Rich Henson

Rich Henson has spent the past two decades curating and developing HR and Management content to help guide successful leaders forward with confidence. He is a former editor and reporter with The Philadelphia Inquirer.



### 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.

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