

June 2023

# Managing hybrid teams:

New compliance alert:  
DOL issues 2 new  
PUMP Act resources..... **11**

4 things employees still  
get wrong about mental  
well-being ..... **14**

5 ways to build a positive work  
culture with the right words  
at the right time ..... **17**



## 6 ways to avoid proximity bias





## In This Month's Issue





### News You Can Use

What's HR's role in executing a successful benefits strategy? A CEO weighs in.....	3
Want to attract top talent? Avoid these interview red flags .....	3
Gender stereotypes: Here's what a \$1.25M hiring mistake looks like.....	4
Majority of Americans are opposed to using AI in hiring decisions, according to study .....	5
What is job 'fractioning' – and why should you care?.....	6

### Insider Content

	<b>Cost of NonCompliance</b> Employer must pay \$240K for OT violations, damages – plus a \$10K civil penalty .....	13
	<b>HR Case Study</b> Surveys and feedback help tailor compensation and benefits to meet employee needs .....	16

### Articles

	Don't be that boss: 6 ways to avoid committing proximity bias .....	8
	New compliance alert: DOL issues 2 new PUMP Act resources .....	11
	4 things employees still get wrong about mental well-being .....	14
	5 ways to build a positive work culture with the right words at the right time .....	17

# News You Can Use

## HR Stories You Might Have Missed

### What's HR's role in executing a successful benefits strategy? A CEO weighs in

April 17, 2023

One of the toughest things employers have to define and redefine is benefits strategy – especially with employee retention being the challenge that it is right now. A survey of employee attitudes by Willis Towers Watson indicates it's possible to bolster employee engagement and loyalty through benefits.

But according to Ed Walker, the CEO of supplemental health insurance solutions provider ArmadaCare, the right benefits strategy isn't one-size-fits-all for all companies, especially with five different generations in the workforce.

"I use health care differently than a new entrant to our company. So their needs and my needs are quite different," he said in a new episode of *HRMorning's* podcast Voices of HR, titled "[The Complex Needs of the Modern Workforce: Strategic Approaches to Benefits.](#)"

#### 'What are we hearing from employees?'

Ultimately, it's up to HR leaders to take the pulse of the needs of the organization with quantitative and qualitative data to inform a benefits strategy that allows for flexible and customizable benefits.

Calling them "a good way to measure and ... a good way to pivot," Walker recommends quarterly employee net promoter score surveys to find out how important certain benefits are to your people.

"It really just gives us a pulse on, numerically, where are we? But also from an open-ended, qualitative (perspective of) 'what are things that are on your mind?' I get a tremendous amount of information from that, and then we'll use that information as part of our leadership meetings. And we'll put that back into the strategy and execution process," he said.

#### Benefits strategy 1: Be open to ACA-excepted coverages

While the Affordable Care Act (ACA) requires employee health insurance plans to cover certain health benefits, there are many types of optional

benefits which could be attractive to certain worker populations because they close gaps in care, including:

- Non-health coverage, such as wage replacement after an accident or extended illness or injury
- Limited health benefits like dental, vision and long-term care coverage, and
- Specific disease or illness coverage (e.g. cancer or hospital indemnity insurance).

Options worth exploring include tax-beneficial health savings accounts and health reimbursement arrangements.

#### Benefits strategy 2: Attention to wellness

Walker noted that younger generations of employees tend to value preventive wellness and mental and behavioral health care more than medical insurance coverage.

How this care is covered by your benefits plan is an important consideration, and so are the kinds of tools being offered to make that care accessible.

As Walker put it, "Is this covered under the basic plan or are there things that I am going to need that may not be covered?"

[Read this article online](#) 

### Want to attract top talent? Avoid these interview red flags

April 20, 2023

The interview process can be a tedious, drawn-out process for both the recruiter and the candidate. From phone screenings to a final job offer, there can be a lot of complicated, moving parts when it leads to a new, best-fit hire.

But an interview process gone wrong can lead to a candidate "ghosting" – abruptly stopping communication without notice or reason – or making a bad-fit hire. While recruiters are on the lookout for red flags in candidates, candidates can also pick up on subtle hints that a position may not be the right fit.

In fact, many applicants have specific tells that immediately signal a red flag within a company. New research from People Managing People reveals the top signs that can unintentionally turn candidates away.

### Interview red flags that could turn candidates off

The study reviewed thousands of Reddit comments from jobseekers to identify the biggest interview red flags for candidates.

They included:

- **Family-like culture:** Using phrasing like “we’re a family” can seem like a positive sentiment, but it often comes off as the opposite. “In recent years, many have argued this concept endorses unhealthy norms like blurred boundaries, an exaggerated sense of loyalty and a lack of empowerment,” the report said.
- **Extreme staff turnover:** Extreme turnover or desperation to hire could signal a toxic work environment or other problems within the business, which can sour a candidate’s view of the position and be an immediate interview red flag.
- **Overtime or long hours:** Overtime – especially when unpaid – that happens frequently can make the position unappealing to candidates, possibly signaling staffing issues or unrealistic expectations for employees.
- **Inappropriate questions:** Unsurprisingly, inappropriate questions can put the candidate in an awkward position and turn them off from the job completely. This is closely related to another interview red flag on the list – lack of professionalism.

Other interview red flags included “work hard, play hard” terminology, an unorganized interview process and a lack of professionalism.

### Best practices to attract candidates

It’s clear that candidates are fed up with clichés and overused phrases. But what should you do instead? Try these best practices to keep top candidates interested and find the best-fit hire:

- **Be transparent:** Of course, you don’t want to lay out all the negatives of a position to entice a candidate, but sugar-coating the position can be obvious to a candidate and erode trust.

- **Ensure the job posting is clear and accurate:** Job postings that advertise upscale perks like “free tea and coffee” without being transparent about the true compensation and benefits can make a candidate feel deceived and waste time for everyone involved.
- **Have good interview etiquette:** Even if the position is the perfect match, an unorganized or ineffective interview process can make the end not worth the means for the candidate. Conversely, etiquette like being on time and coming prepared can make all the difference for a candidate on the fence.

[Read this article online](#) 

## Gender stereotypes: Here’s what a \$1.25M hiring mistake looks like

April 25, 2023

“The law requires companies to make hiring decisions based on an applicant’s qualifications, not gender stereotypes,” said EEOC Chair Charlotte A. Burrows in a recent press release announcing a seven-figure settlement for an undetermined group of women.

Here’s what happened at a company in Ohio.

### Trucking company – or boys’ club?

R&L Carriers, Inc. and R&L Carriers, Shared Services, LLC (R&L Carriers), a nationwide trucking company headquartered in Ohio that specializes in less-than-a-load delivery, will pay \$1.25 million to a class of female applicants.

According to the EEOC’s lawsuit, the company discriminated against women in hiring for loader positions at its location in Wilmington, Ohio, between 2010 and 2017. Although a few women were hired as loaders, most female applicants were rejected or steered to different positions because of their sex, the EEOC asserted.

### Alleged comments reveal gender stereotypes in hiring decisions

Specifically, applicants and witnesses reported that they were told the company did not hire women for loader positions.

In the EEOC’s view, this violated Title VII, which prohibits discrimination based on sex and gender.

As a result of the alleged conduct, there was a large difference in the percentage of female applicants who were hired compared to male applicants who were hired, the EEOC said.

The company agreed to pay \$1.25 million to settle the suit, which will be deposited into a settlement fund handled by a claims administrator. The EEOC will work with the claims administrator to locate the women and distribute the money.

The consent decree also orders the company not to discriminate against female applicants at its Wilmington facility and requires the company to:

- Provide training that covers legal hiring procedures to appropriate employees
- Notify recruiters and employees not to discriminate against women in hiring for loader positions
- Invite rejected female applicants to reapply for Wilmington loader positions, and
- Engage in outreach and recruitment efforts related to employing women as loaders.

Info: Company to Pay \$1.25M to Settle EEOC Sex Discrimination Suit, 4/25/23.

[Read this article online](#) 

## Majority of Americans are opposed to using AI in hiring decisions, according to study

April 28, 2023

The conversation around Artificial Intelligence (AI) and what its effect on the workplace will be has been increasing throughout the years but has seemed to skyrocket since the launch of ChatGPT and similar generative AI tools.

Despite the many benefits of AI, there are still some concerns. Specifically, the use of AI in hiring and recruiting is often debated due to fear of bias from AI, prompting some to create rules and regulations such as the recent New York City law that limits AI in hiring, recruiting or promotion until the tool has been audited for bias.

Despite many companies beginning to use AI in their hiring efforts – like Unilever – a new study from

the Pew Research Center reveals that a majority of Americans are opposed to the use of AI in hiring.

### Americans are opposed to AI in hiring

The Pew Research Center's study found that 71% of Americans are against using AI in final hiring decisions. Only 7% of respondents favored it, while 22% were unsure. Forty-one percent of respondents opposed using AI to review job applications.

Over half (55%) opposed using information collected and analyzed by AI about job performance to make a decision about whether an employee should be fired.

Along with the general opposition to AI in hiring, about two-thirds of respondents (66%) were less likely to apply for a job that uses AI to hire. When asked why, respondents reported reasons such as AI lacked a human touch, it can't capture everything about a candidate and it can add its own biases.

Respondents who reported that they would apply for a job that used AI to hire said that AI can be less prejudiced or can see things humans might miss.

The study contained other major findings, such as:

- About half (47%) felt that AI would be better at treating all candidates the same
- About half (44%) think AI would be worse at seeing a candidate's potential, and
- A little less than half (43%) think AI would be worse at figuring out which job applicants would work well with co-workers.

### Best practices for using AI in hiring

As more companies consider using AI as a hiring tool, recruiters may struggle with deciding if AI in hiring will cause more harm than good.

To ensure that AI is being used effectively – and ethically – consider these best practices to ensure that it is helping rather than harming the hiring process:

- Assign someone to spot-check any decisions AI comes to for accuracy
- Eliminate any biased behavior before deploying AI to avoid biased decision-making, and
- Be transparent with all candidates about your use of AI throughout the process.

[Read this article online](#) 

## What is job ‘fractioning’ – and why should you care?

May 4, 2023

An important new court ruling says that “employers may not circumvent Title VII protections by ‘fractioning’ an employee’s job.”

Huh?

Let’s explain what the court meant by job “fractioning” in the context of the case – and why it’s important for employers to understand the idea.

Carolyn Spears became a full-time faculty member at Louisiana College in 1977 and was tenured in 1984.

Although she technically retired in 2007, she continued to teach under the title of “senior professor.” She signed annual contracts while she did so.

Spears was diagnosed as having cancer in 2012, and in 2016 she began a period of long-term disability and sick leave.

She says she had no plans to retire permanently at that point, but the college’s head of HR said Spears told her she was not coming back.

In connection with a reorganization, the college demoted Spears and reduced her salary for the 2017-18 academic year. In Spears’ mind, it was all part of a campaign to get her to leave.

### Fateful words

Before the academic year started, the college told Spears that it was “mov[ing] in a different direction” and would not be renewing her contract after all. The letter delivering that news was sent just a week after Spears filed an EEOC complaint, and Spears said it was retaliatory.

In a move that turned out to be crucial to the court’s eventual ruling in the case, the college hired a young couple to take over Spears’ job duties. The courses she taught ultimately were spread out among several different people.

Spears sued, asserting a litany of claims including age discrimination, gender discrimination, disability discrimination, breach of contract and retaliation.

At the trial court, the college filed a motion for summary judgment as to all the claims Spears raised against it. Spears sought partial summary judgment.

## Trial court backs school

The trial court sided with the college, and the case reached the U.S. Court of Appeals for the Fifth Circuit for further review.

First, the appeals court tackled Spears’ claim of age discrimination.

It explained that with respect to that claim, Spears – because she relied on circumstantial evidence — had to show that she was:

- at least 40 years old
- qualified for her job
- subjected to an adverse job action
- replaced by someone younger (or treated worse than similarly situated younger employees).

The district court ruled against her on this claim because it decided that Spears did not show she was replaced by someone who was younger. It reasoned that Spears was not really “replaced” because the courses she taught were assigned to several different people.

Spears objected to this reasoning, arguing to the appeals court that it was wrong to say she was not “replaced” just because her former job duties were assumed by more than one person.

The appeals court agreed.

### What’s job fractioning?

An employer cannot successfully defend a claim of age discrimination by “fractioning” an employee’s job, it ruled.

So the fact that Spears’ job duties were divided among several different people — or “fractioned” — didn’t mean she wasn’t “replaced” under the applicable test, the court explained.

That meant Spears established a preliminary case of unlawful age bias, shifting the burden to the college to offer a legitimate, nondiscriminatory reason for its decision.

The college said Spears herself told her she would not be coming back, but Spears disputed that assertion. Further development on this question was needed, the appeals court said. Thus, the appeals court revived the age bias allegation.

The same reasoning applied to Spears' claim of sex discrimination, the appeals court decided.

Spears also established a preliminary case of disability discrimination, the appeals court added. It was undisputed that she had cancer, that she was qualified for her job, and that the college's president told her that her contract was not renewed "because she was too ill to teach."

The court also revived Spears' retaliation claim, although it affirmed the decision to reject the breach of contract assertion.

The lesson for employers: Redistributing a departed employee's job duties among several other employees is not likely, by itself, to save you from a claim of unlawful discrimination.

*Spears v. Louisiana College*, No. 20-30522, 2023 WL 2810057 (5th Cir. 4/6/23).

[Read this article online](#) 

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## WORK LOCATION

# Don't be that boss: 6 ways to avoid committing proximity bias



by Michele McGovern

## PROXIMITY BIAS EXPLAINED



**I**t may be unintentional, but proximity bias is a growing reality in the hybrid workplace — and HR leaders want to be sure it doesn't happen.

It's a crisis of visibility: People in powerful, decision-making positions tend to treat employees who are physically closer to them more favorably than those who aren't.

And most of us already recognize the bias exists: More than 70% of senior HR leaders and 62% of senior business leaders agree there's a proximity bias toward the in-person workforce over the remote and

hybrid teams, according to Executive Network's 2023 Future of Working and Learning Report.

Some of it comes from antiquated thinking (which is just pre-pandemic thinking) that people in the office do more and perform better than those working from home. Productivity research has proven that wrong. Some of it is plain, old cliché-esque: *Out of sight, out of mind* — when a special project or recognition comes up. Or *Love the one you're with* — because they're an easy reach.

### Examples of proximity bias

"Essentially proximity bias is exhibited in presenteeism, where managers value the contributions of employees they see every day over the contributions of remote or hybrid employees who are not in the office on a regular basis," says Jeanne Meister, Executive VP of Executive Networks.

Some examples are:

- Excluding remote or hybrid employees from important meetings



- Excluding them from opportunities to take on stretch assignments or mentoring
- Evaluating on-site employees' performance more favorably than remote or hybrid employees, and
- Promoting on-site employees sooner than remote or hybrid employees.

"HR leaders need to take proximity bias seriously and acknowledge this is happening in the workplace where work happens outside of a nine-to-five day and often outside of an office," says Meister.

Here are six ways to mitigate proximity bias.

## Make it impossible

The ideal fix to proximity bias: Make it impossible.

How? Either go with all remote or all on-site work arrangements. That's what one expert suggests. It's the only way to fully level the playing field.

By now, though many companies are beyond making that choice. So we have more tips here on how to avoid proximity bias.

## Acknowledge the possibility

We don't know what we don't know. So help front-line managers avoid it by understanding that it happens.

"Acknowledge the tendency for proximity bias is real and a natural human behavior," says Meister. "And adjust for it by making a conscious effort to value the contributions of remote and hybrid employees who

meet deliverables. Being aware of proximity is the first step to acting in a more inclusive and intentional way toward all employees, regardless of where they work.

## Change the culture

Once you admit that the bias is possible and anyone can commit it, Harvard Business School experts suggest it's time to change the culture with this mantra: Excellence from anywhere.

It's OK — actually, it's right — to expect employees to perform with excellence, no matter where they work. From there, change goals to valuing deliverables, collaboration and innovation. The more you do this, the more likely the attitude toward excellence anywhere will evolve.

"Create a culture where front-line managers evaluate their team members on their outcomes instead of the number of days they spend in the office," says Meister.

Simply put, focus on output, not on input or where the input happens.

## Set goal policies

If you continue with a hybrid work approach, you'll want to set clear policies regarding goals — what they are for each role, how you measure achievement and how achievement is rewarded.

Even better, give managers tools to have critical conversations with hybrid or remote employees on how they think they can achieve goals, if they need to adopt new ways of working and the resources they'll need.

Most critical, reward hybrid and remote work achievements exactly how you laid out in the policies.

The Harvard researchers suggest managers increase feedback sessions or one-on-one meetings with remote direct reports to weekly or bi-weekly. A suggested framework:

- Agree on about five bi-weekly performance goals. Vary them to include short-term, tactical goals and longer-term job improvement goals.
- A few days before the check-in, ask employees to do a brief report on their progress, challenges they face, how they might overcome them, and a few proposed goals for the following week.
- A day before the meeting, give your feedback on your impression of the report and a proposed agenda for the meeting.

When you meet, coach the employee on how to solve challenges, revise goals that need to be adjusted and affirm their work.

Even better, Meister suggests: "Be intentional about meeting remote or hybrid workers on a regular basis either in a satellite office near their home, for lunch or for networking, stressing the importance of knowing employees outside of a Zoom or Teams call."

## Make the office worthwhile

When possible, get remote and hybrid employees more interested in the office.

"Be clear about what going to the office is still important for and communicate this," says Meister. "For example, going to the office is often a richer experience when you are engaged in one-on-ones with

your manager, collaborating with team members, social networking participation, contributing to product launches and engaging in design thinking sessions. The common thread here is that social connection is worth the commute for employees."

In fact, when Executive Network researchers asked employees what made the office "commute worthy," most responses revolved around a tangible reason to get in there.

### Proximity bias & legal concerns

Remember, proximity bias is more than a trend; it's a potential legal minefield.

"Discrimination can arise potentially in two different scenarios," says Rob Hudock, an employment law attorney. "One might involve where remote work is seen and viewed as a benefit

versus coming into the office, in which case someone who doesn't have the opportunity to do remote work will claim they're discriminated against because their co-worker received that benefit and they did not."

"Ultimately, the fact that they're getting treated differently doesn't necessarily tell the story. The difference has to be based on a protected category ... age, race, gender or disability. So what a claimant would need to show in either of those factual scenarios is not just that there was differential treatment, but that the differential treatment was carried out because of that employee's membership in a protected category."

[Read this article online](#) 

## Voice of the Worker: How Can The Office Be Commute Worthy?

We asked: "What can organizations offer to make coming to the office 'commute worthy'?"

Here's what we heard: Workers want to optimize their flexibility and their performance on the job.

"Improve my Performance"	"Increase Flexibility"
"Expanding training, coaching and mentoring for those who come to the office."	"Allow employees choose both when and where they work, with manager approvals."
"Having access to better technology in the office."	"Having shorter shifts or workdays for those doing the commute."
"Engaging in daily team and team leader check-ins in the office"	"Allow to swap shifts or choose shifts, with manager approvals"
"Be Intentional about opportunities for team networking and collaboration in the office"	"Offer clear guidelines on how to work remotely or in hybrid fashion"
"Take advantage of emotional support in person."	"Allow workers to be fully remote if their job roles does not require them to be in the office."

# PUMP ACT: FEDS RELEASE 2 NEW COMPLIANCE TOOLS FOR HR



## EMPLOYMENT LAW

# New compliance alert: DOL issues 2 new PUMP Act resources



by Carol Warner

**H**eads up, HR: The U.S. Department of Labor (DOL) released two new tools to help employers comply with the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act). Here's what you need to know:

## New PUMP Act legislation

Earlier this year, we told you that President Biden signed new legislation to expand workplace protections for pregnant and lactating employees.

The PUMP Act amends the Fair Labor Standards Act (FLSA) and a 2010 law – Break Time for Nursing Mothers – that requires employers to provide

reasonable breaks and a private place, other than a bathroom, that can be used by nonexempt employees to express breast milk.

The PUMP Act expands those rights to include salaried and exempt workers who are lactating. The law also clarifies that the time spent pumping must be paid if an employee “is not completely relieved from duty during the entirety” of the break.

Companies with fewer than 50 employees can seek an exemption if they can show compliance would result in undue hardship.

The law provides certain exemptions to the airline industry. (See Section 18D (g) for details.)

Though the law took effect immediately, the enforcement provision included a 120-day delay, making the effective date for that provision April 28.

## DOL issues 2 new compliance tools

As the DOL began enforcement, the agency released two tools to help companies comply with the new law:

- A frequently asked questions (FAQ) document, and
- An updated fact sheet outlining employers' legal obligations.
- In the FAQ doc, you'll find answers on a variety of topics, such as:

- How the PUMP Act work requirements will apply to small businesses
- Accommodations that must be provided to nursing employees
- How analogous state laws affect the new federal legislation
- How the DOL will consider relevant factors for purposes of the undue hardship exemption, and
- What type of space must be made available for nursing employees.

The fact sheet includes detailed info regarding:

- Covered employers and limited exemptions
- Break times to express milk
- Private spaces for breaks
- Compensation issues, and
- PUMP Act rights of remote workers.

It also includes several scenario-based examples, which help HR pros understand how employers' legal obligations apply to specific situations in the workplace.

In the fact sheet, the DOL outlines a scenario that amounts to "unlawful retaliation under the FLSA" using this example:

- Leslie is a delivery truck driver for a department store and takes breaks to pump breast milk a couple of times each day. The supervisor complains that the breaks are interfering with the delivery schedule and moves Leslie to a lower-paying job as a result.

## The potential cost of noncompliance

As of April 28, an employer who violates an employee's right to reasonable break time and space to pump breast milk will be liable for appropriate legal or equitable remedies under the FLSA.

According to the fact sheet, remedies for violations of the reasonable break time and space requirements of the FLSA are limited to unpaid minimum or overtime wages.

But employees who face retaliation can seek additional remedies, "including, but not limited to, employment, reinstatement, lost wages and an additional equal amount as liquidated damages, compensatory damages and make-whole relief, such as economic losses that resulted from violations, and punitive damages where appropriate."

## Even more help

Looking for even more help? The U.S. Department of Health and Human Services Office on Women's Health offers advice on how to support lactating employees.

For example, the guidance addresses a particularly challenging aspect: space accommodations for lactating employees.

Specifically, it says: "Employers covered under FLSA must provide a private space for lactation that is not a bathroom. 'Private' means that other people cannot see an employee while she is pumping breastmilk. Often this means putting a lock on the door, but some companies use mobile

screens or tall cubicle areas. The space does not have to be a permanent, dedicated lactation room."

The guidance then provides a link to lactation spaces in a variety of industries, including:

- Restaurants and hotels
- Retail and personal services
- Health care
- Education
- Manufacturing, factories and warehouses
- Transportation
- Public spaces
- Outdoor job sites, and
- Office jobs.

[Read this article online](#) 

## The Cost of NonCompliance



**\$250K**

**Employer must pay \$240K for OT violations, damages – plus a \$10K civil penalty**

### **World Fresh Market, LLC, d/b/a Pueblo Supermarkets**

**Who was involved:** Four Pueblo Supermarkets, as well as the owner and the former operations manager and 33 employees, including janitors, security guards and stockers, who worked at various locations in the U.S. Virgin Islands.

**What happened:** According to a DOL Wage and Hour Division (WHD) investigation, the supermarkets and the two individual defendants violated the federal FLSA's overtime and recordkeeping requirements by:

- Improperly classifying employees as exempt managers and failing to pay them time-and-a-half wages for the overtime they worked.
- Failing to maintain required payroll records for many employees, including those who were misclassified as managers.
- Permitting at least one employee to work off the clock, resulting in overtime violations.

This was a repeat violation. In 2010, the WHD found the company's pay practices violated the FLSA. Afterward, the company agreed to correct its practices to comply with the law.

**Result:** The DOL obtained a consent judgment against the company, which ordered it to:

- Pay \$120,000 in back pay to the affected employees
- Pay an equal amount in damages to the affected employees
- Comply with the FLSA's overtime and recordkeeping requirements
- Refrain from taking any retaliatory actions against any employee, and
- Pay a \$10,000 civil penalty assessed by the WHD for the "willful nature of the latest violations."

**Info:** [DOL obtains consent order, US Virgin Islands supermarket chain must pay \\$240K in back wages, damages to 33 underpaid workers](#), [3/22/23](#).

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



## WELLNESS

# 4 things employees still get wrong about mental well-being



by Michele McGovern



**Y**ou do your part to help employees improve their overall well-being. But there are things employees still get wrong about mental well-being.

And their need to get it right is growing by the day.

Nearly 60% of employees have suffered some sort of mental or physical stress in the past two years, according to Oak Engage's Mental Health in the Workplace Report. Some say it's the workload. Some say it's the people they work with. And some say it's a misalignment of ideals.

"Ways of working will continue to evolve and with the added pressure of external factors, employees can feel anxious, stressed and burned out," says Will Murray, CEO of Oak Engage. "By looking in-depth at all the potential drivers and how they affect workers, we can begin to have frank conversations about how businesses can best combat the issues that are pertinent to them."

## What we still get wrong about mental well-being

Employers want to help employees with mental health and well-being issues because it's the right thing to do by them. And when you help employees — a more self-serving reason — they show up to work, perform better and are engaged, Gallup researchers find time and again.

## 4 things employees still get wrong about mental well-being

But employees still disregard their mental health — which can be any of many states ranging from depression, anxiety and stress to bipolar disorder, schizophrenia and psychosis.

Here are four things employees still get wrong about mental well-being:

- Avoidance of the topic
- Try too much or too little
- Assume it's normal, and
- Withdraw.

Let's look at each issue and what you can do to help employees even beyond your standard mental health benefits.

### Avoidance

Many employees think mental health and well-being is a taboo topic for the workplace. It's so bad, a third of employees lie to their bosses when they take a day off, saying they suffer from some kind of physical illness — such as a cold, flu or stomach bug — when it's a mental health issue, a Wysa survey found. Just over 40% decide to plow through their issues. Only 20% of employees tell the boss they need time off for their mental health.

Why? For many, they've grown up with a mental illness stigma, equating it to a weakness that should be overcome, not a condition that should be treated like a physical illness. Also, employers are just beginning to normalize mental health and well-being in the workplace. So discussing it openly is still uncomfortable for many employees.

**Help employees:** Normalize mental health well-being in the workplace by starting conversations about it. When leaders talk about their stress and/or struggles — and how they work to deal with those —

employees will more likely join in the conversation and seek help if they need it.

### Try inadequately

Many employees think improving or maintaining mental well-being is an all-or-nothing situation — much like physical well-being.

The comparison would be this: An employee who needs to lose weight to reduce hypertension and help his diabetes hits the gym hard. Then, he gets a minor injury that would call for exercise modifications, but he just quits.

When it comes to mental health, some employees think the fix is intense psychotherapy and/or drugs — or just grin and bear it. Meanwhile, you likely offer plenty of options — including tele-therapy, stress management resources and self-care tools — in between the extremes.

**Help employees:** Market your mental well-being tools and resources consistently throughout the year, not just during open enrollment. For instance, send email weekly with a tip on managing stress and include links to resources such as virtual yoga and tele-therapy options.

### Assume

Many employees are overwhelmed and burned out, but they don't know it. They assume everyone has a workload that can feel crushing, life demands that never seem to let up and chronic sleep and/or health problems. They chock it up to the hustle culture.

That's known to lead to Quiet Quitting — which you don't want.

**Help employees:** This goes back to normalizing and talking about mental

well-being in the workplace. When employees feel comfortable talking about what's going on, they're more likely to help each other recognize when someone is overwhelmed and needs help. Caveat: Nearly half of employees who talked about mental health at work had a negative experience doing it, a Harvard Business School study found. So you might want to get a qualified doctor or facilitator to guide these conversations.

### Withdraw

Employees who struggle with mental well-being too often do the exact opposite of what could help: withdraw from colleagues, leaders and the organization.

Engagement helps employees handle stress and other issues that negatively affect mental well-being. In fact, employees who are engaged are five times more likely to say their job has an “extremely positive impact” on their mental health than colleagues who weren't engaged, the Gallup study found.

**Help employees:** Employees are lonely, both the Gallup and Harvard researchers found. They don't interact as much as they did before the pandemic, regardless of whether they work on-site or remotely. You can't force them to engage professionally and personally — after all, some people are content with this weakened level of interaction — but you can give them opportunities to engage. Start a “fun committee” for more events. Pump more resources into your Employee Resource Groups to revive them. Survey employees more often to find how they want to increase interaction and engagement.

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## Case Study

# Surveys and feedback help tailor compensation and benefits to meet employee needs



We know that listening to our people is the key to understanding and meeting employee needs.

Prioritizing a competitive compensation and benefits package is one way we strive to meet employee needs – plus, a top-notch benefits package helps attract and retain top talent.

But when it comes to compensation and benefits, a “one-size-fits-all” approach won’t work for a diversified workforce. That’s why we use an employee listening strategy to assess and address workforce needs.

### Supporting a diversified workforce

Our workforce – like many others – is diverse and global. Therefore, we knew our compensation and benefits package had to be inclusive to meet the needs of all our employees.

Our team places an intentional focus on inclusive programs and provides deliberate emphasis on the total rewards value proposition for all of our team members.

We also prioritize feedback from employees and routinely gather

input on what’s working and what’s not, making sure our benefits are aligned with the current market and talent demands.

We’ve expanded inclusive benefits in line with employee feedback, including:

- Enhanced leave programs
- Company-supported vacation messages to address an “always on” perception
- Revised PTO policies, and
- An enhanced Employee Assistance Program (EAP).

### Big rewards

Our commitment to a flexible and competitive compensation and benefits package has paid off and helped support employees. But it’s also helped us gain outside recognition and accolades. For example, we are one of the Top Workplaces for Compensation & Benefits 2023.

It’s also provided big benefits within our workforce. Implementing these benefits along with other initiatives, like prioritizing team engagement and employee growth and development, has resulted in

decreased turnover and increased candidate interest for our company.

### Flexibility is key

Although our listening strategy has reaped big rewards, we know our work isn’t over yet. In order to maintain satisfaction with our compensation and benefits package, continuous review and flexibility are key.

In an ever-changing world, employee needs can change from year to year or even month to month. We utilize feedback such as pulse surveys to gauge how employees feel and to inform next year’s benefits offerings.

*(Jennifer Gessendorf, VP of HR, and Head of Compensation and Benefits, Paycor, Cincinnati, OH)*

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# 5 ways to build a positive work culture with the right words at the right time



by Michele McGovern



**H**R leaders and front-line managers: Don't underestimate the power of a few kind words.

The right words at the right time can have a serious impact on how well teams perform and how effectively you can build a positive work culture.

### Small start for positive work culture

Small shifts toward more positive communication can boost

performance results by 25% and cut stress levels by 23%, according to research from Michelle Gielan, Founder and management consultant at GoodThink and author of *Broadcasting Happiness*.

Even better, a leader's optimism is contagious — as long as you're not simply handing out rose-colored glasses. An optimistic, solutions-focused outlook will catch on.

"People don't actually see how incredibly influential they can be over the people in their lives," says Gielan in the podcast, *Built on Purpose*. "When we make small

changes to the messages we're broadcasting to other people — as parents, as leaders, as friends — we actually can not only influence their mood, their approach to challenges and stresses while they're in the midst of them.

"But also, those small changes influence nearly every single business and education outcome we know how to track," Gielan continues. "Communicating differently can fuel your team's productivity by 31% in just three weeks."

The point: These are small changes, not sweeping initiatives!

So here are four changes that build a more productive, positive workplace.

### Use the 'Power Lead'

Start conversations, emails and meetings with something positive and meaningful. It allows you to set the tone for the exchange — a powerful tool for leaders in almost any situation.

Taking a "Power Lead" doesn't mean adding an artificially sweet twist to everything. It's about putting everyone's mind in the best possible place. People match moods, and will likely look for something positive to add to the good news or a success you share.

### Ask 'Leading Questions'

You can initiate or ignite more worthwhile conversations with "Leading Questions" in almost any setting. Ask the right one and you can help motivate people by getting them to think about positive successes, strengths and relationships.

For group meetings, ask these kinds of Leading Questions:

- Can you share a recent win that no one else in the room knows about?
- What's one way a colleague has made your job easier in the last month?

In one-on-one conversations, try:

- What happened recently that made you feel successful in your work?
- Can you tell me about a time recently you were glad to be able to help a colleague?

### Praise on a point

More than a third of employees say they haven't been recognized for their work in the past year, an American Psychological Association survey found.

Yet, researchers say employees who are recognized think the best of their companies. That's why leaders need to call out employees for doing good work every day.

The key: Give specifics on how someone's individual work leads to a collective success.

### Build a platform

Leaders can set the tone for a more positive workplace. But they can't sustain it. Nearly everyone has to get involved eventually. (But, recognize that some people are naturally negative and can't contribute to a positive place.)

So make speaking up about success a part of everyday culture.

For instance, employees at Nationwide Brokerage Services start every work day talking about and celebrating successes. Teams "huddle" and talk about the prior day's wins, and employees let others

know if they'll need some extra support for that day so colleagues can rally around them.

Giving people a platform to talk about successes can move things in a positive direction.

Once they get comfortable with it in a structured setting, they'll see that talking about success is a valued part of a positive culture.

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Tom D'Agostino is an attorney and legal editor who has more than 30 years of experience writing about employment law, disability law and education law trends. He earned his B.A. degree from Ramapo College of New Jersey and his J.D. from the Duquesne University School of Law. D'Agostino, who is a member of the Pennsylvania bar, is a past member of the American Bar Association's Section of Individual Rights and Responsibilities and the Pennsylvania Bar Association's Legal Services to Persons with Disabilities Committee. He has provided technical assistance in the production of segments for television's ABC World News and 20/20, and he has been quoted in periodicals including USA Today. He is also a past contributing author of *Legal Rights of Persons with Disabilities: An Analysis of Federal Law*, which is a comprehensive two-volume treatise addressing the legal rights of people with disabilities. Tom is passionate about baseball and authentic Italian food. When not writing, he enjoys spending time with family.



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Michele McGovern writes. A lot. These days, she covers HR, digging deep into company culture, DEI, leadership, management and the everchanging world of work. In the years between getting a BA in journalism from a state school and writing about HR, she wrote about big-city crime for a wire service and small-town life for local newspapers. She's a mediocre mom, decent wife, wannabe athlete and consummate pursuer of fun - on land, snow and water. Follow her on Twitter @sheknowswork. Find her on LinkedIn @michele-mcgovern-writer



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Carol Warner has been a writer and editor since 2008, covering the latest trends in employment law, education law, safety and security, human resources, employee training, and emergency response plans. She attended East Carolina University and earned a Bachelor's degree from New York Institute of Technology. When she's not writing, she spends most of her free time listening to audiobooks, playing Scrabble, and solving crossword puzzles.



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**Brian Bingaman**

Brian Bingaman has been a journalist in the Philadelphia area for nearly 20 years. He was a contributing editor for *ResourcefulFinancePro.com*, as well as the publications *What's Working in Human Resources* and *What's New in Benefits and Compensation*. He first became interested in HR when he started noticing a distinct lack of human interaction from the HR department of the newspaper group where he worked. In addition, Brian has 15 years of experience in the radio broadcasting industry.



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