

March 2023

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## 8 worst complaints



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# News You Can Use

## HR Stories You Might Have Missed

### **Opioid use and the workplace: How employers can get in trouble**

January 19, 2023

As the opioid epidemic continues to take a grim toll, workplace issues relating to opioid use remain more likely to arise. For HR pros, missteps in handling these issues can result in hefty payouts.

Here is a case in point: A Tennessee county just resolved an allegation that it illegally discriminated against a correctional officer with an opioid use disorder by failing to make reasonable accommodations for him.

The county should have made accommodations that would have allowed the correctional officer to keep working while taking prescribed medication for his disorder, the Department of Justice (DOJ) alleged.

To settle the case, the county agreed to pay the officer \$160,000 and take other steps to ensure compliance with the Americans with Disabilities Act (ADA).

The complaint in the case was filed together with a proposed consent decree that (though subject to court approval) is set to resolve the matter. In the complaint, the DOJ alleged that Cumberland County unlawfully denied the corrections officer's request for accommodation and then constructively discharged him based on his disability.

#### **Opioid use by corrections officer**

The unnamed employee began working as a corrections officer at the Cumberland County jail early in 2015, earning a promotion to corporal about a year later.

He supervised about eight other officers in that role, and his performance reviews were always good.

According to the complaint, the county's sheriff's department had a policy that barred employees from having legally prescribed controlled substances or certain medications in their systems while working. Specifically, the policy prohibited employees from "possessing ... or having controlled substances ... or any other mind-altering or intoxicating substance present in their systems while at work or on duty," the DOJ said in the suit.

It also had a policy requiring employees to tell a supervisor if they were legitimately taking medication that might affect their ability to work, the suit adds.

Soon after he started the job, the officer told his supervisor that he was taking medication for his opioid use disorder. But it was not until June of 2016 that he was required to undergo a drug test. The test showed he was using a prescribed medication called Bunavail, which he used to treat his opioid use disorder.

#### **Placed on leave**

The department then placed the officer on unpaid leave, telling him that he could not go back to work until he was "taken off [his] prescription" and passed another drug test.

The officer gave the county a letter from a medical provider explaining that he was legally using the drug as part of a recovery program. The county nonetheless insisted that he stop taking the drug if he wanted to work, the DOJ alleged.

The officer stopped taking the drug and went back to work in August of 2016. He passed a drug test in July of 2017. But he struggled without medication assisted treatment, and his physician told him he should begin using it again.

He took leave to start using a drug called Suboxone. He returned to work in January of 2018 and tested positive for that drug. He again told the county he was taking the drug as part of his treatment. At that point, a supervisor told him he could either resign or be terminated. The officer resigned at the start of February.

The DOJ suit says the county violated ADA by failing to engage in the interactive process of finding a reasonable accommodation. The county's drug prohibition policy is a discriminatory qualification standard that illegally screens out or tends to screen out people with disabilities, it adds.

In the proposed consent decree, the county agreed to submit its policies regarding employees with disabilities to the DOJ for approval. It also agreed to conduct training regarding ADA requirements and submit reports to the DOJ relating to compliance with the decree's terms. Finally, it agreed to pay the officer \$160,000, including about \$124,500 in back

pay, almost \$12,000 in interest on the back pay, and approximately \$23,500 in compensatory damages.

## Reviewing the rules

The ADA does not protect people who are currently using drugs illegally. This exclusion applies both to those who use drugs that are illegal and those who use legal prescription drugs in an illegal manner.

But it is very clear that the statute does protect those who are not currently using drugs illegally but are using them as part of an addiction treatment program.

Unless other federal law, such as Department of Transportation regulations, automatically disqualifies an employee for drug use, before summarily disqualifying employees based on lawful drug use, employers should examine whether they can safely and effectively do the job with or without reasonable accommodation.

The EEOC has issued guidance specifically addressing legal employment issues relating to opioid usage. The guidance confirms that employers are generally obligated under the ADA to seek to accommodate those who use opioids as part of a treatment program.

[Read this article online](#)

## 'Paid leave for any reason' laws pick up steam: Third state joins the list

January 21, 2023

Gov. J.B. Pritzker signed a law that requires private companies in Illinois to provide workers with paid leave for any reason – with limited exceptions.

The passage of the Paid Leave for All Workers Act (PLFAW) makes Illinois the third state in the nation to pass such a law, signaling that the trend may be gaining momentum.

Similar laws have passed in Maine and Nevada as well as a local ordinance in Bernalillo County, New Mexico.

### What HR needs to know about paid leave for any reason

First things first: The law requires most employers to provide workers with up to 40 hours of paid leave that can be used for any reason within a 12-month period.

The law takes effect on Jan. 1, 2024.

## 1. Covered employers and employees

The PLFAW Act applies to most private employers, as well as most state and units of local governments, or any state or local government agency. However, there are notable exceptions:

- State school districts under the Illinois School Code
- State park districts under the Illinois Park District Code, and
- Employers that are required by a municipal or county ordinance (as of Jan. 1, 2024) to provide any type of paid leave to employees.

It also applies to most employees working in Illinois, regardless of whether their status is full-time, part-time, temporary, exempt or nonexempt. There are a few limited exceptions:

- Employees as defined in the federal Railroad Unemployment Insurance Act or the Railway Labor Act.
- Students enrolled in and regularly attending classes in a college or university where they are also employed on a temporary basis at less than full-time. The legislation specifically clarifies that "this exclusion applies only to work performed for that college or university."
- Short-term employees who work at an institution of higher education for less than two consecutive calendar quarters during a calendar year and who do not have a reasonable expectation that they will be rehired by the same employer of the same service in a subsequent calendar year.
- Construction industry employees covered by a bona fide collective bargaining agreement (CBA).
- Employees covered by a bona fide CBA with an employer that provides "national or international services of delivery, pickup, and transportation of parcels, documents, and freight."

## 2. Accrual, carryover, rate of pay

Under the PLFAW Act, covered employees must accrue one hour of paid leave for every 40 hours worked. Exempt employees who are not subject to overtime requirements of the FLSA are deemed to work 40 hours per week for purposes of accrual.

Any earned but unused accrued paid leave must be carried over to the following year – unless the company frontloads the leave.

The leave must be paid at employees' regular hourly rate of pay.

### 3. Retaliation, enforcement, penalties

The law expressly prohibits employers from threatening to take or taking any adverse employment action against employees who exercise their rights to take the leave provided in the law.

In the event of disputes, employees may file complaints with the state DOL, which has the authority to conduct investigations, recover underpayments and damages for affected workers, and assess civil penalties.

### 4. Compliance issues

Companies have a year to get their compliance efforts on track. Here's what the law requires:

**Policy requirements:** Companies may require employees to provide seven days' notice when the leave is foreseeable. If companies opt to require such notice, they must create and implement written policies that provide workers with procedures to submit notice for leave.

**Recordkeeping requirements:** Companies must document employees' hours worked, paid leave accrued, paid leave taken and paid leave balances for three years. Employers must also provide workers with notice of the amount of leave accrued or used upon request.

**Posting requirements:** Companies will be required to display a labor law poster that will be prepared by the state DOL. If a large percentage of the workforce doesn't speak English, the company must post notices in appropriate languages spoken by employees. Violations of posting requirements will be \$500 for the first infraction and \$1,000 for repeat offenses.

**Notice requirements:** Companies must provide written notice of the PLFAW Act to workers.

[Read this article online](#)

## How remote work gives employees significant time back in their day – and how they're using it

January 27, 2023

Pre-pandemic times are a lot different than now. Perhaps the biggest change is the attitude around commuting and in-office work. Daily commutes and everything that dreaded drive brings along with it – from gas money to wasted time sitting in rush hour traffic – was once considered an unfortunate necessity, but it's not so black and white anymore.

As employees shifted to remote work, the idea that you need to be in the office to do work started to fizzle out, and employees started to realize that remote work was more than convenient – it could give them much-needed time back in their day.

### Remote work gives employees significant time back

Remote work can save employees up to 72 minutes a day, according to new research from the National Bureau of Economic Research (NBER).

In the U.S., commuters saved an average of 55 minutes. However, the time saved from commuting was much higher in other countries, such as 102 minutes in China and 99 minutes in India.

Working from home saved workers two hours per week in 2021 and 2022, according to the research, and the NBER predicts that it will decrease to one hour per week post-pandemic.

That extra time saved was spent on varied tasks, such as:

- Primary or secondary job (40%)
- Leisure (34%), and
- Caregiving (11%).

Women with children spent an additional 11.4 minutes of their daily time savings to caregiving activities, but only 0.4 additional minutes are spent when there are no children under 14 in the house. Additionally, the research found that there are only modest differences when it comes to how men and women spend their time.

## The hidden values of remote work

Putting aside the saved commuting time, remote work offers more time-saving benefits to employees that are often overlooked by employees and employers.

**Grooming.** Not having to go into work gives employees added time in the morning that they'd usually spend on grooming and getting ready for their workday.

**Commuting costs.** Commuting – whether it's by car, bus or train – costs money, and those expenses can add up quickly, making remote work a valuable cost-saving option for many. Not to mention, less cars and commutes can help the environment.

**Flexibility.** It's no secret that workers – especially since the pandemic began – crave flexibility. Remote or hybrid work can offer employees the flexibility they crave and give them more autonomy throughout their day.

[Read this article online](#) 

## 'Woke' training? Employee demands religious accommodation

January 27, 2023

*Picture this: You make arrangements for new employee training that aligns with your company's diversity, equity and inclusion (DEI) initiatives. But one employee objects to the "woke" training and asks for an exemption on religious grounds.*

How do you properly balance the company's DEI goals with an employee's request for religious accommodation? That was one company's dilemma.

### Conservative employee opposes 'woke' training: 2 reasons

Meet Joseph Norgren. He's a Christian who, as of 2020, worked for his employer for 27 years. That year, he was preparing for retirement.

In August 2020, Norgren and all of his colleagues were notified that they would have to complete computer-based training on anti-racism and gender identity. Specifically, the sessions were titled "How to be Anti-Racist" and "Understanding Gender Identity and Expression: Moving Beyond the Binary."

Norgren opposed the training sessions. First, he compared the anti-racism session to the "woke" Critical Race Theory, which he claimed violated "the traditional view of equality under Title VII."

Second, he said he also opposed gender identity session because the concept of nonbinary gender is "contrary to his sincerely held religious belief."

Meanwhile, Norgren continued his plans for his then-upcoming retirement. On Oct. 6, 2020, he sent an email to HR confirming his retirement date, which was Jan. 6, 2021.

Nearly three weeks later, Norgren sought a religious exemption to be excused from the gender identity training. As an FYI, he did not specifically ask for a separate exemption that would also excuse him from the anti-racist training.

The company denied his request for the religious exemption. As a result, Norgren then emailed his resignation, saying he felt "forced to prematurely separate" from his job.

He also filed a complaint with the Equal Employment Opportunity Commission (EEOC), alleging discrimination, retaliation and constructive discharge.

The EEOC issued a right-to-sue letter, and Norgren filed a lawsuit alleging he was constructively discharged. The suit also included claims of race and religious discrimination and retaliation in violation of Title VII.

To state valid race and religious discrimination claims, Norgren had to show, among other things, that he suffered an adverse employment action. He did not do so, the court said.

### Was it race discrimination?

To support his race discrimination claim, Norgren said he suffered an adverse employment action by being constructively discharged due to the hostile environment caused by his opposition to the anti-racism training.

But the court was not swayed.

In the court's view, requiring "all employees to undergo diversity training does not amount to abusive working conditions, and does not plausibly show that [the employer] imposed across-the-board training with the intention of forcing Norgren to quit."



## Religious discrimination claim fails for the same reason

To support his religious discrimination claim, Norgren alleged he was constructively discharged due to a hostile work environment resulting from the company's "mandated training and refusal for exemption."

As to the mandated training, the court reiterated its view that mandating diversity training did not plausibly show the company tried to force Norgren to quit.

And the refusal for the exemption could not support the constructive discharge claim because Norgren had already submitted his notice of retirement three weeks prior to the exemption denial, the court pointed out.

## Court: Worker did not engage in protected activity

Turning to the retaliation claim, the court said it failed from the get-go because Norgren did not engage in a protected activity.

A protected activity means complaining about illegal workplace behavior.

Here, Norgren complained about mandated training, but "being required to attend across-the-board diversity training is not a discriminatory practice under Title VII," the court explained. Case dismissed.

*Norgren v. Minnesota Department of Human Services*, No. 22-489 ADM/TNL, 2023 WL 35903 (D. Minn. 1/4/23).

[Read this article online](#) 

## Need to make a promotion decision? Better read this

January 26, 2023

Courts understand personal judgment calls play a role in deciding about a promotion. But here's one key thing to remember: If you're sued for bias, a court deciding if the candidate has a leg to stand on will likely want to hear exactly why you passed on them.

In *Campbell v. City of Trussville*, an Alabama federal judge decided one police chief's explanation nipped an age bias claim in the bud – but found another chief's explanation about a different promotion was inadequate.

That claim is going to trial.

The bottom line: It's all about providing specific details – something you may want to keep in mind (and even jot down) when making the decision in the first place.

## Rejected for promotion again and again

Michael Owen Campbell is a cop for the Trussville Police Department (TPD). He's older than 40, the age when protection from bias starts under the federal Age Discrimination in Employment Act (ADEA).

Starting in 2018, Campbell began applying for promotions to sergeant. Over the next two years, he applied for six plus one open corporal position.

He got none of the jobs.

For each TPD promotion, the county personnel board provides a list of eligible candidates; a panel of TPD supervisors interviews each one; the panel narrows the field to three; and the police chief interviews the three finalists and chooses which of them to promote.

Campbell only made it to the final three once, and everyone who got promoted was at least seven years younger. After losing out to a 38-year-old and then a 45-year-old, Campbell filed an age bias charge with the Equal Employment Opportunity Commission (EEOC).

Meanwhile, the TPD got a new chief of police.

A year later, Campbell made it to the final three for an open sergeant position, but the new chief chose a 36-year-old instead.

Campbell sued the city for bias and retaliation.

He went on to not make it to the final three for three other sergeant positions and a new corporal position.

His suit not only alleged age bias but that the city retaliated against him for his EEOC charge by not promoting him and by transferring him from the night shift (7 p.m. to 7 a.m.) to the evening shift (noon to midnight).

The court found only one age bias claim based on failure to promote can go to trial, but OK'd five retaliation claims based on failure to promote and one based on his shift change.

Campbell stated a valid age bias claim by showing:

- he was older than 40
- the TPD passed him over for promotion

- his experience, training and eligibility qualified him for the promotion, and
- the job went to someone younger.

### These explanations were good enough

Most of the biased promotion claims failed because the city stated valid, nonbiased reasons not to promote him that he couldn't show were cover stories for bias:

- the panel found he wasn't a top-three candidate, and
- the first chief explained Campbell wasn't sergeant material because he often complained, did the bare minimum, and favored practices he'd learned in a different police department over TPD's practices.

One claim is proceeding because the court found the second chief's explanation for his decision inadequate.

### 'Bare bones statements' don't fly

Employment decisions can be based on subjective criteria but to rebut a bias allegation, the employer's decision-maker must give concrete, specific reasons.

This chief's explanation was: "I selected Officer Dunn for the promotion based upon his compatibility for the position based upon the criteria utilized. Officer Campbell was not selected due to his negative attitude, perceived dislike for his higher-ranking officers and questionable ability to be a positive influence on subordinates."

The court said these "bare-bones statements of subjective beliefs do not pass muster" because the chief didn't explain why Dunn was compatible for the job, he thought Campbell had a negative attitude or disliked superior officers and questioned Campbell's ability to be a positive influence.

The court explained that the "lack of specificity makes it impossible for Campbell to combat his explanation or for the court to objectively evaluate the stated reasons for denying Campbell this promotion."

So this age-bias claim will go to trial along with five retaliation claims because Campbell showed a causal relationship between filing an EEOC complaint – which the law protects from retaliation – and

- his shift change, and
- four of the failures to promote him.

*Campbell v. City of Trussville*, No. 2:19-cv-1739-CLM, 2023 WL 113720 (S.D. Ala. 1/5/23).

[Read this article online](#) 



# Was employee fired for requesting FMLA leave?



"Hey Betty, it's Rachel," said Rachel Jones, an employee.

"Hi Rach. To what do I owe the honor of this phone call?" asked Benefits Manager Betty Murphy.

"I just wanted you to know that I am taking Monday and Tuesday off next week. My kids' daycare and school were closed down due to President Trump declaring a state of emergency. I asked my boss if I could work from home at the beginning of next week, but he said no. He did say I could use PTO if I needed to stay home.

"And I already have permission to work from home Wednesday next week because it was my scheduled test run day to see how working from home goes."

"That's fine," said Betty. "Thanks for keeping me in the loop."

## The next week

Rachel called Betty again Thursday of the following week.

"I know I told my boss on Tuesday and Wednesday I'd be in the office today, but my son is still sick. He has a bad cough and a runny nose. And with cases of COVID-19 skyrocketing," said Rachel, "I have major concerns about working in the office because of my son's condition. You remember when he was in the hospital for five days because he had the respiratory syncytial virus? Well, he's still using a nebulizer from that. I know I said I'd be in today, but I just can't risk it. I'm willing to take unpaid leave."

"Take a deep breath Rachel," said Betty. "It'll be OK. Just work the rest of the week from home, and we'll see how things are next week."

"Really?" asked Rachel. "Oh, that makes me feel so much better. Let's hope this whole thing blows over soon."

## Termination letters

Later that day, Rachel received an email from HR which was signed by her boss that said: "You failed to come in to work on Monday and Tuesday, and indicated that you were taking personal time off. You assured your supervisor that you were going to come in on Thursday. Today, Thursday, you did not come into work and indicated that your child had a minor cold. Today will be your last day on our payroll."

The next day she got another letter that said: "Rachel, you made it clear by your activity that you had no intention of coming into the office to work. You refused to work because your child had a cold and at that point, it was clear you had quit."

Rachel was absolutely livid and sued the company asserting a federal claim that her discharge violated FMLA and a state-law claim of wrongful discharge in violation of public policy.

Her company tried to get the case thrown out. Was it successful?

## The Decision

Yes. It was successful ... at first.

The district court granted the company's motion to throw out Rachel's claim, stating she didn't allege a plausible FMLA retaliation claim because she didn't prove "she was entitled to FMLA leave."

## You Be The Judge

### Was employee fired for requesting FMLA leave? (Continued)

Rachel, however, appealed on the grounds that she was fired for asking about and requesting FMLA leave – a protected activity under the statute. The Sixth Circuit reversed the decision of the trial court and remanded the case for further proceedings.

In the appeal, Rachel's lawyer argued that her initial request for unpaid leave fell within the scope of protected activity under FMLA, and Rachel was fired for requesting FMLA leave, not for taking it.

The appeals court explained that a protected FMLA request must provide sufficient "notice" of FMLA leave to an employer. Typically, sufficient notice is 30 days or as soon as "practicable" if 30 days can't be given.

### Retaliation

To prove a retaliation claim for exercising or attempting to exercise FMLA rights, Rachel's lawyer had to establish:

1. She engaged in protected activity
2. Her employer knew she engaged in protected activity
3. Her employer took adverse action against her, and
4. There was a causal connection between the protected activity and the adverse action – being fired.

The appeals court noted that points 3 and 4 were not disputed. The main question was whether Rachel's request for leave was a protected right under FMLA.

It found that the scope of FMLA-protected activity starts with the first step, which is to make a request to the employer. So when Rachel made a request for unpaid leave when her son started exhibiting COVID-19 symptoms, she was following the first step of the FMLA process, and the company never acknowledged her request. "[Rachel's] action was grounded in a legitimate exercise of the FMLA's procedural framework and was therefore protected under FMLA," said the court.

The appeals court went on to say, "FMLA rights and the statute's purpose would be significantly diminished if employers could fire an employee who simply took the required initial steps to access FMLA leave."

Because the company offered an alternative – work from home – option when Rachel said she would take unpaid leave, the company knew her intentions.

### Leave no request unanswered

This case shows the need to evaluate each and every request made by employees for FMLA leave. Whether an employee requests an official leave or just inquires about one, companies are put on notice and must therefore take the next step in denying or approving FMLA leave.

Ignoring a request because it's done informally won't protect a company from a lawsuit.

FMLA is a complicated and many-faceted law. It's best to seek expert advice if there is any doubt about a request.

[\*Milman v. Fieger & Fieger, P.C.\*](#), No. 21-2685 (6th Cir. 1/25/23)

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

# WHAT'S ANNOYING EMPLOYEES THIS YEAR



## POLICY & PROCEDURE

# Employees are back to annoying each other! 8 worst complaints



by Michele McGovern

**E**mployees are back – and they're annoying each other already.

So where will they take their petty annoyances and uncomfortable complaints? The line outside your HR door is probably already forming!

The office occupancy rate recently hit nearly 50%, according to an analysis by Kastle Systems. While it's significantly lower than pre-pandemic rates (as high as 80%), the smaller number of people onsite is likely causing more raucous.

### Most annoying: They forgot what's acceptable

Why? Many employees have forgotten what's acceptable in the

office. For those who've worked remotely, they're used to house rules. For those who've been in sparsely crowded offices, they aren't used to others scrutinizing how they act at work.

Essentially, now employees want HR to help stop weird, loud and toxic behaviors in the workplace. (Even when it annoys you, too.) Whether it's a manager reporting team conflict or an employee whining about the dirty microwave, you likely have to step in.

"Employees are placing more emphasis on cultivating a healthy work/life balance and calling out toxic workplace cultures," says Sathya Smith, CEO and Founder at Piper. "HR leaders need to address employee dissatisfaction directly

rather than behind the scenes. By openly promoting a sense of openness and encouragement, HR can empower employees to feel more comfortable and grow within the business."

### The worst of the worst

Here's what's annoying employees.

#### 1. The fridge

Heralded as the keeper of tasty Thanksgiving leftovers and hated as the crime scene for Monica's famous Moist Maker leftover turkey sandwich robbery, the fridge stirs interest and disdain. And if it's not the food itself, it's the smell – say, fish, hardboiled eggs, raw onions, etc. – that sparks controversy.

## Employees are back to annoying each other! 8 worst complaints

"Just take the simple example of eating contents from a shared fridge. In some workplaces the fridge is for shared food; in others definitely not," says Tessa West, author of *Jerks at Work: Toxic Coworkers and What to Do About Them*. "And you won't know which is which until you eat the boss's sandwich!"

### 2. The attire

Cozy slippers. No shoes. Yoga pants. Last decade's concert shirt.

We've had an etiquette slide in the workplace that's likely annoying some employees, bosses and customers. While we might not be back to three-piece suits, there can be a happy medium.

### 3. The noise

Nail clipping. Personal conversations held loudly. Change jingling. Belching and beyond.

Many of the things that were appropriate at home – and some behaviors that are outright weird – have made their way back into the workplace.

### 4. The movement

Some people fidget. Others pace. Some tap – All. The. Time. Others walk like they're in no hurry to get anywhere.

And because people move at different paces, and have limited patience for others' movements, they get annoyed – and complain to HR.

### 5. Gossip

People who love gossip have a lot to catch up on. And now that more people are back in the office, there's more to witness, theorize about and spread. For those who hate gossip, it's like nails on the chalkboard.

### 6. The smell

Almost everyone has had to deal with a colleague who smells in a way you don't like – perhaps

too much perfume or too little showering. And that leads to the dreaded "You stink" conversation that HR so often has to initiate.

The more people are together, the more you'll be having these conversations in 2023.

### 7. Rudeness

While almost all annoying behaviors seem rude, actual rudeness is annoying enough by itself. And it's exactly what employees will complain about to HR (or their direct manager).

When employees blow off, speak sharply to, interrupt and/or ignore colleagues, you'll hear about it.

### 8. TMI (and TLS)

Employees who give up too much information (TMI) are back at it. In the office, they have a new audience. Problem is, a portion of that audience is irritated by hearing more than they bargained for.

And let's consider the physical cousin of TMI – too little space (TLS) – when colleagues get up in your space, too close to your face in conversation, over your shoulder at the desk, sidling up to you at the lunch table, etc.

## Ease the complaining

HR pros know you can't ignore employee complaints because they're 1) a reality to the employee, and 2) a possible bias or harassment claim that you'll need to investigate immediately.

But you can also take proactive steps to get employees to stop some annoying workplace behaviors and help others better manage what they find annoying.

"Ensuring a space for two-way conversation allows for alignment of responsibilities and will ensure healthy boundaries are in place," says Smith.

Here are several strategies.

- **Set standards.** While behavior and habit etiquette is difficult to dictate, you can direct people toward workplace friendly choices. Post signs and send reminders about things you can control. For instance, in the break room, ask people to put their names on everything, microwave their food with a lid on it and remove any food after five days. Then designate a day for a weekly clean-out. West says, "Be explicit to avoid these little mistakes."
- **Start small.** Invite teams to have a conversation about "pandemic vices" – helping them uncover and talk about habits they've picked up and how they might not fit in the physical workplace. And, you can turn back to any standards you've already established. One caveat: Don't let these team conversations turn into rant sessions that often lead to further conflict.
- **Call it out (and give employees tools to do the same).** Harvard Business School expert Amy Gallo suggests using these kinds of statements when addressing rude behavior:
  - **Use "I" statements.** *I felt dismissed by your comment; I'm hurt by what you just said; I imagine it wasn't your intent, but that made me uncomfortable.*
  - **Use "It/That" statements.** *It's disrespectful to tell people their ideas don't have merit; That comment isn't helpful to either of us.*
  - **Ask strategic questions.** *Did I hear you correctly? I think you said ... Can we take a step back for a moment?*

[Read this article online](#) 

## Case Study

# How we prioritized disability inclusion to create a more equitable workplace



We believe that Diversity, Equity and Inclusion is more than a trendy sentiment – it's a commitment to creating a fair and equitable workforce.

Our company is focused on actionable goals to achieve a more diverse workforce and “walking the walk” when it comes to inclusion and equity.

Disabilities can sometimes be the forgotten aspect of DE&I programs, so we created disability inclusion initiatives to help become a truly equitable workplace and support undervalued talent.

### Focusing on what matters

We know that building trust is at the core of feeling comfortable at work. So, we build trust with employees with disabilities by prioritizing action with them, focusing on solutions, listening to them and lifting their voices within the company.

We recently launched our first neurodivergent hiring program where we partnered with a third-party workforce solutions firm to source neurodivergent talent. They provided us with best practices, effective training and an end-to-end, tech-enabled hiring platform to attract, hire, support and retain talent with autism, neurodivergence and other disabilities.

We recognize that disability inclusion has to be company-wide, so we prioritized leadership

training on disability inclusion and rolled out inclusion “challenges” instead of training or requirements, which yielded better engagement and inclusion.

In addition, we implemented a variety of disability inclusion initiatives, including:

- Hosting a panel of employees with varying abilities, allowing them to share their personal story of challenges they have overcome
- Leading an event to discuss universal design and how it addresses accessibility for our customers
- Hosting a session exploring through personal stories and videos how disabilities and mental health intersects throughout employee resource groups, and
- Discussing the fundamental differences between simply providing reasonable accommodations and cultivating equitable, inclusive and accessible environments.

Our employee resource groups have helped connect team members with neurodivergence or disabilities and help to provide education, support and resources.

### Bridging gaps and building connection

Having leaders share their “why” and start authentic conversations about disability, mental health

and neurodivergence helped employees feel comfortable enough to share personal stories about family members, friends and themselves.

These conversations helped us to expand our company culture to shift toward a greater focus on equity and inclusion.

Our inclusion efforts have also won us accolades. Namely, we have earned a 100% score on the Disability Equality Index (DEI) for the second consecutive year, as well as recognition as a 2022 Best Place to Work for Disability Inclusion.

### Moving forward

Our efforts to diversify and equalize the workplace won't stop there. In the future, we will continue to make impactful strides toward disability inclusion.

We are looking to expand our hiring program to focus on sourcing additional diverse talent communities and ensure the necessary supports are in place for the talent to thrive.

*(Joy Canonigo, Director of Diversity, Equity and Inclusion, Discover Financial Services, Riverwoods, IL)*

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# 12 team-building activities your employees will love



by Renée Cocchi

## KEYS FOR SUCCESSFUL TEAM-BUILDING ACTIVITIES



**T**eam-building activities can often be met by employees with groans. The thing is, they're effective and are needed.

Employees are different people and see things in their own unique ways. This can cause conflict when working in teams. The right team-building exercise can bring people together to see things similarly and smooth over any cracks in the foundation.

Signs that indicate a team needs help are a lack of clarity when it comes to team goals, not achieving those goals, and meetings that lack focus and are unproductive.

But there don't have to be cracks in the foundation to implement team-building activities. Any team can benefit from learning new skills and building on what they learned previously. In fact, it's better to consistently use team-building activities before you see problems creeping up.

How can you get employees to get on board with team-building activities? And how do you choose the right team-building exercises for your people?

With all the stress the pandemic brought and with the uncertainty of the economy, it's hard to go wrong with fun-based, team activities. A lot

of companies are turning to these types of activities because laughter is the best medicine and it helps improve morale.

Other things to consider when selecting team-building activities are:

- **Goals:** What do you want to accomplish? Whatever activity you choose, make sure it has a clear purpose.
- **Budget:** How much money do you have in your budget to put toward these activities?
- **Time:** How much time can you take out of your day/week/month to do an activity?



## 12 team-building activities

### 1 Escape rooms

Escape room activities can be done in person or virtually. As an employee team-building activity, virtual escape rooms are easier because, like a Zoom meeting, they can be done no matter where employees are located. They typically take about an hour and can accommodate any number of employees whether it's a team of 10 or 120.

If it's a large group, employees are broken down into smaller groups to solve their own puzzle room. The puzzles are varied and require different skills to solve them. Each player has the chance to figure something out, but it requires working together to solve the puzzles to get out.

It's a great exercise in group dynamics, and a great activity for self-reflection on teamwork and leadership.

### 2 Outdoor adventure activities

On a beautiful weather day, outdoor activities can be a lot of fun. They range from anything like a field day with tug of war contests and relay races, to a glider building competition, to a cornhole tournament, to white water rafting, to hiking, to rock climbing and the list goes on.

When it's nice out, the sky's the limit. Any activity where employees can be broken up into teams and work together to win a contest is good. However, employers need to be conscious of people who have physical limitations. Make sure the activities are something they can participate in too, even if it's being a timer or a judge.

Aside from getting out of the office and enjoying the great outdoors, these activities often provide a lot of laughter, which releases endorphins – “the feel-good hormones.” And when employees feel better, they're more productive. They also push people out of their comfort zone, reveal hidden talents and common bonds, reduce feelings of isolation and elevate employee morale.

### 3 Cooking or baking classes

Whether your employees have culinary skills or not, cooking classes are a great way for employees to bond.

Cooking together allows people to relax and have a little fun, while chopping vegetables, stirring a sauce or setting a table. People can talk and find out more about each other.

Cooking can also go wrong. If the sauce burns or someone drops an essential ingredient on the floor, participants must stop and think about what plan B is and how they'll solve the problem together and produce a finished, delicious meal.

The benefits include promoting teamwork, boosting team spirit, improving self-confidence, learning something new, problem-solving, getting to know each other better and being creative.

### 4 Volunteering/ community service projects

Volunteering or doing community service projects allows employees to engage and bond with each other while giving back to a worthwhile cause.

For example, maybe a local park is looking kind of shabby. Departments can take an afternoon off and break up into teams. One team can pick up trash, another can pull weeds and

plant flowers, and another can put a fresh coat of paint on things.

There are a lot of ways to volunteer. Make it someone's job to find local groups that need help and how your employees can help.

While volunteering as a team helps employees interact, engage and bond with each other, it also gives the activity meaning by being able to work together to support a good cause. Doing so gives employees a stronger connection with each other and their employers.

“Ninety-three percent of employees who volunteer through their company report being happy with their employer, and 54% of those who are proud of their company's contributions to society are engaged at work,” found a study by the Macquarie Graduate School of Management.

### 5 Problem-solving challenges

Problem-solving is a vital skill to have no matter where you work. But it would appear that it's a missing skill among many recent grads.

In fact, 60% of hiring managers in a PayScale study identified “critical thinking/problem-solving as the most commonly lacking soft skill in recent grads.”

Problem-solving activities not only help improve these deductive reasoning skills, but when done as a team activity, they bond team members.

They're also fun. Take for example the marshmallow spaghetti tower game where employees work in small groups only using pasta, marshmallows, tape and string to build the tallest freestanding tower in 30 minutes.

Another fun puzzle is the reverse pyramid puzzle. Break employees up into teams of 10. Have them

stand in the form of a pyramid. Now have them flip the pyramid upside down so four people are at the top and one is at the bottom. The catch is you can only move three people. This promotes problem-solving, collaboration and strategic thinking.

## 6 Creative or artistic projects

Creative/artistic team-building activities are events everyone can participate in. Plus, they're fun.

For example, do a painting portrait activity. Pair employees up and have partners sit across from each other. Then, have them paint their partner's portrait. But before you start, let them know that all levels of artistic ability are welcomed and all styles of painting are embraced. Encourage partners to chat freely while painting. Then when the paintings are dry, line them up against a wall and listen to the howls of laughter.

On a more serious note, you could paint a mosaic on the side of a building to beautify a neighborhood. Employees can also add beauty to the office by taking canvases, drawing different mosaic patterns on them, painting them and then hanging them on a wall together. This reminds team members about the fun they had and that they're part of something bigger ... the mosaic and the organization.

## 7 Scavenger hunts

It's likely that your team hasn't been on a scavenger hunt since they were kids. But scavenger hunts are a great way for teams to bond while having fun. Plus, they're customizable and require employees to use their problem-solving, communication and collaboration skills to solve the clues and find the items.

Scavenger hunts can be held inside the office, around the building or in

a town or city – depending on how long you want the activity to run. They're high-energy activities that'll help reduce stress and fill the halls with laughter.

You can make items easy to find like a post-it, something with the company logo on it or a Starbucks cup. Or make it a little harder to find, like contact solution, a three-hole punch, etc.

Using riddles as clues make it even more challenging for the team and the creator. Not to mention the fact that working on puzzles/riddles reinforces connections between brain cells, improves mental speed and improves short-term memory.

## 8 Sports or fitness activities

Something as simple as playing softball as a company or having group fitness classes, like yoga or Pilates, are great ways for team members to bond and work together while getting some exercise.

Physical activity is also a great way to relieve stress and promote a better work/life balance. It pushes employees out of their comfort zones and to discover new talents all while having a bit of fun. And let's face it, sometimes it's just nice to let loose and not think all that hard.

Plus, being on a team and having a bit of friendly competition builds bonds among teammates and teaches people how to lose gracefully.

## 9 Board game tournaments

It's true, some people are uncomfortable with team-building activities. They say it feels forced. But board games are a common pastime in many households. You'd be hard-pressed to find an employee who hasn't

played or enjoyed playing a board game.

That's why board game tournaments are a great team-building activity – they don't feel forced. Most people are comfortable playing them, and everyone knows what the purpose of a board game is – to win!

When looking for a good board game, it should accommodate large parties and require teamwork to win the game. Some games that fit this category are Apples to Apples, Telestrations, Scattergories, etc. Some board games for virtual play include Head Up, Pictionary, Who Is This Kid, Boggle, etc.

The benefits of playing board games are employees forget about work for a short time and have fun. They improve cognitive processes, like memory and critical thinking, sharpen teamwork skills and encourage team bonding.

## 10 Trivia nights

Who doesn't like trivia? Most people do. Just look at the popularity of Jeopardy.

Hosting a trivia game where teams compete against each other in a variety of categories is a great team bonding activity, especially if you intermix teams from different departments. It's a fun, lighthearted way for teams to learn more about each other and showcase their knowledge and skills.

It's also very flexible and can be done virtually or in the office. Not to mention the fact trivia categories can be about anything. Just avoid categories about the company. The activity should allow employees to detach from work and just enjoy their co-workers.

The benefits include improving memory, expanding players' knowledge base, boosting problem-solving skills and promoting social interaction.

# 11

## Team lunches or dinners

Team lunches and dinners involve taking the team out for a meal and encouraging them to sit with different people and get to know each other better. People can relax and enjoy their co-workers learning more about each other.

It shows your appreciation, and employees who feel appreciated are happy and productive employees.

However, times are tough and if there's no money in the budget to go out to eat, you could always do a potluck meal around a theme like Mexican Monday or Favorite Food Friday. Encourage employees to share their recipes. You can also make it a celebration of quarterly birthdays and anniversaries.

Eating together gets people talking – but not about work – and bonding. Believe it or not, groups that eat together perform better together. At least that's what Kevin Kniffin, who was a visiting assistant professor of applied economics and management at Cornell University, and his colleagues found.

"Eating together is a more intimate act than looking over an Excel spreadsheet together. That intimacy spills back over into work," said Kniffin, who is the study's author. "From an evolutionary anthropology perspective, eating together has a long, primal tradition as a kind of social glue. That seems to continue in today's workplaces."

He even goes on to say that organizations "would do better to consider their expenditures on cafeterias as investments in employee performance."

their talents with their colleagues. It is a fun and lighthearted way for team members to learn more about each other and have a good time.

Not everyone has to participate – you need an audience to perform for!

Even if some employees don't participate, they'll reach out to the participants and say things like "I never knew you could play guitar. You're really good!" or "I didn't know you could juggle. That's amazing!" It's all about bonding and learning more about the people you work with.

And for those who perform, it's a chance to let loose and show off their talents a little.

## Keys for successful team-building activities

These are all great team-building activities. But to have them be successful it's important to:

- Clearly communicate the goals and purpose of the activity
- Encourage participation and collaboration from all team members
- Make the activity fun and enjoyable, but also challenging, and
- Follow up on the activity to discuss any lessons learned and how they can be applied in the workplace.

All these activities help teams get closer to each other, and be happier and more comfortable in the workplace so they can produce their best work.

[Read this article online](#) 

# 12

## Talent shows

Most people probably don't think of a talent show as a team-building activity, but it is. Talent shows encourage employees to showcase

## The Cost of NonCompliance



**\$60K**

### Fast-food franchise pays \$60K to settle discrimination, retaliation lawsuit

**Who was involved:** North Georgia Foods, Inc., a Georgia-based company operating several Burger King restaurants in the southeast, and a female employee who worked in a North Carolina location.

**What happened:** The EEOC's Title VII lawsuit claimed a female employee was sexually harassed by a male assistant manager. Specifically, the alleged harassment included vulgar sexual comments, threats and unwelcome sexual touching. According to the complaint, the employee complained and asked not to be scheduled to work alone with the accused harasser. In response, the company allegedly removed the employee from the schedule, refused to communicate with her and refused to reinstate her to her position.

**Result:** The company agreed to pay \$60,000 to the affected employee. Under a two-year consent decree, it must also:

- Prominently post a telephone number for an off-site reporting official that handles employee complaints
- Revise its written anti-discrimination policies
- Train employees on the process for reporting complaints of discrimination and the requirements of Title VII, including its anti-retaliation provisions.

**Info:** [Burger King Franchise to Pay \\$60,000 to Settle EEOC Sexual Harassment and Retaliation Suit](#) , 1/19/23.

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[Read more The Cost of NonCompliance in your Membership Dashboard](#) 

## WORK LOCATION

# 'Hush Trips': How the trend affects remote work and productivity



by Michele McGovern

**H**ave you heard about the newest workplace trend? Maybe not, because employees have been quiet about Hush Trips so far.

Hush Trips – when employees' getaways overlap with their working hours and days, but they don't tell you where they're working and they allow time for exploring and relaxing – probably aren't new in 2023.

But the word is out after remote and hybrid employees took these trips once the travel industry opened up fully post-pandemic.

### Are there Hush Trip ramifications?

Early questions are:

- Are there employer ramifications to Hush Trips?
- Will trips affect employee productivity?
- How do Hush Trips affect employee experience and operations?

First off, companies and employees are still navigating how to get remote and hybrid work right. Hush Trips introduce another area to navigate. Now HR needs to consider employer risks and how you'll responsibly handle legal, tax and compensation issues.

You might want to create guidelines around trip notifications and work expectations. You'll definitely want



to become more aware of tax, compensation and benefit laws that could be triggered when employees cross state lines and work.

As far as productivity and the experience, "COVID taught us that employees are capable of successfully doing their jobs in a remote environment," says Jessica Kriegel, Chief Scientist of Workplace Culture at Culture Partners. "To retain talent today, companies must create a culture that develops the entire person – professionally and personally. Taking a Hush Trip may help in this culture by enhancing an employee's morale and avoiding burnout while still being productive."

So if you decide to accept that Hush Trips will happen – perhaps enough so employees don't feel they need to be so quiet about where they're going and what they're doing – here's what you need to know about the state of Hush Trips now:

### Who's taking Hush Trips?

So who's taking the trips?

"Anyone who can get away with it!" Kriegel says.

The good news: Remote workers are 7% more likely to be more efficient than in-office workers, according to University of Chicago study. So Hush Trips shouldn't adversely affect productivity.

### Why are employees fibbing?

Why don't employees just fess up that they're not where you think they are?

"It's not necessarily that employees are fibbing, it's more appropriate to say employees are taking advantage of a remote work environment," says Kriegel. "But if they are fibbing, it is because they don't have the



psychological safety with their boss to be straight forward."

## Should you worry about Hush Trips?

Rightfully, you might be concerned employees will become beach bums or snow slackers. But a Hush Trip might do more good than harm.

"As long as it doesn't affect work performance, Hush Trips can be a great way for employees to enjoy new locations, avoid burnout and enhance their own mental health," Kriegel says.

## Why don't they take real vacations?

Assuming employees have sufficient vacation time – and Hush Trips don't interfere with their work – the change of scenery and step away from the norm on their own time might help with creativity and stress reduction.

"This approach still allows employees to take earned time off to unplug from work entirely and recharge their mind, body and spirit," says Kriegel. "This can have long-term benefits for companies as it can help retain top talent and make them most efficient."

## Where are employees going?

Hush Trips tend to be brief stints and not too far from home/office.

"Many of our customers are taking trips within driving distance of their homes, with a few flying to their destinations," says Brandon Ezra, CEO of Grand Welcome. "A few of our popular destinations such as Lake Tahoe, Florida and Colorado have seen an influx of guests this time of year."

## Can they really get work done?

Don't worry, most people can get plenty of work done on their Hush Trips.

"We have seen guests either create makeshift workstations or book properties with designated offices to ensure they are able to 'work and play,'" says Ezra. "Many of our property owners have created office spaces for guests to utilize and offer office supplies and Wi-Fi so they can connect to work when necessary."

## Lessons from a (not-so) Hush Trip

If Hush Trips are already happening in your company, or you expect them to catch on, here are some real-life tips to help employees make the most of the trip.

My friend took a Hush Trip before it was "a thing." His wasn't exactly hush. His boss knew the plan, but he didn't tell colleagues about his plan to set up near a beach for a month. If it came up, he told them, though.

Here's a brief roundup of what worked well for my friend and his wife (who normally works in an office, and for the first time ever, worked remotely):

- **Confirm your legalities.** My friend checked in with HR (remember, it wasn't a full Hush Trip) to be certain the legal bases were covered as far as taxation, PTO and compensation. They worked together to eliminate employer risk. In some cases, they had to drill down to state laws and local ordinances to be sure they were in compliance.
- **Check equipment before you go.** He also touched base with his IT team before he set up shop on his trip. He checked if he needed additional equipment or to take extra security

measures for working outside his established remote office. His wife did remote testing on her new and established equipment from home, while she was still near her office and could work out glitches, before the trek.

- **Create an office space.** Once they settled into their beach digs, they each set up folding tables in different areas of the house. They made sure they had plenty of space for their computers, monitors, keyboards, calendars, files and everything else they'd normally need at arm's length. The office space helped them separate work from the fun of vacation each day.
- **Keep a routine.** As much as possible, they kept regular schedules, waking early for their regular work time zone so they could hit the beach later, if possible.
- **Stay in touch.** They attended regularly scheduled Zoom meetings and touched base with a colleague or employee almost every day so they never fell out of the loop and could stay on top of anything that might become pressing.
- **Be willing to work outside the norm.** They also worked some weekend and evening hours to maintain their normal cadence – and even get ahead. That way, if they had visitors, decided to capitalize on a beautiful day or do something spontaneous during normal work hours, they could – assuming there wasn't a pressing work issue, of course. Again, they found out it was important to check in with HR on this: If the beach time outran the work time on one day, it was often PTO-worthy.

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## Case Study

# New & improved benefits earned company 92% approval rating



The employee/employer contract has changed. Today's employees expect their voices to be heard – or they will go to an employer that listens. Our employees were no different.

We found that when we listened and acted on what our employees told us, we arrived at better solutions and built more trust. We believed that companies that step up and meet employees' needs will win – they will attract and retain the talent to innovate and grow, and we wanted to be that company.

### New contract

It didn't happen overnight, but over the last few years, we created a new employee/employer contract that responds to a wide range of employee needs in real time.

At the start of the pandemic, we took an agile approach, using real-time employee feedback to rapidly design, test, roll out and revise policies and benefits as needed. By co-designing programs that address employees' needs, we found we could better support our teams, and in return, the teams thrived.

### Industry-leading benefits

Some of the industry-leading benefits and programs we've

adopted as a result of employee feedback over the past two years include:

- **Permanent work-from-home:**

When we learned that 85% of employees wanted some form of work-from-home benefit post-pandemic, we moved to permanent remote work for those who wanted it. All employees, including U.S. hourly associates, now can work from home or go into the office when they want or need to. We also offer Flex Fridays, giving employees Friday afternoons to catch up on work or personal issues.

- **Sabbaticals, offering employees up to one year of leave.**

To support employees who need time to focus on life outside of work, our generous sabbatical program offers employees up to one year of leave. Employees can use this time for personal and mental well-being, taking care of a loved one or pursuing personal growth and learning. Upon their return, they are guaranteed the same role or another position at the same level.

- **Supporting parents.** We offer our employees who are parents an array of support, including recently expanded maternity leave benefits, offering an industry-leading

22 weeks of fully paid leave. We also extended emergency backup childcare benefits up to 60 days. In addition to all this, we offer fertility benefits worth up to \$100,000.

- **Transforming performance management:** We transformed our approach to performance management, replacing legacy annual reviews and ratings with more frequent manager-employee coaching conversations, cultivating trust, accountability and a more equitable performance model. Under our "One Synchrony" approach, we tie bonuses to the company's collective performance and annual results (rather than numerical ratings), while also recognizing and rewarding outstanding performers, resulting in a level playing field for all, greater collaboration and clarity as individual goals better align to company priorities.

- **Increased well-being support.** We provide well-being coaches for employees and their families, delivering a wide range of groundbreaking mental health initiatives and wellness tools. And when employees suggested the coaches be more diverse, we added more diverse coaches to its offering. We also provide mental health support programs (including a roster of 12 diverse well-being

## Case Study

### New & improved benefits earned company 92% approval rating (Continued)

coaches and sabbaticals), career coaches and financial wellness counseling to better support employee well-being.

- **Generous support for transgender surgical procedures.** We revised our health policies to help cover gender confirmation surgery, including cosmetic surgery. We now offer enhanced medical coverage for gender dysphoria, including the most common and safe procedures.
- **Tuition Benefits:** We increased tuition benefits up to \$20,000/year and up to \$9,000/year for technology certifications in fast-growing fields like cybersecurity, software engineering and UX design.

requirements, and expanded support around caregiving and well-being, we saw a 30% increase in applications for new hires and low employee turnover.

This people-first approach has been a clear competitive advantage.

*(Claudine Hoverson, chief talent officer, Synchrony, Greater Milwaukee)*

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### New hire applications increased 30%

Thanks to all of this, 92% of our employees said Synchrony, a company of 18,000 employees – the majority of whom are women and hourly workers – is a Great Place to Work!

Plus, after we introduced remote and hybrid work options for all, removed location and degree

# 5 steps to become a neurodiverse-friendly workplace



by Alison Roller

## MAKING THE WORKPLACE INCLUSIVE FOR NEURODIVERSE EMPLOYEES



**D**iversity, Equity and Inclusion (DEI) is a continuing effort for the majority of HR pros and those who work in the DEI sector. It seems like there is always some work to do to make the workplace an equitable and inclusive space.

DEI efforts need to include a disability inclusion strategy to make the workplace accessible and equitable. Despite their best efforts, some companies can unknowingly shut out some employees by focusing only on visible disabilities. Many strategies leave out others who require accommodations.

Those who are neurodiverse, who may have ADHD, autism, dyslexia or dyspraxia, are often left out of the DEI conversation and not considered when it comes to inclusivity efforts.

### Neurodiversity at work

Neurodiversity is defined as “the idea that people experience and interact with the world around them in many different ways; there is no one ‘right’ way of thinking, learning, and behaving, and differences are not viewed as deficits,” according to Harvard.

Neurodivergence is not talked about often and is still stigmatized and stereotyped, whether it be that those with ADHD are just “lazy” or workers choosing not to disclose that they have autism due to fear of being treated differently. Because of this, neurodiverse individuals and their needs often get left out of the DEI conversation.

Even if you don't know anyone in your workforce who is neurodivergent, that doesn't mean inclusive practices for neurodivergence can or should be skipped.

## 5 steps to become a neurodiverse-friendly workplace

Not only can neurodiverse-friendly practices show that you're a welcoming place for any future hires, but with 15% to 20% of the population considered neurodivergent, there's a good chance you have neurodiverse workers in your company who just haven't identified themselves

Accommodations go far beyond those ensuring physical accessibility, such as wheelchair-accessible entrances or visual aids. Here's how to make sure your workplace is inclusive to employees who are neurodiverse.

### How to become neurodiverse-friendly

Making the workplace more accessible for neurodivergent employees can have many benefits, including:

- Innovative ideas and new perspectives
- Robust inclusion initiatives, and
- A broader talent pool.

Even though it may not be thought of as often when you think of DEI, accommodating neurodiverse employees needs to be a part of your strategy to be a truly inclusive workplace. Here are five steps that you can take to become a more neurodiverse-friendly workplace.

**Begin before you hire.** Providing a supportive experience for neurodiverse hires begins before day one of work. Making the hiring process accessible can help attract neurodiverse talent and provide a seamless hiring process without barriers. While this can mean providing accommodations for assessments and interviews, it also means making the job posting accessible with simple and direct language.

**Offer accommodations when needed.** Accommodations for those who are neurodiverse is not one-size-fits-all, and it's essential to go through the interactive process with employees to figure out what the best option is for the company and the individual. Accommodations can include:

- Allowing employees with sensory sensitivities to wear headphones or seat themselves in a quiet place to prevent overstimulation
- Ensuring managers provide direct and straightforward instructions, and
- Making sure written communication uses accessible fonts and colors.

**Create a sensory-friendly environment.** Many people who are neurodiverse have sensory differences. A sensory-friendly environment may include giving employees the choice of an office space with reduced noise. But it can also include sensory-friendly alternatives to uniforms or the dress code and may even include a designated sensory-friendly area where there is lower lighting or reduced activity.

**Provide education to neurotypical employees.** One key element of inclusivity is providing education for the rest of your workforce to understand the needs, challenges and abilities of others. Whether you provide an online resource, a training course or a lunch-and-learn, ensuring your workforce is committed to inclusivity and diversity is a key element of making DEI efforts successful.

**Make company-wide changes.** Accommodations for individuals are important, but you can also make changes to your company that can benefit everyone. For example, allowing flexible working arrangements can be a great way

to accommodate neurodiverse employees, but can also benefit other groups of employees such as caregivers. If an accommodation can benefit others, it can be a good idea to make the change company-wide.

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# Meet Our Editors

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

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**Renée Cocchi**

Renée Cocchi has a passion for learning and helping other professionals do their jobs more effectively and efficiently. She earned her Master's Degree from Drexel University, and she's spent the past few decades working as a writer and editor in the publishing industry. Her experience covers 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. When she's not working, she spends her free time just chilling with her family and volunteering at a local dog shelter. Her goal in life is to help all shelter dogs get happy, loving homes!



**Tom D'Agostino**

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.



**Michele McGovern**

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



**Carol Warner**

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.





### Alison Roller

Alison Roller is passionate about engaging and informative storytelling through writing and social media. She has been writing since 2018 on a range of topics: politics, higher education, leadership, workplace culture, and diversity, equity, & inclusion. A graduate of West Chester University in Journalism, she is currently pursuing her M.S. in Communications from Syracuse University. When she's not working, you can find her hanging out with her cat, knitting, and scrolling TikTok.



### 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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