

May 2022

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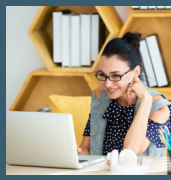
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Upcoming Events

Free Webinars

Real Talk on Employee Purpose and Values with Jenn Lim

Tuesday,
May 17th
2022



Meeting employee needs to improve happiness, job satisfaction, and retention. In this webinar, bestselling author Jenn Lim will discuss how businesses can take steps toward understanding and meeting employee needs to improve happiness, job satisfaction, and retention. She'll also share real-life case studies of organizations successfully building cultures that keep employees coming back, showing up fully, and performing their best.

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Leveraging great benefits to recruit and retain top talent

Wednesday,
May 18th
2022




Most companies don't offer the #1 thing that attracts and retains top talent. And it's crazy because almost any company could implement it. But they don't because it's not common knowledge (to most). Luckily, it's right in front of you now.

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

Building Back Optimism In The Workforce

Thursday,
May 19th
2022



It's been a rough two years. And regardless of job description, your employees are feeling the pain. Register today for "Building Back Optimism In The Workforce" to combat against the negative effects of the past two years, and prevent future mental health struggles for your employees. [learn more](#) 

News Briefs

HR Stories You Might Have Missed

Wondering how best to reward employees? Survey says they want experiences over gifts

March 23, 2022

After a challenging two years, a lot of employers are looking for ways to reward employees and express their gratitude.

Nice gifts or a cash bonus seem the natural route to take, but a recent survey found that employees are craving something a little different.

[Read more](#) 

Title VII: Religious accommodations to COVID-19 vaccine requirements update

March 28, 2022

The Equal Employment Opportunity Commission (EEOC) revised its recommendation for religious accommodations and COVID-19 vaccine mandates on March 1, under Title VII.

While other laws protect religious freedom, like the Religious Freedom Restoration Act, this update only applies to employment rights and obligations under Title VII.

[Read more](#) 

‘Spank station’ at work? Allegations lead to big payout

April 5, 2022

A female firefighter filed sexual harassment and sex discrimination claims. She alleged that she was subjected to severe mistreatment at work.

Jami Boss was a firefighter and paramedic for the Dubuque Fire Department.

[Read more](#) 

EEOC filing thousands of COVID-19 related charges against employers

March 24, 2022

Heads up, employers. While it might seem like COVID-19 is winding down, the EEOC is still taking action on COVID-related claims from employees.

According to data from the EEOC, between April 2020 and December 2021, the commission received over 6,000 discrimination claims that involved COVID-19.

[Read more](#) 

Do employees think they have a sustainable work culture?

March 22, 2022

Experts are saying that building a sustainable work culture is one way to battle the Great Resignation. But new research shows to do so you must pay attention to two groups: women and junior-level employees.

The Clockwise report, “The Real ROI of a Sustainable Work Culture,” analyzed 1,000 U.S. workers. It delved into employees’ feelings about how culture impacts their well-being and the company’s overall business health.

[Read more](#) 

This one comment can create hostile job environment liability

April 12, 2022

Some employers might think a single comment can never create an illegally hostile work environment. Those employers would be dead wrong.

The U.S. Court of Appeals for the Fifth Circuit (which covers Louisiana, Mississippi and Texas) just joined other federal appeals courts in holding that a single comment, if sufficiently severe, can give rise to a viable claim of hostile job environment.

[Read more](#) 

Male employee paid more than female worker: Why it wasn't gender bias

March 30, 2022

When one employee is paid more than another for the same job, it's not automatically gender bias. A lot of factors go into determining pay, such as experience and qualifications.

When one female professor learned her male colleague earned \$25,000 more than her, she sued for gender bias — but a court ruled in favor of the university.

[Read more](#) 

Employer pulls plug on early retirement program: Was it age bias?

March 29, 2022

An ongoing federal lawsuit is challenging a college's decision to do away with an early retirement program. The court recently issued a ruling.

A college offered a program that permitted faculty members over age 55 to decrease their workload and salary by half while still receiving full-time benefits.

[Read more](#) 

DOJ guidance on opioid use disorder and ADA

April 6, 2022

The amount of people struggling with opioid addictions continues to grow in the U.S. at an alarming rate. And the Department of Justice (DOJ) is ready to do battle with its comprehensive action plan that includes enforcing the Americans with Disabilities Act (ADA).

The ADA prohibits discrimination against people in recovery from opioid use disorder (OUD) who aren't using illegal drugs. This includes people taking legally-prescribed medication to treat OUD.

[Read more](#) 

Case Study

How we got leadership buy-in from older employees



When an employee was first promoted to department manager, we encountered an issue we weren't expecting.

The new manager was definitely the right fit for the job, however, she was actually one of the youngest people in the department. This didn't seem to sit well with the employees who were older than her.

A lot of them had the attitude of, "What does she know? I've worked here more years than she's been alive!"

It was definitely a reaction we hadn't considered, but the reality is different generations of workers like things done different ways — and they don't always see eye to eye.

Hesitant workers

There was also the fact that this manager had been promoted in order to make changes and fix some issues we'd been having. It was a lot for people to process all at once.

We knew, in particular, older workers wouldn't be very receptive to this. People already don't like change, but to have a younger person tell them what to do could ruffle some feathers.

"What is she going to teach me that I don't already know?" was a common refrain. We knew we needed to help this manager build credibility with her staff.

Value change would bring

The first order of business was to convince the team that this manager had earned her spot through merit, and did in fact know what she was doing.

So she held a series of meetings to explain the changes she planned to make and what added value there changes would bring. This addressed a lot of people's concerns, and appealed to their "what's in it for me?" attitude.

Another way the manager sold the new processes was by telling the staff how all these changes

would make their lives easier. She emphasized team work as well. In order for her to be successful, they needed to be successful as individuals. They were all on the same team.

The manager also provided real-world examples of how all of them working together would benefit them, and the company, as a whole.

The transition certainly wasn't easy, but by easing the staff into things, everyone was able to work together to identify problem areas and what kind of training was necessary.

Nicole Caley, senior A/P director, AAR Corp., as presented at the P2P Conference & Expo, Orlando, FL

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

What Would You Do?

How can we build camaraderie between our employees with hybrid work schedules?



As HR manager Stu Capper walked into the breakroom, he ran into department manager Ruby Sinclair.

"Hi, Ruby," Stu said, opening the fridge to find his lunch.

"Hmm? Oh, hi, Stu," Ruby replied.

"You OK?"

"Sorry, I'm distracted. I'm trying to brainstorm some good team-building activities, but it's tough with half my team here, and half at home," Ruby said.

Stu nodded. "It's tough with a hybrid

schedule right now. Everyone's rarely in one place."

"I know," Ruby said. "And it's taking a toll on my staff."

In-person or virtual?

"I just feel such a disconnect between everyone," Ruby continued. "There's not really a strong bond between most of my team. Some of our newer people haven't even stepped foot into the office yet. I want a way to get everyone on the same page."

"Maybe a big team lunch?" Stu suggested. "It's getting nice, so you could have it outside if anyone's

concerned about COVID."

Ruby considered this. "Maybe. Could be hard convincing people to show up for it, though. I can't really make it mandatory. Some kind of virtual solution might be better."

"Let's think of some more ideas," Stu said. "I'm sure we can come up with something."

If you were Stu, what would you do next?

Reader Responses

Dean Adelman,
CHRO, Veritiv, Atlanta

What Dean would do: I'd focus on trying to get the team all together on one day. I'd make coming in for the team-building activity as appealing as possible with decorations and swag bags. Having some company leaders stop by and getting catered food would also be good incentives to get people to attend the event.

Reason: No matter how good our remote technology is, it's no substitute for employees seeing each other and bonding in person. Employees might be a little reluctant to come to events like this, but fun incentives like free food and gifts will help combat that. And even just the occasional get together like this can keep bonds between hybrid workers strong.

Lucy Suros,
CEO, Articulate, San Diego

What Lucy would do: Because I've seen firsthand how it's possible to get teams to bond without seeing each other in person, I wouldn't force an in-person event if employees weren't into the idea. I'd focus on remote bonding tactics. One thing we could do is set up personal Slack channels along with professional ones. We could make different channels for a variety of interests, and have employees bond with each other through their common hobbies.

Reason: Remote workforces can be happy, healthy and connected just like in-person ones. And since COVID case numbers are always fluctuating, I wouldn't want employees to feel pressured to risk their health for a team-building activity.

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

BEST PRACTICES FOR RECRUITING



RECRUITING

7 remote employee hiring mistakes – and how to avoid them



by Michele McGovern

You'd think hiring remote employees would be no different than hiring people who work on-site.

But the pandemic-fueled need and desire to beef up remote and hybrid work arrangements has created a different hiring environment. And nearly every organization faces it.

Two-thirds of leaders in the Microsoft Work Trend Index said they're redesigning their workplaces to accommodate more hybrid and remote work.

Those decisions are somewhat fueled by employees' and candidates' desires for flexibility. Nearly 60% of them want to work remotely all the time, and about 35% want a hybrid work environment, according to research from FlexJobs.

So most HR pros and recruiters already have to hire candidates remotely. And as the trend increases, you don't want to get it wrong.

Here are seven mistakes HR pros want to avoid when hiring remote employees:

Not selling your company

Some HR and company leaders think the ability to work remotely is the ultimate selling point to job candidates. But more companies than ever allow it. So working from home isn't the exciting, unique perk that it once was before COVID-19.

You still want to consciously sell your company and its culture when hiring remote employees.

"The job seeker has a big decision to make too," says Carol Cochran,

FlexJobs' VP of People & Culture. "What do you want to share about the company, the team, and the role that will help them decide?"

Use all the selling tactics you normally would with candidates who interview and potentially work on-site. For instance:

- Give virtual tours of the facility
- Explain candidates' professional and career growth opportunities
- Highlight your company culture and how it came about
- Share the company mission and show how it impacts customers and your community, and
- Show how teams and colleagues bond and work together toward common goals.

Limiting the skill set

Remote employees will need a special set of skills – some that you might not have checked as thoroughly with on-site employees.

Sure, you still want to make sure candidates' skills, experience and problem-solving capabilities fit the role. And almost all employees need a certain level of soft skills. But fully and partially remote employees will need amplified versions of those skills.

Remote employees don't have their boss popping in their home office to see how things are going, so they need the discipline and skills to stay focused and get their work done.

So you'll want to double-down on efforts to screen remote candidates for communication style, self-motivation and accountability.

Ask applicants about the remote-specific skills you find valuable such as Zoom etiquette, project updating, email response time, etc.

Narrowing expectations

Similar to expanding the soft skill expectations for remote employees, you'll want to also think broader about experience and hands-on skill sets.

Avoid narrow requirements. For instance, if Slack is your messaging platform or Microsoft is your operating system, don't automatically eliminate candidates who don't have those listed on their resumes.

Many people with experience in one platform can pick up enough proficiency to handle another in a short time. Then they can master what you need as time goes on.

You can determine if candidates have those transferable skills through either your existing problem-solving, critical thinking and listening tests or with those created just for remote work.

Setting up for failure

Some candidates seek remote work because they want to work only *when* they want to work. Then they accept jobs and are disappointed – perhaps enough to quit – because they're expected to work specific, regular hours.

That's just one potential miscue on expectations for remote employees.

So setting expectations early in the hiring process is critical for recruiting remote employees.

Be upfront and honest about specific hours and days, anticipated goals and collaboration expectations. Clarify those throughout the hiring process and include them in your terms of employment.

Candidates who don't like rules around remote work will self-select out of the process, leaving you with the candidates who can do it.

Lacking remote perks

Remote employees want to feel the love, too. But they don't get to experience some of the small and big perks employees on-site do.

Doughnut day may seem insignificant, but it brings people together in a way that makes remote employees feel like outsiders. And if there's on-site child care or dry cleaning pick up and delivery, remote employees miss out on convenience.

So in addition to your standard benefits such as medical, PTO and 401k, consider offering remote-friendly perks.

Cochran suggests offering things such as snack subscriptions or a stipend that supports their personal well-being.

Recruiting the same ways

Finding candidates for remote positions might call for new recruiting strategies. People still scan the big job boards and sites, adding "remote" or "hybrid" to their search. That brings up more job openings than ever.

That means, if you post a remote position, you'll likely get more applicants than ever. But that doesn't mean you'll get the right candidates applying for our openings, which only makes finding a good employee more difficult.

Stick with your successful job site posts. Then consider trying a remote work-specific job site.

Ghosting applicants

You don't want candidates ghosting you. So HR leaders want to build a system, perhaps working with your Applicant Tracking System (ATR) vendor, to stay in touch on a regular cadence with applicants – up to and including the decision to hire or not.

"Applicants deserve responses," says Cochran, "regardless of how far in your process they get."

Be clear and upfront about the hiring process every step of the way, communicating what's next and anything that needs to be done.

[Read this article online](#) 

Was working from home a reasonable ADA request?



"Betty, I'm telling you that commuting is painful for me with this shoulder injury, which I will remind you I got during work," said Kline Cello, an employee.

"According to your doctor you sought treatment for you shoulder months before you reported the injury to me," stated Benefits Manager Betty Murphy.

"Well, I've seen a few doctors for the treatment of my shoulder problems," said Kline. "I've received many diagnoses, including a left shoulder sprain, bursitis/tendinitis and rotator cuff syndrome.

"And I honestly can't believe you

are giving me a hard time about my request to work from home," he went on. "My injury makes it hard for me to shower, cook, wash dishes, open the refrigerator or drive normally."

"You're supervisor has asked, and I've asked you to provide medical proof that you need this specific accommodation," said Betty. "And yet you still haven't provided us with it. And I can't move forward on your request until I have all the

documentation in place."

"This is ridiculous," said Kline. "This company lets other people work from home."

"That has nothing to do with your injury," said Betty. "We treat each case individually, but require all the same paperwork from everyone making an ADA request for an accommodation."

Kline stormed out of Betty's office, but returned two weeks later.

Report contradicted claim

"Here's the medical report from my physician that you've been badgering me for," said Kline, slamming his hand with the envelope down on her desk, making Betty jump.

"No need for the theatrics or hostility," said Betty. "If you continue to act this way, I'll call security."

"Just read the darn report," said Kline.

Betty opened the envelope and read the report.

"This says you can work eight hours per day, five days a week, as long as you get intermittent breaks and don't lift more than 10 pounds," said Betty. "There's nothing here explaining why you need to work from home."

"For crying out loud," said Kline. "Then I'll just take leave!"

"That's fine," said Betty. "I'll get started right away on the paperwork."

But the next day Kline resigned and said he was suing under the ADA for the company's failure to accommodate his claim.

Kline did sue his company and it fought the claim in court. Did the company win?

See decision on next page

Was working from home a reasonable ADA request?



The Decision

Yes. The company won, so Kline appealed, and he lost that case, too.

The court reminded the parties that to prevail on an ADA failure-to-accommodate claim, an employee must show that his accommodation request was reasonable. But a requested accommodation is reasonable only if it “address[es] a key obstacle preventing [the employee] from performing a necessary function of [his job],” the Sixth Circuit said.

A disabled employee does not have the right to work from home for convenience and then obtain relief under the ADA if the request is denied, the court emphasized. It said the lower court properly granted pretrial judgment against a former employee who claimed his employer violated the ADA by not letting him work from home three days a week.

His claim failed because:

- he didn’t show how working from home would help him perform his job in light of his allegedly disabling shoulder injury
- his doctor confirmed exactly the opposite – that he could do his job without working from home, and
- he quit before the parties agreed on an accommodation.

Didn’t Provide Documentation

The Sixth Circuit upheld the ruling, explaining that Kline had to show that his request to work from home was reasonable. This meant he had to show that teleworking would remedy a “key obstacle” preventing him from performing an essential function of his job.

Also, the company had the right to ask for documentation supporting his request to work from home. That is, the company properly required him to provide documentation supporting his claim that working at home was necessary for him to perform functions he couldn’t otherwise perform because of his injury.

Kline failed on both counts: He didn’t explain how working from home would help him perform his job while injured, and he failed to provide the requested documentation supporting his request.

On top of that, he resigned while the company was trying to work out a leave of absence for him. This mattered because his failure to engage in negotiations with it undermined his failure-to-accommodate claim, the Sixth Circuit said.

Case dismissed.

No paperwork, no accommodation

Doing things by the book when it comes to ADA accommodation request is must. Making sure all paperwork is in hand is HR’s responsibility. Getting you that paperwork is the employee’s

responsibility. Both parties must uphold their end of the request.

This case goes to show that you don’t have to accommodate every single request made, but you do have to look at it and assess its

viability. However, if an employee doesn’t hand in the required paperwork, a company’s hands are tied in when it comes to granting the accommodation. So, no paperwork, no accommodation.

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

RECRUITING

Better candidate experience, employer brand are key to recruiting in 2022



by Rachel Mucha

HIRING PROS PUTTING MORE MONEY, **EFFORT** INTO TALENT THIS YEAR



Let's face it — hiring is a struggle for all employers right now. It's a job seeker's market, and competition for talent is tight. When offering better pay isn't an option, a lot of employers are wondering what they can do.

Gem, a recruiting solutions company, surveyed 500 talent acquisition (TA) professionals to get to the bottom of this. The survey covered priorities, pain points and 2022 recruiting goals — and one common theme was the importance of providing a great candidate experience and a strong employer brand.

Pain points

Something a lot of the respondents agreed on is that they'll be investing more money in TA efforts in 2022 — and the top TA area they'll be focusing on is employer branding (69%).

Other areas employers are investing in this year include:

- sourcing tools/tech (60%)
- expanding TA team (53%)
- email tools (21%), and
- remote hiring tech (12%).

But even when companies are able to invest more in their TA strategy, uncompetitive offers and weak employer branding continue to be the top two pain points.

Sometimes, TA pros know why candidates are turning them down.

Better candidate experience, employer brand are key to recruiting in 2022

Here are the top reasons companies have lost out on talent:

- better offer elsewhere (58%)
- compensation not high enough (41%)
- counter-offer from candidate's current company (36%)
- inadequate benefits (13%)
- hiring process took too long (12%)
- concerns about career path (11%), and
- concerns about company culture (4%).

Employer branding

According to Gem's survey, only about a quarter of TA pros said their companies have a set strategy for employer branding ("a consistent story about the value the company offers employees in return for their skills, experience and efforts.")

Another quarter of TA pros aren't sure if their company has a branding strategy but they wing it, and another 20% says employer branding doesn't play a role in their recruiting at all.

Is employer branding really that important? Gem says yes. It often is the deciding factor for a candidate when they're torn between two companies.

If you don't have an employer branding strategy, don't panic. Gem suggests sitting down with current employees to find out what made them decide to work for you. What are some benefits of working for the company that aren't in the job ads? What do they find to be the most fulfilling part of their job? These things will help you build your strategy.

Many of the survey respondents took the COVID-19 pandemic as an opportunity to tweak their company

culture and improve their employer brand. Some changes included:

- being fully or partially remote
- adding new mental health resources
- providing work-from-home stipends
- additional PTO, and
- assistance with childcare.

Candidate experience strategy

Gem found that most respondents realized their company also needed to pay more attention to the candidate experience and make some improvements.

Here's what hiring pros are focusing on:

- shortening the hiring process/ speeding up offers
- increasing communication throughout hiring process
- giving timely feedback to applicants
- increasing diversity of candidate pool, and
- making more compelling offers.

Going along with improving the candidate experience, Gem suggests having a solid recruitment marketing strategy, which can reduce time-to-hire, build a more diverse talent pipeline and boost employee morale/retention.

Here are some steps Gem says you can take.

- 1 Define your recruitment goals.** Your basic goal is to always attract more, qualified candidates to your company, but you should go deeper than that. Make goals achievable and easily measurable, such as "see a 10% increase in career site

visitors by June" or "get 20% more engagement in social media posts in three months." Measurable goals = actionable goals.

- 2 Have your employer brand ready to explain to candidates.** What can your company offer employees that other companies can't? Have this list of unique benefits written down and ready to go. This really should be the core of your recruitment strategy.

- 3 Picture your ideal candidate.** How can you attract the perfect candidate if you don't know who exactly you're looking for? After you pin down the skill level, experience, core values and career goals you're looking for in a candidate, you'll be able to better tailor your employer brand pitch. It's also important to tweak it depending on which kind of candidate you're going after. For example, younger talent might be more interested in career advancement and a lively office, while childcare perks and retirement planning might appeal more to older candidates.

- 4 Create recruitment content.** Newsletters, blogs, videos and webinars can all help get your employer brand across and attract candidates from all over. You can get your own employees involved in these marketing campaigns too, having them share firsthand what they love about what they do.

- 5 Build a talent community.** You'll likely encounter a lot of promising candidates who, for some reason or another, can't currently work for you. But don't just let them go! Keep them on file, maintain a relationship with them so when the time is right, they'll be ready to go.

[Read this article online](#) 

Question

We have an employee who takes care of a family member at home. Are we required to accommodate them?

Answer

While “caregivers” aren’t technically a protected class under the Civil Rights Act, employers can still run into discrimination issues under certain circumstances. And the EEOC recently released some guidance detailing the intricacies of caregiver discrimination.

It’s possible to unlawfully discriminate against a caregiver if another protected class is involved. Here are some examples the EEOC gave of caregiver discrimination based on sex discrimination:

- Refusing to hire/promote a female employee due to the belief that she should/would focus primarily on taking care of children
- Giving assignments based on assumptions about a female caregiver’s ability to juggle work and home responsibilities
- Stereotyping men as breadwinners and women as caregivers, and therefore denying men schedule flexibility, or
- Denying caregiving leave based on the sexual orientation or gender identity of the employee or their partner

So, if you’re hesitant to give a caregiver an accommodation based on one of the reasons above (or another discriminatory reason), you could land in legal trouble.

However, caregivers have no inherent right to a reasonable accommodation when another protected class isn’t involved. They may, however, have a right to accommodations under the ADA or leave under the FMLA.

Question


I’ve heard remote and hybrid work can lead to increased discrimination or harassment claims. What are some things we should be on the lookout for?

Answer

This idea may be surprising to some employers, but remote and hybrid work can definitely lead to the issues you mentioned above — particularly, disability discrimination and sexual harassment, says employment law attorney Matthew Jedreski of the firm David Wright Tremaine LLP.

For example, this is a popular time for employers to bring a fully remote workforce back into the office, at least part-time. You may have a disabled employee you hired during the pandemic who needs to remain remote as an accommodation — yet you don’t know, because this issue hasn’t come up yet. By forcing everyone back, it’s possible to run into a situation where a disabled employee isn’t able to come back, which can lead to a lawsuit.

As for sexual harassment, it’s absolutely possible to occur using tools like Slack and Zoom. Maybe employees have exchanged cell phone numbers to make remote communication easier, and someone starts taking advantage of that by sending too many non-work-related texts. Maybe during a Zoom meeting, someone cracks jokes like, “Hey, are you wearing pants today?” These subtle things can turn into as big a deal as typical in-person harassment.

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

Legal Q&A

Question

Our employees can't work remotely at all. What other ways can we offer flexibility?


Answer

It may seem like every job out there is remote, but plenty of companies are in the same position as you are, says HR expert and author of *Evil HR Lady* blog Suzanne Lucas.

If you want to offer some form of flexibility, you can try to explore flexible schedules. Can employees come in later or leave earlier when necessary? Can they swap hours with colleagues? Having this type of flexibility can allow people to get to doctor's appointments or pick up their kids more easily.

If you can't let people make their own hours, there are plenty of other perks you can offer that aren't related to flexibility. You can offer on-site perks, like catered lunches or free premium snacks. This will help soften the blow of having to come into the office every day.

Other very enticing perks include more vacation time and employee appreciation programs. If you're unsure what would work best for your people, go ahead and ask them.

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



A Buyer's Guide for HRIS

Determining HR Technology Options That Work for Your Business



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A Buyer's Guide for HRIS

Determining HR Technology Options That Work for Your Business

Shopping for new HR tech is tough. With so many vendors and features to sort through, it can easily become an overwhelming project.

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Download this complete guide & feature checklist today to make selecting an HRIS for your company a breeze!

get the white paper 

Hybrid work keys: Resilience, transparency & trust



by Renee Cocchi



We all thought working from home would be a short-term fix for the pandemic. But here we are over two years later and for many, today's hybrid workplaces are reality.

Experts say the new COVID-19 variant, BA.2, spreads more easily

than omicron. And while cases are popping up in the U.S., it's hard to predict the number of cases because there are people taking at home tests and keeping their results quiet.

So, it's safe to say that while things are getting better, no one really knows how long it'll last. Therefore,

most employers are sticking with remote or hybrid workplaces.

Complexity of hybrid workplace

Despite having hybrid and remote workplaces in place for over two

years, not all employers have come to grips with the complexity of a hybrid work environment.

To gain some insight on the critical factors at play with hybrid work environments, Executive Networks and meQuilibrium put together a research report. Conducted in the fall of 2021, it surveyed 912 leaders, business leaders and individual contributors from various sized businesses and industries across the U.S. Researchers questioned participants about their feeling toward hybrid, remote and onsite work environments, and their level of satisfaction, well-being and resilience.

The study found five critical trends responsible for successful hybrid work environments:

Mismatch of actual and desired workplace

There's been a huge emphasis on mental health since the start of the pandemic. And the sad thing is, employees' mental health takes a hit when employees aren't in their desired work environment. The study found that more than two in five employees (42%) currently aren't working in their desired setting. This mismatch between the desired setting and the actual setting leads to faster burnout and more employees quitting.

Clarity, transparency critical for hybrid guidelines

When employers don't give their employees clear guidelines for their new hybrid work environment,

they hurt engagement. That's because most policies focus on on-site employees. Two years ago, that made sense because most companies had 100% on-site employees. But that's not the world we work in anymore. Companies must update their employee guidelines for hybrid work. Employees feel connected to their company and co-workers when they know what's expected of them. The study found 88% of employees who work at companies with clear cut hybrid working guidelines feel connected to their work and co-workers. While only 64% of people without clear guidelines have those same feelings.

Career conundrum between hybrid vs. onsite work

Want a promotion? Then work on-site. At least that's what most people think. Yet nearly half of all the study respondents said they prefer hybrid work. Specifically, 48% of business leaders and 45% of individual contributors said they prefer the hybrid work environment. Yet 47% and 43%, respectively, also said they believe the fastest way to receive a promotion is to work on-site. Companies must rework their career advancement ladders and let it be known to employees that you don't have to work on-site full time to get a promotion.

Positivity's key to adapting successfully

Resiliency was a must-have trait for employees during the pandemic. But the one thing that drove resiliency,

according to the study, was "realistic optimism." What's that? It's "the ability to maintain a positive outlook without denying reality." This, according to the study authors, is the force behind resiliency and being able to adapt successfully to demanding situations. In fact, 39% of respondents said it was the most important trait to have when it comes to adapting to workplace changes. The other traits were stress management (22%), focus (15%), empathy (13%) and emotional intelligence (11%).

Inadequate support damages morale, retention

This should be a no-brainer. No employee should feel neglected. They need to feel valued just as much as the next person, no matter the environment they work in or the job they do. The perception of fair treatment impacts morale and engagement in a big way. However, the study found employers new to hybrid work environments may not be doing enough to make all their employees feel valued and supported. Not surprising, leaders and individual contributors, said on-site workers are valued more than other work settings.

So, if you have a hybrid workplace, there's no time like now to look over these five trends and make sure you are doing things that promote a positive work environment. Survey your employees and see if how leaders feel and how the rest of the staff feel are the same. If not, find out where the differences are and make a plan to fix them.

[Read this article online](#) 

Case Study

Added a minimum time off requirement to our unlimited policy



Our company had a progressive PTO policy when compared to others in the industry. But not everyone was taking their time off, which we felt was vital to keep a healthy, engaged workforce.

We were founded nine years ago, and we grew rapidly.

We always wanted to hold on to that feeling that we had when we were a small startup that we just manage our own time. We treated people like adults. If you needed to take time off, you just took it. We trusted our people to get the job done. We wanted well-rested teams and people coming in motivated ready to do the work. And so, we've always had that and it's always worked for us.

Then a few years ago we noticed a growing number of people weren't making enough use of the policy and weren't, in my mind, taking enough leave. And then we started to see some burnout because of it. It also came along with the pandemic. Everyone was locked to their screens, and the

general anxiety and angst that came along with that as well.

Made a shift

So, we decided to shift our policy from an unlimited one, to an unlimited policy with a minimum requirement. So, if you needed to take loads of vacation, that was fine. We weren't going to institute any controls around that. But we wanted to make sure that everyone was taking enough leave, so we instituted a new policy that you had to take 20 days a year off, as well as local and national holidays.

And the other thing that we realized was even when you're taking time off, when a business is moving very fast, a lot of people feel a certain pressure to keep up. It's FOMO. People feel like there's so much going on and when they come back to work their going to have tons of messages and work.

So, last year we decided, since everyone was working so hard, that we were going to shut our doors for a day. That way no one was

working, so no messages would build up in inboxes. We took the day to do whatever we wanted.

Positive impact

It was liberating, and it had a sizeable impact on what was really a tired group of people in many ways. Because of that we've decided to do it once a quarter now.

And our customers didn't seem to mind. We put a notice up on our website weeks in advance, and we had our employees include it in all their correspondence with customers.

I think it did our brand some good, letting our customers know that we were taking care of our people.

Tom Holliss, Chief People Officer, Zappi

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

Employee fired while on leave: FMLA violation?



HR manager Lynn Rondo was doing some spring cleaning with her filing cabinets when company attorney Eric Bressler walked into her office.

"Hey, Lynn," he said. "Got a minute? I need to talk to you about something."

"Gladly." Lynn stood up and closed the filing cabinet door, stretching her sore back. "I need a break. I've been going through files for two hours."

"Well, I don't know if this will be a welcome break." Eric and Lynn both sat down. "April Mason is suing us for violating the FMLA."

Conducted an audit

"On what grounds?" Lynn asked. "Her termination was completely justified."

"Trust me, I know," Eric said. "But since she was fired only three days after returning from FMLA leave, the timing does look suspicious."

Lynn sighed. "April had a history of dropping the ball. During her leave, we conducted an audit and

discovered she'd made even more job errors than we'd realized."

"This was when you did a deep dive into her records, right?" Eric asked.

"Yes," Lynn said. "We were conducting a full investigation, which was still ongoing when April returned from FMLA leave. We had no choice but to fire her. I know the timing wasn't

ideal, but ... "

"I think we have a good chance of beating this," Eric said.

When April sued the company for an FMLA violation, the company fought to get the lawsuit dismissed. Did it win?

The Decision

Yes. The company won when a court dismissed April's lawsuit.

April's attorney argued that the timing of April's firing was incredibly suspicious, and the fact that the company was investigating her

Case dismissed.

performance while she was out on protected FMLA leave showed it was looking for an excuse to fire her.

But a court disagreed. It had doubts April's FMLA leave had anything to do with her termination, since the

company discovered April had made several serious errors on the job. This mistake would've gotten April fired regardless of whether she was on FMLA leave or not.

Analysis: FMLA doesn't mean immunity

This case shows that taking protected leave doesn't give an employee immunity from being fired. FMLA protections prevent an employee from being fired for taking leave, but not from being

fired for any reason.

However, firing an employee during or right after they take FMLA leave is always a little risky. If employers have no choice but to do so, it's essential to have documentation

and policies to show a court it had nothing to do with the protected leave an employee took.

Cite: *Anderson v. Nations Lending Corp.*, U.S. Ct. of App. 7th Circ., No. 21-1885, 3/9/22.

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

RECRUITING

Want to recruit recent college grads? Here's what they want



by Terina Matthews-Davis, HR Expert Contributor



Many HR professionals are screaming for talent as they struggle to fill open positions of every kind. One solution to this problem: Know and offer recent college grads more of what they want.

Unemployment rests at just 4% and there aren't enough workers to fill the open jobs.

But come this May, recruiters will have a new group of young professionals entering the workforce: college graduates. While some have already been offered and accepted jobs, there is still a large portion of the graduates-to-be actively searching for their first job out of college. An even larger number of employers are desperately searching for, wooing,

and trying to connect with this group of recent college grads.

Gen Z often represents a segment of the workforce misunderstood by employers, usually because recruiters aren't from the same generation. Baby Boomers, Generation X, and Millennials – and yes, a few Gen Zers – are currently recruiting Gen Z college grads. And like each generation before them, they are entering the workforce with qualities, values, strengths and weaknesses unique to them.

Research on the Gen Z

Research by McKinsey & Company shares that members of Gen Z are rooted in the search for truth. They value expression, don't like labels

and mobilize themselves for causes in which they believe. They're more accepting of diverse points of view and are "radically inclusive."

Gen Z defines "consumption as access" instead of "possession" or "experiences." For example, Uber rides and bike share programs are often a preferred choice over owning a car or bike.

What they ask

Here's what our team has been hearing them ask most frequently during interviews.

How often can we interact with senior leaders at your organization?

Gen Z is accustomed to access and craves it. Because access is how they

Want to recruit recent college grads? Here's what they want

consume products and services, these candidates want direct contact with senior leaders, and that includes the C-suite.

Monthly meetings with emerging and senior talent in attendance and a quarterly cadence of meetings with the C-suite is important so younger talent can ask questions and learn from executives. During these meetings incorporate themes such as "wear your favorite sports team" to the meeting. This includes participation from the most senior leadership. It opens up lines of communication, a reason to share experiences and opinions, and is a way to build rapport across all levels of the organization.

Transparency and authenticity are important to this generation, so during an online meeting with senior leadership, it's OK when a CEO's dog barks in the background, for example. These shared experiences

make senior leadership more human, approachable and relatable.

One of the most commonly overlooked strategies in understanding and connecting with recent college grads is reverse mentoring. I have seen many success stories of a Gen Zer who is paired with a CEO for a mentorship. Entry level talent wants the opportunity to teach and train. One client CEO of ours learned how to use Twitter and social media from the Gen Zer. Then the CEO brought him into an executive meeting to observe. When a company encourages this reverse mentoring partnership, it not only benefits both parties but shows the younger talent that the company recognizes they have something to offer.

How many days per week will I be expected to work in the office?

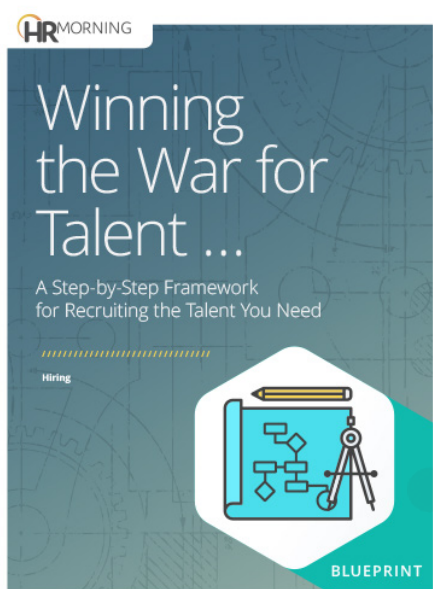
If you're hoping to one day get everyone back in the office, that may

be a losing battle. This generation is looking for flexibility. Over the past several years, they've taken college courses online or completed a combination of in-person and online coursework. They have proven they can effectively perform from any location, and they expect to perform equally well at their career, regardless of location.

From our direct experience with Gen Zers, flexible work is without a doubt among the most important options to them. This generation doesn't like a lot of rigid rules and procedures, either. They already know they can be productive without being micromanaged, and expect this freedom and trust in their employer.

What are you doing to eliminate your global footprint?

This covers everything from the types of cups and straws that are used in the breakroom to how you recycle materials to your opinion



Winning The War For Talent

Winning The War For Talent A Step-By-Step Framework For Recruiting The Talent You Need

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

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

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

[get the guide](#)

on how materials are disposed of in landfills. According to a Deloitte survey, climate change and protecting the environment is the No. 1 concern for Gen Z.

It's not unusual for college grads to factor a company's commitment to the community into their job decision. That's especially true when two opportunities have the same location, responsibilities, and compensation. In fact, Corporate Social Responsibility (CSR) is so important to younger job candidates that companies have made CSR part of their talent acquisition strategy.

Be ready to share what your organization is doing to give back to the community and the planet. Gen Z is active in serving in their communities for a cause, but they want to be paid for it. Another question we get is if companies offer paid time off for community service.

Embrace their passions

Several additional areas also top the list of what's important to Gen Zers when searching for the right employment fit; be sure to pay attention and act on them.

- **Maximize their love of technology.** Technology has given Gen Zers a new level of connectivity. As the first generation of true digital natives, Gen Zers can research information and develop

opinions on companies, brands, products and issues very quickly. This generation expects certain technology standards because they have been living by those standards their entire lives.

- **Remember compensation.** Salaries are rising, with companies expecting to pay an average of 3.4% more to workers in 2022. Salary is important to this generation, and social media puts incredible pressure on the Gen Z psyche to compete. They see friends wearing designer clothes and bags, traveling to different and unique places, and attending concerts and other entertainment events. They want to have the means to do these things. So they take a close look at the salary being offered.

Help strengthen Gen Z weaknesses

Every generation has its share of strengths and weaknesses. For Gen Zers, one of their biggest weaknesses is the inability to communicate in written form. They are so used to text talk. So they rarely turn that off in the professional workplace. I receive countless emails that start with "Hey," and body text that includes "u" in place of "you."

It's a generation-wide challenge, and you'll want to address it. Help them communicate more

professionally and efficiently to improve their work output. It also builds trust and retention by showing you're willing to invest in their professional growth.

The full experience

Set reasonable goals for hiring emerging talent and establish partnerships with universities and colleges to help get you there. Are you partnered with student clubs and different organizations at schools? Students are the best ambassadors for your organization, so engage at the student level. Pay them a stipend to talk about your company on campus and at events. Have them wear your swag while doing so. Examine your own corporate culture, and look for universities with a similar cultural mindset. Career management offices can help you understand what that mindset is.

In addition to connecting with this generation and its unique values, remember the entire recruiting process leaves a lasting impression. Gen Zers are accustomed to instant access and quick decisions. So make offers expeditiously, but not rushed. Candidates don't want seven interviews and a lag time before receiving an offer. Companies that make the connection with Gen Z candidates and have a clearly designed interview process will win the Gen Z talent.

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About Guest Writer



[Terina Matthews-Davis](#), Americas Client Director - Early Careers & Campus for AMS, has spent 20 years building campus recruiting programs. At [AMS](#), Matthews-Davis is focused on the Americas region where she leads campus service and is actively involved in regional campus growth activity. She also leads people engagement and development activity for Early Careers & Campus team members.

The Cost of NonCompliance



\$125,000

Company owes \$125K after not allowing disabled employee back to work

When one employer didn't permit a disabled employee to return to work, the EEOC stepped in.

TrueBlue Inc., a labor sourcing company located in Virginia, was sued by the EEOC for disability discrimination after it terminated an employee who was willing and able to work.

The employee had a psychiatric disability and was briefly hospitalized for it. But once the employee recovered and was cleared to come back to work by doctors, TrueBlue forbid her from returning. She was then later fired after requesting intermittent leave for medical appointments. This is a violation of the ADA.

TrueBlue settled the case for \$125,000 and also signed a consent decree, agreeing to implement an accommodation policy for disabled employees. The company must also provide ADA compliance training.



\$200,000

Sexual harassment, retaliation cost restaurant \$200K

When one restaurant didn't put a stop to sexual harassment and retaliated against the employee for complaining, the EEOC filed a costly lawsuit.

A Long John Silver's restaurant in Centralia, IL, was sued by the EEOC for sexual harassment and retaliation. According to the lawsuit, a teenage employee at the restaurant was harassed by two adult managers.

The harassing behaviors included lewd comments, unwanted touching, sexual propositions and explicit texts and videos. When the employee complained about this behavior, her hours were reduced. This conduct violates the Civil Rights Act.

Long John Silver's agreed to settle the lawsuit for \$200,000. The restaurant also must implement harassment prevention policies as well as anti-harassment training.

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

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But we don't stop there.

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

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