

November 2, 2020

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HRMORNING

Keep Up To Date with the Latest HR News

With **HRMorning** arriving in your inbox, you will never miss critical stories on labor laws, benefits, retention and onboarding strategies.

HRMorning, part of the Catalyst Media Network, provides the latest HR and benefits and employment law news for HR professionals in the trenches of small-to-medium-sized businesses. Rather than simply regurgitating the day's headlines, **HRMorning** delivers actionable insights, helping HR execs understand what HR trends mean to their business.

New EEOC guidelines help firms avoid COVID-19 lawsuits

■ Handling telework requests, medical inquiries, more

As employers direct their remote or furloughed employees back to the workplace, the EEOC has issued new guidance to help them accommodate the individual needs of some workers.

On Sept. 8, 2020, the EEOC updated its online COVID-19 guidance (tinyurl.com/EEOC614) with specific information related to handling confidentiality requirements, medical inquiries, telework accommodations and more.

Telework accommodations

Once an employer resumes normal business operations, post-pandemic telework isn't automatic, says the

EEOC. Whether remote work is a reasonable accommodation depends on the specific facts of each case.

When an employee at higher risk for COVID-19 ask for a remote accommodation, explore all options with the employee: Is remote work necessary or would taking certain safety protocols in the workplace address their concerns?

The ADA never requires an employer to eliminate essential job functions of a job. In other words, if an employee worked from home during the pandemic, that time could be considered a "trial period."

(Please turn to EEOC ... Page 2)

COURT RULING

Revised FFCRA emergency leave rules now in effect

Effective as of Sept. 16, 2020, the DOL has revised its Families First Coronavirus Response Act (FFCRA) paid leave rules in response to an August federal court ruling that struck down key aspects of the rule.

In March, the New York Attorney General had sued the DOL over some of its restrictions to paid sick and emergency family leave. The suit said the DOL overstepped its authority by denying various groups of workers' eligibility for paid leave.

Leave, document revisions

Here are two key FFCRA changes:

Intermittent leave: FMLA rules governing intermittent leave apply

to the FFCRA as well. However, a worker will now need their firm's consent to take partial-day increments if their child's school uses a "hybrid" (less than full days) arrangement.

Documentation requirement: Instead of requiring employees to provide documentation *before* taking leave, the revised rule allows them to provide documentation "as soon as practicable." The documentation must contain the employee's name, dates of leave, reasons for leave and a statement (oral or written) explaining why the employee is unable to work.

The FFCRA emergency leave expires on Dec. 31, 2020.

Info: tinyurl.com/FFCRA614

EEOC ...

(continued from Page 1)

That should factor into whether the employee can perform their essential job functions now.

Employees age 65+

In its June guidance, the EEOC said employers can't involuntarily exclude an employee from returning to the workplace because they're 65 or older, even if they're doing it to protect the employee.

The EEOC's new guidelines allow employers to provide flexibility to older workers who are at higher risk of contracting COVID-19. This is in line with the Age Discrimination in Employment Act.

COVID-19 screenings

In earlier guidance, the EEOC said employers could require employees to submit to COVID-19 testing before permitting them to enter the workplace.

Now, the EEOC is giving firms permission to "periodically" test

someone to determine if their presence poses a threat to others.

COVID-19 questions

The new guidance permits a firm to ask employees entering the workplace if they have COVID-19 symptoms or have been tested for the virus, and bar those who refuse to answer.

Employers may also specifically ask "one employee as opposed to asking

Firms may not ask an employee if they have family members with COVID-19.

all employees" COVID-19-related questions, as long as they have a "reasonable belief" the employee might have the virus. However, firms may not ask an employee if they have family members with COVID-19. Such inquiries are prohibited under the Genetic Information Nondiscrimination Act (GINA).

Confidential medical info

The ADA requires all medical information about any employee (temperature checks, medical questionnaires, etc.) be stored separately from their personnel file, says the new guidance.

If a manager discovers a worker has COVID-19, they must report it. They must also interview the employee, determine people with whom the employee has had contact and notify them of their potential exposure.

The EEOC reminds firms a worker's COVID-19 diagnosis is confidential and employers must take measures to limit the number of people who know the identity of the employee.

Info: tinyurl.com/EEOCguide614

SHARPEN YOUR BENEFITS JUDGMENT

This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.

■ Pay docked for time off, she sues under ADA: Who won?

"Hi, Jessica, have a seat," Benefits Manager Betty Murphy said to Payroll Manager Jessica Samuels as she entered her office.

"Sure. What's going on, Betty?" Jessica asked.

"June Reynolds is suing us for discrimination and retaliation under the Americans with Disabilities Act," said Betty.

"What?" Jessica exclaimed. "We docked her final paycheck because she asked for time off, but then we realized she didn't have enough time accrued."

'Not enough PTO'

"Yes. She had to take some PTO from work to care for her mom, who was sick. Then she took a few more days off because she thought her dad might need some surgery.

"But when she got her final paycheck, it was one-third of her usual pay. When she asked her supervisor about it, she was told she didn't have enough PTO to take all those days off," said Betty.

"As you know, our policy is to reduce wages if a worker doesn't have PTO available," said Jessica. "We've borrowed against future accruals, before so employees don't get such a big hit in one paycheck, but this was her final paycheck."

"Her lawsuit claims we retaliated against her and violated the ADA by docking her pay to care for a sick family member," said Betty.

Betty's company fought to get the case dismissed.

Did it win the lawsuit?

■ *Make your decision, then please turn to Page 6 for the court's ruling.*

HR MORNING'S

What's New in **BENEFITS & COMPENSATION**

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Study: Firms, drop these 49 'wasteful' prescription drugs to cut health costs

While soaring prescription drug prices have led to state and federal drug reform, a new study has identified medications with less expensive alternatives firms might cut from their drug formularies.

In an effort to cut high drug costs, two recent developments should have a big impact in 2021 and beyond:

- California passed a measure that would allow it to become the first state to develop its own line of generic drugs.
- President Trump signed an executive order to begin the process of testing a "payment model" for some medicines that more closely aligns with prices in other countries.

Reducing drug spending

In the meantime, firms can attempt to cut drug costs by replacing 49 medications with cheaper alternatives, as identified by the Pacific Business Group on Health's (PBGH's) new report, "Reducing Wasteful Spending in Employers' Pharmacy Benefit Plans" (tinyurl.com/pharmacy614).

For example, a health plan covering thousands of California workers stopped paying for metformin, a diabetes drug that cost \$352 per prescription. Now, the plan pays less than \$13 for two 500 mg pills instead of one 1,000 mg dose.

This is what the PBGH, a coalition of West Coast firms, call "wasteful drugs." Firms often can't easily tell if pharmacy benefit managers retain a portion of the rebates that incentivize them to keep expensive drugs on the formulary, says Lauren Vela, PBGH senior director.

However, removing low-value drugs from formularies can save health plans between 3% and 25% on pharmacy spending, says Vela. Another example: A leukemia drug, Gleevec, can be replaced by the generic imatinib, cutting the cost 96% (or \$108.28 per pill), says the report. And there are hundreds more examples.

For high-cost drugs, firms might consider engaging a clinician to contact prescribers and discuss alternatives.

Info: tinyurl.com/PBGHdrugs614

THE COST OF NONCOMPLIANCE

This regular feature highlights recent case settlements, court awards and fines against companies. It serves as a reminder to keep benefits policies in order.

■ Vape store chain coughs up \$123K for OT violations

Paying their paraphernalia purveyors a flat salary wasn't enough to get a Missouri vape store owner off the hook for not paying overtime.

What happened: St. Louis-based Coughing Cardinal, operator of a chain of vape shops, paid workers flat salaries, regardless of the number of hours they worked. The firm didn't record employee hours worked and didn't pay them overtime when they worked more than 40 hours in a week.

Result: Coughing Cardinal and owner Marco DiMaiern will pay 55 employees \$123,422 in back wages for violating FLSA overtime and recordkeeping requirements.

Info: tinyurl.com/coughedup614

■ Firm broke break time rules, pays \$280K to fix it

A manufacturer of torque converters cheated workers of their break times, deducting pay as if all breaks were lunch breaks.

What happened: Iowa-based Precision of New Hampton didn't pay employees for short rest breaks, usually 20 minutes or less, and instead treated them as meal times.

Meal periods, typically 30 minutes or longer and during which workers are completely relieved of job duties, can be unpaid.

But for breaks lasting 20 minutes or less, employers can't deduct the time from a worker's time records.

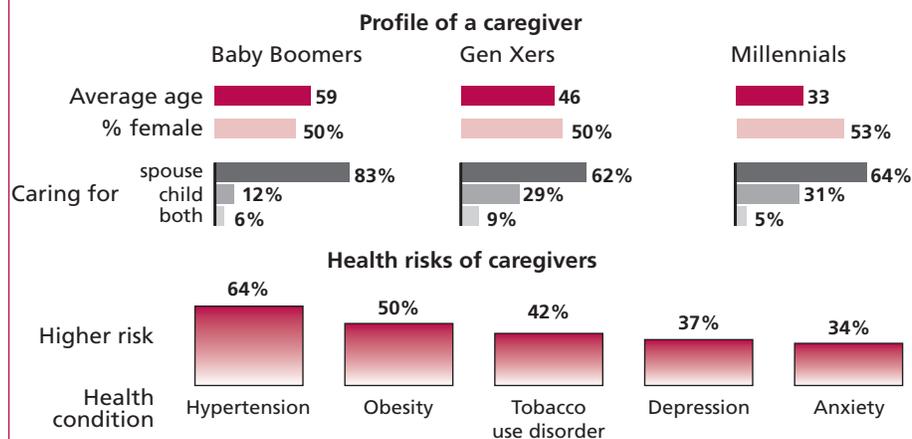
Result: The DOL investigation found Precision of New Hampton violated the FLSA.

The company will pay 150 employees a total of \$279,505 in back wages.

Info: tinyurl.com/twisted614

Are your caregiver employees staying healthy?

Caregiver stress and health risks



Source: Blue Cross Blue Shield Association

The pandemic has exacerbated health challenges for caregivers. Allowing them flexibility and connecting them to wellness support services is key.

DOL's new 401(k) rule: Firms must give workers 'lifetime income' estimates

Employers have a year to implement a new 401(k) rule, but it'll take some preparation. They will be required to provide employees with a lifetime income estimate to help them determine their readiness to retire.

The DOL's Employee Benefits Security Administration (EBSA) has announced this interim final rule. It's meant to help workers realize how their current retirement plan might translate into lifetime monthly payments, in a similar fashion to what the Social Security Administration provides employees.

This rule was set in motion by the Setting Every Community Up for Retirement Enhancement (SECURE) Act, passed in 2019. This Act amended the pension benefit statement requirements to show participants equivalents of their retirement savings as monthly income.

"Our goal is to help workers and retirees understand how savings translate to retirement income," says EBSA's acting assistant secretary Jeanne Klinefelter Wilson.

To help ease administrative burdens

on employers, the new rule includes 11 brief model language inserts that may be used in an employer's own plan disclosure. Firms can access the new rule online, since it's now published in the Federal Register.

Calculating estimates

The DOL's fact sheet includes an example of a plan disclosure for a 40-year-old employee, using a 10-year constant maturity Treasury rate to calculate the monthly payments. Here is the information that must be provided:

- **current account balance:** \$125,000
- **single life annuity:** \$645 per month for life, and
- **qualified joint and 100% annuity:** \$533 per month for an employee's life and \$533 for the life of a spouse following participant's death.

The DOL is allowing a 60-day comment period, giving employers until Nov. 17, 2020 to submit or mail comments (tinyurl.com/DOL614) on this new rule.

Info: tinyurl.com/EBSA614

■ Employees not participating? Check your communications

Many financial wellness plans are under-enrolled even though they're proven winners for both employees and employers. It's a pretty good sign that firms need to take a look at how they explain the value of their program.

Does your message stumble instead of making employees want to sign up? Find out.

Answer these questions

1. *Are we highlighting our financial wellness options?* This can't just be a check-off on your open enrollment to-do list.

These programs are important to different employees at different points in their lives and careers. Vary your messages to catch their attention when they're going through a life event, such as getting married or having a child.

Also, include a financial wellness reminder in periodic communications with a name they can contact for more information.

2. *Can workers relate to the person sharing this information?* It's tempting to put your CFO's smile in front of any financial story, but most workers want to hear about how their peers use a program. And your insurance rep is, after all, trying to sell them something.

So, make sure they have access to a provably unbiased source of information, preferably an expert financial counselor. They must feel secure sharing the sensitive details of their financial lives.

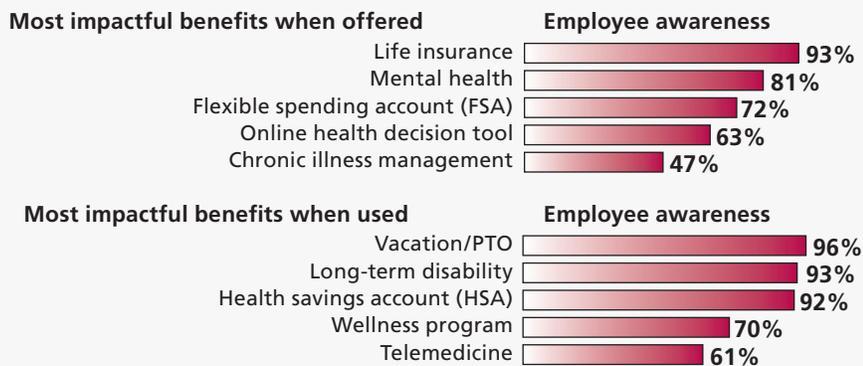
3. *How do you know what they need?* Ask. That is, ask four employees of the same age what they're struggling with and you'll get four answers. But only if you ask.

Until you understand everyone's priorities, you can't confidently set your company's menu of plan types and options.

Info: tinyurl.com/finwell614

Are your employees aware of all benefits being offered?

Most impactful benefits



Source: Fidelity

Just offering certain benefits increases employee engagement. But other benefits, like telemedicine, need more communication and education efforts.

WHAT WORKED FOR OTHER COMPANIES

Our readers come from a broad range of companies, both large and small. In this regular section, three of them share success stories you can adapt to fit your needs.

1 **Opened an on-site primary care clinic**

We'd tried wellness initiatives before, such as offering a gym, lunch-and-learns and premium discounts for completing a biometric screening and health-risk assessment.

But some of the things we were doing just didn't seem relevant. We'd see a slight decrease in spending, but it didn't stick.

Out-of-pocket costs for workers were rising faster than wages, which pushed many employees to skip needed care, only to need more

expensive treatment when their medical issue could no longer be ignored. We asked ourselves, "What is the foundation for good health?" The answer we found was primary care.

Saves healthcare costs

We looked to improve primary care by researching a variety of healthcare providers. We pitched a primary care clinic to employees as a concrete way to save money. Rather than be limited by the services of a local hospital to run the clinic, we contracted with a national provider that has relationships with many pharmaceutical,

vaccination and lab companies.

The clinic has two exam rooms, a lab room and a pharmacy. It's helped advance some of our existing wellness initiatives, such as diabetes education, and introduce new ones, such as a dietitian who visits the campus.

We've seen reduced healthcare costs for the company and our employees, improved employee health and increased employee engagement, retention and satisfaction.

(Ginger Miller, Health and Wellness Coordinator, Utz Quality Foods, Hanover, PA)

**REAL
PROBLEMS
REAL
SOLUTIONS**

2 **Parents get 4 weeks of flexible leave now**

With kids back in school virtually or in person, many employees were struggling to balance their workload and parental duties. This can be even more stressful for single parents of children with special needs.

We didn't want employees to be burned out, so we listened to what they needed and responded in real time.

We developed new COVID-19-related family care benefits. Employees

receive four weeks of flexible emergency leave that parents or caregivers can use any way they want – two-hour segments, half or full days, or four consecutive weeks.

Based on employee feedback

We developed the benefits based on direct feedback from employees – through surveys, focus groups and online forums – who balance work and caregiving responsibilities.

This new benefit will help parents deal with any school and day care

closures, and other issues that may come up.

Also, we're offering subsidized emergency back-up child care/elder care for when primary care falls through.

We've partnered with a company to offer employees up to 25 days of subsidized backup care per year for either center-based care or at-home child care. This is an ongoing benefit that we intend to maintain post COVID-19.

(Joanna Daly, HR Vice President, IBM, Armonk, NY)

3 **Employee survey led to a new type of health plan**

When we conducted our first benefits survey in 2017, employees said our high deductible health plan (HDHP) was too expensive. They couldn't afford to go to the doctor because paying the bill (before meeting the deductible) on top of their premium created financial strain. If they can't afford care, they can't effectively manage their health. We set out to find a better alternative.

We started reviewing survey results

and benchmark analysis with our brokers. They introduced us to Bind Benefits, a new type of self-funded, personalized health plan. What stood out was its price transparency and ability to help employees identify the most efficient care options *before* seeking treatment.

Premiums 10% lower

We offered Bind alongside our HDHP because we know change can be hard. In the first year, 68% of employees chose Bind. Premiums were 10% lower than what they paid in

the previous year, and we projected savings of 30% on healthcare costs.

The overwhelming response was positive. Because employees know how much care will cost before going to the doctor, they can afford the copays. In year two, enrollment grew to 74%. A 2020 survey found employee satisfaction with the new plan improved and they had higher satisfaction rates than those enrolled in the HDHP.

(Lisa Tepley, Total Rewards Manager, Slumberland Furniture, Oakdale, MN)

WORKING FROM HOME

Drafting a new remote work policy?

Working from home isn't just a perk anymore. It's the future of work. And HR leaders will want to create or adapt remote work policies to fit the new reality, evidenced from statistics like these:

- Nearly 60% of CFOs say they're ready to make – or have made – remote work a permanent option, says a recent PwC pulse survey.
- Harvard Business School predicts almost 20% of the workforce will continue to work from home long past the pandemic.

The C-suite's on board with the merits of remote work. Now, HR leaders must get policies aligned with current working conditions. They need to adopt policies that fit this unique situation.

Here are four best practices to amend or build HR policies for remote and hybrid work.

1. Think, act with flexibility

Whether you need to revisit and revamp an existing telecommuting policy or create a new one, be flexible. The policy itself will likely need to change as time goes on.

So, where do you start when

everything's in flux? "Survey the line managers," says Max Muller, Principal, Max Muller & Associates. "Ask, 'What are your pain points?'" This will help identify the policies that need to be clarified, replaced, updated and created.

2. Involve a crew

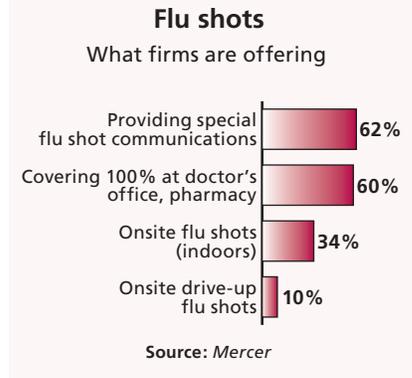
Most HR policies work best when employees have a hand in developing them. Build a team of employees from different functions and perspectives to talk about what a policy should look like. Research other firms' policies. It might also help to have a focus group review the proposed policy.

3. Communicate early, often

When changes can affect the entire way employees work, people need to know as much as possible as early as possible. Try to explain how changes will affect the firm and workers strategically and operationally. Get their feedback throughout the process.

Most importantly, use many channels – calls, email, text, Skype, Zoom, etc. – to communicate across lines, so every department and person understands how (and if) they need to react to changes.

WHAT BENEFITS EXECS SAID



Even though firms have been distracted by COVID-19, they're still prioritizing flu shots. Making them mandatory may be lawful, but encouraging, facilitating and subsidizing them is recommended.

(Each issue of WNB&C contains a current survey to give benefits officers insight into what their peers nationwide are thinking and doing.)

4. Be fair, consistent

Ensure your work-from-home policies are fair and consistent, so there's no negative impact on protected groups.

Some positions and roles lend themselves to remote work, while others don't. It's OK to make decisions on positions that can work remotely, that must be done on-site and that might be eliminated – as long as you can show a legitimate, nondiscriminatory and business-related reason for doing so.

SHARPEN YOUR JUDGMENT – THE DECISION

(See case on Page 2.)

No, the company lost. The judge allowed the employee's case against the company for retaliation and discrimination under the Americans with Disabilities Act (ADA) to move forward.

The employee claimed she asked for, and received, paid time off on two separate occasions to care for a sick family member. Her supervisor approved the time, and no one told her of any issues, that is, until she noticed deductions she didn't authorize from her paycheck.

In its defense, the firm argued its policy was to reduce wages if the employee doesn't have enough PTO available.

Given that the specific reason the employee's pay was docked was she missed work to care for a family member, the company's actions could be seen as an adverse

employment action, and thereby, a violation of the ADA, concluded the court.

Analysis: Carefully tracking time off is key

When federal laws, such as the ADA or the FMLA, come into play with time off, things become very complicated.

To prevent sticky situations from arising, consider using a tracking software system that easily tracks employees' leave balances. Look for one with self-service features that allow both employees and supervisors to easily see what's available on any device.

And employers that already have such a system in place will need to review their pre-pandemic recordkeeping to account for the new Families First Coronavirus Response Act, which adds additional complexity to time off requests.

Cite: *Lawson v. Kansas City, Kansas Public Schools*, No. 19-CV-02344-JAR-JPO, U.S. D.C. D. Kansas, 3/31/20. Dramatized for effect.

Why we needed to re-evaluate our benefits package during the pandemic

■ Child care assistance has now become a priority

It's no secret that a lot of employees are struggling to work through this pandemic. And one group that's particularly having difficulties is working parents.

Balancing work, child care and schooling assistance is overwhelming. And with no one knowing how much longer the pandemic will continue, we couldn't assume these problems were going away any time soon.

That's why we decided it was absolutely essential for us to re-evaluate the benefits we offer our employees.

Reallocation of benefits

While taking a closer look at all our employee benefits, we realized the pandemic made so many of them obsolete.

Certain benefits we'd been offering – such as gym memberships, transportation stipends and free food in the office – quickly became irrelevant with our employees working from home. Not only that, but we identified new needs as well. The pandemic made it clear that help with child care is a necessity for so many employees who are struggling to juggle parenting and remote work.

That's the main reason we decided to develop a one-stop-shop benefit for child care and education. And we provided our employees with unlimited access.

Engagement and education

We created a virtual learning platform focused on child engagement and education. This way, the child can stay occupied with something that also helps them learn.

Here's how it works: Parents can sign their children on to one of our many educational programs – which will keep the child busy for several

hours – so that the parent can focus on their own work.

Our lessons are designed for children between the ages of three and 11, and they can be used to supplement online schooling – which often only lasts for around four hours a day. Whether it be a science, technology or arts program, the child will stay fully engaged for the duration of the lesson. We've never had a kid walk away from the screen.

We offer one-on-one learning, as well as education in group settings.

There are also more academic-focused courses, such as mathematics and language arts, for parents worried their kids may be falling behind.

Much-needed perk

When it comes down to it, parents just need plenty of options right now – and

we feel this benefit effectively handles the issue of at-home child care and assistance with education.

We suspected this would be an attractive benefit to our employees, and we were right.

So many are taking advantage of these educational programs, and it allows them several uninterrupted hours just to focus on their own work demands.

And we intend to offer this child care benefit long after the pandemic passes. This new benefit has taught us all that child care is just as important as other staple benefits, such as health care.

Working parents have wanted options like this for a long time, and we know this will be handy in attracting new talent in the future as well.

(Kayla Lebovits, CEO & Founder, Bundle, New York)

Case Study:

WHAT WORKED, WHAT DIDN'T

TEST YOUR KNOWLEDGE

■ Should all bonuses be included in overtime calculations?

Last month, a federal court ruled on FLSA overtime calculation regs and responsibilities, and it'll eventually affect you. Do you know what to expect?

Test your knowledge: Decide whether the following statements are *True* or *False*. Then check your responses against the answers below.

1. When calculating overtime, all bonuses must be included.
2. If a worker takes your firm to court over alleged overtime violations, you'll have to prove whether a bonus was discretionary and OK to exclude from your calculations.
3. For a bonus to be considered discretionary and excluded from overtime calculations, employers must control both whether the bonus is paid and the amount of the bonus.

ANSWERS

1. *False.* Bonus pay can be excluded from overtime calculations if it's paid at the employer's discretion. Any bonus promised in exchange for hitting specific goals, however, must typically be included when determining overtime pay.
2. *False.* In its ruling, the court said employees have to show why they believe a specific bonus payment should've been included in overtime calculations (i.e., documentation or other proof that most workers expected to receive the bonus). If they fail to show a bonus wasn't discretionary, they have no case.
3. *True.* If the amount of a bonus is set in advance and paid to anyone who hits a goal, it must be included in overtime calculations – even if the firm hasn't formally promised to pay the bonus.
- Info: tinyurl.com/OTcalc614

■ Answers to the quiz

'You're kind of getting up there in years': Age bias?

A recent court ruling on employee age discrimination might help other employers avoid such a lawsuit.

In *Lowe v. Walbro*, Kenneth Lowe, who was 60 years old and employed by a Michigan firm for 40 years, was told by a younger supervisor he was "getting up there in years" and he'd "been here longer than I am old." A federal district court said these statements made during Lowe's termination meeting were in fact discriminatory.

Employers need to make managers aware of the types of comments that are unsuitable – and discriminatory – for the workplace.

Info: tinyurl.com/age614

Will the Supreme Court end Obamacare?

The death of Supreme Court Justice Ruth Bader Ginsburg could have a major impact on the Affordable Care Act (ACA) when the court takes on the latest challenge on Nov. 10, 2020. Her death increases the possibility that the court could abolish the decade-old so-called Obamacare.

If the ACA is struck down, firms would have to decide whether to cover pre-existing conditions and employees' children under the age of 26 – two key benefits of Obamacare.

Info: tinyurl.com/ACA614

16 states require COVID-19 safety training: Does yours?

As employers welcome employees back to the workplace, several states now mandate they provide employee COVID-19 workplace safety training, with more states likely to follow suit.

For instance, Michigan requires training on how to report unsafe working conditions, while California's training provides workplace hygiene practices. The Clear Law Institute keeps an ongoing list of state rules (tinyurl.com/states614).

Even if your state doesn't yet have a safety rule, the Occupational Safety and Health Administration and the Centers for Disease Control and Prevention advise firms to provide training on their safety guidelines to minimize exposure to COVID-19.

Info: tinyurl.com/safety614

Accommodating pregnant workers: New rule coming

It's a good time to check your policies on accommodating pregnant workers. The House just approved the Pregnant Workers Fairness Act (PWFA), making it closer to becoming law.

While the Pregnancy Discrimination Act of 1978 made it illegal to discriminate against pregnant workers, the PWFA, which is modeled after the ADA, would require employers to provide accommodations.

The Senate will now consider the bill. But 31 states and four cities now have laws providing protection for pregnant women, according to the National Partnership for Women & Families (tinyurl.com/pregnant614).

Info: tinyurl.com/PWFAlaw614

DOL's 'joint employer' rule struck down: What now?

For the last four years, employers that rely on temp workers or third-party staffing agencies have sought clarity on joint employer rules. And now, a federal court has struck down parts of the DOL's new rule.

The DOL's rule, which took effect in March 2020, had narrowed the test for when multiple employers are responsible for wage and hour claims under the FLSA. However, 17 states sued to block the rule, alleging the agency hadn't justified changing the standard that's been used for decades.

The NLRB issued its own joint employer rule in April 2020, while the EEOC is expected to issue a rule soon. It's likely the DOL will appeal the latest court ruling.

Info: tinyurl.com/joint614

HOT APPS & WEBSITES

■ Alert! Student debt relief

Here's a chance to help staffers with student debt: Tell them to download Fidelity's Spire app and opt in to win one of three \$10,000 giveaways starting Oct. 21, 2020.

Click: tinyurl.com/fidelity614

■ Free virtual hiring tour

Job site Indeed is hosting a virtual job fair tour through October. The site will provide video interviewing technology free to employers in an effort to fill 20,000 jobs.

Click: tinyurl.com/indeed614

■ Help employees 'chill'

The Chill Anywhere app is meditation, mindfulness and yoga for the modern (remote) workplace. Bosses can even track workers' mood changes before and after sessions.

Click: chillanywhere/business

Looking for the Fund Watch? Go to WhatsNewInBenefitsAndCompensation.com for real-time market updates!

LIGHTER SIDE

■ Study: Office small talk has big impact on employees

Remote work has its pros and cons, but here's one negative you might not think about: no more co-worker chit-chat.

Many employers might see this as just a distraction, but a recent study by Rutgers and the University of Exeter Business School shows that employees find shooting the breeze with their colleagues very uplifting. Employees who made more small talk than average felt more positive emotions, resulting in enhanced well-being.

Lighthearted and casual chatter can be tough to replicate at home. But if you sense your employees need a pick-me-up, employers might give them permission to virtually goof off a little with their team members.

Click: tinyurl.com/smalltalk614