



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

The leading service to keep benefits managers up to date

July 14, 2021

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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 SuccessFuel 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.

## Prepare for mental health challenges employees will face

### ■ *Returning from pandemic doesn't mean all's well*

**M**any workers will soon be returning to the office after more than a year of working from home. Just beware that when they return, they may not be the same people you knew before the pandemic.

While you may not immediately see the changes in them, you need to understand many of those who left the office, perhaps in a very rushed exit, have indeed gone through a metamorphosis on the inside.

#### Traumatic experiences

Mental health issues often arise well after a traumatic experience has passed. It's seen in cases of workers

displaced or impacted by natural disasters, such as hurricanes or earthquakes, and man-made disasters alike.

Weeks or months after the disruption, mental health issues start to surface that affect the worker, as well as the organization.

Here are some steps Benefits pros can take to ease the transition back to the office and, ultimately, back to better mental health.

#### Know your workers' health risks

Benefits pros should consider requiring members to update their

*(Please turn to Mental health ... Page 2)*

## RECRUITMENT

### Put your best benefit forward to attract top talent

**I**s your company feeling good about the direction of the economy and its future? If so, you're not alone.

About 76% of CFOs and other execs are optimistic about economic prospects over the next year, according to the latest economic outlook survey by the Association of International Certified Professional Accountants.

What's more, profits are projected to increase by 4%, and revenues are anticipated to rise 5%.

With companies feeling optimistic, it makes sense that many are looking to fill positions that were eliminated due to the pandemic.

But the issue companies are facing now is availability of skilled personnel.

To set your firm apart from the competition, don't focus on baseline offerings – health insurance, paid vacation and retirement tools.

#### Feature the unique

Show prospects you set your benefits bar much higher than that by offering unique and coveted benefits that'll help them live their daily lives better and more efficiently.

People nowadays are drawn to things like discount meal prep services, discount auto services, travel discounts, student loan repayment plans, pet insurance, food truck Fridays and inhouse masseuses.

Info: [bit.ly/Economy630](https://bit.ly/Economy630)

## Mental health ...

(continued from Page 1)

Health Risk Assessment (HRA) to gauge the health concerns and struggles members may be feeling. The data is usually collected annually, but more frequent pulsing of your workers will allow for a more agile and responsive solution.

You can use the HRA results to make evidence-informed decisions about wellness and well-being programming.

Plus, asking for an updated HRA has the added benefit of reminding employees that their health, and their opinions, are the center of your organization.

### Make getting healthy fun

Mental health goes hand in hand with physical health.

Organize “wellness challenges” to offer group challenges and employee-to-employee challenges that include a combination of physical activity (such as tracking steps, setting mileage

goals, etc.), and emotional wellness (mindfulness, work/life balance).

### Digital coaching builds resilience

Help ensure your workforce has quick access to programs and services that guide workers on how to make smart food choices, understanding nutrition basics, tips for improving

## Mental health goes hand in hand with physical health.

sleep, guidance for controlling alcohol use, and how to find joy in exercising and being active.

From a mental health perspective, programming that supports resilience and coping mechanisms can amplify your people’s capacity to deal with negative situations.

### Take care of you

One more very important point: Don’t forget to take care of yourself!

Accept that you too may have changed during this last year in quarantine. Take advantage of the wellness programs offered by your company – they’re there for you, too.

These days, the old adage, *Cura te ipsum*, or “Physician, heal thyself” rings particularly true for Benefits pros, as well.

Plus, when employees see you and executives participating in wellness programs, they’ll be more apt to do it.

*Source: Dr. Tyler Amell is a recognized thought leader on the topic of workplace health and productivity. He’s Chief Health and Strategy Officer at MediKeeper. He also serves on the executive board of directors of the Work Wellness Institute and the National Wellness Institute.*

## 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.*

### ■ Was employee fired for perceived disability?

Benefits Manager Betty Murphy was sitting at her desk eating her lunch when her cell phone rang. It was her good friend Lilly.

“Hi Lilly. How are you?” asked Betty.

“Oh Betty, I don’t know what to do. I’m furious,” said Lilly.

“Why?” asked Betty. “What’s going on?”

“The hospital just fired me,” said Lilly. “They said it’s because I made two mistakes that jeopardized patients. But I was following the accepted nursing standards.

“I know it’s because they found out about my eye condition. My boss asked me why I got so close to the computer screen. I told him that my eye condition makes it difficult to read certain computer screens. Then he asked me to get an eye test.”

### ADA violation?

“If you showed them you were following accepted nursing standards, then it looks like they are perceiving you as ‘disabled,’” said Betty. “And under the ADA they can’t do that.”

“They totally are,” said Lilly. “In my last evaluation, they asked if I had disability insurance.”

“Are you kidding me?” asked Betty. “Well, I’m not a fan of suing people, but in your case I think you should at least talk to a lawyer about this.”

“Then that’s what I’ll do,” said Lilly.

She sued, and the hospital tried to get her case thrown out. Was the facility successful?

■ *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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## Overtime violations and firing a whistleblower have firms paying big

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

### **COVID-19: Worker fired, refused to attend meeting**

**What happened:** During the beginning of the pandemic, a Community Health Center of Richmond Inc. employee raised concern to management about attending an in-person staff meeting in March of 2020 due to the coronavirus. The six-year veteran worker requested to attend the meeting by phone, but when management denied his request he refused to attend the meeting in-person. The center and CEO Henry Thompson later suspended and then terminated him.

**What people did:** The DOL is suing the Staten Island, NY community health center and its CEO for firing the employee for reporting hazardous work conditions.

**Result:** The DOL asked the court to order the health center to pay the employee damages, plus interest, for all past and future lost wages and benefits resulting from the termination; appropriate front pay in lieu of reinstatement; reimbursement for costs and expenses; compensatory damages; and exemplary or punitive damages to be determined at trial.

**Info:** [bit.ly/Whistleblower630](https://bit.ly/Whistleblower630)

### **Workers were cheated out of their overtime pay**

**What happened:** Bullock Investigation Security LLC of Pearl, MS, misclassified workers as independent contractors and paid them straight-time rates for all of their work hours violating overtime rules.

**What people did:** The DOL investigation found the employer didn't pay workers time-and-a-half their regular rates for hours they

worked beyond 40 in a workweek.

**Result:** Bullock must pay \$18,291 in back wages to 43 workers.

**Info:** [bit.ly/Security630](https://bit.ly/Security630)

### **3 restaurants & staffing agency share in violation**

**What happened:** In Key West, FL, Fish Dance Inc.; Thirsty Mermaid LLC; and Antonia's KW LLC, operators of Little Pearl, Thirsty Mermaid, and Antonia's Key West respectively, failed to pay overtime to workers employed through a staffing company, as well as their own workers, when they worked more than 40 hours in a workweek.

**What people did:** The DOL found Paradise Hospitality Solutions LLC, a staffing agency, was used by all three restaurants. Therefore, all are responsible for compliance and liable for back wages, liquidated damages and civil penalties if there are FLSA violations.

**Result:** Forty-five workers in the three restaurants will get \$162,310 in back wages.

**Info:** [bit.ly/Restaurants630](https://bit.ly/Restaurants630)

### **Contractor forced laborers to work OT with no pay**

**What happened:** Laborers and masons who were employed by Maio Building Corp. in Long Island, NY, which was owned by John Maio, were made to work 10-hour days, five or six days a week, and were never paid overtime.

**What people did:** A DOL investigation also found the employer paid employees in cash or a combination of check and cash, and failed to keep accurate records of employees' work hours.

**Result:** Sixty-nine employees will receive \$250,000-\$500,000 in back wages and an equal amount in liquidated damages.

**Info:** [bit.ly/Building630](https://bit.ly/Building630)

### **Want workforce vaccinated? Incentives are the way to go**

When the COVID-19 vaccines first became easily accessible, a lot of employers were hesitant to offer incentives, as the EEOC hadn't issued official guidance on it yet.

Now, the EEOC has given the greenlight for employers to incentivize their workers to get vaccinated – but there are some guidelines to follow.

So if you want the safest, healthiest workforce you can have, here's the best way to go about it.

### **Cash, PTO & more**

One of the biggest motivators is cash or gift cards, but a lot of employers might feel iffy about that.

The EEOC stated no clear limitations on how much money is too much to offer, but Mercer found the average amount is between \$200 and \$300.

To avoid any legal concerns, ensure your cash incentive isn't high enough to be considered coercive.

Another popular incentive is offering additional PTO or sick time to get the vaccine. According to Mercer, 53% of companies are offering PTO, and an additional 34% are offering days off to recover from vaccine side effects. This helps target those who are interested in the vaccine, but don't think they have the time to get it.

Lack of convenience is another big stumbling block, so bringing the vaccine to your employees will help a lot. Some pharmacy chains are offering to come on site for employers. Mercer says only 6% of employers are already doing this, while 11% plan on doing it soon.

It's important to note if you're having an on-site vaccination clinic, you shouldn't also offer a big incentive, or that would be considered too coercive.

There isn't a set standard for what's "too coercive," so employers should always err on the side of caution.

**Cite:** [bit.ly/incentive630](https://bit.ly/incentive630)

## Student debt weighs heavily on employees: How Benefits can help

Your workforce may be carrying more higher education debt than you think.

Sixty-five percent of college-educated Americans are managing student loan payments right now, owing an average of \$39,351 each, according to First Republic Bank.

Carrying a financial burden that heavy, especially when COVID-19 federal relief benefits eventually expire, can impact employee wellbeing and productivity.

### What employers can do

It's time to start keeping an eye out for employees who are struggling and provide them with counseling and other support services to help them improve their financial (and mental) wellness.

What does your Employee Assistance Program have to offer?

Something that may help identify who needs help is an employee survey asking about their level of participation in the company retirement plan.

Because of student loan debt, employees may be delaying retirement investment to make ends meet. Or they may be so focused on paying down debt they aren't thinking about retirement.

### Create a partnership

Another solution is to partner with a student loan benefits provider, such as Goodly or Tuition.io, that allows employers to make direct payments to employee loans or contribute to a 529 education savings plan.

There are even options for employer contributions to pay that debt down even faster and for employees with unused paid time off to convert it into a student loan payment.

A student loan assistance benefit can reduce turnover and absenteeism, and positively impact your company's bottom line. Because when employees aren't worried about their finances, they can focus on their work and do a better job.

Info: [bit.ly/StudentLoans581](https://bit.ly/StudentLoans581)

### ■ The communication crisis – and 2 ways to overcome it

Communication tools helped most companies survive the pandemic.

If it weren't for Zoom, Office Teams, email and beyond, many people would've struggled to connect with their co-workers. And many companies may have been held back.

But just because we had technology to communicate doesn't mean we communicated better than we previously did.

"One of the fundamental components to successful teamwork is communication," says Clint Padgett, president and CEO of Project Success Inc. and author of *How Teams Triumph: Managing By Commitment*. "Communication and conversation aren't the same thing."

To overcome pandemic-related communication failures:

### Recognize technology limits

Technology is good to exchange information. But when people use as few words as possible to convey important information, they create unclear messages.

To communicate better electronically, think before you send: If you received the text or email you've composed, would you understand the content without more explanation?

### Make 2-way the priority

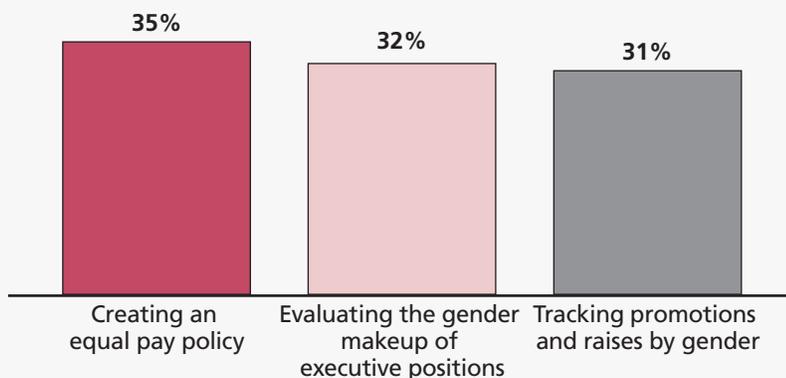
Make asynchronous communication the priority.

Text or email to confirm information before or after real conversations. Make decisions and map out plans during face-to-face chats.

If you can't meet personally with others, meet over video. It has limitations, but it allows a more genuine conversation.

## Workforce equity

### What is your firm doing to correct imbalances in the workforce?



Source: Q2 2021 *Adapting for Tomorrow*, Gallagher Better Works Insights Report

The pandemic caused workforce imbalances. In addition to the above, companies are reassessing performance criteria to ensure they're attainable.

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# WHAT WORKED FOR OTHER COMPANIES

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**O**ur 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 Help employees who hit 'pandemic wall'

At the height of the pandemic, we knew some employees were hitting the "pandemic wall" – that feeling of complete exhaustion and inability or lack of desire to go forward.

It's similar to marathoners who hit the Runners Wall – when they feel like they can't go on to finish the race.

We wanted to proactively help our team push through the wall and regain their desire to be productive.

There's no question the pandemic has been stressful to employees. In

fact, we heard 70% of employees call this period in their lives the most stressful *ever*.

It was only heightened by the stress-reducing opportunities they missed – such as hanging out with co-workers, structured workdays and social norms.

### Opportunity to open up

To help them out, we looked for symptoms of burnout – such as performance issues, missed deadlines, tardiness and abrasive behavior.

If we recognized an employee was struggling,

we'd ask, "We've noticed X, Y and Z. Is there anything you want to talk about?"

That alone gave employees opportunities to open up. Then they could explore ways to overcome the wall either with their manager or with someone else.

If necessary, we'd remind employees of resources we had to help them deal with stress and improve their well-being.

*(Terri Patterson, Principal, Control Risks, Washington, DC)*

**REAL  
PROBLEMS  
REAL  
SOLUTIONS**

## 2 Regular manager calls key to tracking leave

A lot of our employees needed to take FMLA leave during the past year.

Making sure they were compensated correctly became tricky when the manager in charge of tracking that leave started working remotely.

Not being able to just walk over to her desk and ask for the latest leave data became a big disadvantage.

Even if I had incomplete or out of date FMLA information when it was

time to run payroll, I had no choice but to go with the information I had.

Not paying our people accurately while they've stepped away from work to get care or care for a family member can have a negative impact.

### Persistence pays off

The manager needed a reminder of when my deadlines were and how important it was for me to enter our people's leave time the right way in the system.

Fortunately, her phone contact information is up to date in our system and all it took was a couple of

calls to connect with her and fix what needed to be fixed.

By the next pay period, all discrepancies were reconciled.

We established a call routine based on our payroll schedule and the manager now has a good idea when I'm going to call.

*(Allen Abiva, HR and payroll supervisor, Progress Foundation, San Francisco)*

## 3 Tapped various sources to learn new HR role

When the vice-president of our organization retired, I was appointed to take on her HR responsibilities. There was a lot to learn.

We had somebody on staff to assist me with payroll, but there were still a lot of little things in my new role that were unfamiliar.

### Frame of reference

When I came across something I wasn't sure about, one of the first

places I'd go to research it was a government website, like the DOL's ([dol.gov](http://dol.gov)).

For example, the DOL site helped me figure out if we were using the most current forms for onboarding our new employees, like Forms W-4 and I-9.

When it comes to mastering things I don't already know from my education and experience, our former VP said I could call or email her any time.

Although she's officially retired, she'll come into the office to help me

out if I really get stuck.

She even connected me with an email peer group for HR pros in our industry at companies the same size as ours. The group has been a supportive source of information.

Thanks to these resources, I have a much better handle on what to do with important employment paperwork and how to answer our employees' benefits questions, than I did a few months ago.

*(Carla Rake, operations center specialist, Farmers & Merchants Union Bank, Columbus, WI)*

## HEALTH & SAFETY

### Easing staff's return-to-work anxiety

The time has finally come to start bringing employees back into the workplace. After a year plus of working from home, many are eager to get out of the house and see their colleagues in person again.

But for many others, returning to a traditional work setup after enduring the trauma of the pandemic is overwhelming and anxiety-inducing.

It's not going to be a seamless transition, and it's up to Benefits pros to help support their employees during this time.

#### 4 effective strategies

Here are four transition tips from behavioral health director Dr. Nikole Benders-Hadi.

1. **Reassure your staff.** COVID-19 brought about a lot of drastic changes, and returning to work can feel the same way. It's crucial to acknowledge the uncertainty of this time period and not behave as if everything is back to normal now.

Let your people know it's OK to be nervous, and encourage them to speak openly about their concerns. It's a good idea to regularly do one-on-one check-ins with your employees to discuss and address concerns.

2. **Realize everyone is unique.** There's not a one-size-fits-all approach that'll work in this situation. Everyone will have different concerns and priorities about returning to work. Some may be concerned about the commute, some might be worried about childcare, and others will have personal safety concerns.

It's crucial to help your workers avoid unnecessary stress with the transition. One big thing that can help is offering flexible schedules.

And while every employee has unique needs, the company should have an overarching return-to-work plan that has been communicated to the employees.

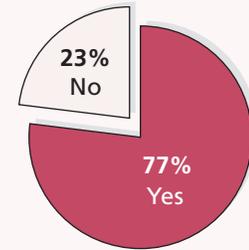
3. **Encourage self-care.** While working from home, employees may have felt more freedom to get up and take breaks. In the office, it's easy for people to get wrapped up in their work and not leave their desks all day.

Remind workers to get away every once in a while, even if it's just for five or 10 minutes. Getting outside for a walk or going somewhere quiet to meditate can be a great stress reliever.

4. **Normalize discussing mental health.** Talk to senior leadership about implementing mental health

## Workplace technology

Does the outdated technology you use at work frustrate you?



Source: *The Frustrations Today's Office Workers Have With Workplace Technology* by paycom

In addition, 67% said they'd take a pay cut just to work on technology two times better than what they have now. Advertising state-of-the-art technology as a benefit may be a way to win over top job candidates.

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

support, like scheduling mental health days throughout the year and adding benefits like therapy and counseling to health plans.

Mental health struggles can be a taboo subject, but if employees see the company actively supporting them, they won't feel as much of a stigma around admitting they need help.

Info: [bit.ly/anxiety630](https://bit.ly/anxiety630)

## SHARPEN YOUR JUDGMENT – THE DECISION

(See case on Page 2.)

No. The court said Lilly could take her case to trial.

The facility's lawyer argued they legitimately fired Lilly based on their "honest belief" she made critical mistakes that showed terrible judgment and warranted termination.

However, Lilly submitted expert testimony that she acted in accordance with nursing standards and that a reasonable medical practice wouldn't have relied on those incidents to terminate her.

She also raised factual questions over whether these incidents were the real reason she was fired. Case in point: After the facility decided to fire her, another nurse emailed her co-workers that the facility was firing Lilly because of her impaired vision. And, the nurse admitted she wrote the email at the direction of the owner who played a key role

in Lilly's termination. In addition, this occurred in a context in which the physician felt concerned enough about her vision to discuss it in her job evaluations and at the meeting during which they decided to fire her.

Under the 2008 amendments to the ADA, to establish that the facility regarded her as disabled, Lilly had to show only that the practice believed she had a "physical or mental impairment" as defined in the regulations, which the court ruled she did.

### Analysis: Document reasons for firing

This facility got itself in trouble because there was documentation to prove they were concerned about Lilly's vision and her ability to do her job – evidence they perceived her as disabled. Remember, documentation can help you or hurt you. Know the law and follow it explicitly.

**Cite:** *Babb v. Maryville Anesthesiologists P.C., No. 19-5148 (6th Cir. 11/6/19). Dramatized for effect.*

## Explored virtual solutions for managing employee health care

### ■ Augmented existing health benefits to control costs

With reopening on everyone's minds, we needed to think about how we were going to take care of our people as they transitioned back to regular work styles.

We hosted a virtual health fair and found our employees were looking for new opportunities, such as lifestyle adjustments and new health habits.

As a result, one of our new organizational goals was to ensure our employees and their families have solutions that address multiple aspects of health and wellness.

But we needed a partner with an engaging platform that's easy to access on mobile devices.

#### What we needed most

The pandemic revealed that many pieces of health care can be done via the Web and apps while maintaining clinical quality, providing convenient and accessible care for all employees.

The virtual health fair helped us identify a need to focus on mental health and diabetes management.

We looked around at what different health vendors were doing with cost

**Mental health is an important element for condition management.**

effective virtual care in these areas and found one that checked off all the boxes.

#### Diabetes management

The partner we chose examined claims data from our insurance carrier,

identified our diabetic population and sent them free blood glucose monitors and test strips.

Since introducing a virtual diabetes management solution with personalized digital coaching and intervention, and self-guided activities related to diet and exercise:

- 38% of eligible employees are enrolled, and
- 80% of those enrolled are actively monitoring their A1C.

Keeping these employees healthy keeps costs down, but must be coupled

with good mental health to improve ongoing condition management and adherence to care plans.

#### Enhanced wellbeing

Inspired by the response to the diabetes program, and feedback during our virtual health fair that our

people would use a mental health app, we invested in a low-cost group subscription from the same vendor.

The app got valuable results:

- 33% of all employees reported improved wellbeing
- 30% said they're getting better sleep, and
- 21% are having less anxiety and stress.

A top priority for HR pros right now is evaluating 2022 benefits offerings. The time is right to explore virtual health solutions that address the specific needs of your workforce.

*(Gina San Giovanni, supervisor of benefits and HR services, AAA Northeast, as presented during the webinar "Taking Control of High Cost Care with a Whole-Person Approach")*

#### Case Study:

**WHAT WORKED, WHAT DIDN'T**

### TEST YOUR KNOWLEDGE

#### ■ Applying FLSA after the pandemic: What not to do

Interpreting the FLSA and how it applies to the workplace has presented many challenges, even for seasoned Benefits pros. Now, throw a pandemic into the mix and you have even more to contend with.

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

1. With the shortage of workers right now, many supervisors are having to perform non-exempt job duties, but employers don't have to worry about that.
2. If you reduced employees' hours or salaries during the pandemic to save costs, it can create overtime exemption problems.
3. Firms that sent non-exempt employees home to work could run into trouble if they instituted automatic lunch break deductions from employees' work hours.

### ANSWERS

#### ■ Answers to the quiz

1. *False.* While there's no percentage of non-exempt job duties an exempt employee can do, if it becomes their primary duties then they would probably be eligible for overtime pay. To be exempt, an employee must earn \$684 per week AND perform duties that fall within the criteria for an executive, administrative or professional employee. Note: Exemption is not based on job titles, but job duties.
2. *True.* While you can reduce an exempt employee's salary due to COVID-19, it can't fall below the \$684-per-week threshold. A salary reduction that's tied to hours may be seen as an hourly rate of pay.
3. *True.* It could lead to wage and hour lawsuits because employers are required to pay non-exempt workers for all hours worked.

Info: [bit.ly/FLSA630](http://bit.ly/FLSA630)

## More states have bailed on fed's unemployment pay

In our June 14, 2021 issue, we identified 21 states that were opting out early from the federal unemployment payments under The Coronavirus Aid, Relief and Economic Security (CARES) Act – expiring Sept. 6.

Here's another four states to add to the list:

- New Hampshire and North Dakota opted out June 19, 2021
- Florida ended it for their residents June 26, 2021, and
- Maryland stopped participating July 3, 2021.

While Hawaii isn't opting out, it is requiring unemployed residents to *prove* they're looking for jobs.

Colorado and Connecticut aren't leaving either, but in their cases they're incentivizing the unemployed in their states by offering new-job bonuses.

Arizona, Montana, New Hampshire and Oklahoma are also offering financial incentives for unemployed residents to find work.

Note: According to the DOL, people can be denied unemployment benefits, if they turn down a suitable job.

Info: [bit.ly/Priorities630](https://bit.ly/Priorities630)

## Retirement benefits: DOL offers cybersecurity tips

The DOL's Employee Benefits Security Administration for the first time released cybersecurity tips to protect workers' retirement benefits.

Here are six of the 12 best practices:

1. Create a formal, well-documented cybersecurity program
2. Perform annual risk assessments
3. Use an independent auditor to examine security controls
4. Assign and define specific security roles and responsibilities
5. Implement strong access control procedures
6. Subject data stored in a cloud or managed by a third party service provider to security reviews and independent security assessments

Go to [bit.ly/Cybersecurity630](https://bit.ly/Cybersecurity630) to view the complete list.

## DOL outlines Biden-Harris regulatory agenda

The Biden-Harris administration's Spring 2021 regulatory agenda looks to ensure the well-being of employees.

During the coming one-year period, the DOL will review regs based on the Biden-Harris Administration's priorities (economic relief, wages, climate change and racial equity).

Some of the regs include:

- **Increasing the minimum wage for federal contractors.** This will increase the hourly minimum wage rate paid by firms that contract with the federal government to \$15.
- **Fairness for workers who rely on tips.** Its purpose is to address the economic security of tipped workers, and
- **Modernizing the Davis-Bacon and related acts** regs that requires employers to pay laborers and mechanics on federal construction contracts locally prevailing wages and fringe benefits.

Info: [bit.ly/Priorities630](https://bit.ly/Priorities630)

## What does new CDC mask guidance mean for firms?

The CDC recently announced fully vaccinated people no longer need to wear a mask. Does this mean you can apply the same rule at you workplace?

It's probably not a good idea, because the guidance came with a few caveats. So don't get rid of your mask mandates, advised David Barron of the firm Cozen O'Connor.

This new guidance doesn't supersede federal, state and local regulations, and business policies fall under that umbrella. Employers may be eager to get rid of mask policies, but it's important to remember the CDC isn't the "ultimate authority" for employers – OSHA is. And OSHA still hasn't announced updated guidance.

For now, it's always best to err on the side of caution.

Info: [bit.ly/MaskWearing630](https://bit.ly/MaskWearing630)

## HOT APPS & WEBSITES

### ■ Site explains health benefits

You have a lot on your plate with making sure your employees understand their health benefits. The DOL offers some help with its Health Benefits Advisor.

Click: [bit.ly/HealthBenefits630](https://bit.ly/HealthBenefits630)

### ■ Answers to Social Security ???

Employees probably come to you with all sorts of questions. When they have social security questions, send them to Social Security Matters for everything they'd want to know.

Click: [bit.ly/SSMatters630](https://bit.ly/SSMatters630)

### ■ Your fiduciary responsibilities

How well do you know your company's responsibilities as a 401(k) fiduciary? Find out by perusing Guideline's website.

Click: [bit.ly/Fiduciary630](https://bit.ly/Fiduciary630)

If you have a benefits-related question, email it to Renee Cocchi at: [rcocchi@HRMorning.com](mailto:rcocchi@HRMorning.com)

## LIGHTER SIDE

### ■ Professional hazard: Gotta love the people you meet

As a Benefits manager, you wear a lot of hats. And you're probably a people person, which is good since you get to meet all kinds of people, even:

- the woman who insisted her pregnancy was workers' comp eligible because she got pregnant on the premises
- the person who complained about there being too much static electricity in the office, even though he wore nylon track pants that generated static electricity, and
- the guy who had to have his keys taken away because he was too drunk to drive himself to his drug test to prove he hadn't been drinking.

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