# ONE VOICE

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STATE COUNCIL OF SHRM

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QUARTERLY NEWS FROM THE CALIFORNIA STATE COUNCIL OF SHRM
AUGUST 2020

# ONE

# VOICE
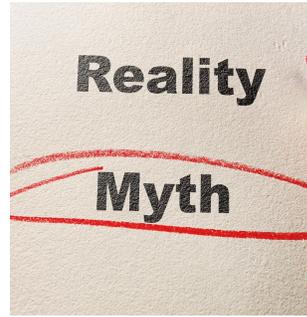
WHAT'S INSIDE THIS ISSUE

GET SOCIAL WITH CALSHRM:

# THE ONLY CONSTANT IN LIFE IS CHANGE

How many times have we said that to ourselves or to others. It is often a dismissive statement without a great deal of fact or emotion. In fact, it is usually a "throw away" statement to someone who is worrying too much or thinking about things out of their control.

Unfortunately, it has become reality for many of us in unintended yet very profound ways. In a matter of months, the topic of bias, discrimination, and inclusion has moved from a water cooler topic to a top of mind media and leadership issue. We have seen the often talked about work from home situation move from a discussion to reality. And finally, some of us have had to face unemployment for the first time in our career, not because we did anything wrong, but because the organizations we work for have just simply run out of operating capital.

Here at CalSHRM we talk about the power of education and information. We work to bring together some of the brightest minds on topics that are central to the Human Resources agenda.

Through our affiliate chapters and SHRM National we strive to speak as one voice bringing the "Better Workplaces, Better World" statement to life.

But this only happens when individuals get involved, take a stance, or advocate for those in less fortunate situations. This is why continually educating yourself through webinars and credential programs are now more important than ever. Being involved in your local chapter is essential to our profession and to our positive state of mind.

So when you say to yourself, "I can't take on one more project, or I don't have time to volunteer", think about the people in your career and life who took the time to help mentor, educate and advocate for you and think about how you can do the same.

To find a local chapter in your area please go to the CalSHRM website at: https://www.calshrm.org

California has 16 local chapters and one HR Community in the state.

**David Swanson**
CalSHRM State Director Elect
*David has over 30 years of progressive and innovative experience related to Human Resources, Small Business and Eduction. David curretnly serves as the HR Department Chair for the University of California Extension.*

## CALSHRM IN THE NEWS

The Society for Human Resource Management, has awarded CalSHRM the **2019 Gold Excel Award.** This award recognizes outstanding achievements in chapter operations and a commitment to providing meaningful programs and services to your HR professionals in the state of California. It also is recognition of CalSHRM's continued growth and development as a business leader, capable of developing strategies that lead to business success!
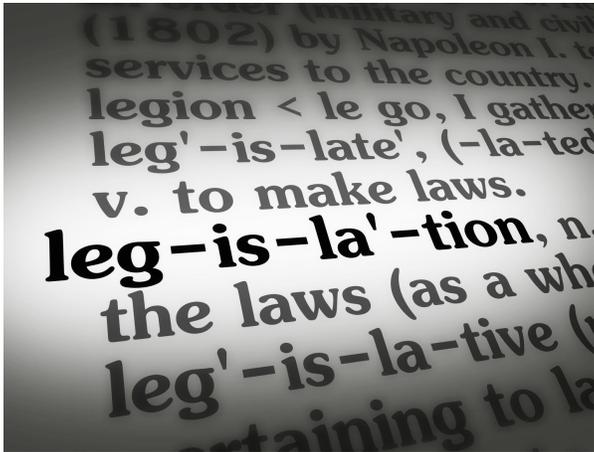
# Halfway Through the 2020 Legislative Session

## MICHAEL KALT

### CALSHRM GOVERNMENT AFFAIRS DIRECTOR

The 2020 legislative session has clearly been one for the record books, due not only to the pandemic and the (multiple) resulting recesses, but also the almost complete reorientation of items on the Legislature's agenda.  As of this print deadline, the Legislature had briefly returned from a seven-week pandemic-induced recess before re-adjourning for the summer recess, which has now been extended until at least July 27th.

However, the arrival of summer means the mid-point of the 2020 Legislative Session, with most bills moving from the first legislative chamber to the second before the brief legislative recess.  Not surprisingly, there are a number of significant employment bills, including many dealing with COVID-19 issues, which have continued to advance. These include bills that would:

- Amend California's "family and medical leave" law (CFRA) and Paid Sick Leave  to allow time off for public health emergencies or states of emergency (AB 3216);
- Expand the CFRA to apply to employers with five or more employees and expand the family members for whom leave could be taken due to a serious medical condition (SB 1383);
- Expand workers' compensation coverage, including to presume employees who contract COVID-19 are covered (AB 664/SB 1159/AB 196);
- Amend AB 5, including expanding the exempted professional services and industries (AB 1850/AB 2257);
- Enact new telecommuting rules, including regarding meal/rest periods, notice requirements and reimbursements (AB 1492);
- Require employers to notify public agencies and co-workers following a COVID-19 exposure (AB 685);
- Require larger employers to annually submit "pay data reports" to the DFEH (SB 973);
- Require California corporations to have directors from "underrepresented communities" (AB 979);
- Require employers provide 10 days of bereavement leave (AB 2999);Add human resources professionals and supervisors to the list of "mandated reporters" for child abuse purposes (AB 1963);
- Extend for an additional year the "employment" exemptions from the California Consumer Privacy Act (AB 1281); and
- Impose new notice requirements for H2-A employers related to emergency or disaster declarations (SB 1102).

Looking ahead, the Legislature is presently expected to return on or about July 27th and then work to pass bills before the August 31st deadline to send them to Governor Gavin Newsom.  And when it does, the CalSHRM Legislative Committee has already met and identified the various bills mentioned above that it intends to provide the much-needed "HR Voice" into, consistent with its goal of developing effective workplace policies that balance the needs of both employees and employer.  Stay tuned for updates on these efforts and how you may help.

In the interim, the CalSHRM July Legislative Report is presently available on the CalSHRM website (www.CalSHRM.org) or at https://tinyurl.com/ydb7hjr2   detailing the contents and status of all employment-related bills we are presently tracking.

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# THE 5 UPSKILLING AND RESKILLING MYTHS THAT HOLD COMPANIES BACK

## BY JEANNE SCHAD, TALENT SOLUTIONS & STRATEGY PRACTICE LEADER AT RANDSTAD RISESMART

While skilling is big news in our current climate, many human capital leaders are struggling with how to implement and enforce an effective skilling strategy. PwC's 2020 Annual Global CEO Survey revealed that only 17% of US CEOs felt their upskilling programs were 'very effective' in accelerating digital transformation. Where are the disconnects? As we work with customers to upskill and reskill their workforces, we find that the world of adult learning is changing quickly. Companies can mistakenly structure their reskilling and upskilling plans based on myths and outdated information.
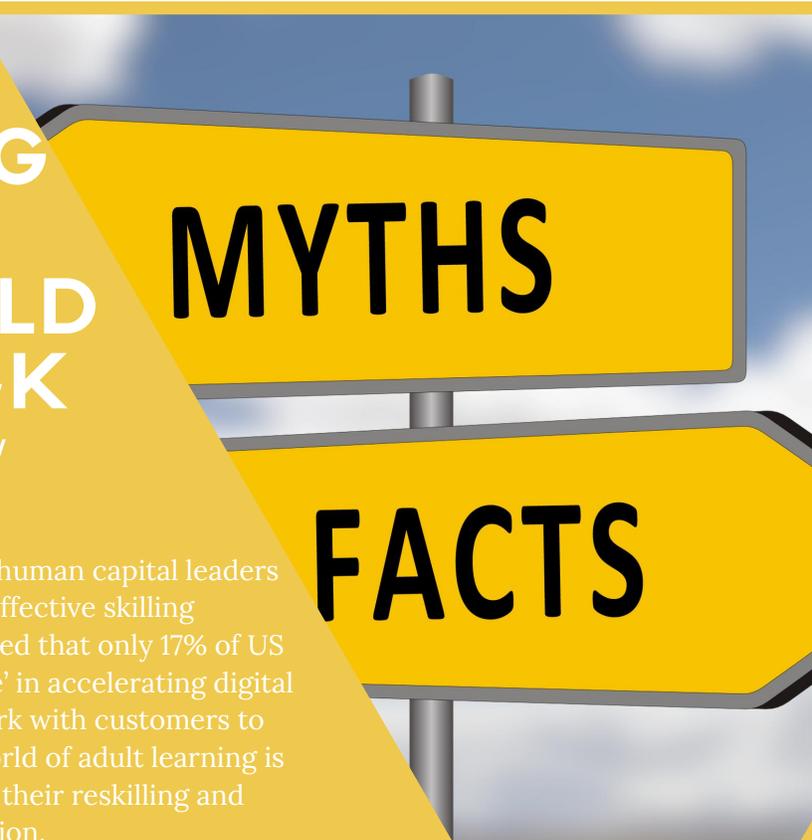
## MYTH #1: LEARNING MUST TAKE PLACE IN-PERSON TO BE EFFECTIVE

Many L&D leaders have fought this myth internally as their organizations preferred traditional in-person learning; but, you can design engaging learning programs without much adaptation.

In a recent Harvard Business Review article, INSEAD professors Annie Peshkam and Gianpiero Petriglieri explain that online learning is more than "setting up a Zoom account and continuing business as usual." Research supports two means of learning – cognitive and socio-emotional.

"Cognitive learning has us focusing on information and skills. Too often, when people think about learning remotely, they're only thinking about how to facilitate cognitive learning. The second way we learn is socio-emotional. We learn how we – and others – feel and think about the new situation we are in, and how to manage those thoughts and feelings." Companies under stress often revert to cognitive learning, even though socio-emotional learning is where the focus should be as we adapt to "radically different circumstances."

## MYTH #2: LEARNING HAPPENS ONLY THROUGH FORMAL COURSES

We have seen this myth disproved when our customers encourage their employees to participate in dynamic teams or internal gigs, which are a popular means of on-the-job learning. Trying new things at work can give employees some of the best upskilling and reskilling learning available, as proven by the traditional 70/20/10 model.

## MYTH #3: PROVIDING EMPLOYEES WITH OPTIONS IS GOOD

Most companies have supplied their employees with tens of thousands of courses for upskilling and reskilling. Yet, most organizations we work with say their utilization of these tools is downright abysmal. What's going on? Too much choice. Employees can benefit from having a knowledgeable guide sift through the courses available and choose those that meet their learning objectives and are best-suited to the employee's learning style and time frame.

# THE 5 UPSKILLING AND RESKILLING MYTHS CONT.

## MYTH #4: ACCESS TO COURSES ALONE IS ALL EMPLOYEES NEED

Technology alone doesn't solve upskilling and reskilling. People need personal guidance to develop a strategic learning roadmap. The best learning plan may include experiential learning and other avenues, such as webinars, certification programs or formal degree programs. Without this guidance from career and learning professionals, employees are likely to be overwhelmed, which typically leads to inaction, sub-optimal skills development and a loss of motivation.

## MYTH #5: COMPANIES CAN ONLY AFFORD TO PROVIDE UPSKILLING AND RESKILLING TO THEIR HIGH POTENTIALS

This may have been true back in the days when in-person learning was a company's only option and it had to be selective in deciding who participates.

The modern organization looks to a combination of high-tech and high-touch services to scale learning across the company. Through efficiencies in technology, companies like RiseSmart have made high-touch services such as career coaching more accessible and scalable. When combined with online learning tools, this approach can provide an inclusive and affordable upskilling and reskilling solution that allows the 'hidden gems' in the organization to emerge.

Editors note: This article has been excerpted from a longer article that recently appeared on Randstad RiseSmart's blog. You may read the entire article here.

Randstad is the global leader in HR services. By combining our passion for people with the power of today's intelligent machines, we support people and organizations in realizing their true potential. We call this Human Forward.

## FINGER ON THE PULSE

Randstad's extensive research, trends analysis, and uniquely global perspective allow RiseSmart to design services and technology that deliver a bigger impact and provide more value for enterprises of all sizes.

## THE ENTIRE TALENT LIFE CYCLE

In collaboration with all the members of the Randstad family, we are able to offer solutions for the full talent continuum. From employer branding to candidate attraction, staffing and recruitment to outsourcing and outplacement, we have the human services and the technology to meet the needs of organizations of all sizes in every location around the world.

For more info go to:
https://www.randstadrisesmart.com/

# UNLOCK YOUR KEYS TO SUCCESS

## CALSHRM EDUCATION UPDATE

CalSHRM is proud to be a <u>SHRM-CP and SHRM-SCP Certification and Re-Certification</u> provider. But were you aware that CalSHRM also provides virtual training on a variety of speciality programs such as:

- <u>California Law</u>
- <u>Inclusive Workplace Culture</u>
- <u>HR Department of One</u>
- <u>People Analytics</u>
- <u>Talent Acquisition</u>

Become an expert.  Start your journey today with CalSHRM.

# CALIFORNIA CHAPTERS GO VIRTUAL

## LOOKING FOR A HR CONFERENCE?  LOOK NO FURTHER THAN YOU LAPTOP

As we continue to social distance and avoid large group gatherings many of our favorite events have been postponed or cancelled.  But with adversity and change comes innovation and creativity.  Many chapters across the state have taken their conferences on-line and are filling the void for much needed career and personal development.  Check out one of the conferences below, by clicking the image, or visit the <u>CalSHRM website</u> for all chapter activities.
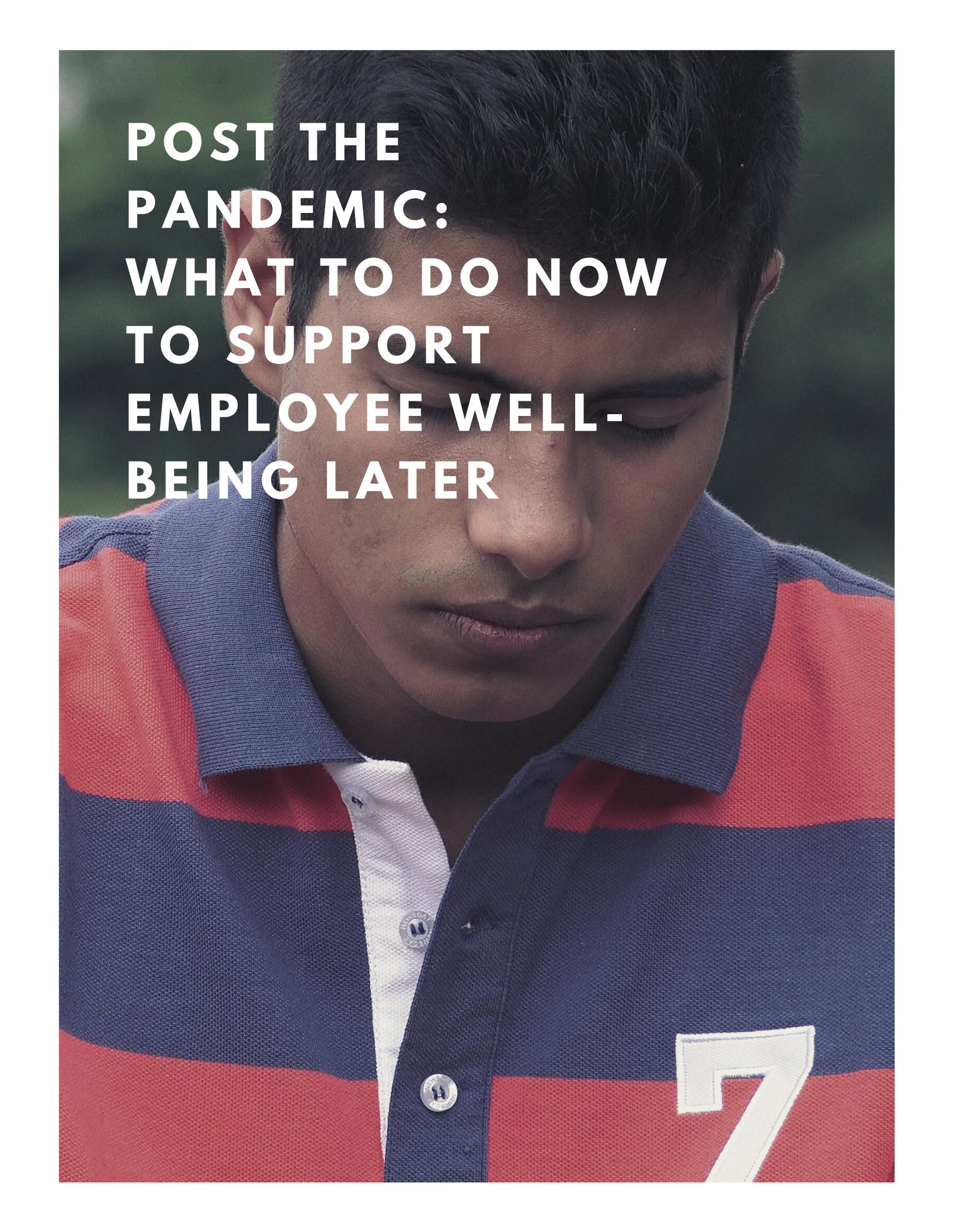
# POST THE PANDEMIC: WHAT TO DO NOW TO SUPPORT EMPLOYEE WELL-BEING LATER

# WHAT TO DO NOW TO SUPPORT EMPLOYEE WELL-BEING LATER

## BY: JOSEPH E. HENEHAN, PRESIDENT AND CEO, THE HENEHAN COMPANY

"Oh, the Humanity," cried out Herbert Morrison in his 1937 radio broadcast as he witnessed the Hindenburg airship disaster in Lakehurst, New Jersey.

We are witnessing such a moment today, though a million times more tragic and many thousand times more deadly. Much like first responders, HR professionals are at the frontlines of this pandemic, working through unknowns to help fearful, sick,

### EMPLOYEE ASSISTANCE PLANS

You may know that an "employer-sponsored employee assistance plan (EAP) is a work-based intervention program designed to identify and assist employees in resolving personal problems that may be adversely affecting their performance at work, such as marital, financial or emotional problems; family issues; or substance or alcohol abuse," states SHRM.



## ASK YOURSELF: "WHAT BENEFITS DO WE OFFER NOW? WHAT SHOULD WE OFFER TO IMPROVE OUR EMPLOYEES' WELL-BEING?"

furloughed, and terminated employees and their families. Could this fearsome time be a blessing in disguise?

We're in the business of protecting lives. That's why we remain deeply concerned about the sufficiency of employee benefits across large, medium, and small-sized employers. An opportunity exists at this moment to review and reposition your company's plans going forward.

Once America rises out of this malaise, employees will need intensified support to return to normal, especially the New Normal. We recommend you consider—at a minimum—three core areas for review: employee assistance plans, voluntary benefit plans, and life insurance coverage.

Ask yourself: "What benefits do we offer now? What should we offer to improve our employees' well-being?"

The U.S. Department of Labor concludes that EAPs have proven to contribute to:

- Decreased absenteeism
- Reduced accidents and fewer workers' comp claims
- Greater employee retention
- Fewer labor disputes
- Significantly reduced medical costs arising from early identification and treatment of individual mental health and substance use issues

Nearly half of surveyed companies have either enhanced their EAP services within the last two years or changed EAP vendors to provide a more robust offering, according to a 2019 survey by Mercer. More than 97 percent of large American companies offer EAPs, and 75-80 percent of medium-sized and smaller companies provide EAP services to their employees.

# EMPLOYEE WELL-BEING CONT.

However, there's a large hole in these plans which inhibits success.

Despite low or no cost for EAPs, only seven percent of North American employees even use them. Why?
Employees do not know they exist or do not understand how to take advantage of their benefits. Communication is critical. Given the fierce workloads of most HR professionals, we know the challenge. And, without an enterprising EAP vendor, utilization will linger in single digits.

### VOLUNTARY BENEFITS PLAN

These employee-paid plans cover a wide range of benefits and may include life-dental-vision insurance, disability, critical illness, and accident insurance. Some plans stretch to include identity theft protection, travel insurance, mortgage protection insurance, and medical insurance for pets.

Many employers turn to outside benefit provider-experts to assess workforce needs and build an effective plan. With their plans, employers further support employee well-being without added costs on the P&L. The right time to install these plans would have been before the pandemic. But the time is now to evaluate these benefits as we move toward a healthier future.

### SUFFICIENT LIFE INSURANCE

Do your employees have access to life insurance, either in a group plan or as a voluntary benefit? Conventional wisdom claims the calculus for enough life insurance coverage is 10-15 times the policyholder's income.

However, employers must consider the individual's financial circumstances. It is essential to speak with licensed professionals or a brokerage firm with group-buying power and well-established relationships with top-rated carriers. In this way, you can keep your costs under control.

Group life insurance offers a simple yet effective benefit to your larger employee benefits plan. All employees qualify, coverage is guaranteed, and the employer pays for and owns the policy.

Also, you could supplement a lower-coverage group policy with higher-coverage individual policies, which are portable when employees depart for other employment.

### "THE ONLY CONSTANT IN LIFE IS CHANGE"

When you first read this bold axion, how did you react? Most people hate change. Unless we anticipate it, prepare for it, and accept it. While COVID-19 is a cruel changemaker, there will be others. That's why now is the time to rethink and reposition your benefits packages. Be prepared for the unexpected.

*Founder*, **Joe Henehan**, *possesses the heart of an educator, sharing a deep understanding of protection strategies, provider practices, and product applications. Joe holds the Chartered Financial Consultant and Chartered Life Underwriter designations.*

*The Henehan Company, financial and insurance services.*

*CA License # 0691096. Company founded in 1985 in San Bernardino, CA, with offices in New York City.*

### MOST COMMON BENEFITS IN THE US

1. Health Care
2. Paid Time Off
3. Dental
4. Retirement Savings Plans
5. Vision Care

*Robert Half 12/5/2019*

# Looking at D&I: One Step at a Time

## BY: GILBERT MANZANO, CALSHRM DIVERSITY & INCLUSION DIRECTOR

Coronavirus.  Racial tension.  Unemployment.  Stress.  Social distancing.  Wearing a mask.  Uncertainty.  Unconscious biases.  Working remotely.  These are just a few of the issues human resources professionals have been dealing with in the first half of 2020.  According to an article published by CNBC Make It on January 1, 2020, hiring experts expected a demand for diversity and inclusion (D&I) roles this year.  Based on the current climate we find ourselves in, that has increasingly become the case.  There has never been more opportunity to capitalize on D&I initiatives than now.  But where to start?  What if there is no budget for a D&I role?  How do you address all of the challenges above effectively while promoting the importance of self-care to employees and remembering to engage in it yourself?  Go at it one step at a time.

For now, and for the purposes of this article, let's begin by dropping the "D" from "D&I" and simply use the term "Inclusion." This just makes sense given the events we are currently witnessing.  As members of a profession committed to breaking down barriers in the workplace, this should be a given.  We have to shift our perspective to be thought leaders that recognize there are no check-box solutions like simply hiring a certain number of people of color. It's a start but it's not enough.  Someone shared this analogy with me that really resonated, "Don't just invite people to the dance but ask them to dance."  This allows them the opportunity to show off their dance skills, learn new styles, and to collectively have a good time.

At this moment, introspection is required. Start by assessing or auditing how your organization stacks up when it comes to inclusion.  Use the executive leadership profile as the starting point.  What does the organization look like from the top down?  Do pay disparities exist amongst different groups that warrant questioning?  Are opportunities for advancement afforded to people of color at the same rate of others within the organization?  Does the organization invest in the aging members of the workforce?

Remember, inclusion is an area that touches different areas of HR within an organization; talent acquisition, compensation, and employee development.  Examine your organization's practices in those areas.  We are responsible for how people get hired, what they get paid, what training is offered, how performance is evaluated and what the path to advancement looks like.  While it may be difficult to explore these areas, you must be willing to face reality.  Once you know what that is for your company, you must decide what and how to go about changing it no matter how large or small the change.

SHRM's "How to Develop a Diversity and Inclusion Initiative" page is a great resource.  It includes a diversity survey that can help you determine how employees view the company's position on D&I issues.  If you want to take the survey a step further, you may want to consider creating some questions that include inclusion (pun intended); such as, "What pronoun(s) do you prefer?" or "The company fosters a culture of inclusion in the following ways."  You have to be willing to encourage honest feedback, guarantee anonymity, accept the truth, and commit to taking any action that may be necessary to make improvements.

If your organization has already built the infrastructure for a D&I program, initiatives, and policies, then what else can you do?  Is there opportunity for them to evolve?  Are you fostering a culture in which employees are truly getting to know each other?  If your company has affinity, or employee resource groups (ERGs), do you ever bring them together for unified events rather than allowing them to segregate themselves?  What kind of community service is the organization involved in and does it strive toward being a more inclusive community?

# Looking at D & I: cont.

I am well aware that what I have written is loaded with questions.  That was intentional.  They are meant to stimulate reflection not only into our workplaces but into ourselves.  Do you and your company take a holistic approach to investing in your greatest asset?  Do the HR practices demonstrate that the company embraces the whole person, to the extent that each individual feels included?  Inclusion spans people of different cultures, religions, ideas, disability and veteran status, communication styles, gender identity, political views, sexual orientation, and beyond.

As you move forward with your plan(s), beware of solely focusing on one group.  Involve your people by creating committees.   And while the Supreme Court recently ruled that the Civil Rights Act of 1964 protects LGBTQ employees from discrimination based on sex, many still face challenges in the workplace.

I, as I'm sure many of you, have been doing a lot of reading to educate myself, raise my awareness, and figure out how to deal with all of the issues mentioned in the beginning of this piece.  This is a process, and there is no quick fix solution. Hopefully the resources provided throughout will help equip you with tools to assist in your vision for a better and more inclusive workplace by addressing implicit biases and combating racism and other inequities.

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# SHRM Launches New Initiative to Help Achieve Racial Equity
## BY KATHY GURCHIEK

On August 3rd, the Society for Human Resource Management (SHRM) launched Together Forward @Work, a new multipronged initiative to eliminate racial inequality from the workplace. The global HR organization also released a new research report, The Journey to Equity and Inclusion, and a television commercial to call attention to social injustice and racism at work.

"Our vision for this is a multifaceted and cross-functional platform that is bold in its accountabilities and leverages resources within and outside of SHRM. We begin with an initial focus on the specific racial injustices for Black Americans in the workplace," said SHRM President and CEO Johnny C. Taylor, Jr., SHRM-SCP.

"We have the ability—and the obligation—to use our professional expertise in solving a significant workplace equity crisis in America," Taylor said. "While some workplaces excel in this area, we can all be bold in broadening our commitments; calling for accountabilities; and creating real, measurable and lasting impact. In this substantial way, we demonstrate the power of HR and elevate perceptions of the value we bring to the organizations we serve."

(To read the article in entirety, or to access tools such as conversation starters please follow this link for additional information.)

# Preventing and Responding to COVID-19 Transmission in the Workplace

Businesses across the country are struggling with how to reopen and run their businesses safely. Additionally, many industry experts anticipate that Cal/OSHA will begin increasing enforcement relating to COVID-19 in the near future.

## BY: JAMIE M. BOSSUAT, SHAREHOLDER, KROLOFF, BELCHER, SMART, PERRY & CHRISTOPHERSON, A PROFESSIONAL LAW CORPORATION

**COVID-19 Site Plans**

Every workplace is required to have a COVID-19 specific site plan. Every workplace is different and there is no one-size-fits-all site plan. Fortunately, there are many resources available to help employers assess what modifications could be put in place to prevent the spread of COVID-19. California's COVID-19 website, covid.19.ca.gov, includes individual guidance for 29 industries. Additionally, California recently issued the "Employer Playbook for a Safe Reopening," which is applicable to all industries.

All employers are advised to take the following steps:

1. Review your existing Illness and Injury Prevention Plan (IIPP) and ensure it is up-to-date for your workplace.
2. Perform a detailed risk assessment in your workplace regarding potential transmission of COVID-19 and prepare a worksite specific plan to supplement your IIPP.
3. Train your employees to reduce the spread of COVID-19 and on the new procedures.
4. Implement your identified control measures, physical distancing rules, and face covering requirements.
5. Put cleaning and disinfection protocols in place.
6. Post safety information and other signage

Also, it is important that businesses continually assess the effectiveness of their plan, ensure employees are complying, and revise protocols when necessary.
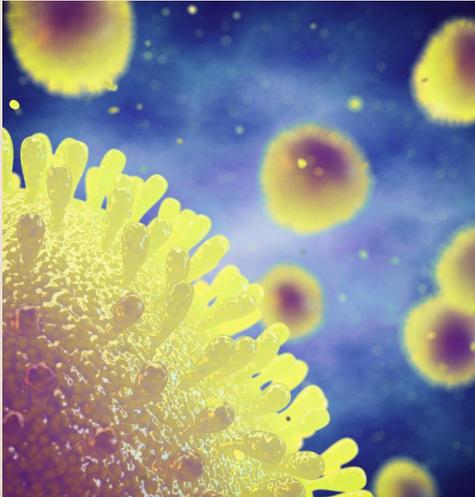
**Response to a COVID-19 Infection**

Employers are advised to take the following steps if they have an employee who tests positive or exhibits COVID-19 symptoms:

- Isolate the employee with the confirmed or suspected illness.

# Preventing and Responding to COVID-19 Transmission in the Workplace cont.



• Identify and isolate any employees or customers who were in "close contact" with the infected employee. "Close contact" is currently defined by the CDC as "any individual who was within 6 feet of an infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to positive specimen collection) until the time the patient is isolated."

• Clean and disinfect your workplace by following current CDC guidance.

• Allow infected or exposed employees to return to work after being cleared by a medical professional or health official or in accordance with current CDC guidance for ending isolation.

• Employees in home isolation should be asked to report to the employer if they develop symptoms, are awaiting test results, or have been diagnosed with COVID-19.

When notifying employees of a potential exposure, employers must:·
- Protect the identity of the infected employee to ensure compliance with privacy laws;
-  Gather enough information to determine whether the illness was "work-related" as defined in Cal/OSHA's regulations; and
- Evaluate whether the illness must be reported to either their local health department and/or Cal/OSHA.

As the COVID-19 pandemic continues, recommendations for workplaces will continue to change.  Employers should stay up to date with state and local orders and requirements and be prepared to update their COVID-19 response in order to continue to provide a safe and healthy workplace for their employees.