

# HR Trends in Compliance and Culture

Presented by:



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## INTRODUCTION



# Candace Anderson

Managing Consultant, Certified Diversity Practitioner

Candace's core specialties consist of employee relations, retention strategy, talent development, diversity, equity, inclusion, access, and belonging, organizational design, workplace culture, leadership and team development, change management, performance management, compensation and benefits, policy, process and systems design, human capital strategy development and alignment, and legal and regulatory compliance.

## INTRODUCTION



# Gabriela Norton

Founder, President & CEO

Gabriela's areas of focus include operational excellence, executive and board level decision-making, bilingual/bicultural expertise, board governance support, CEO succession planning, human capital analysis, executive coaching, re-inventing performance management methodologies, executive compensation, diversity, equity, belonging and acceptance, strategic planning and development, change management, employment compliance, organizational enhancement, executive searches, and more.

## People Performance Resources



- A Human Capital Solutions Firm
- Dedicated to Inspiring Excellent Workplaces
- Specializes in Strategic HR Consulting, Compensation Architecture, Leadership Development, Compliance, and all that falls under “people”

# Topics of Discussion

1

## Latest in Compliance

- Non-Competes
- Overtime Rule
- Independent Contractors
- Pregnant Workers Act

2

## Dynamics of Culture

- Burnout
- Sustainable Agility
- Employee Experience and Engagement
- Upskilling and Reskilling

# Latest in Compliance

1 Non-Competes

2 Overtime Rule

3 Independent Contractors

4 Pregnant Workers Act

## Latest in Compliance

# Federal Trade Commission's(FTC) Ban on Non-Competes Laws

- The FTC rule has been vacated nation wide.
- Non-Compete Agreements are still valid according to the decision out of the Texas court that invalidated the FTC rule limiting non-competes.

## Latest in Compliance

# Department of Labor's (DOL) New Overtime Rule

## Laws

- Effective July 1<sup>st</sup>, the salary threshold for exempt employees increased from \$35k to \$44k and will rise to \$45k on January 1<sup>st</sup>.
- Employers must reclassify employees if salary requirements aren't met, leading to overtime payments and tracking hours.
- Legal challenges are ongoing, particularly with the recent changes in the judicial approach to federal agency rules.

## Latest in Compliance

# DOL's New Overtime Rule

## Key Takeaways

- Review any exempt roles within the organization that earn less than \$60,000.
- For roles being reclassified, need to assess budget impacts, compensation approaches, and effects for impacted employees.
  - How to pay
  - Overtime impacts
  - Impacts to bonuses and benefits
  - Timekeeping
  - Fair workweek, expense reimbursement, pay transparency, wage theft
- Plan backwards from an implementation date for next year to ensure adequate timing to identify and implement any changes.
  - Prepare communication plan to reduce morale impact



## Latest in Compliance

# DOL's New Independent Contractor Rule

## Laws

- Implemented on March 11, 2024, making it harder to classify workers as independent contractors.
- Likely to increase federal wage and hour lawsuits
- Despite legal challenges, the rule remains in effect but may face more scrutiny following legal challenges and the changing judicial landscape.  
(Chevron doctrine's reversal)

## Latest in Compliance

# The Pregnant Workers Fairness Act (PWFA)

## Laws

- PWFA provides short-term accommodations for pregnant workers, treating pregnancy similarly to a disability under the ADA.
- Different from FMLA, which offers leave; PWFA focuses on accommodations.
- This may change from state to state but remains in effect in Texas despite legal challenges.

## Latest in Compliance

# Key Takeaways for Leaders

- Be mindful of possible upcoming changes to compensation
- Evaluate your internal employee classifications, especially those who may be setup as W9/1099
- Be mindful of all ADA regulations

# Dynamics in Culture

**1** Burnout

**2** Sustainable Agility

**3** Employee Experience and Engagement

**4** Upskilling and Re-skilling

# **Burnout, Employee Well-Being, Mental Health, Work-Related Stress**

**1**

**Understanding Burnout**

**2**

**Preventing Burnout**

## Understanding Burnout

**How has burnout affected your organization's bottom line?**

# Understanding Burnout

## Burnout Manifests as:

- Lack of Enthusiasm and Engagement
- Increase Absence
- Lower Productivity / Higher Turnover

## Employee Burnout Causes:

- Very Heavy Workload
- Lack of Communication / Uncertain Expectation
- Tight Deadlines and Time Pressure

## How to Spot Burnout:

- Complaints of stress, overwhelmed, under pressure
- Unexplained absences or complaints of ailments associated with stress
- Signals that employees may be seeking new employment

**All of this affects the organization's Bottom Line!**



## Burnout, Employee Well-Being, Mental Health and Work-Related Stress

# Preventing Burnout – Any Ideas from Pre-read?

### Adopt Flexible Scheduling:

- Flexible Scheduling
- PTO Policies that are respected

### Invest in Employee Engagement:

- Recognition Programs
- Bonus Programs
- Employee Awards
- Mental Health Counseling
- Financial Assistance

### Invest in Essential Skills:

- Professional Development
- Invest in Learning Management Systems (LMS)
- Skills Training to better manage work-related and general life stress

### Set Work/Life Balance Expectations:

- Clear Job Descriptions
- Give employees control over workload
- Involve employees in goal setting process





# Burnout, Employee Well-Being, Mental Health and Work-Related Stress



# Sustainable Agility

**1** What is Sustainable Agility

**2** Core Components

**3** Benefits

## Sustainable Agility

# What is Sustainable Agility?

This is a relatively new term in people management. What do you think it means?

## Sustainable Agility

# What is Sustainable Agility?

**Definition:** The ability of a business to adapt to changes quickly and effectively while maintaining long-term sustainability in operations.

# What is NOT Sustainable Agility?

This “Agility” does not refer to the Agile Methodology of project management

## Sustainable Agility

# What is Sustainable Agility?

**Definition:** The ability of a business to adapt to changes quickly and effectively while maintaining long-term sustainability in operations and ethics.

*“One of the biggest employee complaints is ‘change fatigue’ and the stress it causes to be in a near-constant state of flux. Studies show that this has caused employees to be far less interested in supporting new company initiatives.”*

*“Top executives need to realize they cannot have an organization that is constantly changing its strategies without paying a big price for it in the stress and mental health of employees, the ability to recruit and retain, and the engagement of employees in their work.”*

*“Business strategies now change too fast for support practices to keep up, and the demand from business leaders to become agile with faster change is heaping major stress on employees”*

## Sustainable Agility

# Key Takeaways for Leaders

- Are you creating internal chaos by your need to please your board/donors' requests?
- Long-Term Adaptability: systems and not just short-term fixes. Managing your yeses
- Ethical and Sustainable Practices: Ensure that rapid changes do not compromise ethical standards
- Resilience Infrastructure: Empower employees through continuous development
- Continuous Learning: Encourage employees to develop new skills and embrace change
- Strategic Flexibility: Align short-term changes with long-term strategic goals

# Employee Experience and Engagement

**1** Enhancing Employee Experience

**2** Strategies for Engagement

**3** Measuring Engagement

## Employee Experience and Engagement

# Enhancing Employee Experience

Definition of Employee Engagement:

Gallup defines employee engagement as the level of **involvement** and **enthusiasm** employees have for their work and their workplace



## Employee Experience and Engagement

# Enhancing Employee Experience

- Assessing Employee Engagement for Workplace Culture Insights
- Strategic Approach for Stronger Employee-Company Bond
- No more Band-Aids: Looking at the Employee Experience as a Long-Term View

## Employee Experience and Engagement

# Strategies for Engagement

- Focus on Employee Engagement and Experience vs Customer/Donor Experience
- Six Pivotal Factors for Employee Experience:
  - Mutual Trust
  - C-Suite Accountability
  - Alignment of Employee Values and Company Vision
  - Recognizing Success
  - Seamless Technology to Reduce Employees' Friction
  - Preventing Burnout

# Strategies for Engagement

## Let's Hear from the Group's Wisdom

- Mutual Trust
- C-Suite Accountability
- Alignment of Employee Values and Company Vision
- Recognizing Success
- Seamless Technology to Reduce Employees' Friction
- Preventing Burnout

## Employee Experience and Engagement

# Key Takeaways for Leaders

### Cultivating a Positive Employee Experience:

- Are you listening to respond, or are you listening to understand?
- Encourage Questions and Discussion
- Allow for “Failing Safely”
- Model Accountability
- Build Trust through Congruence

# Upskilling and Reskilling

**1** Continuous Learning

**2** Upskilling vs Reskilling

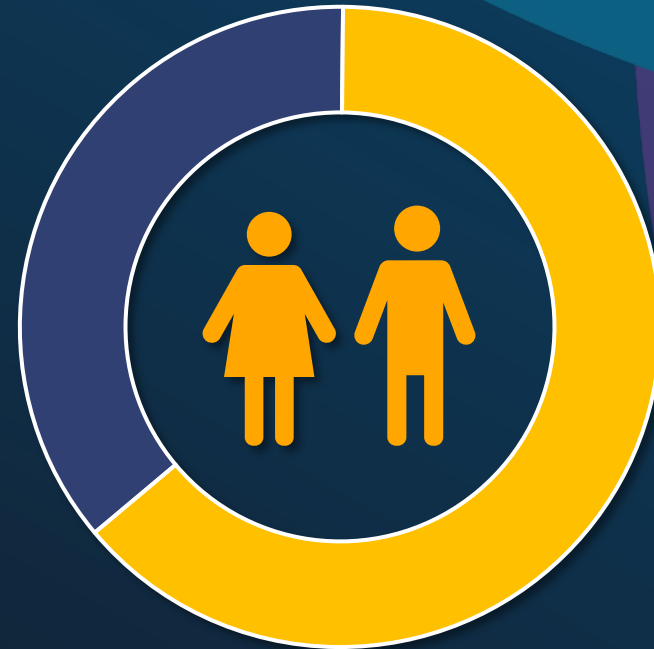
**3** Designing Effective Programs

## Upskilling and Reskilling

# Continuous Learning

According to Harvard Business Review's statistics, 58% of the workforce needs new skill sets to do their jobs.

58%



## Upskilling and Reskilling

# Upskilling vs Reskilling

### What is Upskilling:

- Designed to build on existing knowledge
- Process of acquiring new or additional skills in a similar field
- Advances talent on a linear path

### What is Reskilling:

- Training for a different type of job
- Alternative to layoff
- Fit another role better
- Lateral movement

## Upskilling and Reskilling

# Upskilling vs Reskilling

### Benefits of Upskilling and Reskilling:

- Employees leaving is not always about pay
- Employees want to feel challenged
- Provides learning opportunities
- Advancement may look different to each employee
- Do not have to layoff great employees due to knowledge gap
- Creates a pool of internal talent for senior positions
- Increased productivity, job satisfaction and better business outcomes due to improved skill sets



## Upskilling and Reskilling

# Audience Engagement - Designing Effective Programs

**Chime In:** If your company is Upskilling and Reskilling talent, can you share the motivation and benefits received from the organization and employee perspectives?

## Upskilling and Reskilling

# Key Takeaways for Leaders

## Steps for implementing programs:

- Identify Skills Gaps
- Get Personal
- Track Results
- Adapt Hiring Process
- Share Knowledge
- Offer Apprenticeships
- Bonus Benefits of the program

Trending Topics in HR

# Questions, Feedback, Comments

Q & A

# Keep In Touch



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