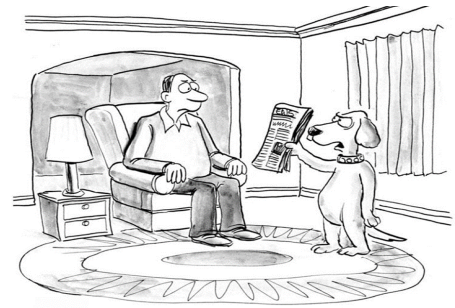


HOT SHEET

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Full-Circle HR



"I'll only give you the paper if you promise not to let the news upset you."

HR Trends:

- In 2023 Form I-9 will change significantly. A summary preview of this is at: <https://www.fisherphillips.com/news-insights/employers-may-use-current-i-9-form-review-employment-documents-remotely-for-now.html>.
- Determinations about religious exemption from a vaccination policy should include thorough consideration of all facts and circumstances. Balance them with what constitutes an undue hardship—failing to do this may leave you open to a discrimination charge.
- Employers who offer HSA qualified medical plans can help their employees who are 65+ by encouraging them to discontinue all HSA contributions 6 months before they start Medicare. Find out more at <https://www.journalofaccountancy.com/issues/2021/jul/medicare-rules-on-hsa-after-age-65.html>
- Considering workplace safety and the possibility of an active shooter situation, recent statistics from Everytown for Gun Safety show that from 2009 to 2022 there were 289 mass shootings in the U.S. resulting in 1,622 people killed and 1,074 wounded. So far in 2023 there have been 38 shootings.

Addressing Gen Z Disengagement

An article with the above title caught my eye. It was written for SHRM by a 21-year-old who, at 16, had already written an article for them.* I found it perspective setting (or resetting). This young person, Josh Miller, has spent almost 1/7 of their life in the world dealing with COVID, election fraud accusations, and major social unrest (the latter has been around much longer but I think it's fair to say that it took a big leap forward recently). For me, the last 3 years are about 1/22 of my life. That gives me pause to think more deeply about the psychological and emotional perspective of our Gen Z population as they enter college and the workforce. In this article, Josh points out that compared to C-suite survey participants

who report at 35% feeling physically and mentally well, junior-level staff reported at 13% and 16% respectively on these two factors. I find all of these numbers abysmal, but certainly the comparison is that less than half as many junior level employees feel positively about their well-being. My heart sinks at this.

Josh offers suggestions for employers on how to support this next generation as they enter the workforce. The focus is on Gen Z, but much of this could also pertain to all employees. 1. **Prioritize junior employees' well-being.** Foster an environment that nurtures growth and exploration. Take an attitude of stewardship as these young people are new to the work world and are still finding their way in their career. Create

opportunities for social engagement—particularly if the majority of your work is still remote or spending most of the day in front of a computer screen. A disengaged employee at any level is said to diminish their productivity by 18% - a very expensive loss. 2. **Understand what drives your junior employee engagement.** They want to feel they belong and that they are cared for. Include them in discussions and decisions where appropriate—ask for their perspective. Also check in with them to see how they are doing. Really listen to their response and ask questions. 3. **Create an environment of psychological safety.** Engage your employees with questions like: Do you feel you have the support you need?

How can I support you further? What do you need to thrive here? What would you like to do beyond what you are doing now? Allow them to answer honestly and listen without judgement for underlying meaning. Ask clarifying questions. 4. **Empathize with their day-to-day struggles and help them find a long-term vision for themselves.** Be sensitive to the fact that wages are not keeping pace with inflation; it is hard to feel successful when you can't meet rent or other needs. 5. **Realize the value of investing in your junior employees.** Particularly invest in tools that will help them be more effective. Help guide and prepare them to become the future leaders of your organization.

Another Approach to Employee Discipline

A former employment attorney and author, Jathan Janove, offers what he believes is a simpler, more humane, and more effective approach to employee discipline.** This approach uses 3 tools: 1. No-FEAR Confrontation; 2. Same Day Summary (SDS); and 3. Crossroads Conversation. No-FEAR Confrontation begins with **Frame**—frame the situation that needs to be remedied, such as, "I noticed that the crew started work late today because they were waiting for you to arrive. The whole crew has to be here on time to start the job." The next step is to **Explore** with the individual what is going on that they did not arrive on time. Ask them to **Acknow**

ledge that you do understand what is going on for them and how they intend to address it. You can then **Respond** with your perspective on the situation and how they plan to address it. You may or may not agree with all or part of what they have offered but from here you can come to an agreement for future behavior. **SDS** is brief written summary of key takeaways from a recent exchange. Ideally, it is written and communicated to the employee within the first hour (take notes if this is not possible). It usually follows a No-FEAR Confrontation. Be sure to include a request that they let you know if you missed or misstated anything in your bulleted summary. This last piece is in lieu of a signature

from the recipient. Ideally they will offer something in response or agree that it is accurate. Follow up if you do not hear back. Remember that in these summaries, less is more. An exhaustive reiteration will be off-putting, feel like an attack, or cause them to debate point by point. Short, to the point, and factual (not declarative or offering opinions) is the best approach to the SDS. If the behavior continues, it may be time for the next tool, the Crossroads Conversation. This too is presented in a neutral manner stating the behavior, how it impacts the work, and examining whether or not the job or organization are a good match for the person. Express your concern

Darkness cannot drive out darkness: only light can do that. Hate cannot drive out hate: only love can do that.
— Martin Luther King Jr.

for how this is going and then ask your employee what they think. It can be much less dehumanizing than presenting them with a written document giving them the 'last chance' to change for the better. If your employee assures you that they now will do better, follow up with an SDS. If from the beginning or if after a couple of attempts to correct the behavior the employee makes it clear that they will not change then move to the Crossroads Conversation. As always, proper training on these tools is critical to success and limiting liability.