

CRISIS MANAGEMENT FOR COVID 19

Phase 53: Employee Morale in Times of Strife, and Legal Updates!

*Presented by:
Hanna Resource Group
and
Morris & Morris, PSC*



INTRODUCTIONS



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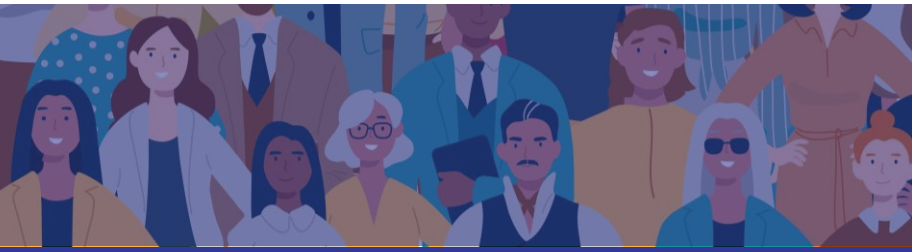
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WHAT WE'LL COVER

1 External Factors

2 Employee Morale During Times
of Strife:
-Brad Shuck
-Kirsten Hawley

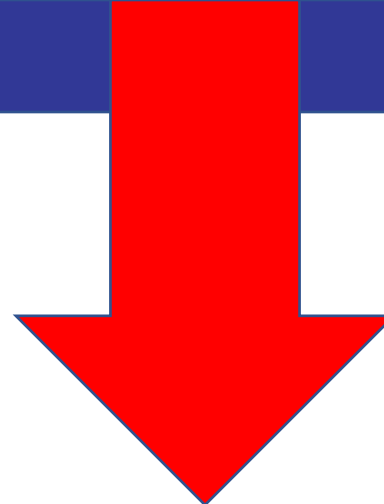
3 Legal and Regulatory Changes



1 External Factors



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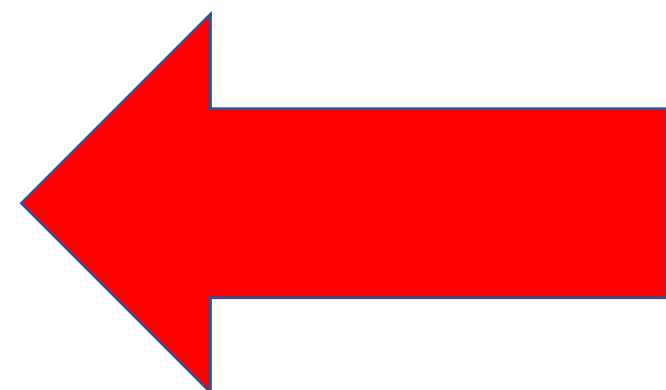
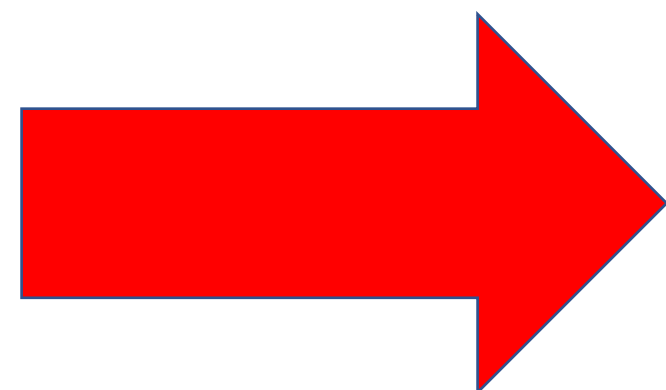
COVID

Return-to-Work
Demands

HR

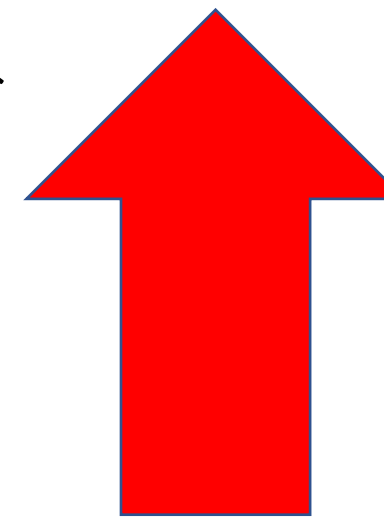
Weakening
Economy

Rising
Inflation



War in
Ukraine

Great
Resignation



1 External Factors

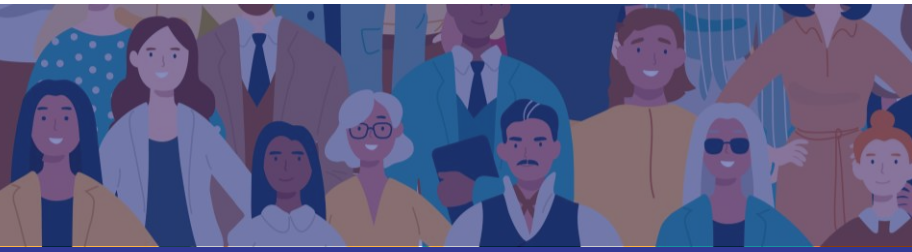
Operating Model Built for Tomorrow

- Timely and affordable deployment of HR solutions
- An intuitive user experience
- New levels of mobile accessibility
- Smarter decision making between teams
- Workforce efficiencies that pre-empt the demands of tomorrow

1 External Factors

Start Taking the Lead

- A new mind-set that maximizes the potential in human talent and enabling technologies
- A redefined understanding of the HR function's value that is evidence-based
- Deeper understanding of skills and resources for a digitally-led environment\
- Workforces that are tailored to an evolving business
- Employees treated like customers
- Special attention to enhancing remote teamwork



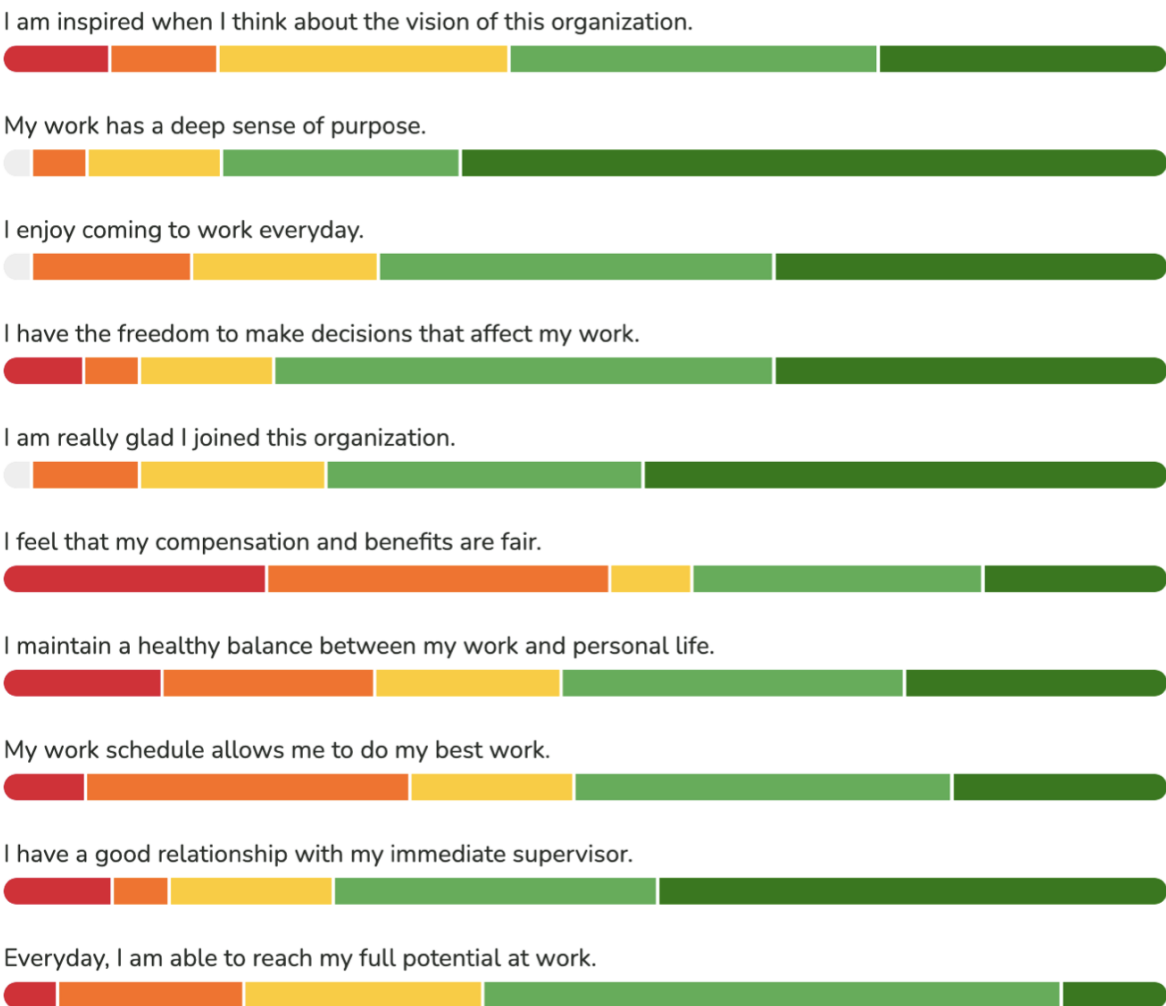
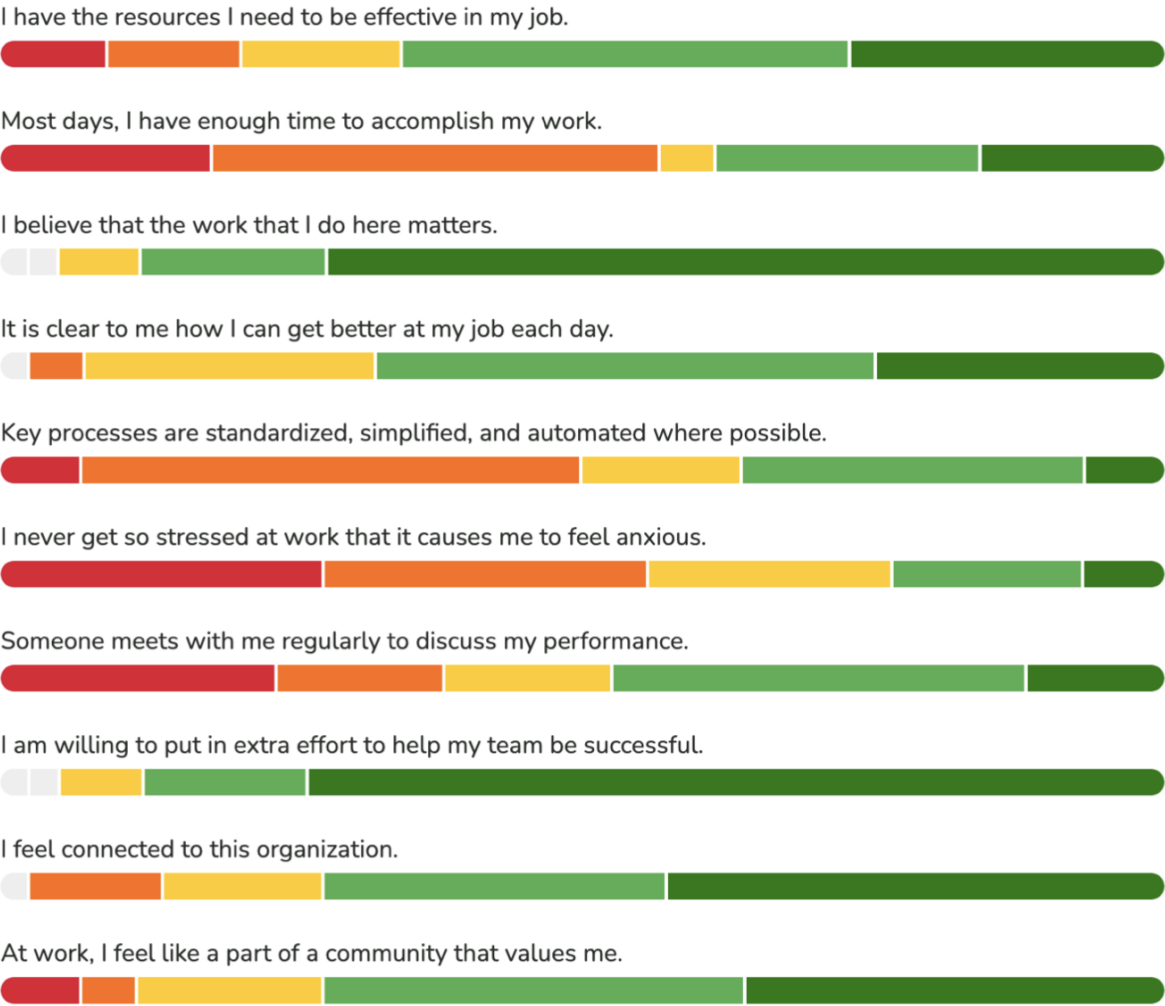
2 Dr. Shuck

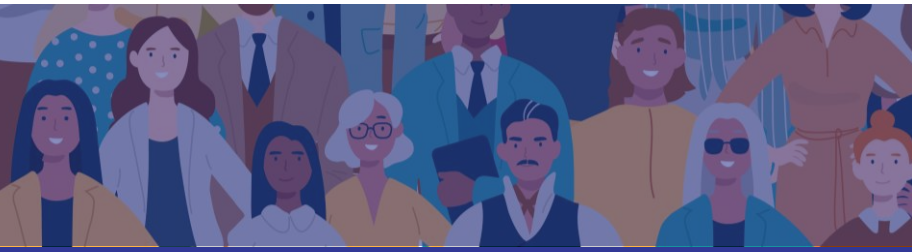


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All Selected Groups Totaled by Question

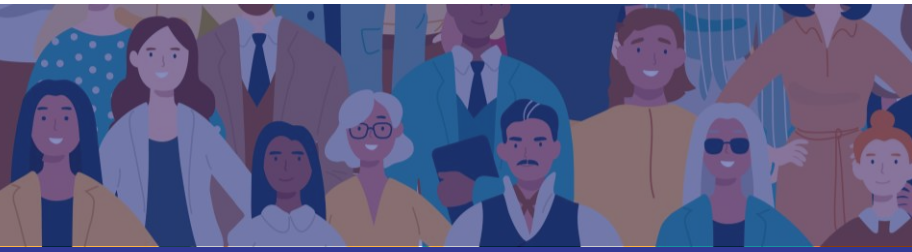




2 Kirsten Hawley



Kirsten Hawley
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3

Legal and Regulatory Updates



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The Kentucky Legislature Passed Five Business-Oriented Bills

- Joint Resolution 150: Terminating Declaration of Emergency regarding Covid-19; all Orders pertaining thereto are terminated as of 3/7/2022
- HB 144: Amending KRS §341.030 suspending wage base increases for 2012-22
- HB 594: Addressing manner in which Administrative Regulations can be issued in the event of an emergency
- HB 506: Creating a new section of Chapter 336 authorizing Professional Employer Organizations (PEO) to provide personnel-oriented services, joint employers, and other temporary services type contracts and employment

- HB 4: Substantial restructuring of Kentucky's Unemployment
 - Changes to re-employment standards
 - “The secretary shall consider any employment offer to be suitable work ... that is offered to a worker who has received at least six weeks of benefits; 120% of weekly benefits; located within 30 miles of residence (or remote); and worker is qualified to perform”)
 - Requires 5 verifiable work search activities for each week, including at least 3 formal applications or interviewing for employment unless enrolled in job training or certification programs
 - Requires the Cabinet to conduct random weekly audits
 - Requires the Cabinet to promulgate regulations for verification
 - Changes calculation of UI Benefits, substantial changes to shared work UI
 - Duration based upon state unemployment rate sliding scale

- On April 13, 2022, the EEOC announced that Employers are able to submit 2021 EEO-1 “Component 1” data commencing April 13, 2022, with a deadline of May 17, 2022 ...
 - “To meet this deadline, the EEOC strongly encourages eligible filers to begin the filing process as soon as possible”
 - The EEOC claims that it “is also improving the filing process by making it more user-friendly and streamlining functions...”
 - EEOC is run by 5 appointees. Until July 1, 2022, there is a Republican Majority
 - Starting July 1, 2022, there will be a 3-2 Democrat majority which will result in changes
 - Expected to include new requirements for employers to report pay data
 - New guidance on sexual harassment
 - LGBTQ discrimination
 - Employer Wellness Programs
 - Focus on systemic discrimination, pay equity, and “civil rights impact of COVID-19”
 - Non-binary employee data is reportedly going to be added to EEO-1 reports

On March 14, 2022, EEOC issued new Update for “Caregiver” Discrimination (not a protected category itself)

- However, employers could violate federal laws by treating certain employees with caregiver responsibilities less favorably than other employees based on sex or other categories covered under federal law
- In the context of COVID, it could be discriminatory or even harassing for an employer to criticize pregnant employees or employees with disabilities “for maintaining a physical distance from colleagues, changing their schedules, teleworking, or taking other actions to avoid being exposed to or infected with COVID-19.”
- Can’t treat applicants/employees less favorably because they are providing care to a disabled family member
- Accommodation must be provided to all employees, including employees with similar limitations.
- Same-sex spouse determinations cannot be required to provide more proof of the relationship than traditional.
- Treat employees differently based on race, national origin, “intersectionality” of their gender identity
- Employers shouldn’t allow harassment of employees based on their caregiving status or lack thereof
- Asking intrusive questions or making offensive comments about gay or lesbian employees’ sexual orientation”
- Insulting Asian employees “because COVID-19 was first identified in an Asian country.”

- Office of Federal Contract Compliance Programs has set aside OFCCP “Four Pillars” of “Certainty, Efficiency, Recognition, and Transparency”
 - New policies for handling compliance reviews, rejecting extensions, removing advance notice provisions, sharing (or lack thereof) of investigations and findings with contractors
 - Be prepared for more thorough compliance evaluations across several establishments, less transparency from compliance officers, detailed requests for additional information without explanation, and more difficult interactions with OFCCP
- I-9 COVID Relaxed Compliance has been withdrawn starting May 1, 2022
 - Expired List B identity documents can no longer be accepted
 - If employers accepted List B documents were expired, Employers should request a “renewed List B document, a different List B document, or a document from List A”
 - DHS is providing a “transition period” through 7/31/2022 for employers to comply
 - ICE has not yet indicated the end of “remote presentation,” but extension expires 4/30/22

SHRM CODE: 22-NSRA2

HRCI CODE: 594010 **Code may not work for up to
14 days*



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