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Ideas and Information for Human Resources Professionals

EMPLOYEE RELATIONS

PTO for When the Wind Blows

This year, much of the United States had some form of major natural disaster—hurricanes, wildfires, floods, tornados—and millions of people were either directly affected, or had a family member or close friend who was affected. This life-changing disruption often meant that people couldn't, or weren't able to, go to work. While many companies were understanding and granted people the time they needed to take care of their issues, only a handful of those businesses kept paying their employees. Even worse, some businesses insisted that their employees report for work or risk termination.



In article titled "[Add this to a list of job demands: Paid vacation for extreme weather](#)" in *Employee Benefit News*, many employers either pressured employees, or downright insisted that they come to work during Hurricane Irma despite an evacuation order from Florida's governor. On the plus side, many businesses are taking notice of their employees' concerns and are looking at adding "climate leave" as part of their benefits package.

This means that if there's an extreme weather event that keeps an employee from reporting for work, or if a state of emergency is declared, then the company will continue to pay those affected employees for a specific number of days. While the determination may be on a case-by-case basis, at least it's reassuring for an employee to know, rather than hope, that he or she will be covered by their employer. By putting the benefit in writing, especially in disaster-prone states, it also adds an enticement for employee recruiting and retention.



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In This Edition

- [EMPLOYEE RELATIONS](#)
- [TECHNOLOGY](#)
- [WELLNESS](#)
- [IN BRIEF](#)

EMPLOYER WEBINAR

Absence management is a hot topic right now, and employees are acutely aware of which companies are offering the best benefits that fit their needs. Employers are equally aware that employees are actively seeking out organizations with a wide range of voluntary benefits. Regardless of whether or not a business might decide to fire an employee during a natural disaster if he or she doesn't show up for work, that employee still needs to pay the bills. Add the stress of a natural disaster, losing a home, loved one, pet, family member, etc. and it's easy to see how the "climate leave" benefit has a certain appeal.

TECHNOLOGY

Habit-Forming Tech

With apologies to singer Robert Palmer, you might as well face it, you're addicted to technology. We all love our various smart devices, and it seems that we can't live without them, but what is causing this addiction?



An article on CNN's website titled, "[How to resist technology addiction](#)" equates digital products like social media websites, video games, and mobile apps to more traditional addictions like food, alcohol, and smoking. In fact, these digital products use a technique more closely associated with gambling in that they are engineered to keep you hooked.

Whether it's unlocking an achievement in a game, getting more likes on a social media platform, or hearing the constant ping of a new email via push notifications, we, as users, feel like we've accomplished something. This is not merely coincidence, as engineers have said it's their job to make users believe that a product or software is indispensable.

A common saying is that if something is free, you're not the customer, you're the product. That's because the free technology you're using is collecting information about its users and then selling that data. The more a company can get its users to use their product, the more data they can collect and then sell.

Is this manipulation by the technology companies? That remains to be seen, but here are some eye-opening statistics from the article. Fifty percent of teens feel they are addicted to their mobile devices, nearly 70 percent of parents and nearly 80 percent of teens check their devices hourly, and more than 70 percent of teens feel the need to immediately respond to texts and other messages. Now that we've identified the problem, here are some ways to break the technology addiction.

Typically, a product or software will need the user to manually go into their settings and turn off these habit-forming triggers. The easy ones to turn off are autoplay, which continues to play a video even after it's over, and push notifications, which notify a user when something is new or that they should do something. The not-so-easy ones involve the user consciously needing to pause and think about what they're doing. For example, when a random "reward" is used, such as when someone likes a post, sends a friend request, or updates his or her status, that does not mean that a user needs to respond to that impulse immediately. Likewise, when an app or game rewards a user the more they play, or entices a user with an in-app purchase, the user should pause and think if they really need to buy that, or if they've

What Employers Need to Know about IRS Reporting in 2018

Tuesday, December 12, 2017
2:00 p.m. ET / 11:00 a.m. PT

The Patient Protection and Affordable Care Act's (ACA) reporting requirements are rapidly approaching for employers with group health plans or with 50 or more full time or full time equivalent employees. The IRS recently provided final instructions for employers who are preparing to file. This webinar will provide an overview of the reporting process, what we learned from earlier rounds of reporting, and how employers should be tracking employees.

In this webinar, we will:

- Review the 2017 final reporting forms and instructions
- Review the deadlines for employers to submit forms to the IRS and to employees
- Discuss reporting offers of COBRA coverage
- Explain the difference in reporting requirements for small (less than 50 employees) and large (50 or more employees) employers, and self-funded versus fully insured
- Discuss the two measurement methods to determine which employees receive a 1095-C
- Provide best practices on the monthly measurement method and the lookback measurement method

This 60-minute intermediate level webinar will help employers determine the best practices for reporting in 2018.

Registration

[Register here for the webinar.](#) The presentation will be posted on the [UBA website](#) the day before the webinar.

played enough and should put down the game for a day or two.

Anyone who has suffered through an addiction knows how hard it is to break. He or she should also know just how destructive an addiction should be. Which is why, with technology, it's so important to remember it's OK to use and enjoy it, just don't get carried away.

WELLNESS

Use Caution When Operating a Car or Dangerous Machinery

Everybody knows that you shouldn't drink and drive. However, not everyone knows that prescription drugs can also impair a person's ability to drive, or operate machinery. Even if they do know, they may not think that the impairment is significant enough to warrant avoiding the activity. Interestingly, while drunk driving has decreased, driving while on prescription or illegal drugs has increased.



In an article on the *Reuters* website titled, "[Many drivers ignore or don't receive warnings about prescription meds](#)" reveals that 20 percent of people were warned that the prescription meds they were taking could impair their ability to drive, yet they decided to drive anyway. While this may indicate that these individuals ignored the warning, it's also possible that doctors and pharmacists need to do a better job of warning patients about the disastrous effects of certain medicines when driving or operating machinery. Perhaps if people knew how the medicines they were taking impaired not only their judgment, but also their ability to think, they might reconsider their actions.

Sedatives, antidepressants, narcotics, and stimulants all have an effect on an individual's ability to drive, yet the people taking these often believe that because the medicine is helping them, it could not, therefore, be harmful to either themselves or society. This perception needs to be broken along with educating the patient on the dangerous effects of the medications he or she is taking.

When a doctor or pharmacist does take the time to warn about the dangerous effects of prescriptions drugs on driving, it appears they do so inconsistently. According to the article, women, African-Americans, and daytime drivers were more likely to be warned than other groups. While it may be difficult to make warnings more consistent, one way to help is to improve prescription drug warning labels—especially going to a color-coded system similar to what's used in many European countries.

IN BRIEF

About the Presenter

[Lorie Maring](#) is Of Counsel in the Atlanta, Georgia, office of Fisher Phillips. She focuses her practice on helping employers navigate Employee Retirement Income Security Act (ERISA) and other state and federal laws impacting the design, implementation and ongoing compliance of their employee benefit plans and programs. She regularly advises clients on the Affordable Care Act, health and welfare benefits, qualified plans, executive compensation, Multiple Employer Welfare Arrangements (MEWAs) and multiemployer plan issues.

Certification

This webinar event has been submitted to the [Human Resource Certification Institute](#) and the [Society for Human Resource Management](#) to qualify for one recertification credit hour.

If You're Sorry and You Know It, Then Say So!

I hate the “non-apology apology” because it neither conveys remorse, nor an acceptance of responsibility, but it somehow makes the person saying it seem sincere. A common example is when someone says, “I’d like to apologize to anyone who was offended.” An individual who says this not only believes that something they said was wrong, but they also believe that whoever may have taken offense was probably overly sensitive. Even if the person apologizing specifically says that he or she is “sorry,” that doesn’t mean they accept responsibility for their actions, or that they are regretful, yet they are trying to produce a response of forgiveness.



According to Wikipedia, a non-apology apology can also be called a “nonpology,” or “fauxpology.” Whatever it’s called, it needs to stop. There is a right way, and a wrong way to apologize. An article titled, [“The right \(and wrong\) way to apologize”](#) on *CNN*’s website said that many high-profile apologies by celebrities and politicians fall into the right and wrong categories and can be easily spotted as to which way they fell.

Many of these high-profile apologies starts out correctly, but then change course to deflect much of the criticism and may actually defend a person’s reprehensible words or actions. For example, an individual may say that they were drunk and didn’t realize what they were doing, that it happened a long time ago, or that they have changed and are no longer that person. An honest apology is a powerful means to acknowledging wrongdoing and wanting to make amends. If you’re truly sincere about being sorry for your actions, then you’ll follow these rules.

The person apologizing first needs to say that he or she is sorry, or use the words, “I apologize.” Next, that person needs to express regret at what they said or did. Then, accept responsibility, and finally offer to help “fix” any problems or hurt feelings. Doing those things can lay the foundation, but to go the extra mile of sincerity, the person could also admit what they said or did was wrong, explain why it was wrong, promise it won’t happen again, empathize with the victims, and ask for forgiveness.

Now, the next time you hear someone apologize, whether it’s in the media, or directly to your face, you’ll know which category it falls into. Don’t accept the non-apology apology.

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