OCTOBER Mental Health & DIVERSITY, EQUITY, AND INCLUSION UPDATE

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5 Ways To Avoid Well-Being Washing And Provide Authentic Support To Employees

Companies must identify when "well-being washing" happens, and take proactive steps to avoid it for the benefit of employees' mental and physical health.

In a recent survey, 51% of participants blamed their boss for not taking the right steps to support their mental well-being.

Well-being washing happens when employee perks are offered in exchange for huge workloads and long hours that lead to burnout.

Genuine efforts to support employees include fostering real work-life balance and leading by example, having open conversations about mental and physical health, and adopting self-care programs.

Well-being washing has become the latest workplace buzzword after a snap poll launched by the Institute of Occupational Safety and Health (IOSH) revealed that 51% of participants blamed their boss for not supporting their mental well-being.

The message is clear: companies must go beyond token gestures, or else face employee walkouts and tarnished company reputations. Microsoft's 2022 Work Trends Index shows that 53% of workers are more likely to prioritize their mental health over work. But what is well-being washing exactly?

The idea of well-being washing is simply that employers are saying they support wellness, but aren't taking real action towards that, while also holding higher expectations for employees. A way of supporting employees without taking truly impactful steps to create change, IOSH identifies examples of well-being washing when companies offer employee perks (like gym

memberships, yoga classes, and healthy free food), "while pushing staff towards unsustainable workloads, long hours and burnout."

IOSH found that some companies are tone-deaf when it comes to supporting their people. Examples of out-of-touch well-being washing actions include encouraging employees to take well-being walks but giving them no time for it, facilitating support services that refuse to talk about work-related issues, and providing holiday discounts amid a cost-of-living crisis.

The workplace-related mental health crisis is not new, yet it's still as prevalent as ever, found the Workplace Health Report released by Champion Health. 76% of employees are currently experiencing moderate-to-high levels of stress, which is an increase from 67% the year before, with huge workloads triggering 73% of work-related anxiety.

Whilst some stress can be conducive to productivity at work, prolonged periods may lead to more serious mental health conditions.

Here are five ways companies can avoid well-being washing in the workplace:

1. Foster work-life balance

When IOSH asked survey participants which changes they'd welcome from their boss, flexible working was high on the agenda. This is already a reality for some, like in the U.K., where the Employment Relations (Flexible Working) Bill has just passed, granting everyone the right to flexible working.

When individuals are given autonomy over when and when they work, it establishes trust within an organization, leading to "happier employees and more productive business," says U.K. Minister for Small Business Kevin Hollinrake.

"Flexible working can also help to reduce stress for those people who struggle to juggle work with external commitments," including parents and careers of children and vulnerable people, explains a report from MotherPukka, a lobbyist for the bill.

It not only reduces the pressure of additional workloads. Having the opportunity to work from home or work locally helps employees save money on commuting costs and alleviates a certain amount of worry around finances, too.

2. Adopt a self-care program

Self-care isn't acts of indulgence like taking bubble baths and buying luxury items. It requires a series of well-meaning actions and sustainable habits that rejuvenate the mind, body, and soul. "In its simplest form, self-care is just the little things we do to look after our own mental health...so we can care for ourselves," explains mental health charity Young Minds.

Companies can help employees help themselves by offering a range of healthy and empowering activities, bearing in mind that self-care isn't a one-size-fits-all approach. Whilst one employee could be thrilled to join in regular yoga classes in the office, this idea might be another employee's worst nightmare. They may prefer a discount to their local gym so they can exercise away from the workplace and outside working hours.

IOSH found that survey respondents were keen to access a variety of lifestyle classes. To take action, leaders can ask their staff what would benefit them, and implement a variety of self-care options chosen by employees.

3. Open up conversations around mental health

Conversations around mental health are more open-minded. But some people are still concerned that talking about their mental well-being might impact their career or level of professionalism. Surveys conducted by McKinsey found that 37% of people with a mental illness avoid treatment because they worry about their work colleagues finding out. It reveals that the stigma attached to talking about mental health is "associated with lower workforce productivity."

The report advises leaders to shift their approach from stigma to support. As this is a sensitive topic, leaders must approach it with compassion and care, and consider accessing resources from mental health charities and professionals depending on the needs of individuals seeking support.

4. Allow compassionate leave for fertility-related physical health conditions

Another way to show sincere concern for employee well-being is to also be open to supporting employees with physical health conditions that were traditionally seen as taboo, such as fertility needs. The IOSH survey called for more support around menopausal issues as another an example.

In Spain, a historic movement of sexual and reproductive rights was recently announced with the passing of a new bill granting employees the right to three days of menstrual leave. Being the first European country to take action on this, Spain will likely influence more countries on the continent follow suit. Even without this legislation, companies can empower employees to decide for themselves when it's time for a break, and accept it when employees need a few days of compassionate leave for their mental and physical health, no further questions asked.

5. Leading by example

Establishing a supportive workplace starts at the top. In order for employees to feel safe to speak about their mental and physical health, take time out when they need to, and work flexibly, corporate leaders must model these organizational values, too.

The Workplace Health Report suggests that "a supportive organizational and team culture reduces employee stress," advising managers to set KPIs that encourage team collaboration, not competition. Creating clear communication methods helps employees to raise concerns around well-being support processes, benefiting everyone along the way.

Providing well-being support isn't a box-ticking exercise. It's something that every individual is entitled to. To create true organizational change — and on an even greater level, societal transformation — companies must apply equitable and inclusive values to the organization, nurture their workforce and give every individual the right conditions they need to thrive in their career as well as in their personal life.

https://allwork.space/2023/09/5-ways-to-avoid-well-being-washing-and-provide-authentic-support-to-employees/

How to spot wellbeing washing at work

You're in the office, exhausted and looking forward to a break, but your company has scheduled a talk about employee wellbeing over lunch. It's an hour long – compulsory – and is about the importance of taking regular breaks. When the meeting is finally over you return to your desk to work, having missed out on your lunch break. Later, you spot a post on your work's Instagram page about the tactics they're using to prevent burnout.

Wellbeing washing – the practice of firms appearing to support mental health outwardly but not supporting the workforce internally – is common. According to a survey of 1,000 people by Claro Wellbeing, more than a third (35%) of businesses do it. Although seven in 10 workplaces celebrated mental health awareness days, only a third of organizations' mental health support was deemed good or outstanding by their employees.

Meanwhile, the number of people struggling with their mental health is on the rise. People are facing more intense working days than ever, with less time for their private lives and an increased risk of burnout. Workers are having to pack more into their days, leading to exhaustion – while their pay has stagnated. And the cost-of-living crisis, on top of the long-lasting fallout of the pandemic, is sending anxiety and stress levels sky-high.

Why companies engage in wellbeing washing

Wellbeing washing does very little to address these problems, yet there are a number of reasons why businesses do it. Amy Wilkinson, a career coach, says companies may use it to attract new talent. "They know wellbeing is becoming increasingly important so they want to look like an attractive employer," she says.

"Companies may want to use wellbeing washing to enhance their brand image to end consumers or to their direct customers," she adds. "Some businesses expect a level of wellness tick-boxing these days."

And often, budgets aren't allocated for employee health. "Those tasked with setting the wellbeing agenda don't have the right resources, so resort to doing what 'looks good' versus what's right and truly supports the wellbeing of the team," says Wilkinson.

Although the money may be directed elsewhere, it's in employers' financial interests to take care of their workers properly. Burnout, exhaustion, mental distance from the job, insecurities, and uncertainty have intensified absenteeism, presenteeism, and labour turnover – all of which are costly to businesses. Research from Deloitte found that the cost to employers of poor mental health has increased to £56bn in 2020 to 2021, compared to £45bn in 2019.

Signs of wellbeing washing

It's not always easy to tell if your company is genuinely supportive of the workforce or trying to enhance their PR profile. However, there are some telltale signs they may be guilty of wellbeing washing, Wilkinson says.

Toxic practices, limited resources and a lack of psychological safety – so people can't speak up without fear of reprisal – are all signs of a problematic workplace. Crucially, these issues may not match up with what the company advertises. The Claro research found that more than a third of businesses recognized the importance of good mental health on social media, but only 30% thought their employers were considerate of their wellbeing.

"The signs of wellbeing washing are a business that talks the talk but doesn't walk the walk with supporting its employees," Wilkinson explains. 'This might include grand gestures and heavy PR around their wellbeing schemes, but in reality not giving employees adequate support or resources to get the job done."

There may be a chillout area that nobody has time to use. Your company may offer perks like free cooked meals, but only to encourage people to stay in the office and work longer hours. Your boss may encourage you to speak up if you're struggling with your workload, but pile more onto your plate. And if you bring up overworking, your concerns may be dismissed.

"Businesses might hold wellbeing days where nobody has the time to attend because they're flat out with work," says Wilkinson. "They may get in guest experts to talk about burnout and mental health for a one-off talk, but then fail to provide ongoing support. This one is big for me as I'm often asked to do talks on burnout - but I want to know the commitment is there to support people in the future before I agree to it."

The problem with wellbeing washing

Often, wellbeing washing can be more damaging than doing nothing at all to support workers. Firstly, it does nothing to address issues faced by many, like chronic stress and fatigue.

But also, appearing to be supportive publicly – but continuing with practices that directly impact people's psychological health – undermines trust among workers. One in six people say their employer lost trust as a result of wellbeing washing or poor conduct, and in 10% of cases it reduced share value.

So, how can companies support employees properly? It's important to find out how workers are feeling and to provide an environment which allows people to speak up about a problem. Listening to people is crucial. A cheaper gym membership won't help someone who is too tired to work out, but a four-day week, flexible hours or strict ring-fencing of working hours may help people.

And being honest is key – if there are issues, bring them to light and work to address them. Cultural change takes time, but it's a great investment for both employers and employees.

https://www.yahoo.com/news/how-to-spot-wellbeing-washing-at-work-083906820.html

<u>72% of U.S. Workers Have an Unhealthy Relationship with Their Jobs, Survey Finds</u>

A study of employees in 12 countries revealed that many struggle with self-worth, mental health, and feelings of being a failure.

If you work a traditional 9 to 5, you spend at least a quarter of your life at work, if not more. Ideally, these hours should be delightful, at worst tolerable, but that's not always the case. HP surveyed 15,000 employees in 12 countries and asked them about their relationship with work. Overall, the picture is grim. Across the globe, in every industry and every country surveyed, employees say they have an unhealthy relationship with work, one that impacts their physical or mental health negatively.

Few employees are flourishing: Only 27% of knowledge workers say they have a healthy relationship with work. India leads with 50% of employees saying they have a healthy relationship with work, while only 28% of employees say the same in the United States, and Japan lags far behind with only 5% of employees saying their work relationship is healthy. What unhealthy looks like: 55% of employees say they struggle with self-worth, mental health, and report feeling like a failure. More than 60% say they struggle with their physical health—poor sleep, exercise, and eating habits.

This impacts the quality of work: 76% of people with an unhealthy relationship with their work consider leaving the company, 39% say they are disengaged, and a third are less productive.

Employees are willing to take a pay cut for happiness: 83% of employees said they'd be willing to earn less to be happier. Specifically, they'd give up 11% of their salary to work somewhere where employees are engaged and leadership is emotionally intelligent, and they'd give up 13% of their salary to work where or when they want.

"There is a huge opportunity to strengthen the world's relationship with work in ways that are both good for people and good for business," said Enrique Lores, president and CEO, HP Inc., in a statement. "As leaders, we must always reject the false choice between productivity and happiness. The most successful companies are built on cultures that enable employees to excel in their careers while thriving outside of work."

https://www.cpapracticeadvisor.com/2023/09/21/72-percent-of-u-s-workers-have-a-toxic-relationship-with-their-jobs-survey-finds/94844/

How to Deal With Workplace Burnout

Workplace burnout is quite common, but you can take steps to stop the issue from impacting you.

 Recognize the signs of burnout early on to prevent it from worsening. Don't ignore overwork symptoms, as they can negatively impact your well-being and productivity.

 Set clear and achievable goals with your supervisor to avoid working overtime. Use tools that track your progress and prevent supervisors from manipulating your workload.

 Use project management platforms to objectively track your professional and personal growth. Concrete data will give you a better overview of your efforts and help you feel more satisfied in your career.

With the normalization of stress in the modern workplace, it's easy to mistake burnout for regular tiredness. Most professionals only notice overwork symptoms that drastically affect their well-being. However, even minute warning signs could become extreme physical, mental, and psychological fatigue if left ignored.

You must make proactive decisions to cope with burnout. Although you can't eradicate it, effective workplace systems and healthy habits mitigate the impact of stress.

Watch Out for Signs That You're Headed For Burnout

1. The first step to overcoming burnout is acknowledging it. Most people disregard the symptoms of overwork and exhaustion because they need to make a living. They'll power through long and taxing days, rather than take time off from work. Coincidentally, enduring

fatigue impairs focus and prevents you from performing your best, thus hurting your overall productivity.

A lack of self-awareness stems from biases and emotions. To view yourself objectively and recognize the signs of exhaustion, check online resources gauging your burnout level. They'll help you identify which stressors affect you the worst.

2. Set Clear, Feasible Goals to Avoid Working Overtime

The lack of clear, feasible KPIs at work perpetuates unnecessary overtime. Managers won't know how much workload their team can handle unless they quantify productivity ratings. They might assign too many tasks by accident. Likewise, exploitative employers could deliberately skip KPI trackers to prevent workers from justifying overtime hours.

Set quantified, feasible goals with your supervisor to avoid uncompensated work. Make sure these tasks align with your job description and support long-term projects but are achievable within your work hours. Also, use tools that automate KPI tracking. Look for platforms that quantify your tasks and log your hours—that way, shady supervisors can't manipulate your accomplished deliverables.

3. Use Project Management Platforms to Track Your Progress

The lack of data skews your perception of progress, thus making you feel frustrated. People tend to overlook gradual changes and undermine their growth. You need an objective, tangible way to track your milestones; otherwise, you'll keep thinking your ambitions are unattainable. Gain better insights into your professional and personal growth by tracking your goals with a dedicated project management app.

They go far beyond employee monitoring. You can record your daily tasks, emotions, accomplishments, milestones, and challenges, among other elements contributing to career satisfaction. Concrete data gives you a better overview of your cumulative efforts.

4. Record Instances of Workplace Bullying and Abuse

Bullying and abuse contribute to workplace burnout. Unnecessary stress in a hostile environment can make employees feel helpless. What's worse is victims rarely get enough support to file complaints. A Business Insider report shows that 77 percent of workers witness workplace harassment yet avoid speaking up and defending victims.

To avoid these incidents, ask your supervisors about gathering evidence through employee monitoring tools. These track employee activity during work hours. You won't have to rely on eyewitness reports once you have enough evidence of a coworker's abusive behavior—just go straight to your HR department.

5. Organize Your Thoughts in Note-Taking Apps

Forcing yourself to remember various pieces of information, whether for work or personal affairs, causes unnecessary stress. The human memory is prone to errors. You'll miss deadlines, forget minute details, and work inefficiently if you wholly rely on it.

Use note-taking apps to organize your thoughts instead. Start by tracking your daily tasks on your phone's notepad or to-do list; categorize them based on relevance. For instance, all work tasks could go in one list. As you get better at tracking tasks, you could explore advanced programs that will serve as your second brain, e.g., Obsidian. Offloading task management frees up your brain for other critical tasks.

6. Incorporate Meditation Sessions Throughout Your Workday

Anxiety is a normal human emotion that's impossible to eliminate. The best approach is to manage its symptoms—learn to let negative thoughts come and go instead of fixating on them. It's normal to feel overwhelmed at times, but your mental and psychological well-being will deteriorate if you're in a constant state of uneasiness.

To reduce work-related anxiety attacks, use guided meditation apps for brief sessions. You'll find it easier to focus and work efficiently after spending even five minutes practicing mindfulness exercises.

7. Connect with More Like-Minded Individuals

Isolation magnifies the loneliness that comes with burnout. People tend to dwell on pessimistic thoughts and overthink problems when they spend too much time working alone. Negative biases skew personal perspectives. And without third-party insights to correct internal stressors, they'll keep adding to the mental and emotional stress of overworking.

Remember: you're not alone in feeling burned out at work. Chances are some of your colleagues share similar sentiments, especially if they're facing the same stressors. You might feel better after talking to them for a bit. Ask how they cope with fatigue, talk about shared issues, and if you're close enough, vent your frustrations.

Consider talking to strangers online if you're uncomfortable confiding in people you know. Several apps will anonymously connect you with strangers who'll lend an ear and listen to your troubles.

8. Open Yourself to New Job Opportunities

If your job still causes excessive stress despite your burnout management routine, consider exploring other career opportunities. You might perform better in a different environment. Look

for employers in your industry that offer flexible work models and let employees choose their preferred setups.

And please go beyond widely known platforms like Indeed or LinkedIn. There are lesser-known job search sites that offer as many quality listings—you just need to broaden your options. You could even cross-check prospective employers on these platforms.

While switching companies lets you leverage salary retention and matching offers, doing it too often hurts your employability. Many hiring managers see job hopping as a red flag.

Work-related stressors are inevitable. Regardless of your role, company, or industry, you'll encounter various internal and external factors that cause stress. You can't eliminate them from your professional life.

The best approach is to build mental toughness through sustainable habits and efficient systems. Let stressors occur without allowing them to affect you. Commit to multiple routines that address these issues instead of fretting over things beyond your control. Just focus on what you can do today.

https://www.makeuseof.com/how-to-deal-with-workplace-burnout/

Workers Using AI Technology Taking Mental Health Into Their Own Hands

Everyone knows that generative artificial intelligence (AI) is the hot topic in the workplace right now. The rise in AI has caused a mixture of excitement and fear as it becomes a standard part of our lives. Some say it's a risk to civilization, while others insist it is transforming the way we work, live and interact with one another. The part that is not debatable is that AI is on the upswing. Arianna Huffington, founder and CEO of Thrive Global addresses these perceived threats. "AI is ultimately a tool, and its impact will depend on how humanity uses it," she explains. "The more we can use this moment to bring together a critical mass of people working in good faith and with empathy, the more likely it is that humanity will use AI to flourish." It sounds like science fiction, but that's exactly what the newest AI tools are doing—turning the tide when it comes to mental wellness in the workplace.

Using AI To Take Charge Of Your Mental Health

Increasingly, employers know that mental health is a priority, but, according to a recent study, many are unsure of the steps they need to take to make that happen. And with more Gen Zs entering the workforce, it's essential that companies get it right. The younger cohort has no qualms with job hopping if they believe their health and wellness needs are not met. Now, it's possible to enlist AI, instead of a human being, to help employees take charge of their mental health. It sounds like an odd coupling, but technology has produced new AI-backed mental health tools that enable employers to better support their employees.

Grace Chang, co-founder and CEO of mental healthcare startup Kintsugi, believes AI's omnipresence in the workplace gives employees greater control over their mental wellness. Plus, she says it brings the opportunity to better support employees and foster a more productive workforce, more efficient processes and more profitable businesses.

Chang informs me by email that Kintsugi offers AI-backed voice journaling and platforms that provide employees real-time insights into their own mental health and make recommendations on the kind of support needed. "We're entering a crucial era when it comes to mental wellness at work," Chang points out. "In 2023, employers know they must make mental health a priority—95% of the employers we've surveyed have told us that mental healthcare access is their top care need. They know that the cost of unaddressed mental health challenges is too high to ignore, leading to almost 12 missed workdays per employee per year and costing the U.S. economy $47.6 billion annually."

Still, Chang says that many business leaders remain unsure about how to best support their teams' mental health. "There's been an explosion of employer-focused mental healthcare solutions since the pandemic—from wellness apps to coaching to therapists to digital therapeutics and more. We've reached the point where employers are spolit for choice. Therefore, matching employees to the right interventions at the right time is a greater challenge than ever."

AI Detects Mental Health Conditions From Your Voice

Another hurdle, according to Chang, is that in the past employers generally had no way of measuring how well any given mental health intervention is working. Without objective data pointing to an ROI, she emphasizes, it can be difficult to justify continuing with a program or app. But this is at odds with the mental health field, which has traditionally relied on subjective, as opposed to objective, insights.

She explains that AI-powered solutions like Kintsugi Voice are designed with these challenges in mind. "Kintsugi Voice detects signs and severity of mental health conditions in real-time, just by listening to someone's voice," she adds. "Our tech seamlessly integrates with care management call centers and telehealth platforms, where it 'listens' in the background, with patient consent." The technology generates real-time, quantitative insights into someone's mental wellness that help connect those in need to the right level of behavioral care.

"In the same way, our tool offers an easy and affordable way to track mental health over time, so users can determine whether, and to what extent, an intervention is working for them," she told me. "Currently, mental health screening takes place once a year (if at all). With our tool, it can take place during every healthcare interaction, bringing with it the opportunity for unprecedented insights into employee mental well-being. Employers can ask their payor-partners to integrate technology like Kintsugi into their care management call centers and telehealth platforms to leverage AI and voice biomarkers to make mental healthcare more

personalized, more convenient, higher quality, more affordable and more accessible for everyone."

Do Employees Feel Secure With AI Mental Health?

The prevailing narrative is that employees fear being replaced by AI or that it will somehow invade their privacy. But are employee fears of AI blown out of proportion? And would employees consent to having AI track their mental health? Chang reveals that in a recent pilot, 80% of a patient population consented to be screened for mental health conditions by the AI-powered voice analysis tool. Based on these findings, she surmises that the majority of people embrace the use of AI in healthcare, as long as it enhances their overall healthcare experience and delivers tangible value.

A separate study by Workhuman found similar results. Over half of workers (58.4%) believe AI won't put their jobs at risk. And 41% of employees say they anticipate that learning to use AI tools will become a part of their workplace training, and 34.4% believe that learning these tools will be encouraged in general. The data shows that apprehension is strongest among younger employees, including Gen Z digital natives, who have grown up with intimate knowledge of the risks and rewards of new tech. While only 20.4% of workers on average feel that AI puts their job at risk, the figure increases to nearly 30% for Gen Z employees.

These findings are valuable information for leaders implementing AI technology to instill confidence in workers who are concerned that their jobs could be at risk. The Workhuman study recommends that employers ensure that workers have the tools and training they need to understand how the technology works and how it can benefit them. It adds that knowledge and competency will help not only to assuage employees' AI fears but will help them make the most of the technology in their day-to-day work. The study concludes that when employees feel recognized for their humanity—which can include opinions and concerns around AI at work—and not just their productive output, they'll likely feel less worried about whether AI has the potential to replace them and more valued as a whole individual.

https://www.forbes.com/sites/bryanrobinson/2023/09/02/workers-taking-wellness-into-their-own-hands-using-ai-backed-mental-health/?sh=12e351cb5ee4

The Fifth Circuit Lowers Pleading Standard for Title VII Discrimination Claims

Earlier this month, the Fifth Circuit Court of Appeals (covering Texas, Mississippi, and Louisiana) issued an en banc decision in Hamilton v. Dallas County holding employees no longer have to show they were subject to an "ultimate employment decision" in pleading Title VII discrimination claims.

Previously, Title VII discrimination claimants in the Fifth Circuit had to establish an "ultimate employment decision" such as hiring, firing, granting leave, promoting, or unfairly

compensating employees. Now, plaintiffs need only allege discrimination affecting "terms, conditions, or privileges of employment." This brings the Fifth Circuit standard in line with many other circuits, including the Fourth, Sixth, Eleventh, and D.C. Circuits.

Hamilton involved a Dallas County policy allowing male detention center officers to have full weekends off while female officers were not. The Fifth Circuit was not persuaded that this sex-based scheduling policy was acceptable under Title VII's statutory text.

Hamilton broadens the types of personnel actions providing the basis for a cognizable Title VII discrimination claim in the Fifth Circuit. However, the Court did not define a particular standard for "terms, conditions, or privileges of employment," other than reminding us that "de minimis workplace trifles" are not enough.

At the very least, this decision serves as a worthwhile reminder that "nowhere does Title VII say, explicitly or implicitly, that employment discrimination is lawful if limited to non-ultimate employment decisions."

Employers with operations in the Fifth Circuit should review their policies to ensure (1) they are consistent with the new standard and (2) they are being neutrally applied.

https://www.jdsupra.com/legalnews/the-fifth-circuit-lowers-pleading-7053260/

Remote Work's Impact on Mental Health

The traditional workplace has undergone significant changes in the past few years. The onset of the pandemic and the subsequent easing of restrictions has put things in constant flux, with employees shifting from office to remote work and back again. This has had a major impact on employees' mental health. According to Gallup, employee stress levels are at a record high, with 44% of respondents in agreement: They are stressed.

As organizations make further decisions about the structure of their workplaces (in-office, hybrid, and remote), they should consider how remote work can affect employees' mental well-being.

Benefits to Mental Health

Working from home offers employees flexibility, better work-life balance, and lower stress levels. Some of the most significant benefits remote work provides are time and the ability to be present for the family. Former commuting time can be spent either resting or spending time with loved ones. In case of minor home emergencies, people can hire a technician and still work while the issue is fixed. Thus, remote work can lessen stress and mental exhaustion.

Challenges to Mental Health

On the other hand, remote work can also introduce new issues to employees that can cause them significant stress. Remote work can blur the lines between work and normal life, with workers feeling increasingly lonely and isolated and working more hours. Additionally, the lack of co-worker interaction can be a source of stress for extroverts.

Employees can also feel overwhelmed as personal and workplace issues mix. For instance, a toddler could have a tantrum during an important online meeting, which can double someone's stress.

Studies show that remote workers experience worsened mental health, including heightened symptoms of anxiety and depression. Other reports found the opposite,with people claiming their mental health flourished while working from home. These results highlight how varied employees are and how each person can react to the same situation differently.

Company Culture and Remote Work

HR leaders agree that company culture is a significant factor in whether employees thrive in a remote environment. "If an organization's culture is based upon trust, open communication, empowerment, and collaboration, remote work and the impact on employees' mental health will be positive," says Lisa Shuster, chief people officer for iHire.

Conversely, ineffective leadership and bad company culture can make remote work stressful for employees. Reducing pay or enforcing rigid guidelines around remote work can cause distrust. "If leadership and the company at large act like they are doing employees a favor or feel the need to take things away (trust, pay, perks, etc.) in exchange for allowing remote work, it will fail for the employees and the company," she explains.

Transitioning From Home to Office

More companies are transitioning back to office work. And with 64% of employees preferring to work in a remote or hybrid setup, with some ready to quit if they are required to return to the office, employers must take into consideration how changes will impact workers mental health. Steven Mostyn, CHRO of Management.org, says that the company has taken steps to inspire workers to return to the office. It's added a relaxation room and resident masseuse so employees feel less stressed about the change in workforce approach.

"We believe that by improving our office and making it more relaxing, we can encourage our workers to return to the office. This has proven to be correct, as many of our workers have requested to work full-time in our office already," Mostyn says.

Of course, mental health support doesn't stop there: Organizations need to create various solutions to keep employees emotionally and mentally healthy. Support can be provided by diversifying mental health benefits and offering flexible workplace policies.

https://www.hrotoday.com/employee-wellness/remote-works-impact-on-mental-health/

Electronically monitoring your employees? It's impacting their mental health

Data show 56% of workers who experience monitoring by their employer typically feel tense or stressed out at work

These days, office, manual labor, and customer service workers routinely are being monitored electronically by their bosses to ensure they're productive. APA's 2023 Work in America survey results show that slightly more than half of workers (51%) are aware that their employer uses technology to monitor them while they are working.

Further, employees who are monitored are more likely to report negative psychological outcomes than those who are not.

Data show that 32% of employees who are monitored with tech during the workday by their employer report their mental health as poor or fair (as opposed to good or excellent) compared with 24% who are not monitored. Results show 45% of those monitored report their workplaces have a negative impact on their mental health compared with 29% who are not monitored. Moreover, 28% of those who are monitored say they have experienced harm to their mental health while at work (versus 16% of those not monitored).

"Many organizations make the mistake of adopting new surveillance technologies because they don't know how to manage remote workers," said Tara Behrend, PhD, John Richard Butler II professor of human resources and labor relations at Michigan State University.

"It's a mistake because the tools aren't measuring what's really important—all the ways a worker is contributing to the organization and generating value," added Behrend, who also is president of the Society for Industrial and Organizational Psychology (SIOP). "Our data has clearly shown that these productivity monitoring tools do not lead to better performance. They are counterproductive for the organizations that use them."

We asked Behrend and Leslie Hammer, PhD, emerita professor of psychology at Portland State University and codirector of the Oregon Healthy Workforce Center at the Oregon Health and Science University, to outline ways employers and employees can address the psychological impact of electronic monitoring.

The results indicate a connection between electronic monitoring and stress in the workplace. Data show 56% of workers who experience monitoring also feel tense or stressed out at work, compared with 40% of those who are not monitored. What is the psychological impact of electronic monitoring on employees and employers?

Hammer: Research clearly shows close monitoring of behavior at work is extremely stressful, limits an employees' autonomy, and creates fears of job insecurity. Furthermore, stress and burnout are risk factors for poor mental health.

Some workers feel they are being spied on—that their employers don't trust them, and that their privacy is being invaded. They also experience stress and anxiety. How does this affect the employee–employer relationship?

Hammer: When employees feel they are not cared for or trusted by their employers, they are likely to have lower levels of commitment to the organization and perceive lower levels of psychological safety and higher levels of stress, all negatively affecting the relationship between employees and their employers, and specifically their managers and supervisors.

Behrend: When monitoring is used as an invasive way of micromanaging, it violates the unspoken agreement of mutual respect between a worker and their employer. A person will be much less likely to go above and beyond to help the organization if that trust is broken. They basically retreat into doing the bare minimum.

Some workers who are monitored also report feeling that they do not matter at work, are not valued, and are micromanaged. Mattering at work is among the five components of a healthy workplace identified by the U.S. Surgeon General. What can employers do to ensure workers feel they matter and to help them understand why they are using the technology?

Behrend: Involving them in the design of the technology is a good first step. Asking workers what they think is a meaningful and fair way of measuring their performance makes it more likely that the metrics will be useful, and that they will be accepted by workers when deployed. When asked what employers can do to protect their emotional and psychological well-being, some survey participants said to simply stop spying and invading their privacy. How seriously should employers take those concerns?

Hammer: Very seriously. When comparing the stress, strain, and burnout associated with electronic monitoring to the benefits, in most occupations, this is not warranted. It sends a message of distrust and creates a sense of anxiety that may in turn impact an employee's psychological health, physical health, and job performance negatively.

There are monitoring programs that track chat room conversations to gauge the mood/state of employees and provide early warning indicators about employee mental health. Are there other psychological benefits to monitoring?

Behrend: Monitoring, when done well, can provide valuable information for training and feedback. For example, video footage of top sales performers can be used to train new salespeople. For workers who feel their efforts are not noticed or who feel uncomfortable with self-promotion, the data from monitoring could help them demonstrate their impact in a positive way. But all of that depends on a culture of respect and trust. If data from monitoring is used to punish people or justify treating them like machines, it will not have any benefit.

https://www.apa.org/topics/healthy-workplaces/employee-electronic-monitoring

Affirmative action wars hit the workplace: Conservatives target 'woke' DEI programs

Edward Blum has filed dozens of lawsuits challenging racial preferences in American life, from affirmative action to voting rights. His most recent win came when he sued Harvard over its race-conscious college admissions policies.

His organization, the American Alliance for Equal Rights, recently filed two racial discrimination lawsuits. In August, he sued an Atlanta firm, Fearless Fund, that backs Black women entrepreneurs. He also sued two major law firms, Morrison Foerster and Perkins Coie, for offering fellowships to diverse candidates. Morrison Foerster this week quietly opened its diversity fellowship to students of all races. It did not respond to a request for comment.

Blum's quest to dismantle corporate diversity initiatives began in 2021 when he took the state of California and the NASDAQ stock exchange to court over board diversity mandates. The anti-affirmative action activist says he has more lawsuits planned.

"Racial classifications and preferences need to be handled with the most delicate of gloves or corporations and other institutions will be in violation of the law," Blum told USA TODAY in an interview.

Conservatives seize on affirmative action ruling to attack diversity programs

Corporate diversity, equity and inclusion initiatives – DEI for short – were already under fire from GOP leaders like Florida Gov. and presidential hopeful Ron DeSantis. Republican criticism only intensified in the wake of the Supreme Court ruling in June that struck down affirmative action.

Though it does not apply to employers, conservative activists seized on the high court ruling, saying it raises fundamental issues about how corporate America addresses workplace inequality.

"The decision was clear that all Americans have the same civil rights, and those rights forbid discriminating for or against anyone on the basis of race, sex or orientation," said Scott Shepard, director of the National Center for Public Policy Research's Free Enterprise Project which challenges DEI and other "woke" initiatives in corporate America.

Since then, the nation has seen an uptick in legal challenges from conservative activists. America First Legal – a conservative group founded by Stephen Miller, former senior adviser to former President Donald Trump, and other former Trump administration officials – has filed complaints with the Equal Employment Opportunity Commission against diversity programs at more than a dozen companies including Starbucks, McDonald's and Morgan Stanley. In a blog post, America First Legal claimed that all DEI programs are illegal.

"If a major corporation said in proxy statements to shareholders or in the HR section of their website, we are going to increase the white composition of our workforce by 15% this year, I think most folks would say, well, that's kind of racist and that seems wrong," Gene Hamilton, vice president and general counsel of America First Legal, told USA TODAY in an interview.
From ESG to CRT, the conservative backlash against big business is spreading
From environment, social and governance principles to critical race theory, the conservative backlash against corporate America's embrace of social issues is the nation's latest cultural wedge.

DeSantis and other GOP leaders have accused corporations of running diversity programs that paint all white people as racist and abandoning colorblind systems based on merit to hire and promote people of color.

Daniel Morenoff, executive director of the American Civil Rights Project, which for years has pressured companies like Coca-Cola and McDonald's to back off diversity programs, says the Supreme Court ruling has energized conservatives to block the increasingly leftward tilt of big business.

"I think it would be safe to say that there appears to be greater interest in the activity in this sphere," Morenoff told USA TODAY.

Immediately after the Supreme Court ruling, Republican state attorneys general warned large employers like Microsoft and Walmart against race-conscious practices in hiring and contracting. Democrats fired back, accusing GOP state attorneys general of attempting to intimidate corporations into abandoning "permissible diversity efforts."

Top lawyers from seven states promised legal cover to companies whose DEI programs face challenges from GOP officials.

"We write to reassure you that corporate efforts to recruit diverse workforces and create inclusive work environments are legal and reduce corporate risk for claims of discrimination,"

the Democrats wrote. "In fact, businesses should double-down on diversity-focused programs because there is still much more work to be done."

The Lawyers' Committee for Civil Rights Under Law and six other civil rights groups this week filed an amicus brief in support of the Fearless Fund, a program that awards $20,000 grants to small businesses owned by Black women that was sued by Blum. Black women receive less than 1% of venture capital funding.

Fearless Fund founders Arian Simone and Ayana Parsons have retained prominent civil rights attorney Ben Crump to fight the lawsuit.

"In the face of persistent, systemic discrimination against Black people and all people of color arising from our country's long history of racism, Ed Blum and his recently-created front group are bent on dismantling programs benefiting the Black community," Damon Hewitt, president and executive Director of Lawyers' Committee for Civil Rights Under Law, said in a statement. "They seek to kneecap any effort to undo entrenched racial inequalities."

Corporate diversity programs are not affirmative action, law professor says

Most Americans say companies should not take race and ethnicity into account in hiring and promotions, according to a 2019 survey from the Pew Research Center.

But federal law already prohibits employers from considering race and other protected characteristics, according to Joan Williams, Sullivan professor of law and director of the Center for WorkLife Law, at the University of California College of the Law, San Francisco. Conservatives are attempting to mislead the public by conflating diversity programs with affirmative action, Williams said. "And this," she said, "is just nonsense."

By casting a wide net for qualified workers from different backgrounds, initiatives to attract diverse talent help employers make their workforces less homogeneous and their workplaces more inclusive, she said.

Williams has worked with scores of companies over the years. In a database of nearly 20,000 professionals, 80% to 88% of white men report fair access to career-enhancing assignments while the proportion among women of color plunges as low as 50%.

"The bottom line is what the Supreme Court said is that you have to have a meritocracy," she said. "What a good DEI program does is produce a true meritocracy."

Conservative backlash is 'bluster,' diversity advocate says

In the fight to level opportunities for underrepresented groups, the stakes are high, according to Shijuade Kadree, director of tech equity and the tech accountability coalition at the Aspen Institute.

The unfolding conflict is a modern civil rights struggle for people of color who historically have been excluded and discriminated against in the workplace, Kadree said.

"They are using the Supreme Court ruling on affirmative action as a proxy to attack any DEI initiative," she said. "And that attack is stemming from a fear of losing power."

The top ranks of America's largest corporations are still predominantly white and male, while women and people of color are concentrated at the lowest levels with less pay, fewer perks and rare opportunities for advancement, a USA TODAY analysis found.

Despite pledges to improve racial equity following George Floyd's murder in 2020, little progress has been made.

White men today are more likely than their grandfathers to be managers even as the workforce diversifies and research studies show that diverse companies outperform peers.

At current rates, it could take decades – if not centuries – for corporate leadership to reflect the demographics of the workforce, researchers have found.

Kadree says she's worried about the backslide in corporate diversity commitments she's observed over the last year and a half. For companies looking to reduce staff and initiatives, the Supreme Court affirmative action decision is a convenient scapegoat, she said.

The flurry of legal actions from conservative groups has prompted some companies to retreat from public targets for racial diversity in their executive ranks and from leadership training programs geared to underrepresented groups. Others are removing "diversity" from job titles.

Most companies, however, are looking to the future and know they have a lot of work that remains so that their workforces and leadership will one day better reflect the changing demographics of the country and their customers, Kadree said.

"They get that it's a lot of bluster," Kadree said.

GOP activists face key challenge in taking on big business diversity initiatives
The conservative pushback has run into obstacles.

A federal judge in August dismissed a lawsuit against Starbucks' board of directors that opposed the coffee giant's diversity, equity and inclusion policies and practices.

The lawsuit was brought by the National Center for Public Policy Research over hiring goals for Black and other workers of color, awarding contracts to diverse suppliers and linking executive pay to diversity goals.

Chief U.S. District Judge Stanley Bastian in Spokane, Washington, rejected the claims, saying the courts have no business interfering with "legitimate and legal decisions made by the boards of directors of public corporations."

Historically, the courts have given boards of directors wide discretion, assuming they act in good faith and in the best interests of the company.

"If the plaintiff doesn't want to be invested in woke corporate America, perhaps it should seek other investment opportunities rather than wasting this court's time," Bastian said.

Shepard said the National Center for Public Policy Research is "surprised and disappointed by the result."

https://www.usatoday.com/story/money/2023/09/08/affirmative-action-republicans-target-diversity-programs/70740724007/

Employers can better meet employee needs for mental health support

The workplace has changed dramatically over the last few years and employers recognize that a new normal exists.

Most Americans believe our nation's mental health issues are at crisis levels. And they are correct as access to care is lacking for the more than half of Americans fortunate to be covered by employer-provided health plans.

Mental health issues in the U.S. workforce cost the economy an estimated $185 billion annually in lost productivity and presenteeism and this crisis has not gone unrecognized by employers. A recent Midwest Business Group on Health benefits survey found mental health access and quality is a top priority for 93%.

To address these concerns, MBGH worked with employers to facilitate educational events and develop resources for its members on how best to operationalize workforce strategies to address mental health as very few have comprehensive and concrete plans in place.

The workplace has changed dramatically over the last few years and employers recognize that a new normal exists. To address the changing landscape employers should start by establishing a clear vision and a mission, get buy-in from leadership and ask employees for input to determine what type of support and resources are needed.

There is a wealth of available resources to guide employers through the process such as guidelines from the International Organization for Standardization,

the World Health Organization, and the U.S. Department of Health & Human Services: Office of the Surgeon General. In addition, the Mental Health at Work Index offers employers a standardized way to self-assess and benchmark workforce mental health efforts.

Employers need to choose a solution that is a good fit culturally for their organization and ensure the point solution provider has a good reputation by checking with their peers and colleagues. Efforts to seek new ideas and engage plan members should be ongoing and dynamic.

Outside of the standard employee assistance programs that offer services to support employees in managing work-related stressors, employers are getting creative in offering personalized behavioral health support to their employees and their family members. Practical strategies of successful programs include:

Flexible – Help employees reduce stress and balance their personal and professional lives by offering flexible work schedules, the opportunity to work remotely when possible, and encourage employees to take their personal time off days.

Educate – Raise awareness and educate employees about mental health through communication channels, mental health workshops, and training sessions that help them understand conditions, recognize symptoms and know when to ask for help, and offer strategies to manage stress and build coping skills and resilience.

Personalize – The most impactful programs offer a personalized approach that creates a culture of inclusion and prioritizes recognition and gratitude.

Involve senior management –culture supportive of mental health by promoting work-life balance and encouraging open communication.

Partner with experts – Collaborate with mental health organizations to offer quality training, education, and mentoring such as partnering with the National Alliance on Mental Illness to conduct on-site mental health training for managers. Once trained, managers are prepared to handle on-site emergencies as well as help employees and family members access available resources when needed.

Support whole person – Address all aspects of wellbeing and incorporate activities that encourage healthy habits like exercise, healthy eating, getting enough sleep and practicing mindfulness.

Reduce stigma – Normalize the conversation and reduce mental health stigma. Foster a workplace culture that reduces stigma around mental health issues and encourages open conversations. One of the ways our employer members have achieved this is through storytelling.

Every workplace is unique, so it's essential to tailor programs and activities to suit your employees' specific needs and preferences. The most impactful programs are those where employers regularly seek feedback from employees to gauge the effectiveness of available resources and make improvements accordingly.

This new normal has helped employees reconsider how they want to work whether it be in-person, hybrid or fully remote and what they want out of work such as work/life balance and greater support for mental health and wellbeing. Taking the lead from employees on these changing needs and adjusting to better meet workforce expectations not only benefits the health and productivity of employees but can also positively impact an employer's performance and bottom line.

https://www.benefitspro.com/2023/09/08/employers-can-better-meet-employee-needs-for-mental-health-support/

Implications of U.S. Supreme Court Decision Overturning Affirmative Action Precedent in Higher Education

On June 29, 2023, the U.S. Supreme Court ruled in Students for Fair Admissions, Inc. v. President and Fellows of Harvard College that race-conscious admissions programs at Harvard College and the University of North Carolina violated the Equal Protection Clause of the Fourteenth Amendment.

The Court held that these universities' use of race in their admissions processes lacked sufficiently measurable objectives and clear durational endpoints, making them unlawful under the strict scrutiny standard. Some Justices dissented, arguing that race-conscious programs are necessary to achieve diversity and equity.

While the Court's ruling on affirmative action did not involve private-sector employment, the decision poses potential implications for policies, programs and practices employers develop to advance their own diversity, equity, and inclusion.

Q&A

1. What are the implications of the Supreme Court's decision on employers?

At first blush, there is an argument that the ruling does not directly impact employers because it arises in the context of Title VI of the Civil Rights Act of 1964 (which applies to educational institutions that receive federal funding) and the Fourteenth Amendment (which applies to government and quasi-government actors). Employers, by contrast, are subject to Title VII of the Civil Rights Act. In support of that argument, following the Court's ruling, EEOC Chair Charlotte Burrows issued a statement indicating that the decision "does not address employer

efforts to foster diverse and inclusive workforces or to engage the talents of all qualified workers, regardless of their background."

But employers still face noteworthy risks, particularly with respect to disparate treatment reverse discrimination claims, in the wake of this ruling. Plaintiffs pursuing such claims are apt to point to and capitalize on two things. First, they may rely upon the Majority's conclusion in the educational context to suggest that reliance upon race in connection with a DEI initiative when making employment decisions—especially where the employment decision involves a zero-sum game—amounts to prohibited discrimination. Second, they can be expected to point to Justice Gorsuch's concurring opinion noting that Title VI and Title VII have "essentially identical terms."

Considered in appropriate context, it is important to recognize that, in the years leading up to the recent U.S. Supreme Court decision, plaintiffs have increasingly pointed to employers' race-conscious diversity programs as evidence of discriminatory intent, and some of these challenges have been quite successful. To illustrate, in Duvall v. Novant Health (W.D.N.C. Oct. 26, 2022), a jury issued a sizeable verdict to a plaintiff who alleged he was discharged because of his employer's diversity initiatives; he claimed that a diversity program resulted in white men being targeted for termination in order to be replaced by women and racial minority candidates.

On the other hand, many employers have been facing pressure from stakeholders and litigation seeking to reaffirm their existing DEI commitments. See, e.g., Kiger v. Mollenkopf, No. 2023-0444 (Del. Ch., complaint unsealed Apr. 26, 2023) (alleging the employer breached its fiduciary duties to stockholders by misrepresenting the company's compliance with its stated DEI goals); Lampe v. Delta Air Lines, Inc., Docket No. 2:21-cv-00176 (D. Utah Mar. 23, 2021) (claiming the employer "ignored its own policies and procedures" with regard to affirmative action and harassment, resulting in the plaintiff facing harassment and discrimination on the basis of her gender).

In light of these competing risks, it is difficult to say precisely what the implications will be of the U.S. Supreme Court's decision on private sector employers. Yet, it is fair to say that the decision will almost surely lead to greater scrutiny of employer DEI initiatives by those who believe that these initiatives amount to differential, and potentially discriminatory, treatment. Thus, employers should review their programs and initiatives in order to assess (or re-assess) risks associated with those programs in light of the shifting legal landscape.

2. Can employers maintain affirmative action plans or programs (AAPs)?

In the context of private sector employment, the U.S. Supreme Court held in United Steelworkers v. Weber (1979) and Johnson v. Transportation Agency (1987), that private employers may engage in voluntary affirmative action in extremely narrow circumstances. 443 U.S.193; 480 U.S. 616. Such programs are only permissible if they are established to remedy the: (i) effects of prior discriminatory practices; (ii) effects of historically limited labor pools, or; (iii) "adverse effects," if the employer has conducted an analysis revealing that its practices have

resulted in "actual or potential adverse impact." Weber, 443 U.S.193 (1979); Johnson, 480 U.S. 616 (1987). See 29 CFR § 1608.3.

A voluntary AAP under the EEOC's regulations must include three components: (i) a "reasonable self-analysis" of the employer's practices that exclude groups or leave prior discrimination unremedied, (ii) a determination by the employer that there is a reasonable basis for concluding action is appropriate, and (iii) reasonable action taken by the employer in response to issues identified by the employer's self-analysis. See 29 CFR § 1608.4.

The Court's recent ruling does not directly impact existing precedent under Title VII concerning voluntary AAPs, though employers should be aware that race-conscious voluntary AAPs are likely to face increased scrutiny following the ruling.

In addition to obligations arising under Title VII, public sector employers are also subject to the Equal Protection Clause of the Fourteenth Amendment. Pursuant to the Court's decisions in Adarand Constructors, Inc. v. Pena (1995) and Wygant v. Jackson Bd. of Educ. (1986), public sector employers' use of race-based affirmative action must be (i) "justified by a compelling governmental interest;" and, (ii) "narrowly tailored to the achievement of that goal." 515 U.S. 200; 476 U.S. 267. Because the recent U.S.

Supreme Court ruling also arises under the Equal Protection Clause, it is conceivable that plaintiffs may challenge these public sector employer-sponsored programs on the same grounds that SFFA challenged colleges and universities' race-conscious admissions programs.

3. Outside of voluntary AAPs, what are the risks associated with corporate DEI-related goals and initiatives?

Aside from formal AAPs, many employers choose to engage in DEI efforts, such as by maintaining employee resource or affinity groups, recruiting diverse prospective job applicants, and providing inclusivity training. The U.S. Supreme Court has not directly addressed employers' use of race- or gender-conscious initiatives for the purpose of enhancing diversity; but employers are generally prohibited from discriminating against individuals "on the basis of" their protected characteristics, including race, gender, age, sexual orientation, and disability. When implementing and evaluating their DEI goals, employers should consider that challenges may arise both from individuals seeking to enforce these DEI commitments, as well as plaintiffs challenging such programs as being unlawfully discriminatory. To this point, DEI initiatives based on or conscious of protected characteristics may face more scrutiny than race-neutral approaches.

Under the Court's existing Title VII precedent, employers' DEI efforts cannot "unnecessarily trammel" the rights of non-diverse employees, such as by limiting participation in job training prerequisites to career advancement to only those employees considered to be diverse. In addition, all applicants should be required to meet the same minimum qualifications for a

position. With regard to employee resource groups, an EEOC "best practice" is to have participation open to all, regardless of race.

4. How does the Court's ruling implicate recruitment practices?

As discussed, while the Court's ruling does not involve private sector employment, many employers are carefully reviewing their existing recruitment policies and public-facing and internal DEI materials, and are consulting with counsel as needed, to ensure they reflect current practices and comport with federal and local laws prohibiting discrimination.

In addition, employers who recruit from colleges and universities that maintain affirmative action programs similar to those proscribed by the Court's ruling may find that their recruiting pools have become less diverse in the wake of the ruling.

5. What are hiring "quotas" and are they lawful under federal employment laws?

A hiring quota is a numerical target set by an employer, usually with the purpose of hiring a certain number of employees belonging to a particular protected class. Federal laws generally prohibit employers from using quotas that "trammel" individuals' rights based on their protected characteristics. In the context of voluntary AAPs, the U.S. Supreme Court held in Weber that an employer's temporary "preferential selection" for a job training program did not unlawfully impede employees' rights under Title VII because it sought to address a "manifest imbalance" in a "traditionally segregated job category." 443 U.S. 193.

With regard to higher education, the U.S. Supreme Court held in Regents of the Univ. of California v. Bakke, 438 U.S. 265 (1978) and Grutter v. Bollinger, 539 U.S. 306, 334 (2003), and affirmed in the June 2023 decision, that "outright racial balancing" and "quota system[s]" are "patently unconstitutional" under the Equal Protection Clause. While the recent U.S. Supreme Court ruling does not directly affect private employment, the Court previously held in McDonald v. Santa Fe Trail Transp. Co., 427 U.S. 273 (1976) that Title VII prohibits "discrimination ... against, or in favor of, any race."

EEOC guidance further states that "affirmative action, when properly designed and implemented, does not allow for the use of quotas." Office of Federal Contract Compliance Programs (OFCCP) regulations similarly prohibit federal contractors and subcontractors from using quotas in their AAPs. See, e.g., 41 CFR §§ § 60-300.45; 60-741.45.

In the context of voluntary AAPs, the Court in Weber found that the employer's AAP – which temporarily "reserved" a certain percentage of training openings for qualified minority applicants – fell "on the permissible side of the line." 443 U.S. 193, 195. There, the employer instituted its job training program to address the effects of historical race discrimination in craft industries that had resulted in limited training and employment opportunities for racial minorities.

The Court held the employer's AAP was lawful because the training program was a voluntary measure implemented to "eliminate traditional patterns of racial segregation." Moreover, the AAP was upheld as it "did not unnecessarily trammel" employees' interests because it:

1. did not require the discharge of workers and their replacement with new hires based on employees' protected characteristics;
2. did not create "an absolute preference" for minorities or serve as an "absolute bar to" employees' job advancement; and
3. was a "temporary measure, not intended to maintain racial balance, but simply to eliminate manifest racial imbalance" in a historically segregated profession.

Thus, the Court permitted the AAP at issue in Weber because it was not a strict quota that required employees to be terminated and replaced based on their protected characteristics, but rather was a temporary reservation for a noncompulsory job training program that was instituted to address effects of historical race discrimination in particular professions.

However, as discussed in response to Question 2 above, employers should be aware that voluntary race-conscious AAPs like the one at issue in Weber are likely to receive increased scrutiny following the Court's recent decision. For example, in the wake of the ruling, 13 state attorneys general issued a joint letter to Fortune 100 companies contending the June 2023 decision "recognized" that federal statutes prohibiting employers "from engaging in race discrimination apply at least as broadly as the prohibition against race discrimination" in higher education admissions.

Similarly, Senator Tom Cotton sent a letter to several law firms in July 2023 to "warn" that "race-based hiring quotas and benchmarks" are unlawful, and "Congress will increasingly use its oversight powers ... to scrutinize the proliferation of race-based employment practices." As such, race-conscious employment policies utilizing similar "preferences" to the Weber plan are likely to face more challenges from both plaintiffs and legislators in the wake of the recent Court ruling.

6. What is the effect of the Court's ruling on federal contractors' affirmative action obligations?

The Court's ruling does not impact federal contractors' and subcontractors' obligations to annually develop and maintain affirmative action programs ("AAPs"). Pursuant to Executive Order 11246 and regulations issued by the U.S. Department of Labor's Office of Federal Contract Compliance Programs ("OFCCP"), contractors and subcontractors with at least 50 employees and one federal government contract of $50,000 or more must develop AAPs analyzing the racial and gender makeup of their workforces.

Because the regulations governing AAPs make clear that contractors and subcontractors may not employ quotas or otherwise discriminate in their affirmative action efforts, the Court's ruling should not impact, directly or indirectly, government contractor and subcontractor AAP obligations. OFCCP has taken the position the Court's decision is limited to "higher education

admissions" and does not impact Executive Order 11246 or its regulations governing affirmative action for federal government contractors and subcontractors.

Why managers' attempts to empower their employees often fail—and even lead to unethical behavior

A majority of American workers right now are not feeling very motivated on the job, a new survey suggests.

Management experts often encourage business leaders to motivate employees by empowering them. The idea is that when workers are free to make decisions and manage their workday, they become more motivated, perform better and work more creatively.

However, for decades, employee empowerment initiatives have often failed or fallen short of expectations. Zappos, for example, was once hailed for its no-bosses structure, but that experiment has largely been dismantled and abandoned in recent years.

As a leadership scholar, I have studied the effects of leader behavior on employee motivation for over a decade. I've learned that when companies design and implement empowering leadership initiatives, they often overlook key factors that are necessary for empowerment to work.

As a result, their efforts to empower employees often result in little impact or are entirely ineffective. In fact, they can even lead employees to engage in unethical behavior.
Here are four ways, my research shows, a company can avoid common pitfalls to empowering leadership initiatives.

1. Provide all needed resources

Empowered employees need to know they can access whatever resources they need to succeed. For example, a marketing professional might need access to information databases, planning software and a sufficient budget for market research. Employees should also feel that additional resources to support new ideas are readily available if and when needed.
To do this, companies can plan and budget jobs in ways that guarantee that employees have additional, or excess, resources to draw upon. Moreover, companies can communicate frequently—verbally in team meetings and also via digital communications—not only that resources are available when needed but also that these additional resources can be obtained easily and quickly.

2. Set clear goals and strategies

"People can't be self-managing without information," business management expert Gary Hamel once noted. "[T]he goal is to provide staffers with all the information they need to monitor their work and make wise decisions."

In other words, companies can more effectively empower their employees if they divulge or communicate how their responsibilities fit into the bigger picture or strategic direction of the business. For example, the marketing professional mentioned above might benefit from an understanding of how a new product fits into the organization's overall product portfolio. Firms can also offer regular check-ins or town hall meetings at which everybody in the organization can ask questions about the strategic goals and vision of the company.

3. Signal clear and unwavering support

Employees who are truly empowered believe they have the emotional and physical support needed from colleagues—including supervisors, peers and subordinates—to do their jobs well. This entails verbal encouragement as well as offers to assist on tasks and projects.

Likewise, managers can emphasize that they believe in employees' capabilities and are there to enable employee growth and autonomy. Organizations can create a company culture of support by rewarding supportive actions that promote employee self-direction.

My research along with management professor Kirkman shows clearly across several studies that when employees do not have access to resources, information and support, they are not in fact empowered. As a result, the desired performance-boosting effects on their job performance, proactive behavior and creativity do not take place.

4. Remove red tape and other 'bad' stressors

Unnecessary red tape, office politics, ambiguity and interpersonal conflict create a lot of negative stress for employees, which hinders work performance. These "bad" stressors are different from "good" stressors that can encourage growth.

For example, the marketing professional from the previous examples might have to fill out multiple lengthy forms just to request access to an information database. Or perhaps they have to play political games to garner support for funding of a much-needed planning tool. Conflict, meanwhile, can take the form of unspoken rivalry with co-workers about perceived unjust promotions or resource allocations.

Another study that Kirkman and I conducted showed that an empowering leadership style paired with high amounts of "bad" stressors can actually backfire and be detrimental to a company. We found that employees in those situations are more likely to disengage

morally from their work and act unethically than employees who work with less empowering leaders.

For example, in one of our experiments, participants were asked to solve unsolvable anagrams as part of their fictitious job. Among participants who faced higher amounts of "bad" stressors before attempting to solve the anagrams, those exposed to an empowering leader were 75% more likely to lie about solving their puzzles for the sake of their organization than those who were exposed to a leader who was described as not empowering.

Empowering leadership instills in employees a mindset to get things done and a desire to pay back the organization for the empowerment received. But without the information, resources and support to succeed—or when there is a lot of negative stress in employees' work environments—people seem to switch to an expediency mindset whereby anything goes.

If business executives truly want to empower their employees, they cannot merely encourage managers to empower their subordinates. They must go the extra mile and address the four factors identified above. Otherwise, employees can feel left dangling in the void, struggling to prove their ability and even tempted to take actions that could eventually harm the company.

https://phys.org/news/2023-09-empower-employees-failand-unethical-behavior.html

Why New Technology Is So Stressful at Work—and What to Do About It

Anxiety over technological change is escalating, especially thanks to AI. Researchers and therapists offer all sorts of ways to deal with it.

When Ben Plomion took his latest job, he learned quickly that his tech skills were behind the times.

At 46, he's a decade or two older than most of his co-workers—and he's used to an earlier generation of software. While he was accustomed to presentation programs like PowerPoint or Google Slides, for instance, his young colleagues were working with an app called Canva.
"I went in all reluctantly, because I had to relearn everything, I'd learned for the last 10 years," he says.

Plomion—chief marketing officer for a Los Angeles startup that works with crypto technology—is no Luddite. But he sometimes felt overwhelmed by the pace of change. Then came ChatGPT, and thousands of other artificial-intelligence apps. "Where do you start? What tool do you pick? And you're almost frozen by uncertainty and doubt and indecision," he says.

Anxiety over technological change on the job has long plagued workplaces—perhaps never more so than today, as AI potentially threatens to upend everything. The questions are familiar ones: Will people be able to keep their skills up-to-date? How will their jobs change as tech

advances? Perhaps most stressful of all: Will new technology replace them? All of the uncertainty and stress can foster frustration, insecurity or self-blame that can affect their work and personal lives, and even their health.

Fortunately, researchers have studied this phenomenon for decades, gleaning insights into the deep psychological roots of these fears, how they affect people's response to technology—and how both workers and companies can mitigate the stress.

To get an idea of just how high tech-induced anxiety is, consider PwC's 2022 Global Workforce Hopes and Fears Survey, conducted before the widespread popularity of generative AI tech like ChatGPT. The report found that 30% of over 50,000 workers were concerned about technology replacing their role within three years, and 39% said they weren't getting enough tech training at work.

In this year's survey (released in June), 35% had some negative concerns about AI, such as fears that the technology will take their job, affect their role or require skills they might not be able to learn. They aren't imagining the possible turmoil. A March global study by Goldman Sachs estimated that generative AI "could expose the equivalent of 300 [million] full-time jobs to automation," although the report says that most jobs in the U.S. would be altered by AI, but not be replaced.

Workers who are worried about AI are more likely to report feeling tense or stressed at work, a new survey from the American Psychological Association found. "It can cause a person to be almost in a fight or flight state, where then every perceived threat to their job carries this heightened sense of urgency and concern," says Dennis Stolle, one of the lead authors.

Lessons from psychology

The roots of the fear can go back to primal feelings—an instinctive, evolutionary apprehension of anything novel, says Ofir Turel, a professor of information systems at the University of Melbourne. "Our ancestors were threatened by new species…new animals, new tribes moving to their territories," he says.

New technologies can cause insecurity, even from something as minor as disrupting people's routines. "Our brains are designed to maintain the status quo," says Nicole Lipkin, a clinical and organizational psychologist in Philadelphia. "We're designed to get from A to Z as efficiently as possible. And that means keeping things the same."

Sophia Xepoleas, a tech PR strategist in Oakland, recalls her reluctance to take time out to learn the project-management application Asana. "It is…a new pathway in your brain that you're training," she says. "And the ones that are already working are working really hard."

But the sense of threat from technology can go even deeper, by menacing people's personal identity, says Varun Grover, a professor of information technology at the University of Arkansas.

One aspect of that identity is people's sense of professional competence, and hard-to-learn technology can threaten that. New tech can also threaten people's sense of identity in the professional role they fill, he says, if it changes their job duties or workplace power dynamics.

Turel found this happening with the introduction of electronic medical records to a Midwestern hospital in a 2020 study. "They threatened physicians and nurses," he says. "They were the people who actually control the information. Now you have to spend time to go through 10 screens when you prescribe something."

This resulted in what researchers called "unfaithful use" of the new tech. Medical personnel would skip over screens or enter random information just to get through the forms. Turel and other work-stress researchers have another term for this reaction: sabotage.

The latest artificial intelligence takes this identity threat much further, says Grover, because it promises to do the higher-level reasoning that people think of as uniquely human.

Running away

To be sure, rarely does tech stress reach a clinical level of anxiety or depression. Even so, it can lead to unhealthy behavior.

For instance, a natural response to stress is to run away from the threatening technology. "When there's lots of uncertainty, then it's a little bit difficult to cope," says Mindy Shoss, professor of industrial/organizational psychology at the University of Central Florida. "And people tend to do what we call emotion-focused coping strategies, which include things like avoidance," she says.

In tech, this could mean refusing to learn or use a new piece of software and trying to continue with the older application you are used to.

To help work through this anxiety, say researchers, people can use tools from psychological practices such as cognitive behavioral therapy, which can help people challenge negative thought patterns.

For instance, when people face new, difficult technology, it "can be a huge trigger for negative self-talk," a sense that we lack ability or aren't trying hard enough, says Vaile Wright, senior

Instead, people can start with understanding why they find the new technology upsetting and re-evaluating the sense of risk and threat.

Workers can also reframe a technology challenge in such a way to realize the situation isn't so bad (for instance, you won't get fired if you don't master this new tech). Other times, it helps them accept genuine misfortune (you will lose your job) and strategize how to move on.
It can also help for workers to give themselves some credit for facing challenges.

"It could be a thought like, 'It's not that surprising that this is hard. I didn't go to school for this. But I've overcome hard things before,' " says Wright.

These tools work best in a therapeutic setting, but they are also available in self-help workbooks, says Wright. She suggests, for instance, checking out "The Dialectical Behavior Therapy Skills Workbook" or recommendations from the Association for Behavioral and Cognitive Therapies.

Resisting or embracing

Another danger is what psychologists call catastrophizing. "Examples of cognitive distortions are [saying,] 'If I don't learn this within a week, I'm going to get fired.' That's catastrophizing or all-or-none thinking," says Lipkin.

Reframing is one-way Xepoleas reduces the all-or-nothing pressure surrounding tech: She doesn't need to master every new piece of technology to get benefits from it. Plomion, meanwhile, reduces stress by telling himself he's doing everything he needs to do to get his job done. "I am never going to be a ChatGPT expert," he says. "There's a lot of people who can do that. But at a minimum…I know how to use the tools."

The two have also tried reframing new tech as an opportunity. Xepoleas admits that, after fighting the Asana app, she ultimately found it helpful. "I'll usually take the initiative on myself," she says, "especially if it's something that's important for me to learn, or if I don't learn it, I'm going to miss out on something strategic or important."

People can also benefit from distraction—a cognitive behavioral technique for breaking the cycle of anxious thoughts. Xepoleas enjoys visiting a park and listening to classical music, as a respite during or after the workday. Plomion goes surfing most mornings. "When I get back from the ocean and go straight to the office after that, I'm a lot more relaxed," he says. "I'm also a lot more eager to go back to my AI tools and learn them."

Plomion is also an ardent skateboarder and considers mastering new tricks as akin to figuring out technology. This is known as "building mastery" in dialectical behavioral therapy, a cousin of cognitive behavioral therapy, says Wright. Achievements in one activity build confidence for taking on other challenges.

It might seem daunting to be constructively positive about new tech—but it is certainly possible. While about a third of the PwC survey respondents expressed fear over new tech, about half expected positive scenarios, such as AI making them more productive or creating new job opportunities.

Most Vulnerable Jobs

Among employed U.S. adults who have heard of ChatGPT, the percentage by industry who think such technology will have a major or minor impact on their job in the next 20 years

Reframing disappointment

Reframing is also crucial when the worst is true. While people often exaggerate threats, they are not always wrong. They might lose their jobs because of technology, after all. And even if they keep them, technology may change their roles in ways they don't like—fears that are accelerating because of AI.

It can be healthy to acknowledge feelings of loss—for a time. That is the thrust of acceptance and commitment therapy, or ACT. Instead of trying to debunk the problem underlying their anxiety, "ACT therapy would have a person accept the experience," says David Blustein, a professor of counseling psychology at Boston College.

A related concept, from dialectical behavioral therapy, is radical acceptance. People don't have to approve of a situation that causes grief and pain, but fighting reality instead of accepting it leads to more grief and pain. "Sometimes I just have to give in, and I have to say, OK, this is going to be a part of my life now," says Grover. "So how do I reconceptualize my role identity with this technology in my life?"

How employers can help

During times of anxiety, companies can foster a sense of agency among employees by bringing them early into the conversation about new technologies—finding out what they need and if the tools on offer will do the trick.

It is all right if these conversations include some complaining, says Lipkin, the Philadelphia psychologist. "When I hear you gripe, I'm getting what you're afraid of," she says. But raising concerns is only the beginning of the process. Employees should be encouraged to spend most of the discussion finding solutions to the problems, she says.

Workers can also help each other cope with disruptive tech by discussing their frustrations, says Shoss, as it provides validation of their feelings, reassurance and a sense of camaraderie. On a practical level, co-workers can help each other figure out new technologies. "Most younger people, at least in my company, and probably many others, are very willing to share their expertise in a specific tool," says Plomion.

That's no substitute for formal employee training, though, because employers should articulate an overall plan for how the technology is meant to be used. Employers also have to recognize different types of learning that work for each employee, says Wright, and provide multiple options, such as written tutorials, videos and one-on-one sessions.

"Employers really need to prioritize their employees' mental health," she says. "We know that when our mental health and our emotional well-being [are] more stable, we're actually better employees. We're more committed to the organization."

Ageism In The Workplace

Learn how ageism occurs in the workplace, the damaging effects it can have on company culture and how to prevent ageism within your business.

Growing older doesn't negatively impact our performance, productivity or skills. Unfortunately, several companies see things differently. While the Age Discrimination in Employment Act (ADEA) forbids ageism in the workplace, employers consistently discriminate against older workers. When businesses judge candidates based on age, they miss out on a highly experienced talent pool, as well as the unique benefits and skills older workers can bring.

Let's define terms, Ageism in the workplace is when a candidate or employee is discriminated against because of their age. Although ageism can be experienced by both younger and older workers, it most commonly impacts those who are over 45 years of age. It includes anything from denying applicants because they're close to retirement to giving an older employee's responsibilities to a younger worker.

Workplace age discrimination stems from misconceptions about the abilities and dedication of older workers. In reality, there are several benefits to hiring and retaining employees of all ages.

Here are a few key advantages of obtaining older employees.

1. Increased loyalty

While young professionals may be open to different career paths, older workers typically have a more established idea of what they want to do. According to a 2019 BLS survey, baby boomers (those born between 1957 and 1964) had approximately 12 jobs from ages 18 to 52; however, nearly half of these jobs were held before age 25. This indicates that, as workers age, they're more likely to remain with the same company.

2. Valuable experience

Many older workers have spent decades building industry-relevant experience and skills. Employing people with high levels of expertise can enhance your business and even help improve the skills of less-experienced workers. It's common for older employees to serve as workplace mentors.In addition to accumulating experience, older workers often establish networks of clients and contacts that can prove useful to your business. For example, if you run a marketing firm, hiring an employee who has connections with potential marketing clients could pay off in the future.

3. Different perspectives and ideas

Like race, gender, religion and sexual orientation, age is an important factor in building diverse teams. Increased workplace diversity has been linked to higher creativity, employee engagement and productivity. Maintaining a diverse workplace also encourages multiple viewpoints, which leads to better decision-making and problem-solving. For example, the perspective of a 60-year-old can provide insight that a younger employee may not. Having more perspectives in the office boosts the potential for innovation and success.

https://www.entrepreneur.com/en-in/lifestyle/ageism-in-the-workplace/458820

Did Workplace DEI Programs DIE Following the Supreme Court's Affirmative Action Decision?

It's been nearly two months since the Supreme Court struck down affirmative action in college admissions – and many employers are still wondering whether their workplace Diversity, Equity & Inclusion programs are still legal in the wake of the groundbreaking ruling. While the dust is still settling, the answer to this question is starting to come into focus. Here's a review of how the SCOTUS decision impacted workplace DEI programs and six steps you can take to ensure compliance.

Did Supreme Court Ruling Impact Corporate DEI Programs?

On June 29, the Supreme Court ruled that UNC's and Harvard's use of race in their college admission decisions violated the Equal Protection Clause of the Fourteenth Amendment. The Court held that while student body diversity is a commendable goal, the schools' approach – which had no ability to determine when student body diversity reached acceptable levels – amounted to stereotyping. Employer Diversity, Equity & Inclusion (DEI) programs and federal contractor affirmative action practices were not directly addressed by the Court's decision. Still, many employers and interest groups have been focused on what the SCOTUS decision means for employers and their DEI programs.

EEOC Chair Says No

Immediately following the ruling, EEOC Commission Chair Burrows issued a press release addressing private employer DEI programs. She emphasized that the decision "does not address employer efforts to foster diverse and inclusive workforces or to engage the talents of all qualified workers, regardless of their background."

She went one step further by saying: "It remains lawful for employers to implement diversity, equity, inclusion, and accessibility programs that seek to ensure workers of all backgrounds are afforded equal opportunity in the workplace."

Others Send Warnings to Employers

In contrast, EEOC Commissioner Lucas authored an article that same day in which she stated that, "Poorly structured voluntary diversity programs pose both legal and practical risks for companies. Those risks existed before the Supreme Court decision today. Now they may be even higher."

Echoing the sentiments of Commissioner Lucas, the Attorneys General of 13 states sent letters to the CEOs of Fortune 100 companies reminding them of their: obligations as an employer under federal and state law to refrain from discriminating on the basis of race, whether under the label of "diversity, equity, and inclusion" or otherwise. Treating people differently because of the color of their skin, even for benign purposes, is unlawful and wrong. Companies that engage in racial discrimination should and will face serious legal consequences.

In light of these challenges and risks, employers may be questioning whether to retain their DEI programs. The short answer to that question is yes. Properly implemented DEI programs remain a tremendous asset for employers.

While the challenges to DEI programs may start increasing, the underlying benefits of such programs remain. Studies continue to find that companies with effective DEI programs continue to outperform financially those companies that do not have formal such programs.

In addition, employees often state that they prefer and are more committed to companies that value diversity and inclusion. This becomes increasingly important as newer generations are entering the workforce and playing critical roles in modern organizations. Employers considering terminating compliant DEI programs may face the loss of talent and the remaining workforce may be disgruntled and disengaged.

6 Action Steps for Employers with DEI Programs

The balance of competing interests likely justifies the continuation of effective, legal DEI programs. You'll need to review your entire program to ensure that it meets the legal requirements – as well as the business imperatives that warrant the continued operation of your DEI initiatives.

Here are six topics and action steps you should consider when evaluating your existing DEI programs.

Review Your Recruiting: Efforts to expand the applicant pool should remain acceptable. You should continue outreach to diverse sources for applicants including high schools in diverse

communities, HBCUs, and organizations that promote women, minorities, veterans, disabled individuals, and other underrepresented groups. Consider including socioeconomic and geographic diversity as other potential factors in employment decision making.

Avoid Improper (and Illegal) Considerations When Hiring and Promoting: Just as before the Supreme Court's decision, private employers are prohibited from using race (and other protected characteristics) when making employment decisions such as hiring and promotions. Avoid doing so now just as then.

Reconsider Race-Based Goals: Quotas have always been unlawful for private employers under Title VII. It is likely that race-based objectives would also be as problematic after the SCOTUS decision. More general statements such as "being representative of the community" or achieving a higher percentage of diversity among the management team may also be challenged – so work with your legal counsel to ensure your objectives are appropriate.

Provide DEI Training – But Make Sure it Stays in Bounds: DEI training initiatives remain a beneficial aspect of your development plans – but you should review them to ensure the content is legally appropriate. Focus on the benefits of diversity and inclusion in the workplace. Inclusion should be highlighted as a tool to achieve your business objectives (such as getting the most out of all employees) rather than promoting targets or quotas. It is imperative you continue training to eliminate unlawful harassment and discrimination in the workplace by training all employees, including specialized training for managers and supervisors. (Be mindful of specific state laws that might impact DEI training, so check with your legal counsel.)

Retain – But Consider Retooling – Mentoring Programs: Existing mentoring programs that promote career development are generally legal and you should continue them to enhance your company's development efforts. However, programs should be open to all employees regardless of race or other protected category. Review and update them as needed to ensure they stay within the bounds of the current state of the law.

Open Your Employee Resource Groups: These groups – sometimes known as Business or Affinity Groups – remain legal just as they were before the SCOTUS decision. But you should review membership guidelines to ensure they are open to anyone interested in the topic and not limited by sex, race, or any other protected category.

Conclusion

The legal landscape for DEI programs remains dynamic and will likely see additional challenges in the future. However, programs operating in compliance with state and federal laws remain important business tools to support employee engagement and long-term business success.

https://www.jdsupra.com/legalnews/did-workplace-dei-programs-die-1777798/

DEI programs are under fire. Is yours the next target?

Poorly created and implemented DEI initiatives coupled with a lack of training can create significant liability for employers, according to Hunton Andrews Kurth LLP attorneys.

On June 29, the U.S. Supreme Court held that Harvard and UNC's race-based admissions policies (more commonly known as "affirmative action") violated the Equal Protection Clause of the Fourteenth Amendment, which prohibits States from denying any person equal protection of the laws of the United States, as well as Title VI of the Civil Rights Act.
The opinion doesn't affect employment, but has lessons for HR pros hoping to ensure their DEI initiatives don't unintentionally create liability.

Understanding SFFA v. Harvard College

Admittedly, both Harvard and UNC considered an applicant's race at various stages. Harvard considered an applicant's race in all five stages of its admission process, and UNC required its admissions officers to consider an applicant's race among other factors like academic strength and student background. The schools' stated goal in considering race was to train future generations of leaders, uncover new knowledge through a diverse student body, encourage the discussion of different viewpoints and ideas, and prepare engaged and productive citizens. While the Supreme Court noted these goals were laudable, it held that it was well-established that colleges and universities cannot consider an applicant's race as a positive or negative factor in admissions decisions.

Reviewing the selection processes under strict scrutiny, the Supreme Court noted the processes failed in three major ways. First, the affirmative action policies were too ambiguous for courts to review, as there was no practical way to quantify or qualify the racial standards and criteria imposed.

Second, the Court noted that these programs engaged in harmful stereotyping, stating that race-based admissions systems "fail to comply with the Equal Protection Clause's twin commands that race may never be used as a 'negative' and that it may not operate as a stereotype." As Justice Clarence Thomas noted in his concurrence, "lumping people together and judging them based on assumed inherited or ancestral traits is nothing but stereotyping." Finally, the Court emphasized that these programs contained no clear endpoint, as required by precedential case Grutter v. Bollinger, which stated that "enshrining a permanent justification for racial preferences would offend" the Constitution's guarantee of equal protection of the laws, and thus the use of racial classifications must have some identifiable end point.

In his concurring opinion, Justice Neil Gorsuch noted that these admissions programs also violate Title VI of the Civil Rights Act of 1964. Gorsuch explained that Title VI "prohibits a recipient of federal funds from intentionally treating any individual worse even in part because of his race, color, or national origin and without regard to any other reason or motive the

recipient might assert." Thus, Title VI applies to more actors (including private actors) than the Equal Protection Clause, which only applies to State conduct.

Gorsuch also emphasized Title VII's similarity to Title VI: "If this exposition of Title VI sounds familiar, it should. Just next door in Title VII, Congress made it 'unlawful … for an employer … to discriminate against any individual . . . because of such individual's race, color, religion, sex, or national origin,'" he said, adding that as Justice John Paul Stevens recognized years ago, "'[b]oth Title VI and Title VII' codify a categorical rule of 'individual equality, without regard to race.'" How the ruling affects employers

While the Supreme Court's decision has no direct impact on employers, it echoes Title VII, which makes it illegal for employers to discriminate on the basis of race, color, religion, national origin or sex (including pregnancy, sexual orientation and gender identity). It also criminalizes any retaliation against an employee for complaining about discrimination, participating in an employment discrimination proceeding like an investigation or lawsuit, or reasonably opposing discrimination (like resisting unwanted sexual advances or helping protect co-workers from unwanted sexual advances in the workplace).

Executive Order 11246 also prohibits this kind of discrimination by federal contractors. These provisions, together with this Supreme Court decision, raise some red flags regarding diversity, equity and inclusion initiatives and "reverse discrimination" in the workplace. Notably, Gorsuch noted that Title VII mimics the language of Title VI, and that where Congress uses the same terms in statutes, the Court should presume the words have the same meaning, i.e., because Title VI prohibits the use of race in admissions decisions, the use of race in employment-related decisions is also prohibited.

It is important to note that anti-discrimination laws protect all individuals, including white and male employees. As a result, poorly created and implemented DEI initiatives coupled with a lack of training can create significant liability for employers. Employers must be prepared for these kinds of complaints to ensure their good intentions are not used against them.

Indeed, complaints about DEI initiatives, including reverse discrimination, are not new and will likely increase as a result of this highly publicized opinion. While there is currently a circuit split on how to analyze reverse discrimination claims, it is likely to be resolved soon based on comments in the Supreme Court's recent decision.

There has been a longstanding circuit split regarding how courts assess these kinds of reverse discrimination claims. Specifically, courts disagree on exactly what a reverse discrimination plaintiff has to prove in his or her case.

The 1st, 3rd, 5th, and 11th Circuits follow the prima facie test set forth in McDonnell Douglas Corp. v. Green and treat the burden of proof for reverse-discrimination claims the same as a regular discrimination claim. Thus, a plaintiff only has to prove "(i) that he belongs to a racial minority; (ii) that he applies and was qualified for a job for which the employer was seeking

applicants; (iii) that, despite his qualifications, he was rejected; and (iv) that, after his rejection, the position remained open and the employer continued to seek applicants from persons of complainant's qualifications." In reverse discrimination cases, a plaintiff in the 1st, 3rd, 5th, or 11th Circuits can satisfy element (i) by proving they are a member of a "protected class" under Title VII, without needing to provide any additional information.

Other circuits, however, go beyond the prima facie elements and require proof of additional "background circumstances" in reverse-discrimination cases. The background circumstances test requires that a reverse discrimination plaintiff show "(1) background circumstances giving rise to an inference of discrimination; (2) that he applied for and was qualified for an open position; (3) that he was not hired for the position; and (4) that the employer filled the position with a person in a protected class."

Under this test, a reverse discrimination plaintiff must provide "evidence indicating that there is something 'fishy' about the facts of the case at hand that raises an inference of discrimination." Examples of "fishy" facts include evidence of "schemes to fix performance ratings," departing from usual hiring procedures in an "unprecedented fashion," and being passed over for minority candidates despite having "superior qualifications." Currently, the 6th, 7th, 8th, 10th, and D.C. Circuits follow the background circumstances test. These circuits justify using an enhanced requirement by pointing to the original intent of Title VII: to combat widespread discrimination against African American employees.

How to avoid liability

Employers should always know (and be able to articulate) the "why" behind employment decisions. Communicating the rationale behind DEI policies is key to demonstrating a lack of discriminatory intent. They should avoid making employment-related decisions based on race, sex or other categories prone to discrimination, and should try to avoid financially incentivizing managers or leaders to meet related diversity goals.

Employers should treat employees and candidates for hire as individuals instead of representatives of their respective minority groups. Additionally, employers should refrain from taking any action that could be considered retaliatory against an employee who complains of mistreatment.

By focusing their efforts on removing barriers to inclusion instead of creating unintentional quotas for racial or gender balancing, employers can administer workplace policies and standards equally across all employees while still capturing the essence of DEI. Specific DEI tools like affinity groups, mentoring programs and trainings should be carefully tailored to avoid potential liability.

https://www.hrdive.com/news/dei-programs-are-under-fire-is-yours-the-next-target/693058/

Most Employees Have Unhealthy Relationships With Work, Study Finds

A study processed by HP found that unhealthy relationships with work are affecting employees' mental, emotional and physical health

A recent study has found that two-thirds of UK knowledge workers have an unhealthy relationship with work.

The study was processed by HP and named the HP Work Relationship Index, intending to catalogue employees' relationships with work worldwide. The research surveyed over 15,600 respondents across the knowledge sector in 12 countries and argued that its findings reflected a systemically unhealthy working dynamic across the global knowledge industries.

Other eye-catching findings included that only one-quarter believe they actively have a healthy relationship with work, almost three quarters of respondents (74 percent) said they would take a pay cut to be happier at work, and only one quarter of UK knowledge workers consistently believe their company provides them with the tools they need to be successful at work.

Neil MacDonald, UK&I Channel Director at HP, said:

This research highlights the opportunity business leaders have to strengthen the world's relationship with work – in ways that are good for both people and business. It is our role as leaders to demonstrate and encourage workers to find the balance between productivity and happiness. The most successful organisations have healthy cultures that enable employees to excel in their careers and thrive outside of work."

The study examined more than 50 factors behind employees' relationships with work, such as "the role of work in their lives, their skills, abilities, tools and workspaces, and their expectations of leadership". The study also explored how work affects employee "well-being, productivity, engagement and culture".

HP's study found alarming results about how lacking a healthy relationship to work can impact a person's physical, mental and emotional well-being.

57 percent of respondents said they struggle with their self-worth and mental health, with their self-esteem affected by their dynamic at work. This triggers a chain reaction, with 45 percent saying their personal relationships with friends and family suffer as a result, while more than half said they are too "drained to pursue their personal passions", as the report says. Almost two-thirds report trouble with maintaining healthy eating, exercising and getting sufficient sleep (65 percent).

HP also found that when employees are unhappy or disengaged, it can have negative consequences for the business — alarming given HP recorded that almost half of UK knowledge workers feel disconnected at work (49 percent). As well as the inevitable impact on employee

performance, unhappiness at work leads to adverse outcomes for retention — 91 percent of respondents said they consider leaving their employer when unhappy.

HP's recommendation for business leaders is a greater emphasis on emotional intelligence, stressing that trust and emotional connection with employees are invaluable as our ideas of work have evolved post-pandemic.

HP cited six key factors to help business leaders cultivate healthier relationships with work for employees; prioritizing fulfilment through increased voice and agency, more transparent and empathetic leadership, visibly emphasizing putting people first and placing their teams at the center of decision-making, investing more in holistic training and support, investing in the right tools for successful hybrid working, and flexible hybrid workspaces to demonstrate trust in employees and fostering a positive work experience.

A Significant Week for Studies on the Past, Present and Future of Work

HP's research hasn't been the first published this week that offered insights into how our concept of work is changing.

A study by insurance broking and risk management firm Gallagher recorded that the majority of UK businesses are reducing their office space post-pandemic following the rise of hybrid working.

Gallagher found that 63 percent are now changing office space due to shifts in ways of working. That figure constitutes over a fifth of businesses planning on moving to smaller offices (21 percent), over one-third considering moving to shared office space, and seven percent of businesses having already changed office space.

The scale of the post-pandemic shift in working is illustrated by over two-thirds of UK businesses having introduced hybrid working because of employee demand for greater working flexibility (69 percent). Furthermore, three-fifths of business leaders said they wished they to a hybrid model pre-pandemic because it's been such a success, while three-quarters said employees have improved their efficiency.

https://www.uctoday.com/collaboration/most-employees-have-unhealthy-relationships-with-work-study-finds/

Trauma in the workplace: what it is and 5 ways leadership can help

Traumatic experiences can be debilitating. That includes physical trauma, emotional trauma, and trauma that has both a physical and mental component.

People may experience traumatic incidents in any area of their life. But recently, there's been an increased prevalence of trauma in the workplace.

The pandemic was particularly traumatizing for many employees—particularly frontline workers. This includes doctors, nurses, and health care professionals. (These professionals were often faced with traumatic incidents on a daily basis as they provided care to COVID patients.) It also includes people like grocery store workers and nursing home employees. These employees were forced to put themselves at increased risk of COVID just to go to work every day.

But trauma in the workplace isn't limited to any particular industry or job type. And not all trauma in the workplace is pandemic-related. For example, many organizations have a workplace culture that continually traumatizes their employees. Or, there may be an event in a workplace that causes trauma, like an accident or shooting.

And this kind of workplace trauma can have an intensely negative impact, both on your employees and your organization. The effects of trauma can cause employee mental health to deteriorate. Often, employees experiencing trauma at work don't feel safe in the work environment. And ultimately, that can lead to them leaving the company—and the organization losing top talent.

As an organization, it's important to do everything you can to address trauma in the workplace. You'll also want to do everything you can to support employees that have experienced trauma at work.

But how, exactly, do you do that?

What is trauma in the workplace?

Before we jump into how to support employees who have experienced trauma at work, let's touch on what, exactly, trauma in the workplace is.

What is trauma in the workplace?

Workplace trauma occurs when employees experience a trauma at work. This can be a one-time traumatic event, like a workplace accident. Or, it could be ongoing stressful events (like unrealistic expectations around their workload or an abusive boss).

When someone has experienced trauma, it can manifest in different ways. (This is true whether the trauma is a result of a single event or ongoing stressors, like a toxic work environment.) This includes symptoms associated with both physical health and mental health. These symptoms could ultimately lead to acute stress disorder or, in more severe cases, post-traumatic stress disorder PTSD.

Some of the long-lasting effects associated with trauma in the workplace include:

1. Ongoing mental health issues

Trauma in the workplace can lead to ongoing mental health issues. Depending on the person and situation, this may include:
increased anxiety (both work-related anxiety and generalized anxiety)
increased depression
panic attacks
challenges with emotional regulation

2. Ongoing physical health issues

Workplace trauma can also cause issues with physical health. This may include:
- Exhaustion, hyperarousal
- Sleep issues
- difficulty relaxing
- decreased energy
- physical pain

3. Flashbacks

People that have experienced trauma may experience flashbacks to the traumatic event. During a flashback, an employee may feel like they're reliving their trauma. Their nervous system reacts as if the trauma is happening in real-time—even if the trauma has long past. This can, obviously, be extremely stressful, scary, and draining to the employee experiencing it.

4. Increased absenteeism

Trauma at work can also cause issues with an employee's attendance and employee engagement. For example, if the employee is experiencing mental and/or physical symptoms, they may need to stay home to take care of their health. Or, if they find they get triggered at work (for example, they experience symptoms every time they have to interact with a toxic boss)? They may avoid coming to work as a way to avoid potential triggers.

5. Increased reactivity

Trauma isn't a one-size-fits-all experience. People react to trauma in different ways. And one common reaction? Increased reactivity.

Employees that have experienced trauma at work may be hyper-reactive. This means that they are more prone to anger and irritability—and may react in a way that is misaligned with the situation they're experiencing.

Sometimes, this hyper-reactivity occurs when their trauma is triggered. (For example, after interacting with their emotionally abusive boss, they may be more irritable. This may cause them to act out—like yelling at another employee that asks for help on a project). But increased reactivity can also be an ongoing symptom. In that situation, people may be viewed as having a "short fuse."

6. Decreased work performance

All of the side effects of trauma can make it hard to get work done. Between the mental, emotional, and physical symptoms, employees may experience a lack of focus. They may also struggle to make progress on their tasks and projects. This can cause performance to take a nosedive—even in employees that have historically been top performers.

7. Increase in burnout

Many people dealing with trauma show avoidant behaviors. They look for ways to avoid feeling or thinking about the impact the trauma has had on them. And for some employees, one of the ways they avoid dealing with the trauma is by throwing themselves into work.
While their work performance may improve, this puts them at an increased risk of burnout.

8. Self-isolation

People who experience trauma at work may become increasingly withdrawn and isolated. For example, an employee with a lot of friends at work may pull back from their work relationships. (They may also pull back from relationships outside of work, including family and friends.) They may spend significantly more time alone, which can lead to additional mental health issues.

9. Substance abuse issues

Another way some people avoid dealing with their trauma is through substances, like alcohol or other drugs. Depending on the level of the person's substance abuse issues, they may or may not use substances in the workplace. But whether they're using at work or outside of work (or both), substance abuse can be life-threatening.

Some of the most common causes of workplace trauma include:

Physical workplace violence

Violence is traumatic—and it happens in the workplace. According to data outlined by the Centers for Disease Control, in 2020, 20,050 workers experienced nonfatal workplace violence. (73 percent of those workers were women.) And if someone experiences violence at work, they may (and probably will be) traumatized by it. This includes physical violence, like a physical or sexual assault.

Physical violence in the workplace—even if it's targeted at a single person—can cause a collective trauma, where much (or all) of the workforce is dealing with the traumatic event.

A toxic work environment

A toxic work environment can also drive trauma in the workplace. A "toxic work environment" can mean different things to different people. An example of a work culture that may traumatize employees is a culture that allows (or even encourages) discrimination in the workplace. This includes, among other things, racism, homophobia, sexism, or ageism. It also includes emotional violence, like being continually yelled at or degraded by a supervisor.

Another example is a culture of overwork. (For example, salaried employees are expected to work nights and weekends, even though they don't get extra pay.) A work environment that allows gaslighting, bullying, or workplace coercion can also be traumatizing for some team members.

Work accidents

An accident at work can also cause trauma. If an individual has an accident, it can cause individual trauma and/or trauma for the people that witnessed the accident. Sometimes, an accident is more widespread and includes a larger group of employees (for example, being stuck in a tornado while at work).

Unrelated traumas that happen at work

Not all trauma in the workplace is directly related to the workplace. People may experience a trauma at work that has nothing to do with the organization or other employees. But even though it's not directly related to work, they may still find work triggering after the event. (For example, let's say an employee gets a phone call at work that a loved one had been in an accident. Their grief and trauma may be triggered every time they sit at their desk or hear the phone ring.)

There may also be trauma associated with social issues—and that trauma can cause issues in the workplace. (For example, some employees may be traumatized from increased gun violence and mass shootings. And while no gun violence occurred at work, they may experience trauma symptoms or triggers during work hours.)

How leadership can mitigate workplace trauma

Organizations can't completely eliminate trauma in the workplace. But there are things they can do to mitigate workplace trauma and better support their employees.

1. Remove the stigma

There is still some stigma surrounding trauma—and the issues that stem from it. But you can't solve a problem that you're unwilling to talk about. So, if you want to mitigate workplace trauma, the first step? Removing the stigma.

Talk to your employees about workplace trauma. Let them know that, as an organization, you're there to support them. Make yourself available to listen to their challenges or answer any questions they may have.

When trauma is discussed openly and often, it can create a sense of psychological safety. This will increase the chance of employees reporting workplace trauma. It will also create a safe environment for employees in asking for help if and when they're struggling with trauma-related symptoms.

Also, if there is a trauma that does happen in your workplace, acknowledge it. Talk about it. Inform your employees about what you plan to do to deal with the traumatic event. For example, if there was a workplace accident, acknowledge what happened. Then, walk your employees through your plan to increase workplace safety. Let them know how you plan to prevent a similar accident from happening in the future.

Or, if an employee reports their supervisor is being abusive? Talk to the supervisor's direct reports and let them know the supervisor has been removed. Then, offer them any additional support if they also experienced trauma as a result of the relationship.

2. Offer workplace trauma training

In order to effectively manage trauma in the workplace, you need your team to be informed. Or, more specifically, trauma-informed.
Workplace trauma training can get managers the information they need to better support employees. It can also give employees tools to understand their own trauma. It can also empower them to feel more comfortable seeking treatment and/or asking for support.

While there are a variety of trainings you could offer your team, some trauma-informed trainings you may want to consider include:

Common causes of workplace trauma—and how to deal with them
- How to identify when someone has experienced a trauma—including recognizing triggers—and how to help

- How to talk about traumatizing events, both individual and collective
- How to spot abusive behavior in the workplace—and how to put a stop to it
- How to create a work environment that supports employees dealing with trauma
- How to report a trauma in the workplace
- How to manage/support an employee in crisis

The better you train your team, the more informed your employees will be. And the more effective your organization will be at mitigating trauma as a result.

3. Offer additional resources to traumatized employees

It's important that key team members have training on how to support employees dealing with trauma. This includes leadership, managers, and HR professionals. But they're not health professionals. While they can offer support and understanding, they can't provide professional help and/or treatment. And traumatized individuals often need professional help to manage and heal from their trauma.

That's why it's important to have additional resources on hand to support employees dealing with trauma. This includes referrals to trauma specialists and information on where they can find support. For example, referrals to social workers, mental health professionals, and/or trauma support groups.

You may also consider offering employees a mental health or employee wellness stipend. That way, if and when they find themselves dealing with trauma they have some additional financial resources to get the treatment they need.

4. Adopt a zero-tolerance policy to common drivers of workplace trauma

As mentioned, there are a number of different events and behaviors that can cause trauma in the workplace. It's not possible to have a plan for every event or behavior that might traumatize an employee. But it is possible to have a plan for the common drivers of workplace trauma. And that plan should be a zero-tolerance policy.

It's important to protect your employees from trauma and deter traumatic dynamics in the workplace. And one way to do that is to take a zero-tolerance stance against common trauma-inducing behaviors. This includes:
- Physical violence
- Emotional violence (like gaslighting or bullying)
- Emotionally abusive management practices

Write out your policy. Include it in your employee handbook—and then, distribute it to all employees. Have them sign a document that states that they read and understand the policy.

This will lessen any potential issues if an employee needs to be disciplined and/or terminated for violating the policy.

Now, it's important to note that you can't take a zero-tolerance approach to every situation that may induce trauma. For example, some employees may find excessive gossiping to be traumatic. But you can't fire every employee that shares gossip at the water cooler. You can, however, discourage it.

In those situations, it may be helpful to take a grey rocking approach—and encourage your employees to do the same. With this approach, you refuse to acknowledge or engage employees when they exhibit toxic behavior. You act as unresponsive as possible. Over time, this can lessen problematic behaviors.

If, however, the behavior continues to disrupt the work environment it might need to be escalated to HR or the individual's supervisor.

5. Prioritize your employees' health and well-being

As an organization, it's important to take every step possible to mitigate trauma in the workplace. It's also imperative to support traumatized employees.

And one way to do that? Prioritizing your employees' mental health and well-being. When supporting your employees' well-being is built into your culture, team members will be less stressed. They will be more engaged with their work, co-workers, and managers. If they experience a trauma, they will know the company will take it seriously—and do whatever necessary to support them. Knowing they have that support can help the build resilience and put them in a better place to manage trauma if and when it happens.

Not only will this help to support employees experiencing trauma, but it can actually help lessen trauma in the workplace. For example, a company that prioritizes employee well-being is less likely to have a toxic culture of overwork. This can help employees avoid burnout and the trauma that often goes with it.

Or, as another example, if you create a culture that values employee well-being? It will be easier to spot managers and employees that don't align with that culture. For example, managers that yell at their direct reports. Then, you can take action to stop the traumatizing behavior. This may include terminating managers and/or employees that don't value the health and well-being of their colleagues.

Trauma in the workplace can have a serious impact, both on employees and on the organization as a whole. It's important to understand not only how trauma in the workplace happens, but the potential impact it has on employees. And now that you do, you can take steps to avoid traumatic incidents—and take action to support employees if and when they do happen.

Keeping workers safe in the automation revolution

The widespread adoption of robots and artificial intelligence (AI) is revolutionizing multiple industries and will likely reshape many aspects of our lives (West, 2018; Muro, Maxim, and Whiton 2019). Automation, industrial robots, and the forthcoming AI revolution have already changed the nature of work and production processes.

A growing body of work has investigated the consequences of robots on labor market outcomes. Some studies have highlighted the negative effects of robots on the labor market opportunities among more exposed workers (Acemoglu and Restrepo 2020; Giuntella, Lu, and Wang 2022), whereas others have emphasized their positive effects on productivity, growth, and long-run outcomes (Graetz and Michaels 2018).

Robots and AI are transforming the allocation of tasks among workers. This reallocation of tasks may directly affect work-related health risks as well as workers' perception of job safety as robots are often used in tasks that are physically intense and may involve higher risks. Furthermore, increased uncertainty and the challenges faced by workers exposed to new technologies, increased automation, and the adoption of AI may also directly affect job satisfaction and individual well-being. The relationship between robots and more generally automation and the physical and mental health of workers is complex and has received so far only limited attention in the literature.

In this article we first review the recent literature on the economics of robots before turning to new research on the link between robots and physical and mental health outcomes. We conclude by discussing how these findings might inform our understanding of how AI affects workers' health outcomes.

The rise of robots

The International Federation of Robotics (IFR) defines industrial robots as "automatically controlled, reprogrammable, multipurpose manipulator, programmable in three or more axes, which can be either fixed in place or fixed to a mobile platform for use in automation applications in an industrial environment." The main difference between robotic technologies and artificial intelligence is that robots require physical manipulation, while AI does not require physical manipulation, but it instead involves computer-based learning (Manav and Seamans, 2019).

Robots are increasingly being adopted to automate tasks traditionally performed by humans. In 2021, 517,385 new industrial robots were installed across the world, according to IFR. Between 2015 and 2021 worldwide annual robot installations more than doubled. This growth was led by

China (see Figure 1), where 268,195 new robots were shipped, with the operational stock breaking the 1-million-unit mark in 2021. The growth in China over the last decade has been incredibly rapid, led by the Chinese government's ambition to become a robot powerhouse. In the U.S., installations increased by 14%, with the automotive industry still being by far the leading sector in terms of robot adoptions. Figure 2 illustrates the number of robots installed per 10,000 employees in the manufacturing industry in a number of countries.

The adoption of robots can result in incredible gains in efficiency, reduced errors, and increased productivity and accuracy. For example, Graetz and Michaels (2018) suggest that robot use contributed to approximately a 0.36 percentage point growth in annual labor productivity across the 17 countries they studied during the 1993-2007 time period, while at the same time raising total factor productivity and lowering output prices. They find no evidence of effects on total employment. However, others have raised concerns regarding the impact of robots and job displacement and its heterogeneous effects on the labor force. Acemoglu and Restrepo (2020)document how the introduction of industrial robots resulted in a significant decrease in employment in the U.S. manufacturing industry, which they estimate to be between 420,000 and 720,000 jobs from 1990 to 2014. The authors also find evidence of a decline in wages among those who did not lose their jobs. Giuntella, Lu, and Wang (2022) find similar negative effects when examining the impact on workers in China with the effects concentrated among less-educated workers.

The effects on labor markets can vary across countries depending also on the characteristics of the labor market and its institutions. Dauth et al. (2021) show that robot exposure in Germany did not cause disruptive job losses, with the longer-term shift from manufacturing to services being driven by new labor market entrants, not by actual switchers.

Robots and the health of workers

According to the Bureau of Labor Statistics, private industry employers in the U.S. reported over 5,000 fatal work-related injuries and over 2.6 million nonfatal workplace injuries and illnesses in 2021. The total cost of these incidents to the nation, employers, and individuals was approximately $167 billion, equivalent to about 3.5% of 2021 U.S. government budget outlays. In the manufacturing sector approximately 370,000 injuries were reported. These injuries are typically caused by contact with objects, overexertion and bodily reaction, falls, slips, and trips, and transportation accidents. Willful safety violations comprise only a small portion of OSHA's citations.

Complacency, rushing, frustration, and fatigue are often the cause of injuries through inattention and unintentional errors. The use of robots in the so-called 3Ds (dirty, dangerous, and difficult) in manufacturing may mitigate the risks associated with complacency and the inherent dangers of strenuous, repetitive tasks. Industrial robots can be used to perform physically intensive or dangerous tasks which are typically associated with higher incidence of injuries and detrimental effects on worker's health (Gihleb et al. 2022). For instance, in car manufacturing (Pires et al. 2006), robots have been used in the handling of heavy components,

welding operations, and exposure to toxic substances. Robots have also been extensively used in warehouses for lifting and carrying heavy items; tasks that typically would impact the risk of musculoskeletal injuries on the job.

In the mining industry, autonomous mining vehicles and robotic drilling systems can operate in deep mines, tunnels, and areas with high exposure to toxic substances (Sammons et al. 2005). Automated systems can offer considerable safety benefits to human workers, as robots can help prevent injuries and adverse health effects resulting from working in hazardous conditions (Trevelyan et al., 2016).

These include musculoskeletal disorders caused by repetitive or awkward movements or traumatic injuries. Robots also have the potential to mitigate numerous hazards in emergency response scenarios, such as chemical spills (Ishida et al. 2006). Additionally, robots can minimize risks arising from human error. When a task is repetitive and monotonous, humans are prone to make mistakes, while robots can consistently perform these tasks without errors.

However, robots can also introduce various hazards for workers (Kirschgens et al. 2021). For instance, industrial robots that are designed to operate at a distance from workers often lack the necessary sensory capabilities to detect nearby humans, creating a potential risk.

Furthermore, the proliferation of collaborative robots, intended to directly interact and share workspaces with humans, can pose additional safety risks (Matthias et al. 2011). In the short-run, the lack of experience with robots may therefore temporarily increase risks. Surveys show some evidence that workers often feel unsafe working around robots (McClure, 2018, Yam et al. 2023). In fact, a recent analysis from the OSHA showed that Amazon's serious injury rates are much higher than those observed by other companies and that injury rates were especially high at facilities with robots. An estimate from the Center for Investigating Reporting based on 150 warehouses analyzed over 4 years suggests that warehouses with robots experienced 50% more injuries (Evans 2020). Yet, this analysis is mostly descriptive and may also reflect the fact that in facilities where the risks are higher there may be more incentives to adopt robots to eventually reduce injury rates.

Automation and robots may also impact workers' mental well-being. While these technologies can in fact increase productivity and efficiency, they may also increase job displacement and insecurity and affect job satisfaction. Workers may perceive new technologies as a threat to their jobs. Uncertainty about the future and the fear of job displacement may increase anxiety. Furthermore, the reallocation of job tasks and responsibilities may affect workers' satisfaction with their job, particularly if workers feel as they are being replaced or allocated to fewer fulfilling tasks.

Workers may also suffer from the stress associated with the process of adaptation to new systems (Sony and Naik, 2020, Nazareno and Shiff, 2021), may feel overwhelmed by technology-related demands and the need to learn how to use the new technologies (Lu et al. 2022). Workers who feel unprepared or not trained may experience feelings of incompetence and

increased stress. Automation may also be linked to reduced social interaction among workers. Finally, malfunctions of the new technology may increase frustration and anxiety.

While the rapid adoption of industrial robots presents both new hopes and challenges to workers' safety, health, and well-being, empirical evidence on robots' impacts on workplace safety and health remains sparse. Ultimately, the impact of robot adoption on workers' health is theoretically uncertain and remains an open question for empirical investigation. In what follows, we summarize some of the recent evidence on the impact of robots on both physical and mental health of workers.

Robots and physical health: Evidence

In a recent study (Gihleb et al. 2022), we explored the impact of robots on work-related injuries in the U.S. and Germany, two of the leading countries in the adoption of robots across the world. We measure exposure to robots using the initial distribution of sectoral employment across U.S. commuting zones in 1990 as a baseline to allocate the annual stock of robots adopted in each sector. This measure captures the geographical exposure to robots' penetration in the labor market and follows an approach used by other authors (e.g., Acemoglu and Restrepo 2020).

Using data from the OSHA over the period 2005-2011, we find evidence that exposure to robots led to a substantial reduction in the average number of injuries. In particular, a one standard deviation increase in robot exposure (1.34 robots per 1,000 workers) reduced work-related injury rates by approximately 1.2 injuries per 100 full-time workers (or approximately .15 standard deviation, see Figure 3). , With a back of the envelope calculation, we estimated that the increase in robots between 2005 and 2011 saved approximately $1.69 billion per year in injury costs (in 2007 dollars), which largely reflects the substantial decline in injury rates in the manufacturing firms. These changes are mirrored by a decline in the average job physical intensity.

Overall, these findings are consistent with the evidence by Gunadi and Ryu (2021), who use data from the Current Population Survey to show that a 10% increase in robots per 1,000 workers is associated with a 10% reduction in the share of low-skilled individuals reporting poor health. Exploring survey data from Germany, we find similar effects. Robot exposure is linked to a reduction in the risk of reporting any disability and a reduction in the share of workers employed in highly physically intensive tasks.

Consistent with this evidence, Liu, Luo, and Seamans (2023) show that Chinese manufacturing workers that were more exposed to industrial robots exhibited a lower likelihood of suffering from illness or injury. At the same time, they also show that greater robot exposure was linked with worse mental health, especially among lower-educated and older workers.

An interesting domain where the new technologies may importantly contribute to increased safety of workers and patients is in healthcare, especially nursing homes. BLS data suggest that

hospital workers experience significantly higher rates of overexertion injuries. In 2018, nursing assistants reported 15,360 cases of musculoskeletal disorders (MSDs), accounting for 5.6% of total MSD cases. The safety of both workers and patients is at risk during patient lifting and movement. Adverse events during the use of standard patient handling equipment have resulted in serious injuries and deaths, leading to considerable costs and irreversible tragedies.

Moreover, the aging population, higher prevalence of obesity, and the shortage and aging of the healthcare workforce may contribute to an increase in adverse events. Eggleston, Lee, and Iizuka (2021) find that robot adoption in Japanese nursing homes increased employment and reduced difficulties in staff retention by reducing side effects such as back pain while increasing the quality of care. Their findings reveal that the adoption of mechanical equipment and wearable robots could substantially reduce injury rates among Japanese patient care workers.

Robots and mental well-being: Evidence

If on the one hand robots may reduce the risk of injuries and the physical burden associated with a job, on the other hand there are concerns that the increased feeling of job insecurity and uncertainty may have detrimental effect on the mental well-being of workers.

Academic papers (Acemoglu and Restrepo 2020; Dauth et al. 2021, Anelli et al.) and the press have discussed the substitution effects of robots. The fear of losing a job may trigger anxiety and lower workers' hopes. Previous studies have documented the effects of negative labor demand shocks on the mental health of workers, examining the impacts of exposure to trade and globalization or the effects of plant closures (Colantoni; Marcus 2013; Venkataramani et al. 2020).

The perceptions of job insecurity may exacerbate anxiety about job stability (Chui, Manyika, and Miremadi 2015; Frey and Osborne 2017) with detrimental impact on health and well-being over the long term. Previous studies document the relationship between job market opportunities, work-related anxiety, and mental health and well-being (Khubchandani and Price 2017; Reichert and Tauchmann 2017). Patel et al. (2018) use data from the General Social Survey to show how automation was linked to higher job insecurity and poorer health among workers.

Examining data from the Center for Disease Prevention and Control (CDC) and the Behavioral Risk Factor Surveillance System Survey (BRFSS), we find evidence that robot penetration was associated with sizable increases in drug and alcohol-related deaths and mental health problems (Gihleb et al. 2022). A one standard deviation increase in robot exposure raises deaths due to drug or alcohol abuse by 10.5%, and the number of mentally unhealthy days by 14.9% (see Figure 3). That is equivalent to say that an increase of one robot per 1,000 workers increased deaths by 8% due to drug or alcohol abuse and the number of mentally unhealthy days by 11.5%.

These results are largely consistent with O'Brien, Bair, and Venkataramani (2022), who find that each additional robot per 1,000 workers was associated with more than eight additional deaths

per 100,000 males aged 45-54 and approximately four additional deaths per 100,000 females in the same age group. Interestingly, they find that these effects were more pronounced in states with right-to-work laws and those with lower minimum wage rates.

Contrary to what we observe when analyzing U.S. data, our analysis from Germany suggests no effects of robot exposure on workers' mental health and well-being. These results may be explained by the differential impact of robots on labor market outcomes in Germany. Robot exposure did not cause disruptive job losses in Germany where the individual risk of becoming unemployed was even lower among robot-exposed workers who were re-trained (Dauth et al. 2021).

Artificial intelligence, physical health, mental well-being

The recent findings linking robots to workers' health likely have implications for the relationship between AI and workers' health outcomes. In the past few years, there has been a striking increase in the adoption of AI by companies worldwide. According to McKinsey & Company, approximately 50% of companies reported using AI in at least one area of their business as of 2022. The global AI market is expected to grow by over 37% per year from 2023 to 2030. The investment in AI is rising rapidly, and its potential impact spans across domains including economic growth, healthcare, safety, transportation, as well as reducing costs and improving access to information, education, and training.

Similar to other technologies, AI also has the potential to decrease work-related risks. Smart technologies could be used to monitor machines, employees, identify and predict risks. AI may be also used to coordinate hazardous or physically demanding tasks (i.e., material handling, assembly and disassembly operations, welding, panting and coating, heavy machinery operations) without need of human interaction, thereby reducing the risk of injury to workers and minimizing their exposure to potential hazards.

AI algorithms may also be used to predict safety risks in the workplace, identify hazards, and provide recommendations for preventive measures (Howard 2019). AI may help tracking and monitoring workplace conditions. It may be used to create immersive and interactive safety training simulations where workers could practice safety procedures and emergency responses in a virtual environment. Furthermore, AI may help in providing ergonomic recommendations and feedback to prevent musculoskeletal disorders. At the same time, AI-based systems are susceptible to cybersecurity threats that may compromise job safety. Furthermore, as workers interact with AI-powered machines, safety protocols will be essential to mitigate the risks associated with human-machine interaction.

While recent studies have started to examine the effects of AI on labor market outcomes and productivity (e.g., Acemoglu et al. 2022; Noy and Zhang 2023; Kanazawa et al. 2022), there is still limited knowledge regarding its influence on workers' well-being and mental health. Workers worldwide are increasingly concerned about the impact of AI on their job

opportunities. As with robotics, the rapid rise of AI is creating concerns among workers who fear increased job insecurity and the potential for being replaced by automation.

The consequences of AI on the labor markets will ultimately depend on how well it complements or substitutes human labor. On one hand, AI can enhance workers' productivity and serve as a complement to their skills. On the other hand, AI has the potential to replace the work of many individuals. Agrawal et al. (2023) highlight how the distributional effects of technology depend on which tasks get automated and which workers have those tasks, rather than on automation per se. Furthermore, AI is reshaping the nature of job tasks, which can directly impact work satisfaction and feelings of dignity in the workplace (Bankins and Formosa 2023).

The adoption of AI may also be linked to increased work expectations, intensifying workloads and increasing pressure on workers (Nazareno and Schiff, 2021). The need to acquire new skills or transition to different roles may also lead to feelings of inadequacy and anxiety. Furthermore, interacting with AI systems in the workplace may pose challenges in terms of usability, communication, and trust. At the same time, the difficulty in understanding or effectively utilizing AI technologies may cause frustration, stress, and negative emotions.

The balance between positive effects on labor market outcomes and potential displacement effects is an empirical question, especially in the short term, as workers undergo this transition and labor markets adjust to this technological revolution. The expansion of unemployment benefits or of the earned income tax credit (EITC) have been discussed as potential ways to mitigate the adverse effects of automation on workers (Maxim and Muro 2019). While some scholars have suggested universal basic income may alleviate the negative effects on workers affected by automation (Cabrales, Hernández, and Sánchez 2020), there are concerns on how these programs could be funded as the source of new funds would ultimately determine the distributional impact of these policies (e.g., Hoynes and Rothstein 2019) and on the impact they would have on human social interaction and sense of self-worth.

Regulation and policies subsidizing enabling vs. replacing technologies and avoiding implicit subsidies for using machines rather labor may be crucial tools in governing this phase of transition (Acemoglu et al. 2020). At the same time, the ability of governments and firms to support human capital investments and re-training opportunities will play a decisive role in mitigating the potential negative effects on workers' well-being and shape workers' attitudes towards new technologies. Many European countries have introduced training and education programs to prepare workers for the radical changes automation brings. Perceived lack of autonomy has been shown to be a driving factor in worker well-being during technological transitions (Nazareno and Schiff 2021). How policymakers and companies involve workers as roles and tasks change can significantly affect their job satisfaction and mental well-being.

According to a recent survey conducted by the European Commission, 61% of Swedes have a positive view of robots and AI. This is in part explained by the trust in the government safety net (i.e., health care, education, job transition programs) and in part by the collaborative efforts of

the Swedish federal unemployment agency and the industry-union councils in supporting laid-off workers. Unions and work councils may also play a crucial role in making sure workers' voices are heard and pro-actively work in making sure new technologies are used in a way that is most beneficial for workers (Harju, Jäger, and Schoefer 2021; Jäger, Schoefer, and Heining 2021).

Although it is probably too early to draw any conclusion about the effects of AI on the mental health of workers, current evidence on the impact of robots suggests that labor policies protecting more exposed workers, the design of re-training programs, and support to workers during these technological transitions may play a decisive role in mitigating any adverse effects of automation on the well-being of workers.

https://www.brookings.edu/articles/keeping-workers-safe-in-the-automation-revolution/

New survey says 45% staff find AI monitoring harmful to mental health - 6 ways to support your team

According to data from the American Psychological Association, 51% of employees are aware that their employers use technology to monitor them during work.

With the implementation of return-to-office strategies by companies, there is growing interest among employers in using artificial intelligence. This interest is not aimed at replacing employees but rather at monitoring their activities.

Research conducted by Top10VPN, a virtual private network comparison site, indicated that between March 2020 and June 2023, there was a 54% increase in the demand for employee surveillance software.

Employees are becoming increasingly aware of this trend. Data from the American Psychological Association revealed that 51% of employees acknowledge that their employer employs technology for monitoring purposes while they are engaged in work.

Being aware of this surveillance has had adverse psychological repercussions. Data from the APA reveals that nearly one-third, or 32%, of employees who are aware that their bosses use technology for monitoring reported their mental health as fair or poor.

In contrast, only 24% of those who are not subject to monitoring reported similar mental health conditions. Additionally, nearly half, or 45%, of those being monitored stated that their workplaces have a negative impact on their mental health, compared to 29% of those who are not subjected to such monitoring.

A significant 81% of workers express feelings of being inappropriately watched due to AI monitoring.

Before the pandemic, the most prevalent form of monitoring involved badge swipes, according to Brian Kropp, Vice President of the human resources research firm Gartner Inc, as reported by The Wall Street Journal.

However, in the current landscape, employers are increasingly turning to technologies that monitor employees' log-in and log-out times, track their communication partners, and even analyze the content of their conversations.

One software solution, Traqq, boasts the capability to "identify and report applications and websites where a user spends more than 10 seconds," as outlined on its website.

Meanwhile, another software called Time Doctor offers "ethical video screen recording," enabling employers to ascertain whether employees are diligently working on their assigned tasks or potentially engaged in other activities, such as watching Netflix, as described on its website.

According to data from the Pew Research Centre, the majority of Americans are against this type of tracking. In fact, 81% of workers expressed that the use of AI monitoring technology would make them feel like they are being inappropriately surveilled.

This is likely to lead to strained relationships between employers and their employees, as noted by Leslie Hammer, a professor at Oregon Health & Science University and co-director of the Oregon Healthy Workforce Centre, in discussions with the APA.

"When employees feel they are not cared for or trusted by their employers, they are likely to have lower levels of commitment to the organisation and perceive lower levels of psychological safety and higher levels of stress, all negatively affecting the relationship between employees and their employers, and specifically their managers and supervisors," Hammer said.

Data from the Pew Research Centre suggested that some employees do see a few potential positive outcomes from AI monitoring. Almost half, or 49%, believe that workplace security would improve, while 46% think that inappropriate behaviour in the workplace would likely decrease as a result. However, in general, workers tend to agree that there are more disadvantages than advantages associated with AI monitoring.

"When comparing the stress, strain and burnout associated with electronic monitoring to the benefits, in most occupations, this is not warranted. It sends a message of distrust and creates a sense of anxiety that may in turn impact an employee's psychological health, physical health and job performance negatively," Hammer told the APA.

1. Employee engagement

Employee engagement is set to play a pivotal role. According to Ms Sheetal A Iswalkar, Head of HR and Administration at Fullife Healthcare Pvt Ltd, the extent to which employees effectively engage with their work will have a profound impact on their connection to the organisation. She also provided a few examples of cultivating a culture of engagement:

- Assigning challenging tasks to teams.
- Ensuring that every role aligns with employees' skills and traits.
- Acknowledging individual contributions.
- Cultivating a flexible work environment.

In addition, qualities such as openness to change, empathy, and inclusiveness will be crucial for attracting and retaining high-quality employees within the company.

2. Fun Fridays

The level of happiness people experience at work is strongly impacted by their capacity to relax, have fun, and enjoy the company of their colleagues. This relaxed atmosphere fosters positive thinking, enhances overall well-being, and contributes to improved mental health. Content employees are also less prone to absenteeism and errors in their work.

"At FloBiz, we have introduced the concept of Fun Fridays as an opportunity to bond well and have a good time with one another so that employees can get to know each other better in a relaxed atmosphere over some food and games. This also helps build camaraderie and trust amongst the team members," Rabi Agrawal Head of HR of Flobiz told People Matters.

3. Monitor food intake

Promoting workplace wellness can be effectively achieved by focusing on healthy eating habits. According to Ms Richa Jaggi, Co-Founder and CMO of Awshad, leaders can support their employees by encouraging healthy eating. This can be accomplished by introducing a well-stocked pantry with nutritious snacks. Additionally, organisations can consider involving a dietician to assist employees in making informed and healthier food choices.

4. Expert-led health and wellness sessions

To address the challenges of today's competitive environment, mental health should not be overlooked. Mr. Shantanu Das, Chief Human Resources Officer of Amway India, recommends prioritizing the physical and mental well-being of employees, which can have a significant impact. In the upcoming year, consider arranging expert-led health and wellness sessions, such as yoga, aerobics, or Zumba, to reduce stress and anxiety. Additionally, interactive chat sessions on topics like detoxing, cultivating happiness, and laughter therapy can contribute to enhancing emotional resilience among employees.

5. Flexible working and breaks

Many organisations have recognized the importance of expanding flexible work hours. This practice not only enhances productivity but also fosters a sense of trust within the company, demonstrating sensitivity to the needs of employees. With a variety of systems and tools in use, flexibility has become the prevailing standard, aiding in both attracting new talent to the organisation and retaining existing resources.

"I would also like to stress that the companies should encourage employees to take adequate breaks in between work so that their wellness is not compromised either physically, emotionally or mentally. These much-desired breaks also help to offset the fatigue, build team spirit, keep the creative juices flowing and break the monotony of routine," suggested the Head of HR, Flobiz.

6. Workout office buddies

Having workout office buddies can be highly beneficial for staying active and healthy. Exercising with colleagues who share similar fitness goals can be motivating and enjoyable. The co-founder and CMO of Awshad suggests that HR managers can support employees by forming groups of health-oriented co-workers. This approach enables employees to set fitness milestones, work together to achieve them, and increase their chances of staying active and fit.

https://www.peoplematters.in/article/culture/new-survey-says-45-staff-find-ai-monitoring-harmful-to-mental-health-6-ways-to-support-your-team-38976

How to ensure deskless workers use their mental health benefits

Addressing mental health continues to be a challenge at work. According to a May report from the Conference Board, about a third of U.S. workers say their self-reported level of mental health is lower than six months ago. Despite this, according to an additional study from Amwell, 85% of workers don't use the mental health benefits they are provided.

Deskless workers face significant hurdles in accessing their mental health benefits, even though they have the same challenges — and then some — as their desked co-workers. The nature of their work and sometimes schedules mean that it might be hard for them to find a regular time to set up appointments with a mental health professional, and for managers to see signs that a worker might be in need of help.

"Even though employers have increased mental health benefits, a lot of front-line workers don't know about them or don't how to access them," said Sandra Moran, chief marketing officer at Workforce Software.

Here's what HR can do.

Connect deskless workers with benefits already provided

The challenge isn't so much that deskless workers don't receive mental health benefits. It's that they may face pain points in accessing them.

"Even though the employer offers a wellness benefit, a front-line worker's ability to get in a predictable schedule is a major barrier," said Moran. In a recent study, Workforce Software found that 55% of employees have weekly changes in their schedules.

Finding a therapist who is taking new patients and accepts a worker's insurance is also becoming more difficult. Fewer than half of people with a mental illness were able to access timely care in the U.S. in 2021, according to the Substance Abuse and Mental Health Services Administration.

If a worker's hours change every week, it can be near impossible for them to schedule an appointment when they find the right practitioner, said Moran.

Deskless workers may also be harder for managers to keep in the know about benefits offered or spot when someone might be in need of help, said Deb Muller, CEO and founder of HR Acuity. "Whether in a retail environment or climbing poles, you as a leader are not watching them every second," she said. "The signs of mental health [issues] might not be as easy to recognize."

Help bridge the gap

One way to help these workers access benefits is to stop putting up barriers to scheduling appointments, said Moran. That means offering more predictable schedules, so that workers can set up therapy sessions and keep them.

Knowing your workforce can help employers create schedules that suit worker needs. For example, said Moran, if a significant portion of a company's deskless workers are women, who typically carry a heavier burden for child care, then offering things like three-day-a-week mini shifts can ease some of those outside stressors and allow workers to schedule for themselves — and benefit other people who have caretaking duties as well.

Managers of deskless workers, especially those who are deskless themselves, should also be trained to spot signs that a worker may need mental health services, said Muller. "Give managers the tools they need to check in, and understand how to check in," she said. Managers can also be trained to "open a dialogue about their well-being that might be uncomfortable, but we are training those managers to have those conversations."

Companies can also use anonymous surveys to get feedback on mental health initiatives, she added, which can help employers understand barriers workers face in accessing care without those workers feeling they may face negative consequences for speaking up.

Employers can set up text-based services for workers to submit feedback, or place QR codes in places like the bathroom or break room, which would lead workers to links providing them more information on services, or to submit feedback, Muller said.

While the pandemic has taken a major toll in people's lives, it did teach employers that they can make major changes, quickly, to help workers as much as possible, which should be applied to addressing the mental health needs of deskless workers now. "If the pandemic taught us anything, it's that we can make those changes," Muller said. "Things can be turned on their heads and we can make drastic changes and it can work."

https://www.hrdive.com/news/deskless-workers-mental-health-benefits/693686/

<u>How to Support New Workers' Mental Health</u>

For new entrants to the workforce, mental health is not only a priority — it's a necessity. Ninety-two percent of new and upcoming graduates say it's important that they feel comfortable discussing mental health at work. Sixty-one percent would leave a current role for better mental health benefits, and 54% would turn down a job offer if it didn't come with work-life balance.

Navigating mental health and the benefits landscape as a new employee can be confusing, to say the least, on top of the everyday demands of the work itself. On the employer side, the marketplace for mental health support is increasingly inundated with benefits, products, perks, and offerings that can be tough to piece together, not to mention tailor to a progressively diverse workforce. The resulting ambiguity and gaps can leave new workers feeling lost, disengaged, and inclined to pursue other opportunities.

So how do we meaningfully support new workforce entrants when it comes to mental health? What actually works? In our work with diverse global employers, we've found it's critical for leaders to create well-informed and innovative strategies tailored to new entrants' values, challenges, and motivators. Here's how.

Understanding the Evolving Landscape of New Workers

We usually think of new entrants to the workforce as young people and recent graduates, but the cohort can also include existing workers entering new types of employment, such as frontline workers transitioning to office work, gig workers moving to salaried roles, or people moving from unpaid caregiving to formal employment. A better understanding of how these populations differ can help leaders develop more effective strategies to support them.

Many new entrants share common challenges by virtue of their career stage, regardless of age. These can include needing to adjust to new organizational work cultures (e.g., from school to work, or new types of employment), loss or change of social support networks (e.g., when moving for a job), and pressure to succeed and accelerate career growth. Collectively, these challenges reflect an adjustment to the work structure that can be solved by providing clarity and effective onboarding, resourcing, and connection-building.

There are also unique challenges tied to generational grouping. For the latest cohort of Gen Z workers, their wants and needs are influenced by broader societal shifts such as growing diversity, higher costs of living, lower housing affordability, the integration of technology in work and everyday life, and greater consciousness around social issues like gun violence, reproductive justice, climate change, LGBTQ+ rights, and more. Gen Z workers also face previously unseen workforce challenges, including the loss of social development opportunities related to the pandemic and new work norms such as hybrid working. Newer and younger workers further have greater awareness, literacy, and comfort around mental health, as well as higher expectations of employers to support mental health at work. Together, these factors reflect the changing state of our world.

Strategies to Support New Workers

Each iteration of the "next-gen" workforce is the complex byproduct of an evolving society and environmental factors. Once you contextualize new entrants and understand the unique forces that drive them, you can more effectively and meaningfully support their mental health. Consider these three actions to guide your strategy:

1. Integrate mental health into your end-to-end new employee experience.

New workforce entrants are navigating the landscape of work for the first time. Simultaneously, they are increasingly valuing psychological safety and proactive normalization of mental health. To meet this growing need, consider the following areas of the new employee experience: Talent attraction. Create a mental health or employee well-being statement that clearly defines what mental health means to your organization. You can also include examples of how your company supports mental health in job postings, add employee testimonials around work-life balance to your careers page, and share information about mental health benefits with job candidates.

Demonstrate a culture of safety and support for mental health for new hires. For example, tech company Buffer shares with new employees the story of their CEO, Joel Gasciogne, who took a sabbatical to recover from burnout. This helps establish the company's values around mental health and approach to sustainable work up front. Mental health can be further highlighted in employee handbooks, in-depth guides for navigating benefits, and learning opportunities (especially for managers).

Ongoing engagement. Build continuous connection and community around mental health. Try an onboarding buddy system to maintain consistent points of connection. Socialize and promote employee resource groups (ERGs) to foster belonging and create safe spaces for discussions, learning, and innovation. Employ reverse mentoring to capitalize on new workers' knowledge, awareness, and comfort around mental health to benefit the broader organization.

2. Co-create sustainable, mentally healthy work cultures.

Studies on stress and burnout cite the impact of cultures and relationships on individual well-being. At the same time, a growing number of new workers are actively prioritizing autonomy, flexibility, growth, and purpose in their careers. Several strategies can help create a healthier, more inclusive, and more sustainable culture of work:

Be clear, consistent, and caring in teaching norms around work. This includes "hard norms" like roles, timelines, and deadlines; "soft norms" around urgency, responsiveness, and how people communicate; and regular encouragement to engage in self-care and healthy work practices. Collaborate around working needs, styles, and preferences. Invite employees to share their individual needs around work and ideas to foster team well-being, connection, and productivity. These can be things like clear boundaries around start and end times or focus time, restricting meetings to certain hours of the day, or providing support around commutes or childcare. Explore opportunities for learning and growth. Consider both formal learning like trainings and informal learning like shadowing that build skills and model company values. Be transparent about expectations and pathways for career progression. Ensure performance recognition and promotion are anchored to the behaviors and values that support company and team health.

3. Adopt a user experience lens for mental health support.

When it comes to formal mental health supports, learning how to navigate employer resources for the first time is no easy task. (What's a copay again?) This is especially true for new workers who may require a robust portfolio of professional and self-care resources. Extra guidance for new workers around convoluted rules related to eligibility, coverage, privacy, and confidentiality policies is critical. The following strategies can help:

Be extra communicative around the "how" of benefits. Share information continuously using multiple channels. Hold learning sessions and Q&As with your benefits team and publish simple how-to guides on your intranet detailing how to navigate and weigh different benefit options. Do this during onboarding, and repeat at regular intervals including open enrollment, stressful work periods, and in response to local and global Upskill leaders and managers. This often happens through training, but can also include newsletters, resource guides, and more. Effective approaches go beyond crisis response and emphasize creating cultures of safety and sustainable ways of working. These programs should be embedded throughout onboarding, promotion, and annual training.

Subsidize healthy lifestyles and behavior perks. There are endless ways for individuals to engage in self-care. Subsidizing them — particularly for newer workers with lower disposable incomes — incentivizes and empowers them to pursue these positive behaviors, whether they're meditation apps, coaching solutions, sleep tools, gym memberships, and more.

https://hbr.org/2023/09/how-to-support-new-workers-mental-health?registration=success

The #1 benefit that could entice employees to leave: What employers can do about it

Employers should consider re-examining their financial wellness offerings because access to a 401(k) and a 401(k) matching program are the most important benefits to employees, says a survey.

In today's financially uncertain times, the grass may indeed be greener on the other side with a new employer's financial benefits package. A survey we conducted showed that more than half of employees (54%) would be willing to change jobs if their prospective employer offered better benefits than their current employer, spelling out a clear message to employers.

Employees are feeling the pressure of navigating higher costs for everyday items like groceries and rent. These economic pressures are impacting not only individuals' wallets, but also their mental health. Over two-thirds (71%) say their finances cause them anxiety and 88% agree that inflation and rising costs of living have escalated their financial anxiety.

As we know, financial stress permeates every aspect of a person's life. It's not surprising that it can negatively impact employee well-being across areas like sleep, self-esteem, and physical health. A PwC survey found that 56% of employees state that their sleep has been negatively impacted and 50% believe that their self-esteem has been adversely affected due to financial worries.

Along with concerns for their employees' wellbeing, employers also understand that these stressors decrease productivity and increase the likelihood that an employee will look for a job elsewhere. One in three full-time employees say that money worries have negatively impacted their productivity at work. When employees are distracted and disengaged from work, they may be more open to opportunities elsewhere that offer benefits that better align with their needs.

73% of financially stressed employees say they would be attracted to another employer that cares more about their financial well-being compared to just 54% of non-financially stressed employees.

Employers should consider re-examining their financial wellness offerings, collecting feedback from their employees, and seeing how their benefits package stacks up to their peers. By spending the time up front building a thoughtful benefits package, employers have the opportunity to set more of their employees up for short- and long-term success.

Here are the top four employee benefits that employers should offer to help retain talent.

#1: 401(k) plan

According to our survey, access to a 401(k) and 401(k) matching program remain the most important benefits to employees. If a prospective employer offered one or both of these benefits, over 50% of employees could be enticed to leave their current jobs. However, there is a disconnect between employer benefits and employee needs. Only 52% of employers offer a 401(k) or other retirement plan and just 45% of those employers offer a 401(k) matching program, leaving nearly half of employees underserved.

When comparing small, mid, and large employers' benefits packages, the gap in the 401(k) benefits offering increases. Only 39% of small business employees stated that their employer offered a 401(k), compared to 52% of mid-size, and 64% of large business employees respectively. For those small- to mid-sized businesses, this presents an opportunity to differentiate and provide a benefit that may increase employee satisfaction and retention. With an increasing number of states mandating retirement plans, we are seeing more small businesses choosing to offer private 401(k) plans instead of defaulting to the state-provided option, understanding the value of modern, user-friendly providers.

#2: Emergency savings fund

While long-term savings are important, roughly a third of people are unable to cover $400 of unexpected life expenses like medical bills or car repairs. And when employees are unable to locate funds, they're likely to go hunting in other places — such as their retirement account. Over a quarter (28%) of employees reported having tapped into their retirement savings to pay for short-term expenses. For employees who don't have emergency funds, 79% cited they don't believe they have the funds to build one. And unfortunately, we know this will result in a more stressed and distracted workforce.

Even though access to an employer-sponsored emergency fund is highly desired, it's one of the least common employee benefits – offered to just 8% of workers we surveyed. For employers, this may be an excellent benefit to add to their package that ensures employees have access to a tool to build up and maintain a rainy-day fund. It's also important to make sure that this offering comes with a good dose of employee education: even if they feel stretched thin, encourage workers to consider setting aside just a small portion of their paycheck each month to help gradually build that reserve.

#3: FSA and HSA accounts

With the rising cost of everyday goods, a Flexible Spending Account (FSA) or Health Savings Account (HSA) is an option for employees who are looking to save on many health-related items like sunscreen and hearing aids. These two accounts are also triple tax advantaged– offering pre-tax contributions, tax-free growth, and tax-free withdrawals as long as the funds are used for health related expenses.

Even with these stellar advantages, only 38% of employers offer one of these tax-advantaged accounts. Employers may want to consider offering a differentiating benefit like an FSA and HSA that will make a difference in their employees' day-to-day lives.

#4: Student loan repayment and matching program

The bipartisan debt ceiling deal signed by President Biden in early June marked the end of the three-year break in student loan repayments. On October 1, 2023, tens of millions of loan borrowers will resume payments and many are uncertain of how much they owe and who to pay.

Just over half (51%) of employees feel that employers should play a role in helping their employees pay off their student loan debt. As borrowers prepare to restart payments, they have reported plans to make financial sacrifices such as cutting down on entertainment expenses and vacations. But concerning, they are also lowering their 401(k) contributions, which shows how debt is often a significant barrier towards retirement goals.

Along with providing their employees with access to a student loan repayment tool, employers may want to consider helping employees stay on track with retirement savings simultaneously. With SECURE 2.0, as employees pay down their student debt, employers now have the option to match those repayments into an individual's 401(k). This would help ease borrowers' concerns about prioritizing paying down debt above contributing to their 401(k).

Not all employer benefits packages are created equal and employees know this. Employers have an opportunity to ensure that employees know they are valued and that their financial wellness and goals are important to them. By aligning benefits packages with employee expectations and needs, employers may be able to improve employee satisfaction and retention.

https://www.benefitspro.com/2023/09/15/the-1-benefit-that-could-entice-employees-to-leave-what-employers-can-do-about-it/

Report Shows Employers Making Progress on Workplace Mental Health; However, Some Groups Say Support And Culture Are Lacking

2023 Employer Mental Health Report Card reveals that employees are 5.5 times more likely to consider leaving their job if their employer does not consistently support mental wellbeing. TORONTO (September 6, 2023) – While attention to mental wellbeing is broadening in the workplace, employees perceive diminishing support, especially in key demographics, highlighting the work still underway to close gaps in policy and practice.

According to a new report from LifeSpeak Inc. (TSX: LSPK), the leading whole-person wellbeing solution for employers, health plans, and other organizations, employer scores in key performance areas have decreased in comparison to the 2022 report, and employees say lack of support for mental wellbeing makes them more likely to consider leaving their job. These findings and more were revealed today in the 2023 Employer Mental Health Report Card from LifeSpeak Inc. and Lighthouse Research & Advisory.

While the overall sentiment regarding employer support for mental health has improved, organizations are still falling short in essential areas and failing to meet the needs of key workforce populations, including women, people of color, working parents, and remote workers. As a result, employees who do not feel consistent support for mental health from their employers are 5.5 times more likely to say they are thinking about leaving their jobs.

"As the lines between work and personal lives increasingly intersect, employers need to show empathy and understanding for the vast responsibilities that employees juggle every day, the stressors they bring to work with them, and how the workplace can contribute to or detract from employee mental health," said Michael Held, founder and CEO of LifeSpeak Inc. "Employees are no longer willing to sacrifice their mental health for a paycheck and a title. Organizations that recognize this and establish a supportive culture and accessible mental health benefits will have a distinct advantage in the marketplace."

According to the report, employees gave their employers an overall score of 6.6 out of 10 for their workplace mental health efforts. This marks an increase from the 2022 survey score of 4.4. However, the survey also revealed that employees were 49% less likely to say their employer made significant positive changes to support mental health in 2023 than in 2022. In addition, they were 25% more likely to say their company does not have a culture that prioritizes mental wellbeing.

While industry studies show that executives increasingly realize their role in workplace wellbeing, the LifeSpeak Inc. report indicates that many organizations still have room for improvement in meeting the needs of key demographics. More specifically, working parents, people of color, women, and remote workers do not feel their organization is doing enough to advance mental health offerings and to create a supportive workplace culture. This sentiment can negatively affect hiring and retention. For example, 7 in 10 remote workers said they have

thought about quitting their jobs due to mental health and stress. Additional report findings show:

70% of working parents say their company made no positive changes to support workplace mental health and were 2.5 times more likely to say they are making plans to quit their job in the next six months. Working parents were also three times as likely to say their company does not provide adequate support for caregivers.

Employees of color are 17% more likely to say their company has not made positive changes to mental health and twice as likely to say they aren't sure what changes their employer has made. Although the majority of employees who shifted to a remote work setting report it was a positive change, 7 in 10 have thought about quitting their job due to mental health or stress related to remote work.

Less than 1% of women believe their company has a strong culture of mental health, if they don't experience that support on a personal level. Women who say their mental health is consistently supported at work are 2.25 times less likely to leave their jobs.

Employees were two and a half times more likely to say they had thought about quitting their job if they didn't feel supported by the company's mental wellbeing efforts.

Conversely, the research also highlights the impacts when organizations do invest adequately in mental health. Specifically, employers who prioritize establishing a supportive culture see extensive benefits: 83% of highly satisfied workers reported no intention to change jobs, and those accessing personalized benefits rated their wellbeing 51% higher. Overall, the data demonstrates that strategically supporting mental health engagement leads to a more retained, resilient workforce.

"Mental wellbeing is not a one-and-done proposition. We encourage leaders and human resources teams to stay in touch with the changing needs of their workforce and the demographics of their population so they can provide useful, personally relevant services, support, and policies," said Held. "And to truly demonstrate your commitment to mental wellbeing, managers should practice what they preach and model the mental health self-care they want employees to adopt."

Conducted by Lighthouse Research & Advisory, the study consisted of surveys with 1,000 individual employees and 1,000 human resources professionals in the first quarter of 2023. To learn more about this research or to download the full report,

visit https://www.lifespeak.com/lp/2023-mental-health-report-card/.
https://www.hrotoday.com/employee-wellness/report-shows-employers-making-progress-on-workplace-mental-health-however-some-groups-say-support-and-culture-are-lacking/

Alight Study Reveals Employee Wellbeing Has Plateaued and Trust in Employer Efforts Has Eroded

Alight's 2023 International Workforce and Wellbeing Mindset Study finds employee wellbeing has stagnated, with only half of workers feeling positive across their mental, physical and financial wellbeing

LINCOLNSHIRE, Ill.--(BUSINESS WIRE)--Financial pressures and extensive layoffs have created an atmosphere of uncertainty, resulting in employees to feel less in control of their wellbeing. In addition, employees have lost trust in their employers' wellbeing efforts, according to findings from the 2023 Alight International Workforce and Wellbeing Mindset Study.

"Part of their role is to help employees use their benefits effectively, especially when they are needed in those moments that matter. It's also about showing that the company genuinely cares about their employees and telling an authentic story about that commitment.

The study reveals employee wellbeing has remained relatively stagnant over the past year, with only half (51%) of the workforce reporting positive feelings across their mental, physical and financial wellbeing in 2023, compared to 53% of employees in 2022. Notably, less than half of employees (41%) believe their employer cares about their wellbeing — a six-percentage point decline year-over-year— and just 56% of employees say they feel in control of their wellbeing.

"Maximizing the effectiveness of wellbeing programs requires that organizations consider critical moments that impact employees' mental, physical and financial health," said Alison Borland, chief wellbeing officer, Alight. "By addressing all facets of wellbeing through integrated, personalized HR and benefit programs, organizations can eliminate complexities and empower workers to better engage with available resources."

Mental wellbeing

The study shows three-quarters of U.S. employees report they are experiencing moderate to high stress levels, rising to 80% among Gen Z and Millennial workers. Personal finances (56%), job challenges (52%) and physical health (32%) rank as the top three sources of stress, while 29% of employees say their mental health has declined due to the current economic environment.

Meanwhile, 75% of workers report experiencing some adverse effect of job-related stress, with sleep disruption (53%), low morale (43%) and anxiety attacks (37%) having the biggest impacts. Nearly one-third (30%) of workers believe their job negatively impacts their mental health.

Financial wellbeing

Thirty-one percent of workers report feeling financial stress and often have no money left over at the end of the month. This is despite taking actions such as reducing their spending, which more than two-thirds (67%) have done. Additionally, nearly half (49%) of employees are concerned the money they have won't last, 46% feel their finances control their life and 39% fear they will never have the life they desire due to their finances.

Physical wellbeing

When U.S. employees need to see a doctor, many cannot access one. Almost half (47%) say they have been unable to receive services like doctor visits, lab work, urgent care, specialist care or surgeries when required.

Of those that did not or could not seek healthcare, 41% attribute it to costs, 23% were unsure where to go and 23% faced long wait times. Plus, 38% say they had problems trusting their doctor, often due to a lack of time spent with them.

In terms of employee benefits, 71% are enrolled in an employer health plan, with the rest evenly divided between a spouse/partner's plan, a private health plan or no plan at all. However, only 62% say they know where to go to get information on picking the right plan, and 44% regret a healthcare decision because they took bad advice, jumped into treatment, did not check costs or neglected to see if a provider was in-network.

How employers can reignite engagement

Nearly one-third (32%) of employees report they do not use the benefits available to them. The top reasons include not having enough time to evaluate the offerings, overly complex access or benefits that simply do not meet their family's needs.

Employers can strengthen engagement and value by tailoring HR tools, benefit programs and communication to the needs of their employees. For example, 85% of employees agree that a 'one-stop-shop,' such as a mobile app, would prove useful in terms of making better health and financial decisions, utilizing personal recommendations and accessing varied vendors and partners.

"It is crucial for employers to prioritize initiatives that facilitate easy access to relevant and effective resources to engage their employees around their wellbeing," said Laine Thomas Conway, vice president, engagement services strategy and thought leader at Alight. "Part of their role is to help employees use their benefits effectively, especially when they are needed in those moments that matter. It's also about showing that the company genuinely cares about their employees and telling an authentic story about that commitment. "

https://www.businesswire.com/news/home/20230919731145/en/Alight-Study-Reveals-Employee-Wellbeing-Has-Plateaued-and-Trust-in-Employer-Efforts-Has-Eroded

EEOC Releases Strategic Enforcement Plan

The U.S. Equal Employment Opportunity Commission (EEOC) on Sept. 21 released its Strategic Enforcement Plan (SEP) for fiscal years 2024-2028. New for these years, the document emphasizes the EEOC's efforts to protect workers from discrimination involving artificial intelligence, pregnancy and long COVID.

"Through the SEP's effective implementation, the agency will continue to advance equality and justice for all in workplaces across this nation, even as significant challenges remain," EEOC Chair Charlotte A. Burrows said in a statement.

According to the SEP, the EEOC plans to:

Target discrimination, bias and hate directed against religious minorities, racial or ethnic groups, and LGBTQ+ individuals.
- Expand the vulnerable and underserved worker priority to include additional categories of workers who may be unaware of their rights under equal employment opportunity (EEO) laws, may be reluctant or unable to exercise their legally protected rights or have historically been underserved by federal employment discrimination protections.
- Update the emerging and developing issues priority to include protecting workers impacted by pregnancy, childbirth or related medical conditions, including under the new Pregnant Workers Fairness Act and other EEO laws; employment discrimination associated with the long-term effects of COVID-19 symptoms; and technology-related employment discrimination.
- Highlight the continued underrepresentation of women and workers of color in certain industries and sectors, such as construction and manufacturing, finance, tech and other science, technology, engineering and math fields.
- Recognize employers' increasing use of technology, including artificial intelligence and machine learning, to target job advertisements, recruit applicants, and make or assist in hiring and other employment decisions.
- Preserve access to the legal system by addressing overly broad waivers, releases, nondisclosure agreements or nondisparagement agreements when they restrict workers' ability to obtain remedies for civil rights violations.
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The new SEP also commits the EEOC to supporting employer efforts to proactively identify and address barriers to equal employment opportunity, cultivate a diverse pool of qualified workers and foster inclusive workplaces.

https://www.shrm.org/ResourcesAndTools/hr-topics/behavioral-competencies/global-and-cultural-effectiveness/Pages/EEOC-Releases-Strategic-Enforcement-Plan.aspx

What HR needs to know about the EEOC's new enforcement plan

The EEOC's newly adopted strategic enforcement plan aims to increase the public's access to the EEOC and increase investigation training and resources. The plan describes the EEOC's vision of fair and inclusive workplaces and details expanded efforts to reduce systemic barriers to equal opportunity, including an enhanced focus on identifying offenses and additional staff and resources for enforcement.

In assessing the impact of this new enforcement guidance from EEOC, one must also consider other recent, potentially contradictory regulatory developments that impact how organizations approach efforts to prevent discrimination, starting with the Supreme Court.

The language used in the majority opinion of its June 2023 decision striking down affirmative action in college admissions has caused many organizations to consider whether workplace affirmative action is next in line to be weakened or struck down.

On a similar note, a recent letter from the attorneys general from multiple states references the SCOTUS decision in suggesting DE&I programs could also create legal risk in the context of workplace employment practices; other attorneys general quickly spoke out, pledging support for employers to develop and continue their DE&I initiatives. Recent suits against law firms regarding elements of their DE&I programs have increased anxiety and uncertainty, highlighting the delicate balancing act that HR leaders must achieve in aligning business practices with these developments.

Taking a closer look at DE&I initiatives

Organizations and HR professionals should focus on finding the best talent drawn from protected classes—such as race, sex, religion, age, national origin, disability, sexual orientation, etc.—and provide opportunities that enable them to do their best work individually and in teams.

To accomplish this, employers must recognize and avoid the behaviors and practices that can create the risk of workplace discrimination. These are three core ways resulting liability can arise:

Direct evidence of discrimination occurs when there is unmistakable evidence of intent—caused by things people say, communicate, post or otherwise clearly demonstrate—to choose or fail to choose persons from one protected group.

Disparate treatment occurs when one individual or group is treated one way and others who were equivalently selected receive different treatment, which cannot be justified and is also considered illegal.

Disparate impact occurs when employment processes are fair in structure, but their application causes one group to be advantaged and another disadvantaged for reasons that are not job-related yet validated. For the past 50 years or so, disparate impact has been recognized as an invasive form of discrimination. As evident through the new plan, this is an area the EEOC will look to crack down on more heavily, especially given the fewer concrete means of enforcement historically in employment law.

Upon review of policies, it should be a core element of any organization's practice to eliminate behaviors and practices that overtly or inadvertently favor one group over another and that are not based on legitimate, nondiscriminatory criteria or day-to-day conduct.

Beyond the surface: equal employment opportunity in practice

As the EEOC focuses more on patterns of systemic discrimination, HR should review existing policies to ensure their current practices look fair on the surface and are nondiscriminatory in application. For example, this should involve undertaking a formal review of representation in their workforce and measuring it against the availability of those from diverse groups compared to the available pool of workers.

Employers need to take steps to make sure that recruitment, selection, hiring, promotion, daily treatment, advancement and compensation practices are applied fairly and are not discriminatorily. Allowing such practices to occur will eventually limit the pool of workers employers have and impact their utilization, retention and job satisfaction.

Is there a risk that these kinds of practices could be seen as illegal in some instances? Perhaps. There is also a risk that failing to have fair processes in place will expose organizations to potential legal claims. The EEOC has clarified that it will continue investigating episodes of disparate impact that might reflect potentially discriminatory policies or practices. Additionally, failing to build diverse and exclusive workplaces, which includes maximizing talent acquisition opportunities, can create business risks affecting performance, innovations, safety and other operational results.

To avoid illegality and improve operational performance, organizations should work to build cultures that welcome applicants from different backgrounds to seek opportunities as well as provide equal opportunities for advancement to all employees. In addition to the recommendations above, this can be achieved by implementing the same elements that organizations use to change their culture or business practices for commercial or other reasons.

A key element includes taking organizational values, which are often stated but not actively applied, and bringing them to life through regular forms and standards of cultural behavior committed to by leaders, regularly communicated, reinforced with appropriate consequences and applied as continuous elements of operation.

Here are four specific steps that, when executed properly, can help organizations build cultures that legally support core DE&I principles:

Set clear goals and expectations: HR and leadership should ensure that they value diversity and are committed to creating an inclusive workplace that focuses on getting and retaining the best talent from the widest pool possible.

Clearly communicate organizational values: In practice, most workplace values statements make it clear they are tied to qualities such as fairness, results, collaboration and inclusion. In practice, this should involve hiring and fair treatment of people from all backgrounds, regardless of protected class, and creating a workplace where everyone feels welcome and respected in a clear and consistent manner. This requires ongoing actions such as training and communication, including on-the-job reinforcement from HR and leadership.

Encourage and model open communication: Organizations should create cultures where employees feel safe, respected and heard by HR and leadership and encouraged to speak up about ideas and concerns. As a key step, they should lead by example, modeling desired behavior and creating policies/procedures that support diversity and inclusion.

Finally, there also must be enforced consequences when standards are not followed so individuals realize that it is to their benefit to follow them in terms of selection, treatment and other HR-related initiatives.

By having these elements in place, HR executives can ensure there is a continuous focus on creating a fair and equitable workplace that also supports the organization's operational and strategic objectives. Employers should view the EEOC's plan as an opportunity to get other organizational leaders involved to achieve the best business results.

https://hrexecutive.com/what-hr-needs-to-know-about-the-eeocs-new-enforcement-plan/

U.S. workers struggle to find mental health solution, study finds

The mental health of U.S. workers is "at its lowest point in five months," TELUS Health reported. U.S. workers with mental health conditions spend months searching for effective treatments, a new study released by TELUS Health, a Canada-based health technology company, revealed. Nearly half of U.S. workers tried multiple medications or dosages before finding an effective solution, the July 2023 study found. Among workers who have tried medication for a mental health condition, 45% said they tried more than one medication before getting relief.

This process of trial and error often takes months to complete, with nearly one third of U.S. workers reporting that it took more than a year to find an effective treatment for their mental health condition, according to the study.

Another one third of U.S. workers said finding the right mental health treatment took four to six months. The time needed to find effective treatments is of growing concern as the mental health of U.S. workers continues to decline.

The mental health of U.S. workers is "at its lowest point in five months." The majority of American workers face a moderate to high mental health risk. Twenty-four percent of American workers have a high mental health risk, as defined by TELUS Health. Another 41% were classified at a moderate risk level.

Since the start of the pandemic, the number of U.S. workers with moderate to high mental health risk levels has decreased only marginally. The study found that the number of workers with a high mental health risk had decreased by only 3% since the start of COVID-19.

Nearly 26% of U.S. workers have tried medication as one form of treatment for a mental health condition – of which women were 50% more likely than men to have taken a prescription medication, the study found.

Workers under the age of 40 were also found to be two times more likely than workers over the age of 50 to have taken prescription medication for a mental health condition. Many U.S. workers continue to struggle to find the right medication to fit their mental health needs. According to the study, 11% of workers reported that they were still trying to find an effective medication to treat their mental health condition.

The mental health score of workers still searching for answers is 31 points lower than the national average and nearly 24 points lower than workers whose first medication or dosage was effective, TELUS Health recorded.

As the mental health of U.S. workers continues to fall, more solutions to finding efficient and effective treatments will become necessary.

https://www.benefitspro.com/2023/09/26/u-s-workers-struggle-to-find-mental-health-solution-study-finds/

Boost Productivity and Well-Being: How HR Leaders Can Tackle Employee Burnout

In today's rapidly changing work environment, stress-related burnout is a challenge many employers face. Explore insights and actionable strategies to combat burnout and promote well-being in your organization.

I've witnessed the unique dynamics of stress-related burnout in the workplace firsthand. At a previous company, working as a member of a mid-size team in an open office layout, I had a clear view (and often, an ear) into the daily interactions among my colleagues.

As the industry digitally transformed, the threat to our business model became increasingly severe. Stress, anxiety, and long hours became commonplace for many team members. Several colleagues had voiced dissatisfaction with leadership or job roles before the "new normal" of keeping pace with digital changes.

Over time, the signs of stress-related burnout also began to affect team leaders. Gradually, I witnessed key contributors regularly gathering to share their work-related grievances.

Some employees lost motivation to pursue professional goals contributing to the organization's success. Learning new skills or software to boost performance and career growth within the company became less feasible. The pervasive sentiment among our workforce shifted to "surviving the day."

The contagious nature of stress-related burnout started affecting the emotional well-being of more and more team members. The enthusiasm for their work was gone, and it wasn't long before we saw an increasing number of extended personal leaves of absence and resignations stacking up.

The state of employee burnout in the workplace

Employee burnout has become an ongoing crisis in workplaces, globally. The constant, day-to-day stress that often leads to burnout is now considered an unfortunate, almost expected part of the job.

Metrics gauging the state of work in 2023 show that levels of stress have not significantly reduced since the global pandemic in 2019, when the World Health Organization (WHO) declared burnout an "occupational phenomenon" in the International Classification of Diseases (ICD-11).

The WHO defines burnout as "a syndrome conceptualized as resulting from chronic workplace stress that has not been successfully managed." Another way to view employee burnout is "a state of emotional, physical, and mental exhaustion caused by excessive and prolonged stress—where a worker has reached their limits mentally, emotionally, and physically."

Emotional exhaustion or feelings of energy depletion

Increased mental distance from one's job—or negative feelings toward one's job
Reduced sense of personal accomplishment or efficacy at work

The good news is that a wealth of information is now readily available on this topic from various high-quality industry resources online. This accessibility empowers HR and People leaders to better recognize, prevent, and reverse stress-related burnout in their workplace environments by fostering awareness and presence as their initial steps.

Digging deeper into the dynamics of burnout

The number of hours employees work has a limited influence on the risk of stress-related burnout. How they perceive and experience their work carries greater weight in this regard. In fact, engaged employees who enjoy more flexibility in their roles often choose to work more hours per week than the average employee. When workers feel supported and motivated in their jobs, they become inspired to accomplish more, fostering creativity and innovation.

It's essential to keep in mind these job-related stressors that can trigger employee burnout:
- Lack of support from leaders
- Poor or inconsistent communication with leaders
- Minimal input or influence over tasks, processes, and role expectations
- Overwhelming workloads or unrealistic role expectations
- Insufficient recognition for completed tasks or achieved goals
- Perceptions of unfair treatment from leaders or colleagues
- A diminished sense of team cohesion or belonging in the workplace

Why prioritizing employee burnout is important

A recent Deloitte survey found that 77% of respondents have experienced burnout in their current jobs. Furthermore, 91% indicate that unmanageable stress or frustration impacts the quality of their work, and 83% express concerns about the toll burnout takes on their relationships.

The survey also reveals nearly 70% of professionals believe their employers are not doing enough to prevent or alleviate burnout. .

When not appropriately addressed by HR and People leaders, the ramifications of stress-related burnout can have serious consequences for both employees and employers.

Mental health

Employees experiencing burnout due to work-related stress are at greater risk of developing mental health issues like depression and anxiety.

A significant decline in an employee's mental or emotional well-being can impair cognitive functions essential to effective job performance. This can include attention, concentration, short-term memory, and alertness.

Physical health

Stress-related burnout can also have adverse effects on an employee's physical health, elevating the risk of:
- Cardiovascular disease
- High blood pressure
- Type 2 diabetes
- Gastrointestinal problems
- Weakened immunity against illness

The repercussions of burnout in the workplace extend to healthcare costs, contributing to an annual expenditure of nearly $190 billion.

Employee productivity and performance

Employees experiencing burnout due to increased stress levels display reduced productivity and effectiveness in their roles. This decline in job performance typically comes hand-in-hand with a shift toward a less positive attitude, diminished enthusiasm for their work, decreased commitment to the organization's success, and an uptick in missed workdays.

The cost for employers

The tangible costs of stress-related employee burnout for employers include mental and physical healthcare expenses, decreased work output and productivity, and the cost associated with hiring and training new employees due to turnover.

Here are some numbers to underscore the full extent of the impact of employee burnout:
Job-related stress contributes to approximately $550 million lost workdays each year
Employee turnover is estimated to cost organizations about $15,000 per employee

WHO estimates that $1 trillion is lost in productivity each year.

How to support employees experiencing stress-related burnout

Employee burnout is often more of an organizational concern than an individual worker's issue. HR and People leaders can provide meaningful support by cultivating a workplace environment that genuinely backs employees, supported by actions rather than words.

When employees feel supported by their leaders, inspired in their role, and motivated in their mission, the risk of stress-related burnout significantly decreases. Championing policies that promote employee mental health and well-being reinforces their drive to excel daily.
Here are key steps HR and People leaders can take to better support employees dealing with stress-related burnout:

- Develop excellent communication skills and prioritize active listening.
- Maintain open channels of communication with HR and company leadership to ensure awareness of the situation.
- Offer personalized coaching to team members, equipping them with strategies to address stress-inducing challenges.
- Increase personal encouragement and positive feedback for completed work.
- Facilitate open and honest conversations daily.
- Continuously monitor and adjust workloads as needed. In times of significant stress or burnout, redistribute responsibilities to other team members.
- Educate yourself on the signs and symptoms of stress-related burnout to better assist your employees.
-

Act as a coach, guiding your team members toward wellness and a healthy work-life balance. Offer mental health days and flexible work schedules when needed.

Offer accessible mental health support and resources available to help manage work-related stress.

Traditional EAPs often involve an inconvenient process for employees to access the necessary care. An employee dealing with burnout may need help navigating the intricacies of mental healthcare services and insurance coverage.

https://www.springhealth.com/blog/how-hr-leaders-can-tackle-employee-burnout

Return-to-office mandates: See where you fall on the employee disengagement spectrum

Whether you're an advocate of full-time in-office work or complete flexibility, we can all agree that decreasing employee engagement is a profit killer. A recent survey by McKinsey reveals the staggering cost of disengagement. A mid-size S&P 500 company risks losing between $228 million and $355 million annually due to low engagement. Over a span of five years, this sums up to a potential loss of $1.1 billion per company.

In recent months, return-to-office mandates have been a key driver of worker disengagement. After trending up from 35% to 36% in 2020, employee engagement in the U.S. dropped to 34% in 2021 and 32% in 2022. Gallup found in its 2022 assessment of employee engagement.

Gallup's findings show that employees who work remotely or on a hybrid schedule have 37% engagement, compared to those who work exclusively on-site, of whom only 29% are engaged. Additionally, employees whose jobs can be done remotely but work fully on-site were found to be drastically less engaged than remote-capable employees with location flexibility.

McKinsey's data analysis reached the same outcomes. According to McKinsey, the core drivers of disengagement include inadequate compensation, lack of meaningful work, and inflexibility in the workplace.

The disengagement spectrum

It's expensive to fix compensation and difficult to convince people that their jobs are meaningful if they already don't feel they're meaningful–putting two of the three key factors identified by McKinsey out of reach. However, both McKinsey and Gallup identified offering flexibility as a key differentiator.

More specifically, employees fall into six distinct categories on the (dis)satisfaction spectrum:

Thriving stars (4%): These top performers prefer fully remote or hybrid models for optimal work-life integration. They are highly self-driven and value autonomy. Forced RTO disrupts their adaptability, negatively impacting their motivation, productivity, and work-life balance. They may start looking elsewhere if not given flexibility.

Reliable and committed (38%): This core organizational group dislikes fully remote work but thrives under a hybrid model. For them, moderate in-office time maintains connection while remote work enables productivity. While willing to come in, mandated full-time office work strains their work-life balance, lowering motivation.

Double-dippers (5%): Many in this group secretly hold multiple jobs and depend on remote work to make double-dipping feasible. Forced RTO eliminates the ability to work a second job, negatively impacting this group. They are split between engaged and disengaged, but mandatory office presence pushes them toward disengagement.

Mildly disengaged (32%): While not as outwardly opposed to RTOs as the disruptors, this large group was demotivated by being forced to come in. They value flexibility and autonomy. Mandatory office presence made them feel micromanaged, further disengaging them. Allowing hybrid or fully remote work is crucial for re-engaging this group.

Disruptors (11%): This actively disengaged group was the most vocal against RTO mandates, seeing it as an infringement on their autonomy and an unnecessary hassle. Forced in-office work further disgruntled this group and fueled their disengagement. Making them come back full-time would likely increase turnover among the disruptors.

Quitters (10%): Mandatory return-to-office policies hasten the departure of the quitters, a group comprised of disengaged and mostly high performers feeling undervalued. Forced on-site work removes the location flexibility these employees desire, making them feel micromanaged.

Top talent offered positions elsewhere will likely depart rather than lose autonomy. Retaining valued quitters requires proactive efforts to convey their importance through competitive pay,

career development, and work-life balance flexibility before counteroffers become necessary. Overall, mandated office presence fuels quitters' belief that they can find better opportunities elsewhere, pushing talented employees already prone to leaving out the door even faster.

https://fortune.com/2023/09/25/return-to-office-mandates-see-where-you-fall-on-the-employee-disengagement-spectrum/

WHAT IT FEELS LIKE TO BE EXCLUDED AND DISCRIMINATED AGAINST

An interview with Joanne Lockwood, a Diversity & Inclusion & Belonging Specialist who also promotes Transgender Awareness to organisations, to find out more about what inclusion and discrimination are like in 2023.

What does discrimination in the workplace mean to you?

"When you ask me about discrimination, I am always aware of the difference between overt discrimination where individuals are denied something, versus micro discrimination where you might not be able to put your finger precisely on what the problem is. With the former, you are excluded because of your differences whether that is perhaps age, sex, gender, nationality, ability or skin color. It can be as a result of implicit or explicit bias. With the latter, it might be more of an underlying current, hidden or subtle, sometimes involving microaggressions.

Perhaps you should have been the front-runner for an opportunity, but you weren't chosen. Maybe you are not invited to meetings or conversations, or decisions happen without you. It is easy to develop a subtle paranoia – 'Is it me? Did I say the wrong thing?'

"Ultimately people who discriminate make assumptions, have pre-conceived benevolence and typecast who then fall back on stereotypes. For example, it is often assumed that wheelchair users won't be able to fulfil a role. We assume it won't work. Perhaps we think we are doing them a favour by not putting them in an awkward situation. How will someone who is a Muslim cope with our social Fridays? That person becomes a risk to the norm rather than an easy hire. In these scenarios there is an affinity bias – the reality is you are thinking: 'You are not like me and won't really fit in' but you tell yourself you are not discriminatory. It is much more complicated to deal with.

"Meanwhile, for the person being excluded, this can trigger feelings of inadequacy, incompetence, stress, imposter syndrome and even unworthiness in the workplace."
Have you ever suffered from discrimination in the workplace?

"I have. I was a lot bigger than I am now. It wasn't until I lost 10 stone that I realized I had also become more socially acceptable. More people sit next to me in the waiting room or bus. More people are open to talking to me. I definitely suffered at the hands of BMI bias.

"I was also discriminated against when I began to gender transition. I co-owned an IT company for 15 years. As I was struggling with my own feelings of being stuck in the wrong body, I became aware of work colleagues talking negatively about a transgender woman working in a shared office block, often describing her as "It" and other dehumanizing language. It made me very apprehensive about sharing how I was feeling with them, but there were lots of subtle cues that they knew and then out of the blue my co-directors offered to buy me out. Once I left, I applied for roles and didn't hide that I was trans. 2017 is a long time ago in trans awareness, the world has progressed since. I asked one recruiter at the time if my being trans would affect my ability to find work and they said: "If I am really honest yes, it is a problem." I realized that they were not only worried about putting me forward for a role but were concerned how it would make them appear to clients."

How does it feel to be discriminated?

"What has changed is I am a 'professionally trans' these days and I am able to use it in my work as someone who is authentic with lived experience. What I have noticed is there is also camaraderie between marginalized people or those who have been discriminated against. You have your own circle around you who share similar lived experiences from different perspectives, if you are lucky. People who don't understand me stay away which is sad, but also means I have less difficult conversations. I would rather be excluded than tolerated. It is far more honest.

"Similar to the difference between being lonely and alone, there is a variance between being included and feeling like you belong. I have often felt included but uncomfortable. Pre-pandemic I used to join others at business conferences and events but I felt uncomfortable with the 'Bro' culture. I sometimes have sanctuary in female groups but sometimes I don't belong there either. There is a cognitive and emotional impact on having to try so hard to belong. I am the wrong-shaped peg for many holes, I want to be embraced for who I am, not having to 'fit in' with someone else's expectations. Equally, my wife of 36 years, Marie, has had many friends walk away from her since I transitioned. Either they couldn't understand or were confused by the dynamic changes."

What are the biggest barriers that marginalized people face at work today?
"Both on an individual and organisational level, a detrimental culture, inadequate representation, and a scarcity of allies, especially at the highest levels like the C-suite, and the nuances of language and communication can erect barriers rooted in the apprehension of making mistakes or missteps."

What then does it feel like to really belong when you have been marginalized before?
"There is a feeling of safety, you can relax and not worry about wearing a mask or pretending. At work you will have allies who will support you, the company itself is also behind you and will advocate."

This year's theme of National Inclusion Week is 'Take Action Make Impact'! What are the best ways for individuals to make an impact?

"Inclusion starts with an I. A lot of the time it comes down to visibility. Being the best version of you, that you can be. Educated people break down myths. Reach out and support those who need help. Spread awareness. Call out discrimination and microaggressions. Fundamentally it comes down to individuals to contribute what they feel able. You can't change the world on your own, but you can change yourself and be a source of positive influence to those around you. You can be the one."

If your aim is to have a genuinely diverse and inclusive workplace, why is so important to start at the beginning of the recruitment stage?

"To be honest it is important at every stage – to begin with, retention should be the primary focus, if we lose people our recruitment efforts will be in vain. Look at the employee engagement feedback from colleagues, promotion data and pay gap information. Get the basics right, culture first – don't put new fish into a dirty tank."

Many organisations struggle with having a diverse and proportional representation in their workforce, despite having the best intentions. What can they do about it?
"Organisations face a pivotal choice: they can either passively claim the challenge of finding suitable candidates as being difficult, citing a lack of available talent, or they can proactively create their own talent pipelines.

"To achieve this, establish internal educational programs, and take a proactive approach to enhance your recruitment marketing and employer branding. Ask introspective questions about why certain candidates aren't being attracted to your organisation and seek out potential candidates not only at the outset of their careers but also those in the midpoints or individuals with significant experience to offer later in life. Prioritise qualities such as emotional intelligence, drive, and adaptability, valuing these traits over purely on-paper qualifications and 'time served' experience. Collaborate with your existing networks and employees to scrutinize job roles and personal requirements to mitigate or minimize the impact of biases and negative signals. Set ambitious targets, collect data, and monitor progress towards your goals. Use social media and new channels to source talent and attract potential candidates by letting them know they can envision themselves as an integral part of your organisation."

https://www.thehrdirector.com/business-news/diversity-and-equality-inclusion/feels-like-excluded-discriminated/

What Employers Should Know About Workers Who Have Long COVID-19

Nearly 7 percent of U.S. adults—approximately 18 million people—have had long COVID-19, while 3.4 percent, or approximately 8.8 million, said they still had it as of 2022, the Centers for Disease Control and Prevention (CDC) said in findings published Sept. 26.

Long COVID was defined as self-reporting the presence of symptoms for at least three months after having COVID-19 among those who reported a positive test or a doctor's diagnosis of COVID-19.

The symptoms of long COVID vary widely in their nature and severity, said Susan Bickley, an attorney with Blank Rome in Houston. Symptoms include anxiety, "brain fog," chest pain, change in smell or taste, cough, depression, diarrhea, difficulty concentrating, dizziness, exhaustion, fatigue, fevers, headache, heart palpitations, insomnia, joint or muscle pain, post-traumatic stress disorder, rash, shortness of breath, stomachache, and tingling feet or hands.

Some individuals with long COVID "report that they cycle through a variety of changing symptoms that seem to wax and wane, making their condition particularly difficult for employers to accommodate because it poses a moving target," Bickley said. "The symptoms are not necessarily predictable or manageable, and they may not present the same day to day." Long COVID's unpredictability can take its toll on employees.

Awareness of mental health benefits can be critical for long COVID patients who are dealing with the emotional effects of the disease, said Dr. Jeff Levin-Scherz, population health leader with WTW in Belmont, Mass.

Women (8.5 percent) were more likely than men (5.2 percent) to have ever had long COVID, the CDC report found. Women (4.4 percent) also were more likely than men (2.3 percent) to have long COVID at the time they were surveyed.

Prevalence estimates of long COVID were higher among adults ages 35 to 49 compared with other age groups, and among adults living in more rural areas compared with those living in large central metropolitan areas. Prevalence estimates were lower among Asian Americans compared with other racial and ethnic groups, and among adults with family incomes of 400 percent or more of the federal poverty level compared with those with incomes from 200 percent through 399 percent of the federal poverty level.

An Expensive Illness

An August report from the nonprofit Workers Compensation Research Institute (WCRI) found that care for long COVID can be costly. Many workers who developed long COVID continued receiving medical care a year after their infections. At an average of 18 months of post-infection experience, workers with long COVID received more than 20 weeks of temporary disability benefits and received on average about $29,000 in medical care. This was more than 10 times

higher than the average medical payment for COVID-19 claims that didn't develop into long COVID, the WCRI found.

Among claims where workers had intensive care unit stays during the acute stage of the infection, the average medical payment per claim was over $190,000, the WCRI report said. Among claims with hospitalizations during the acute stage of the infection, the average medical payment per claim was $66,000. The report also noted that the intensity of medical care provided early after the COVID-19 infection differed widely among patients. More than half of workers with medical care had only one day of visiting the medical system and had no hospitalization or intensive care unit treatment.

Besides costs, experts said that long COVID has other implications for employers.

"As employers and people leaders, we need to look holistically at our leave policies, evolving state laws around leaves, including paid sick leave, and our total benefits package, including short-term disability, long-term disability and the affordability of our medical benefit plan," said Stephanie Argentine, chief people officer and head of legal affairs for Centivo, a Buffalo, N.Y.-based health plan for self-funded employers.

In addition, long COVID could be considered an Americans with Disabilities Act (ADA) disability, and the ADA prohibits employers from making employment decisions based on a fear that the employee's disability could result in higher insurance premiums or other expenses, said Robin Shea, an attorney with Constangy, Brooks, Smith & Prophete in Winston-Salem, N.C.

Accommodation Requirements

Common ADA accommodations for individuals who have long COVID include quiet workspaces or noise-canceling headphones to help with brain fog, reduced lighting to help with headaches, and more frequent breaks or a place to sit to address dizziness, joint or muscle pains, or shortness of breath, according to Abigail Orgeron, an attorney with Dykema in San Antonio. Bickley noted that under the ADA, accommodations might also include:

- Remote work.
- Extended time to complete tasks.
- Flexible scheduling, particularly for intermittent symptoms.
- Part-time or modified work schedules.
- Job restructuring.
- Reassignment to a vacant position if the employee can no longer perform their job.
- Leave.

As long COVID tends to cause symptoms that are continuing in nature—which include recurring flare-ups—the amount of leave needed might be long, Orgeron said.

"One consideration to anticipate, with the newness of long COVID, is that health care providers may have difficulty determining the duration of any needed leave," she said. "This may result in requests for indefinite periods of leave, which many courts have rejected as reasonable accommodations."

ADA leave might be required beyond what's mandated by the Family and Medical Leave Act's (FMLA's) unpaid 12 weeks in each 12-month period.

"Many employers still wrongly believe that employees are not entitled to any leave once they have exhausted available leave under the FMLA and could easily run afoul of the ADA," said Tory Summey, an attorney with Parker Poe in Charlotte, N.C. Leave for a definite period may be a required ADA accommodation, but Summey said the Equal Employment Opportunity Commission hasn't clearly defined the length of time off required by the ADA. Instead, employers must determine that on a case-by-case basis, determining at what point ADA leave might be an undue hardship.

If the appropriate accommodation isn't clear-cut, employers should brainstorm with employees about options, Shea said.

https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/what-employers-should-know-long-covid-19.aspx

Posting about mental health struggles could hurt how a potential employer views a worker, study finds

Many workers use TikTok, Instagram, and LinkedIn to describe their struggles with anxiety and depression to help de-stigmatize mental health issues. But those social media posts could backfire and end up hurting their job prospects, according to new research.

A recent study published in the Journal of Business and Psychology showed employers had more negative perceptions about the temperament of a worker who posted about their mental health on LinkedIn versus those who didn't.

The study underscores the potential drawbacks of posting about mental health online. Experts recommended that users to weigh the pros and cons of sharing their mental health struggles on social media, especially when job hunting.

"It's been going on for a while that employers look at people's social media," said Lynn Berger, a career coach and mental health counselor in New York, who was unaffiliated with the study. "I think that you have to, when you post something, be aware of that and realize that there could be some ramifications from that — good and bad."

To tease out how employers responded to such postings, the researchers recruited 409 individuals with past hiring experience and split them into four groups. As explained in the study and its press release, the researchers showed one group a fake, standard Linkedin post and the second a fake profile with a status about anxiety and depression. They showed a third group the group the LinkedIn profile with no mention of illness and a fake audio interview, and showed the fourth a profile featuring mental illness and a fake audio job interview.

The study participants viewed the potential employees with mental illness as more "neurotic" and less "conscientious" than other employees, regardless of their gender. However, as the researchers noted, while the mental health postings shaped perceptions about temperament, it did not influence expectations about a worker's future performance.

Still, such preconceived notions can affect a worker even after an employer has met or hired them.

"Imagine that you're hired and on day one, people are already consciously or subconsciously expecting you to be a bit more neurotic or a bit less conscientious," said Lori Foster, a professor of industrial-organizational psychology at North Carolina State University, who co-authored the study. "This goes beyond a little bit what we studied, but I believe that it can affect how the person is related to and the opportunities that they may be given once they're in the workplace."

Both researchers said they believed in the importance of destigmatizing mental health and called for more research. But they also believe individuals should make informed decisions when posting online.

"This study is just one datapoint for those individuals to consider when deciding whether or not to disclose. Just understanding that this can potentially impact your professional image," said Jenna McChesney, an assistant professor of psychology of industrial-organizational psychology at North Carolina State University at Meredith College, who also co-authored the study. "We're all excited about trying to destigmatize mental health. It's a very important thing. But also understanding that maybe we're not there yet."

When it comes to posting, social media and mental health experts have several tips.
Luke Lintz, a social media expert, advised social media users to consider their future job prospects carefully before posting – even if they already have a job. He encouraged them to consider whether they really want to make their content public.

"The average person nowadays is changing jobs very constantly and so even if you're already hired, you've got to be thinking about the implications of future job hires," he said. "So, what I would say is that if there are concerns about that, but you still want to be on social media and you want to be posting that content for a reason, just being on private on your social media platform — just for your personal friend base."

Dr. Emily Anhalt, clinical psychologist and owner of Coa, a company that helps clients strengthen their mental health, distinguished between the different ways someone might post on social media and encouraged users to think about how they might be perceived online. She said some might post in efforts to share their experiences and express solidarity. Others, she said, might simply post to vent.

"I think there's a difference between saying I've struggled with my mental health and I want people to know that we all have work to do there, [that I] have the support I need, and I believe that I can show up at work as my best self," she said. "A post like that is different than someone who just kind of leaks all over the place and the post itself doesn't feel like it's coming from a place of emotional stability."

She proposed an alternate framework for how someone might want to think about posting online. She said should consider a concept she calls "boundary vulnerability," especially on professional forums like Linkedin.

"Boundary vulnerability is the idea that we should share enough of ourselves with others in the workplace, that it invites people to connect with us, that invites work appropriate closeness without sharing so much that we're asking people to be our therapists, to clean up our emotional mess," she said.

Ryan Niddel, a health and wellness advocate who has coached entrepreneurs, said that while there might be downsides to posting about mental health issues on Linkedin, he still feels workers can do so in positive ways. It's important that job seekers show their ability to overcome adversity.

"Seeing 'I'm struggling today. Here's why' and then seeing somebody pull themselves out of it shows me resilience, that shows me problem solving, that shows me a whole bunch of positive attributes," he said. "Versus saying this person's unhireable because six weeks ago, they said they were depressed and didn't want to get out of bed and they were struggling. I think there's something to be commended."

Berger, the career coach and mental expert agreed, but urged caution.

"So, I think there [are] benefits of sharing and people seeing your openness and it's going to attract some people. Some people are going to, say, 'wow, that's really bold.'" she said. "It's just that you don't know."

https://finance.yahoo.com/news/posting-about-mental-health-struggles-could-hurt-how-a-potential-employer-views-a-worker-study-finds-160009905.html