

LEGAL NEWS FOR YOUR BUSINESS

November 2022

Employment Law Alert

EEOC RELEASES UPDATED “KNOW YOUR RIGHTS” POSTER

On October 20, 2022, the Equal Employment Opportunity Commission (“EEOC”) released a new “**Know Your Rights: Workplace Discrimination is Illegal**” poster, replacing their “EEO is the Law” poster. The new poster includes several changes, including straightforward language and formatting, emphasizing harassment as a form of discrimination, clarifying the definition of sex discrimination, and providing equal pay information for employees of federal contractors. The poster also includes a QR code for employees to access information on how to file a charge of discrimination.

Employers are also encouraged to digitally display the posters in a conspicuous location on their website. For employers who do not have a physical business location, or whose employees work remotely and do not visit the office, electronic posting may act as a substitute for physical posting. For all other employers, however, electronic posting must only be a complement to physical posting.

Covered employers are required to display the posters in a conspicuous place, where other notices to job applicants and employees are typically posted. Employers are subject to general coverage when they have 15 or more employees who have worked for at least twenty calendar weeks over the past two years. While there is currently not a strict deadline to swap out the posters, the EEOC urges employers to do so as soon as possible, and covered employers may be subject to fines for noncompliance.

The North Carolina Division of Labor also requires employers to display Wage and Hour and Occupational Safety and Health posters. For a list of all required state and federal posters, you can visit labor.nc.gov.

**Important Notice - The EEOC published an incorrect version of the poster on October 19, 2022. For the correct and most recent version, please see the link above.*

If you have questions or concerns about your coverage under EEO law or about poster requirements, please do not hesitate to reach out to any member of Gardner Skelton's employment team.

General Business Alert

BATTLING EMPLOYEE BURNOUT: QUIET QUITTING AND THE GREAT RESIGNATION

Amongst lip-syncing clips and influencer tutorials, the idea of “Quiet Quitting” has recently become a major trend across social media. Quiet Quitting, which is considered a rebellion against “hustle culture,” encourages employees to avoid going above and beyond for their employers and to stick to the bare minimum of their job duties. This trend arises in the wake of the Great Resignation, in which, according to the U.S. Bureau of Labor Statistics, 71.6 million people quit their jobs because of widespread job dissatisfaction and wage stagnation.

Quiet Quitting has been embraced by Millennials and Gen Z, but studies show Quiet Quitting has occurred throughout all generations. Reasons for Quiet Quitting may include burnout, wanting a better work-life balance, lack of self-fulfillment, or feeling undervalued by employers. Signs of Quiet Quitting include:

- ***Employees being unwilling to work overtime***
- ***Late arrivals and early departures***
- ***Low productivity***
- ***Low participation in team activities***
- ***Lack of enthusiasm for work***

Quiet Quitting may be a concerning trend, but employers can take deliberate steps to combat contributing factors. Recently, the U.S. Surgeon General released a Framework for Mental Health & Well-Being in the Workplace, urging employers to focus on developing five key categories to support the well-being of their workers:

1. ***Protection from harm:*** This category includes prioritizing physical and psychological safety in the workplace and developing supports for employee health. Employers may strengthen this area by encouraging and enabling adequate rest, normalizing discussions regarding mental health, and focusing on strong Diversity, Equity, Inclusion, and Accessibility (“DEIA”) policies and practices.
2. ***Connection and community:*** This category emphasizes the importance of personal and professional relationships in the workplace. By cultivating

inviting and inclusive cultures, developing trusting relationships, and underscoring collaboration and teamwork, employers may create a more welcoming and supportive environment.

3. **Work-life harmony:** Employers can make major strides with employee satisfaction by focusing on work-life balance. Examples of improving this category include giving employees greater autonomy over work completion, having flexible schedules, increasing access to paid leave, and setting and respecting appropriate work-life boundaries.
4. **Mattering at work:** Feeling undervalued is more than unhappiness; it's a major psychological factor in making decisions about a job or career and is also associated with negative physical health outcomes. By providing a living wage, engaging employees in decisions, and ensuring gratitude and recognition are adequately communicated, employers can ensure employees feel more satisfied with their work and role in the workplace.
5. **Opportunities for growth:** When employees feel they matter and have an opportunity to grow personally and professionally in an organization, they become more enthusiastic about contributing. Workplaces can offer quality training, education, and mentoring opportunities, emphasize clear, equitable opportunities for career advancement, and focus on providing relevant feedback to keep employees engaged.

Although Quiet Quitting will likely remain a popular social media trend, all hope is not lost. According to the University of Phoenix's Career Optimism Index, employees "remain optimistic and hopeful about the future of their careers." For those who are currently dissatisfied in their roles, 69% of Americans stated that if their workplaces improved, they would consider staying at their current jobs. By supporting employee health and cultivating positive workplace practices, employers can keep employees engaged and fulfilled, and combat the effects of Quiet Quitting and the Great Resignation.

If you have questions or concerns about workplace practices and initiatives, please do not hesitate to reach out to any member of Gardner Skelton's employment or HR Consulting team.



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