Volume 15 : Issue 9

HR PROFESSIONALS MAGAZINE™

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15th ANNIVERSARY

Wellness Point Solution Fatigue

Inside the Rise of Remote **Work Fraud**

Dustin Paschal, JD, Director

SHRM Texas State Council

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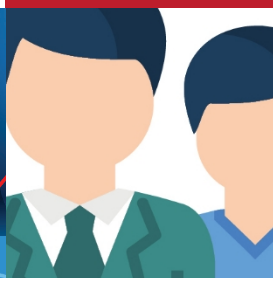


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2011 Cover with Judy Bell

We were SO honored to have Judy Bell, with Judy Bell Consulting and HR and Executive Coach, on our premier cover, HR Professionals Magazine of Greater Memphis. We quickly outgrew that title as we have moved into 11 Southeastern states!

15th HR Professionals Magazine ANNIVERSARY SPECIAL ISSUE

Dear Readers,

We are thrilled to present a special issue this month as we celebrate our 15th anniversary at HR Professionals Magazine! It has been an exciting journey, and we couldn't have done it without the support of our incredible sponsors, contributors, and YOU—our loyal readers. Thank you for being a vital part of our success over the past 15 years!

We are proud to be the official media sponsor for the SHRM State Conferences in Alabama, Arkansas, Georgia, Florida, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. It is a true honor to collaborate with the SHRM State Councils and dedicated volunteers in our distribution footprint. A special thank you goes to the extraordinary SHRM Public Affairs Team, who works tirelessly with us to bring you the latest educational opportunities, updates on SHRM Conferences, and important news within the HR community.

As we kick off our 16th year, we have three significant SHRM State Conferences scheduled for September. We will begin with the SHRM Tennessee Conference in Nashville on September 7. Next, we'll head to Austin for the annual SHRM Global Business Conference, the only global SHRM conference in the U.S. Finally, we will celebrate the 30th Anniversary of the SHRM South Carolina Conference in Myrtle Beach. We hope to see you at these exciting events!

Looking ahead, please note that the SHRM Certification Winter Exam Testing Window opens on December 1. Our next Affordable Online SHRM Certification Exam Prep Class starts on October 20, with the registration deadline on October 15. If you are not yet a certified HR professional, I encourage you to pursue certification—it can significantly advance your career in human resource management. Consider getting certified in 2025!

Additionally, we have three engaging webinars scheduled for September. Please keep an eye on your email for your invitation, as you can earn 3 SHRM PDCs and 3 HRCI Business credits. A heartfelt thank you to Data Facts for sponsoring our monthly complimentary webinars for the past 15 years! If you have not received an invitation, you can register on our website.

Thank you for being an essential part of our journey. Here's to many more successful years ahead!

Cynthia

cynthia@hrprosmagazine.com
Connect with me on LinkedIn

Dustin PASCHAL

Dustin Paschal, JD – Director SHRM Texas

Dustin Paschal is an employment lawyer with a passion for education and community service. He is a fifth generation Texan on both sides of his family, and he currently lives in Frisco, Texas where he is a Managing Partner of his own law firm called Simon | Paschal PLLC, which he co-founded in 2013.

Dustin attended Baylor University in Waco, Texas where he majored in Human Resource Management and obtained a Bachelor of Business Administration degree. He immediately learned that Human Resources was his calling, and he knew that he wanted to spend his professional life in HR. He ultimately chose employment law as the vessel through which to support the HR profession, and he went on to graduate from Baylor University School of Law. After graduating law school, Dustin began practicing employment law in 2005 in Dallas, Texas for an employment law boutique firm.

Dustin currently practices employment law where he works with HR professionals and business owners. When he is not in court litigating on behalf of his clients, he is providing advice and counsel on a wide range of HR and employment law issues, conducting workplace investigations, or executing workplace training.

Dustin's passion for education began early in his legal practice when he presented to a few HR trade groups. He learned that he loved working with HR professionals and business owners to develop and foster their knowledge, understanding, and love of HR and employment law. He saw how education and training could improve businesses and HR departments, thus improving the lives of countless employees. While Dustin is a litigator, he would much rather help his clients and others minimize or avoid lawsuits and claims. Dustin now regularly speaks to local SHRM chapters, trade groups, associations, students, and businesses across Texas and beyond, and it has become a significant part of his legal practice. In fact, this year will be Dustin's twelfth year to speak at the HR Southwest Conference, which is the official state SHRM conference for the State of Texas.

Dustin's service within the HR community started early and has continued throughout his career. When Dustin was a student at Baylor University, he was a member of the SHRM student chapter known as the Baylor Association of Human Resources, and he ultimately served as that organization's Vice President of Administration. It is through that organization and the mentorship of Dr. Joe Cox that Dustin truly saw the benefit of a passionate and educated Human Resources.

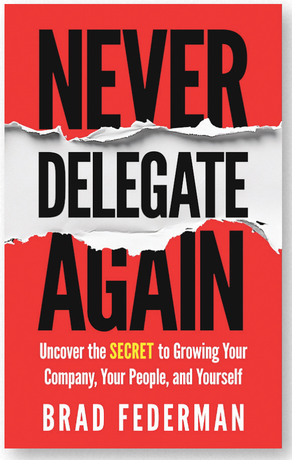
After starting his legal career in Dallas, Dustin joined DallasHR, a SHRM super mega chapter. He served in a variety of roles during his 10 years as a DallasHR volunteer leader, including Director of Government Affairs, Director of the Employment Law & HR Compliance Committee, President-Elect, President, member of the governing Board of Trustees, and three terms as Chair of the Board of Trustees. During his time as a volunteer leader with DallasHR, Dustin founded the HR Stars awards event because he felt it was vitally important to recognize the incredible contributions and hard work of HR professionals throughout Dallas. Dustin is immensely proud that HR Stars has become an annual signature event that continues today. During his time as the Board of Trustees Chair, Dustin also had the privilege to lead the Search Committee that hired DallasHR's current Executive Director.

Dustin's HR service did not end with DallasHR. Dustin currently serves as the Texas SHRM State Director and has held other roles within the State Council, including Co-Director of Governmental Affairs & Advocacy, District Director, and State Director-Elect. As State Director, Dustin works with the Texas SHRM Board and 30 incredible Texas chapters. In a state as large and diverse as Texas, Dustin is lucky to work with so many amazing volunteer leaders who are driven to serve and who ensure that HR professionals in their communities have a place for connection and a resource for knowledge and education.

Despite his HR service at the local and state level, Dustin has never forgotten his Baylor roots. He is proud to serve on the Baylor University Human Resource Management Advisory Council where the Council works to support and encourage new generations of HR professionals.

As important and valuable as his HR service is to him, Dustin believes that true service goes beyond your chosen profession or industry. He has a history of service on various boards and advisory councils, including the National Breast Cancer Foundation, the Frisco Chamber Foundation, the Frisco Education Foundation, the City of Frisco Parks & Recreation Board, and various Frisco ISD committees. He is also a former Board of Directors member with Big Thought, a non-profit based in Dallas that is a national leader in arts education, programming outside the regular school day, social emotional learning, youth justice, and learning systems.

Dustin chooses to lead his life according to a quote from United States Supreme Court Justice Ruth Bader Ginsburg that adorns his office wall: "Fight for the things that you care about but do it in a way that will lead others to join you." ■



BOOK LOOK

By MITCHELL LEVY

Leading an organization today feels a lot like trying to change a tire while the car is still barreling down the freeway. Markets shift overnight, technologies rewrite job descriptions in quarters—not decades—and the half-life of a skill you hired for last year may already be expiring. In that environment, the easy temptation is to cling to control: carve work into smaller pieces, hand those pieces off, and hope for efficiency.

Brad Federman invites us to a wiser path. In Never Delegate Again, he convincingly argues that the issue isn't delegation itself—it's the mindset behind it. Traditional delegation is transactional: "I move work off my plate so I can breathe." Growth-centric leadership is transformational: "I design work so the person who owns it leaves stronger than they arrived."

That shift matters. When we treat an assignment as a mini-MBA—complete with stretch goals, feedback loops, and room for reflection—people stop feeling used and start feeling valued. They don't just complete tasks; they cultivate capability. Over time, capability scales faster than any single leader ever could.

Brad's framework rests on three simple but profound levers—Time, Reflection, and Value—reminding us that meaningful growth can't be microwaved, must be processed, and has to matter to the learner as much as it does to the manager. He layers those levers onto a practical four-step cycle—define, match, share, support—that demystifies how to turn everyday work into a tailor-made development plan.

Why is this so crucial now? Because, to borrow Brad's language, "faster isn't the same as better." Companies that win the next decade will be the ones that knit adaptability into their DNA. That can't happen if knowledge is trapped in the heads of a few heroic firefighters. It happens when growth opportunities cascade through the enterprise—when Jamila gets a project that teaches mentoring, Olivia takes ownership of her next role, and Faith finds her lane in data analytics.

My own career has revolved around one central premise: credibility comes from being trusted, known, and liked—and you earn that credibility by showing up in service of others. Never Delegate Again operationalizes that idea. By designing assignments that stretch talent instead of simply shifting workload, you signal trust. By aligning growth to personal aspiration, you prove you know your people. And by giving them the space—and the safety—to experiment, you demonstrate respect, the fastest path to being genuinely liked.

Brad doesn't pretend this is effortless. Coaching through change requires curiosity over certainty, patience over speed, and the humility to admit that control is an illusion. But he also shows, with story after story, that the return on investment is exponential: higher engagement, better retention, and teams that innovate because they can, not because they're told to.

As you turn these pages, resist reading passively. Pick one upcoming project and map it against Brad's four steps. Ask where Time, Reflection, and Value are missing. Then watch what happens to ownership when you add them back in.

If you're a CEO, this book is your culture-building blueprint. If you're a first-time manager, it's your leadership fast-track. And if you're somewhere in between—as most of us are—it's the upgrade that will keep you and your people relevant in a world that won't slow down.

So, buckle up. Never Delegate Again won't just change how you hand off work; it will change how you think about growth, talent, and the very purpose of leadership. By the time you finish, you may find yourself echoing Brad's rallying cry:

"Don't just delegate—grow."

Mitchell Levy
Global Credibility Expert, and Executive Coach


Never Delegate Again shows how leaders can stop offloading and start uplifting.
– Vivek Bhaskaran Founder, CEO | QuestionPro
“IN ORDER TO SCALE YOUR BUSINESS YOU NEED TO SCALE YOUR PEOPLE”
NEVER DELEGATE AGAIN
Uncover the SECRET to Growing Your Company, Your People, and Yourself
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Why A Good Credit Score Unlocks So Many Benefits For Your Employees

By JACK RUBIN

According to Fair Isaac Corporation, better known as FICO, the creators of the respected credit scoring system, 1 in 4 consumers – nearly 43.4 million people – have a credit score of less than 600, which is considered 'poor.' In addition, the consulting firm Oliver Wyman noted that 19% of Americans are "credit invisible," meaning that they don't have any credit record.

Those who have a low credit score or no credit score live in a world where, oftentimes, they are shut out of opportunities those with solid credit might take for granted. Everything from renting a home, to accessing a reasonably affordable loan, to financing a new cell phone at a lower interest rate, might not be options for those who fall in the "bad credit" or "subprime" category. In fact, poor credit can severely impact one's ability to even get to work as it has a negative effect on auto insurance and auto financing.

They say that knowledge is power. But 1 in 4 Americans have not checked their credit score in the last year.

It was the renowned author James Baldwin who once said, ***"it's expensive to be poor."*** This couldn't be more relevant among people with low or no credit score. According to a study from Syracuse University, having poor credit can cost an estimated $590 per year on homeowners insurance, over $9,000 on a car purchase, and a whopping $48,000 on college tuition payments due to less favorable interest rates.

It's no wonder collectively we have such low credit scores. Families today in the U.S. are piling up record debt and having trouble paying their bills on time.

As of the first quarter of 2025, Americans collectively held approximately $1.18 trillion in credit card debt. About 1 in 6 (17%) Americans aren't able to pay all their bills on time, according to new data from the Federal Reserve. For low-income households, that jumps to 1 in 3.

So it becomes even more imperative to ensure your credit score does not prevent you from living your best financial life. After all, having good credit can be a lifechanger. It serves as a major step to living the American dream that includes such milestones as affording a house or paying for college.

So what can be done to help your employees boost their credit score and avoid the financial pitfalls that are associated with bad credit? There are a number of solutions and products to offer your employees as part of a financial wellness benefits package that can help them on their credit-building journey.

To start with, an employee needs to understand where their credit stands before they can work to improve their score.

- **Credit Monitoring Solution**

  Credit monitoring services track changes to your credit reports and alert you about the changes. A credit monitoring service can help users know when fraudulent activity occurs so they can address it. Regularly monitoring credit reports can give them valuable insight into how the information affects their credit scores.

Once they have tangible and usable insight into their credit situation, they can leverage the following solutions/products to help them on their path to financial stability.

- **Credit Builder Card**

  A credit builder card, also known as a secured credit card, is a type of credit card specifically designed to help individuals establish or improve their credit history by providing their own funds to establish a credit account with a lender. It's particularly useful for those with limited or no credit history, or those looking to rebuild their credit after financial challenges. As you use the card and make on-time payments, your payment activity is reported to the major credit bureaus (Equifax, Experian, and TransUnion). This consistent, positive payment history is a crucial factor in building and improving your credit score.

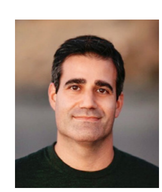
- **Financial Coaching**

  A 2024 survey by Pew Research Center found that only about 54% of U.S. adults feel knowledgeable about personal finances. So nearly half of American adults lack the understanding of how to manage money, save, budget, manage debt or invest. However, by offering your employees financial coaching, they can learn the necessary skills to take charge of their finances.

- **On-Demand Pay**

  This financial wellness benefit offered by employers enables employees to access their already-earned pay before a scheduled payday to pay bills on time. The benefit can help workers avoid paying late fees and other associated penalties that can be costly and negatively-impact one's credit rating.

The likelihood is that a significant amount of your workforce has poor credit or no discernible credit. The negative connotations it brings most certainly can lead to financial stress, which is bad for them and bad for your business. Giving folks financial wellness tools that help them build credit can really make a difference in their financial security, and it's good for your business too.



Jack Rubin, Senior Vice President,
Consumer Financial Solutions, DailyPay

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The silent role psychological safety plays in retention

By DAVID E. AUSTIN, CRO AT KWEMA

You've invested in hiring, onboarding, and employee perks, but your top performers are still walking out the door. Maybe it's quiet quitting. Maybe it's burnout. Or maybe it's something even more foundational: they simply don't feel safe.

Psychological safety might sound like a soft concept, but in today's workplace, it's becoming one of the most powerful (and overlooked) retention tools. And here's the twist- it often starts with something very tangible: **physical safety**.

What Is Psychological Safety, and Why Should You Care?

Harvard Business School professor Amy Edmondson defines psychological safety as "a belief that one will not be punished or humiliated for speaking up with ideas, questions, concerns, or mistakes." It's about trust. Openness. The sense that it's OK to show up fully, even when you're uncertain or vulnerable.

But that trust has to be built on a firm foundation. If people don't feel physically safe, whether on-site, in the field, or even at the office, you can't expect them to feel psychologically safe either.

This is where physical safety tools and protocols make a difference. When workers know they can discreetly and effectively alert someone in the event of a threat or emergency, they feel more supported. That peace of mind doesn't just reduce risk; it increases connection and efficiency.

Physical Safety Fuels Psychological Safety

The connection between physical and psychological safety isn't symbolic, it's biological. When people feel physically unsafe, the brain enters threat-response mode. That hyper-alertness doesn't just reduce focus and productivity; it suppresses the open communication and risk-taking that innovation and collaboration depend on.

According to **Gallup's 2022 State of the Global Workplace Report**, teams with high psychological safety experience:

- **27% lower turnover**
- **40% fewer safety incidents**
- **12% higher productivity**
  (Source: Gallup.com)

Safety isn't just a compliance checkbox. It's a culture catalyst.

The Red Flags You Might Be Missing

Most HR leaders can spot a hostile work environment. But the signs of low psychological safety are often far more subtle:

- **Silence in meetings.** A lack of feedback or disagreement may signal fear of speaking up, not agreement.
- **Disengaged body language.** Avoiding eye contact or staying quiet during tough conversations often reflects self-protection.
- **Underreporting of incidents or close calls.** Employees may believe speaking up won't lead to change, or might even hurt them.
- **Turnover in frontline or vulnerable worker groups.** If those at greater physical risk are leaving, that's a signal worth investigating.

Reimagining Safety: Methods That Build Trust

Creating a psychologically safe workplace doesn't begin with posters or slogans. It begins with action. One of the most powerful messages an employer can send is a visible and consistent commitment to safety.

That's where emerging safety technologies can play a quiet but powerful role.

Wearable safety tools, such as discreet duress buttons embedded in ID badge reels, are transforming the way organizations support at-risk and frontline employees. These tools enable staff to summon help without escalating a situation or drawing attention, giving them a sense of agency in uncertain moments.

Solutions like those developed by **Kwema** are great examples: simple, unobtrusive, and rooted in empathy. T he message these tools send is clear: *We see you, and your safety matters.*

And when employees feel protected, not just by policy, but by real-time support, they're more likely to engage fully, voice concerns early, and remain committed.

Retention Starts with Safety

Let's be honest. Retention isn't about ping-pong tables or pizza Fridays anymore. It's about whether people feel safe, both physically and emotionally, every single day.

When you prioritize both, workplaces evolve:

- Teams speak up and innovate more freely.
- Supervisors receive early warnings before issues escalate.
- Employees stay because they trust the culture, not just the compensation.

Psychological safety isn't a "nice to have." It's a productivity engine, and physical safety is the ignition key.

From Awareness to Action

If you're serious about reducing turnover and building a resilient culture, it's time to take a closer look at how psychological safety shows up across your organization. That starts with rethinking how physical safety supports it, especially in industries like healthcare, manufacturing, education, and hospitality, where the stakes are higher.

In our previous webinar, co-hosted with SafeHaven Security Group and HR Professionals Magazine, we explored how technologies like Kwema's personal duress solutions, paired with the right protocols and culture-building techniques, can turn safety from a reactive tactic into a proactive retention strategy. You'll learn:

- How to assess your organization's psychological safety baseline
- Practical strategies for embedding safety into day-to-day operations
- How to coach managers to foster trust in every interaction
- Real-world stories of how safety measures improved engagement and morale

Because when people feel safe in their bodies, they can finally feel safe using their voices. And that's where real transformation begins.

Don't wait for a crisis to prove you care.

Be proactive. Be protective. Be the kind of workplace people choose to stay in.

David E. Austin, CRO, Kwema

Kwema is a partner with SafeHaven Security Group in providing advanced technology for your safety needs.

Violence Prevention Conference of Mid-America

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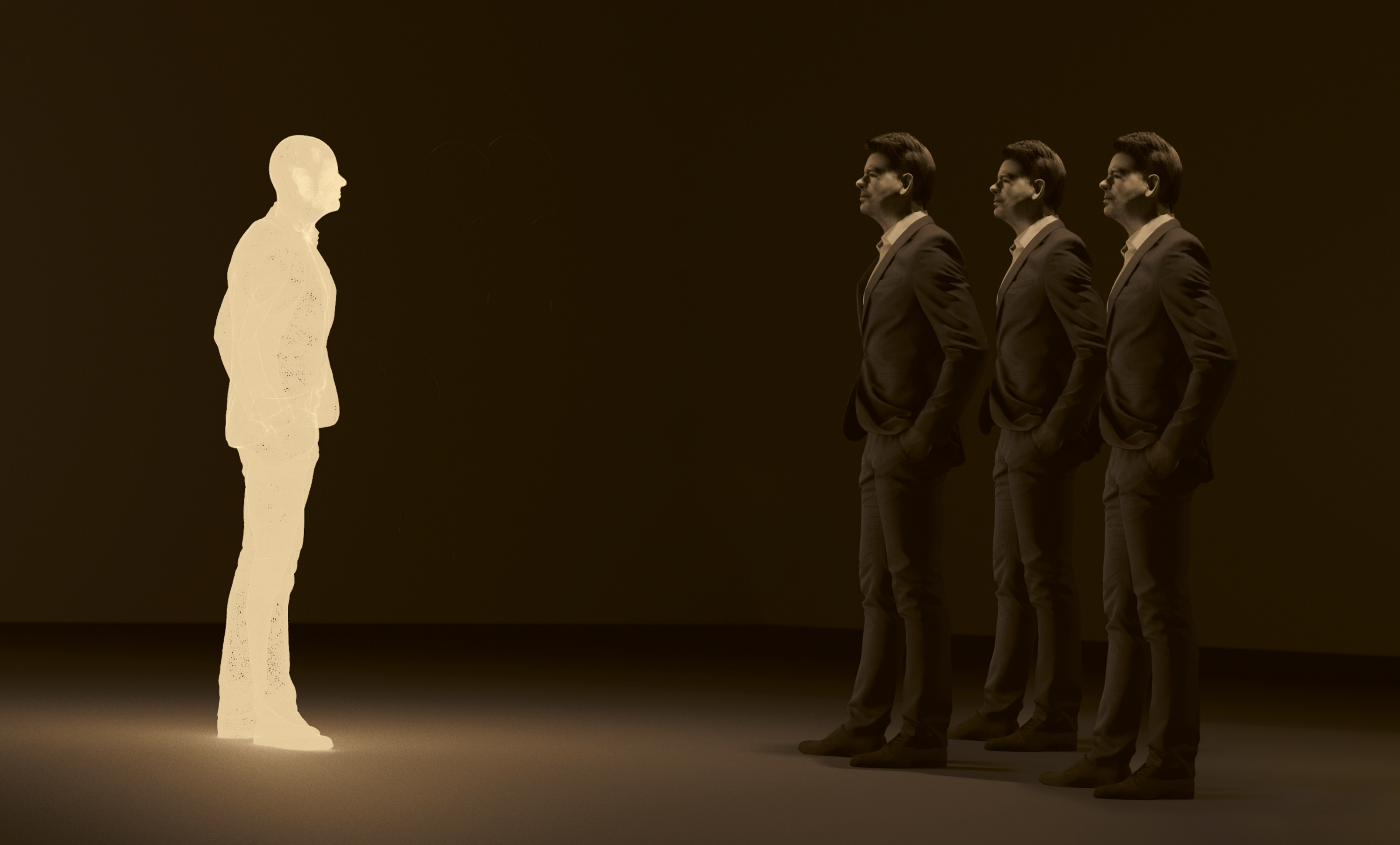

The Impact of Employee Training Initiatives

Industry trends, protocols and in-demand skills are always changing. Especially in today's job market, employers can remain competitive by prioritizing employee learning and development (L&D) efforts.

Why It Matters

Employee retention rates increase by between 30% and 50% for companies with strong learning cultures. In addition, L&D opportunities can increase overall morale due to increased employee performance, productivity and satisfaction. All of these factors can lead to a healthy bottom line.

Types of Training Programs

- Orientation
- Onboarding
- Product training
- Technical training
- Soft skills training

Learning and Training Methods

- Online training or e-learning
- Instructor-led training
- Hands-on training
- Simulated training
- Coaching or mentoring

Want to recruit and retain more employees? Evaluate the organization's L&D strategy, because proper training matters to today's workforce.

74% of employees are willing to learn new skills to remain employable.

76% of employees say that a company would be more appealing if it offered skills training.

To learn more about creating a workplace culture of learning, contact The Benefits Group today.

Sources: Deloitte, PwC and HR Exchange Network

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– Score 80% on all practice quizzes

Deadline to register is **October 15, 2025**

Contact cynthia@hrprosmagazine.com OR visit our website at www.hrprofessionalsmagazine.com

About the instructor:

Cynthia Y. Thompson is Principal and Founder of The Thompson HR Firm, a human resources consulting company in Memphis. She is a senior human resources executive with more than twenty years of human resources experience concentrated in publicly traded companies. She is the Editor | Publisher of *HR Professionals Magazine,* an HR publication distributed to HR professionals in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas.

Cynthia has an MBA and is certified as a Senior Professional in Human Resources (SPHR) by the Human Resource Certification Institute and is also certified as a Senior Certified Professional by the Society for Human Resource Management. She is a faculty member of Christian Brothers University. Cynthia was appointed to serve on the Tennessee DOHR Board of Appeals by Gov. Bill Haslam in 2014.

How to Combat Wellness Point Solution Fatigue

By NIRAV DESAI

Weight management. Diabetes reversal. Fertility. Mental health. Musculoskeletal. Smoking cessation. The list of wellness point solutions can go on and on.

But is the sheer number of options overwhelming your workforce? Are the ones that could really help getting lost in the shuffle?

And how is a dedicated, hard-working HR professional able to generate awareness for so many solutions when they're also busy tracking performance, chasing down issues, managing invoices, and working with vendors to improve experiences?

HR professionals continually face several challenges when managing wellness point solutions, including:

- **Financial:** You've invested significantly in the solution, so you want to optimize utilization and show a return on the investment
- **Time:** Generating awareness and reminding people about the solution is time intensive
- **Complexity:** People simply cannot remember all of the benefits they hear about at orientation, open enrollment, at a wellness fair, or even on your benefits site. The more solutions, the more communication (either too much information in a single message or too many messages focused on each solution), causing people to tune out or misunderstand the benefit

To avoid these issues, HR leaders should find ways to deliver personalized awareness about specific solutions at a time when employees are already considering them, therefore, optimizing the "stickiness" of the communication and increasing engagement.

Here are three ways to generate personalized awareness that sticks:

1. Coaching / Concierge / Advocacy solutions

A navigator or concierge service that knows your benefits ecosystem can triage initial benefits questions and direct people to appropriate resources. Programs like Peak Health provide nurse coaches or nurse advocates who talk to individuals about their health goals and risks, and propose relevant solutions. For example, if a nurse coach has learned that someone is pre-diabetic or has untreated diabetes, they may talk about the employer's diabetes reversal program or the carrier's diabetes case management plan.

When an employee is having a conversation about their health with a knowledgeable professional who can recommend relevant and available solutions (i.e., one of your wellness point solutions), then they are more likely to take advantage of that solution.

2. Technology

Some technology platforms provide online health assessments or health goal / risk profile questionnaires. The platform can then use programmed rules or intelligence to recommend a relevant solution for an identified health issue. Platform vendors can either provide ready-made content or work with their clients to promote solutions in the client's wellness ecosystem. For example, instead of just providing in-app educational videos or classes on weight management, the application could serve up referrals to the employer's weight management program.

3. Point Solutions themselves

Lastly, assuming your wellness ecosystem is designed to provide symbiotic solutions, you can convene a vendor summit so vendors can learn more about each other. That can lead to a musculoskeletal health program, for example, recommending an employer's fitness center or online fitness options. Or you could have an onsite health clinic refer people to a health coach.

Of course, if you have a coaching or advocacy service, the service would also be involved in learning about your ecosystem so it too could make referrals. Once you get people talking, the light bulbs go off. So instead of having an ecosystem of wellness point solutions operating in silos, you can have a mutually beneficial wellness ecosystem where solutions come together to make people healthier.

When trying to raise awareness for all of your great benefits, don't go it alone. Leverage a coaching or advocacy service. Take advantage of technology. Use point solution vendors to refer to each other's solutions. You'll get more impactful work done. Your employees will likely be happier and healthier for it. And you'll have more energy for everything else on your plate.

Nirav Desai
SVP and Managing Director
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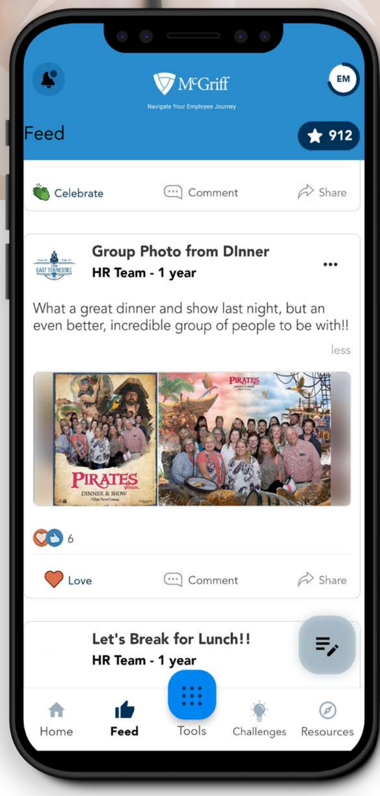
Is employee engagement and communications a challenge?



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Collaboration, Connections, Communication

By AMY SCHABACKER DUFRANE

It wasn't that long ago that we all hunkered down, working from home or in far-flung remote locations. The shared rationale was straightforward: a global pandemic was threatening the physical – and mental – wellbeing of the earth's citizens.

Something of this magnitude was bound to redefine how and where we conduct business. And its abatement has eased the restrictions it forced. Returning to the office, whether under a hybrid model or five days a week, is rapidly becoming the norm, as it was pre-pandemic.

Companies including Amazon.com, AT&T, Starbucks, and JPMorgan Chase have called workers back to the office on a full-time basis. According to a study conducted by KPMG in 2024, nearly 80 percent of 400 CEOs said they expected employees to be in the office full-time within the next three years. The ever-shifting labor market means the balance of power has returned to the employer, many of whom believe that innovation and productivity are compromised when people aren't able to interact in person.

Reversing remote and hybrid work models can be difficult; however, an environment in which collaboration, connections, and communication can flourish makes the transition easier. It's one of the reasons that HRCI is excited to partner with IFMA, the organization that enables, empowers, and equips facilities managers with learning and network opportunities. Similar to HRCI, IFMA plays a vital role in shaping global standards.

HRCI's board chair, CHRO Kathy Claytor, has considerable experience in the linkage between HR and facilities management. She says, "Linking office buildings and facilities to human resources creates a powerful synergy that extends beyond physical infrastructure. It impacts the very fabric of an organization's success. It means prioritizing the human element in workplace design and management, recognizing that a positive and supportive environment is crucial for employee well-being, productivity, and ultimately, business growth and longevity."

Kathy reaffirms that the sense of belonging that results from a well-designed workspace helps employees feel a stronger connection to the organization and its mission. The attributes of the physical workplace should not be downplayed. This was evidenced when major employers attempted to mandate return to office policies before realizing they lacked enough desks or parking to welcome back their workers.

Since any workforce change should be carefully planned and proactively communicated rather than coldly mandated, here are some important points to share:

- **Anticipate questions:** Let workers know that you understand this may not be easy. By clearly explaining what is changing and why and addressing the specific business reasons behind the new way of working, you'll encourage two-way communication.
- **Prepare managers:** Ensure that managers are equipped to support their teams. Give them ways to monitor morale and communicate any specific concerns.
- **Follow up:** Do not assume this is a "one and done" scenario. Some employees will require support to accommodate the return to office, and reasonable assistance will help retain valuable talent.

With the opportunity to start anew, consider making the office a community, versus a workplace. Design collaboration and relaxation areas. Allow employees to personalize their workspaces to deepen belonging. Look into facility changes that can make a difference: lighting, plants, quiet zones, and open spaces. Host social and learning events that employees look forward to and survey the workforce for further facilities improvements.

Facilities management has moved well beyond the always important health and safety. The function of the workplace in a strong employer brand cannot be underestimated, as the office can be a powerful tool for attracting and retaining top talent. A quick meeting in a hallway can be the foundation for the company's next innovation. And spaces that meet employee needs for focused work and collaborative interaction create strong connections. Aligning HR with facilities management can help create cultures where employees are excited to make the office part of their work experience.

Amy Schabacker Dufrane, Ed.D., SPHR, CAE, is CEO of HRCI® — where she is responsible for driving and disrupting the conversations about building high-performing, strategic HR teams. An engaging thought leader at the intersection of talent strategy and continuous learning, Dr. Dufrane is an award-winning leader and celebrated keynote speaker on the human side of successful business strategy in the 21st century.

Inside the Rise of Remote Work Fraud (and What HR Needs to Know)

Remote work has reshaped the modern workplace. It's introduced positive changes like bringing flexibility, broader talent pools, and increased productivity. But along with these benefits comes the growing threat of job application fraud tailored to the virtual environment.

With no office to report to and minimal face-to-face interaction, people with nefarious intentions are exploiting the remote model. Tactics like stolen credentials, fake resumes, location spoofing, and AI-enhanced deception are increasing fast.

According to the Federal Trade Commission (FTC), job scams are now among the fastest-growing fraud typologies, with losses skyrocketing from $90 million in 2020 to over $501 million in 2024.

To stay ahead, HR professionals must evolve their hiring practices by integrating more insightful technologies into their vetting process.

Types of Job Application Fraud in Remote Hiring

The remote hiring environment offers many conveniences to employees and companies. But this format also opens the door to sophisticated fraud. Here are some of the most common types of job application fraud to help HR teams recognize the risks.

- **Stolen or fake identities**. Offenders may use another person's resume, credentials, or government-issued IDs to apply for jobs. Some even "borrow" a friend's identity who meets the job requirements to pass interviews.
- **Location spoofing**. To qualify for region-specific roles, applicants may use VPNs or IP-masking tools to appear as though they're in the required geographic area...when they're actually not.
- **AI-generated resumes and cover letters**. While using AI for formatting is harmless, some candidates rely entirely on tools like ChatGPT to fabricate achievements, experiences, or write cover letters that misrepresent their actual skills.
- **Proxy interviewing**. A stand-in candidate is hired to complete the interview on behalf of the applicant. Once hired, the original (less qualified) person begins the job.
- **Faked credentials or experience**. Applicants may list fictional degrees, certifications, or job titles. With limited in-person oversight, these details can slip through if not properly verified.
- **Deepfake or avatar interviews**. Using real-time AI tools, some applicants now conduct interviews using altered faces, voices, or even entirely synthetic avatars to hide their true identities.
- **Ghost employees**. In rare but costly cases, someone may get hired, collect a paycheck, but never actually perform the work—or even exist as a real person.

Actionable Solutions to Combat Remote Hiring Fraud

As job application fraud becomes more sophisticated, HR teams need to make sure their tools and tactics stay ahead. A layered approach combining both high-tech tools and low-tech strategies can significantly reduce the risk of fraudulent hires.

Low-Tech: Live Interview Challenges

Ask candidates to perform spontaneous tasks during video interviews. These can be as simple as writing a short paragraph, solving a job-relevant problem on the spot, or turning off their virtual background to confirm their environment.

High-Tech: Biometric Identity Verification

Before extending an offer, require facial recognition or liveness detection via a secure app. This ensures the person being hired is real and matches the identity documents they've submitted.

Low-Tech: Reference Checks Done Right

Don't skip or rush reference checks. Hire a reputable third-party background screener to contact past employers and verify employment details, dates, and job duties. Beware of references who only respond via email or refuse to provide phone contacts.

High-Tech: IP Tracking and Geolocation Verification

Use tools that track an applicant's IP address during interviews or application submission to confirm they are located where they claim. This can expose location spoofing through VPNs or proxies and help maintain compliance with location-specific roles or tax regulations.

Low-Tech: Collaborate with IT and Legal

Your hiring process should include input from IT security and legal counsel. Joint policies can close loopholes and enforce consistent identity verification across departments.

High-Tech: Digital Forensics and Background Screening

Partner with a background screening vendor that analyze timestamps and document authenticity. More advanced solutions can detect inconsistencies in resumes, degrees, or certifications. Social media screening can also help confirm a real-world digital footprint.

A Quick List of Big Red Flags for Remote Hiring Fraud

If you see any of these, perk up your ears and dig deeper to make sure the applicant is who they say they are.

- **Inconsistent or unverifiable work history** (missing LinkedIn presence, vague company names, or unverifiable references).
- **Reluctance to appear on video or use camera filters** that obscure their face.
- **Mismatch between resume claims and live interview responses** (lack of basic knowledge about listed skills or tools).
- **Over-reliance on email communication**. They avoid phone or live video contact.
- **Suspicious or spoofed IP address**, especially if the job is location dependent.
- **Rapid, overly polished responses** in interviews that feel scripted or AI-generated.
- **Refusal or delay in submitting government-issued ID or completing background checks.**
- **Unusual audio/video lag or facial glitches** during interviews. These are potential signs of deepfakes.
- **Multiple applicants using the same resume format, language, or device fingerprint** (common in organized fraud rings).

Don't Let Fraudulent Hires Slip Through the Cracks

Remote work is here to stay, and so are the risks that come with it. Job application fraud is a security, compliance, and reputational threat. By staying vigilant to red flags and integrating both high-tech and human-centered hiring practices, HR professionals can protect their organizations and ensure they're not hiring digital imposters.

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Small Steps, Big Impact:

How HR Systems Prevent Mistakes Before They Happen

By JOHN THALHEIMER and CHECK SIMIKIAN

Let's face it—HR is complex. From onboarding to offboarding, benefits to investigations, each process carries potential legal and operational risk. In the chaos of competing priorities, it's not unusual for a small oversight to turn into a costly mistake.

While we were writing our best-selling book, *The Ultimate Guide to HR: Checklists Edition* an HR director shared with us a story we'll never forget: A manager terminated an employee but forgot to notify IT. By the time anyone realized, that former employee had emailed the entire company from their still-active address—venting frustrations and damaging morale. The fallout? Embarrassment for leadership, a call from legal, and a wake-up call for the HR team.

The issue wasn't bad intent—it was a broken system. One missed step. One checklist not in place.

That's exactly why we believe that systems—particularly checklists—are the key to sustainable HR success.

Why Systems Matter in HR

We were inspired by Dr. Atul Gawande's *The Checklist Manifesto*, which argues that in complex environments, professionals need tools—not just talent. Doctors, pilots, engineers—all rely on checklists to ensure precision, consistency, and safety. HR should be no different.

Checklists aren't about micromanaging or replacing expertise. They're about protecting it. They help HR professionals:

1. Avoid critical missteps during high-risk processes like terminations and investigations
2. Ensure compliance with ADA, FMLA, and other evolving employment laws
3. Build trust by creating transparency and consistency across the organization

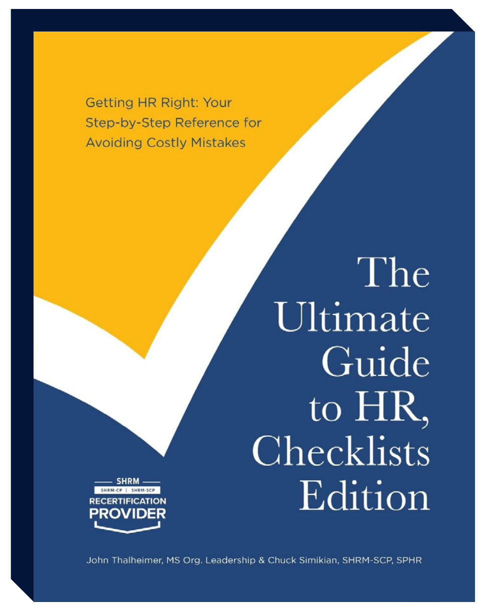
Most importantly, they turn good intentions into great execution.

Building Effective Systems: A Simple Framework

In our experience, the best HR systems follow five steps:

1. **Identify Risk Areas** – Where do things tend to fall through the cracks?
2. **Map the Process** – Outline the full scope, start to finish.
3. **Create the Checklist** – Break it into actionable, repeatable steps.
4. **Test and Refine** – Pilot the checklist in real scenarios and revise as needed.
5. **Embed the System** – Make it part of onboarding, training, and culture.

Whether it's ensuring ADA compliance, running harassment investigations, or managing J1 Visa onboarding, systems provide structure and peace of mind.



Tools That Work

In our best-selling book, *The Ultimate Guide to HR: Checklists Edition*, we provide over 85 interactive checklists and templates covering everything from hiring to compliance audits. But what makes them powerful is not just the content—it's the system behind them.

Each checklist includes:

1. A clear purpose
2. Defined terms to avoid miscommunication
3. Legal notes and red flags to watch for
4. Step-by-step guidance that can be tailored to your organization

And for HR professionals pursuing ongoing education, the book has been **approved for 3 SHRM recertification credits**, making it a practical investment in both operations and professional development.

Who Benefits from HR Systems?

While seasoned HR practitioners will find value in refining their processes, our experience shows that these systems are especially valuable for:

1. **Small business owners** handling HR without a formal department
2. **New HR professionals** seeking structure and clarity
3. **Office managers, nonprofit leaders, and entrepreneurs** wearing many hats
4. **Managers and supervisors** who need HR guidance without calling HR every time

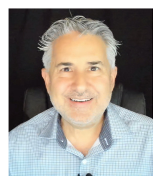
Final Thought: You Can't Afford to Wing It

HR leaders today are managing more complexity than ever before. With the rise in lawsuits, compliance requirements, and workplace expectations, we can't afford to leave things to memory or chance.

Systems aren't just nice to have—they're a must-have. Whether it's onboarding a new hire or managing a sensitive employee situation, the right checklist at the right time can prevent a whole lot of pain later.

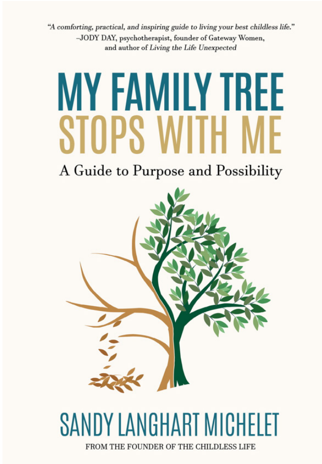
*The Ultimate Guide to HR: Checklists Edition*has already helped thousands of HR leaders, small business owners, and managers stay compliant and confident in their decision-making. An Amazon best seller, it recently sold out at the annual SHRM 2025 Conference Bookstore—the book includes more than 85 practical tools and is approved for 3 SHRM recertification credits. It's more than a book—it's a ready-to-use system designed to help HR professionals lead with structure, clarity, and confidence.

Learn more and find the book on Amazon



About the Authors

John Thalheimer, MSOL and Chuck Simikian, SHRM-SCP, SPHR, are the co-authors of *The Ultimate Guide to HR: Checklists Edition* and the creators of the popular *HR Stories Podcast.* Together, they are the Team at HR Stories, delivering real-world HR education through training, storytelling, and compliance-based tools. With decades of experience in HR leadership, coaching, and consulting, they are known for making complex workplace issues practical, actionable, and accessible for HR professionals, business owners, and managers across the country.



Belonging Means Everyone:

Why Inclusion Must Embrace the Childless Workforce

By SANDY LANGHART MICHELET

What does it really mean to belong at work?

In the language of workplace culture, *inclusion* means more than simply inviting someone into the room. It's the intentional act of ensuring that every employee - regardless of background, identity, or life circumstance - has equitable access to opportunities, resources, and decision-making.

Belonging takes inclusion one step further. It's the outcome employees feel when they are accepted, respected, and supported for who they truly are. Belonging means you don't have to hide or minimize aspects of yourself to fit in.

When we talk about inclusion and belonging, we must consider the full scope of employee identity - not just race, gender, and age, but life experience, family structure, and personal circumstance. Yet one group is often overlooked in our DEI efforts: people without children.

Parental status is often an unspoken divider…a quiet tug of war that shapes schedules, opportunities, and perceptions. Parents may feel they're passed over for promotions because they can't work late or travel as often. Those without children may find themselves covering workloads when childcare issues arise, expected to be endlessly flexible because "you don't have kids."

As an HR professional for more than 25 years (longer than I've even known about my own infertility challenges resulting in involuntary childlessness), I've lived this from both perspectives. I understand firsthand what it means to navigate life without children. Yet in my role, I also have a larger responsibility to balance the needs of all employees as part of a recruitment, engagement and retention strategy.

Let's talk terms:

In order to understand this impact, we need to understand the terminology of those without children.

- **Childless not by choice (CNBC) –** individuals do not have children but wanted them. This may be due to infertility, health issues, life circumstances, relationship status, or other factors outside their control.
- **Childfree -** individuals have made a conscious choice not to have children due to any number of reasons.
- **Trying to conceive TTC** – while this term can be used in the broadest sense, for the purposes of this conversation, it's focused on those *struggling* to conceive

Globally, rates of childlessness are on the rise. In the U.S., nearly 1 in 5 women born in the 1970s have not have children. According to the National Infertility Association, 1 in 8 struggle to conceive. Why does this matter? Because these individuals are in your candidate pool, in your workforce, and in your leadership team.

As HR pros, we advocate for our employees to bring their whole selves to work. We've stood beside employees through unimaginable grief - the loss of a spouse or a parent, the death of a child, serious health crises, and other life-shattering events. We've offered support when their worlds felt unrecognizable, helping them navigate both personal pain and the demands of their work. The grief of the childless, though often invisible, is just as real: the quiet mourning of a path not taken, a dream unfulfilled, and the ongoing work of reconciling their lives with a world that assumes parenthood is the default.

When companies fail to acknowledge this reality, they risk excluding a significant part of the employee population. Not out of malice—but out of tradition and assumptions.

When "Flexibility" Isn't Equal

In a viral TikTok video, someone we'll call Evelyn shared her story. She had planned (and received approval for) a vacation months in advance, booking flights to see her family. She reminded her boss multiple times about the trip. Yet two days before her departure, her boss asked her to give up her days so a colleague, "Kari," could take her kids on a last-minute trip. Evelyn declined, and tensions rose. Kari was frustrated. Evelyn was frustrated. The office took sides.

The video sparked widespread support online, not just for Evelyn's refusal, but for the larger issue it revealed: the assumption that those without children should rearrange their lives to accommodate parents' needs.

It's a common scenario. Childless employees are often expected to work holidays because "you don't have kids." They're asked to cover shifts when childcare falls through — sometimes explicitly told that's the reason. When they say no, they're met with skepticism: *Why can't you work? What's so important?* Unlike parents, they may not be afforded the courtesy of "just because."

The Baby Gift Double Standard

These inequities aren't always as obvious as a canceled vacation. Sometimes they appear in subtle, everyday moments that reveal an unspoken hierarchy of what's valued.

Consider this:

Margaret emails the team —

"Attention team! Abby in accounting is having a baby soon — let's shower her with love! If everyone gives ten dollars, we can buy her [insert big-box baby item]. Yay!"

The response is instant and enthusiastic. Contributions pour in. Colleagues gather in the kitchen swapping pregnancy stories, recommending baby gear, and lamenting the cost of raising kids.

Now imagine a similar email:

Kathy writes —

"Attention team! I'm saving for a trip to Thailand. If everyone gives ten dollars, I can buy my ticket before the rates go up. Yay!"

This time? Side-eyes and whispers:

- "Can you believe she's asking us to pay for her vacation?"
- "If she can't afford the trip, she shouldn't go."
- "Why should I fund someone else's leisure travel?"

So, here's the real question:

Why is it more socially acceptable to ask coworkers to contribute to a baby shower than it is to support someone's dream trip? The answer is simple: it just *is*. But should it be?

Over the years, I've happily chipped in for countless baby showers, bridal showers, and birthday collections—and I'll continue to do so. (Honestly, if someone asked me to help fund their vacation, I might even be on board for that too.) But here's the point:

These subtle, everyday moments in the workplace reinforce an unspoken hierarchy of life events—where marriage and parenthood are celebrated, and other milestones or joys are treated as optional or less worthy.

I am not saying we should stop celebrating new babies or marriages. But we *should* consider how to apply our kindness and generosity more consistently.

World Childless Week: A Moment of Visibility

World Childless Week is held every September and aims to raise awareness of the childless not by choice (cnbc) community. The choice of September is significant because it marks the time when many women are due to give birth, and the 16th of September is known as the world's most common birthday. It also means this can be a particularly poignant time for individuals who have experienced infertility, miscarriage, or other circumstances that have led to their childlessness, and World Childless Week aims to acknowledge and validate their experiences.

Founded in 2017, it gives voice to the experiences of people who are childless—not by choice or by design—and helps others understand the diversity of this community. Almost 1,000,000 people visit the site every year from over 100 countries – and can include your company's candidates, workforce and leadership pool.

As HR leaders, we can use World Childless Week as a powerful lens through which to view our own policies and practices.

How to Make Childless Employees Feel Included

- **Invite representation:** Include childless employees in committees, policy discussions, and cultural planning. Create space for conversation. Offer discussions or employee resource groups where childless people can be heard.
- **Ensure fair holiday schedules:** Distribute holiday shifts and emergency coverage fairly, without defaulting to the childless.
- **Benefit plan design:**
  - o Review the employer contribution toward individual coverage vs family coverage. On the surface it makes sense that a company would contribute more toward family coverage - family coverage costs more because it includes more people. But that also means the employee who chooses individual coverage often receives significantly less financial support.
  - o Review the employer HSA contributions for individual coverage vs family coverage. Is it the same?
- **EAP:** Identify an employee assistance program vendor that can focus on all aspects of an employee's life, including caregiving for aging parents, financial coaching, and more.
- **Examine your language:** In introductions, avoid conversations about parental status — and if the topic does come up, gently steer the discussion back to common ground, focusing on the employee's skills, goals, and contributions.
- **Reframe your celebrations:** Consider hosting baby showers in a private conference room instead of in the common area.
- **World Childless Week:** Add World Childless Week to your inclusion calendar, make a social media post showing your support of ALL employees

Why This Matters for the Future of Work

The workforce is changing. While many are choosing not to have children, many struggle silently with grieve of a life they didn't imagine….which impacts productivity and engagement.

If your DEI strategy doesn't include the childless experience, it's incomplete.

As HR professionals, we are uniquely positioned to create workplaces where every employee feels a sense of belonging, no matter what their family structure looks like.

Because the truth is: a person's value is not determined by their parental status. And a workplace built on inclusion must reflect that truth, in every policy, practice, and conversation.

Sandy Langhart Michelet,
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RETIRED BUT NOT PROTECTED:

Why Retirees Who Are Not Working Or Seeking To Do So Are Not Protected Under The ADA

By GEOFFREY LINDLEY

Title I of the Americans with Disabilities Act bars employers from "discriminat[ing] against a qualified individual on the basis of disability in regard to . . . compensation" and other matters.

Stanley v. City of Sanford, 145 S. Ct. 2058, 2062-63 (2025).

But who is a qualified individual under the Americans with Disabilities Act (ADA)? That is a question that the United States Supreme Court recently answered in the context of a retired employee seeking health care benefits.

Title I of the ADA

The ADA comprises five separate titles addressing employment, public entities, public accommodations, telecommunications, and miscellaneous matters. Stanley, 145 S. Ct. at 2063. Title I of the ADA covers employment and clearly protects both applicants and employees with disabilities from discrimination in all matters related to employment. Stanley, Id. at 2064. However, a person seeking ADA protection must be a "qualified individual" which is a term of art specifically defined in the statutory text of the ADA. According to the statute, "qualified individual" is "an individual [with a disability as defined by the ADA] who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires." 42 U.S.C. §12111(8). In Stanley, the United States Supreme Court dealt with the question of whether a retired employee who is not currently working or seeking to work is a "qualified individual" under the ADA.

A Retired Firefighter and the City of Sanford

Denial of Health Insurance Benefits Leads to a Lawsuit

As the ADA claim at issue in this case was decided based on a motion to dismiss filed by the City, the courts were limited to the facts as alleged by the Plaintiff Karyn Stanley in her written complaint. Stanley, 145 S. Ct. at 2063.And those facts are as follows.

Stanley began work as a firefighter for the City of Sanford, Florida, in 1999. Id. When she was hired, the City provided health insurance until age 65 for two classifications of retirees: employees who retired with 25 years of service, and employees who retired sooner because of a disability. Id. As a result of this policy, Stanley intended to work for 25 years. Id. However, the City changed its policy in 2003 as follows. It would continue to pay for health insurance up to the age of 65 for retired employees with 25 years of service, but it would only pay for health insurance for those who retired without 25 years of service because of a disability for just 24 months or until the retiree began receiving Medicare benefits, whichever was sooner. Id.

Stanley's complaint does not say when, but at some point after the aforementioned policy change, Stanley began suffering from an unnamed disability. Id. She had to retire as a result of this disability in 2018. Id. Because of the policy change, she was entitled to at most 24 months of City-provided health insurance. Id. Therefore, she brought suit against the City under the ADA alleging that providing better health insurance benefits to retirees with at least 25 years of service than to those who are forced to retire because of a disability before attaining 25 years amounted to impermissible disability discrimination under the ADA.

District Court Dismisses the Case, Stanley Appeals, and Eleventh Circuit Affirms

The City immediately filed a motion to dismiss Stanley's ADA claim for failure to state a claim upon which relief can be granted. Stanley, 145 S. Ct. at 2063. The City argued that Stanley was not a qualified individual under the ADA; therefore, she had no protections from disability discrimination under the Act. Id. The United States District Court agreed with the City and dismissed Stanley's ADA claim noting that the discrimination that she alleged, inferior health care benefits as opposed to non-disabled retirees, occurred after she retired. Id. And, at that point, she was not someone "who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires." Id.

Stanley appealed the dismissal of her ADA claim to the United States Court of Appeals for the Eleventh Circuit. Id. As noted by the Supreme Court in its opinion on this case:

> The Eleventh Circuit affirmed. It, too, concluded that [the ADA] does not reach allegations of discrimination against a retiree "who does not hold or desire to hold an employment position" that she is capable of performing with reasonable accommodation. But, the court acknowledged, not every court of appeals would agree. Like the Eleventh Circuit, the Sixth, Seventh, and Ninth Circuits have said that Title I's antidiscrimination provision "does not protect people who neither held nor desired a job with the defendant at the time of discrimination." But the Second and Third Circuits take a different view. As those courts see it, the ADA's definition of "qualified individual" is "ambiguous," and they have resolved that ambiguity "in favor of " extending the statute to reach retirees like Ms. Stanley.

Stanley, 145 S. Ct. at 2063 (internal citations omitted). Thereafter, Stanley appealed to the United States Supreme Court, which took the case in order to resolve the disagreement among the federal circuit courts of appeal as to whether retirees who do not work or desire to work have ADA protections. Id.

Retirees and the ADA

Retirees not Seeking to Work are Generally not Qualified Individuals Protected by the ADA

In deciding the issue at hand, the Supreme Court noted that the parties agreed that the retirement benefits at issue constituted "compensation" under the ADA, and the Court assumed that the City's more favorable treatment to non-disabled retirees constituted discrimination. Stanley, 145 S. Ct. at 2063. And as this case was decided at the motion to dismiss stage, the City could not dispute Stanley's allegation in her complaint that she was disabled. Therefore, the only issue for the Court to resolve was whether retirees not working or desiring to do so are "qualified individuals" under the ADA.

In reaching its conclusion on this issue, the Supreme Court looked to the language of the statute. As noted, a "qualified individual" is "an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires." Id. In analyzing this language, the Court noted that Congress chose present tense verbs, i.e., can perform, holds, and desires. Id. at 2063-64. "Those present-tense verbs signal that [the ADA] protects individuals who, with or without reasonable accommodation, are able to do the job they hold or seek at the time they suffer discrimination. Conversely, those verbs tend to suggest that the statute does not reach retirees who neither hold nor desire a job at the time of an alleged act of discrimination." Id. at 2064.

The Court also looked to the ADA's definition of "reasonable accommodation" which includes job restructuring, modifications of facilities used by employees, and changes to training materials or policies. While all of these things make sense in the context of current employees and applicants, it is difficult to imagine their application to retirees not working or seeking a job. Id. And the statute's definition of discrimination, which includes certain job-qualification standards, employment tests, and other selection criteria also makes little sense for retirees. Id.

Additionally, the anti-retaliation portion of Title I of the ADA prohibits retaliation against "any individual" who has opposed a discriminatory act under the ADA. Id. The fact that Congress affirmatively chose to define differently those protected from discrimination and those protected from retaliation under the Act suggests that the distinction was intentional. Id.

Lastly, the Court looked to its prior case precedent that an individual who is "unable to work" is not covered by the ADA's discrimination protections and noted that such a holding is predicated on the same reasoning that mandates that a retiree who is not seeking to work is also not covered. Id. at 2065 (citing Cleveland v. Policy Management Systems Corp., 119 S. Ct. 1597 (1999). Therefore, the Supreme Court in Stanley held that in order to prevail in an ADA discrimination claim, "a plaintiff must plead and prove that she held or desired a job, and could perform its essential functions with or without reasonable accommodation, at the time of an employer's alleged act of disability-based discrimination." Id. at 2060, 2071.

But Retirees can have ADA Disability Discrimination Protections in Certain Circumstances.

Upon invitation by Stanley and the United States, who filed an *amicus* brief in the case, the Court opined that retirees who can plead and prove that they are discriminated against on the basis of a disability *when they held or sought a job* are covered by the ADA's discrimination protections. With that in mind, the Court noted the following three scenarios in addressing Stanley's ADA discrimination claim directly. Id. at 2068.

Disability discrimination can occur when an employer adopts a discriminatory policy. Stanley alleged in her complaint that the City did so in 2003 with regard to retiree health insurance. However, Stanley did not allege that she was disabled in 2003, so she had no ADA protection then. Id. at 2068-70.

Disability discrimination can also occur when an individual is affected by a discriminatory policy. Stanley alleged in her complaint that this happened in 2020 when her City-provided health insurance ran out. Unfortunately for Stanley, by then she had been retired for two years and was not seeking employment, so she was not a qualified individual at that time. Id. at 2070.

Additionally, disability discrimination takes place when an individual becomes subject to a discriminatory policy. Thus, if an employee is a "qualified individual" under the ADA when he or she becomes subject to a discriminatory policy that will reduce his or her retirement benefits in the future, then the employee has a cognizable discrimination claim under the ADA. However, in her complaint, Stanley did not plead the nature of her disability or when she became disabled. Therefore, the Court had no way to infer when Stanley became subject to the City's discriminatory policy. Id.

Employer Takeaways

The Stanley case provides helpful clarification for employers regarding ADA protections for their retired employees who have retirement benefits gained through their employment. However, the Supreme Court's decision is not a license for employers to treat retirees differently based on a disability. Remember that the Court noted that the City's policy at issue was disability discrimination. The City only prevailed because Stanley did not appropriately plead that she was a qualified individual subject to the ADA's discrimination protections. Moreover, as the Court pointed out, there may be other laws besides the ADA, including state laws, that offer disabled retirees protection from discrimination. Additionally, if the facts had been different for Stanley or if her complaint had been more artfully pled, she still might have been able to allege and show that the policy discriminated against her when she was still an employee by denying her future benefits based on her disability, thereby triggering ADA discrimination protection. Therefore, employers should still continually analyze and monitor their retiree compensation and benefit plans and policies to ensure that they do not discriminate based on disability and are administered fairly and equitably.

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Apple Oatmeal Muffins

September 2025 Recipe

Makes: 6 servings

Ingredients

- ½ cup nonfat milk
- ⅓ cup unsweetened applesauce
- ½ cup all-purpose flour
- ½ cup quick-cooking oats (uncooked)
- 1 cup sugar
- ½ Tbsp. baking powder
- ½ tsp. ground cinnamon
- 1 tart apple (cored and chopped)

Nutritional information for 1 serving

Calories	218
Total fat	1 g
Saturated fat	0 g
Cholesterol	0 mg
Sodium	132 mg
Carbohydrate	52 g
Dietary fiber	2 g
Total sugars	38 g
Added sugars included	32 g
Protein	3 g

Directions

1. Preheat oven to 400 F.
2. Place six cupcake holders in a baking tin.
3. In a mixing bowl, add the milk and applesauce. Stir until blended.
4. Stir in the flour, oats, sugar, baking powder and cinnamon. Mix until moistened.
5. Gently stir in the chopped apples.
6. Spoon into cupcake holders.
7. Bake for 15-20 minutes or until an inserted toothpick comes out clean.
8. Cool in pan for 5 minutes before serving. Store unused portions in an airtight container.

Source: MyPlate

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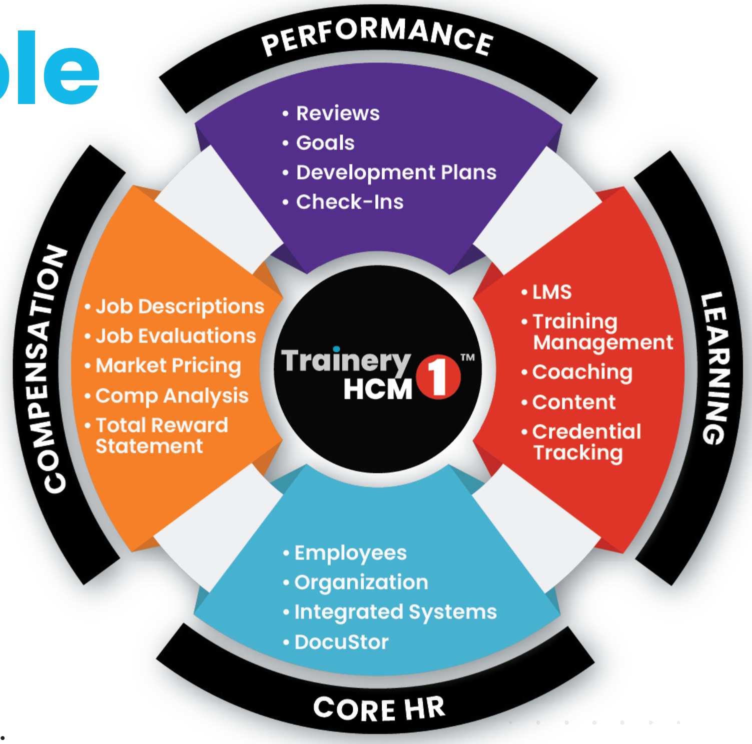

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Office of the Secretary

Secretary of Labor
Lori Chavez-DeRemer

Lori Chavez-DeRemer was sworn in on March 11, 2025, as the 30th Secretary of the United States Department of Labor. Secretary Chavez-DeRemer has dedicated over two decades of her life to public service, including positions on the Happy Valley City Council and eventually serving as mayor. Under her leadership, Happy Valley became Oregon's fastest-growing community.

In 2022, she was elected to the U.S. House of Representatives by Oregon's 5th Congressional District, making history as the first Republican woman elected to Congress from the state. The daughter of a Teamster, Secretary Chavez-DeRemer is a successful small businesswoman and the first in her family to graduate from college.

She and her high school sweetheart, Dr. Shawn DeRemer founded an anesthesia management company and several medical clinics across the Pacific Northwest. A proud wife, mother of twin daughters, and new grandmother, Chavez-DeRemer is passionate about advocating for businesses, workers, and families.


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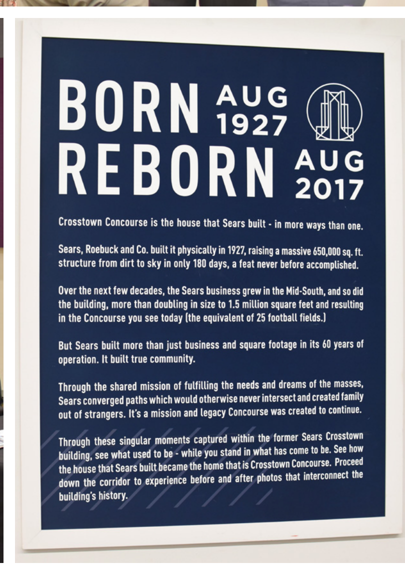
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REBORN AUG 2017
Crosstown Concourse is the house that Sears built - in more ways than one.
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Over the next few decades, the Sears business grew in the Mid-South, and so did the building, more than doubling in size to 1.5 million square feet and resulting in the Concourse you see today (the equivalent of 25 football fields.)
But Sears built more than just business and square footage in its 60 years of operation. It built true community.
Through the shared mission of fulfilling the needs and dreams of the masses, Sears converged paths which would otherwise never intersect and created family out of strangers. It's a mission and legacy Concourse was created to continue.
Through these singular moments captured within the former Sears Crosstown building, see what used to be - while you stand in what has come to be. See how the house that Sears built became the home that is Crosstown Concourse. Proceed down the corridor to experience before and after photos that interconnect the building's history.

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