

Pressure Is Building⁵

WORKFLEX ISN'T JUST A WOMEN'S ISSUE.



AND IT'S NOT JUST A GEN Y ISSUE.



Workflex Benefits Business and Employees⁵

EFFECTIVE AND FLEXIBLE WORKPLACES HAVE BETTER EMPLOYEE OUTCOMES.



RETENTION IS KEY⁶

39% of employers cited retention as their main reason for providing employee and family assistance (flexible time, caregiving leaves and dependent care)



LOWER REAL ESTATE COSTS

Organizations with high levels of telework can save an average of \$10,000 per full-time telecommuting employee per year due to reduced real estate and electricity costs and improved productivity.⁴

WORKFLEX IS AMONG THE TOP THREE BENEFITS RATED BY EMPLOYEES AS VERY IMPORTANT TO THEIR JOB SATISFACTION.⁷



FLEXIBILITY ISN'T AN EMPLOYEE BENEFIT OR ACCOMMODATION. IT'S A BUSINESS STRATEGY.

There's WORKFLEX for That

Identify your organization's strategic priorities and launch workflex initiatives designed to meet those goals.

Performance Workflex is a proven contributor to productivity, innovation and shareholder value.	Business Continuity Employees who can work remotely continue to work during natural disasters and inclement weather.
Wellness Flexible workers sleep better, exercise more, have lower stress and are in better health.	Talent Management Workflex widens your talent pool so you can find, develop and retain the best employees, wherever (or however) they live.
Real Estate With telecommuting, companies can reduce occupancy and lower real estate costs.	Diversity & Inclusion Flexible organizations attract employees with a broad range of talents and interests.
Engagement After economic security, work-life quality is the most important contributor to job satisfaction.	Customer Service Green Initiatives Compliance Plus many other contributions:

WHEN WORK WORKS

When Work Works, a project of SHRM, is a nationwide initiative that brings research on workplace effectiveness and flexibility into community and business practice. Since its inception in 2003, When Work Works has partnered with an everexpanding group of communities from around the country to share rigorous research and employer best practices on workplace effectiveness and flexibility; inspire local employers to create more flexible and effective workplaces to benefit both business and employees; and recognize exemplary employers through the When Work Works Award and local community events. SHRM gives special thanks to the Families and Work Institute (FWI) as the originator of When Work Works. FWI has helped inform unprecedented improvements for countless employers and employees.

Visit us at www.whenworkworks.org and follow us @WhenWorkWorks



The Society for Human Resource Management (SHRM) is the world's largest HR professional society, representing 285,000 members in more than 165 countries. For nearly seven decades, the Society has been the leading provider of resources serving the needs of HR professionals and advancing the practice of human resource management. SHRM has more than 575 affiliated chapters within the United States and subsidiary offices in China, India and United Arab Emirates.

Visit us at www.shrm.org



The California State Council of SHRM (CalSHRM) is a When Work Works Community Partner. As a partner of the project, the Council helps educate, promote and celebrate effective workplace flexibility strategies.

Visit us at www.calshrm.org

RESEARCH SOURCES:

1. SHRM Research Spotlight, 2016
2. For more information see: <https://www.shrm.org/resourcesandtools/tools-and-samples/toolkits/pages/californiamedicalleaveincalifornia.aspx>
3. U.S. Census Bureau 2010 American Community Survey
4. Global Workplace Analytics
5. SHRM 2016 National Study of the Changing Workforce
6. SHRM 2016 National Study of Employers
7. SHRM 2016 Employee Benefits Survey

WHEN

WORK

WORKS



2017
CALIFORNIA
FLEX
AT A GLANCE

Workplace Flexibility, or Workflex, is about rethinking **how, when** and **where** people do their **best work**

At its core, workflex is about improving business results by giving people more control over their work time and schedules. With California's labor laws, many organizations think flexible scheduling is just too complicated or too risky to manage. But some of that hesitation is driven by myths and misunderstanding.

Many California employers are finding ways to make new ways of working work for them. Find out for yourself why workplace flexibility isn't that hard here...and why it's definitely worth the effort.

Workflex Options

California organizations provide employees:¹

- TELECOMMUTING 63%**
- FLEXTIME 48%**
- TELECOMMUTING, PART-TIME 34%**
- BREAK ARRANGEMENTS 30%**
- MEALTIME FLEX 34%**
- COMPRESSED WORKWEEK 23%**
- TELECOMMUTING, FULL-TIME 21%**
- SHIFT FLEXIBILITY 21%**

Since introducing a flexible work environment based on results achieved rather than time spent at the office, Ryan has realized unprecedented growth, increased revenue, lower turnover and the highest client service scores in firm history.

- Brint Ryan
CEO, Ryan LLC
Carlsbad, Irvine,
Los Angeles, Sacramento

WORKFLEX: Special Topics for California

Alternative Workweeks Nonexempt employees in CA are entitled to daily overtime, but employees can vote to approve compressed workweeks. Workflex can be implemented by teams, departments, shifts, locations or job classification. It requires two-thirds approval of nonexempt associates in a "work unit," via a secret ballot vote.

Meals & Breaks Nonexempt employees must be given specifically timed breaks and meal periods. But exempt employees have freedom to schedule their day. Employees must be able to leave workplace for meal breaks (and possibly rest breaks), and employers must make breaks available but need not force breaks.

Leaves of Absence California employers must provide a variety of different leaves of absence to qualified employees. Read more below.

Daily Overtime California's 8-hour work day requires careful monitoring of hours worked.

Make-up Time This option is available for personal or medical visits at the request of the employee with the consent of both employer and employee. The employee must make up time in the same work week and may work up to 11 hours in a day to do so.

Paid Time Off California does not allow use-it-or-lose-it policies, but employers can put a reasonable cap in place. A cap of at least 1.75x annual accrual is generally considered reasonable. You can stop future accrual until employees use enough days to fall below that max.

Municipal Sick Leave and Minimum Wage Ordinances Many California cities have local ordinances permitting more generous sick leaves than the state requires. Currently San Francisco, Oakland, Los Angeles, San Diego and Santa Monica are among the various municipalities with broader sick leave (and minimum wage) protections for California employees. Some jurisdictions have minimum wage or sick leave provisions that apply only to particular industries (e.g., Long Beach's hospitality worker ordinance). This may impact a telecommuting employee if he or she works at home in a city with different ordinances/pay structures/time off than where the company office is located.

Telecommuting Go remote! No special regulations here.

TIPS TO ENHANCE WORKFLEX IMPLEMENTATION IN CALIFORNIA

COMMUNICATE

- Make sure there is adequate communication between staff who work at varying times and locations and who may meet less frequently.
- Use a combination of face-to-face communication and phone/video conferencing/e-mail.
- Ensure appropriate orientation and training for management and employees.

PROMOTE TEAM BUILDING

- Don't let "out of sight" become "out of mind."
- Ask home-based employees to provide occasional office coverage.

POLICIES

- Have clear written policies about the type, scope and positions that are able to work flexibly.
- Provide training to telecommuting employees on injury prevention and setting up ergonomically sound home offices:
 - Have employees attest to the safety of their home office.
 - If possible, assign a company representative to review the safe workplace either in person or via camera/computer.
- Employees should record hours worked daily, sign to acknowledge accuracy and submit to their manager for review:
 - If a supervisor knows an employee worked, the employer must pay for those hours even if the hours were not authorized.
 - Employees should be advised and, if necessary, disciplined for abusing workflex policies (e.g., working overtime when unauthorized).
- Consider Alternative Workweek Schedules. See e.g., <https://www.dir.ca.gov/t8/11170.html>, Industrial Welfare Commission Orders, including Alternate Workweek scheduling.

Leaves of Absence in

CA

LEAVES OF ABSENCE²

California has numerous leaves of absence available to employees. These leaves of absence allow employees to take time off when it is needed and provide guidance to employers about how to manage time off. Although the number of laws can be intimidating, using various flextime tools may minimize leave of absence requests because employees can balance time off needs in other ways.

JOB-PROTECTED LEAVES

MEDICAL AND MILITARY RELATED LEAVES

California Family Rights Act (CFRA)
Family and Medical Leave Act (FMLA)
Pregnancy Disability Leave (PDL)
Alcohol and Drug Rehabilitation Leave
California FEHA Disability Leave
The Americans with Disabilities Act (ADA)
California Paid Sick Leave
Kin Care
Organ Donor/Bone Marrow Leave
California Workers' Compensation
Military Leave Law (USERRA) and California Military Leave Law
Spousal Military Leave Law

OTHER PROTECTED LEAVES

Crime Victims Leave
Victims of Domestic Violence Leave and Victims of Sexual Assault and Other Serious Crimes
Jury Duty
Witness Duty
Reserve Emergency Personnel and Civil Air Patrol Leave
Time Off to Visit School Authorities
Family School Partnership Act
Employee Literacy Education Assistance
Time Off to Vote
Religious Accommodation
Employer Leave of Absence Policies and Procedures, including PTO Policies

WAGE REPLACEMENT

California Paid Sick Leave
Kin Care
Organ Donor/Bone Marrow Donor Leave
California Workers' Compensation
Paid Family Leave (PFL)
State Disability Insurance (DI)

Businesses in the West, including CA, are more likely to allow working from home.³