



Monthly Strategies

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Updated Form I-9

U.S. Citizenship and Immigration Services (USCIS) announced on July 28, 2023 that there is a new Form I-9. The form I-9 has been streamlined and shortened for easier completion for both the employee and employer. The new form will be available for downloading on August 1, 2023 for employers to begin using immediately.

Employers may continue to use the older Form I-9 (Rev. 10/21/19) through October 31, 2023. After that date, they will be subject to penalties if they use the older form.

Employers Budget for 3.8% Pay Increases in 2024

- *78% of organizations in the United States say that their 2024 salary increase budget is the same or higher compared to last year*
- *2024 pay increases are predicted to be 3.8% on average in the United States*
- *Pay increases were 4% on average in the United States in 2023, up from 3.8% predicted in 2022*

In a recent Salary Budget Survey by Payscale, Inc. it revealed that pay increases in 2024 are predicted to be 3.8% on average in the United States, with higher increases seen in some states, industries, and other countries. According to the report, the proportion of organizations expecting their salary budgets in 2024 to either increase or stay the same as last year is 78% in the United States and 81% in Canada — a testament to the competitive labor market of the past few years and the high expectations workers have for raises against inflation. However, the market has cooled from the frenzy of the Great Resignation, with unemployment increasing and inflation dropping. The percentage of organizations expecting to lower their salary increase budgets in 2024 has risen from 9% to 22%.

Last year, employers were up against an inflation rate that sat at a 40-year high during salary budget planning season as well as a competitive labor market, which put pressure on organizations to go beyond the 3% salary increase that has been the standard for decades. The

survey shows that actual pay increases in 2023 were 4% on average, which was an increase from the predicted 3.8% in last year's survey. With inflation decreasing and the labor market loosening, employers want to bring pay increases down to more conservative levels in 2024. However, workers may continue to expect higher pay increases to regain some of the lost value eaten up by high inflation last year.

Although employers may want to bring salary budgets down after recent wage growth, it is still very much an employees' labor market with skills shortages persisting in some sectors. When it comes to pay increases, the last few years have indicated that the new normal may be in the 3.5-4% range, but that could change if we go into a recession. In addition to salary budget reports, organizations will need to keep an eye on wage growth trends and continue to invest in up-to-date market data to remain competitive and ensure that pay is fair.

OSHA Electronic Recordkeeping Rule to Take Effect in 2024

The rule will require employers with 100 or more employees to submit information from Forms 300 and 301 once per year.

- The Occupational Safety and Health Administration finalized and published on July 21, 2023 its final electronic recordkeeping rule requiring employers with 100 or more employees in certain industries to submit information from the agency's Forms 300 and 301 once per year.
- OSHA's rule also updates its system for determining which industries are subject to the information submission requirement. In a departure from the proposed rule, OSHA has retained the requirement for employers with 250 or more employees to electronically submit information from Form 300A once per year. Additionally, employers with 20 to 249 employees in certain designated industries will continue to be required to electronically submit information from Form 300A once per year.
- Per the rule, the agency will post data gathered via these submissions on a public website, with identifying information — such as employees'

names and contact information — removed. The final rule is effective Jan. 1, 2024.

The announcement represents OSHA's second attempt at enhancing electronic record requirements, the first of which was proposed by President Barack Obama's administration in 2016 but later rolled back by President Donald Trump's administration.

Under the rule, covered employers will be required to make electronic data submissions to OSHA on March 2 of the year after the calendar year covered by each form. Employers submitting 2023 calendar year information would therefore need to do so by March 2, 2024, OSHA said.

In its April proposed rule, OSHA included a list of industries used to determine which employers with 100 or more employees must submit Form 300 and Form 301 information. The final rule expands that list, adding six more industries: logging; hunting and trapping; other furniture related product manufacturing; miscellaneous durable goods merchant wholesalers; taxi and limousine services; and other support activities for transportation.

OSHA stated in the final rule that online availability of the data would allow the public to "determine which workplaces in a particular industry are the safest and identify emerging injury and illness trends in particular industries" as well as make decisions about which companies and industries to support and work for.

In a media briefing Monday, Assistant Secretary of Labor for Occupational Safety and Health Doug Parker said covered employers should not include personally identifiable information in their submissions to OSHA, and that the agency crafted the reporting process to address such concerns. OSHA, Parker said, will also take steps to ensure sensitive information is not made public.

"Congress intended for the Occupational Safety and Health Act to include reporting procedures that would provide the agency and the public with an understanding of the safety and health problems workers face, and this rule is a big step in finally realizing that objective," Parker said in a press release. "The safety and health community will benefit from the insights this information will provide at the industry level, while workers and employers will be able to make more informed decisions about their workplace's safety and health."

NJ Adds Unemployment Reporting

New Jersey Gov. Phil Murphy signed into law a number of substantial changes to New Jersey's unemployment compensation law last year. The amendments will take effect July 31.

For most employers, the critical takeaway from the new law will be two brand-new reporting obligations. Among the amendments is a new obligation for employers to provide the New Jersey Department of Labor and Workforce Development (NJLDR) with required separation information any time an employer operating in New Jersey discharges an employee. Employers that fail or refuse to furnish the information may be liable for significant fines.

Compliance Training

Employers that work on New Castle County Large Public Works Projects are required to conduct Drug and Alcohol Awareness and Reasonable Suspicion Testing Training for Supervisors, annually.

Employers in Delaware that have 50 or more employees are required to conduct Anti-Sexual Harassment training every two years.

Contact HR Strategies to provide onsite or virtual training for your organization.

Notes of Appreciation

Did you know that positive attention is 30 times more powerful than negative attention? People don't need feedback. They need attention to what they do best...a focus on strengths increases performance. There are many reasons why notes of appreciation are so impactful although the top three are: they help people see their strengths; they focus our attention on what's working; and they signal to people that they matter.

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