



**2024 COMPLIANCE
DMEC CONFERENCE**
DALLAS, TX | MARCH 25-28, 2024

One Workplace, Many Generations, Compliant Benefits for All



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Legal Landscape: PFML

PFML benefits are intended to cover the realities of life for American workers



Paid Family Leave (PFL) includes:

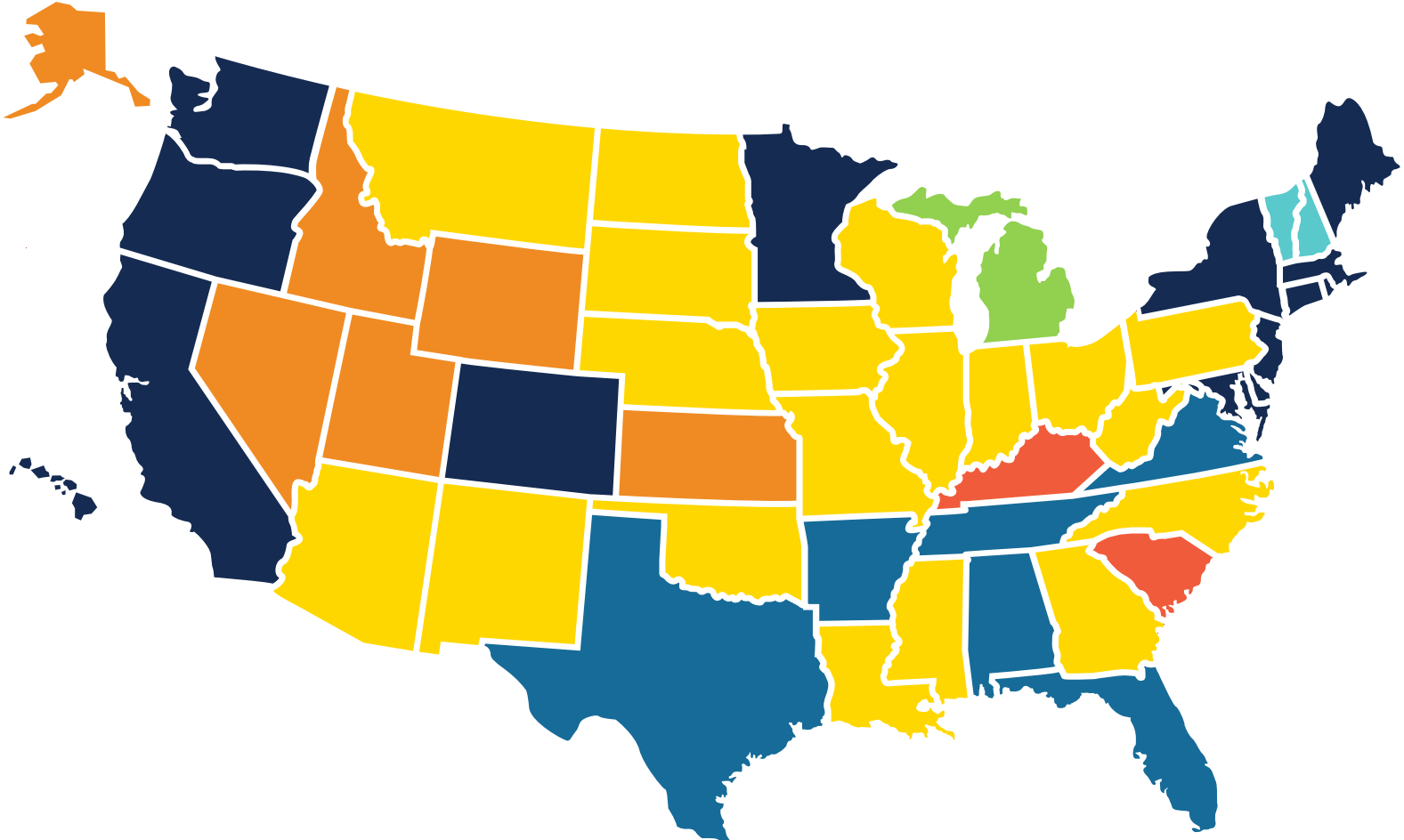
- Bonding with a new child
- Caring for a family member with a serious health condition
- Attending to certain military-related events
- Time to attend to the legal or medical needs that arise from violent crime
- bereavement in their policies.

Paid Medical Leave (PML) includes:

- recovery from an employee's own serious health condition including childbirth recovery.



Paid Family and Medical Leave Programs



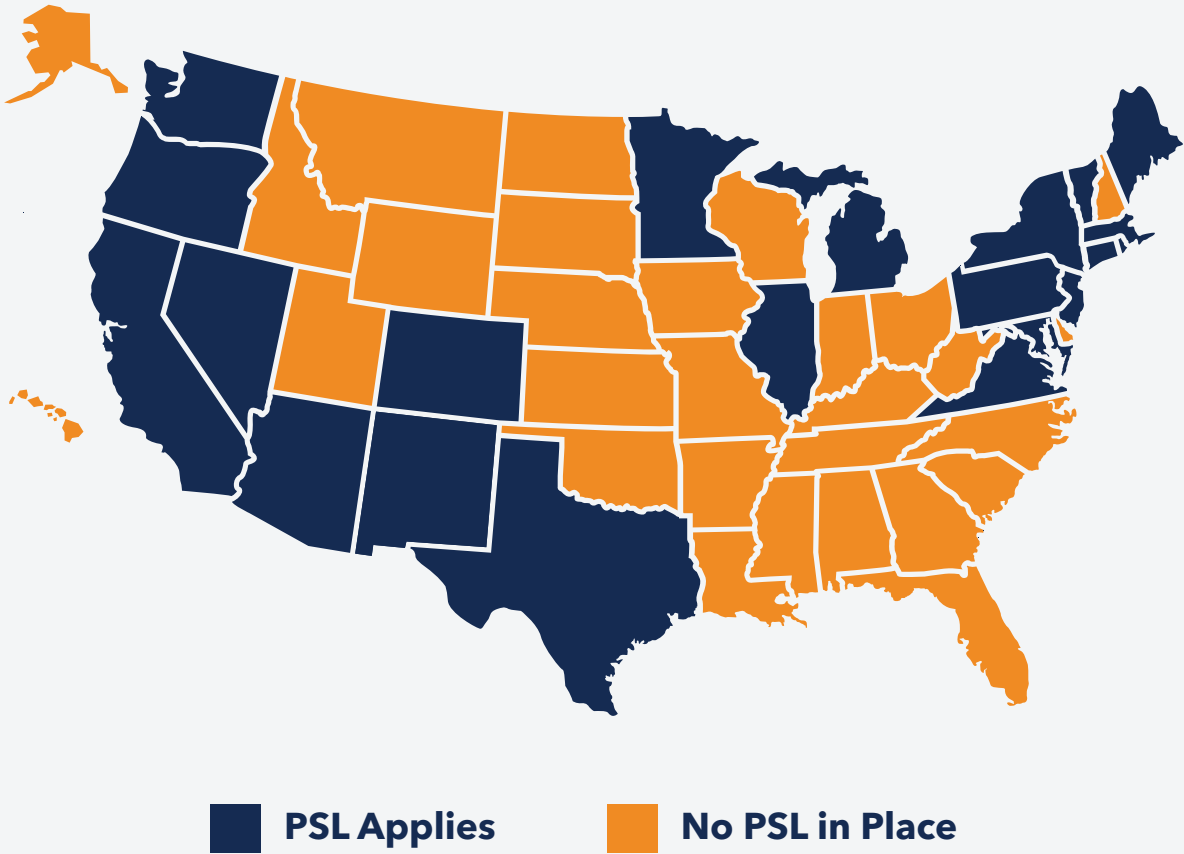
- PFML mandates:**
 - CO, CT, DE, MA, MD, ME, MN, NJ, NY, OR- either insured or self-insured
 - CA and WA may only be self-insured
 - RI and Washington D.C. do not allow private plans
 - HI and PR have Temporary Disability Insurance only
- Voluntary/Optional FMLI insurance plan:**
 - NH, VT
- Voluntary/Optional FLI insurance plan only:**
 - AL, AR, FL, TN, TX, VA,
- Likely to pass PFML mandate in next two years**
- Interested in Voluntary/Optional PFML insurance plan**
- PFML legislation introduced since 2019**
- Has not introduced PFML program**

February 21, 2024



Legal Landscape: Paid Sick Leaves

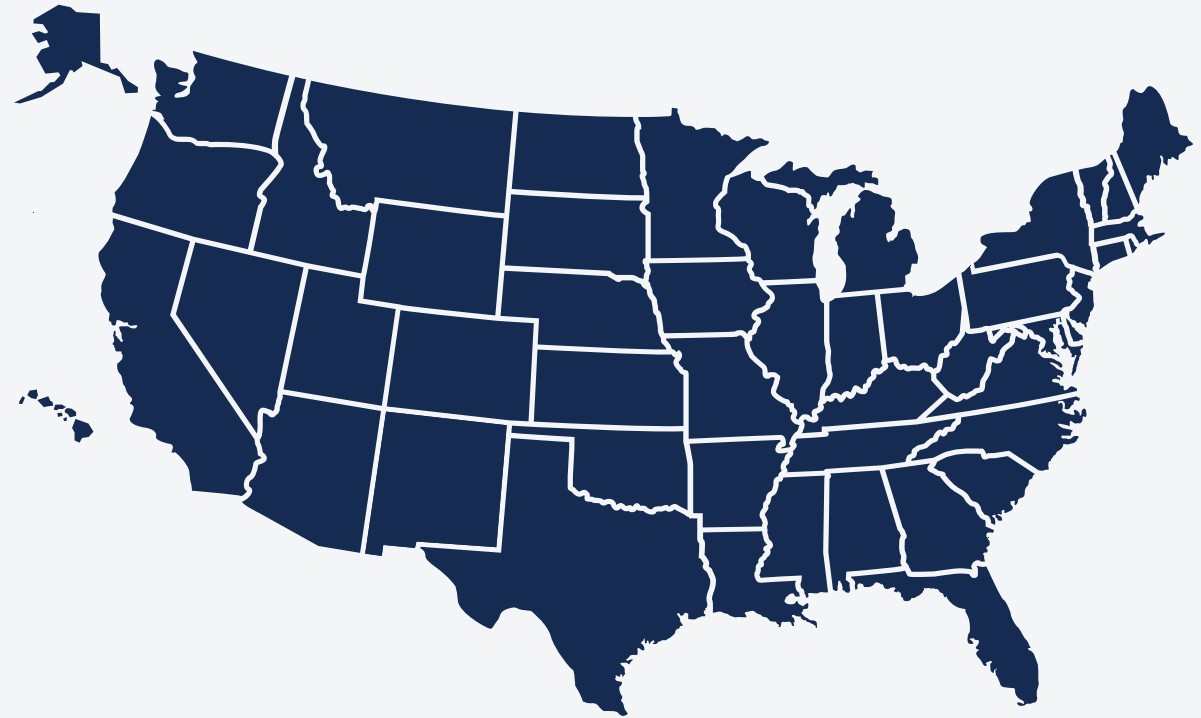
These state or municipal laws allow time for non-work related illnesses.



Source: [State and Local Leave Laws Resource - Disability Management Employer Coalition \(DMEC\)](#)

Legal Landscape: Federal Leave options

- FMLA
- ADA- Federal
- PWFA- Federal



Financial Stress and Productivity

Factors Affecting Productivity

U.S. workers who say the following always or almost always affects their productivity at work:



Mental health is the top priority for **employers** over physical and financial health:

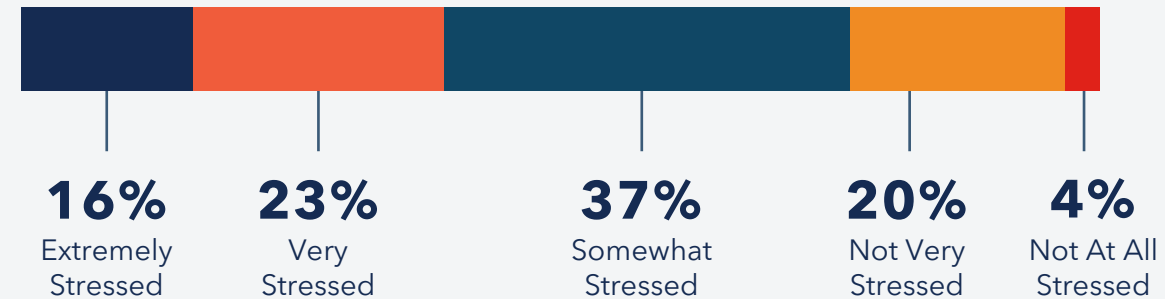


Financial Stress and Productivity

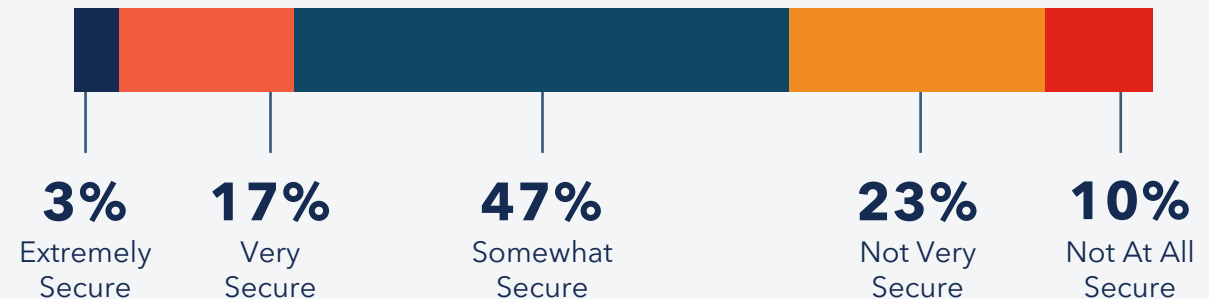
One-third of workers do not feel secure about their household financial situation.

This is highest among Millennials (**38%**) compared to Baby Boomer (**29%**), Gen X (**31%**) and Gen Z (**28%**)

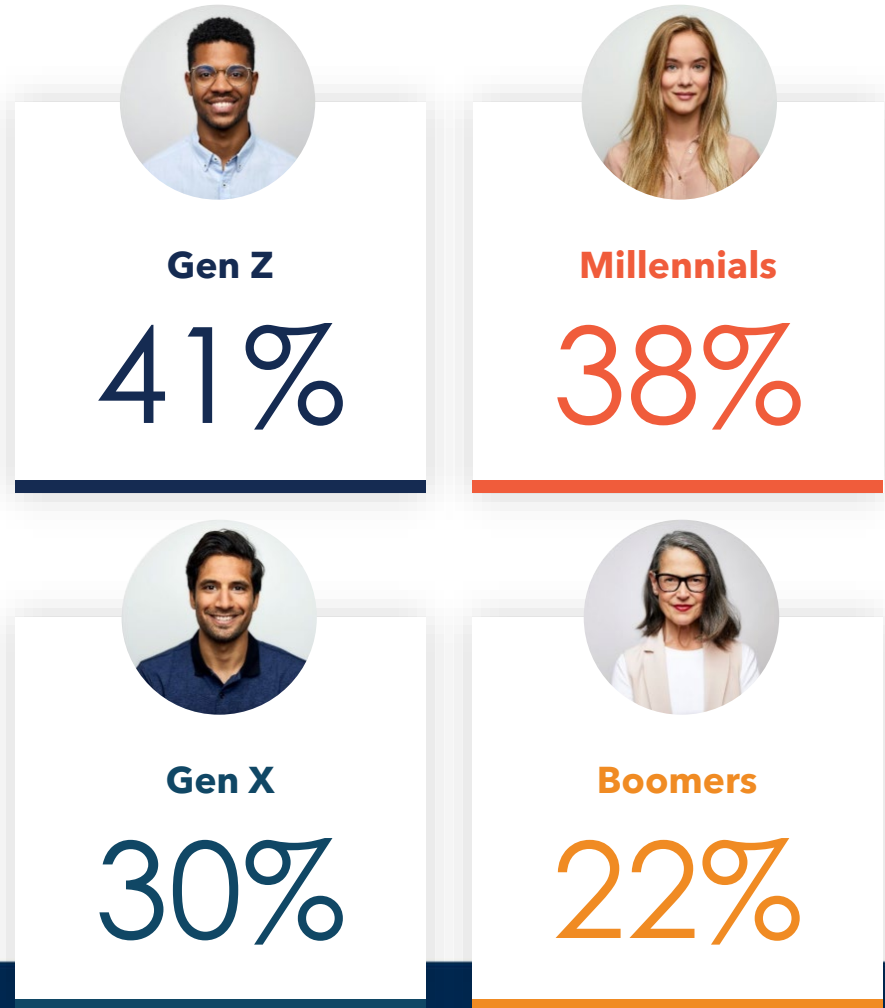
How stressed U.S. workers feel when thinking about their household finances:



How secure U.S. workers feel about their finances:



Gen Z workers are more likely than other generations to indicate stigma prevents them from seeking mental health care:



Continued Need for Mental Health Support

The Emerging Workforce is Disproportionally Affected by Depression, Anxiety and General Stress

30%

Of U.S. workers in 2023 reported feeling depressed or anxious at least a few times per week

44%

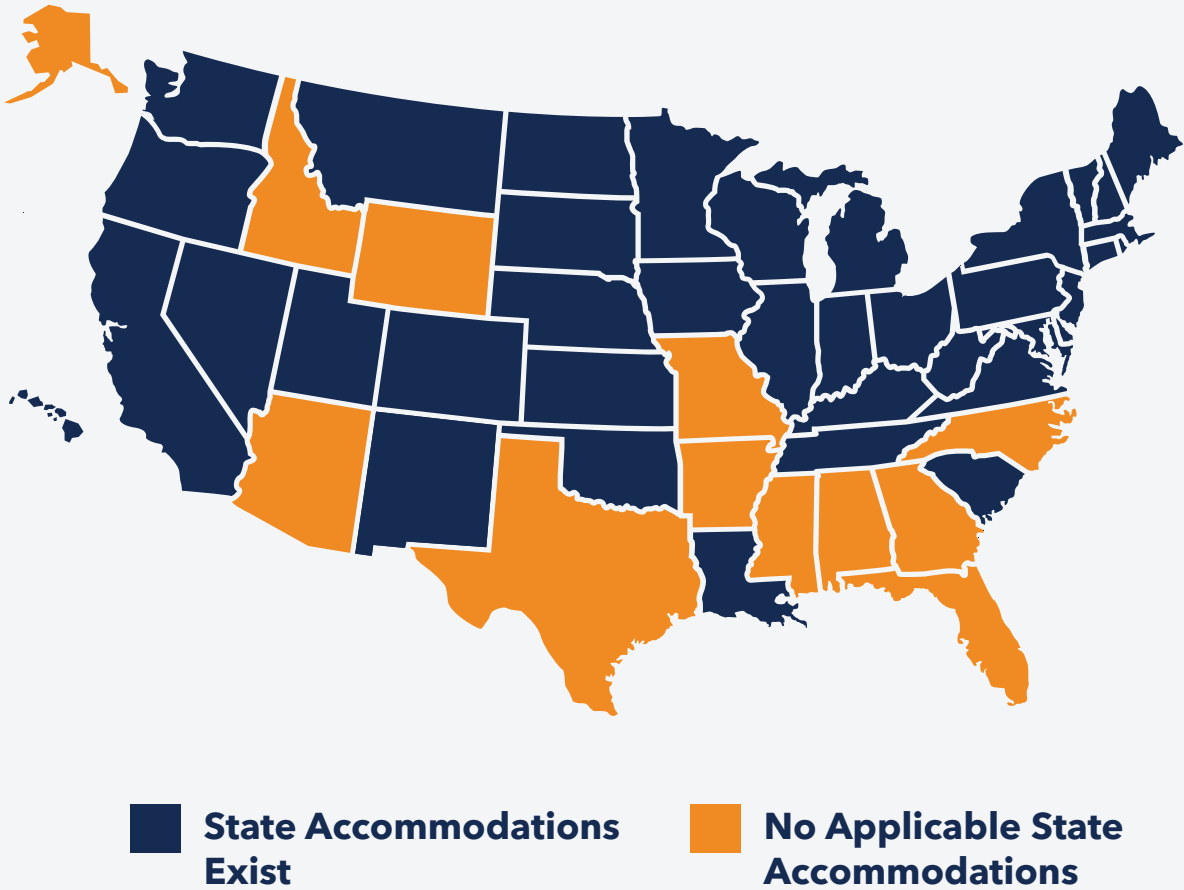
Of Gen Z workers reported feeling depressed or anxious at least a few times per week



Source: The Hartford's 2023 Future of Benefits Study

Legal Landscape: Accommodations

- ADA- Federal
- PWFA- Federal
- PDA
- State pregnancy Accommodations

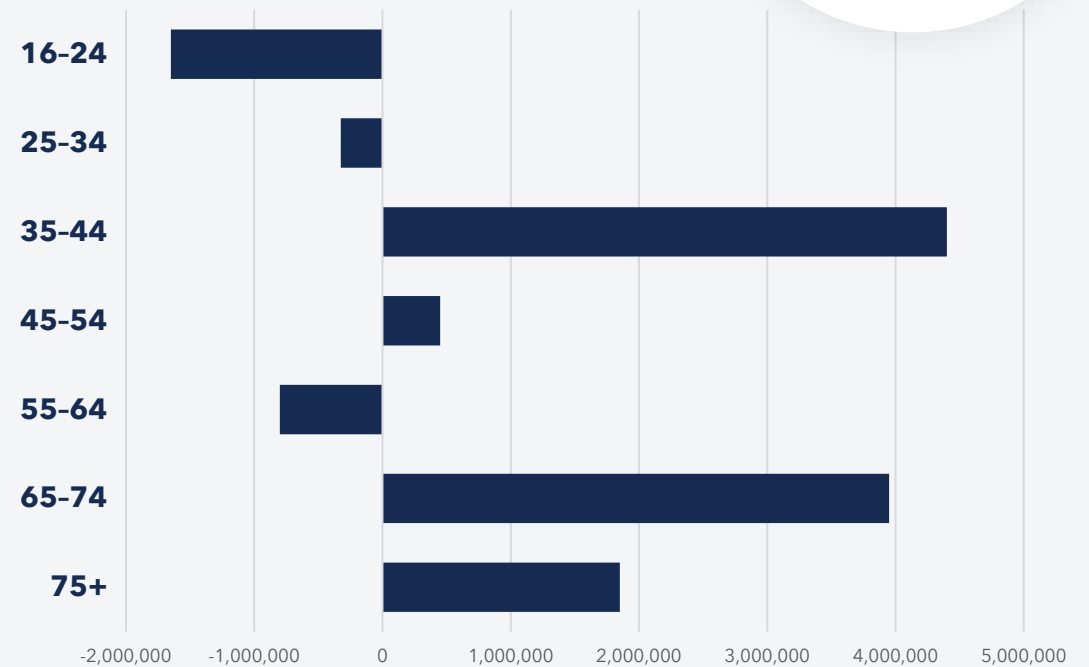


Employee Demographics

Millennials are making their way in the world — and in the labor force.

The workforce is currently undergoing a generational shift. By 2029, Millennials (born between 1981-1996) will soon become the largest group of workers in the workforce as Boomers retire. This is the largest gain for a single age group.

Numeric Change in the Civilian Labor Force by Age Group, Projected 2019-29



4.5M+

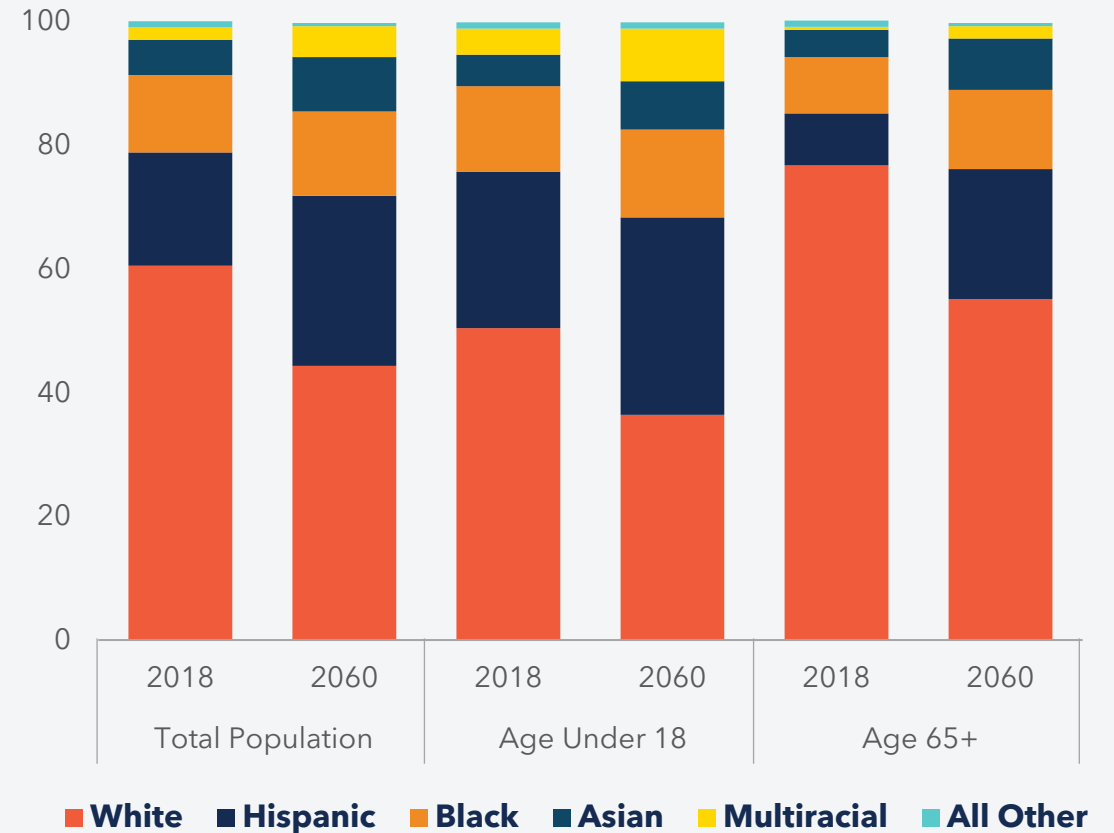
Millennials in the Labor Force by 2029



Employee Demographics

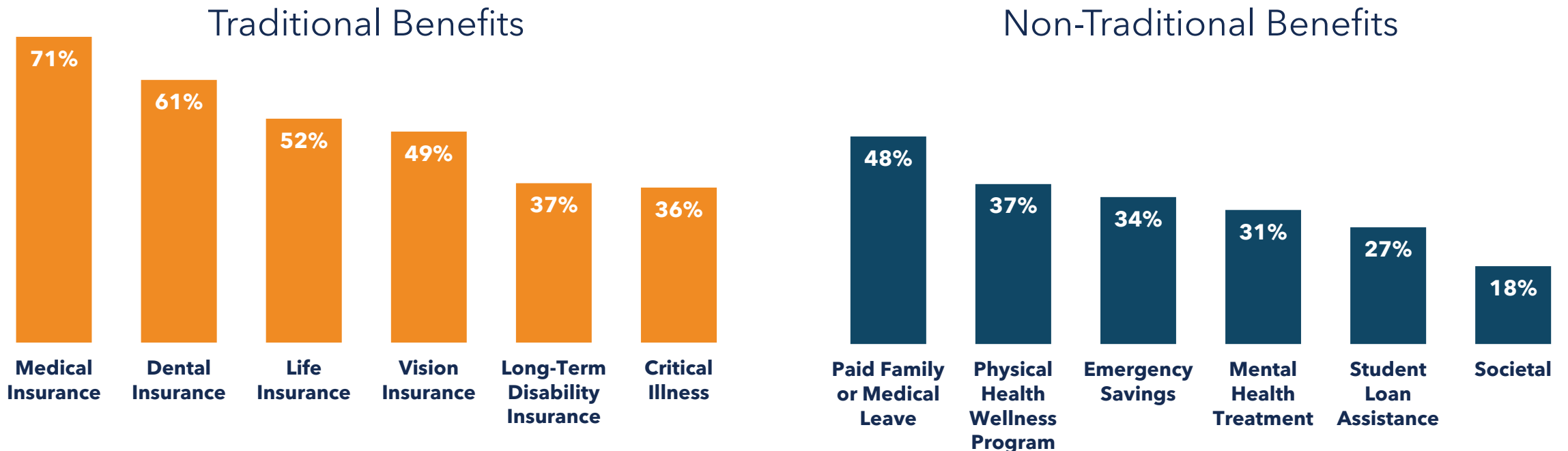
The country's demographics are rapidly changing — and the workforce is becoming increasingly more diverse.

U.S. Race-Ethnic Profiles, 2018 and 2060



Source: William H Frey analysis of U.S. Census population projections released March 13, 2018 and revised September 6, 2018

Which benefits will be most important to employees in the future?



Source: Harnessing Growth and Seizing Opportunity: 2023 Workforce Benefits Study, LIMRA and EY, MRA and EY

Legal Considerations

Is your employee a special employer type?

- Special employer
(schools, public/private, tribal nation, airline, PEO)
- Unions
- Contractors
- New hires
- Retirees

Federal Protections

- FMLA
- ADA
- PWFA
- PDA
- ERISA
- Title VII
- FLSA

State Protections

- Paid Family leave
- Paid Disability leave
- Sick and safe laws
- Bereavement
- Parental protections

Local

- Sick leave
- Safety Leave

Precedent

- Recent administrative guidance (DOL, EEOC, NLRB)
- Recent Case law



Additional support and non-legal considerations

- Training front line Managers and HR
- Create employee resource groups to offer support
- Consider easy to access wellness offerings
- Mental health services
- On site physician and psychological care
- Complimentary memberships to create holistic wellness (gyms, discounts on daycare etc.)
- Design benefits with a diverse workforce in mind (LGBTQ, age, gender and racial barriers to care).



Barriers to Benefits

Young Workers are More Likely to Think Certain Benefits are Not Meant for Them

Benefit is Meant For Someone Else	Gen Z	Millennials	Gen X	Boomers
Accidental Death & Dismemberment Insurance	44%	37%	26%	28%
Accident Insurance	34%	25%	26%	28%
Critical Illness Insurance	52%	43%	37%	30%
Hospital Indemnity Insurance	52%	47%	39%	31%
Life Insurance	24%	14%	13%	16%
Long-term Disability Insurance	62%	42%	26%	23%
Short-term Disability Insurance	50%	29%	23%	20%

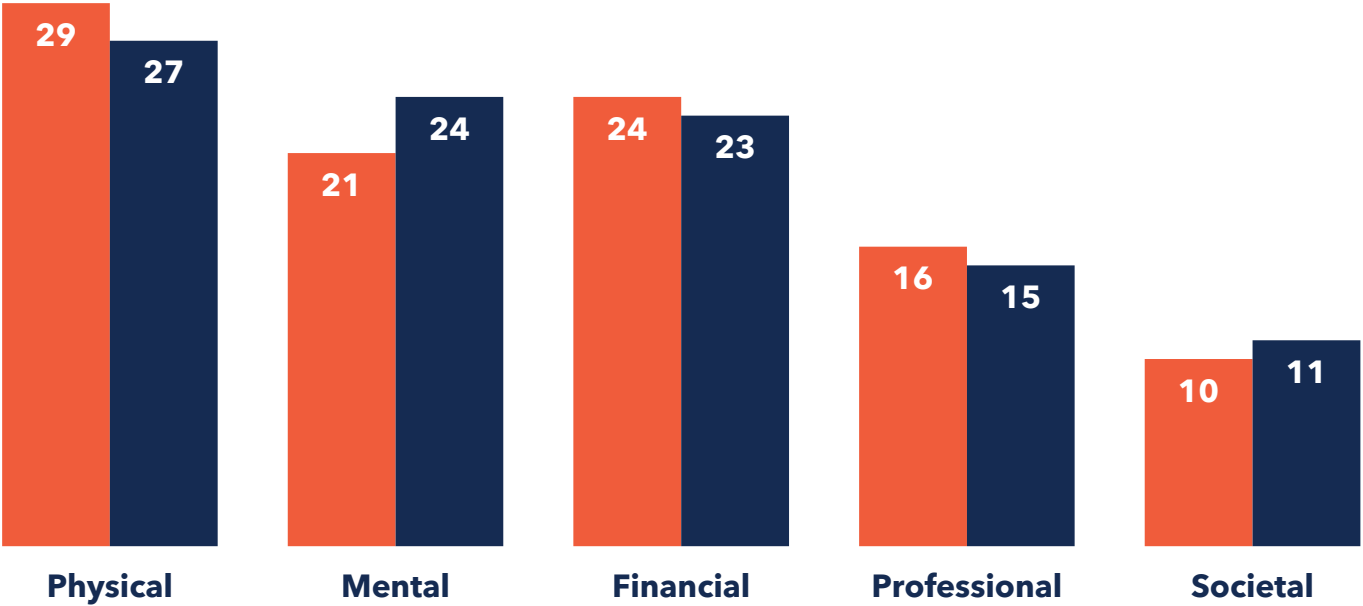


Source: The Hartford's 2023 Future of Benefits Study

Younger Cohorts Are Broadening Benefit Needs

How would you allocate 100 points based on importance of wellness categories?

60%+ of the workforce will be comprised of Millennials and Generation Z by 2031



Millennials express the broad range of needs, ranking benefits such as career development services, wellness programs, and emergency savings benefits as high value along with paid leave, vision and life insurance.

Generation Z values mental wellness benefits more than the other generations, considering them as important as medical and other health-related benefits.



Source: Harnessing Growth and Seizing Opportunity: 2023 Workforce Benefits Study, LIMRA and EY, MRA and EY

ABSENCE MANAGEMENT CONSIDERATIONS



COMPLIANCE CHECKLIST

DOES YOUR COMPANY:

Have any classes or employee groups who have special rules for leave, such as union groups, pilots, teachers or public employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have a consistent process for operationalizing your leave and accommodation policies?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have a process to review and update your policies to respond to changes in federal, state, municipal and case law? <ul style="list-style-type: none"> ▪ Federal: FMLA, ADA, PWFA, PDA, ERISA, Title VII, FLSA, etc. ▪ State: PFL, PML, PFML, state-mandated disability programs, sick and safe laws, bereavement, parental protections, etc. ▪ Municipal: Sick leave, safety leave, restrictions around paid time off and accrued time, etc. ▪ Administrative guidelines: DOL, EEOC, JAN, NLRB ▪ Recent case law impactful to leave and accommodation requirements under your workplace policies 	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide leave training for people managers?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have updated job descriptions with essential duties outlined, and including a process to routinely review and update them as necessary?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have legal and compliance support and guidance for absence and accommodation activities?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have employee resource groups to help offer support for those in need?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide robust employee welfare benefits, as well as other employee assistance and wellness offerings, such as mental health support?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide any on-site perks, such as a fitness center, meditation rooms, walking paths, community/connection gathering spaces, etc.?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Offer complimentary memberships to holistic employee support (gym memberships, daycare discounts, smoking cessation, mindfulness, etc.)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Design thoughtful policies and benefits that promote diversity, equity and inclusion? <ul style="list-style-type: none"> ▪ Employees with unique challenges in and out of the workforce, such as their LGBTQIA identification, gender, race, ethnicity, socioeconomic background, religious affiliation, national origin and/or disability status ▪ Aging workers ▪ Working parents ▪ Working caregivers ▪ Military veterans and reservists 	<input type="checkbox"/> Yes <input type="checkbox"/> No

Learn more about our Absence Management solutions. Talk to your representative or visit [Employee Absence Management](#) | [Leave Management](#) | [The Hartford](#)

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Compliance Checklist

Does Your Company:



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