

STAFFING Success

JULY | AUGUST | 2022

THE MAGAZINE OF THE AMERICAN STAFFING ASSOCIATION

Setting Our Sights on Staffing's Future

Predicting what lies ahead and setting the best course is difficult at best—but put together some of the sharpest minds in the industry and the path illuminates.

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Find out how an uncertain economy is affecting the labor market and the staffing business.

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How misclassifying health care workers poses real risk for staffing firms and their clients.

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Senior Director, Publishing and Marketing Marlene L. Hendrickson

Senior Manager, Publishing Stephanie Kern

Senior Editor Jennifer Silber, CAE

Publication Design Fan Works Design LLC

Art Director Dawn Ripple McFadin

ADVERTISING

Director, Supplier Relations Sarah Senges 703-253-2042 ssenges@americanstaffing.net

Advertising Coordinator, Supplier Relations Corie Depue 703-253-1142 cdepue@americanstaffing.net

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The American Staffing Association is the voice of the U.S. staffing, recruiting, and workforce solutions industry. ASA advances the interests of staffing and recruiting firms of all sizes and across all sectors through legal and legislative advocacy, public relations, education, and the promotion of high standards of legal, ethical, and professional practices. ASA members provide the full range of employment and workforce services and solutions, including temporary and contract staffing, recruiting and permanent placement, outplacement and outsourcing, training, and human resource consulting.

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277 S. Washington St., Suite 200, Alexandria, VA 22314-3675 703-253-2020
americanstaffing.net email: success@americanstaffing.net

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MEET THE **contributors**



Gareen E. Dodge, Esq.

Dodge is a principal in the Washington, DC, office of Jackson Lewis PC, who has successfully defended employers (including Fortune 500 companies in a broad range of industries) in matters involving privacy, discrimination, background checks, harassment, wage and hour, and occupational safety and health. Dodge's experience extends to representing clients before Congress and various federal agencies. He has testified before the U.S. Commission on Civil Rights and served as counsel of record in seminal U.S. Supreme Court and appellate cases as amicus curiae.



Tom Erb, CSP

Erb is president of Tallann Resources, a consulting firm specializing in the staffing and recruiting industry. With a career spanning nearly 20 years and as a consultant, trainer, and speaker to the industry, he has helped hundreds of firms create and execute sales and recruiting strategies to grow their business. He previously worked with Olsten Staffing Services and Spherion. Erb is past president of the Ohio Staffing and Search Association and the Human Resources Association of Central Ohio, and currently serves on the board for the National Association of Personnel Services.



Eric Gregg

Gregg, founder and chief executive officer of ClearlyRated, has 18 years of research experience in the staffing and recruiting space. He and his team at ClearlyRated have analyzed more than five million surveys with the goal of determining what drives success for staffing and recruiting firms. Gregg has served as an adjunct faculty member in Portland State University's marketing program and has published numerous articles, business cases, and technical notes in the field of marketing, client loyalty, and employee satisfaction. His research and consulting have been published in articles and he has been featured as a noted industry speaker.



Ed Lenz, Esq.

Lenz, senior counsel at the American Staffing Association, is one of the nation's leading authorities on the legal and policy aspects of staffing. Since passage of the Affordable Care Act, Lenz has led the industry's advocacy efforts before Congress and the administration regarding how the ACA uniquely affects staffing firms. Lenz also serves as senior adviser for employment, labor, and benefits to the law firm Mintz Levin Cohn Ferris Glovsky and Popeo PC.



Evan M. Rosen, Esq.

Rosen is a principal in the Atlanta, GA, office of Jackson Lewis PC. He is a litigator and counselor who approaches the law from a compliance and liability perspective. Rosen's practice focuses on representing employers in a wide array of matters within labor and employment law, including defending companies against discrimination, harassment, retaliation, wage and hour, breach of contract, Fair Credit Reporting Act, and wrongful termination charges and lawsuits.



Adam Stone

A seasoned journalist with more than 20 years of experience, Stone writes from Annapolis, MD, on a range of topics including business, information technology, government, military, and health. He is a regular contributor to *Staffing Success*, having written on topics ranging from workers' compensation to workplace culture. Learn more about his range of work at newsroom42.com.



Scott Vanderbilt

Vanderbilt is senior director of research for ASA, where he leads a team of researchers collecting and analyzing data from government sources and internal research efforts. He has a background in and conducts studies in quantitative and qualitative research methods as well as statistical analysis.

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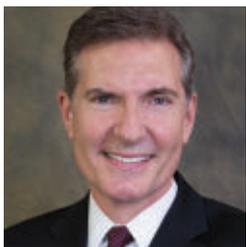
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Staffing companies are in a unique position on the economic road ahead—as strategic partners for talent and clients alike.

Navigating Stumbling Blocks or Stepping Stones?

By Richard Wahlquist,
President and CEO

As we celebrate Labor Day and our nation's achievements of the American worker, U.S. businesses and their employees have a message and a warning to share with our nation's policymakers: "Do not attempt to bring down the rate of inflation on the backs of American workers."

More specifically, please do not heed the advice of economists like Larry Summers, who said in a recent speech at the London School of Economics, "We need five years of unemployment above 5% to contain inflation—in other words, we need two years of 7.5% unemployment or five years of 6% unemployment or one year of 10% unemployment."

Raising interest rates too quickly will reduce personal and business consumption; increase Medicaid, food stamps, and unemployment costs; decrease tax revenues; and negatively impact GDP.

Most important, it will hurt U.S. workers and their families at a time when far too many are deeply concerned about making ends meet. A 10% unemployment rate would mean the loss of more than 10 million jobs.

Making Ends Meet

Right now, six in 10 (58%) of U.S. workers are concerned their paycheck is not enough to support themselves or their families as employees look to keep up with the rise of inflation, according to

the latest ASA Workforce Monitor® online survey. Instead of destroying jobs and people's lives, our nation's policy focus should be on opening supply chains that have been constrained and disrupted; making American energy independent; helping businesses to lower prices based on gains in efficiency and productivity; reforming immigration policies to encourage workers with needed skills to come to the U.S.; and ensuring that U.S. workers who want jobs have the skills that labor markets desperately need.

ASA and its members are committed to helping workers at all stages of their lives to connect with work that provides them and their families with the dignity and independence that comes from having a job. The staffing industry is committed to working with public and private sector partners to create meaningful programs to ensure that all Americans have access to the ongoing upskilling, reskilling, and retraining of the workforce that the quickly evolving world of work requires.

With close to 11 million open jobs that businesses just cannot fill and millions of working age Americans on the sidelines, without immediate action we are going to be creating generational labor supply imbalances and shortages. And if the U.S. cannot meet domestic and international demand for its goods and services, the rate of future economic growth could be imperiled for decades to come.

Previewing Staffing World

As you will read in this issue, at Staffing World® 2022 we will be discussing the staffing industry's evolving and increasingly important role as a change agent, supporting and driving economic growth in the U.S. and throughout the world. You also get a sneak peek in this issue of a few of the themes we will be exploring in a fast-paced keynote session that I will be moderating featuring the CEOs of three of the industry's leading companies.

The world is at a period of unprecedented uncertainty and is in need of change agents now more than ever before. Nietzsche put it best: "There will always be rocks in the road ahead of us. They will be stumbling blocks or stepping stones; it all depends on how you use them."

Reserve your spot today at staffingworld.net, and join colleagues from around the world as we explore the opportunities to grow, innovate, and pave the way toward new and sustainable opportunities for people, organizations, and society at large. ■

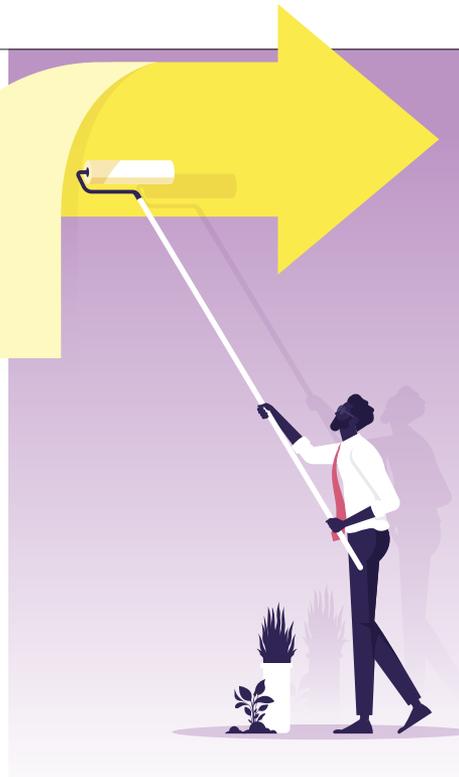
Nearly Half of U.S. Workers Are Considering a Job Change in the Second Half of 2022

Staff turnover will continue to trouble employers through the rest of 2022, according to research from Robert Half. The company's biannual Job Optimism Survey polled more than 2,400 workers in the U.S., and 41% of respondents said they are currently looking for or plan to look for a new role in the second half of 2022. Results remain steady from six months ago.

Over half of workers aged 25 to 40 (53%) are looking to change jobs, as are 52% of technology professionals, 50% of working parents, and 49% of workers who have been with their company for more than five but fewer than nine years.

The main reason professionals are looking for a new job is for a higher salary, which was mentioned by 65% of respondents. Additionally, 39% said they were looking for greater opportunities for advancement, and 34% needed a career change after experiencing burnout.

"In this market, even passive job seekers are flight risks, so it's crucial for companies to address employees' priorities before they even contemplate a career move," said Paul McDonald, senior executive director of



Robert Half. "Employee turnover is bound to happen, but companies can mitigate the risk by promoting internal job opportunities, discussing career paths, and re-evaluating compensation regularly."

Among workers who recently changed jobs—those who have been with their current company for a year or less, only one in 10 said they regret quitting their previous job. Looking back, only a quarter (26%) said they would have met with their manager to discuss the issues that made them want to leave, and 17% would have asked for a raise or promotion before resigning.

Job Seekers More Likely to Apply to Companies That Prioritize DEI

Nearly three in four Americans say they are more likely to seek employment with companies that are committed to breaking down discriminatory hiring practices, according to an annual survey conducted by Kelly.

The findings from Kelly's annual Equity@Work survey show that Americans want companies to provide greater access to work for underemployed talent groups—including job seekers with criminal backgrounds, those on the autism spectrum, veterans, older workers, and women; 83% of respondents agree employers should do more to remove barriers that keep job seekers in these talent groups from being hired or promoted. The online survey polled 1,020 adults in the U.S.

Three-quarters of respondents (76%) say they are more likely to support businesses committed to breaking down barriers to work, and 72% say they are more likely to seek employment with companies committed to eliminating these barriers.

Nearly the same number (70%) say employers should eliminate or reduce blanket bans that automatically reject job seekers who have minor nonviolent offenses on their criminal record.

"Companies are in desperate need of skilled talent. At the same time, millions of qualified job seekers face significant barriers to employment," said Pam Sands of Kelly. "Recruiting from these underrepresented talent groups is not just the right thing to do, it's good business."



Only Half of Workers Asked Back to the Office Full-Time Are Actually Going

Just 49% of workers whose employers have ordered them back to the office full-time are actually showing up all five days of the workweek, according to data from WFH Research.

Employees of firms that require fewer than five days per week in the office are complying with those policies; **82% of those respondents said they came to the work site as often as their employer wants.** The data came from a monthly online survey with nearly 4,000 respondents.

Some respondents said their employers have established plans for after the pandemic ends. Employer plans for employees to work from home post-Covid (for those able to do so) are stabilizing at 2.3 days per week.



Hiring Managers Believe Hiring Is Only Going to Get Harder

The Greenhouse Hiring Manager Report, a survey of more than 1,500 hiring managers and c-suite executives, reveals that 75% of respondents expect hiring to become even more challenging for the remainder of 2022. An overwhelming majority of hiring managers (84%) are experiencing burnout due to the tight job market.

Asked what factors were contributing to their increased stress levels, 41% of hiring managers said sourcing the right talent; 26% said candidate dropoffs due to competing compensation packages; and 16% said an unstructured, ineffective hiring process.

Asked what the biggest challenges facing their companies when recruiting are, hiring managers said creating an employer brand that stands out from competitors (mentioned by 55% of respondents); recruiting talent for niche roles and markets (42% of respondents); and **being one-upped on offer packages in a climate with highly competitive salaries, benefits, and sign-on bonuses (35% of respondents).**

The findings did highlight a troubling discrepancy between the perception hiring managers have of applicant experiences and the reality for job seekers. Although over 90% of hiring managers say they are proactive in providing feedback to candidates, with 32% saying their organizations always try to provide feedback, more than 75% of job seekers responding to an earlier Greenhouse survey stated they were ghosted following an interview.

Higher Compensation, Work–Life Balance, Remote Work Are Top Priorities for Tech Professionals

The "InformationWeek 2022 U.S. IT Salary Report: A Shifting Job Market for Tech Talent" suggests that information technology professionals hold a lot of leverage with employers. InformationWeek surveyed 550 information technology professionals employed full time in the U.S. with questions related to salaries, benefits, and other career issues.

IT professionals today say what matters most to them about their jobs are overall work–life balance (46%), vacation time/paid time off (42%), having their opinion and knowledge valued (40%), and telecommuting/working from home (40%).

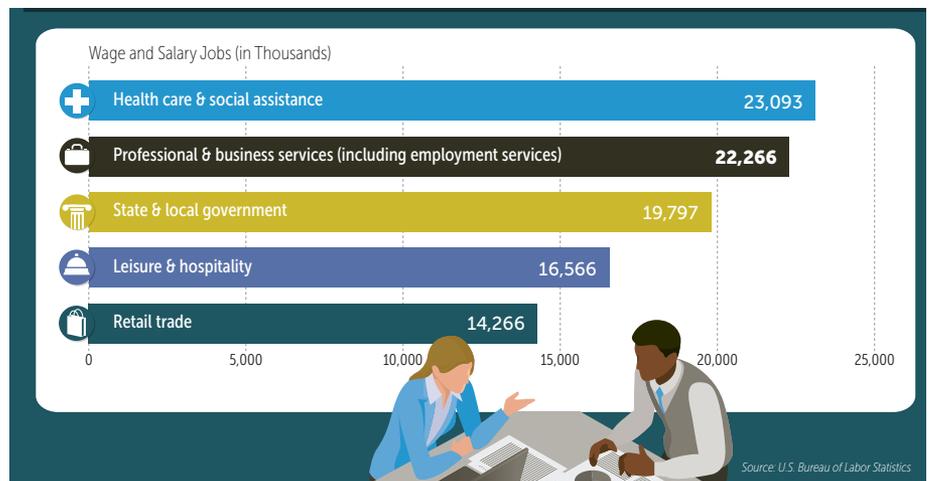
Among the 37% of IT professionals who say they are currently looking for a new job, 76% said the main reason is for higher compensation, followed by a desire for more interesting work (41%), more personal fulfillment (39%), and a dislike of their current company's culture (32%).

In 2021, 65% of IT pros received a pay raise. That compares with 47% who received a pay raise in the pandemic year of 2020, but still lower than the 70% who received pay raises in 2019 before the pandemic. >>>



STAFFING stats

Industries With Most Employees by 2030



Industries Employing the Most Workers by 2030

Professional and business services, which contains employment and staffing services, is the industry projected to have the second-most jobs by the end of the decade. The U.S. Bureau of Labor Statistics forecasts this industry to see 22.3 million jobs by 2030. Read more about job growth factors and projections in *Staffing Success*.



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NFIB: Optimism Stable Among Small Businesses in Manufacturing, Retail

The Small Business Economic Trends report from the National Federation of Independent Business Research Center, which looks at hiring plans and earnings expectations for the construction, manufacturing, retail, and services industries, suggests small business owners in the construction and manufacturing industries have concerns about their business for the remainder of 2022. The indexes are developed based on surveys of NFIB members.

The Optimism Index for the construction industry was 92.3, down seven points from January's quarterly report and lower than the overall Optimism Index for small businesses, which was 93.2. Owners in the construction industry had the highest percentage of unfilled job openings among all industries at 59%.

The manufacturing sector, with its Optimistic Index at 99.1, remains more optimistic than other industries. Just over half (53%) of manufacturing firms reported

unfilled job openings. A net 28% of firms plan to create new jobs in the next three months, down seven points from January but eight percentage points higher than the overall population of small firms.

Retailers reported nearly the same level of optimism as the average for all firms, with an Optimism Index of 93.4. The services sector Optimism Index decreased 2.6 points, to 94.2, but is one point above the overall index.



Employees Self-Train Due to Lack of Knowledge Transfer From Retiring Employees

As senior employees prepare to exit the workforce, 84% of U.S. employees say it's a big loss when older employees retire without passing on their years of knowledge to younger employees. And when the transfer of knowledge fails to happen, workers can be left learning how to do a job on their own. A survey from Express Employment Professionals found that 47% of U.S. employees have had to train themselves because older workers did not prepare successors prior to retiring.

Most U.S. employees (73%) say it's absolutely essential or very important for employees to share the knowledge needed to perform their job responsibilities with others. The majority (66%) believe their employer is taking the right steps to make sure they don't experience a "brain drain" when older employees retire without sharing knowledge of how to do their job. More than half of Baby Boomers (59%) say they have shared the knowledge needed to perform their job responsibilities with others who will need the information after they retire—up from 43% in 2018.

Every generation brings value to the workforce, and time is running out to enact knowledge succession plans for these senior employees, according to Express Employment International chief executive officer Bill Stoller. "While many practices and processes have changed over the years in the labor force, Baby Boomers have so much wisdom and life experience to pass on to benefit today's newest workers," he said. ■



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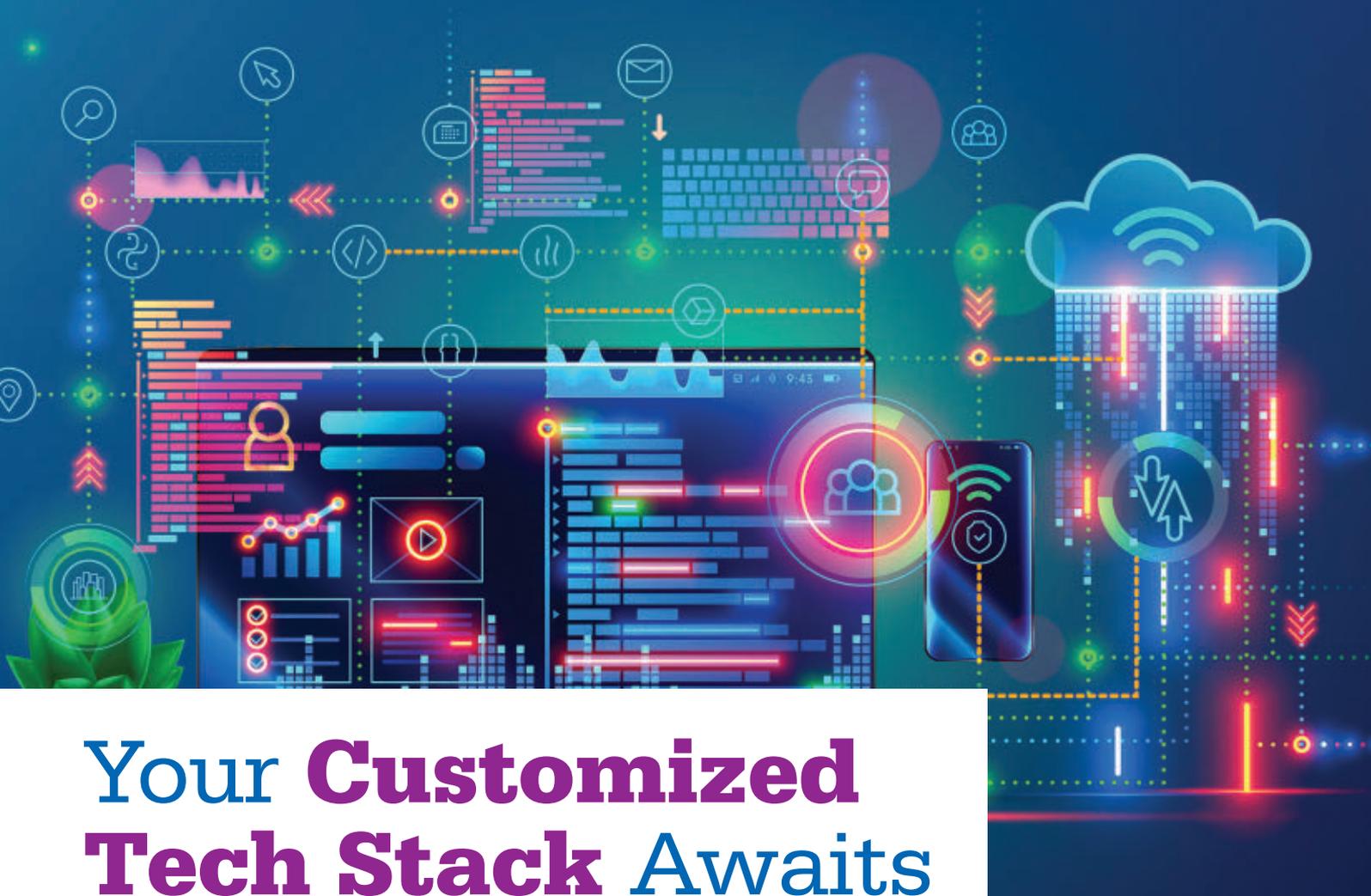
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How do you identify which **staffing services and technologies** will have the **greatest potential to impact** your business? Start with this analysis, **free to ASA members**.

Today's recruitment landscape is characterized by rapid change. The continuous emergence of new technologies has transformed the way firms find, hire, and manage talent, creating innovative new ways to fill orders and stay ahead of the competition. Writing and posting job descriptions, assessing applicants, holding interviews, planning recruitment events, negotiating salary packages, and onboarding recruits are just a few of the many activities that can be automated through staffing technology. But with so many new options, it's not easy to know which technologies are the best fit for your company—providing the most bang for the buck. Enter the new

ASA Tech Stack Analysis tool, which allows you to explore building a customized tech stack based on your firm's size, industry, and tech adoption approach.

Identifying Your Ideal Tech Stack

Fill out a quick questionnaire at americanstaffing.net/tech-stack—including questions relating to company revenue, your firm's philosophy around technology investments, and percent of your firm's revenue derived from numerous occupational categories—to get started.

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The Tech Stack Analysis online tool...**will give you instant results**—identifying your firm as a small firm with a conservative approach to technology investment, **a supermassive firm with an aggressive approach**, or somewhere in the middle.

firm with an aggressive approach, or somewhere in the middle. The results include an analysis that details the minimum core recruiting solutions that you should have in place, what to prioritize, tools to consider, and a tech stack customized to your firm—naming specific verticals under the Source, Engage, Select, Hire, and Grow continuum that your firm should invest in. Select from the identified verticals to explore the technology categories that have the greatest potential to impact your business.

Once you have your results, your report page will have a direct link to the ASA Essential Elements of Staffing Technology—a resource for ASA members that details the functionality of emerging

technologies and companies along the continuum aimed at helping your company succeed. There you can browse details about specific companies that are currently leading the industry with solutions for staffing.

Your report is automatically saved to your myASA Workspace so you can revisit it any time you like or even update your form submission as needed. You can also download the report or email it.

Tapping Into More Tech Tools

The Tech Stack Analysis tool is part of the recently updated ASA Staffing Tech Center—featuring a new podcast series exclusively for ASA members focusing

on staffing technology challenges and insights through interviews with leading industry executives. Also in the updated Tech Center: results of a Staffing Tech Use & Satisfaction survey (a great comparison document to complement the Tech Stack Analysis tool), a “Staffing Firm of the Future” article that predicts and comments on many of the tech trends that could manifest in the years to come, the latest news in staffing technology, and more.

The Staffing Tech Center update and many of its resources are made possible thanks to the ASA staffing tech taskforce led by chairman Linda Marie Arredondo of Express Employment International; co-chairman Jason Leverant, TSC, CSP, CSC, CHP, of AtWork Group; and past chairman Michael Whitmer of RGF Staffing. ASA will continuously update tech-related resources on the website. Visit americanstaffing.net/techcenter to check out the Tech Stack Analysis tool as well as many other helpful technology resources just for members. ■



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Navigating the Background Check Minefield

By Evan M. Rosen, Esq., and Garen E. Dodge, Esq.

Background checks require compliance with a **host of legal requirements**—here are just a few that are essential for **maintaining your firm’s reputation** and bottom line.

In an economy where it is difficult to fill client orders, staffing companies may be tempted to skip or relax criminal background check requirements. But client contracts often require them and discontinuing background checks creates the risk of a negligent hiring or retention lawsuit. Additionally, the staffing company’s reputation, and ultimately bottom line, may be affected if it assigns an employee with a criminal record to a client and theft or workplace violence ensues.

Staffing companies must comply with a host of legal requirements if they conduct background checks, which presents its own legal risks. This article focuses on

three of these laws: Title VII of the Civil Rights Act of 1964 (“Title VII”), the Fair Credit Reporting Act, and Ban-the-Box/Fair Chance laws.

Title VII prohibits discrimination in employment on the basis of several protected characteristics, including race. One form of prohibited discrimination is when a policy or practice, although neutral on its face, has a disparate impact against a protected class. This form of discrimination is known as “disparate impact.”

Since minorities, particularly African-American men, are arrested and convicted at higher rates than nonminorities, background checks pose the potential for disparate impact race discrimination. As a result, employers are prohibited from



The staffing company's reputation, and ultimately bottom line, may be affected if it assigns an employee with a criminal record to a client and theft or workplace violence ensues.

making employment decisions based on an arrest. Likewise, employers cannot automatically disqualify a candidate due to a criminal conviction. Instead, according to the U.S. Supreme Court and Equal Employment Opportunity Commission, employers must conduct an individualized analysis. Three factors are considered: the severity of the crime, the nature of the job, and how long ago it occurred. If the employee provides a plausible explanation, employers should consider additional factors, including the age of the candidate when convicted, whether the candidate has obtained

gainful employment postconviction, and whether the candidate has any references. For example, a drunk driving conviction may not disqualify a candidate interested in a warehouse position, but it may be relevant if the position is to drive a van from the airport to a hotel.

It is particularly challenging for staffing companies to comply with Title VII when they are contractually obligated to follow a client's demands, often reflected in a matrix, or cede the hiring decision to the client without regard to these factors. Matrices, by their nature, are formulaic and seemingly contradict the requirement to

conduct an individualized analysis. Moreover, matrices usually focus solely on the severity of the crime, without regard to the other factors. Thus, staffing companies should push back on one-size-fits-all matrices and try to retain sole control over the hiring decision, or at least broaden the matrix to include other factors and an individualized assessment component. Staffing companies should also seek to negotiate favorable indemnification provisions into their staffing services agreements to provide a contractual protection should their company face litigation due to their client's unlawful requirements or actions.

Second, employers must comply with the FCRA if they are using a third-party consumer reporting agency (CRA). Under the FCRA, prior to conducting a background check, the employer must provide the candidate a standalone disclosure form that contains no extraneous information and obtain a signed authorization form. If, after running the background check, the consumer report informs the staffing company of an issue that may result in an

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KEY TAKEAWAY

Staffing companies must comply with a host of legal requirements if they conduct background checks, but keeping apprised of new laws, training your staff, and having transparent communications with your client make compliance easier.

adverse action (e.g., not hiring the candidate), the employer must first provide a pre-adverse action letter to the candidate notifying them that an adverse action may be taken. A copy of the consumer report and a notice published by the Federal Trade Commission must accompany that communication, and the employer must wait a reasonable period of time (i.e., at least five business days) before taking adverse action. Once the five days have passed, the employer should provide an adverse action letter to the candidate notifying them of the decision if they have been disqualified.

The FCRA process raises unique concerns for the staffing industry. First, has a candidate experienced an adverse employment action if they are not eligible for placement with one client, but are eligible for another? Does it matter if the candidate applied for a particular position, or just inclusion on the staffing company's general database? There is scant case law directly addressing these issues.

Finally, staffing companies should be mindful of state and local Ban-the-

Box and/or Fair Chance laws. These laws vary by jurisdiction, but generally prohibit asking about criminal history on an employment application or in an interview. Often, they prevent running a background check until an offer of employment has been extended. Some jurisdictions require additional factors to review or additional forms or notices, or prohibit an employer from even mentioning on a job advertisement that a background check will be required. It is important for staffing companies that conduct business on a multistate basis to stay apprised of the growing body of law focusing on this topic.

Although the laws pertaining to background checks form a complex web of

obligations on the employer, the good news is that compliance is relatively easy if your staffing company has a system in place alerting you of new federal, state, or local laws; your staff is well-trained; and you have transparent communications with your client. ■

Evan M. Rosen, Esq., and Garen E. Dodge, Esq., are principals in the law firm Jackson Lewis PC. Send feedback on this article to evan.rosen@jacksonlewis.com or garen.dodge@jacksonlewis.com.

This material is not intended, and should not be relied on, as legal advice. ASA members should consult with their own legal counsel about the legal matters presented.



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Staffing World Preview:

Setting Our Sights on Staffing's Future

By Adam Stone

WORKFORCE TRENDS. ECONOMIC ANALYSIS. RECRUITING TECHNOLOGY. BUSINESS STRATEGY. TEA LEAVES. How many of these have a place in your staffing company's prognostications and development tactics? Predicting the future and setting the best course is difficult at best—but put together some of the sharpest, most experienced minds in the industry at staffing's largest event and suddenly our sights gain strategic focus.



In just a matter of weeks, at Staffing World® 2022 in Las Vegas, a unique forum will deliver a rare opportunity—a meeting of innovators, staffing sages, and overall industry Jedis. “Straight Talk From Staffing CEOs” will not only be a fast-paced, lively exchange, it will yield the kind of insights and ideas that set staffing companies in the right direction—no matter the challenge.

ASA president and CEO Richard Wahlquist will moderate, or just try to stay out of the way, as these three industry leaders tackle what’s next for staffing and what companies need to succeed. This Staffing World super session will feature

- **Insight Global CEO Bert Bean**, a 17-year veteran of the staffing industry, who started his time with Insight Global as an entry-level recruiter and now oversees a budding organization of 4,000 employees across 63 offices in the U.S. and Canada.
- **Randstad North America CEO and executive board member Karen Fichuk**, who leads Randstad’s core business brands in the U.S. and Canada. With her expertise in data, analytics, and technology gained from more than 25 years of experience, she plays an integral role in positioning the company as a data-driven organization with a powerful human touch.
- **EmployBridge CEO Billy Milam**, who is at the helm of a multibrand company that puts more than 450,000 temporary associates to work annually across a network of 446 offices in 48 states. In 2021, EmployBridge provided more than 157 million work hours to 13,000 customers, generating more than \$3.8 billion in revenue.

Staffing Success magazine got exclusive preconvention interviews with this impressive panel ahead of Staffing World. Learn more about “Straight Talk From Staffing CEOs” at staffingworld.net—and reserve your spot at Staffing World, Oct. 25–27 at the MGM Grand Las Vegas.

SS: Where do you see new opportunities for growth in the staffing industry?

Bean: Everywhere. Not to be glib, but everywhere. Every industry is struggling to hire. They need strong recruiters and staffing companies to help them do it. Find an industry you’re comfortable with, and auger in.

Fichuk: Traditional models must continue to evolve to meet clients and candidates where and how they want to engage.

We need to constantly innovate and improve our operating models and offerings...think along the lines of custom talent pools, granular market intelligence, skilling partnerships, more dynamic pricing, and continued digital transformation to reach and engage even more of the U.S. workforce. Employers also need advisory services to help them attract and retain talent. They’re inviting firms to be part of the conversation—let’s rise to the occasion!

Milam: The new opportunities for growth will come from embracing technology, both client-facing and associate-facing. Most traditional staffing companies seem reluctant to make the commitment and subsequent investment. Yet, staffing is quickly moving toward a much broader omnichannel approach where clients and the workers that we place will demand less friction and greater engagement. There are more than 20,000 staffing companies in our country with limited differentiation outside of segment focus. We need to push one another to think differently, because it’s a different level of expectation that’s being demanded now.

Smart use of technology is one way staffing companies can bring a distinctive approach to accelerating growth. For example, to address the ongoing need for forklift operators, for certain clients we have launched a virtual reality training and testing module. It allows us to accelerate training of inexperienced applicants or associates.

I firmly believe transformation comes from being more open to what signals the market is giving you and to have the discipline to rethink how you approach challenges or situations, by not leaning into the age-old axioms that you might have used in the past.

SS: What could be the potential impact of a recession, and how should staffing firms be positioning themselves?

Bean: The potential impacts of a recession include reduced hiring budgets, reduced contractor headcount—even our customers finding themselves being laid off. The staffing industry should position [itself] by working harder to find areas of hiring demand.

This means more customer meetings. This means proactively presenting great candidates who have been recently laid off to customers whose business might be less impacted.



Fichuk: Despite recession fears, overall job market data shows that openings and applies remain high and worker confidence is strong. With that said, we must embrace that we are living in an uncertain world. As leaders, we should anticipate continued choppiness and the need to pivot as necessary.

One way we can do that is to proactively identify new breakthrough growth opportunities for our industry that are being created as a result of economic trends and government investments in areas like our country's infrastructure and workforce development.

Milam: There needs to be a proactive approach in place for a potential recession. You don't want to be dictated to by the market or be reactive. Make sure your team is ready and collectively helps build your plan for multiple scenarios, whether it's a slight downturn or a full-fledged, more pronounced recession.

Having a plan amid economic uncertainty will enable confidence in your leaders and your teams. In 2008 and again in 2020, I was surprised at how many leaders sat back in fear of what might happen to their businesses. We created a strategy that we believed would accelerate us out of the downturns, and while we can debate whether we chose the right strategies, our teams felt a sense of comfort because they saw that their leaders had a proactive plan and were playing offense.

SS: How are diversity and inclusion efforts changing corporate culture, and what does it mean to staffing?

Bean: DE&I efforts are bringing more diversity of thought to corporate culture. People from different backgrounds have different life experiences. This causes them to see the world in new and different ways. This is really good for business. This gives leaders the chance to attack problems in new ways, and speeds up innovation.

It also can broaden the talent pool, so long as companies really mean what they say when they want to be inclusive and bring people in with less experience from underrepresented groups.

Fichuk: Staffing is a people business, and with that I believe comes a great responsibility to create equitable opportunities for all. At Randstad, our commitment to and investment in equity, diversity, inclusion, and accessibility has had an incredibly positive impact on morale in recent years.

People want to feel like they belong, that they can bring their whole selves to work. In fact, our recent Work Monitor research shows that American workers are looking for three main things: purpose, belonging, and flexibility. They want their company's values to align with their personal ones, and 41% reported they would not accept a job if the organization wasn't making a proactive effort to improve its diversity and equity.

But it's not just leading from the top down, it's giving employees space to be themselves. Establishing a structure and a culture where employee resource groups can be formed and thrive in an organization can be game-changing, as our new global CEO Sander van 't Noordende recently discussed at Davos.

Milam: It's been proven that the most successful and impactful high-growth companies are those led by leaders who embrace disparate thinking, often coming from other leaders whose journeys are collectively diverse, but all working toward a clear and commonly defined company purpose. For staffing professionals, this is a purpose of creating opportunities, championing people, and unlocking their potential, built strongly on a bedrock of serving others—for us, our colleagues, our associates, and our customers.

To put this into practice, staffing professionals should build diversity goals into their hiring key performance indicators and track them over time. It is an ongoing process that goes beyond making a one-time diversity statement. It takes ongoing communication to ensure diverse positions and inclusive company cultures are modeled by the leaders.

All of this takes leadership. If our hearts and minds are in the right place, our differences can act to unify, teach, and enhance our culture. Diversity and inclusion efforts benefit companies by breaking down barriers, helping to build respect for one another and each of our rights to be who we are and to believe and speak freely.

SS: What are some likely business disruptions on the horizon and how should staffing firms be preparing?

Bean: Degradation of services and inability to deliver for the customer—because, in fear of the Great Resignation, leaders did not take a strong enough stance on getting their people back together and working in offices again. Training slipped, culture diluted, and new vulnerable





employees were unable to get off the ground and ramped up in their new careers.

Staffing leaders need to figure out a return-to-office objective strategy that works for them, based off the kind of company they want to be, and then clearly define it for their employees.

Fichuk: Costly cyberattacks are rising, and the tremendous amount of personal and financial data staffing firms are entrusted with makes the industry an attractive target. Add to that: The demand for hiring IT security professionals is more competitive than ever.

It's critical for firms to proactively implement a cybersecurity program, to have a breach response plan in place, and to conduct regular employee training. The security practices of all vendors that have access to the firm's systems or data should also be thoroughly reviewed. And, of course, have an insurance policy in place to cover this type of liability.

Milam: More and more people have tapped out of the workforce. While the unemployment rate is close to where it was pre-pandemic, the labor participation rate has decreased by almost four percentage points, as there are now more than 16 million people who aren't working that were before.

Now with inflation growth and a potential recession on the horizon, some of these millions are wanting to jump back on, but on their terms. Often this can mean part-time, flex, or gig roles. This underscores the need for companies to accommodate these workers by offering flexibility. ■

Adam Stone, a freelance writer based in Annapolis, MD, is a regular contributor to *Staffing Success*. Send feedback on this article to success@americanstaffing.net. Engage with ASA on social media—go to americanstaffing.net/social.

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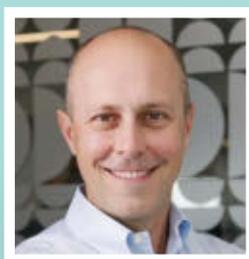
Staffing World is the largest, most content-rich event in the staffing and recruiting industry and this year it all happens **Oct. 25–27 at the MGM Grand Las Vegas**. Plus, the Staffing World expo hall has sold out, which means there's nowhere else you'll find a more comprehensive collection of the industry's best and newest products and services—designed to streamline and ramp up your staffing operations.

Not only will Staffing World 2022 open with a keynote presentation by **basketball legend and highly successful entrepreneur Earvin "Magic" Johnson**, the convention will also deliver dozens of focused sessions on what is impacting the staffing and recruiting industry right now and in the months ahead.

Among those is **"Straight Talk From Staffing CEOs,"** a fast-paced panel discussion facilitated by Richard Wahlquist, ASA president and CEO, and featuring Bert Bean, CEO of Insight Global; Karen Fichuk, CEO of Randstad North America and executive board member, Randstad N.V.; and Billy Milam, CEO of EmployBridge.

Don't miss this opportunity to hear from and query these three leading chief executives in the staffing and recruiting industry. Bean, Fichuk, and Milam will be prepared to speak on a broad breadth of topics, including new opportunities for growth, the potential for an impending economic recession, how diversity and inclusion efforts are changing corporate culture, business disruptions on the horizon, and much more.

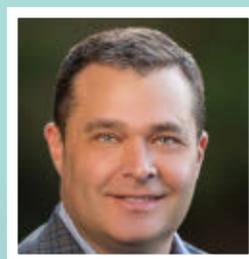
There's still time to **register at a discounted rate for Staffing World—until Sept. 23**. After that, the rate for a full registration package increases by \$300 per person. You don't want to miss Staffing World this year. Make sure your 2023 is as successful and strategic as possible. Get the information and make the connections you need when you join more than 1,000 of your industry peers at Staffing World in Las Vegas. Register today at staffingworld.net.



Bert Bean
Insight Global



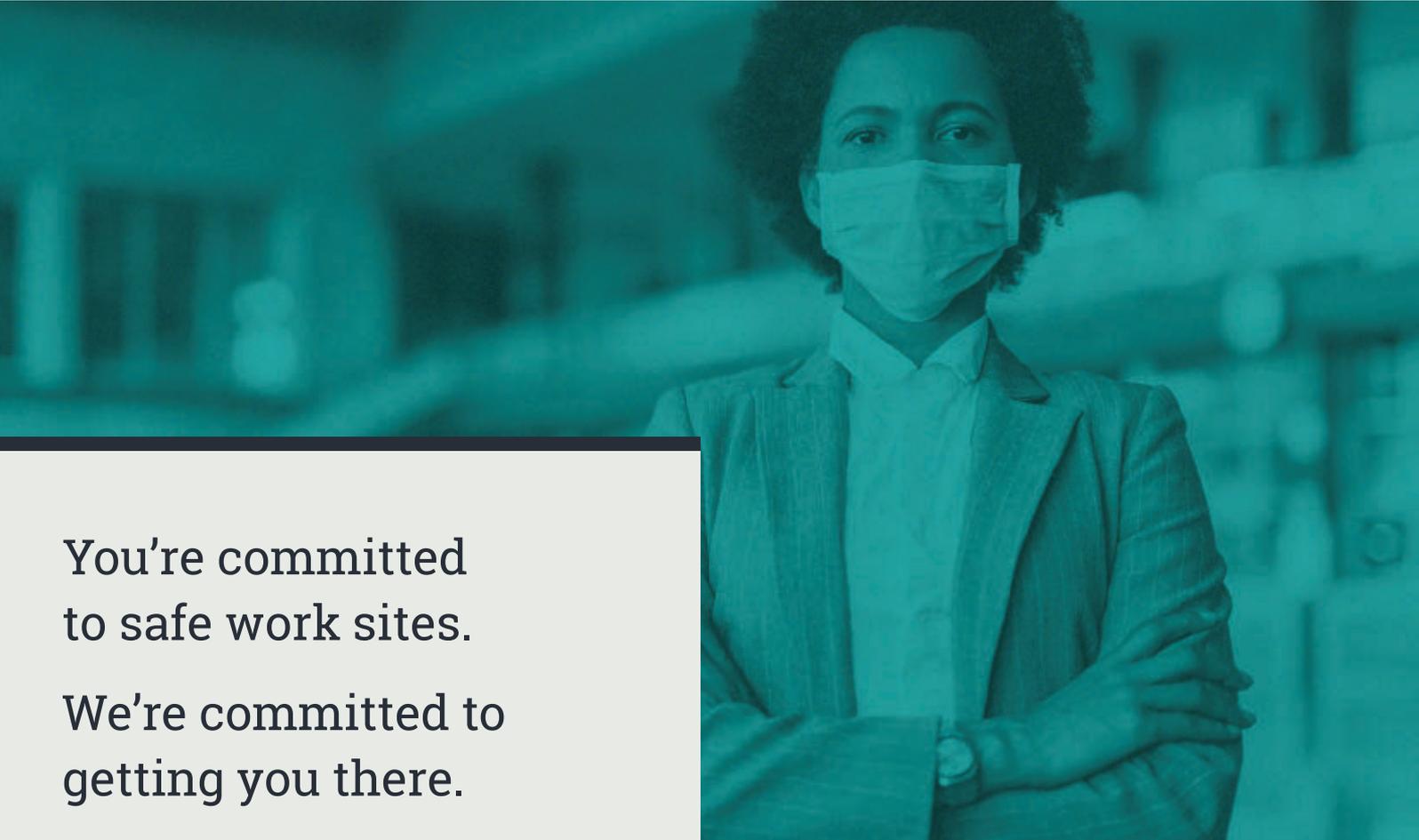
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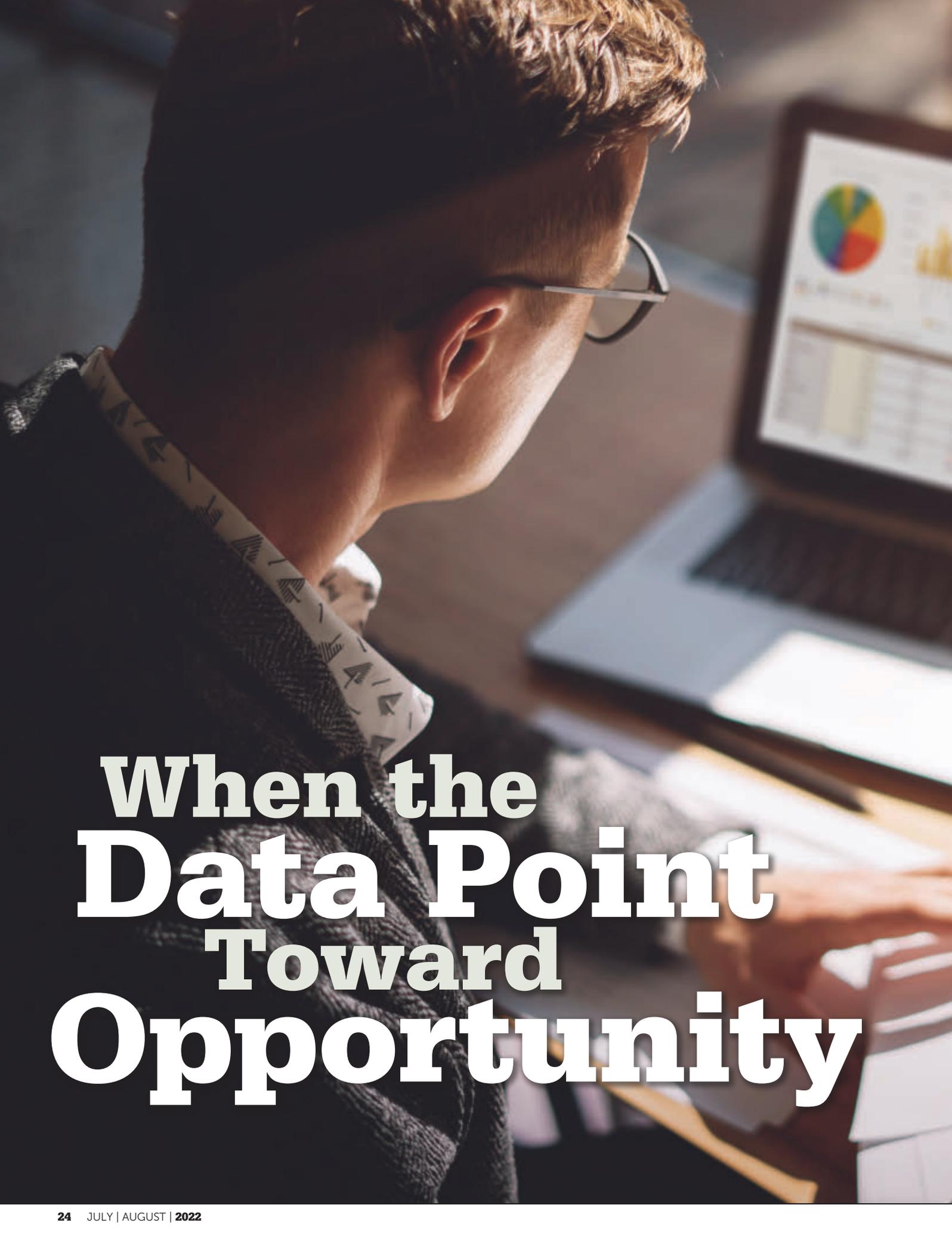
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When the Data Point Toward Opportunity



If you tune in to economic news—or just the evening news—you’ve likely heard analysts referring to the current economic environment as shaky or uncertain. There’s talk of “looming threats” and a “recession on the horizon.” But how much truth is there to these primetime conversations? The answer is in the data.

By Scott Vanderbilt

One of the first places economists look when preparing to prognosticate is the job market—something ASA researchers and analysts know better than just about anyone. And, upon further analysis and digging into job market trends, the data do not strongly suggest that we’re approaching a downward trend economically—at least not in the near future.

Current indicators curated by the ASA Data Dashboard continue to show record growth and either weekly growing indicators or at least stability. Predicting the economic future is a tricky business—one that has thrown curve balls before—but right now signs remain steady.

Closing In on Job Trends

While there are many opportunities to get people into jobs, we also must examine other figures. For example, the May 2022 Job Openings and Labor Turnover Survey report was relatively flat. In other words, there was no evidence of a downturn in the overall economic numbers, and neither are we seeing a downturn in the staffing industry per the ASA Staffing Index

“Everybody thinks we’re in a recession—except the job market,” says Bledi Taska, chief economist of the labor analysis group Lightcast. Taska’s observation is amusing but true. >>>



Exclusive Industry Research & Data

This issue’s research-focused article examines the current economy and how the public is mitigating the effects of potential recession and rampant inflation. As the industry’s research and data leader, ASA reports on timely industry data in every issue of *Staffing Success*. Get up-to-the-minute data and research-related information when you follow @StaffingData on Twitter.



U.S. employers added 372,000 jobs in June, stronger than the 265,000 expected by economists. **The unemployment rate remained at 3.6% for the fourth straight month**, matching a near 50-year low that was reached before the beginning of the pandemic in the first part of 2020.

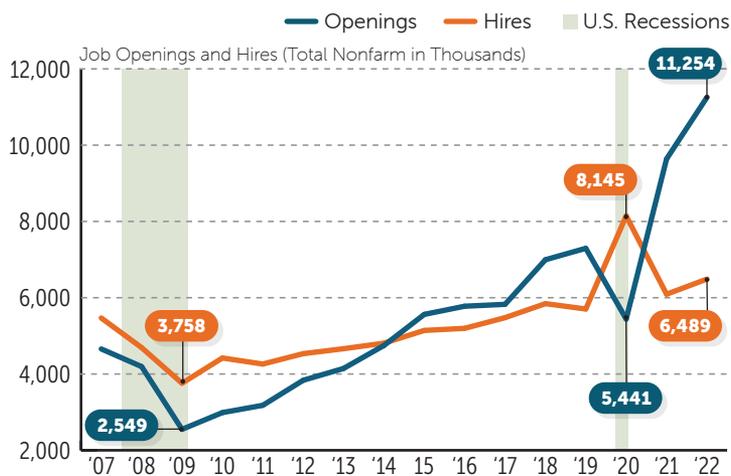
So, what does the jobs market look like? On the last day of May, there were 11.3 million job openings. Hires were 6.5 million (4.3%) and total separations were at 6.0 million (3.9%), according to the U.S. Bureau of Labor Statistics, and little changed from the last reporting. U.S. employers added 372,000 jobs in June, stronger than the 265,000 expected by economists. The unemployment rate remained at 3.6% for the fourth straight month, matching a near 50-year low that was reached before the beginning of the pandemic in the first part of 2020.

Watching From the Sidelines

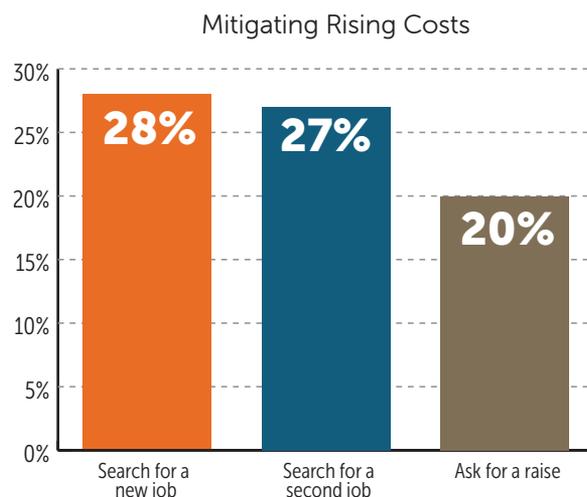
The labor force participation rate in May 2022 rose from April to 62.3%. That means there continues to be copious jobs available for people who want them, but many remain on the sidelines. As the *Wall Street Journal* has noted, the biggest impediment to the job market isn't rising interest rates but the availability of workers.

There are also concerns among U.S. workers related to record-high inflation and projected turbulence in financial markets. What are workers (and nonworkers) going through right now and what can the staffing industry do to help to get them back (or stay) in the workforce to continue to drive our economy?

A recent ASA Workforce Monitor® survey, conducted by The Harris Poll from June 2–6, 2022, took a closer look at how workers are feeling given the current climate. The survey found that workers are struggling right now. Nearly six in 10 U.S. workers (58%) are concerned that their paycheck is not enough to support themselves or their families as they try to keep up with rising inflation. Some groups are feeling the pinch more than others: Seven in 10 Hispanic workers and two of every three parents with children under 18 report having trouble making ends meet with their current paychecks.

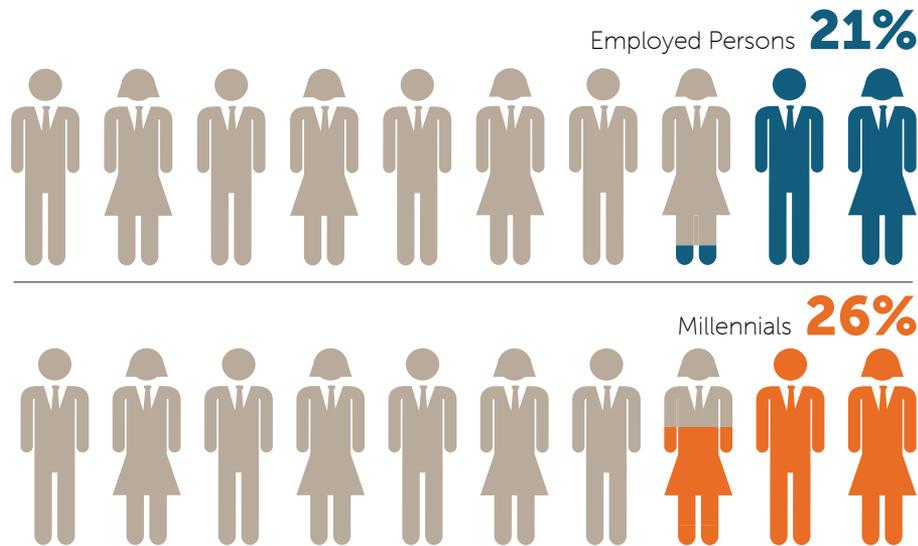


Source: U.S. Bureau of Labor Statistics



ASA Workforce Monitor, June 2–6, 2022, n=1165 employed persons

Among employed U.S. workers, Millennials are more likely than employees in general to work with a staffing firm when searching for a new job.



Current market conditions also have resulted in an increased cost of living, prompting many workers to seek ways that can improve their circumstances. For example, more than a quarter of U.S. adults plan to search for new jobs (28%), while 27% plan to look for a second job to supplement their income. One in five (20%) plan to ask for a raise from their current employer.

Looking for New Opportunities

According to the current data, seeking a new job is a common theme among younger adults: 40% of Millennials and 36% of Gen Z individuals plan to look for high-earning jobs in the next six months. Among Baby Boomers, only 13% plan to seek a new job to offset rising living costs and only 8% are going to ask for a raise. There is a fear among 46% of the employed Baby Boomers that age will play a role in finding additional work, which may lead to others who are outside the current workforce to hesitate to re-enter it at all.

These findings point toward a great opportunity for the staffing industry to engage this currently disengaged group and get them back into the workforce. As the *Wall Street Journal* noted on July 11, if more people were to enter the labor force today, then it is likely they could find work. However, if the Fed continues to raise interest rates to the point of hurting the job market, then those jobs may disappear.

Workers are taking it upon themselves to do something about their economic situations, and the staffing industry is in a unique position to offer competitive wages and flexible work. Of all employed adults, 21% (and 26% of employed Millennials) said that they would consider using a staffing firm to find a new job. It is an opportune time for the staffing and recruiting industry to act

on this sentiment and the current market conditions to enhance its outreach and engagement with talent and streamline operations toward growth. ASA members in particular have rich resources at their fingertips, including these online tools:

- **ASA Data Dashboard**, americanstaffing.net/data-dashboard, to stay on top of economic trends.
- **ASA Staffing Promo Toolkit**, americanstaffing.net/promo-toolkit, to help boost marketing efforts to prospective talent and clients.
- **ASA Digital Library**, americanstaffing.net/digital, to access *Staffing Success* magazine and other member publications. Note that the site is searchable, so you can easily find the latest articles on topics you need most.
- **ASA On-Demand Webinars**, americanstaffing.net/webinars, to view top-rated ASA webinars; this site is searchable by topic, sector, course level, and more.

Navigating Current Worker Sentiment

Despite the numbers and analysis, there's no question that there is economic uncertainty right now—and workers are feeling the pinch of rising costs of living. Many are looking to their work and additional work to help them offset those costs.

Staffing firms are in a unique position to help job seekers mitigate these economic concerns, introduce new opportunities, and provide an engaging environment to address the future—as well as prepare for whatever the economy may send our way. ■

Scott Vanderbilt is senior director of research for ASA. Learn more about all the data resources ASA provides its members at americanstaffing.net/research. Send feedback on this article to success@americanstaffing.net. Engage with ASA on social media—go to americanstaffing.net/social.

Workers are taking it upon themselves to do something about their economic situations, and **the staffing industry is in a unique position to offer competitive wages and flexible work.** Of all employed adults, 21% (and 26% of employed Millennials) said that they would consider using a staffing firm to find a new job.

Risky Business:

Making Sure You Steer Clear of Misclassifying Workers

Misclassification of health care workers and the avoidance of employer costs puts W-2 nurse staffing companies at an unfair competitive disadvantage and creates significant potential reputational harm to the entire staffing industry. Here's a legal look at how to protect your business. >>>

By Edward A. Lenz, Esq.







A federal court in Virginia recently **fined a health care staffing firm \$7.2 million** in back overtime wages and **damages for misclassifying their certified nurse aides, licensed practical nurses, and registered nurses as independent contractors.**

The great majority of staffing companies operate as W-2 employers, which means they classify their workers as employees, not independent contractors. As employers, staffing companies are required to withhold and remit employment taxes on behalf of their employees, including Social Security and unemployment insurance taxes. And employees are entitled to certain benefits and protection under various federal and state employment laws, including workers' compensation insurance for workplace illnesses and injuries. Independent contractors don't get such protection.

Increasingly, some staffing services operating through online job platforms are classifying nurses and nurse aides as independent contractors instead of employees—and issuing 1099 forms for the amounts they pay the workers instead of W-2s. Operating in this manner allows the platform to supply workers to health care facilities at a much lower cost by avoiding the cost of benefits, employment taxes, or workers' compensation insurance. This poses significant legal risks for unwary facilities, which could end up getting stuck with those costs. It also poses risks for workers.

In addition to the legal risks, misclassification of health care workers and the avoidance of employer costs puts W-2 nurse staffing agencies at an unfair competitive disadvantage and creates significant potential reputational harm to the entire staffing industry.

To combat misclassification, ASA and a coalition of leading health care staffing firms are taking action to educate agencies, health care facilities

and workers, and regulators about the legal risks. ASA has published an issue paper to assist in the education effort. Law firms may be engaged to seek redress for health care workers who may have suffered financial loss due to misclassification.

Legal risks of misclassification. Misclassification can be costly. A federal court in Virginia recently fined a health care staffing firm \$7.2 million in back overtime wages and damages for misclassifying its certified nurse aides, licensed practical nurses, and registered nurses as independent contractors. In a news release, the U.S. Department of Labor, which sued the firm, said the department “will not hesitate to bring legal action, pursuing all available remedies, when it finds that an employer has willfully violated the law.” Employers also may face private class action lawsuits for misclassifying workers.

Workers who are misclassified also face major financial risks, including liability for unpaid payroll taxes, loss of overtime wages, and no workers' compensation or professional liability insurance.

Tests for determining employer status. Various tests—under different laws—are used to determine whether workers are independent contractors or employees. For federal employment tax and benefits purposes, the U.S. Internal Revenue Service and courts examine multiple factors, generally referred to as the common-law “control” test. The more factors that are present in an entity's relationship with its workers, the more likely the workers will be employees and not independent contractors.

Historically, the IRS relied on a list of 20 factors based on court decisions to determine employee status for federal employment tax purposes, which the U.S. Supreme Court subsequently reduced to 13 factors. The IRS later adopted guidelines based on three broad standards—behavioral control, financial control, and relationship of the parties—for determining a worker's status. The IRS website, *irs.gov*, contains additional helpful guidance on how to apply the factors.

In addition to the common-law test, the federal Fair Labor Standards Act imposes minimum wage, overtime, equal pay, and other obligations on any business on which a worker is dependent as a matter of “economic reality” using a six-part test:

1. The degree of control the employer has over the work performed
2. The worker's opportunities for profit or loss
3. The worker's investment in equipment or material or employment of other workers
4. The degree of skill required for the work
5. The permanence of the working relationship

6. The degree to which the services rendered are an integral part of the employer's business

In addition to the federal tests described above, many states have their own tests for determining independent contractor status. While many are based on the federal tests, some—like California and New York—apply much stricter tests that make it extremely difficult to establish independent contractor status. For example, under California's so-called "ABC" test, employers have the burden of showing that the person (a) is free from the control and direction of the hiring entity in performing the work, both under the employment contract and in fact; (b) performs work that is outside the usual course of the hiring entity's business; and (c) is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.

Employment status of workers using online platforms. Some platforms may legitimately claim independent contractor status regarding the workers placed through their systems, but end users generally can't make the same claim because they supervise and control the workers at the work site.

In 2019, the U.S. Department of Labor examined the practices of an online and/or smartphone-based referral service considering the six-factor economic reality test. DOL found that the workers were independent contractors because they could maximize their profits by choosing between different jobs and platforms and by negotiating prices with clients. DOL concluded that the workers were not economically dependent on the platform company—but did not consider the workers' relationship with the client using their services.

Several states, including Arizona, Florida, Indiana, Iowa, Kentucky, Tennessee, and Utah, have passed laws codifying the independent contractor status of workers who receive job assignments through online platforms. The laws incorporate many of the traditional criteria used to determine independent contractor status under existing law. For example, the platforms cannot dictate the workers' hours or where they work, or supervise their work. Again, however, the laws address only the relationship between the worker and the platform, not the relationship between the workers and the end user.

Potential liability of online platforms and their health care clients. Nurses and nurse aides, whether assigned by traditional staffing agencies or through online platforms, generally perform their work under the direct supervision and control of the personnel of the health care facility to which they are assigned. Such workers, especially nurse

aides, typically do not exercise the degree of independent judgment or control necessary for independent contractor status. (Certain professionals, such as physicians and nurse practitioners with advanced degrees, can and do meet the criteria for independent contractor status.)

If an online or app-based job platform exercises enough control over the workers, it also may be viewed as an employer; and if the platform fails to pay payroll taxes and other employee-related costs, the end users may be liable for those costs as joint employers due to the control they exercise over the work performed. For example, federal regulations recognize that a client is a joint employer of the workers assigned to them by a staffing agency if it "exercises sufficient control over their terms and conditions of employment by closely supervising their work and controlling their work schedules." Practically speaking, joint employment is an inherent aspect of the staffing firm–client relationship under a broad spectrum of labor and employment laws.

To help health care clients comply with applicable laws, **staffing firms should consider alerting clients to the legal risks** of using the services of nurses, nurse aides, and other health care workers who are **classified and paid as independent contractors.**



Protecting clients and workers. To help health care clients comply with applicable laws, staffing firms should consider alerting clients to the legal risks of using the services of nurses, nurse aides, and other health care workers who are classified and paid as independent contractors. Staffing firms also should consider alerting their employees of the risks and encouraging them to ask questions to determine whether a platform is properly classifying workers and to dissuade them from using platforms whose practices are questionable. The ASA issue paper includes a sample client letter—find it at americanstaffing.net/legalarticles. A sample employee letter also is available from ASA. ■

Edward A. Lenz, Esq., is senior counsel for the American Staffing Association. Send feedback on this article to success@americanstaffing.net. Engage with ASA on social media—go to americanstaffing.net/social.

Tapping Into a
Growth Mindset:

TOP 5 WORKFORCE TRENDS

ASA members have a valuable resource available to them—Workforce Monitor surveys revealing top workforce trends and issues relevant to the staffing industry. Tap into this treasure trove of data to glean solutions for candidate recruitment, retention, and engagement.

The ASA Workforce Monitor® is a periodic survey commissioned by ASA

and conducted online by The Harris Poll among 1,000 or more U.S. adults age 18 and older. Results are weighted for age within gender, region, race/ethnicity, household income, education, marital status, and size of household where necessary to align them with their actual proportions in the population. Propensity score weighting is also used to adjust for respondents' propensity to be online. The survey series focuses on current workforce trends and issues.

Following are the top five trends that have emerged from results of periodic ASA Workforce Monitor surveys. Consider these insights a peek into the candidate mindset as your firm is planning for increased hiring and candidate engagement and retention throughout 2022 and into the new year. >>>

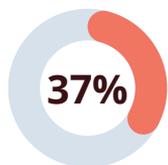


Employers Not Meeting Training Expectations of Workers and Job Seekers



80%

of employed U.S. adults consider employers' training offerings important when accepting a job.



GEN Z
(age 18–24)



MILLENNIALS
(age 25–40)



GEN X
(age 41–56)



BABY BOOMERS
(age 57–75)

39%

of employed U.S. adults say their current employers are helping them improve their current skills or gain new skills to do their jobs.

1. Employers Are Not Meeting the Training Expectations of Workers

While 80% of employed U.S. adults consider an employer's professional development and training offerings an important consideration when accepting a new job, just 39% say their current employer is helping them improve their current skills or gain new skills to do their job better, according to results from an ASA Workforce Monitor survey. This business contribution to the skills gap in our tightening labor market is likely a factor in recruitment and retention woes.

Job training programs put employers at a competitive advantage when recruiting job candidates from all generations. Among those employed, 84% of Millennials view an employer's professional development and training offerings as important considerations when accepting a new job, along with 79% of Baby Boomers and 79% of Generation X. Seven in 10 of those in Generation Z (70%) share this view.

Meanwhile, many employees said they were not receiving from their employers the skills training needed to maintain or grow their careers. Just 31% of Baby Boomers said their employer is helping them improve or expand their skillset, compared with 50% of Millennials, and 33% of those in Generation X. Of Generation Z employees, who comprise the newest members of the workforce, just 37% said their employer was helping them improve or expand their skills to do their job better.

“For employers looking for an edge in 2022, investing in training and development could make the difference in competing in the war for talent,” said Richard Wahlquist, president and chief executive officer at ASA. “Employees are looking to employers to provide the job training they need to elevate their careers. During the Great Resignation, if an employer is not willing to train and upskill its workforce, those employees may begin to look for an employer that will.”

2. Automation Is a Top Concern for Workers

The Workforce Monitor survey found concern among some U.S. workers about the effects of automation on their employability, with 37% worrying that automation will cost them their jobs. Nearly half of Hispanic/Latino employees (49%) worry that automation will eliminate their jobs, compared with 35% of Black/African-American employees and 33% of White/Caucasian employees.

In addition, 52% of millennial workers expressed worry about their job security due to automation, compared with 40% of Generation Z employees, 30% of Generation X employees, and just 20% of Baby Boomer employees.

“The acceleration of automation due to the pandemic has only increased the importance of employer investments in workforce training and development,” said Wahlquist. Businesses looking to recruit candidates and retain their staff should reassess their training offerings to skill, reskill, and upskill, in addition to ensuring a solid professional development planning and implementation process is in place.

3. Pay Is Most Important for Potential Job Seekers

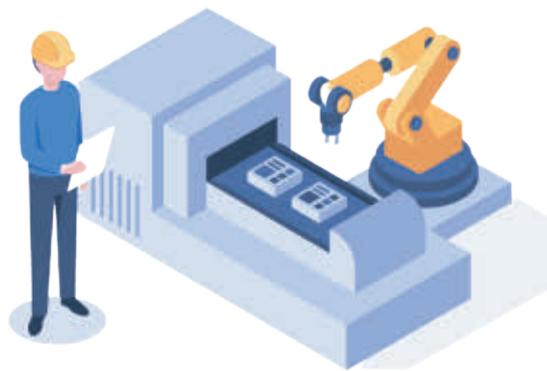
With four in 10 U.S. adults (41%) likely to look for a new job within the next year, more than six in 10 (63%) say pay rate/salary would be among the most important factors if they were looking for a change, according to results from the Workforce Monitor online survey.

A job search, or even a change to a new career, is on the horizon for many U.S. adults. Forty-one percent of those surveyed are likely to job hunt within the next year, and 35% are likely to change careers. Showing a stark difference by race/ethnicity, the survey revealed that 64% of Hispanics/Latinos and 49% of Blacks/African-Americans are likely to look for a new job within the next year, but only 34% of Whites/Caucasians have similar plans. Likewise, about half of Hispanics/Latinos (50%) and Blacks/African-Americans (46%) plan on a career change while only 29% of Whites/Caucasians plan to do so in the next year.

When asked what key factors were most important to them if they were looking for a new job within the next year, 63% of U.S. adults said that pay rates or salary would be among their most important decision-making factors, while 37% cited flexible work hours and 36% said benefits/perks. The ability to work remotely is important for one-quarter (25%) of U.S. adults.

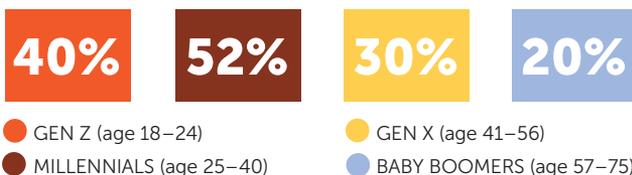
“In the midst of the Great Resignation, employed individuals as well as active job seekers are looking at new opportunities for higher pay and more flexibility,” said Wahlquist. “If employers want to effectively compete in the war for talent, they’re going to have to ensure their workers receive competitive compensation and that workplaces embrace flexible work schedules wherever feasible.” >>>

Automation Is a Top Concern for Workers



37%

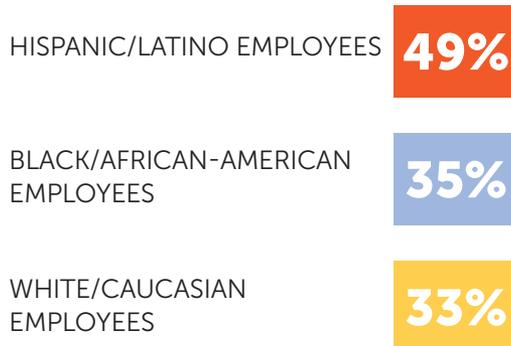
of U.S. workers worry that automation will cost them their jobs.



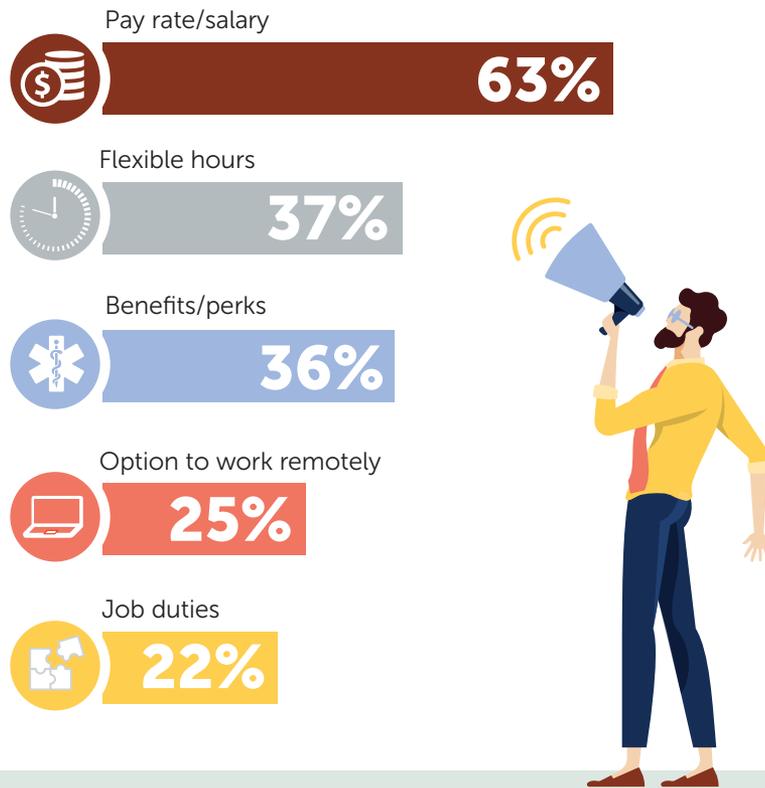
49%



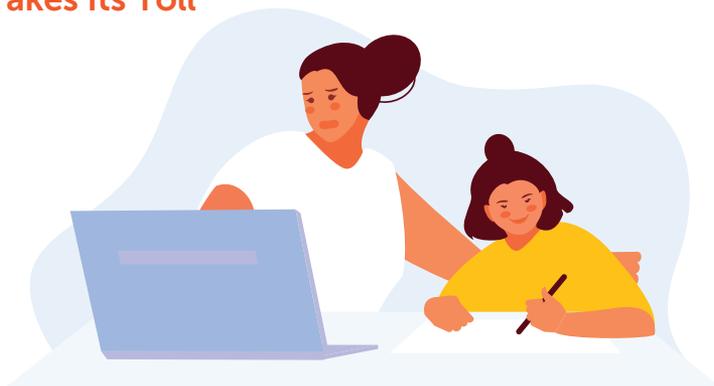
Nearly half of U.S. Hispanic/Latino employees are concerned that automation will cost them their jobs.



What Job Seekers Really Want

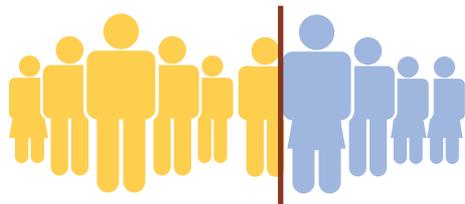


Career Crusher: Pandemic Child Care Challenge Takes Its Toll



Parents of children under 18 say child care and virtual schooling responsibilities during the Covid-19 pandemic hurt their ability to get ahead in their career.

62%



Staying abreast of salary trends is a must for the savvy employer. The ASA Temporary Help Wage Tool is one such resource staffing companies can use to gauge whether pay rates are on point or missing the mark. For internal staff, stay tuned—the ASA Compensation and Benefits Benchmarking survey was updated in 2022 and reports will be available soon, so that members can see where their pay plans stack up.

4. Employers Need to Support Workers With Children Now More Than Ever

More than six out of 10 U.S. adults with children under the age of 18 (62%) believe their child care and virtual schooling duties during the Covid-19 pandemic have negatively affected their ability to get ahead in their job or career, according to results from the Workforce Monitor online survey.

People of color are more likely to say child care duties have been a career obstacle during Covid-19. Seven in 10 Black/African-American parents (70%) and 62% of Hispanic/Latino parents believe their opportunities for career advancement were negatively affected by their child care and virtual schooling duties during Covid-19, compared with 51% of White/Caucasian parents.

The study also found that 60% of men agree that added responsibilities in caring for their children during the pandemic have hurt their careers, while 51% of women agree.

“Work-life balance became a thing of the past for many parents during the Covid-19 pandemic,” said Wahlquist. “Parents are feeling left behind in their careers and in their workplaces. As businesses continue to bring employees back to the office, employers need to support workers with children to ensure that they remain part of the labor force and clearly understand their options for career development and growth.”

5. Each Touchpoint in the Recruitment Process Vitrally Matters to Job Seekers

More than half of U.S. adults (53%) say the No. 1 deal-breaker that would deter them from applying for or accepting an offer of employment is inappropriate interview questions, according to the results of the Workforce Monitor survey.

Other reasons that half of people would refrain from applying for a job or accepting an offer of employment include unrealistic job or skill requirements (51%), misrepresenting job duties (50%), and aggressive behavior of the recruiter or hiring manager (49%).

High-touch human interaction matters to job seekers. At least three out of 10 adults say they would not apply for or accept a job if the prospective employer fails to respond to questions about open positions (38%), provides poor follow-up by the recruiter or hiring manager (37%), or does not offer any face-to-face contact during the hiring process (30%).

Opinions on potential deal-breakers differ based on gender. Women are more likely than men to express that inappropriate interview questions (56% versus 50%) or aggressive recruiter or hiring manager behavior (52% versus 45%) would discourage them from pursuing employment with an offending company.

“Each touchpoint in the recruitment process vitally matters to job seekers,” says Wahlquist. “In the tightest labor market in modern history, and facing fierce competition for talent, employers cannot afford to make costly mistakes that prevent individuals from applying for employment or accepting job offers.”

ASA reports on timely industry data in every issue of *Staffing Success*. Get up-to-the-minute data and research-related information when you follow @StaffingData on Twitter.

To learn more about the ASA Workforce Monitor, visit americanstaffing.net/workforce-monitor. There you can also see and download a summary of numerous survey findings and infographics on the results. ■



Contact a Data Expert

ASA members always are welcome to contact the research team at 703-253-2020 or research@americanstaffing.net with questions about the Workforce Monitor or other ASA research. You can also tweet your questions to @StaffingData.

Talent Identify Top Recruiting Deal-Breakers

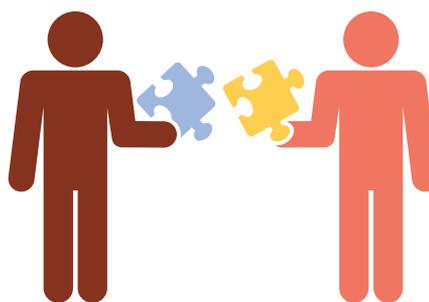
Lack of Professionalism



53% Inappropriate interview questions

49% Aggressive behavior of recruiter/hiring manager

Position or Skills Disconnect



51% Unrealistic job or skill requirements

50% Misrepresenting job duties

Top Deal-Breakers When Candidates Are Applying for or Accepting a Job

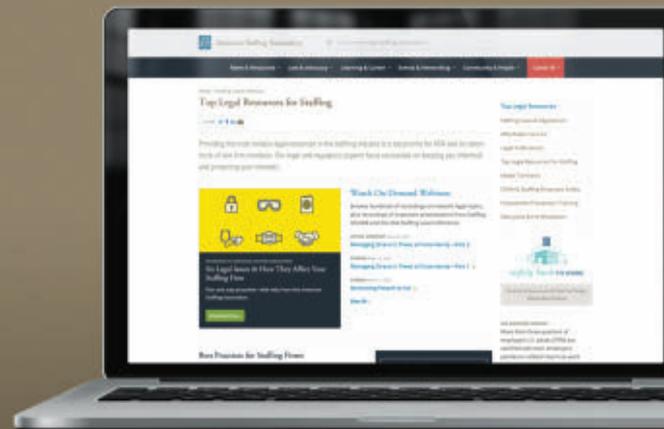
1. Inappropriate interview questions
2. Unrealistic job or skill requirements
3. Misrepresenting job duties
4. Aggressive behavior of recruiter or hiring manager
5. Not responding to questions about open positions
6. Poor follow-up by recruiting or hiring manager
7. No face-to-face contact during hiring process

Top Legal Resources for Staffing—At Your Fingertips

Providing the most reliable legal resources in the staffing industry is a top priority for ASA and its select circle of law firm members.

Our legal and regulatory experts focus exclusively on keeping you informed and protecting your interests.

- ✓ **Download model contracts**, including one specific to health care staffing
- ✓ Review best practices on topics such as **workers' comp and employee safety**
- ✓ See valuable content from leading law firms, including **Tannenbaum Helpert Syracuse & Hirschtritt LLP** and **Taylor English Duma LLP**, that specialize in staffing
- ✓ **Download a sample social media policy for staffing firms** and much more



americanstaffing.net/top-legal-resources ↗



American Staffing Association

Go to americanstaffing.net/top-legal-resources to access valuable, reliable legal information for your company.



Making the Case for Data Entry

By Tom Erb, CSP

As a busy recruiter, do you really **need to take the time to do ATS work?** The answer is: **a million times, yes.**

“Do you want me to recruit, or do you want me to do data entry?”

Ah, the old refrain of recruiters when asked to record their activities and notes in the applicant tracking system. As if the two are mutually exclusive and fingers are just too busy to be able to type a quick note in the candidate’s record. And, by the way, the record is likely open already because the recruiter needs the phone number to call the candidate in the first place.

There is a misconception by many recruiters, sourcers, account managers, sales reps, and others that entering activities in the system is only for the company

to keep track of what they’re doing—that it’s micromanagement, pointless administrative work that keeps them from doing their “real work.” But this thinking is missing a much bigger point. The little bit of extra time it takes now to enter a note in the ATS yields so many long-term benefits for everyone in the organization. Here are just a few reasons why the more information you have in the system, the better.

You will forget it if you don’t document. When I was first starting out in the industry, I had a great memory. I was the guy you wanted on your team on trivia night. I could recall specific candidate conversations from six months earlier. But as I got older, my mind continued to fill up with all the other stuff you learn, see,



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and do over the years, and my memory couldn't keep up. The point is that you might think you'll remember everything, but you won't. That candidate that you gave a status of "do not use" will call six months later and you won't remember why you terminated them. After a day of texting, emailing, and calling dozens of candidates about hundreds of open positions, you won't recall why you reached out to each one. Having those conversations and attempts recorded in the system will make your job a whole lot easier down the road.

Activity is the first step on the road to success. If you were in New York and I told you that you needed to be in Los Angeles in 30 days, what would you do? Most likely you would consider your options for getting there—car, bus, train, or plane—and then determine how long it would take for each to get there. You would make sure you left in plenty of time so you would ensure you met your goal. Along the way, you would utilize GPS, maps, signs, websites, and other tools to make sure you were on track. The key to getting to your destination on time is understanding what it takes to get there, executing, and tracking your progress as you go.

It's the same with recruiting. If your goal is to have 50 employees on billing at the end of 90 days, you need to know how many activities it will take and what activities are the most effective to achieve it. Activities result in submissions, which result in client interviews, which result in new starts. By tracking these activities, we can then know how many we need for a new submission, and how many submissions we need on average for a new start. However, if we don't track the activities in the first place, it's like starting our trip to Los Angeles without knowing where it is or how to get there.

You may need that info later to protect your firm. How many times have you had a terminated employee file for unemployment, only to find that there is little to no documentation in the system to support your decision? If you haven't had the pleasure of that experience, consider yourself fortunate; it's not fun. Properly

documenting absences, tardies, behavioral issues, client feedback, and other activities not only helps fight unemployment claims, it's also vital in addressing suspicious workers' comp claims, wrongful discharge or discrimination investigations or lawsuits, and other legal issues. That data entry that seems like a nuisance today could be invaluable tomorrow.

It makes you much more likely to succeed. I can't tell you how many times I have been told by staffing professionals that their ATS is worthless because "the data is bad." The search doesn't produce good results. Auto match never finds the right candidates. Emails and phone numbers are old and out-of-date. Unfortunately, there aren't magic data gnomes that come into the office at night and fill the ATS with great data. That task is up to us. The more data you and your teammates get into the system in the first place, the more effective a tool your ATS becomes. What took you a little extra effort up front will save you time over and over again, resulting in more and better placements, improved utilization of your existing database, less dependence on job boards and other recruiting avenues, and a variety of other benefits for you and your firm.

Nobody says that entering data is the most fun or rewarding part of being a recruiter. And I'm not saying that you need to record every trivial activity or interaction. But taking the time up front to properly document reaps significant benefits and helps your recruiting results skyrocket. ■

Tom Erb, CSP, is president of Tallann Resources, a national consulting and training firm specializing in the staffing and recruiting industry. As a consultant, trainer, and speaker, Erb has helped hundreds of companies create and execute sales and recruiting strategies to grow their business. He is the author of *Winning the Staffing Sales Game: The Definitive Game Plan for Sales Success in the Staffing Industry*. Learn more at tallanresources.com. Follow him on Twitter @TomErb_Tallann.

Send feedback on this article to success@americanstaffing.net. Engage with ASA on social media—go to americanstaffing.net/social.

Volunteer With ASA

Are you looking for opportunities to contribute your skills and insights in the staffing industry, and serve as an industry leader? ASA seeks dedicated members to serve on volunteer committees and councils for 2023. Apply for a volunteer opportunity to work directly with other members, learn about workforce trends and best practices, and build on your experience to become a thought leader with the association. Visit asacentral.americanstaffing.net and click on the “volunteer” tab.



For ASA Members: New Resource to Help Protect Temporary Workers

The U.S. National Institute for Occupational Safety and Health, along with ASA and several other partners, recently released a set of new best practices to better protect temporary workers on the job. The new document, “Protecting Temporary Workers: Best Practices for Host Employers,” provides host employers with detailed best practices for evaluating and addressing workplace safety and health in a written contract; for training temporary workers and their work site supervisors; and for reporting, response, and recordkeeping for injuries and illness.

The best practices in this new resource are applicable across industries and occupations. The document also includes real-life scenarios of how host employers might implement these best practices, as well as checklists that can be printed or completed electronically. Staffing firms can access a complementary slide deck to educate their host employer clients about these best practices. The document builds on resources developed under the U.S. Occupational Safety and Health Administration Temporary Worker Initiative, launched in 2013. Learn more on the ASA Safety Matters web page, americanstaffing.net/safetymatters.

Maximize Your Staffing World Experience— Add a Preconvention Program

Are you ready for Staffing World®, the industry’s biggest event? The ASA annual convention and expo, Oct. 25–27 at the MGM Grand in Las Vegas, will give you the chance to hear from dynamic business leaders and subject matter experts on topics like the future of work, inclusivity, the post-Covid-19 workplace, legal issues, talent acquisition, and more. Among the new learning opportunities this year are preconvention programs that will take place before the convention begins:

- THRIVE Live (presented by the ASA women in leadership interest group)
- Emerging Leaders: Next-Level Leadership Skills
- Owners Peer Group Masterclass (by invitation only)

These preconvention programs take place Monday, Oct. 24, and Tuesday, Oct. 25; separate registration is required.

Visit staffingworld.net to learn more and register.

SW2022 OCT. 25–27
LAS VEGAS



Be Your Best Self: Get ASA-Certified This Year

In just six to eight months, you can earn the staffing industry’s most prestigious professional credential: ASA Certified Staffing Professional®. Here are just five reasons your peers are getting certified this year (and why you should, too):



1. You’ll be better equipped to attract and advocate for talent.
2. Your staffing company will have an expert in you.
3. Protect your staffing company from potentially costly legal missteps.
4. You will be a more valuable partner to your clients.
5. An ASA credential is the most prestigious in the staffing industry.

Learn more about all ASA certification programs, including the ASA Certified Health Care Staffing Professional® program, which can help differentiate your health care staffing firm in an increasingly competitive marketplace. Visit americanstaffing.net/certify today to ensure you maximize your success this year and in 2023. >>>



“I can show my colleagues and clients that I have **complete understanding** of the **health care staffing industry**, and the **CHP certification** is the best way to do that.”



JESSICA MEYERS, CHP
Stat Staff Professional



Learn more at
[americanstaffing.net/
certification](https://americanstaffing.net/certification).

ASA Announces Eight Women in Leadership Scholarship Awardees

ASA recently announced eight new recipients of its Women in Leadership scholarships. Established in 2020, the Women in Leadership scholarship program honors rising stars who show exemplary professional growth potential and a commitment to a career in the staffing and recruiting industry. The eight scholarship awardees are:

- **Cheryl Campanaro**, director of customer success, Adecco USA
- **Dawn Fry**, U.S. head of diversity, equity, and inclusion, Specialist Staffing Solutions Inc.
- **Chloe Giffin**, senior business development manager—life sciences, Medix
- **Madison Kaldenberg**, delivery director, Akkodis
- **Kristy Pierce**, senior director of finance and accounting, BelFLEX Staffing Network
- **Celeste Randall**, national director of service and implementation, Staffmark Group
- **Pa Houa Vang**, corporate recruiter, QPS Employment Group
- **Noelle Williams**, director of recruiting, Kavaliro

“The 2022 Women in Leadership scholarship recipients represent some of the best and brightest future leaders in the staffing and recruiting industry,” said Minnette Hostetler, chairman of the ASA Women in Leadership scholarship program taskforce. “After receiving a record number of applications, we’re thrilled to provide eight outstanding women with the opportunity to learn from and network with some of the top leaders in our industry at THRIVE: Live and Staffing World.”



Each recipient will attend two ASA events at no charge: THRIVE Live pre-convention program, Oct. 24–25, and Staffing World® 2022, Oct. 25–27. Both events are taking place at the MGM Grand Las Vegas. These scholarships are made possible with the support of Women in Leadership interest group sponsors, with special recognition to the authors of *Together We Rise*. Generous proceeds from *Together We Rise* book sales supported additional scholarships this year. The book can be purchased online.



Get Ready for a Staffing Celebration

National Staffing Employee Week, which takes place Sept. 12–18 this year, is an annual event that recognizes the contributions of the millions of people working for U.S. staffing companies. Is your staffing company ready to celebrate the contributions of your temporary and contract employees? ASA members can access free promotional tools—including commemorative logos, social media posts, media outreach resources, and more—at americanstaffing.net/nsew.

National Staffing Employee Week is also the perfect opportunity to promote the faces of the staffing industry. Download and share real staffing success stories on social media and your digital channels, then get ready to learn who the 2023 National Staffing Employee of the Year and industry sector All-Stars are on Sept. 12.

How Are Staffing Firms Using Talent Acquisition Technology?

Technology is advancing at a rapid pace, providing innovative new ways to source, engage, select, and hire candidates. Navigating and understanding the technology landscape, however, is a challenge. ASA and Talent Tech Labs ran an industry-wide survey to understand how staffing firms are leveraging talent acquisition technology, and what their satisfaction is with specific tools and vendors.

Check out the resulting infographic for help benchmarking your firm’s use of technology and mapping a technology roadmap. It highlights the most important strategic findings from that survey—including overall industry adoption, satisfaction with vendors, the average number of technology tools that staffing firms use, and even what the actual industry “tech stack” looks like today. Visit americanstaffing.net/techcenter. ■



Holding On to Your **Best Employees**

The question posed to
ASA members this issue:

**How are you driving
internal employee
engagement
and retention at your
staffing firm?**

Garrick Cooper

President, North America
Empresaria Group



We are driving employee engagement by focusing on (but not limited to):

- Effectively communicating our vision and goals
- Providing consistent updates on how we are performing against the goals
- Asking for and acting on feedback from our staff on opportunities for improvement, with a focus on achieving the goals
- Implementation of a documented progress plan that outlines the milestones for career growth/advancement (title, responsibility, and compensation)
- Consistently celebrating wins (even the small ones) to ensure that our staff feel valued

- Consistently providing training to invest in growing our employees' skills and capabilities

Tim Massey

CEO
Penmac Staffing Services



We hear appreciative comments about programs like our wellness rewards app, educational assistance, and incentive rewards, but it seems to be the moments of celebration for each individual that inspire statements like “That’s so cool—I’ve never worked anywhere else that does that!” As one example, each employee receives a paid holiday so they can take the day off on their birthday, and they also each select their own birthday gift from a range of options like Yeti

A NEW PODCAST SERIES FROM ASA

The **Staffing Tech Podcast** brings valuable insights to ASA members from across the industry.

We elevate the discussion of staffing and technology and provide actionable insights to decision makers.

Tune in to learn from the experiences, successes—and sometimes failures—of innovative leaders who are moving the staffing industry forward.

Visit americanstaffing.net/podcasts.



tumblers, Alexa devices, camping equipment, and more.

We also offer additional benefits and incentives to show our employees that we value them:

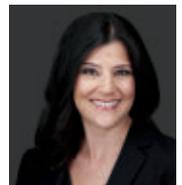
- Professional development (educational assistance)
- Work-life balance, by being less rigid with work hours or the chance to work from home occasionally
- Wellness programs that encourage fitness, both physically and financially (e.g., we use the Vigoroom app that provides wellness activities, resources, and tracking for a wide range of categories)
- Occasional company-provided lunches and events that encourage our employees to socialize both one-on-one and in larger groups to help to improve engagement
- Recognition to those who go the extra mile via extra time off, gift cards, bonuses, and Penmac apparel
- Employee assistance program
- Rocket Lawyer
- Christmas gifts and bonus

Finally, we work daily to up the ante on communication. Our monthly newsletter, *PenConfidential*, communicates key information about company initiatives, spotlights employees and customers, and is a landing spot for recommendations and star performers. We make it our goal to inform our teams of successes and how they can apply those activities to their daily jobs.

Kara Rogan, CSP

COO

CoWorx Staffing Services



The CoWorx Staffing Services way is to create exceptional employee experiences, so our teams feel valued and fulfilled. In order to do that it is more important than ever to create a culture where people have flexibility; feel a sense of belonging and inclusion; and have opportunities to grow, connect, and have fun. Our initiatives are centered around employee lifecycle and recognition, open and honest communication, trust and supportive teamwork, and giving back to our communities. ■

Lessons From the 2022 Staffing Industry NPS Benchmarks

For 14 years, ClearlyRated has partnered with CareerBuilder and ASA to commission in-depth market research that uncovers insights from hiring managers, job seekers, and staffing professionals. Our industry has transformed through agile-minded approaches and creativity in the face of unprecedented challenges these past two years—and stakeholders are taking notice.

The latest industry data suggests that talent satisfaction in the industry is improving, and that client satisfaction is the highest it's been since the last recession.

- **The 2022 staffing industry NPS benchmark for talent satisfaction is at 19%**—a small increase from 2020, the last year we reported placed talent data (according to the 2022 State of the Job Candidate Study from CareerBuilder and ClearlyRated).
- **The 2022 staffing industry NPS benchmark for client satisfaction is at 31%**—the highest it's been since the end of the Great Recession, and a significant improvement from the -2% benchmark that clients reported just three years ago in 2019 (according to the 2022 Staffing Buyer Study from CareerBuilder and ClearlyRated).
- **The average Net Promoter Score provided by placed talent of 2022 Best of Staffing participants was 72% and the average for client participants was 77%**—both higher than the global NPS standard for “excellent,” which is 50%.

It makes sense that in times of rapid change and uncertainty, staffing firms are taking extra care to serve clients with diligence and to prove their value.

While this year's 31% NPS benchmark for client satisfaction is at an 11-year high, it's important to remember that this is still “average” on the scale of global NPS standards. Staffing firms have further opportunity to set themselves apart by delivering value through exceptional service.

As we continue to funnel months of pandemic

into our rearview mirrors, it's easy to see how this global experience changed workforce expectations and priorities—and now we know it's likely for good. Our findings show that, when comparing their feelings now to how they felt prior to the pandemic

- 92% of job candidates say it's now more important to them to do something they love. For Baby Boomers, that stat rises to 96%.
- 90% feel it's more important now that their work has purpose.
- Getting a full-time permanent job is now 3.6 times more desirable, while working a full-time temporary assignment through a staffing agency is now 40% less desirable.
- 82% now feel it's critical to work for an employer that displays strong diversity, equity, and inclusion (DEI) philosophies.*
- Working remotely is now 3.8 times more desirable.

*DEI is important to candidates while working with staffing firms, too. When placed candidates feel a staffing firm is ahead when it comes to DEI, they're 76% likely to use that firm again (but only 50% likely if they feel it's behind).

ClearlyRated helps staffing and recruiting firms gather feedback from their clients, talent, and internal employees to understand how your brand is performing internally and externally, where you excel, and what needs to improve. The challenges we face will continue to evolve in the coming year. When we're armed with data to help confront issues, our organizations can deliver on the service commitments and quality standards that continue to make the staffing industry a critical resource in our economy. ■

Eric Gregg is chief executive officer and founder of ClearlyRated—an ASA corporate partner. ASA does not necessarily endorse the content of this column. Learn more about ASA corporate partners at americanstaffing.net/partners.



By Eric Gregg



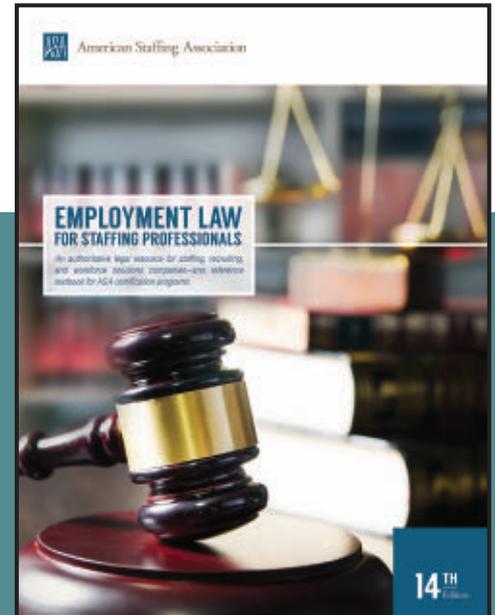
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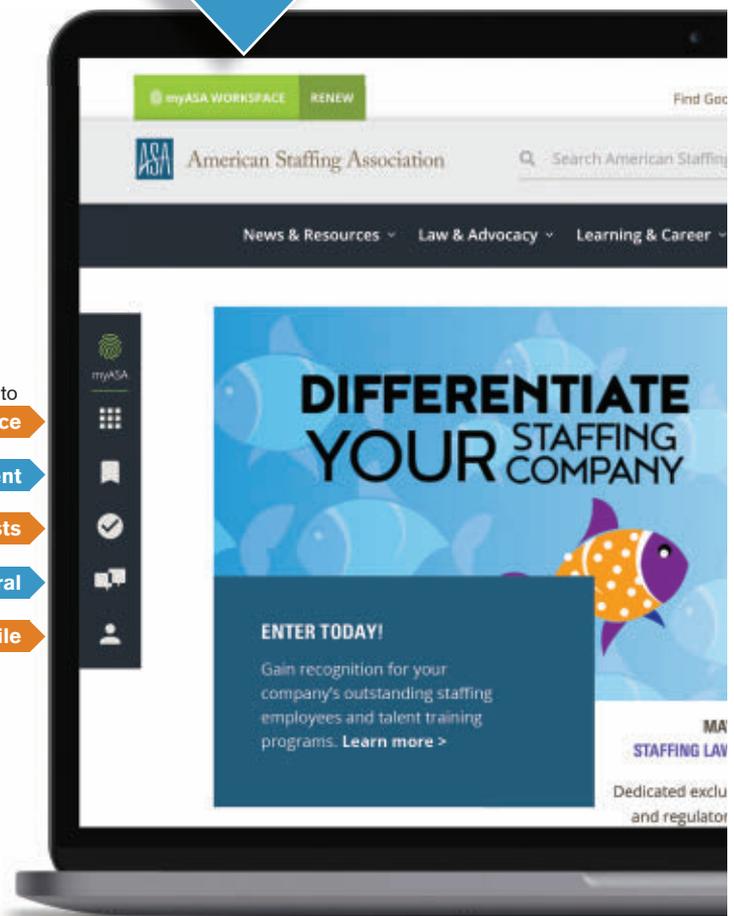
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Investing in your team and your company now will pay enormous dividends if and when the economy starts pointing toward recession.

It's Time to Sharpen the Saw

By Ben Elliott
Chairman

If you're familiar with Stephen Covey's book *The 7 Habits of Highly Effective People*, then you may remember a discussion about "sharpening the saw." Covey applies this analogy to you, the individual, and makes the case for self-reflection, self-care, and self-improvement—because you are worth the effort. Covey and his strategies have been highly successful in part due to their simplicity: You are worth the work you put into improving and growing. It's nearly impossible to argue with that. Of course you're worth it. But let me take that simplicity one step further.

Your staffing company and the individuals you work with are worth the effort, so are your temporary and contract employees, and so is the future of our industry. And in just a few weeks we have a unique opportunity to put forth perhaps the most meaningful effort, a chance to sharpen the saw at Staffing World in Las Vegas.

I strongly encourage you to join us—because with you and your colleagues in attendance, our community becomes even richer.

Preparing for Uncertainty

Conversations about the potential for an impending recession continue to percolate, creating uncertainty in the markets. As a whole, the staffing

industry thrives in periods of uncertainty due to its flexibility and access to labor—both of which lead to opportunities for our companies. As such, it's an opportune time to bone up on what you need to do for your business right now—to ensure that you are positioned to weather any kind of short-term chop-piness and take the best corrective action.

Being among your peers at Staffing World and being part of strategic conversations is an important step when preparing for whatever the economy may throw our way. **It is a unique opportunity to critically review your strengths, weaknesses, and threats in the marketplace—and do so in the rich context of focused conversations with your peers.**

You'll come away with important answers about what your company needs to do to grow, attract more talent, and more strategically partner with clients.

Investing in the Future

It's a great time to be in the staffing business. Clients need workers, and we are a critical resource for them. However, let's assume for a moment that there is a recession coming in the next several months to a year. We must ask ourselves: What is the smart money doing right now? What are successful companies doing right now to take advantage of this situation?

For starters, it's an opportune time to upgrade and invest in talent. These are the individuals who will be prepared and agile should the storm clouds begin to set in. How do you prepare your team? Invest in them and their careers. Empower them with professional networks like those in our ASA community. Send them to Staffing World in October and encourage them to network. **Send your women leaders to the THRIVE preconvention program for an experience that will not only inspire but also send a powerful message that you are invested in them.**

Here's the end result: Investing in your teams now means you're also investing in the future of your company—and when you do that, you'll be better equipped to capitalize on the opportunities disguised as crisis.

On behalf of your ASA board of directors and staff, we look forward to seeing you soon at Staffing World in Las Vegas. Read more about all the sessions, including Tech Talks and keynote presentations, at staffingworld.net. ■



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