



# VILLYGE



## Automating Manager Guidance: The Key to Retaining Caregiving Employees and Avoiding Litigation

**Creating a Family-Friendly Work Culture is Worth Investing In**

---

**By Debi Yadegari**

Founder and CEO, Villyge

# Table of Contents

---

Talent Retention and Turnover	03
Decreasing Turnover	04
Start here: Managerial Training—and Success	05
6 Common Manager Mistakes	06
The Solution: Train Your Managers	08
Building an Inclusive Workplace	09
Employee Happiness and Well-being	10
Considering Caregivers' Needs	11
Getting Started: Building YOUR Villyge	16
References	17



# Talent Retention and Turnover

Talent retention is a challenge for most U.S. companies, and the one-two punch of COVID-19 and the subsequent Great Resignation fanned the turnover flames even more—in 2020 alone, one in four workers left their jobs (Liu, 2021).

Turnover, though, doesn't just impact productivity. Losing talent has a significant trickle-down effect for most organizations, starting with a bottom-line impact. Conservatively, a company spends 1.5 to 2 times an employee's annual salary (McFeely & Wigert, 2019) to replace them. Translation: a 100-person organization with average yearly salary of \$50,000 could lose \$660,000 to \$2.6 million in turnover and replacement costs each year.

Beyond these costs, turnover decreases efficiency, increases training time, and negatively impacts team morale—which, in turn, can lead to even more turnover (Mahan Ed. D. et al., 2020).

**And the cycle continues.**

## The Cost of Turnover

Companies spend  
**1½ to 2 TIMES**  
an employee's annual  
salary to replace them.

(McFeely & Wigert, 2019).



# Decreasing Turnover

---

So how, then, to decrease turnover—and mitigate the mass impact that comes with it? While no two people are the same, increasingly, flexibility, empathy, and an emphasis on worker well-being have topped many employees' and job-seekers' must-haves—to find an employer that's focused on providing a positive, productive, inclusive workplace that enables employees to find the balance they demand.

This balance and flexibility are especially important to caregivers—employees caring for children, aging parents, ill or disabled spouses and partners, and other loved ones. Considering 29% (*Who Are Family Caregivers?*, 2011) of U.S. adults care for a sick or disabled relative and the vast majority of parents work (Horowitz, 2019) full- or part-time, employers must take note and take action to maintain a productive workforce.

This white paper unpacks actionable strategies for supporting employee caregivers—and, with that, creating a more inclusive workplace culture that emphasizes happiness, well-being, and long-term loyalty **while mitigating the potential for legal action.**

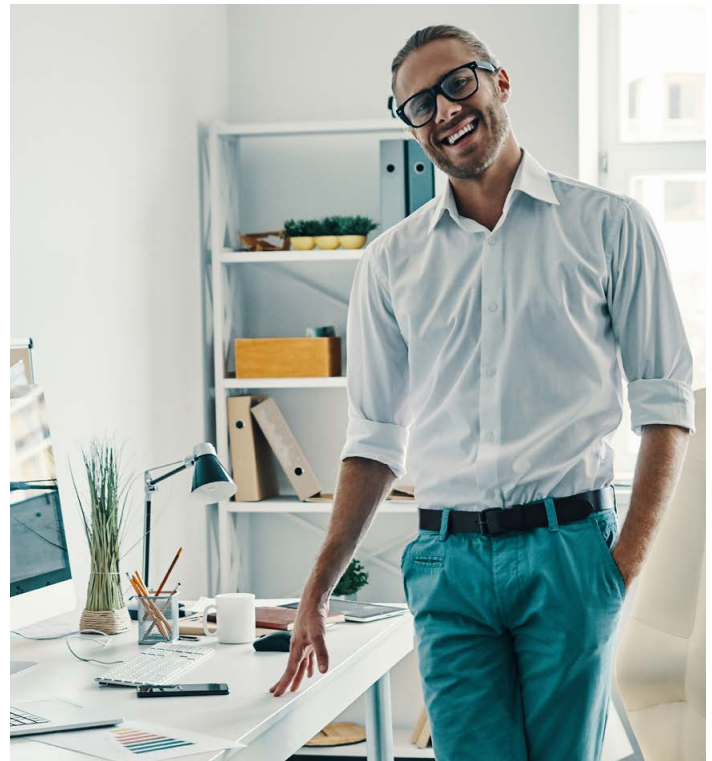


# Start here: Managerial Training—and Success

---

Creating an empathetic and inclusive workplace that supports employee caregivers—a true workplace of the future—starts by training and empowering managers. Managers can control how their direct reports perceive their company. When these day-to-day leaders make a conscious effort to listen to and accommodate the needs of their employees, they directly impact productivity and both individual and organizational success.

Beyond that, though, empowering and educating managers can also help curb litigation. Managers are a leading cause of employment law violations—violations that can lead to employee turnover and land your company in court. Managers unaware of laws such as the Family and Medical Leave Act (“FMLA”) and who fail to enforce workplace policies can be particularly problematic (Tornone, 2018). Not only can FMLA violations lead to substantial financial and reputational harm, but lawsuits can be a distraction to existing employees, impacting productivity. This, then, can create a seismic ripple effect (Rifkind Patrick, LLC, 2016) that can affect your business in the long term.





# 6 Common Manager Mistakes

---



With the right training and education, these hurdles can be relatively easy to overcome. Consider the six most common manager mistakes (Lindenberger, 2020) that can lead to litigation:

## 01 Applying Policies Inconsistently

This issue can be particularly problematic when dealing with caregiving employees. For example, if your manager encourages one new mother to use her maternity leave and ensures that there will be no bias against her when she returns, the manager must keep this same attitude with all other mothers.

## 02 Being Unaware of the Law

Train managers to understand all relevant local, state, and federal laws that apply to their employees. In terms of the rights of caregiving employees, several federal laws are vital for managers to understand. A few of these important laws include:

- Title VII of the Civil Rights Act
- The Family and Medical Leave Act (FMLA)
- The Pregnancy Discrimination Act (PDA)

## 03 Sloppy Documentation

Ensuring that managers promptly document all conversations with employees regarding benefits, leave, dissatisfaction at work, and more creates a record that your manager can use to prove fair conduct if an employee were to bring a suit against your company.

## 04 Ignoring Complaints

When an employee caregiver expresses dissatisfaction in a workplace policy or their workplace environment, your managers must take these comments seriously. When a manager ignores an employees' complaint and does not follow up to resolve the issue, the employee is more likely to bring a suit against your company.



# 6 Common Manager Mistakes (Cont'd)

---

## 05 **Blatant Rudeness**

Managers should be reminded that conducting themselves professionally and courteously in all interactions with employees is crucial to the success of your business. This is especially true in the case of interactions with employees about their caregiving responsibilities, as rudeness could be construed as discrimination.

## 06 **Ignoring the Implications of Family Responsibility Discrimination (FRD)**

When an employer discriminates against an employee due to a caregiving responsibility, lawsuits can arise under the broad category of Family Responsibility Discrimination (“FRD”). Some examples of FRD include:

- The denial of a promotion to a qualified candidate because they have children
- The denial of a parent’s request for flexible work hours to take care of children
- The refusal to provide break time or a private space to pump milk for a breastfeeding employee
- The fabrication of work infractions to justify dismissal of an employee due to their caregiving responsibilities
- The failure to accommodate a pregnant employee who wishes to take maternity leave
- The harassment of an employee who takes time off to take care of an aging or disabled family member (The Center for WorkLife Law, n.d.)



# The Solution: Train Your Managers

Although there are no federal laws explicitly prohibiting FRD, it is clear that employers must begin taking these claims seriously (The Legal Intelligencer, 2008) because of the current trend of state and local legislatures providing these protections for employees.

Despite the relatively gray areas surrounding FRD, between 2006 and 2015, state and federal courts decided more than 3,000 FRD cases, a 269% increase within that same time frame. Moreover,

more than half of these lawsuits ultimately lead to

compensation for the employee, which is a “higher than average success rate for job-discrimination claims” (Campbell, 2017).

Most, if not all, of these common mistakes, can be avoided with one simple solution: training your managers. Because managers interact daily with employees, they must understand how to interact properly with employee caregivers and their responsibilities under the law.

*Managers  
are hungry  
for guidance  
and support.*





# Building an Inclusive Workplace

---

With managerial training and support in place, it's important to, then, consider the other hallmarks of a caregiver-friendly workplace. Ideally, this starts by engaging employees and jobseekers—specifically, asking people what they want and need as workers and caregivers.

Conducting a regular care census—a “stay” interview—with employees can help inform these critical next steps. When you understand which policies motivate employees to retain their positions, you can consider bolstering or improving them.

Holding an exit interview is crucial when an employee chooses to leave your company. This presents your managers with an opportunity to determine what was causing their dissatisfaction in the workplace. Your managers can use this feedback to suggest ways to improve the work environment, especially concerning employees with caregiving responsibilities (Mahan Ed. D. et al., 2020).

Granted, the impact of these one-to-one conversations is only truly felt when you create a safe environment for team members to share their experiences—and take the time to listen, learn, and react accordingly. However, even the harshest critiques can lead to significant improvements if HR leaders and managers are willing to lean in and take action.





## Employee Happiness and Well-being

It's also important to begin putting organizational change through the lens of employee happiness and well-being. But, again, this extends far beyond caregiver needs: 58% of American employees say they'd take a pay cut in exchange for working in a happier and more accommodating environment.

Again, strong management is key here. Good managers are the number two driver of employee happiness (Wellable, LLC, 2019), second only to meaningful work. Happy employees are also more productive, with studies showing that boosting people's happiness makes them 7-12% more productive. According to the Global Wellness Summit (Global Wellness Summit, 2018), all of the top companies named best-to-work-for in terms of employee happiness end up outperforming competitors by substantial margins.

### Top 2 Drivers of Employee Happiness

**#1** Meaningful Work

**#2** Good Managers

(Global Wellness Summit, 2018)



# Considering Caregivers' Needs

From these conversations and, again, ongoing manager training, key themes and trends will begin to emerge—these, then, can help drive your organization's next steps in terms of policy shifts and best practices. As you're evolving your workplace environment, it's also important to consider these caregiver needs:

## Providing meaningful support

Making sure that caregiving employees feel truly supported and valued might mean that your company needs to overhaul its workplace culture. Kathy Spicer, a senior project coordinator at TEKsystems, eloquently explained the importance of a cultural reassessment in the workplace for a caregiver employee (Spicer, 2020):



*As a caretaker of a child with special needs, it's easy to feel closed off to the rest of your community or workplace because your reality looks so different from many others. But being able to drop your guard and discuss things that others are also experiencing, to be given words of encouragement and resources, has not only made our workplace a source of comfort and support but has shown how inclusive and supportive our work culture is."*

Take the time to evaluate your current work environment and ask if it is the type of place where employees with caregiving responsibilities feel adequately supported, valued, and understood. If not, your company might need to consider a serious change. However, employees should not fear that using the benefits available to them as caregivers will negatively impact their careers in any way.

Your organization should strive to create an environment where empathy and understanding are paramount. One way to accomplish this is to encourage those in leadership positions to share stories of their own caregiving experiences. This can help reduce stigma and ultimately lead to more acceptance in the workplace (The Guardian Life Insurance Company, 2020).



### Reflect on and expand favorable workplace policies

Sixty-seven percent of employee caregivers say they would face financial hardship without workplace benefits, versus 47% of employees without caregiving responsibilities. Therefore, expanding available workplace benefits is an effective way to ensure you will retain current employees and make your business much more competitive in the job market. For example, consider offering Paid Time Off (“PTO”) to give all employees the flexibility they need when an issue arises.

It’s also important to task supervisors and managers with clearly communicating benefits employees are entitled to under federal, state, and local law. By encouraging open discussion about the benefits already offered, employees will feel reassured that taking advantage of them will not harm their careers (The Guardian Life Insurance Company, 2020).

**67%** of employee caregivers would face *financial hardship* without workplace benefits, vs **47%** without caregiving responsibilities.

(The Guardian Life Insurance Company, 2020)



### Work with employees to create transition plans

When employees take leave for pregnancy, adoption, care for sick family members, or other life events, there is often no standard procedure to assist managers in facilitating the transition out of or back into the office. Be sure your company has clear policies surrounding transition plans. Managers should also assist in creating a transition-back memo so that the employees’ obligations upon return will be clear from the outset.





Additionally, your transition plans should include leave-time communication policies (Knight & Pearl, 2015) and boundaries. Taking leave can be a stressful experience for an employee, so when an employee must do so for a caregiving-related reason, your company must be equipped to ease this transition for them. Managing employees' stress loads upon leave and return to work is important for employee retention because an overwhelmed employee might decide to look for employment elsewhere.

### **Keep communicating**

Because managers are tasked with most day-to-day interactions with employees, they must understand how to communicate with the employees themselves and how to communicate the needs of those employees to others within your organization. According to the Work Institute Retention Report, sharing employee observations and the employer's perceived commitment to improvements in the workplace can increase applicant attractiveness and employee intent to stay and work productively (Mahan Ed. D. et al., 2020).

When managers listen to employee concerns, employees feel that they are heard. This demonstrates to your caregiving employees that their needs are being taken seriously and that your company will take action to support them however it can.



*When employees feel supported, they won't seek employment elsewhere.*





### Understand “support” isn’t a finish line

To create inclusive, supportive workplaces, it’s essential to keep pace with the changing needs of their employees. However, because employee demographics are so vastly different from 50 years ago, many companies still need to actively adapt to this new workforce's needs.

Managers must use their direct line of communication with employees to ensure that changing needs are being adequately communicated to upper management. Keeping up with the shifting needs of caregiving employees ensures that your company can accommodate those needs (HBS Working Knowledge, 2019) over time.

### Hold managers accountable

Company leads should always hold mid-level managers accountable for their performance, especially if negative behavior leads to either employee attrition or litigation. One way to accomplish this is to allocate direct and indirect turnover expenses to the manager, making their annual budget and bonus contingent on low turnover rates. In addition, incentivizing managers to put in extra effort to ensure employee happiness will undeniably positively affect employee retention rates (Mahan Ed. D. et al., 2020).

### Success stories: Aflac and SAS create caregiver-friendly environments

Aflac and SAS are examples of inclusive, supportive work environments that help employee caregivers excel in all areas of their lives. Both of these companies have openly attributed the success of their businesses to the generous and compassionate culture they have designed for caregivers in the workplace. For example, Aflac’s Senior Vice President, Matthew Owenby, recently shared the company’s attitude concerning employee caregivers (Carter, 2017). He explained:

*“Aflac’s philosophy is to take care of its employees so that the employees can take care of the business. Our goal is to simplify employees’ work-life balance.”*



---

Aflac accomplishes its caregiver goals by providing two on-site daycare centers and a certified pre-K program for the children of Aflac employees. Representatives of the company have repeatedly emphasized that the costs of these programs are worth it, as they are far outweighed by the success the company gains after investing these resources in their employees. Ever since Aflac committed to accommodating the needs of caregiver employees, the company has been ranked in Fortune's Best Companies to Work For, 50 Best Workplaces for Parents, and World's Most Admired Companies (Carter, 2017).

Global Analytics Leader, SAS, is another company that accredits its success to the family-friendly work culture it fosters for its employees. For example, SAS implemented a childcare program in 1981 when a female employee told management that a lack of childcare options required her to quit her job.

Since then, SAS has been a global leader in the software industry and the provision of childcare and other caregiver benefits. SAS has been ranked in Fortune's Best Places to Work in the U.S. and has been named Best Place to Work for New Dads, Single Parents, Women, Working Parents, and millennials. A spokesperson for the company explained that "removing the stress [of worrying about caregiving responsibilities] keeps employees engaged, focused, and increases their productivity." Considering SAS has a turnover rate of just 5% (Carter, 2017) versus the 18% industry average, it's clear the company is moving in the right direction.



# Getting started: Create YOUR Villyge

---

Take the first steps to transform your business into an environment suitable for all employees. Then, invest in your company's future by supporting caregivers, in turn increasing productivity and employee satisfaction. Not only will you set your company up for success, but you will be changing the lives of your employees for the better.

A better future for your  
employees and your  
business is within reach.

*Let Villyge help you  
do your part.*

That's where Villyge comes in. The Villyge platform provides managers with insights, templates, and next steps—specifically, what to say and what to do when engaging employee caregivers experiencing significant life events. This immediately reduces room for error—and the potential for discrimination and, even, litigation—while decreasing HR's

workload, streamlining this critical guidance throughout the organization. Villyge also offers transition plan templates and other forms and documents to better facilitate communication between employees and managers, reducing friction before, during, and after life events.



# References

- American Psychological Association. (2011). *Who Are Family Caregivers?* American Psychological Association.  
<https://www.apa.org/pi/about/publications/caregivers/faq/statistics#:~:text=According%20to%20estimates%20from%20the,an%20ill%20or%20disabled%20relative>
- Bentley, M. (2021, May 13). *Nine in Ten Employees Want Flexibility in Where and When They Work*. The Ritz Herald.  
<https://ritzherald.com/nine-in-ten-employees-want-flexibility-in-where-and-when-they-work/>
- Campbell, A. F. (2017, January 12). *Parental Discrimination Lawsuits on the Rise*. The Atlantic.  
<https://www.theatlantic.com/business/archive/2017/01/the-new-glass-ceiling/512834/>
- Carter, C. M. (2017, March 28). *The Hard Financial Impact Of Childcare On Millennial Families*. Forbes.  
<https://www.forbes.com/sites/christinecarter/2017/03/28/aflac-and-sas-weigh-in-the-hard-impact-of-child-care-on-todays-salary/>
- The Center for WorkLife Law. (n.d.). *Family Responsibilities Discrimination*. WorkLife Law.  
[https://worklifelaw.org/publications/FRD\\_Fact\\_Sheet.pdf](https://worklifelaw.org/publications/FRD_Fact_Sheet.pdf)
- Global Wellness Summit. (2018). *Wellness Meets Happiness | 2018 Global Wellness Trends*. Global Wellness Summit.  
[https://www.globalwellnesssummit.com/2018-global-wellness-trends/happiness/#\\_ftn3](https://www.globalwellnesssummit.com/2018-global-wellness-trends/happiness/#_ftn3)
- The Guardian Life Insurance Company. (2020). *How employers can support caregivers coping with increased responsibilities*. Guardian Life. <https://www.guardianlife.com/coronavirus/how-employers-can-support-caregivers>
- HBS Working Knowledge. (2019, February 2). *How Businesses Can Support Their Caregiving Employees*. Forbes.  
<https://www.forbes.com/sites/hbsworkingknowledge/2019/02/07/how-businesses-can-support-their-caregiving-employees/>
- Horowitz, J. M. (2019, September 12). *Despite challenges at home and work, most working moms and dads say being employed is what's best for them*. Pew Research Center. <https://www.pewresearch.org/fact-tank/2019/09/12/despite-challenges-at-home-and-work-most-working-moms-and-dads-say-being-employed-is-whats-best-for-them/>
- Knight, R., & Pearl, H. (2015, May 29). *Planning Maternity or Paternity Leave: A Professional's Guide*. Harvard Business Review. <https://hbr.org/2015/05/planning-maternity-or-paternity-leave-a-professionals-guide>
- The Legal Intelligencer. (2008, March 14). *Family Responsibilities Discrimination: Does It Really Exist?* Blank Rome LLP.  
<https://www.blankrome.com/publications/family-responsibilities-discrimination-does-it-really-exist>
- Lindenberger, J. (2020, August 10). *Mistakes Managers Make That Can Get Your Company Sued*. The Lindenberger Group.  
<https://lindenbergergroup.com/mistakes-managers-make-can-get-company-sued/>
- Liu, J. (2021, October 14). *1 in 4 workers quit their job this year—here's what companies are getting wrong about retention*. CNBC.  
<https://www.cnbc.com/2021/10/14/1-in-4-workers-quit-their-job-this-year-according-to-new-report.html>
- Mahan Ed. D., T. F., Nelms, MBA, D., Yi, M.A., J., Jackson, Ph.D, A. T., Hein, Ph.D, M., & Moffett, Ph.D, R. (2020). *2020 Retention Report: Trends, Reasons & Wake Up Call*. Work Institute. <https://info.workinstitute.com/hubfs/2020%20Retention%20Report/Work%20Institutes%202020%20Retention%20Report.pdf>
- McFeely, S., & Wigert, B. (2019, March 13). *This Fixable Problem Costs US Businesses \$1 Trillion*. Gallup.  
<https://www.gallup.com/workplace/247391/fixable-problem-costs-businesses-trillion.aspx>
- Rifkind Patrick, LLC. (2016, November 23). *Why Avoid Business Litigation?* Rifkind Patrick, LLC.  
<https://www.rifkindpatrick.com/Blog/2016/November/Why-Avoid-Business-Litigation-.aspx>
- Spicer, K. (2020, September 23). *How Employers Can Support Caregivers Through Workplace Programs*. TEKsystems.  
<https://www.teksystems.com/en/insights/article/how-employers-can-support-caregivers-in-the-workplace>
- Tornone, K. (2018, June 18). *How managers cause FMLA lawsuits — and 10 ways to get them to stop*. HR Dive.  
<https://www.hrdive.com/news/how-managers-cause-fmla-lawsuits-and-10-ways-to-get-them-to-stop/525942/>
- Wellable, LLC. (2019, May 22). *What Makes Happy Employees? Hint: It's Not Just Compensation*. The Wellable Blog.  
<https://blog.wellable.co/what-makes-happy-employees-not-just-compensation>







- + Villyge is a comprehensive platform, with specialized support for working parents and caregivers, that drives empathy in the workplace by providing leadership with the understanding and “just in time” guidance it needs to better support employees, increase DE&I and guard against attrition. In addition, Villyge provides personalized resources to help employees navigate careers, family planning, pregnancy, leave, parenting, eldercare, and much more. By engaging management in critical conversations and delivering 1:1 virtual assistance directly to the employee, Villyge takes a holistic approach to keeping companies moving forward and careers on an upward trajectory.
- +
- +



Are you ready to train empathetic leaders, earn employee retention and mitigate the risk of litigation?

CONNECT WITH US.



[villyge.com](https://villyge.com)  
[hello@villyge.com](mailto:hello@villyge.com)  
800.917.6775