

Luxury Method on Beauty Workforce Compliance, Post-COVID-19 Changes

The firm talks to Beauty Inc about compliance changes in the beauty industry due to COVID-19. BY TRACEY MEYERS

BEAUTY BRANDS IN NEED OF litigious post-pandemic guidance, look no further. Luxury Method, a custom workforce management services firm for luxury beauty and fragrance brands, offered their seasoned expertise at Beauty Inc's @20 event last week to discuss "Navigating Dynamic Workforce Compliance Changes" for the industry at large.

The discussion was led by Emily Dougherty, special correspondent at Beauty Inc, with Dan Amato, human resources manager, operations at Luxury Method, and Robin Curran, vice president of Luxury Method.

Luxury Method is uniquely positioned to discuss workforce compliance, as it has 15,000 employees across the U.S. Curran said the company has been "servicing the luxury beauty industry for over 26 years, and many of our clients come to us through referrals. Oftentimes, compliance is one of the biggest issues that they're contending with. They typically don't have an infrastructure to manage all 50 states with the emerging laws and mandates."

"A lot of our clients are actually headquartered in Europe, and so having a company like us who is very well versed and doing this for a very long time ensures that their client mitigates all of the risks," she added.

RETURNING TO WORK: DOS AND DON'TS

As offices reopen and employees are welcomed back to the workplace, Luxury Method advises that brands be prepared and aware of all requirements and guidelines hailing from their state of residence and from the Center for Disease Control — and to inform employees about said guidelines. It's also recommended to keep good practices in place, such as social distancing and the providing of PPE for employees (mainly masks and hand sanitizers).

In regard to COVID-19 vaccinations, the firm said to be cautious about requiring it in the workplace unless it is a truly legitimate business need.

"Conversations about all of this are top of mind for everybody and it's going to prompt some interactions between employees," Amato said. "Our approach to this is to make sure you set expectations as people are coming back to your office locations or retail settings, and that similar to religion or politics, there are certain things that you really shouldn't discuss at work from a point of professionalism."

Amato continued, "But acknowledge as the employer that there are going to be interactions

Dan Amato



Robin Curran



where this does come up, it's the nature of the whole pandemic — everybody's talking about it and everybody's weighing in, and so being prepared as an employer to be able to mitigate those situations and not inflame them is certainly going to be critical as we welcome people back into the working locations."

Emphasizing that specific states are a bigger challenge than others when it comes to compliance, Amato said that "California is easily our biggest compliance challenge, and the pandemic really highlighted that," adding that the state "tends to be at the forefront of placing restrictions on employers."

SEXUAL HARASSMENT AND DISCRIMINATION

Another area that called for drastic change pre-pandemic is sexual harassment and discrimination, which was swiftly propelled by the #MeToo movement and turbulence stemming from many political and racial injustices. In regard to social change and compliance, Amato said, "What we saw last year — and the pandemic did not slow down any of these efforts at all, because these laws were already approved and on the books pre-pandemic — was an update to the training or an update to the requirement of the employer to this provide training to employees."

Amato said these updates were enforced in California, Illinois and New York, some of Luxury Method's biggest markets.

The updates called for greater detail in the content of required training for employees. "There was an update to

the content of the training, not only for sexual harassment but the content was updated to address relevant social issues such as transgender or cis awareness issues and what to do if you are being harassed, and who to go to, and really what your legal recourse is," Amato said.

"All of these locations provide the materials to employers by and large to ensure employees are getting the appropriate training and know-how to handle a situation in the workplace," and they "provide some level of materials to the employers so they can comply with the requirements that are set forth by the states themselves."

ENSURING ACCOUNTABILITY

Luxury Method explained that it takes a multifaceted approach to make sure brands remain compliant. The firm said it took the recently updated materials and developed its own internal tracking program, provided the training in a timely fashion and rolled it out.

"It's obviously a very sensitive workplace issue and one worthy of a lot of attention, and certainly a trend we're seeing. I would expect a lot more of these required sexual harassment trainings in a lot of other states in the near future for sure."

When asked how Luxury Method stays on top of different laws and regulations in different states, Amato said there "really isn't one thing that you should or shouldn't be doing. For us, we're engaging with our out-of-house counsel. We actually have counsel specific to California only because they tend to be one of the more challenging compliance locations, so

we're doubling down when something happens in California."

Luxury Method partners with its industry representation, the American Staffing Association — and according to Amato, "we're on almost a first-name basis with a lot of their general counsel as well."

"You really want to make sure you understand the industry's response to a law being passed or lobbied for or against. Many of the laws that we deal with are not written with the staffing industry in mind, so a lot of what we end up rolling out internally on our side is an interpretation of either the ASA, and how they respond to something, or how we believe we should respond to something."

FUTURE TRENDS IN COMPLIANCE

The firm said it expects to see an increased focus on sexual harassment training, as well as an updated policy on paid sick leave, particularly since President Joe Biden alluded to it at the federal level, and Maine began offering "paid leave" as an option for employees.

Another interesting area is employers' use of consumer data. Messages about data tracking or cookies that regularly reach consumers are "all relevant data to employers by the definition of the laws in California that were recently passed, as consumer data could be actually interpreted, and applicants and employees could be defined as consumers. So, we're paying very close attention to the management of personal identifiable information, as we collect applications and manage our employees — these are certainly something worth paying attention to."