

Ogletree Deakins



Strategies and Benchmarks for the Workplace:

Ogletree's Survey of Key Decision-Makers

April 2024

Message From Liz Washko

Our benchmarking survey of in-house counsel and senior HR professionals is now in its fourth year, and we are thrilled that this year's survey had our highest engagement ever. As in the past few years, challenges and uncertainties continue to loom for employers. Hiring and retention remains the most challenging issue for employers, while leave of absence laws are the most challenging multijurisdictional compliance issue. And, the ever-increasing impact of artificial intelligence presents both opportunities and risks.



I hope you will enjoy reviewing our fourth annual benchmarking report and that it provides some useful insights into today's workplace. Thank you to the more than 1,300 in-house counsel and senior HR professionals who participated in our survey.

A stylized, handwritten signature in black ink, appearing to read 'Liz Washko'.

Liz Washko

Managing Shareholder, Ogletree Deakins

Methodology



Survey conducted from March 7–22, 2024



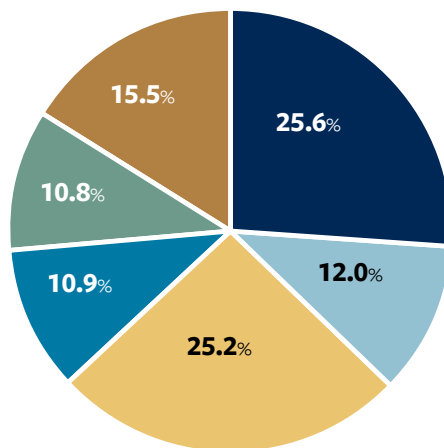
1,304 responses* from in-house counsel and senior HR professionals



Top 5 industries represented (excluding “other”):

- Manufacturing
- Technology
- Financial Services
- Healthcare
- Retail

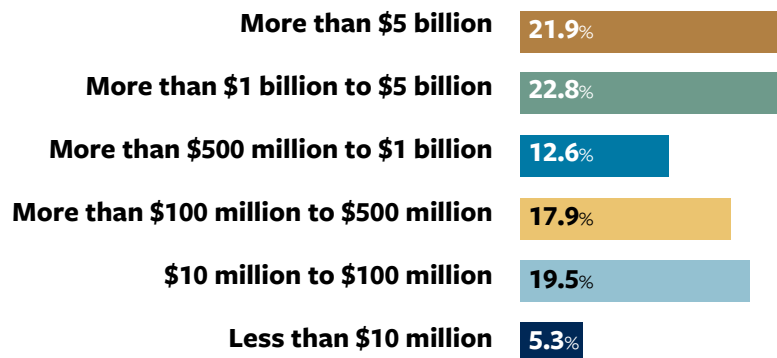
Representing companies of all sizes



Approximate number of employees:

- More than 20,000
- 10,001-20,000
- 5,001-10,000
- 1,001-5,000
- 501-1,000
- 1-500

Annual revenue of companies surveyed

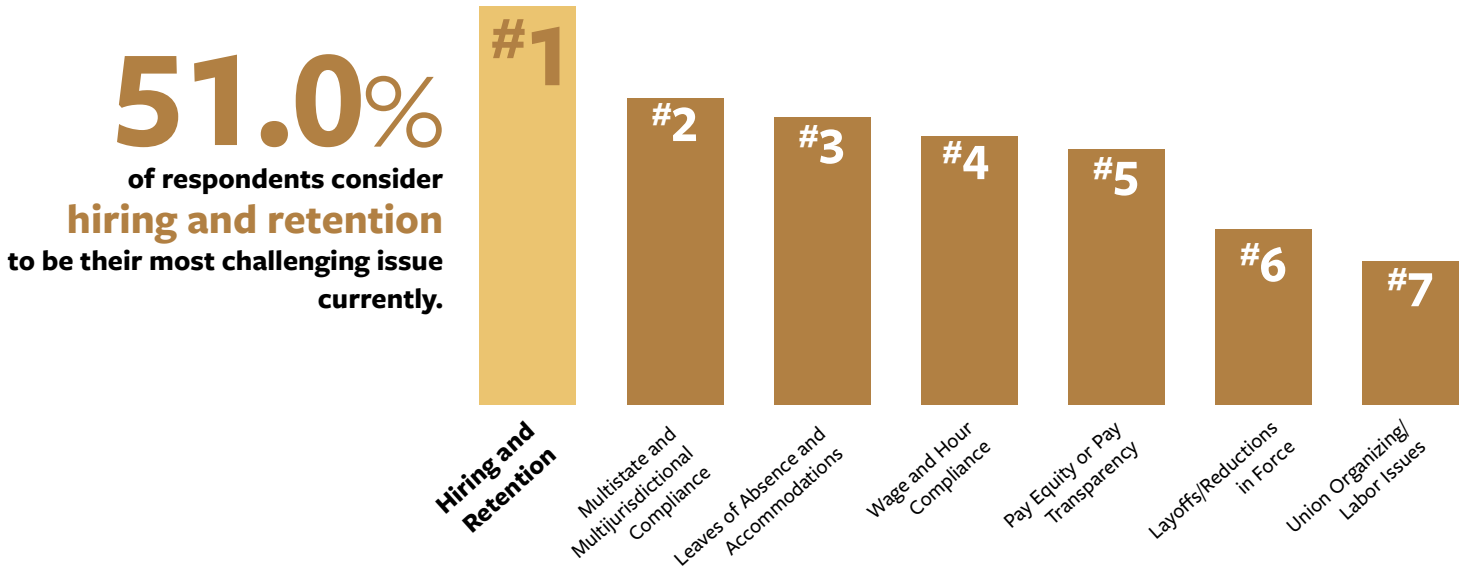


* Not all respondents answered every question.

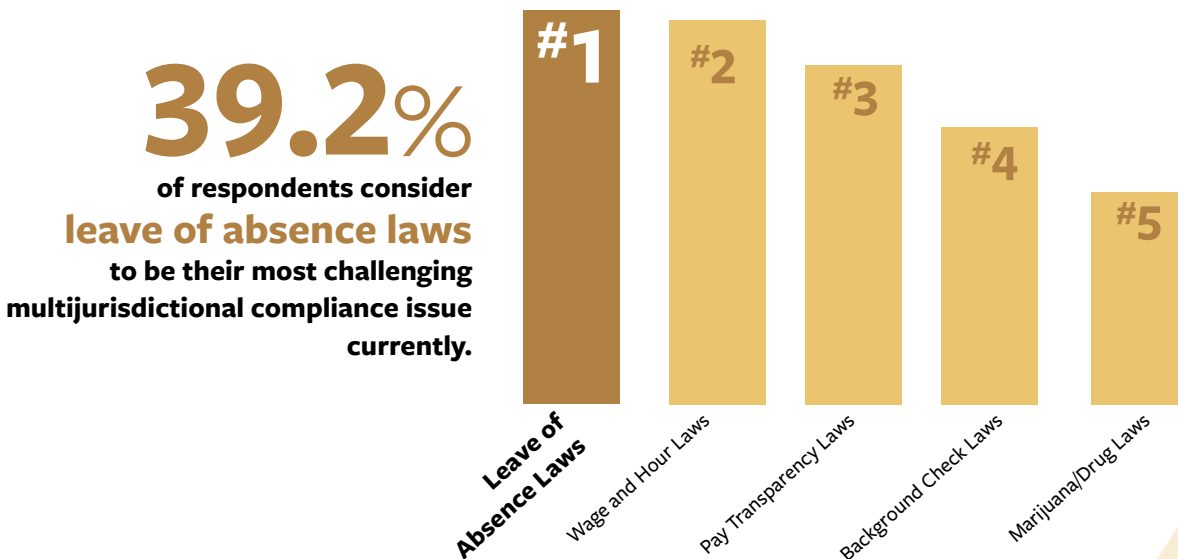
** The percentages reported reflect answers by individual respondents rather than individual companies. Some percentages were rounded to the nearest tenth to ensure all responses equal 100%.

Top Labor and Employment Challenges

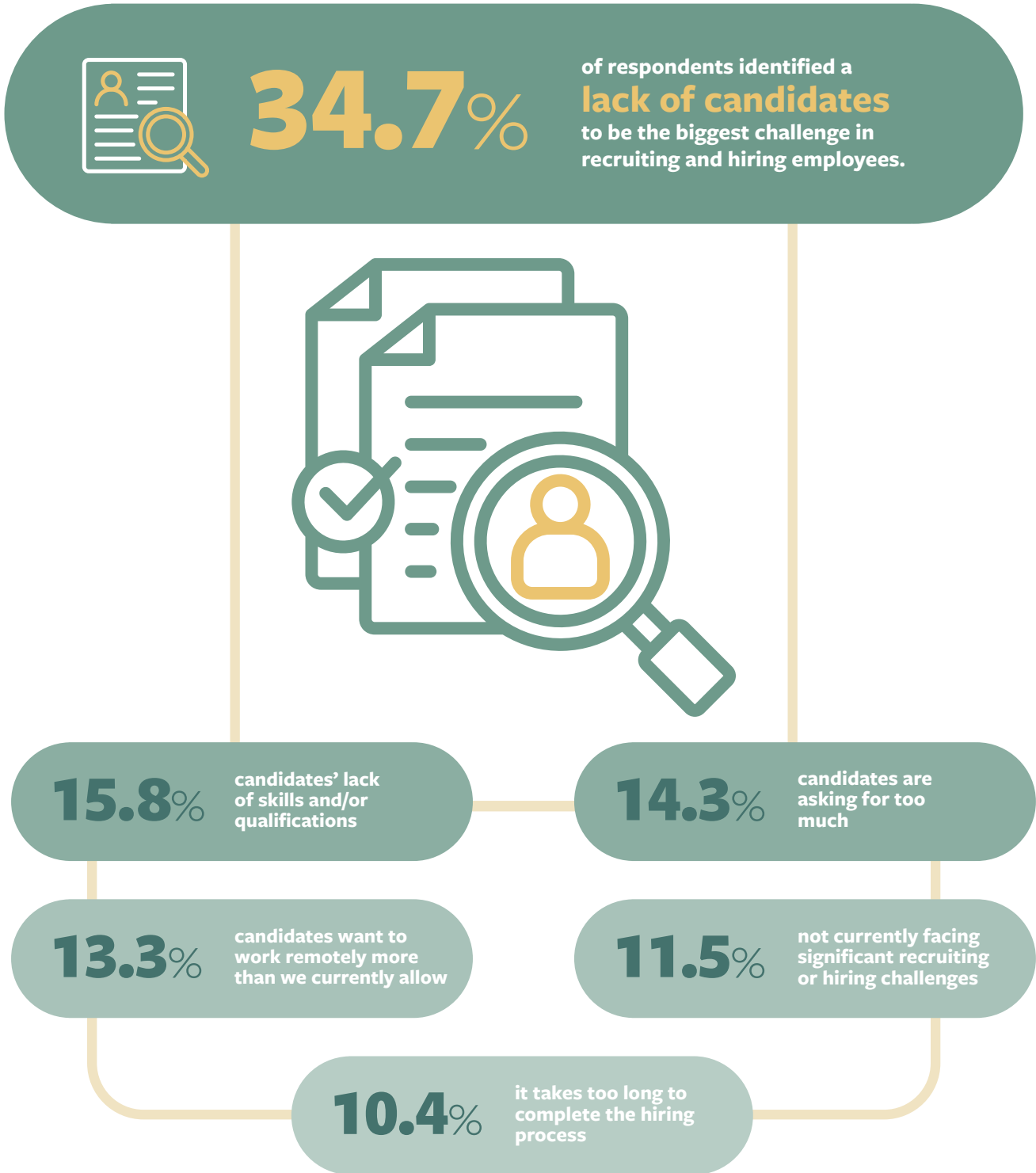
Respondents say their companies' **most challenging issues, ranked from 1 (most challenging) to 7 (least challenging)**



Respondents say their companies' **most challenging multijurisdictional compliance issues, ranked from 1 (most challenging) to 5 (least challenging)**



What is your company's biggest challenge in connection with recruiting and hiring employees?



What approach have you taken to address mandatory pay range/salary disclosure requirements?



51.0%

Disclose only the minimum amount of information required by law

25.0%

Include pay ranges/scales in all job postings regardless of location

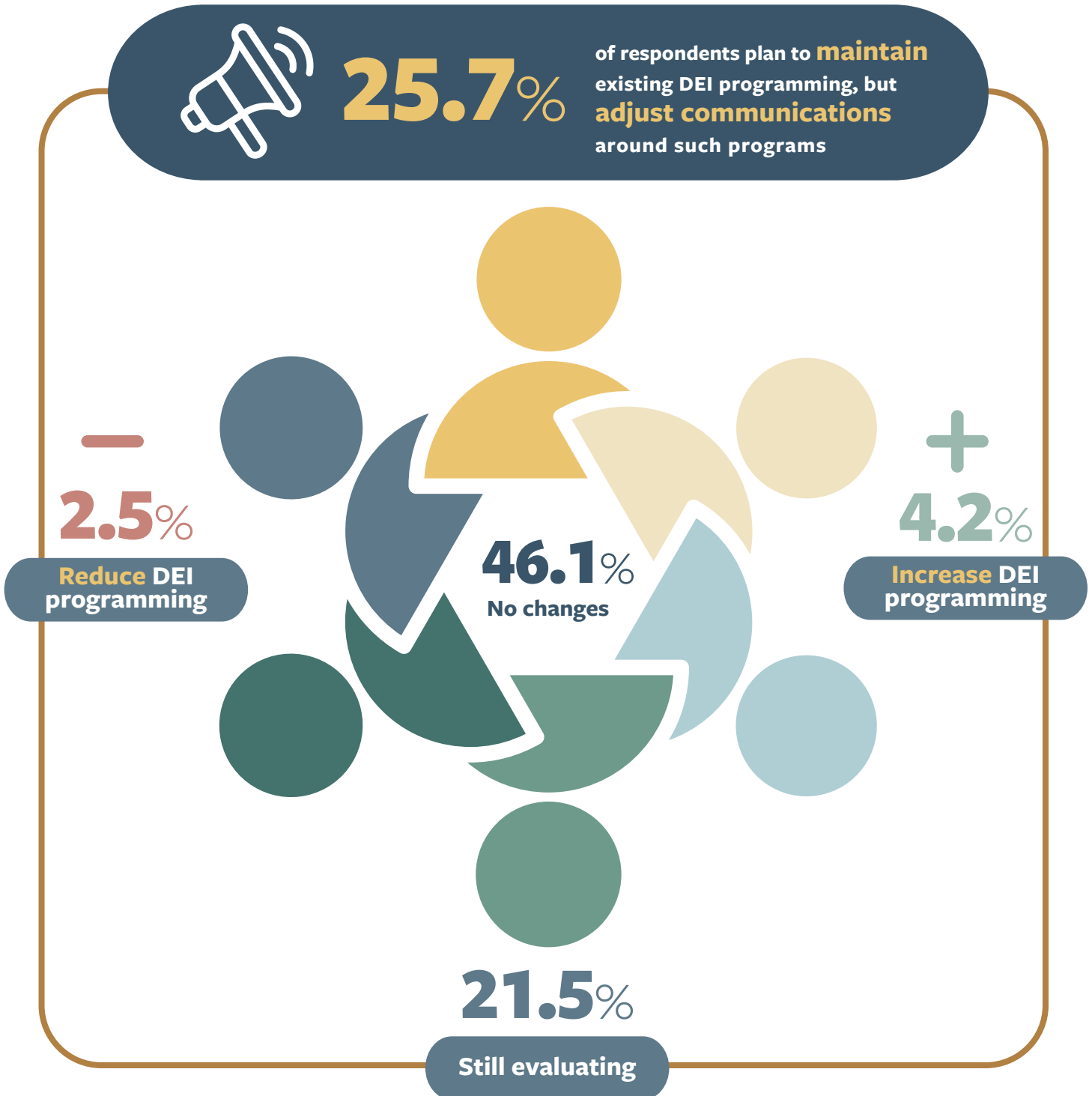
17.5%

Depends on the position

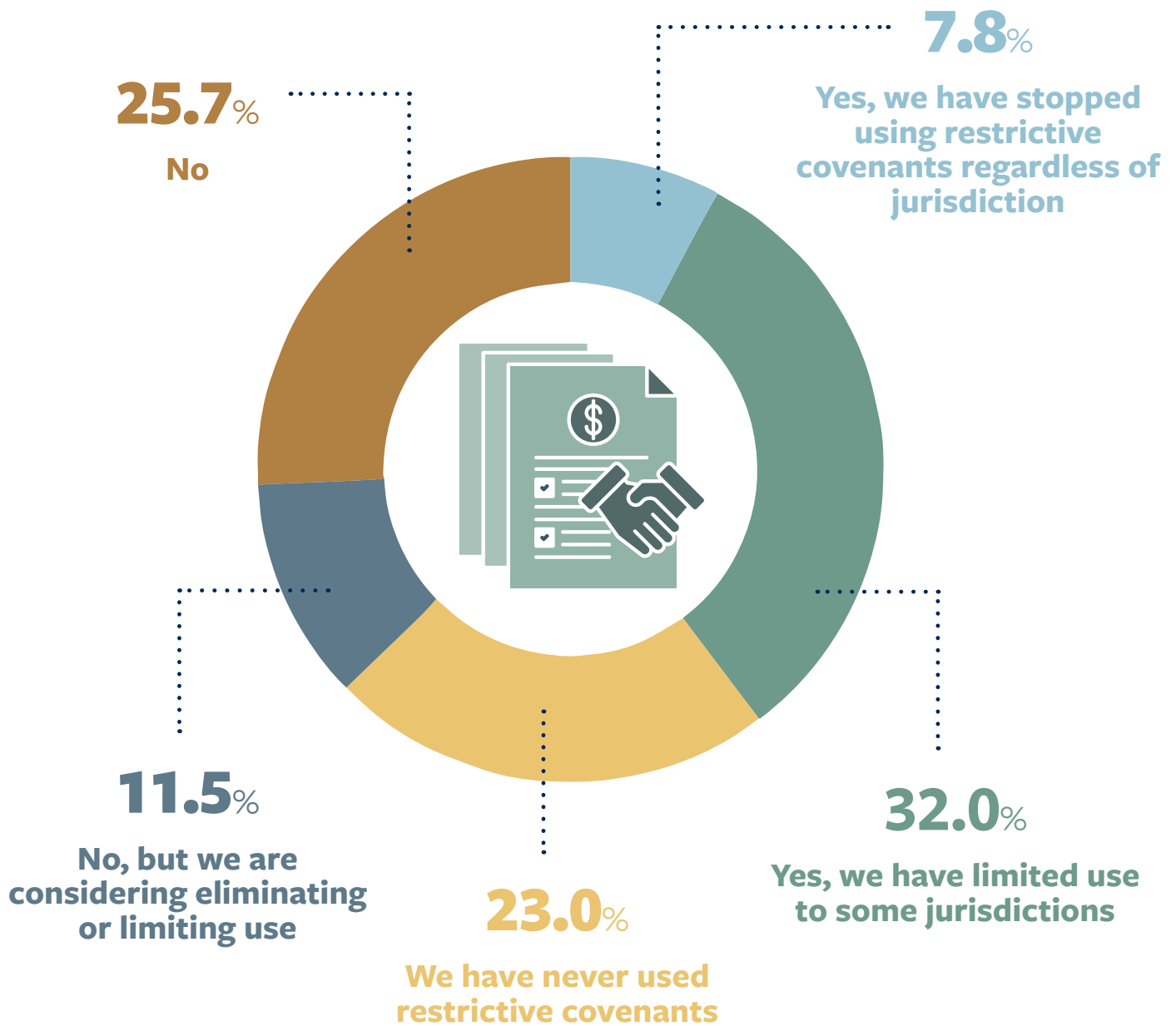
6.5%

Other

Is your organization making any of the following changes to its workplace diversity, equity, and inclusion (DEI) programming and initiatives in light of the Supreme Court's June 2023 decision finding racial preferences in higher education admissions unconstitutional?

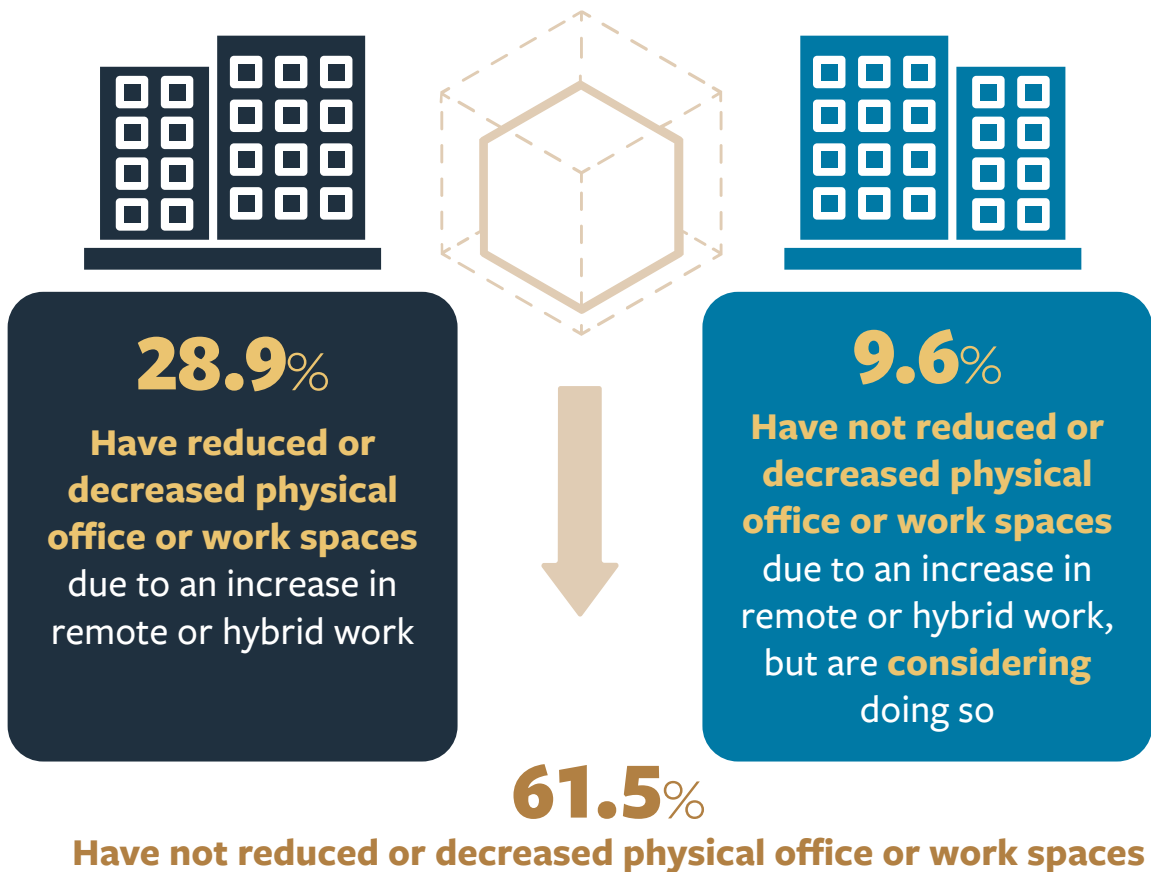
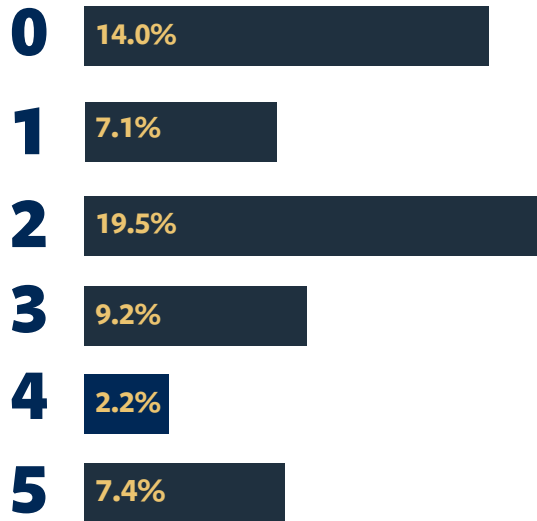


Has your company changed its approach to the use of restrictive covenants in light of recent governmental and court action generally seeking to limit the use of noncompetes and/or nonsolicitation of customer agreements?*

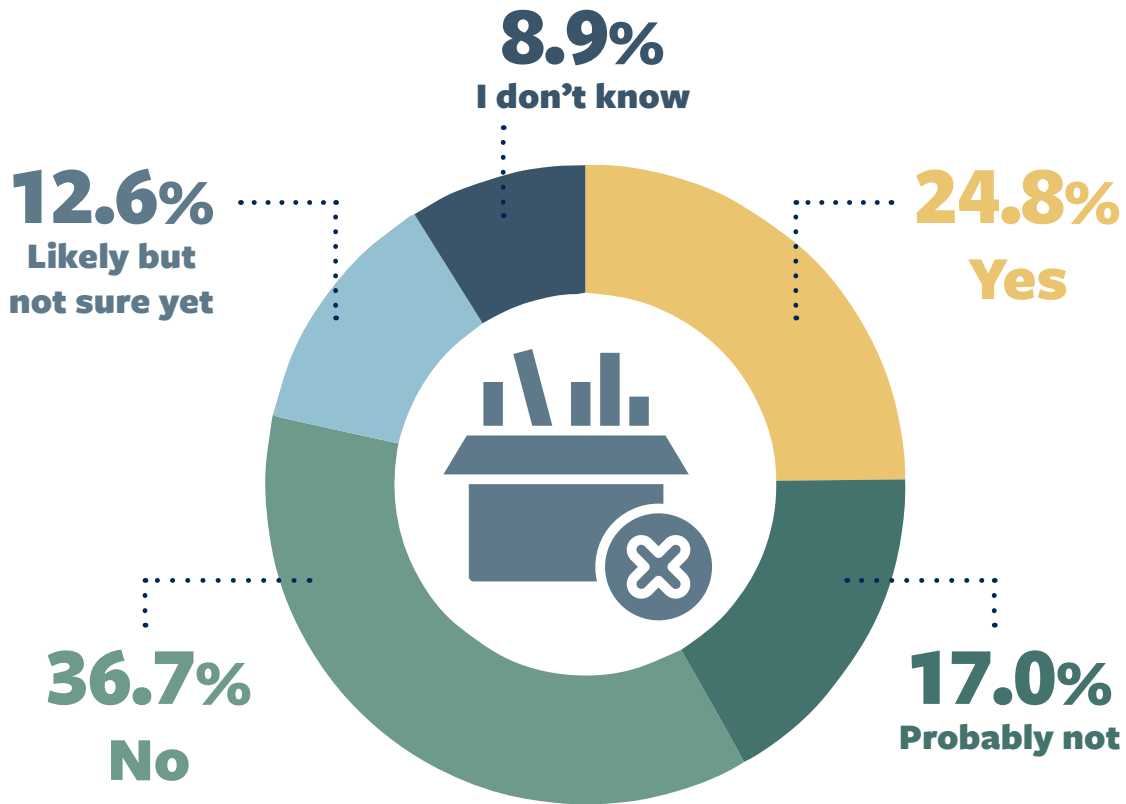


* This question was answered before the Federal Trade Commission's April 23, 2024, vote banning noncompetes.

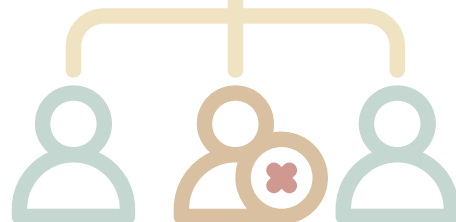
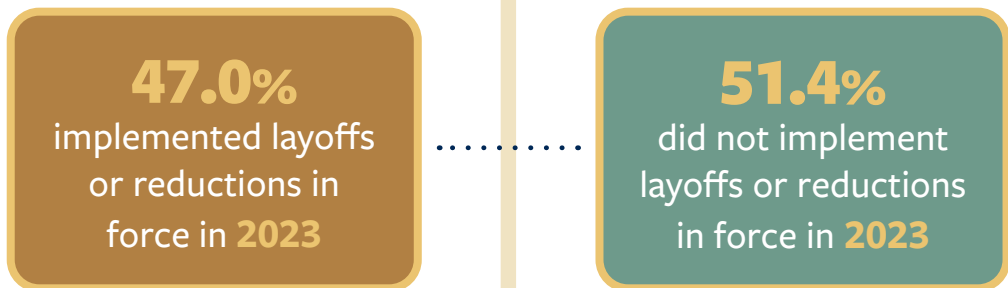
On average, how many days per week is your workforce working remotely?



Is your company planning to implement any layoffs or reductions in force in 2024?



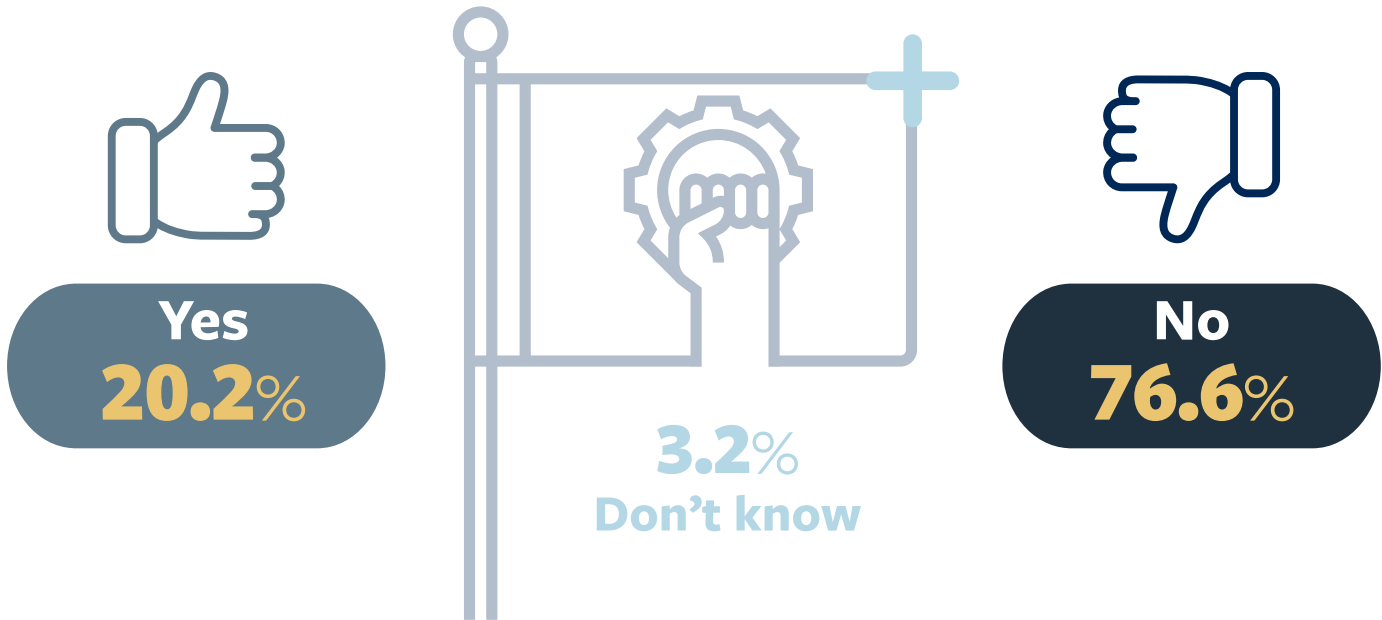
With respect to 2023:



1.6%
Don't know if their company implemented layoffs or reductions in force in 2023

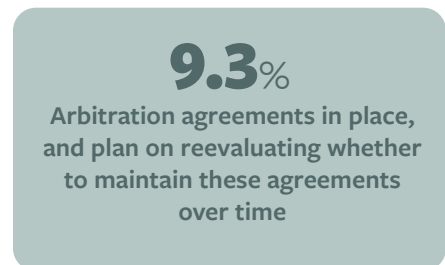
Union Organizing

In the past year, have you seen an **increase in union activity** in your organization?

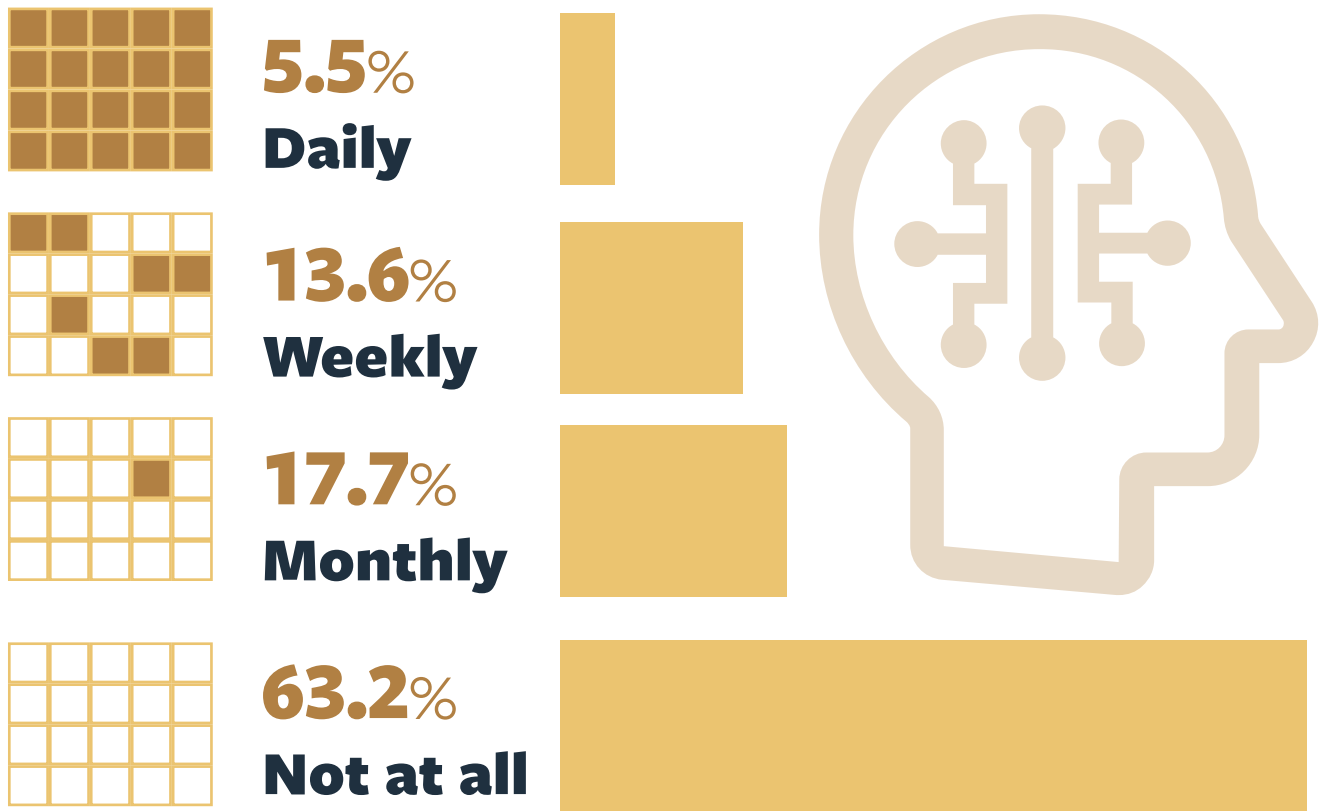


Arbitration Agreements

In light of existing and proposed limitations on enforcement of arbitration agreements related to particular claims, what is your current approach to using **arbitration agreements**?



How often are you personally using generative AI in your work?



15.8%

expect outside counsel to be using or considering the use of AI in connection with representing their organizations

60.9%

say it's up to outside counsel to assess whether they should be using or considering the use of AI in connection with representing their organizations

23.3%

do not expect outside counsel to be using or considering the use of AI in connection with representing their organizations

Which law poses the biggest challenges for your company related to accommodations?

