



## **How One Company is Using Policy to Address Recent Changes in US Health Law**

**Commercial and Contracts**

**Compliance and Ethics**

**Employment and Labor**

**Health Law**



Given the flurry of major new and changing laws, such as the recent US Supreme Court overturning of [Roe v. Wade](#), GCs have increasingly been called in to recommend updates to company human resources policies.

Noting the trend that several states were moving toward restricting or banning abortion and criminalizing gender-affirming healthcare, Glowforge decided to craft a new policy to provide employees the healthcare they promised. As a remote-first company, we have staff nationwide. We promised them equitable and fair healthcare, and it's incumbent on us to provide it. To do otherwise would be to betray the commitments we made when they joined our company.

We promised them equitable and fair healthcare, and it's incumbent on us to provide it.

Glowforge has four cornerstones:

- Hire diverse and amazing people;
- Take care of each other;
- Delight our customers, present and future; and
- Build value for ourselves and for our company.

When we bring our diverse and amazing people onboard, we promise them a certain level of healthcare. It's a key part of the reason people choose to come to Glowforge, and it's important that we keep that promise.

As a remote-first company, we have people all over the United States. We promised them all equitable and fair healthcare, and now it's incumbent on us to provide it. To do otherwise would be to betray the commitments we made when they joined our company.

## **Flight to Safety**

To support this need, we developed our Flight to Safety Policy. The Flight to Safety Policy provides Glowforge payment for transportation and lodging for employees that need abortion or gender-affirming care, where that care isn't legal in their state.

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We drafted it, published it, and rolled it out two days before the first draft of the US Supreme Court case opinion reviewing *Roe v. Wade* leaked.

In developing the Flight to Safety Policy, Glowforge considered tax implications, employment law implications, and disparate impact. We drafted it to ensure we wouldn't inadvertently offer coverage for quack remedies that might be banned with good reason. We thought through insurance coverage and consulted with our brokers. We worked with outside counsel and reviewed our travel and handbook policies to reconcile. We carefully considered the breadth of the policy (should it include spouses, partners, minors, etc.), how to handle confidential health information, the financial impact, the cultural implications, and the brand messaging, and landed on a policy we are proud of and that we feel takes care of our employees. No policy is perfect and every organization needs to assess their own culture, brand, risk tolerance, and financial position. There are considerations such as creating an [Health Reimbursement Arrangement](#) (HRA), using outside third parties to administer, applying to add a travel component to your insurance policies, whether or not you have government contracts, your infrastructure setup to handle [HIPAA](#) related information, and so much more. Our goal wasn't a political statement, but instead to fulfill our commitments to our employees.

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## Sharing best practices

Since Glowforge enacted the policy, 72 companies — from tiny startups to the Fortune 100 — have asked for a copy so they can follow suit. We are happy to share, so any company can draw from our work and join us in taking care of their people. Megan, Glowforge's GC, is also happy to connect and discuss. Reach out to her on [LinkedIn](#).

Glowforge's Flight to Safety policy is published as a sample [resource](#) in ACC's Resource Library.

[Check out ACC's Resource Library.](#)

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references for the busy in-house practitioner and other readers.

## Megan Lutes



GC and Chief Human Resources Officer

[Megan Lutes](#) is the GC and chief human resources officer (CHRO) at Glowforge, Inc., a Seattle-based technology start-up that designs and produces 3D laser printers. She also oversees the HR team, customer support organization, recruiting, and the facilities team at Glowforge.

Lutes joined Glowforge's executive team during a period of rapid growth. She came from heading up the legal team at Convoy, Inc. another Seattle-based technology start up. In addition to her day job, Megan founded and runs [Diversity University](#), a company that provides diversity, equity, and inclusion tools such as trainings, project management, and assists in investigations for companies, law firms, and organizations. Lutes' background includes both law firm and in-house experience with previous senior legal positions at Moss Adams, one of the country's largest public accounting firms and Expeditors International, a Fortune 500 international logistics company.

She serves on the board of directors for Providence Pediatric Hospice of Seattle, sits on the executive board for the [ACC Washington State Chapter](#), co-chairing the sponsorship committee, and sits on the executive board for Centerforce.

Lutes was awarded the [ACC 2022 Top 10 30-Something](#), received the "Legal MVP Award" by SimpleLegal, was listed in Marquis 2022 *Who's Who in America*, was featured on the international, The Counsel Podcast, and was recognized by Women, Influence and Power in Law for championing diversity in-house and for innovative leadership.

She has spoken around the country on a wide range of topics and is seen as a prominent leader in the legal community. Her book, [The Art of Networking](#), was published in July 2022, providing women, underrepresented individuals, and anyone looking for career progression or to grow a more robust network with tangible tools and advice to do so.