

# Your Online HR Library

Provided by OSMA Insurance Agency

Welcome to the premier online HR library featuring the most current federal and state laws and updates plus step-by-step guidelines for compliance as well as how to hire, interview and terminate employees.

We give you a comprehensive 360 degree view of human resources and benefits laws both on a federal and state level. Whether you need a form, poster, the newest information on Health Care Reform laws or state employment laws, we give you the complete, 360 degree view of your HR information and needs.



# Executive Summary

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## OSMA Insurance Agency Support Services (page 2)

### Human Resources Support (page 3)

- ✓ Before you Begin-Compliance by company size
- ✓ Employee Pay
- ✓ Workplace Planning
- ✓ How-to stepped out guidance for:
  - Recruitment Strategy
  - Interviewing
  - Hiring
  - Performance Reviews
  - Disciplining
  - Terminating
- ✓ Interactive Tools
- ✓ State Laws
- ✓ Discrimination

### State Employment Laws (page 12)

### Compliance Forms (page 13)

### Downloadable Sample Employee Handbook (page 14)

### Employee Benefits (page 14)

- ✓ Benefits Compliance Calendar
- ✓ How-to stepped out guidance for:
  - COBRA
  - FMLA
- ✓ Health Care Reform Updates
- ✓ How-to classify independent contractors

### Safety & Wellness (page 18)

- ✓ OSHA tools, posters & guidelines
- ✓ Employee Wellness Programs

## About HR360

A professional team of attorneys, HR specialists, editors and advisors, has more than 10 years of experience in developing and maintaining award-winning online HR and benefits content, guidelines and forms.

Overview of our services

## OSMA Insurance Agency Support Services

As your broker, we provide the following services and support to your practice:

- ✓ **Analyze and evaluate your employee benefits portfolio**
  - Review current plans and level of satisfaction
  - Determine key person's objectives
  - Collect census
- ✓ **Research the marketplace for appropriate plans and carriers**
  - Analyze the available carriers and plans
- ✓ **Provide plan alternatives that meet your benefits and budgetary needs including health reimbursement arrangement feasibility studies**
  - Prepare presentation
  - Explain plan differences
- ✓ **Define eligibility**
  - Explain the requirements for group and voluntary coverage
  - Acceptable waivers
  - Participation requirements
- ✓ **Prepare employer application, supporting documents, and employee enrollment**
  - Group Application which defines the terms of the plan
  - Eligibility documents supplied by group and included with the application
  - On-line enrollment services for employees
- ✓ **Conduct employee education sessions**
  - Install the plan upon acceptance by the carrier
- ✓ **Communicate the value of employee group and voluntary benefits**
  - e-Benefits Manager
- ✓ **State Insurance Exchange feasibility study**
  - In 2014, assist groups in determining if it is better to continue private insurance or switch to the State Insurance Exchange
- ✓ **Compliance support for Federal and State employment laws**
  - Keep clients ahead of the curve by notifying them of changes in laws – issues that will directly impact their business
- ✓ **Payroll services** powered by: **PAYCHEX**
- ✓ **Real-time customized employee benefits administration and communication portal**
- ✓ **Comprehensive on-line Human Resources library including monthly e-newsletters with optional consultative services**

You'll find easy, step-by-step guidance on how to comply with a broad range of laws from COBRA and FMLA to how to interview, hire and terminate employees. Whether you have 5 employees or 500—we provide the guidelines that will help you comply with the laws written in plain English so it's easy to understand.

Overview of our services

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~ 2 ~



## Human Resources Support

We are dedicated to supporting our clients by providing practical and easy-to-use HR and benefits tools, forms and guidelines. Each one of our clients has access to our award-winning online HR library that will guide you every step of the way in such key areas as retaining employees, paying your employees properly, understanding which federal labor laws you are responsible for, step-by-step guidance for hiring, disciplining and terminating employees and much more.

### Federal Labor Laws by Number of Employees

| 1-14 EMPLOYEES   |   |
|--|---|
| <a href="#">Fair Labor Standards Act (FLSA) (1938)</a>                                       | Establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in federal, state, and local governments.   |
| <a href="#">Immigration Reform &amp; Control Act (IRCA) (1986)</a>                           | Requires employers to collect information regarding an employee's identity and employment eligibility and document that information on Form I-9.  |
| <a href="#">Employee Polygraph Protection Act (EPPA) (1988)</a>                              | Prohibits employers from using lie detector tests, either for pre-employment screening or during the course of employment, with certain exemptions.   |
| <a href="#">Uniformed Services Employment &amp; Re-employment Rights Act (USERRA) (1994)</a> | Prohibits employment discrimination against a person on the basis of past military service, current military obligations, or intent to serve. Also addresses health and pension plan coverage for service members.  |
| <a href="#">Equal Pay Act (EPA) (1963)</a>   | Prohibits sex-based wage discrimination between men and women in the same establishment who perform jobs that require substantially equal skill, effort and responsibility under similar working conditions.  |
| <a href="#">Consumer Credit Protection Act (1968)</a>  | Protects employees from discharge by their employers because their wages have been garnished for any one debt, and limits the amount of an employee's earnings that may be garnished in any one week.   |
| <a href="#">National Labor Relations Act (NLRA) (Wagner Act) (1935)</a>                      | Prohibits employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining or assisting a labor organization for collective-bargaining purposes, or engaging in protected concerted activities, or refraining from any such activity. |
| <a href="#">Labor-Management Relations Act (Taft-Hartley Act) (1947)</a>                     | Defines certain practices by unions as unfair labor practices and regulates employer-union relations.   |
| <a href="#">Employee Retirement Income Security Act (ERISA) (1974)</a>                       | Regulates employers who offer pension or welfare benefit plans for their employees. Sets minimum standards for retirement and health benefit plans in private industry.   |
| <a href="#">Federal Insurance Contributions Act (FICA) (1935)</a>                            | Imposes payroll taxes to provide benefits for retired workers and their dependents as well as for disabled workers and their dependents.  |

|   |   |
|---|---|
| <a href="#">Occupational Safety &amp; Health Act (OSH Act) (1970)</a>                           | Created the Occupational Safety and Health Administration (OSHA) and assigns OSHA two regulatory functions: setting standards and conducting inspections to ensure that employers are providing safe and healthful workplaces. <i>Note: Employers with 10 or fewer employees and business establishments in certain industry classifications are <a href="#">partially exempt</a> from keeping OSHA injury and illness records.</i> |
| <a href="#">Health Insurance Portability and Accountability Act (HIPAA) (1996)</a>              | Provides a number of rights and protections for participants and beneficiaries in group health plans.   |
| <a href="#">Jury System Improvements Act (1978)</a>   | Prohibits employers from discharging or taking certain other actions against an employee summoned to serve as a juror in any court of the United States.  |
| <a href="#">Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (1996)</a> | Requires employers to report certain information on their newly hired employees to a designated state agency.   |
| <a href="#">Fair Credit Reporting Act (FCRA) (1970)</a>   | Protects the privacy of consumer report information and guarantees the information supplied by consumer reporting agencies is as accurate as possible. Sets forth legal obligations of employers who use consumer reports.  |
| <a href="#">Fair and Accurate Credit Transactions Act (FACTA) (2003)</a>                        | Requires proper disposal of information in consumer reports and records to protect against unauthorized access to or use of the information.  |
| <b>15+ EMPLOYEES ALSO NEED TO COMPLY WITH</b>   |   |
| <a href="#">Title VII, Civil Rights Act (Title VII) (1964) (1991)</a>                           | Prohibits employment discrimination based on race, color, religion, sex and national origin.  |
| <a href="#">Title I, Americans with Disabilities Act (ADA) (1990)</a>                           | Prohibits employment discrimination against qualified individuals with disabilities. Requires that employers reasonably accommodate the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless doing so would impose an undue hardship on the operation of the employer's business.  |
| <a href="#">Pregnancy Discrimination Act (1978)</a>   | Prohibits sex discrimination on the basis of pregnancy, childbirth, or related medical conditions.  |
| <a href="#">Genetic Information Nondiscrimination Act (GINA) (2008)</a>                         | Prohibits discrimination against applicants, employees, and former employees on the basis of genetic information.   |

**20+ EMPLOYEES ALSO NEED TO COMPLY WITH:**

|  |  |
|--|--|
| <a href="#"><u>Age Discrimination in Employment Act (ADEA) (1967)</u></a>            | Prohibits employment discrimination against persons 40 years of age or older.  |
| <a href="#"><u>Consolidated Omnibus Budget Reconciliation Act (COBRA) (1985)</u></a> | Provides workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. |

## Employee Pay

Our online HR library provides you with great tips, tools and form to help you develop and maintain your employee compensation strategy. A good strategy combines a mix of different types of rewards designed to attract, retain and motivate individuals with the skills and dedication necessary to make your company successful. While many rewards may be financial, there are a number of non-financial rewards you can provide. The key is to understand what motivates your employees and design a program around those motivators.

### Pay Structure

- ✓ One effective tool in developing a pay structure is using pay grades, which provide salary ranges for specific job classifications. Employers can choose to offer a salary within the range at a higher or lower level based on skills and experience.
- ✓ Compensation analysis software based on position, industry and geographic area can help you benchmark salaries. This process helps companies compare their own compensation plan against those of others.
- ✓ Levels of pay typically differ depending on geographic region. Salaries tend to be somewhat impacted by the cost of living in a particular area.
- ✓ Compensation may also be affected by the number of skilled individuals available for your position and the current economic climate.
- ✓ If your employees are subject to union contracts, compensation is generally covered in these agreements.

Under employee pay is a variety of other sub-headers including, but not limited to: child labor laws, exempt vs. non-exempt employees and how to determine the two, compensation for internships and knowing your state's minimum wage rate and what to pay employees in overtime compensation.

### Workplace Planning

A core part of your company's success is effective planning for your workforce. This process involves projecting workforce needs and identifying the policies and systems necessary to building a workforce that will support the growth and success of your company. With our strategic workforce planning resources, you can understand how to best manage the direction of your company, whether it's expansion, maintaining your current status or downsizing.

But before going too far, it is important to collect and understand a number of different informational areas related to your employees. Our online library provides you with some food for thought, to consider, such as: total number of full-time employees, part-time employees and independent contractors, employee skills, turnover, and an analysis of what is going on in your local job market and industry.

### How-to stepped out guidance

#### *Recruitment Strategy*

You need skilled, dedicated employees to build your business. How do you attract those individuals who will position your business for growth and success?

In many ways, it's about presenting your business so that candidates will get excited and enthusiastic at the prospect of working for your company. Of course, offering competitive compensation and benefits is always important, but there is much more to the art of positioning your company as the best choice for your top candidates. The following are additional factors that will enhance your company's attractiveness:

#### Compensation/Benefits Package

- ✓ Competitive salary
- ✓ Bonus/incentive compensation
- ✓ Health care and life insurance benefits
- ✓ Tax-saving retirement plans, i.e. 401(k)

#### Position-Related Benefits

- ✓ Flexible work arrangements
- ✓ Telecommuting
- ✓ Location and position match to candidate's individual needs

#### Support and Training

- ✓ Career-enhancing courses
- ✓ Certifications
- ✓ Career growth and potential

#### Company Brand

- ✓ Positive, well-known company brand
- ✓ Industry-recognized, successful company

#### ***Interviewing***

Our online guidelines will help you conduct fair and objective interviews. An interview should provide as much information as possible about an applicant's potential to perform the duties of a particular position. Your main objective should be to determine the knowledge, skills, and qualities of a prospective employee.

If possible, use a team approach. The team approach is preferable because it saves time and allows for comparison of the applicant by the team members. The size of the interview team may vary, but generally two to three members are recommended.

Always try to be consistent with explaining and outlining the complexity and level of the job. Focus on performance factors that can be demonstrated in the selection procedure. Understand the departmental and organizational goals as they relate to this position. Such criteria must be job-related and might include performance during the interview, relevant training, education and experience, affirmative action goals, etc.

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~ 7 ~



It is best to avoid "nice to know" questions. Lawsuits may result from applicants who are rejected on the basis of irrelevant questions asked by interviewers. Below is an example of what our stepped-out charts look like:



## Hiring

Hiring employees is vitally important to the success and growth of your company and is a major financial investment, in addition to major expenditures of both time and training. With our online library we provide resources to help you hire the best candidate for the job, and offer valuable guidance through stepped-out sections.

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### ***Candidate Evaluation Process***

For the candidate evaluation process, be sure to organize your selection criteria and interview questions. It is also important to make sure all interview schedules are coordinated and reasonable accommodations are made for any applicants with disabilities. Our online library also features a great selection of sample candidate evaluation forms to facilitate the entire process. When you have made your hiring decision, make sure you send offer letters to the applicants who have been selected and rejection letters to those who were not chosen as a courtesy.

### ***Performance Reviews***

Performance reviews play a key role in helping to guide employees' performance, compensation and professional development. When you think about it, effective performance reviews should result in helping you to achieve your company's goals by aligning your employees' development and growth with that of your business. Employees are generally more productive and motivated when they understand how they are contributing to your business. Finally, the performance review process should also enhance communications between the employee and his or her manager.

#### **Important Notes -- Comply with the Law:**

- ✓ Be sure that your review process and systems for measurement of performance treat employees equitably and avoid any statements or actions that can be construed as discriminatory both on a state and federal level. If you have any questions regarding your performance review program and discrimination issues, contact an employment law attorney who knows your state laws.
- ✓ Be direct, factual and detail oriented--a performance review can provide documentation for your company in case a termination is necessary. If you provide a very positive review of an employee without detailing the problems, you now have documentation that does not support a decision to terminate. If a lawsuit surrounding the termination occurs, it will be more difficult to defend your company's actions.

#### **Performance Review Benefits**

- ✓ Enables you to confirm that employees have the appropriate skills, attitude and knowledge that are necessary to achieve your business objectives.
- ✓ Identifies possible succession-planning opportunities.
- ✓ Provides a forum for positive feedback to increase productivity and commitment.
- ✓ Creates an opportunity for personnel to raise issues and concerns, and express their point of view about their work.
- ✓ Identifies potential under-performance issues early enough to discuss and resolve.
- ✓ May reduce absenteeism, as regular communication and feedback with staff is enhanced by the performance review process.

### **Disciplining**

Virtually all collective bargaining agreements between unions and employers require some form of progressive discipline. With our well-designed online discipline programs, we make it easy to help you correct any

shortcomings with the goal of becoming a valuable, contributing member of the workforce. Non-union employers will generally find a progressive discipline system a positive tool as well.

Although 49 of the 50 states fully embrace the employment at will doctrine, which in theory allows an employer to discharge an employee with impunity, the judicially recognized exceptions to the at will doctrine and the federal and state statutes governing the workplace, make discipline and discharge a matter that requires careful consideration. Generally no discharge should be initiated without consultation with employment counsel.

**Terminating**

Terminating an employee, whether for misconduct or a reduction in force, is never a pleasant task. Our online library will help you handle the good with the bad. Whether it is a voluntary termination, involuntary or retirement we will take you through the steps to ensure that you do everything possible to minimize the negative stigma around the termination process. And remember it is a sensitive matter and requires careful communication and documentation; always consult with an employment law attorney or HR specialist.

***Involuntary Termination***

Each step in the process of terminating an employee should be carefully executed. We break those steps out for you so that each part is carefully and thoroughly documented. If an employee is discharged for poor performance and later sues alleging discrimination, the employer will have a difficult time defending if the personnel file is devoid of any documentation of the poor performance over a reasonable period of time.

**Note:** Terminating an employee is a very sensitive matter, requiring careful communication and documentation to avoid potential lawsuits or other future problems. It is prudent to consult an employment law attorney or HR specialist before taking any specific steps should the need to terminate an employee arise.

Although “at will” employment is common to virtually all states, employees do have substantial statutory protection as well as remedies found in judicially recognized exceptions to the at will employment rule.

**Online HR Tools**

Our online library provides you with the HR tools you need to attract and retain your superstar employees. With our up-to-date and convenient Job Description Builder and Salary Benchmarking tool we give you the information you need to recruit new employees and maximize the productivity of your current employees.

***Job Description Builder***

Our job description builder is a well-developed tool that will help you review employee performance, and hire the best candidates. It is so simple to use --you can transform a blank page into a professionally-developed job description in minutes. Below are examples of the steps:

- ✓ Choose from our comprehensive library of job descriptions.
- ✓ Check off tasks and activities as well as skills associated with the job.
- ✓ Select from the list of physical demands or the job/ work environment or add your own.
- ✓ Print out a complete job description in Word or in an Excel Spreadsheet—it’s that easy!

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## **Salary Benchmarking Tool**

With our Salary Benchmarking tool, you get a compensation report either annually or by the hour in every state relating to over 800 positions. It's so simple to use:

- ✓ Select from our comprehensive library of positions or use the convenient search engine to find the position that requires a salary range.
- ✓ Choose a state.
- ✓ Get a salary range for the position you selected by high, median and low as well as hourly compensation.

## **Discrimination**

Among the most important laws that impact your workplace are nondiscrimination laws. We provide you with the federal nondiscrimination laws that prohibit discrimination throughout the course of the employee life cycle, including hiring and firing, promotions, pay, benefits and other terms and conditions of employment.

They include:

- ✓ Title VII of the Civil Rights Act of 1964, which prohibits discrimination in employment on the basis of
  - Race and color;
  - Sex (including pregnancy);
  - Religion; and
  - National origin
- ✓ The Equal Pay Act, which requires that men and women in the same workplace be given equal pay for equal work.
- ✓ The Americans with Disabilities Act (ADA), which prohibits discrimination against qualified individuals with disabilities. The ADA also requires covered employers (those with 15 or more employees) to provide a reasonable accommodation to these qualified individuals, unless the accommodation would impose an undue hardship on the employer's operations.
- ✓ The Age Discrimination in Employment Act (ADEA), which prohibits discrimination against individuals age 40 and older on the basis of their age. This law also has requirements related to the treatment of pension benefits for older workers. See the Older Workers Benefit Protection Act (OWBPA), which is part of the ADEA.
- ✓ The Uniformed Services Employment and Reemployment Rights Act (USERRA), which prohibits discrimination against a person on the basis of past military service, current military obligations, or intent to serve. Many states also provide job-protected military leave.
- ✓ The Genetic Information Nondiscrimination Act (GINA), which prohibits discrimination in employment based on genetic information.

## State Employment Laws

Our easy-to-use online HR library features a range of state employment laws and resources. Each state also features a special “Poster” section, located in the left-hand navigation, which allows you to select and print state posters. The State Employment Laws section covers a range of laws including:

- Arrests and Convictions
- Continuation of Health Benefits
- Drug Testing
- Family/Medical Leave
- Jury Duty
- Mandated Benefits
- Meal & Rest Breaks
- Minimum Wage
- New Hire Reporting
- Overtime
- Posters
- Record-Keeping
- Smoking
- Unemployment
- Voting Leave
- Wage Payment Timing
- Workers' Comp



## Compliance Forms

Our robust and diverse online library features more than 700 sample HR forms, policies and checklists available for downloading, customizing and printing. The range of sample HR forms covers the most important and relevant aspects of managing human resources and the employer/employee relationship including:

- Candidate Evaluation Forms
- Employment Applications
- Government Forms
- New Employee/On-boarding Checklists and Forms
- Performance Review Forms
- Sample Summary Plan Descriptions
- Discipline Warning Notices
- Termination Forms
- Federal employment posters
- Form W-4
- I9 form and related notices
- Form 5500
- Medicare model disclosure forms

**Special Note:** Federal and state employment laws, requirements, forms and posters can change frequently. In addition, your situation may require application of federal, state and/or local law, as well as coordination with your own company documents, policies and contracts. As such, the forms featured in the Forms & Policies sections are *samples*, for general reference use only and should not be used without first consulting an employment law attorney or HR consultant. Also, please be sure to review your state laws in the State Employment Law section as well the posters required by each state.

The following is a listing of online resources for a broad range of government-required forms and posters.

- Poster Advisor—Online, interactive tool to help companies identify and download required posters.
- Department of Labor forms – Features forms by government agency
- U.S. Small Business Administration forms— Extensive library of SBA forms



- Health & Human Services forms – HHS forms by title and number
- Social Security forms – Common Social Security Forms
- Centers for Medicare & Medicaid Services (CMS) – many CMS-related forms
- Department of Veterans Affairs (VA) forms –extensive library of VA forms
- Forms.gov – Search engine for federal agency forms
- State Posters located in the State Employment Laws section

## Downloadable Sample Employee Handbook

Our sample employee handbook is a complete and concise document, which has been attorney-reviewed and edited to provide you with the guidance and direction you need to customize it for your company.

Sample employee handbooks not only set forth your expectations for your employees, but also describe what they can expect from the company. Regardless of size, all employers should consider creating an employee handbook to make their company’s policies accessible to employees. Your employee handbook should be as clear as possible, and written in an understandable language.

Please note that the handbook provided here is for reference only and should not be used without modification. Each company is different, has its own culture, employee requirements, and expectations. Laws change and, as a result, the sample handbook may not be in compliance with current rules and regulations. In addition, your state may have additional or different laws and regulations not contemplated by a particular sample policy. Consult appropriate local counsel before adapting any form or part of the sample handbook below for use in your company or organization.

## Employee Benefits

Our online HR library will not only provide guidance on robust and sometimes confusing laws, like COBRA and FMLA, but also provides information on understanding what’s going on with Health Care Reform and HIPAA. Our goal is to simplify normally complicated jargon-heavy language into easy-to-understand content. Not sure how to classify an independent contractor? We cover everything you need to know in regards to employee benefits and even go one step further and provide charts and graphics to outline how to stay compliant.

## Employee Benefit Compliance Calendar

The *Employee Benefit Plan Compliance Calendar* provides bottom line information on ERISA-mandated notices, disclosures and filings—including who must provide them, who must receive them, and when disclosures are due. The *Employee Benefit Plan Compliance Calendar* includes the following sections:

- ✓ Compliance Checklist
- ✓ Disclosure and Notice Requirements for Group Health Plans
- ✓ Disclosure and Notice Requirements for Welfare Benefit Plans Other Than Group Health Plans
- ✓ Form 5500 Annual Reporting Requirements

- ✓ Disclosure and Notice Requirements for Retirement and Pension Plans (Defined Contribution and Defined Benefit Plans)
- ✓ Form M-1 Annual Reporting Requirements for MEWAs and ECEs

## How-to stepped out guidance

### **COBRA**

Health insurance is one of the most important benefits that you can provide for your employees. Most employers provide group health plans so their employees and their families can take care of their essential medical needs, ensuring that they can devote their energies to productive work. Group health plans sponsored by employers must comply with the Employee Retirement Income Security Act of 1974 (ERISA), a Federal law that sets standards to protect employee benefits. One of the protections contained in ERISA is the right to COBRA continuation coverage, a temporary continuation of group health coverage that would otherwise be lost due to life events like termination of employment, death of an employee, and divorce.

Our online library provides you with the guidance you need to understand the steps to offering COBRA and everything in-between offering and ending coverage. There is a lot that is required of you, the employer, and notices and forms that must be sent to the individual eligible for COBRA coverage. We explain it plainly and concisely.

Below outlines key definitions and elements of COBRA including:

- ✓ Which health plans are covered by COBRA
- ✓ What COBRA requires
- ✓ Events that trigger continuing coverage under a group health plan
- ✓ Events that extend COBRA coverage
- ✓ Events that terminate COBRA coverage
- ✓ Notice requirements

We also offer extensive content and guidance on the following issues related to COBRA, including:

- ✓ COBRA Claims
- ✓ COBRA Election
- ✓ COBRA Qualifying Events
- ✓ Late/Short Payments
- ✓ Paying for COBRA
- ✓ When COBRA Coverage Ends
- ✓ COBRA Notices & Forms

## **FMLA**

Our online Family and Medical Leave Act (FMLA) section was designed to help employees know how to balance their work and family responsibilities by allowing them to take reasonable unpaid leave for certain family and medical reasons. It also seeks to accommodate the legitimate interests of employers, and promote equal employment opportunity for men and women.

FMLA applies to companies with 50 or more employees. (It also applies to all public agencies, and all public and private elementary and secondary schools.) These employers must provide an eligible employee with up to 12 weeks of unpaid leave during any 12-month period for any of the following reasons:

- ✓ Birth and care of the newborn child of an employee;
- ✓ Placement of a child for adoption or foster care with the employee;
- ✓ To care for an immediate family member (spouse/child/parent) with a serious health condition; or
- ✓ To take medical leave when the employee is unable to work because of a serious health condition.

### **Maintaining Health Benefits for Employees on FMLA Leave**

During any FMLA leave, an employer must maintain the employee's coverage under any group health plan on the same conditions as coverage would have been provided if the employee had been continuously employed during the FMLA leave period.

We also provide guidance in the following areas:

- ✓ FMLA Leave for Military Families
- ✓ Fitness for Duty Certification
- ✓ Intermittent & Reduced Schedule Leave
- ✓ Maintenance of Health Benefits
- ✓ Reports & Recertification
- ✓ State Family & Medical Leave Laws
- ✓ Forms & Notices

### **Health Care Reform Update**

On March 23, 2010, the President signed into law H.R. 3590, the Patient Protection and Affordable Care Act (PPACA). The Act, as amended by the Health Care and Education Reconciliation Act of 2010 on March 30, 2010, implements sweeping health care changes that affect individual and employer-sponsored health plans.

We are constantly updating the major provisions of the legislation affecting employers and employer-sponsored group health plans. Our Special News Updates are always in chronological order and summarize what changes have been made and highlight what it means for you. They include information on required claims and review processes, the CLASS program, mandated coverage of adult children up to age 26, grandfathered plans, required coverage of preventive services, and the small business health care tax credit.

*Special News Updates*

**August 22, 2011: Proposed Rules Regarding Summary of Benefits and Coverage to Be Provided by Group Health Plans**

The Departments of Labor, Health and Human Services, and the Treasury have proposed new rules that establish standards for group health plans to provide, without charge, a summary of benefits and coverage (SBC), as well as a uniform glossary of terms commonly used in health insurance coverage, as required under the Affordable Care Act. The Departments also issued a proposed template for the SBC and a proposed uniform glossary.

**August 19, 2011: Annual Limit Restrictions Do Not Apply to Stand-Alone HRAs in Effect Prior to Sept. 23, 2010**

The Center for Consumer Information & Insurance Oversight has issued guidance that exempts stand-alone Health Reimbursement Arrangements (HRAs) in effect prior to Sept. 23, 2010 from having to comply with the Affordable Care Act's annual limit requirements for plan years beginning before Jan. 1, 2014.

## Safety & Wellness

In this section you will be guided on the importance of OSHA and the tools, posters and guidelines we provide to make implementation and compliance that much easier. We also include a variety of wellness programs designed in conjunction with the CDC that are easily customizable to your company's missions.

### OSHA

The *Occupational Safety and Health Act of 1970* created the Occupational Safety and Health Administration to help employers and employees reduce injuries, illnesses and deaths on the job in America. Since then, workplace fatalities have been cut by more than 60 percent and occupational injury and illness rates have declined 40 percent. OSHA provides national leadership in occupational safety and health. The agency seeks to find and share the most effective ways to help prevent worker fatalities, and prevent workplace injuries and illnesses.

When employees stay whole and healthy, businesses also benefit. They experience lower workers' compensation insurance costs, reduced medical expenditures, decreased payout for return-to-work programs, fewer faulty products, and lower costs for job accommodations for injured workers. There are also indirect benefits such as increased productivity, lower costs for training replacement workers and decreased costs for overtime.

We also cover:

- ✓ OSHA Small Business Programs
- ✓ Compliance Assistance Quick Start
- ✓ Developing a Safety & Health Program
- ✓ E-tools & Resources
- ✓ Employer Responsibilities
- ✓ Hispanic Employers & Workers
- ✓ Planning for emergencies
- ✓ Publications & posters
- ✓ Recordkeeping
- ✓ State OSHA Programs
- ✓ Workers' Rights: Who OSHA Covers

### Employee Wellness Programs

The Health and Wellness of your employees is incredibly important and we recognize that a lot of employers don't know where to begin when trying to implement an employee wellness program, so we've simplified the search for you. Our section features valuable information from the Centers for Disease Control and Prevention's (CDC) Healthier Worksite Initiative and addresses Workforce Health Promotion, a topic that is receiving a lot of attention in workplaces today. Well-constructed and well-run programs can reduce costs to the employer and improve employee health, productivity and morale.

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Some of the resources featured in our Employee Wellness section include:

- **Program Design** - Planning and designing a Workplace Health Promotion (WHP) program is essential to ensuring its success. These resources, featuring tools and information about program planning and needs assessments, can help get you started.
- **Policies** - This section contains basic information about policies that impact health promotion at federal workplaces and explains why they are important to WHP planners.
- **Toolkits** - Designed specifically for work sites, these toolkits help program planners save time planning, implementing, and evaluating specific WHP programs.

**Plans include:**

- ✓ Discount Fitness Club Network
- ✓ Obesity Prevention Program
- ✓ StairWELL Program
- ✓ Stress in the Workplace
- ✓ Tobacco-free Workplace
- ✓ Walkability