

Your Online HR Library

Provided by Semons Financial Group

Welcome to the premier, attorney-reviewed 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.

Whether you need a form, poster, the newest information on Health Care Reform, or interactive tools such as a performance review builder or salary benchmarking tool, we give you the guidelines and tools to help your company stay compliant.



REAL BENEFIT
SOLUTIONS



Executive Summary

Provided by Semons Financial Group

Mark Semons Support Services

Human Resources Support

- ✓ Compliance by company size
- ✓ Employee pay
- ✓ Workplace planning
- ✓ How-to guidance for:
 - Recruiting
 - Interviewing
 - Hiring
 - Performance reviews
 - Disciplining
 - Terminating
- ✓ Interactive tools—salary benchmarking tool, performance review builder
- ✓ Discrimination

State Employment Laws

Forms & Policies

Employee Benefits

- ✓ Benefits notices by company size
- ✓ How-to guidance for:
 - COBRA
 - FMLA
- ✓ How to classify independent contractors

Health Care Reform

- ✓ Most current news updates featured online and emailed to you
- ✓ Annual Health Care Reform checklist
- ✓ Health Care Reform requirements by company size
- ✓ Step-by-step guidance for pay or play compliance, including toolkits and calculators
- ✓ Tools and guidance for complying with filing IRS Forms 1094-C and 1095-C

About Us

Our professional team of attorneys, HR specialists, editors and advisors has more than 15 years of experience in developing and maintaining award-winning online HR and benefits content, guidelines and forms.

HR Training

- ✓ Sexual harassment training
- ✓ More than 40 HR video training modules on key areas such as:
 - Hiring,
 - Termination
 - Performance reviews

Safety & Wellness

- ✓ OSHA tools, posters & guidelines
- ✓ Employee wellness programs

Semons Financial Group Support Services

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

- ✓ Deliver latest information on Health Care Reform.
 - Provide guidance on requirements and notices.
 - Summarize key compliance deadlines and delays.
 - Email special alerts when requirements change.
 - Provide annual checklist for each year's requirements.
- ✓ Research and analyze client's group benefits needs and physician networks.
 - Review current plans and level of satisfaction.
 - Determine key person's objectives.
 - Collect census.
- ✓ Survey the marketplace for appropriate plans and carriers.
 - Analyze available carriers and plans.
 - Confirm that key person's physicians are in proposed network.
- ✓ Present plan alternatives that meet client's benefits and budgetary needs.
 - Prepare presentation.
 - Explain plan differences.
- ✓ Define eligibility.
 - Explain requirements for group coverage.
 - Identify acceptable waivers.
 - Review participation requirements.
- ✓ Prepare master 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.
 - Enrollments completed by each employee, defining the employee's status and named dependents.
- ✓ Educate employees about their plan.
 - Install the plan upon acceptance by the carrier.

You'll find easy, step-by-step guidance on how to comply with a broad range of laws from Health Care Reform and COBRA 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 they're easy to understand.

- ✓ Support employee benefits and HR needs.
 - Be available to respond to questions regarding the plan, claims, and eligibility.
 - Keep clients ahead of the curve by notifying them of changes to the law regarding issues that will directly impact their businesses.
 - Provide HR and benefits monthly newsletter and online HR library.
 - Provide customer support throughout the plan year such as enrollment changes, claims, and insurance I.D. cards.
 - Provide support when COBRA issues come up (or mini-COBRA needs, depending on your state).
- ✓ Help with open enrollment issues.
 - Provide support at open enrollment time, including explaining choices and assisting enrollment.
- ✓ Provide documentation (such as SPDs) when needed.
 - Arrange to provide the documents at inception and for changes to the plan.
- ✓ Facilitate renewal and eligibility verification.
 - Provide explanation of renewal.
 - Design plan alternatives in line with budget and priorities.

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

Our *Federal Labor Laws by Company Size Chart* allows businesses to easily and quickly identify employment laws that are relevant to them, featuring laws by company size from 1 – 100+ employees, with easy-to-understand summaries of each law and live links for additional information.

Federal Labor Laws by Number of Employees

Special Note on Health Care Reform: The Affordable Care Act includes comprehensive health insurance reforms with compliance requirements affecting employers of various sizes. For the latest information, please visit the [Health Care Reform](#) section.

1-14 EMPLOYEES		15+ EMPLOYEES ALSO NEED TO COMPLY WITH:	
Fair Labor Standards Act (FLSA) (1938)	Establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector and in federal, state, and local governments.	Title VII, Civil Rights Act (Title VII) (1964) (1991)	Prohibits employment discrimination based on race, color, religion, sex, or national origin.
Immigration Reform & Control Act (IRCA) (1986)	Requires employers to collect information regarding an employee's identity and employment eligibility and document that information on Form I-9.	Title I, Americans with Disabilities Act (ADA) (1990)	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.
Employee Polygraph Protection Act (EPPA) (1988)	Prohibits employers from using lie detector tests, either for pre-employment screening or during the course of employment, with certain exemptions.	Pregnancy Discrimination Act (1978)	Prohibits sex discrimination on the basis of pregnancy, childbirth, or related medical conditions.
Uniformed Services Employment & Re-employment Rights Act (USERRA) (1994)	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 servicemembers.	Genetic Information Nondiscrimination Act (GINA) (2008)	Prohibits discrimination against applicants, employees, and former employees on the basis of genetic information.
Equal Pay Act (EPA) (1963)	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.	20+ EMPLOYEES ALSO NEED TO COMPLY WITH:	
Consumer Credit Protection Act (1968)	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.	Age Discrimination in Employment Act (ADEA) (1967)	Prohibits employment discrimination against persons 40 years of age or older.
National Labor Relations Act (NLRA) (Wagner Act) (1935)	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.	Consolidated Omnibus Budget Reconciliation Act (COBRA) (1985)	Provides employees and their family members (including legally married same-sex spouses who are otherwise eligible for coverage under the plan) the right to continue group health benefits for limited periods of time under certain circumstances when coverage under the plan would otherwise end, such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. <i>Note: Group health plans sponsored by employers with 20 or more employees on more than 50 percent of their typical business days in the previous calendar year are subject to COBRA (part-time employees count as a fraction of an employee, equal to the number of hours the employee worked divided by the hours an employee must work to be considered full time).</i>
Labor-Management Relations Act	Defines certain practices by unions as unfair labor practices and regulates		
50+ EMPLOYEES ALSO NEED TO COMPLY WITH:			
Family and Medical Leave Act (FMLA) (1993)	Entitles eligible employees (including those in legal same-sex marriages) to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. <i>Note: Private sector employers who employ 50 or more employees for at least 20 workweeks in the current or preceding calendar year are subject to FMLA. An employee must work at a location where the company employs 50 or more employees within 75 miles (and meet certain other requirements with respect to time worked) to be eligible for FMLA leave.</i>		
100+ EMPLOYEES ALSO NEED TO COMPLY WITH:			
Worker Adjustment & Retraining Notification Act (WARN) (1989)	Requires employers to provide notification 60 calendar days in advance of qualified plant closings and mass layoffs.		
EEO-1 Report (annual filing)	Requires employers to provide a count of their employees by job category and then by ethnicity, race, and gender.		
COMPLIANCE FOR FEDERAL CONTRACTORS			
EEO-1 Report (annual filing) (50+ EMPLOYEES)	Requires federal government contractors who have a contract, subcontract, or purchase order amounting to \$50,000 or more to provide a count of their employees by job category and then by ethnicity, race, and gender.		
Executive Order 11246 (1965)	Prohibits federal contractors that generally have contracts that exceed \$10,000 from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin (as well as sexual orientation or gender identity, for contracts entered into or modified on or after April 8, 2015); also requires covered contractors to take affirmative action to ensure equal opportunity in all aspects of employment.		
Rehabilitation Act, Section 503 (1973)	Prohibits discrimination and requires employers with federal contracts that exceed \$10,000 to take affirmative action to hire, retain, and promote qualified individuals with disabilities.		

Employee Pay

Our online HR library provides you with great tips, tools and forms 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 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 key 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 matched 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

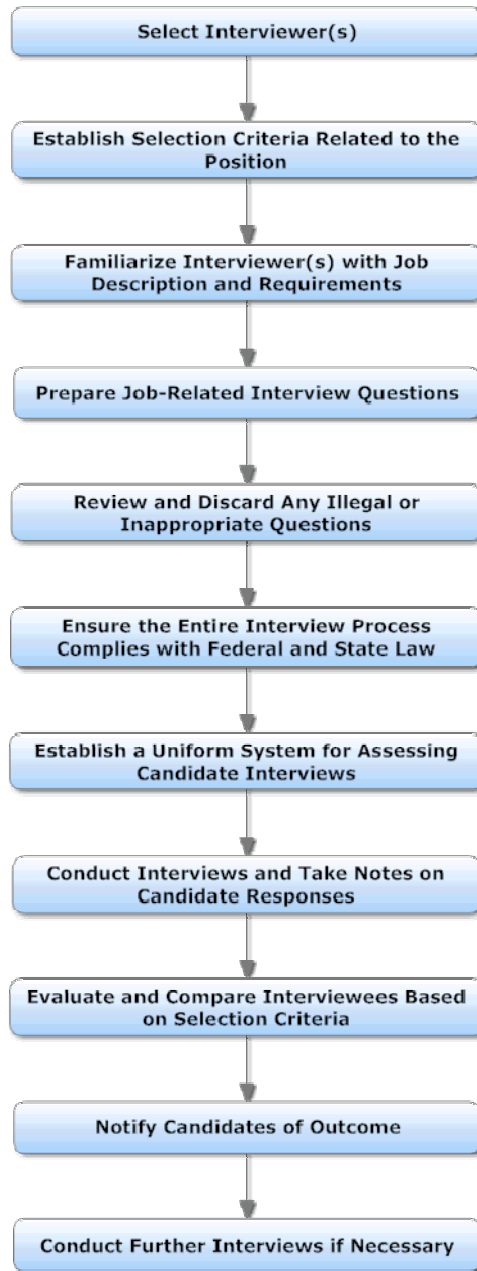
Our online guidelines will help you conduct fair and objective interviews. An interview should provide as much information as possible about an applicant's potential to perform the duties of a particular position. Your main objective should be to determine the knowledge, skills, and qualities of a prospective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

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. Our online library provides resources to help you hire the best candidate for the job, and offers valuable guidance through stepped-out sections.

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 may 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 employees to raise issues and concerns, and express their points of view about their work.
- ✓ Identifies potential under-performance issues early enough to discuss and resolve.
- ✓ May reduce absenteeism, as regular communication and feedback is enhanced by the performance review process.

Disciplining

An effective discipline program is beneficial to both the employer and employee. It helps employees correct any shortcomings with the goal of becoming a valuable, contributing member of the workforce.

Documentation created as a result of the discipline process can also help protect an employer in the event that a termination or other adverse employment decision becomes necessary.

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.

Termination

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 termination, 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: termination is a sensitive matter and requires careful communication and documentation. Although most 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. Therefore, employers should always consult with an employment law attorney or HR specialist.

Involuntary Termination

Each step in the process of terminating an employee must 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 its actions 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 interactive, convenient tools such as our Job Description Builder, Salary Benchmarking Tool, Performance Review Builder and Total Compensation Statement Builder, 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 – over 900!
- ✓ Check off tasks and activities as well as skills associated with the job.
- ✓ Select from the list of physical demands of the job/ work environment or add your own.
- ✓ You can save in Word, PDF, print or email -- it's that easy!

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 800 job descriptions or search over 50,000 job titles to find the position that requires salary and compensation information.
- ✓ 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.

These laws include:

- ✓ Title VII of the Civil Rights Act of 1964, which covers employers with 15 or more employees and 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. Virtually all employers are subject to this law.
- ✓ 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 covered employers (those with 20 or more employees) from discriminating 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. USERRA applies to virtually all employers, regardless of size. Many states also provide job-protected military leave.
- ✓ The Genetic Information Nondiscrimination Act (GINA), which prohibits discrimination in employment based on genetic information. GINA covers employers with 15 or more employees.

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 “Posters” section, located in the left-hand navigation, which allows you to select and print state posters. The State Laws section covers a range of laws including:

- Arrests and Convictions
- Continuation of Health Benefits
- Drug Testing
- Family/Medical Leave
- Final Pay Requirements
- Jury Duty
- Mandated Benefits
- Meal & Rest Breaks
- Minimum Wage
- New Hire Reporting
- Occupational Safety & Health
- Overtime
- Posters
- Recordkeeping
- Same-Sex Relationships
- Smoking
- Unemployment
- Voting Leave
- Wage Payment Timing
- Workers' Comp



Forms & Policies

Our robust and diverse online library features hundreds of 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
- Health Care Reform Model Notices
- New Employee/Onboarding Checklists and Forms
- Performance Review Forms
- Sample Summary Plan Descriptions
- Discipline Warning Notices
- Termination Forms
- Federal Employment Posters
- Form W-4
- I-9 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 Laws section as well the posters required by each state.

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.

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 sample handbook is for reference only and should not be used without modification. Each company is different and 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 for use in your company or organization.

Employee Benefits

Not only does our HR library provide guidance on robust and sometimes confusing laws, like COBRA and FMLA, it also provides information on understanding what's going on with Health Care Reform and HIPAA. Our goal is to simplify complicated jargon into easy-to-understand content. Not sure how to classify an independent contractor? We cover everything you need to know regarding employee benefits— and we even go one step further by providing charts and graphics to outline how to stay compliant.

Benefits Notices Calendar

The *Benefits Notices Calendar* provides bottom line information on key required notices and filings for employee benefit plans under federal law—including who must provide them, who must receive them, and when notices are due. The *Benefits Notices Calendar* includes the following sections:

- ✓ Benefits Notices Checklist
- ✓ Notice Requirements for Group Health Plans
- ✓ Form 5500 Annual Reporting Requirements

How-To 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 continuation coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA), 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— such as various notices and forms that must be sent to the individual eligible for COBRA coverage. We explain it plainly and concisely.

The COBRA section of our online library 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
- ✓ State Mini-COBRA
- ✓ COBRA Notices & Forms

FMLA

The Family and Medical Leave Act (FMLA) 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—including same-sex spouses, child, or parent) with a serious health condition; or
- ✓ To take medical leave when the employee is unable to work because of a serious health condition.

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.

In addition to these basic requirements, our online library provides guidance in the following areas:

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

Health Care Reform

The *Patient Protection and Affordable Care Act* (PPACA or ACA), more commonly known as [Health Care Reform](#), implements sweeping changes that affect individual and employer-sponsored health plans. We are constantly updating our Health Care Reform section to reflect the major provisions of the law affecting employers and employer-sponsored group health plans.

We provide the latest Health Care Reform guidelines and tools that help employers comply with the many different ACA requirements, including:

- ✓ Most current news updates, featured online and emailed to you
- ✓ Health Care Reform checklist published annually to review all the requirements relevant to that year
- ✓ Health Care Reform requirements by company size
- ✓ Step by-step guidance for complying with Pay or Play
- ✓ Pay or Play toolkits and calculators for determining:
 - Large employer status
 - Whether employer-sponsored coverage is affordable
 - Potential penalty amounts (there are two separate calculators, depending on an employer's number of full-time employees, including full-time equivalents)
- ✓ Tools and guidance for complying with filing IRS Forms 1094-C and 1095-C
- ✓ Model notices

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 (OSHA) 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 information on:

- ✓ 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.

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