Human Resources Regulations: Meeting Requirements While Maximizing Productivity

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Disclosure

The speaker declares no conflicts of interest or financial interest in any service or product mentioned in this program.

Clinical trials and off-label/investigational uses will not be discussed during this presentation.
Human Resources Role ...

As an HR Professional we are to help the company be compliant with Labor Law Statues ... dictated by Federal Law & State Laws ... All vary ...

Do you feel like you’re jumping through hoops?

Disclaimer: The information provided is for educational purposes and should not be considered legal advice.
Federal Labor Laws (May not be all inclusive)

**1-14 Employees**

- Federal Insurance Contributions Act of 1935 (FICA) (Social Security)
- Fair Labor Standards Act of 1938
- National Labor Relations Act of 1947
- Title VII of the Civil Rights Act of 1964
- Consumer Credit Protection Act of 1968
- Employee Retirement Income Security Act (ERISA) of 1974 (*if company offers benefits*)
Federal Labor Laws (May not be all inclusive)

1-14 Employees (continued)

• Equal Pay Act of 1963
• Fair Credit Reporting Act of 1969
• Occupational Safety and Health Act of 1970
• Uniform Guidelines on Employee Selection Procedures of 1978
• Immigration Reform and Control Act of 1986
• Polygraph Protection Act of 1988
Federal Labor Laws (May not be all inclusive)

1-14 Employees (continued)

- Uniformed Services Employment and Reemployment Rights Act of 1994
- Health Insurance Portability and Accountability Act (HIPAA) of 1996 *(if the company offers benefits)*
- Newborns' and Mothers' Health Protection Act of 1996
- Sarbanes-Oxley Act of 2002
Federal Labor Laws (May not be all inclusive)

1-14 Employees (continued)

• Fair and Accurate Credit Transactions Act of 2003 (FACT)
• Lilly Ledbetter Fair Pay Act of 2007
• Hiring Incentives to Restore Employment Act of 2010 (HIRE)
• Affordable Care Act
Federal Labor Laws  (May not be all inclusive)

11 - 14 Employees – add ...

- OSHA Recordkeeping - records of job related injuries/illness

15 - 19 Employees – add ...

- Title VII of Civil Rights Act of 1964
- Americans with Disabilities Act of 1990
- Genetic Information Nondiscrimination Act (GINA) of 2008
Federal Labor Laws (May not be all inclusive)

20 – 49 Employees – add...

- Age Discrimination in Employment Act of 1967
- Consolidated Omnibus Benefits Reconciliation Act (COBRA) of 1986
Federal Labor Laws  (May not be all inclusive)

50 or more Employees – add ...  
- Family Medical Leave Act (FMLA) of 1993  
- Mental Health Parity Act of 1996  
- Mental Health and Addiction Equity Act of 2008  
- Patient Protection and Affordable Care Act of 2010
Federal Labor Laws (May not be all inclusive)

100 or more Employees – add ...

- Worker Adjustment and Retraining Notification Act of 1988
- Annual EEO-1 Report filing – if not a federal contractor
Federal Labor Laws  (May not be all inclusive)

Federal Contractors – add ...

- Davis Bacon Act of 1931
- Copeland Act of 1934
- Walsh – Healthy Act of 1936
- Service Contract Act (1965)
- Executive Order 11246 of 1965
- Vocational Rehabilitation Act of 1973
- Vietnam-Era Veterans Readjustment Act of 1974
- Drug Free Workplace Act of 1988
- Contract Work Hours & Safety Standards Act
AFFORDABLE CARE ACT

Health Reform ...

- Purpose
- Process
- Provisions
- Payments
AFFORDABLE CARE ACT

PROVISIONS 2013 – Fully insured employers with 2-99 employees

- Small Business Tax Credit - <25 employees
- Limit employee contribution to FSA
- Provide Written Notices about the Exchanges
- Provide a Summary of Benefit and Coverage to employees
AFFORDABLE CARE ACT

PROVISIONS 2014 – Fully insured employers with 2-99 employees

- Offer Minimum Essential Coverage
- Removal of Pre-Existing clauses
- The Plan must provide Essential Health Benefits (removal of lifetime/annual limits)
- Adjusted Community Rating (ACR) – will only be able to vary premiums by family size, geography, tobacco use and age
AFFORDABLE CARE ACT

PROVISIONS 2014 – Fully insured employers with 2-99 employees

- Annual limits on Plan deductibles to $2000/single and $4000/family – non grandfather small groups.
- Out of pocket maximum for all non-grandfathered plans will be capped at the same level as HSA
- Other ... e.g. - Cadillac coverage ...
AFFORDABLE CARE ACT

PROVISIONS 2015 – Fully insured employers with 2-99 employees

- Employers with 50 + full-time employees may be subject to a penalty if they do not offer medical coverage to full-time employees that is affordable and meets specific minimum coverages.
AFFORDABLE CARE ACT

PAYMENTS

✓ Patient-Centered Outcomes Research Institutes (PCORI) fees
   – Years 2012 – 2019
   ▪ Collected from the business
   ▪ $1 for first year and $2.00 per member per year with an increasing index
✓ Insurer fee – collected from health plan insurer
✓ Transitional Reinsurance Fee – Years 2014-2016
   ▪ Collected from Health plan insurers and self-funded plans
   ▪ Estimated cost $5/member/month
OVERWHELMING

Exhausting

CONFUSING
How to Keep it Straight?

• Human Resources Audit / Review
  • Handbook
• Use of HealthCare Brokers
  • HR Calendar of Events
  • Automation
  • Outsourcing
  • Associate Surveys
New Regulatory Updates

- Fall 2014 – EBOLA
- Winter 2015 –
  - Background screening (IL)
  - California – 8 new regulations/employment law
- Spring 2015
Thank You

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