

# THE VOICE

05  
WINTER  
2009

HR|experts®

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From “THE VOICE” at the other end of the telephone:

Greetings Practice Administrators and Managers! I hope 2009 is off to a great start for you!

I would like to thank those of you who completed the HR|experts Satisfaction Survey last November/December. I received comments from 134 members which is pretty good for our first survey. As promised, two key results follow.

Of the respondents who currently use HR|experts, 100% were satisfied or very satisfied with the service overall. However, several respondents indicated that they had not yet accessed the **Healthcare HRAnswersNow database** for various reasons. Not being able to access the database is understandably a source of frustration for some. To remedy this, we are offering a webinar to introduce members to the database or provide a refresher for those who don't use the database frequently. **Please contact me now to reserve your spot for the webinar – Thursday, March 12 at 1pm.**

The primary focus of this quarter's issue of The Voice is compliance. With the beginning of the New Year, I wanted to be sure you were informed of several key compliance updates:

- For Employers with 50 or More Employees - US Department of Labor Issues Final FMLA Rule
- NCIC has Issued a Revised Workers' Compensation Poster
- OSHA Posting Reminder

On a lighter note, the most exciting news to share is that as Medical Mutual policyholders, you are being offered **discounted rates for public and e-Learning training courses** offered through CAI (HR|experts' parent company). Please refer to the article called “Training Opportunities – Discount for Medical Mutual Policyholders” in this issue of The Voice for more information.

I look forward to continuing to partner with Medical Mutual Insurance Company to successfully support our Members with a variety of Human Resource related services. **Please send me a quick e-mail now to be sure I have your contact information – [Jill.Schultz@callhrexperts.com](mailto:Jill.Schultz@callhrexperts.com).**

Sincerely,

Human Resources Advisor

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### Contact HR|Experts:

Direct: 919-431-6096

Main: 888-473-9778



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HR|Experts is provided as a benefit to members of Medical Mutual.

The Voice is not designed or intended to render legal advice to its members.

# For Employers with 50 or More Employees - US Department of Labor Issues Final FMLA Rule

On November 17, the U.S. Department of Labor (DOL) published a final rule to update its regulations under the Family and Medical Leave Act (FMLA). According to the DOL, provisions in the final rule call for increased notice obligations for employers and revisions to the employee notice rules to minimize workplace disruptions due to unscheduled FMLA absences. The final rule also changes how perfect attendance awards are treated. And the final rule contains changes that reflect decisions by the U.S. Supreme Court and lower courts.

In addition, the final rule addresses the expansion of FMLA for military families, which occurred in

January of this year. Specifically, the rule implements the requirement to expand FMLA protections for family members caring for a covered service member with a serious injury or illness incurred in the line of duty on active duty. These family members are able to take up to 26 workweeks of leave in a 12-month period. Also, the law allows families of the National Guard and Reserves on active duty to take 12 weeks of FMLA job-protected leave to manage their affairs in connection with "qualifying exigencies." The rule defines "qualifying exigencies" as: (1) short-notice deployment (2) military events and related activities (3) childcare and school

activities (4) financial and legal arrangements (5) counseling (6) rest and recuperation (7) post-deployment activities and (8) additional activities where the employer and employee agree to the leave.

*Note:* The DOL recently published the revised FMLA poster in its final form. If your office is covered by the FMLA, you can download a revised poster at [www.dol.gov/esa/whd/regs/compliance/posters/fmla.htm](http://www.dol.gov/esa/whd/regs/compliance/posters/fmla.htm) to comply with posting requirements.

To read a fact sheet on the final rule, go to <http://www.dol.gov/esa/whd/fmla/finalrule/factsheet.pdf>.

## Workers' Compensation and OSHA - Parking Lot Injuries

Employee injuries that occur on employer owned and maintained parking lots may be covered by workers' compensation and may be OSHA recordable depending upon circumstances relating to the injury. If the injury occurred at a reasonable time (just prior to or just after work) and the injury resulted in medical treatment, days away from work or restricted activity, both workers' comp and OSHA recordkeeping come into play.

Except in the case of back injuries and hernias, an "injury" is compensable under the North Carolina Workers' Compensation Act if:

- The injury was caused by accident;
- The injury arose out of the employment; and

The injury was sustained in the course of employment.

Winter weather poses a particular problem regarding parking lot injuries. Parking lots and sidewalks should be maintained free of ice to prevent employee injuries. Potential costly injuries to customers, vendors and to the general public would not be covered by workers' compensation but by an employer's liability insurance policy.

For more information regarding workers' compensation laws and regulations in North Carolina go to [www.comp.state.nc.us](http://www.comp.state.nc.us).

## New Training Tool Coming This Spring!

Whether you or your staff need information on effective and lawful hiring and firing, assistance on improving productivity, or just a refresher on leadership, the most current, expert audio learning tools available will soon be at your fingertips. HR|experts and Medical Mutual will soon provide a link on [www.medicalmutualgroup.com](http://www.medicalmutualgroup.com) to convenient audio conferences and webinars that you can attend live from anywhere, as well as pre-recorded sessions that you can listen to anytime. The programs are being custom designed to create solutions specifically for busy professionals like you.

The new link to these training opportunities will be announced via e-mail. If you are not receiving this newsletter by e-mail, **send me your e-mail address** to ensure you're on the distribution list – [Jill.Schultz@callhrexper.com](mailto:Jill.Schultz@callhrexper.com).

# NCIC has Issued a Revised Workers' Compensation Poster

The North Carolina Industrial Commission (NCIC) has revised their *Form 17* (N.C. WORKERS' COMPENSATION NOTICE TO INJURED WORKERS AND EMPLOYERS).

The NCIC revised poster is to be posted by all employers who provide workers' compensation coverage for employees by February 1st, 2009.

To update your poster, download Form 17 at [www.comp.state.nc.us](http://www.comp.state.nc.us). Or, to order a combined state poster from CAI, visit [www.capital.org](http://www.capital.org) and search for "combined NC state poster."

## OSHA Posting Reminder

The OSHA 300A must be posted in a conspicuous place at your worksite from 2/1/09 through 4/31/09. The OSHA 300A is the summary of injuries and illnesses taken from the OSHA Log 300 that is maintained during the year.

Employers with ten (10) or fewer employees and certain employers in low hazard industries, although covered by OSHA regulations, are exempt from OSHA recordkeeping and reporting on OSHA forms 300, 301 and 300A. (However, all employers must report to OSHA any workplace incident that results in a fatality or the hospitalization of three or more employees.)

For more information visit [www.osha.gov/recordkeeping/index.html](http://www.osha.gov/recordkeeping/index.html).

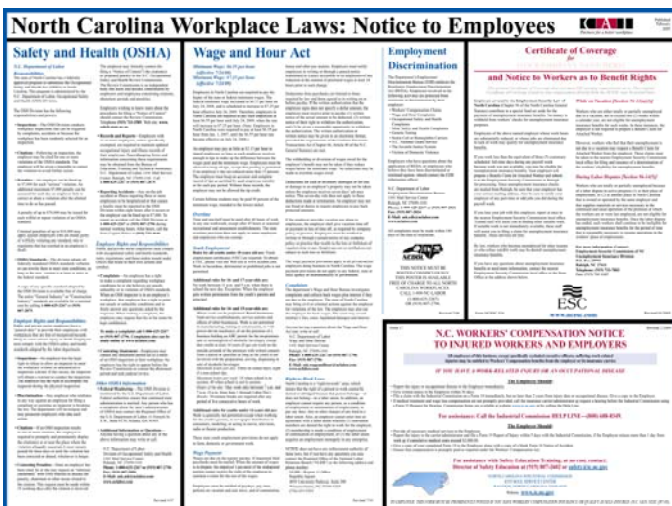
# Healthcare HRAnswersNow – A Handy Search Engine

Webinar – March 12 at 1pm

Looking for sample performance appraisal forms, overtime compliance facts, or tips on implementing a drug testing policy? Healthcare HRAnswersNow, a comprehensive search engine available through the Medical Mutual website, can help! If you need a refresher on how to use this database (or an introduction to the service if you're new to Medical Mutual's website), join us March 12 at 1pm for a webinar. Call or e-mail Jill Schultz now to register for the webinar – [Jill.Schultz@callhranswersnow.com](mailto:Jill.Schultz@callhranswersnow.com) or 888.473.9778. To begin searching HRAnswersNow, sign into Medical Mutual's website – [www.medicalmutualgroup.com](http://www.medicalmutualgroup.com).

## Don't Put Your Organization at Risk with Negligent Hiring Practices

Whether you are hiring for one position or 100 positions, background checks need to be included in your hiring process. Contact Kevin von der Lippe today at 336-899-1150 or [kevin.vonderlippe@capital.org](mailto:kevin.vonderlippe@capital.org) and ask him how CAI's Background Checking services can protect you and your organization. You can also find additional information by clicking on the Background Checking link under the HR Solutions tab on CAI's Website, [www.capital.org](http://www.capital.org). (CAI is the parent company of HR|experts.)



## Quarterly Quote

*The deepest human need  
is the need to be appreciated.*

—William James

# Training Opportunity:

## Discount for Medical Mutual Policy Holders

Public classes and e-Learning through CAI are available at a discounted rate for Medical Mutual policyholders. (CAI is the parent company of HR|experts.) Upcoming public classes include: Understanding and Preventing Workplace Harassment (5/6 & 8/25 Raleigh; 8/26 Greensboro); and Conducting Effective Performance Appraisals (2/25 & 4/23 Raleigh; 3/19 & 6/10 Greensboro). Sample e-Learning classes include: Behavioral Interviewing, Harassment in the Workplace, FMLA, and Performance Reviews.

For a complete list of classes and e-Learning available, visit [www.capital.org](http://www.capital.org). Follow the steps to activate your account if this is your first time visiting the CAI website (establish a password, etc). Click on the Red Box on the left side of the home page: "Activate My Account."

To view e-Learning programs – click on the Training Tab and select "e-Learning." The first paragraph provides a link to view all e-Learning programs.

To view public classes – click on the Training Tab and select "Program Listings and Registration." Click "View All Programs" and then select the month on the left side of the screen to view a list of programs offered that month.

**Registration:** To receive the preferred Medical Mutual rate, register through Dawn Mooney at CAI (919-878-9222). She will take your registration information including your credit card number.

**Pricing:** Half-day public classes - \$159; Full-day public classes - \$229. A single e-Learning class is \$49 (bundle pricing also available). For additional information on pricing, call Jill Schultz, HR|experts – 919-431-6096 or 888-473-9778.



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