Helping Your Clients Prepare for 2017 HR Challenges

Presented by Laura Kerekes, SPHR, SHRM-SCP
ThinkHR

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NAHU Leading Producers Round Table

QUESTIONS?

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TODAY'S PRESENTER

Laura Kerekes
Chief Knowledge Officer, ThinkHR

- Leads ThinkHR content knowledge and human resources service delivery teams
- Before ThinkHR: Held executive human resources officer positions for large multinational companies in banking, manufacturing and high tech industries
- Credentials:
  - Education: MBA., Stanford University Executive HR Management program
  - Certifications: Senior Professional in HR certifications (SPHR, SHRM-SCP) from both the national Human Resources Certification Institute and the Society for Human Resource Management

About ThinkHR: ThinkHR partners with over 650 leading insurance brokers to provide an HR knowledge platform that enables their clients to obtain quick answers to urgent risk and liability questions, protecting clients from loss and legal action. ThinkHR offers a cloud-based platform supported by live HR experts who help employers and HR professionals ensure compliance and resolve people-related issues quickly and efficiently. ThinkHR serves seven out of 10 of the largest insurance brokerage firms in the USA, providing expert HR content and training services to nearly 100,000 companies employing millions of people.

AGENDA

- HR changes in the works
- HR challenges
- Wage and paid time off updates
- Immigration status verification and reporting
- Legalized marijuana in the workplace
- OSHA reporting
- Real-time updates on Executive Orders, ACA repeal activity

HR Changes in the Works

Trump Administration is in the process of:

- Rescinding Executive Orders
- Highlighting legislation to repeal
- Slowing down government agency action
- Changing enforcement priorities at the federal level
- Appointing key agency heads/Supreme Court justice

Agencies affected:

- Department of Labor
- Equal Employment Opportunity Commission
- Occupational Safety and Health Administration
- National Labor Relations Board
- Health and Human Services
- Internal Revenue Service

The New Administration

- Trump administration delivering on campaign promises
- Congressional Republicans at the helm
- “Repeal and Replace” or “Repeal and Delay” or a bit of both?
- Key issue–how to minimize disruptions in coverage and markets
- Until changes are finalized – employers should “stay the course”

YES, Brokers are in the HR Business Too!

Do these questions sound familiar?

- How much time off do I need to give my employees?
- Can you help me handle this discrimination complaint?
- Do we really need to file our 1095/1094 forms when the new Administration and Congress are repealing the ACA?
- Am I paying my people properly?
- How do I handle a pregnancy and baby bonding leave?

The Game Plan:

Provide your clients with the HR information, tools and resources they need

Still a Seller's Market for Talent

Clients can create loyalty and grow engagement by:

- Smooth applicant experiences
- Comprehensive onboarding programs
- Employment packages
- Great management

It's all about the employee experience!

Performance Planning and Reviews

Encourage clients to focus on employee management:

- Check in more frequently
- Include individual and team goals
- Create individualized performance and communication plans

Learning and Development

- Employees expect opportunities to learn and develop new skills
- Employers must meet that demand to attract/retain employees

Prepare Your Clients

Encourage them to:

- Review their people policies
- Analyze staffing needs
- Think about what changes may affect their business

Health Care Reform Repeal in the Works

Under consideration now:

- Replace ACA with a less regulated and more affordable solution
- Lengthy process
- Issue regulatory guidance not to enforce certain provisions of the law

48%

Say that the employer mandate is their primary concern for the new administration

2017 Reporting Deadlines

- Pre-Thanksgiving Day reprieve from IRS
- Extension of deadline for notice to employees to **March 2, 2017**
- No delay for reporting to IRS
  - Deadline to file paper forms with the IRS is **February 28, 2017**
  - Deadline to file electronically with the IRS is **March 31, 2017**
- Extension of "Good Faith Compliance" Standard

Employee Compensation

- Federal minimum wage
- FLSA Overtime Rule
- Fiduciary Rule
- Paid leave laws

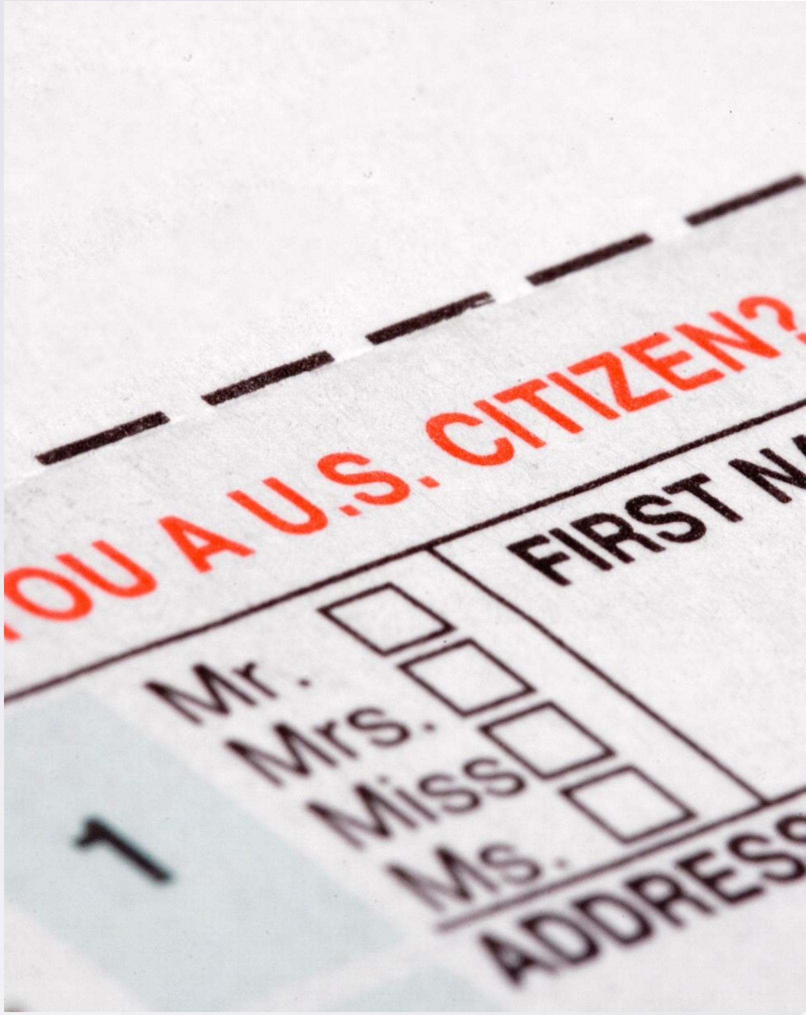
Employee status?

- Be sure your clients are classifying employees, independent contractors and joint employees correctly
- Classification triggers compensation, benefits and other work rule issues

Immigration

Issues to watch:

- E-Verify mandate
- New I-9 Form
- Travel ban
- Trade agreements (worker immigration)
- Temporary Worker Visa Classifications
  - H1B/L-18 skilled workers
  - F-1/J-1 student visas



Legalized Marijuana

- Watch state laws carefully
- Changes at the federal level unlikely
- Testing for impairment?
- Management training

OSHA Reporting/Safety

- New requirement for some employers to electronically report OSHA injury and illness forms to OSHA – site not yet live – may be in jeopardy?
- Experts suggest move away from enforcement to compliance assistance strategy

Labor Watch list

Be aware of:

- Persuader Rule
- NLRB “Quickie Election” Rule
- NLRB Joint Employer Definition
- Executive Orders 13496 and 13494

Be Ready for Audits

Good preparation and documentation is always best practice!

- Plan documents
- Employee and independent contractor classifications
- Measurement methods/periods, waiting periods, orientation periods

Focus Your Clients For 2017

- Expect changes in laws and regulations
  - Health care reform
  - Immigration
  - Compensation and other benefits
  - Safety
  - Other employer-friendly regulations
- Continue to manage compliance until changes actually happen
- Build employment brand to attract talent
- Focus on culture, performance and communications to retain employees

RESOURCES

ThinkHR compliance resources available for download:

- **Federal Recordkeeping Requirements**
- **Sick Leave Rules by State and Locality**
- **2017 State and Federal Minimum Wages**
- **ACA Checklist 2016 - 2017**

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Thank You!

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