



## **2009 Employment Law Changes Will Challenge Companies to Manage Workforce Risks**

FMLA, ADA, COBRA, CHIPRA, I-9: This may sound like alphabet soup, but these are acronyms for some of the significant legislative changes in employment laws that are taking effect in 2009. Does your company have everything in place to be fully compliant with the employment law changes of 2009? Did you know the EEOC reported that workplace discrimination charge filings had increased 15 percent for the fiscal year 2008 from the prior year? Are your postings, employee notifications, policies and procedures up to date? If you answered "no" to any of these questions; or, as we find in many cases, you are just unsure, then read the following information to find out more about how to get a true pulse on the status of the laws, policies and best practices that affect your most valued resource; your employees.

### **The HR Compliance Review - What is it?**

The HR Compliance Review is a great first step for any organization to determine their level of compliance and identify any potential risks with regard to employment regulations. This proactive measure can minimize the financial and legal risks associated with non-compliance. The HR Compliance Review can protect companies by identifying areas of concern that may need immediate attention before any serious actions take place; like an employee filing a lawsuit or a government regulatory agency coming in to review a company's practices and records. HR Compliance Reviews can also identify gaps in best practices that can help a company to remain competitive in key HR practice areas such as recruitment and employee relations.

### **The HR Compliance Review - Why do it?**

At a time when budgets are tight and companies are scaling back, many business owners and HR executives may be asking why should we have this done, and, more specifically, why now in this tough economy? Today, the need for an HR Compliance Review is higher than ever to ensure that your company is compliant with the laws that have been in existence for years, such as COBRA and FMLA. And to also ensure that your company is compliant with the 2009 revisions and updates to these and any other regulations that have been revised or added. There is also a greater attention from Congress and this Administration on employees' rights. For example, a recent investigation of the Department of Labor (DOL) by the Government Accountability Office (GAO) found that the Wage and Hour Division of the DOL failed to address or adequately investigate alleged minimum-wage and overtime violations through a review of 30 real and fictitious complaints that had been made to Wage and Hour field offices.

In response to this investigation, the Secretary of Labor, Hilda Solis, released a statement saying that the department would hire 250 new Wage and Hour field investigators. Visit the GAO Web site and paste the following link -- <http://www.gao.gov/highlights/d09458high.pdf> into your web browser to review the highlights page of their report.

The Equal Employment Opportunity Commission (EEOC) has also reported that workplace discrimination charge filings had increased 15 percent for the Fiscal Year 2008 from the prior year. It is believed that the surge may be due to multiple factors including economic conditions, increased diversity and demographic shifts in the labor force, employees' greater awareness of the law, among other changes with internal EEOC practices. Go to the EEOC Web site at [www.eeoc.gov](http://www.eeoc.gov) for more information and details on the EEOC's FY 2008 enforcement litigation statistics.

The employment related issues mentioned above related to the DOL and EEOC are just a small sample of the heightened awareness that is a part of today's workforce climate. With this emphasis, companies can't afford not to measure their level of compliance with an HR Compliance Review.

### **The HR Compliance Review - How is it done?**

During an HR Compliance Review facilitated by PROXUS, seasoned HR professionals will work with your company representative to review the current state of the company's compliance with employment-related laws and regulations. This review is accomplished by meeting with key individuals in the company who are responsible for the HR function and through the review of documents such as employee files, employment forms and letters, and policies. After this review, our experienced HR professionals will compare the findings with current regulatory requirements, as well as with best practices that we have developed over the course of our progressive experience in Human Resources. The review is completed with a detailed report of findings and presentation to the company's representatives. Through the use of this information, companies are then able to develop a specific plan of action to address the most significant issues that need immediate attention.

Please contact PROXUS to determine how we can review and continue to move your company's compliance level forward with an HR Compliance Review!

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