



## **The Human Resources Alphabet: EEO, ICE, COBRA, ADA and many more.....**

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Today in business, there are more acronyms, legal agencies and regulatory requirements than ever before. AND they just keep on coming with the impact of the Affordable Care Act (ACA) and the Fair Labor Standards Act (FLSA) being at the forefront this year for many employers.



If you employ people in your business, you must understand and comply with some of these requirements, many of which can be daunting. The number of people on your payroll will determine the magnitude of your time involved and, ultimately, the work expended to comply with the requirements. The full life cycle of an employee from recruiting strategies through terminations and all actions in between, present opportunities for a lawsuit. The key is creating best practice processes, policies and a workplace culture that protects your company and manages risk.

If you are a smaller company, the business of managing the needs of employees may not be a full time job. But, if you are doing it along with running your business, it can be distracting. Outsourcing professional roles in the infrastructure of your organization may lend the expertise, efficiency and be the most cost effective approach. That enables you to spend more time growing your business. If your business is expanding, the human capital needs may be overwhelming enough that hiring a human resource professional is the best option.

Human resources professionals can assist you in wading through the acronyms and their impact on your business. 2016 brings an awareness of some important employer risks, including:

1. Fair Labor Standards Act (FLSA) – New federal rules defining exempt and non-exempt employees are very likely to become effective during late 2016. The rule proposed by the Department of Labor (DOL) includes increasing the salary threshold for white-collar exemptions from the current \$23,660 per year or \$455 per week to \$50,440 a year or \$970 a week. This includes those in the categories of executive, administrative and professional. Consider the reclassification exercise as a way to review job duties, schedules and staffing levels as well as salaries. This could have a profound impact on payroll and budgets by making more employees in the workforce eligible for overtime pay when converted from exempt to non-exempt. Above all, ensure that your approach is consistent across the organization.
2. Family Medical Leave Act (FMLA) – Even before the Supreme Court’s landmark ruling, the DOL made news by revising the FMLA’s definition of “spouse.” While the Supreme Court ruling subsequently made same-sex marriage lawful nationwide, the DOL’s standard followed the “place of celebration” standard, recognizing as spouses for

purposes of the FMLA those lawfully married under the law of the state where the marriage took place. Now, however, same-sex spouses are clearly covered by the FMLA regardless of the place of celebration.

3. Affordable Care Act (ACA) – Employer mandates kick in this year for most every employer along with big fines for failing to provide health benefits and also for failing to properly comply with ACA reporting requirements. Your payroll and benefit advisors can assist you in defining your workforce for reporting purposes. Ultimately, it is the organization that is responsible for compliance.
4. U.S. Immigration and Customs Enforcement (ICE) – the number of I-9 audits has spiked significantly in the last year due to new federal initiatives. It is expected that I-9 audits will continue to be a significant hot button for ICE in 2016.

Reaching out to a human resource professional to discuss employer best practices, to review current policies and to obtain advice for strategic initiatives for your organization can result in very high returns from a risk management perspective.

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