



Your Advantage

NEWS AND INFORMATION TO HELP YOU AND YOUR BUSINESS SUCCEED

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**EMPLOYER
ADVANTAGE**
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Employer Advantage announces

W-2s

Any employees, who have not received their W-2 from Employer Advantage due to address changes or email changes, should contact LeAnn Tomlin at leann@employeradvantage.com or by calling 800-467-3909 ext. 136.

Also, employees can sign up now to receive their 2011 W2s in January 2012 electronically. Go to www.paperlessemployee.com/employeradvantage for an easy way to sign up and not worry about next year's W2s.

W4s

Employees who wish to make changes to their current withholdings will need to complete a new state or federal W4 and submit it to Employer Advantage.

Do You WOTC?

The Work Opportunity Tax Credit (WOTC) provides an incentive to hire, train and retain targeted groups of employees. Employers can receive quarterly tax credits based upon employees hired and retained. If you are interested in more information on the WOTC, please contact your Human Resources Professional eahr@employeradvantage.com or the Accounting Department of Employer Advantage at accounting@employeradvantage.com.

Supervisor Training is Now Easier

We want to remind you about Employer Advantage's online Supervisor Training, provided through ELT, and in collaboration with Littler Mendelson, an internationally recognized law firm in the areas of employment and labor law.

Many companies recognize the need for management training, but finding the time, money and right courses can be difficult. Employer Advantage has taken the work out of management training by providing the online courses, available at the supervisor's convenience and delivered by computer, as another part of the services offered to clients. In addition, Employer Advantage will track the progress of your staff and a certificate is provided at the completion of the coursework.

The training courses include:

- Workplace Harassment (2 hour training – designed to comply with many state laws)
- EEO basics
- Gender discrimination
- Employee Complaint Management
- Retaliation
- Hiring and Interviewing Lawfully
- Performance Management and Discipline
- Terminating Lawfully

In addition, if you want on-site training for management or employees, the Human Resources offers live training and a DVD lending library with the following subjects:

- Hiring Success
- Documenting Discipline
- Performance Appraisals
- Customer Service
- I-9 documentation and completion
- Diversity
- Customer Service
- Labor Law updates
- Harassment in the workplace

If you have any questions or want to get your management staff set up for online training immediately, contact your Human Resources Representative for more information and the key to award winning training at your worksite.

Plan/Prevent/Protect

The Department of Labor (DOL) announced a new strategy on compliance with the law – “Plan/Prevent/Protect”. In the past, some companies believed in a “catch me if you can” type of approach to compliance, but going forward the DOL wants to have companies actively participating in compliance at all times.

To achieve active participation, the DOL said that in various ways, employers will be asked to “assemble plans, create processes and designate people charged with achieving compliance” and that the regulated employers will have three steps to show compliance with, “Plan, Prevent, and Protect.”

From the Department of Labor:

- **Plan:** The Department will propose a requirement that employers and other regulated entities create a plan for identifying and remediating risks of legal violations and other risks to workers — for example, a plan to search their workplaces for safety hazards that might injure or kill workers. The employer or other regulated entity would provide their employees with opportunities to participate in the creation of the plans. In addition, the plans would be made available to workers so they can fully understand them and help to monitor their implementation.
- **Prevent:** The Department will propose a requirement that employers and other regulated entities thoroughly and completely implement the plan in a manner that prevents legal violations. The plan cannot be a mere paper process. The employer or other regulated entity cannot draft a plan and then put it on a shelf. The plan must be fully implemented for the employer to comply with the “Plan/Prevent/Protect” compliance strategy.
- **Protect:** The Department will propose a requirement that the employer or other regulated entity ensures that the plan's objectives are met on a regular basis. Just any plan will not do. The plan must actually protect workers from violations of their workplace rights.

The agencies participating in the new regulatory agenda are:

- Occupational Safety and Health Administration (OSHA)
- Mine Safety and Health Administration (MSHA)
- Office of Federal Contract Compliance Programs (OFCCP)
- Wage and Hour Division (WHD)
- Employee Benefits Security Administration (EBSA)

The DOL will begin issuing regulations over the next year, detailing employers’ responsibilities. As these regulations become available, Employer Advantage will assist clients by providing guidance and objectives to be in compliance.

HIRE Act Results

In 2010, our clients received cost savings in excess of \$250,000 through the HIRE Act. Retention of employees who were included in the HIRE Act savings for at least 52 consecutive weeks from the date of hire in 2010 will result in an income tax credit equal to the lesser of 6.2% times the wages through the 52 week period or \$1,000. The only condition is that wages in the last 26 weeks must be at least 80% of the wages in the first 26 weeks.

We will monitor the records of the applicable employees and will inform clients of the amount of income tax credits earned throughout 2011 starting in March. This credit is a nonrefundable credit that will be claimed on the taxpayer’s 2011 income tax return.

e-Stubbs

January 29, 2011 – Joplin, Missouri reaches a record high of 73 degrees. February 1, 2011 – Joplin, Missouri has blizzard conditions, the worst in over 40 years.

Those of us who live in Southwest Missouri believe in the old saying, “If you don’t like the weather, wait 5 minutes.”

Employer Advantage is committed to getting your payroll to you when promised. Sometimes the ground delivery of paychecks or pay stubs can be compromised when the carriers can’t make it to your company. One way to ensure that all your employees will have their pay on payday is to encourage direct deposit to a bank account or pay card.

In addition to the employee’s convenience, you won’t have to try to meet the delivery and/or hand out checks. We’ll automate that step for your convenience.

If you aren’t on e-Stubbs and want to know more about it, contact your Payroll Specialist or Human Resources Professional. We’ll be glad to answer any questions and get your company set up, before the next blizzard.

Inclement Weather FAQs

Questions and answers about inclement weather and paying employees. Reprinted in case you missed them during the snow storm.

Hourly Employees

Q Do you have to pay an hourly employee if you close the company temporarily due to inclement weather?

A No, you are only required to pay for actual hours worked.

Q Are you required to allow employees to take vacation or sick leave if they don't work due to inclement weather?

A You may consider having a policy that allows employees to take vacation, personal days, or even sick leave if you close the company due to inclement weather. However, it is not "required" to have that policy.

Q Can we force employees to use their vacation days when we are closed?

A Yes. You can require that hourly employees use vacation time when the company is closed due to inclement weather. It would probably be best to have this policy communicated to employees before the inclement weather happens.

Q What if an employee doesn't have any vacation time to use? Can I dock him for the time that was missed?

A Yes, an hourly employee who doesn't have vacation time may go without pay if the company is closed due to inclement weather.

Q Our company never closes down, even in bad weather. What can I do when an employee says that he can't come in? Can I make him?

A It might be hard to "make" an employee report to work. You can give him the choice of coming to work or receiving disciplinary action. You may want to consider road conditions and employee safety in making your decision about disciplinary action.

Salaried Exempt Employees

Q Do I have to pay an exempt employee who took the day off when there was bad weather even though we are open?

A No, you do not have to pay the exempt employee who chooses to take a full day off due to weather and the company remains open.

Q Can I require the exempt employee to take vacation day if I close the company for a full day due to weather?

A No. The company must pay the salaried exempt employee their regular salary if the company is closed for emergency reasons.

Q Do you have to pay a salaried exempt employee if you close the company for a half day due to inclement weather?

A Yes. You may not make partial day deductions from a salaried exempt employee's pay.