



# Your Advantage

*News and information to help you and your business succeed*

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## Employer Advantage announces

Employer Advantage is pleased to introduce two new team members.

**Ashley Daniels** joined the Human Resource/Client Service team on June 14, 2010.

Recently, Ashley was a Senior Recruiter in the Human Resources Department with St. John's Regional Medical Center. She has a Bachelor of Science in Business Administration with a minor in human resource management.

**Kristin McCorkle** joined the Benefits team on June 17, 2010.

For the last several years, Kristin was responsible for office and customer service duties for Biolife Plasma in Joplin, Missouri. Kristin is one semester away from receiving her degree from Missouri Southern University.

## Physical Capacity Profiles May Save Employers Money

The Physical Capacity Profile Testing System was developed by an orthopedic physician to accurately document a person's physical skills. The system was designed with a number of strength and endurance tests to avoid human error in the testing process. Results from the test are compared to a database to determine the level of work an employee is able to perform safely within their limits.

### Pre Employment Profiles Place the Right Person in the Right Job

Physical Capacity Profile testing sites have the ability to measure jobs at the worksite to determine the physical demands of each job. This information on the physical forces required to safely perform each job is then given to the employer to add to the job descriptions.

Accurate job descriptions help employers with two important processes: finding people who can safely perform the job and assisting rehabilitation specialists with treating injured employees to return to the job.

### Profiles Provide Rehabilitation Information and May Reduce Workers' Compensation

In addition, by having baseline profiles on employees, the employer can show what impairments are pre-existing to the employees starting work. This information gives rehabilitation professionals the starting point from which the employee needs to be returned. It also reduces workers compensation exposure by documenting the impairments brought to the workplace.

### How Does the Physical Capacity Profile System Work?

An appointment is made with the Physical Capacity Profile test site for the employee. The employee will perform a variety of tests that will measure their strength and endurance. The test site will then contact the employer with the results of the test. Many test sites may also be able to perform drug screens and DOT physicals, so the employer only has to send the employee to one location.

### How Do I Find Out More?

Your Employer Advantage Safety and Loss Prevention Specialist can give you more information on how this testing could positively impact your company as well as find locations near your company.

## Employer Advantage is On the Move

After more than 10 years in the same location Employer Advantage has found a new home. As you know downtown Joplin has been going through a rejuvenating process in recent years and EA wants to be a part of it. Beginning September 1, 2010, We will be moving our Joplin offices to the newly renovated Gryphon Building. This historic five-story building located at the railroad tracks on South Main Street was once home to the Interstate Grocer Company (formerly known as the Bagcraft Building). Completed originally in 1915 the rehabilitation project nears completion. The building is LEED (Leadership in Energy and Environmental Design) certified as a green building and is already placed on the National Register of Historic Places. This move will allow EA to take advantage of new technologies, new spaces and allow for future expansion, all with the intent on giving our clients the best in personal and professional services.

In addition to our new location, we will also be introducing a new logo brand. We felt the time was right to not only update our surroundings but also our appearance. A fresher, newly stylized brand is being developed and will be launched simultaneously with our move. Rest assured that nothing has changed. Same great people, same great service—just a makeover. More information will be forthcoming but **we wanted you to be the first to know.**

To learn more about the Gryphon Building project visit <http://www.gryphonbuilding.com>.

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## FMLA Definition of “Son or Daughter” Clarified

According to the Wage and Hour Deputy Administrator Nancy Leppink, additional clarification was needed on the definition of “son or daughter” due to reports of employer and employee confusion over how FMLA applied when there wasn’t a legal or biological parent-child relationship.

FMLA allows eligible employees to take up to 12 work weeks of leave because of the birth of a son or daughter of the employee, or because of the placement of a son or daughter with the employee for adoption or foster care, or to care for a son or daughter with a serious health condition. The Act defines son or daughter as a “biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis.”

It is the Administrator’s interpretation Congress intended for the definition to ensure that an employee who actually has a day-to-day responsibility for a child has access to protected leave even if there isn’t a biological or legal relationship.

For example, where an employee provides day-to-day care for his or her unmarried partner’s child (with whom there is no legal or biological relationship) but does not financially support the child, the employee could be considered to stand in loco parentis to the child and therefore be entitled to FMLA leave to care for the child.

Similarly, an employee who will share equally in the raising of an adopted child with a same sex partner, but who does not have a legal relationship with the child, would be entitled to leave to bond with the child following placement, or to care for the child if the child had a serious health condition, because the employee stands in loco parentis to the child.

The regulations also do not provide for a restricted number of “parents” a child may have under FMLA. If a child has divorced biological parents and the parents remarry, the child will be the “son or daughter” to the biological parents AND the stepparents and all “parents” will have access to FMLA.

Employers may request reasonable documentation of a family relationship before granting leave to an employee with no legal or biological relationship to a child.

In conclusion, employers need to be aware that either financial support or the day-to-day care may establish the in loco parentis relationship necessary for FMLA. Clients who have questions about whether FMLA applies to their company or if a relationship falls within this interpretation are encouraged to contact the Human Resources Department of Employer Advantage.

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## Employee Convenience: Direct Deposit and Pay Cards

Employer Advantage offers direct deposit to employees’ bank accounts and pay cards. For those employees who don’t have a current banking or pay card relationship, we offer the Money Network VISA paycard. The paycard is simple to use, eliminates check cashing charges, increases personal security and is inexpensive to use.

Along with worldwide Visa acceptance the card also minimizes the risk of carrying cash, allows for bill paying electronically and gives the user the ability to make POS (point of service) debit or credit purchases with cash back for a small nominal fee. Free TransCheck cashing can be done at all Wal-mart locations. The employee receives convenient 24/7 customer service with the Money Network VISA paycard. A great solution for the employee that wants the banking convenience without having a bank account!