



Human Resource Advantage Quarterly Update

July 2009

Federal Minimum Wage Increase *Effective July 24, 2009

Effective July 24, 2009, the federal minimum wage increased to **\$7.25 per hour**. This change reflects the third and final federal minimum wage increase as amended under the Fair Labor Standards Act (FLSA). Many state wage laws will also update at this time. In scenarios where an employee is subject to both state and federal minimum wage laws, the employee is entitled to the greater of the two wages.

Note: State and Federal government mandates that both state and federal posters be posted. For your convenience and preference, we currently offer two formats to assist you with your compliance needs. We can provide you with either:

The Complete All In One (Your State and Federal) Labor Law Poster. This includes all State, Federal, and OSHA posting requirements (with new Federal Minimum Wage Rate) on one large poster for **\$40.00**

Another option is to purchase State and Federal posters separately. The State Only Labor Law Poster is **\$35.00** and the Federal Only Labor Law is **\$25.00**. Each fee above includes shipping. *Deliver takes up to five business days.*

EEO-1 Reports due by September 30, 2009

Q: **Who must file the EEO-1 report?**

A. (1) Employers with federal government contracts of \$50,000 or more and 50 or more employees; or

(2) Employers who do not have a federal government contract but have 100 or more employees

Q: **What is the EEO-1 Report?**

A. The EEO-1 Report – formally known as the "Employer Information Report" – is a government form requiring many employers to provide a count of their employees by job category and then by ethnicity, race and gender. The EEO-1 report is submitted to both the EEOC and the Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).

Q: **When must the EEO-1 report be filed?**

A: The EEO-1 report must be filed annually with the EEOC by September 30th. It must

use employment numbers from any pay period in July through September of that year.

Q: What form must employers use?

A: The revised EEO-1 report can be found at <https://apps.eeoc.gov/eeol/eeol.jsp>

Q: How do employers file EEO-1 reports?

A: It is strongly recommend that EEO-1 reports be submitted through the EEO-1 Online Filing System or as an electronically transmitted data file. Paper EEO-1 forms will be generated on request only, and only in extreme cases where Internet access is not available to the employer. Instructions on how to file are available on the EEOC's website at <http://www.eeoc.gov/eeol/survey/howtofile.html>

Q: Where can employers find more information about the EEO-1?

A: General information about the EEO-1 can be found at the EEOC's website at <http://www.eeoc.gov/eeol/survey/index.html>.

COBRA & American Recovery and Reinvestment Act (ARRA) available through December 31, 2009

President Obama signed into law the American Recovery and Reinvestment Act to create jobs, provide training opportunities for new jobs, extend unemployment benefits and help relieve the burden of health benefits.

Eligible individuals pay only 35% of their COBRA premiums and the remaining 65% is reimbursed to the coverage provider (i.e. employer) through a tax credit. The premium reduction applies to periods of health coverage beginning on or after February 17, 2009 and lasts for up to nine (9) months for those eligible for COBRA during the period beginning September 1, 2008 and ending December 31, 2009 due to an involuntary termination of employment that occurred during that period.

The Department of Labor (DOL) published further information to help the public understand how the program works and how to qualify for the premium subsidy for continuation of health coverage under private, state and federal programs. Additional information is available at www.dol.gov/COBRA. Sample notices to send to former employees and individuals currently on COBRA <http://www.dol.gov/ebsa/COBRAmodeInotice.html>

I-9 Form Update

U.S. Citizenship and Immigration Services (USCIS) made the recent announcement regarding the expired I-9 form (Rev. 02/02/09) to continue to be valid for use beyond the noted expiration date of 6/30/2009. USCIS has requested that the Office of Management and Budget (OMB) approve the continued use of the current version of the I-9 Form. While this request is still pending, the current form I-9 will not expire. For more information on USCIS and its programs visit www.uscis.gov.

Down load the current I-9 Form at <http://www.uscis.gov/files/form/i-9.pdf>

Reminder of Training Opportunities

Just a reminder that Human Resource Advantage facilitates on-site training for managers and employees. Such Topics include:

Harassment in the Workplace (1.5 to 3 hour training course) **Interviewing 101** (the basics of what can be legally asked, processing paperwork and avoiding costly mistakes)

Family Medical Leave Act (FMLA) – review of who is eligible, how to process requests and how to track in order to maintain compliance

How to Document, When to Document and What to Document (3 D's)

Termination-How to perform with confidence while avoid lawsuits

**For a complete list of training topics and sample presentations
visit <http://hradvantageweb.net/services/training.php>*

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