



Although January may sound like a long way off it's only 3 short months away.

Now is a good time to start preparing for the new year by updating your employees' personnel files and verifying their home mailing address.

As tax season nears it is very important that an accurate mailing address is on file with O2HR. Without a current address the US Postal Service will not be able to deliver W-2's to your employees.

Please contact your Field Service Rep or go online to [www.o2hr.com](http://www.o2hr.com) to obtain copies of the Employee Status Update forms.

**Important Dates**

*October is National Domestic Violence Awareness Month*

- October 8— Columbus Day. All banks will be closed. Please adjust your payroll reporting as needed. O2HR will be open normal business hours.

## FAMILY AND MEDICAL LEAVE ACT

The Family and Medical Leave Act ("FMLA") of 1993 is a federal law that entitles employees up to twelve (12) workweeks of job-protected leave during a twelve (12) month period as needed for any of the following reasons:

- the birth, adoption or foster care placement of a child;
- care of the employee's spouse, child or parent with a serious health condition;
- serious health conditions of the employee, which make the employee unable to perform any one or more of the essential functions of his/her position.

To be covered by FMLA, an employee must have worked for the employer for at least twelve (12) months (need not be consecutive months) and for at least 1,250 hours over the previous twelve (12) months.

While on leave covered by FMLA, employees may be required to use any accrued paid and unpaid leave in accordance with the provisions of relevant leave policies. Not all leave covered by FMLA is paid leave.

A covered employer is required to maintain health insurance coverage for an employee on FMLA leave on the same terms as if the employee continued to work. Where appropriate, arrangements will need to be made for employees taking unpaid FMLA leave to pay their share of health insurance premiums.

As with any other leave, leave covered by FMLA must be requested and approved in advance, whenever possible, and in accordance with applicable policies. However, leave covered by FMLA which has been appropriately requested cannot be denied.

Upon return from FMLA leave, an employee must be restored to his or her original job, or to an "equivalent" job, which means virtually identical to the original job in terms of pay, benefits, and other employment terms and conditions.

In addition, an employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using (but not necessarily during) FMLA leave.

### Other leave laws that may affect your employees

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• State specific family / maternity / disability leave</li> <li>• Military Leave (USSERA)</li> </ul> | <ul style="list-style-type: none"> <li>• Jury Duty</li> <li>• Victims of Domestic Violence/Crime</li> </ul> |
|---|---|

If you have an employee taking leave for any of these reasons or need more information, please contact the O2HR Human Resources Department at 813-637-2153, as soon as you know of the need for leave.

## IF IT'S NOT IN WRITING, IT NEVER HAPPENED

Documentation is your key to protecting yourself from lawsuits stemming from wrongful employment acts. To make sure that you have all of the documentation that you need, keep your personnel files current and complete. Try to keep the following items on hand, either in every employee's file or in a clearly labeled personnel file:

- Documentation supporting any employment action (promotions/demotions, transfers, raises)
- Critical incident reports including disciplinary actions
- Employee evaluations
- Job descriptions updated at least every two years
- History of how infractions have been handled in the past
- Supervisor's employee log documenting good and bad incidents
- Customer evaluations and feedback forms
- Work samples
- List of progressive disciplinary actions signed by each employee
- Signed acknowledgment of receipt of employee handbook
- Employment-at-will doctrine signed by each employee (this should be a part of your employee handbook)

### What Proper Documentation Can Do for You

- reaffirm your position when the facts are called into question.
- provide a precise accounting of events, even when a considerable amount of time has lapsed, or when some of the pertinent parties might no longer be with the company.
- demonstrate to involved parties that the company acted appropriately and within the guidelines of its fair and equitable policies
- serve as a performance evaluation of company supervisors while providing a checks and balance to ensure compliance with established company policies.
- open the lines of communication between supervisors and the employees under their guidance, thereby encouraging greater cooperation and performance by both parties

**Quick Fact: In 2006 over \$229 million dollars in settlements were awarded to employees as a result of EEOC charges. Many of these allegations may have been defended or avoided with proper documentation.**

### O2HR RISK MANAGEMENT PROGRAM

In addition to the many services you have already gained by choosing O2HR, we are pleased to announce the development of a risk management program. Available services include:

- Hazard Analysis
- Core Business and Jobsite Specific Risk Management Consultation (Private)
- Generic Business Specific Safety Plan & Program Development (OSHA Compliance)
- Assistance with OSHA related inquires and complaints
- Loss Prevention Programs (Developed)
- Inspection Surveys (New & Specific)
- Specialty projects as requested

While many of these services are benefits of working with O2HR, some services may include a nominal fee. Please contact your field service representative/account executive or Frank Guarino at 321-288-2510 for additional information