



SISO
CEO SUMMIT

2017 SISO CEO Summit



We are your human resource.



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Overview of SISO-SESCO Relationship

- Free telephone/email consulting
 - Corporate (423) 764-4127- Staff available
 - Jamie (804) 931-6281
- Employee Handbook Review
 - Flat fee \$250 with comprehensive report of recommendations
- Reduced Fees on Special Projects
 - I.e. handbook revisions, training, DOL representation etc.



Top HR Legal Trends

- Healthcare Reform
 - President Trump issued Executive Order
 - Minimize the financial burden of ACA on Americans, states, insurers, health care providers and others to the maximum extent permitted by law.
 - EO does not undo ACA- business as usual
 - House Republicans introduce American Healthcare Reform Act of 2017
 - Pending review and revision by legislation



Top HR Legal Trends

- **Department of Labor- Overtime Exemptions**
- White Collar exemptions scheduled to change December 1, 2017
 - Increased guaranteed salary to \$913/week
 - Duties test unaffected
- November 28- Federal Judge issues injunction for stay on enforcement
- Uncertain if Trump will revoke ruling



Top HR Legal Trends

- **Equal Employment Opportunity**
- EEOC has been pushing an agenda to bring LGBT non-discrimination rights up to the level of other protected classes
- October 2016 Announcement - examining how employers use "big data"—including information about individuals gleaned from background checks—in the hiring process.
- **Same-sex marriage** now is lawful nationwide following the Supreme Court's ruling in *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015).
 - Ensure that their policies and practices don't discriminate against those in same-sex marriages
- Reasonable accommodations for an increasingly diverse workplace are necessitated



Top HR Legal Trends

- **National Labor Relations Board (NLRB)**
 - Ruled Spring 2015 via 30 page memorandum
- Required all employers revise their current handbook policies
- Recent ruling affected the following policies:
 - Confidentiality
 - Conduct toward Employer and Employees
 - Third Party Interaction
 - Solicitation/Distribution
 - Use of Company Logo
 - Photography and Recording
 - Leaving from Work
 - Conflicts of Interest
 - Social Media



Top HR Legal Trends

- **Occupational Health and Safety Administration (OSHA)**
- June 2015 OSHA issued guide for best practices on restrooms and transgender employees
 - Should permit use of facility which correlates to their gender identity
 - EEOC also ruled employee cannot be denied access to restrooms used by employees of same gender – employee does not need medical procedure



Top HR Legal Trends

- **Leave Policies**

- A wave of local paid-sick-leave laws swept across the nation from New Jersey to California in 2016, and some of those laws will take effect in 2017.
- Businesses with 50 or more employees are required to provide up to 12 weeks of unpaid leave under the Family and Medical Leave Act to eligible employees for certain qualifying events, including baby bonding. However, federal law doesn't provide for paid leave.
- California, New Jersey and Rhode Island offer paid family leave, anticipate growth in states offering such benefits
- New York passed a law that will take effect in 2018, and Washington, D.C.,; it includes eight weeks of paid leave for new parents after the birth or adoption of a child.



Top HR Legal Trends

- **Medical Use of Drugs**
- Many states and the District of Columbia have decriminalized marijuana for medicinal use -the sale and use of the drug remains illegal at the federal level
- In most states, an employer can terminate employment for on-duty and off-duty use even if the employee has a medical marijuana card
- Some states have anti-discrimination language written into their medical marijuana statutes
 - may require employers to accommodate the presence of some amount of marijuana in an employee's system while that employee is on duty.



Top HR Legal Trends

- **Medical Use of Drugs – cont'd**
- Some employers want to prohibit and test for marijuana because use of the drug could disrupt operations, because they have safety-sensitive jobs or because they are legally required to do so.
- Other employers want to allow off-duty use and avoid testing altogether—or as much as possible
- Focus on detecting signs of impairment on the job
- Keep an eye out for poor performance and discipline accordingly.



Top HR Legal Trends

- **Cyber Breaches**

- The internet, social media and mobile devices in an increasingly digital world, has a significant impact on the workplace in terms of mobility, communication, productivity and efficiency
- Essential for employers to minimize the risk of a cyber breach and protect confidential information belonging the employer, employees and customers.
- Employers need to make sure such information is properly secured and encrypted,
- Utilize workplace policies and agreements protecting such information,
- Properly train employees and supervisors how to safeguard such information and respond to a data breach.



Top HR Legal Trends

- **Pay Equity**
- Pay equity laws are likely to spread into more states in 2017
- In 2016, pay equity laws took effect in California, Maryland and New York, and a pay equity statute was signed into law in Massachusetts, becoming effective in 2018.
 - Massachusetts prohibits salary history questions
 - In Maryland, employers required to inform employees about promotions in the full range of career tracks. Post all open positions, even those that typically had not been posted, such as for VP or higher
 - In New York and Maryland, comparisons in pay are made between similar positions in the same county. Massachusetts and California, there are no geographical limitations on pay comparisons



Top HR Legal Trends

- **Compensation- Dodd-Frank Act**

- U.S. Securities and Exchange Commission (SEC) will require public companies to calculate how their chief executives' compensation compares with their workers' median pay
- Must disclose the so-called CEO pay ratio in proxy statements reporting on fiscal year 2017
- The rule implements part of the Dodd-Frank Act, and many public companies are already working through the calculations involved.
 - For example, a company will be permitted to select its methodology for identifying its median employee and that employee's compensation, including through statistical sampling of its employee population or other reasonable methods
 - The rule does not apply to smaller reporting companies, emerging growth companies, foreign private issuers, MJDS filers, or registered investment companies.
 - The rule does provide transition periods for new companies, companies engaging in business combinations or acquisitions, and companies that cease to be smaller reporting companies or emerging growth companies



Program Conclusion

“Thank you for your attention and participation”

Jamie Hasty, Vice President

