



HUMAN RESOURCES UPDATE

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*Seasons Greetings
from
The Hopkins Group*

LEGISLATIVE AND JUDICIAL SNIPPETS

- NY has a new law requiring certain employers to provide leave for military spouses. *Effective 8/06*
- CA legislation limits sexual harassment training for supervisors to supervisory employees located within CA. *Effective 1/1/07*
- From the DoL's Administrative Review Board: SOX "does not provide whistleblower protection for all employee complaints about how a company spends its money and pays its bills." *ARB Case No. 04-154 (Sept. 29, 2006)*
- Various municipalities have passed ordinances that penalize businesses quite severely for employing illegal aliens. Make certain your hiring practices include properly following the procedures for accurate completion of the I-9 form.
- TX Supreme Court upheld a basic longstanding rule that basically says that an employer is not responsible for the actions of an employee when that employee is off duty if the employer has no control over the employee.
- CA Fair Employment and Housing Commission is expected to adopt new regulations on harassment training. These regulations will include requirements that the training be interactive, take two hours to complete, and the instructors be qualified.
- In a 10/30/06 opinion letter, the DOL determined that Managers do not have to supervise continually onsite to be exempt executives.
- 10th US Circuit Court of Appeals upheld a jury verdict re: an ADA claim. The EEOC was able to show that an employer regarded a worker as having a disability and believed the disability would prevent her from performing a broad class of jobs.
- US Circuit Court of Appeals for the District of Columbia ruled that a volunteer position may be treated as employment for purposes of federal anti-discrimination statutes under certain circumstances.
- PA Court ordered Wal-Mart to pay \$78 million for violating a state law requiring meal breaks for non-exempt employees.
- 9th US Circuit Court of Appeals found a company that failed to adequately train its employees on safety measures violated OSHA regulations.

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AT WHAT POPS UP.

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**HUMAN RESOURCES
BUSINESS SOLUTIONS**

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PREPARING FOR THE FUTURE

Is your company ready to move forward with human resources planning? Take a look at these trends and concerns from recent surveys by SHRM and Accenture.

Top 5 workplace trends for 2007

- Rising healthcare costs
- Increased use of outsourcing or off-shoring of jobs
- Threat of increased healthcare on the economic competitiveness of the US
- Increased demand for work/life balance
- Retirement of large numbers of baby boomers

Top 5 demographic trends for 2007

- Aging population driving an increase in healthcare costs
- Aging of the workforce
- Demographics shifts leading to a shortage of skilled workers
- Retirement of large numbers of baby boomers
- Growth in number of employees who have both eldercare and childcare responsibilities

Top 3 reasons baby boomers want to work into retirement

- To remain mentally and physically active
- Try new professions
- Earn money

Top 3 political trends for 2007

- Federal healthcare legislation
- State healthcare legislation
- Focus on global security

YEAR-END CHECKLIST

Don't forget these to-do's for the year!

- Remind employees about holiday hours.
- Request all those straggling 2006 expense reports. Your policy may require them to be turned in frequently, but just in case you have some stragglers, a reminder may be in order.
- Issue your 2007 Holiday Schedule. Now is the time to let employees know when your company holidays fall for 2007. This lets you and your employees plan for the upcoming year.
- Remember to get all W-2 and 1099 forms issued by January 31, 2007.
- Prepare your OSHA 300-A summary.
- Alert employees to the 2007 401(k) cap of \$15,500 and a maximum of \$5,00 for catch-up contributions for those 50 and older.
- Texas employers need to post the updated Spanish version of the Texas Workers' Compensation poster (only the Spanish version was updated).
- Schedule 2007's annual anti-harassment and diversity training sessions.