



Hamilton Insurance Agency

Hamilton News

April 2014

I Have Things To Do Today!

A recent article in the Washington Post by Jena McGregor titled the *Best (and Worst) Times To Do Things at Work*, summarized a variety of fascinating research related to time-management in the workplace. Following are (sometimes surprising) suggestions to help you plan your day:



6:00 - 8:00 AM	Do send an email you need the recipient to act on <i>If you know your audience, plan your email to arrive first thing in the morning, right after the recipient is likely to have cleaned out his or her inbox.</i>
Morning	Do make a difficult ethical decision <i>Self-control is stronger after food and rest; people are more likely to cheat or lie in the afternoon!</i>
8:00 - 9:00 AM	Do make a cold call <i>Thursday is the best day.</i>
Before 10:00 AM	Don't hold a meeting <i>Given a choice, most people prefer after 10:00 AM.</i>
1:00 - 2:00 PM	Don't make a cold call <i>Especially on Friday.</i>
2:30 PM	Do hold a meeting <i>Tuesday is the best day.</i>
4:00 PM	Don't send an email you need the recipient to act on
4:00 - 5:00 PM	Do make a cold call
4:00 - 6:00 PM	Don't interview for a job

Compliance Corner

Healthcare Reform Reminder:

Have you updated your Group Health Plan Document/SPD to reflect changes required by Healthcare Reform? For example, since a waiting period for coverage cannot extend longer than 90 calendar days, you may have changed your waiting period from the first of the month following 90 days to the first of the month following 60 days. You must amend your Plan Document/SPD to reflect the change.

OSHA Reporting Reminder:

Employers who are required to keep the OSHA Injury and Illness log (Form 300) must post the Summary of Work-Related Injuries and Illnesses (Form 300A) every year from February 1 to April 30 (even if you didn't have any injuries or illnesses to report). Not sure if you are a covered employer? Information is available [here](#).

	<i>When similarly qualified applicants are interviewed on the same day, the last one is penalized for being last!</i>
6:00 PM	Do start your creative thinking <i>If you are tired you are more likely to think out of the box!</i>

To read the entire article on the *Best and Worst Times To Do Things at Work*, click [here](#).

Sins of Omission

Busy Today? Getting a lot Accomplished? Have that Sensation You Neglected Something Important? Join the Club!

During the workday we are focused on the basics of running a business, making products, selling services, helping customers, hiring and scheduling staff, paying the bills, dealing with another snow storm, and reacting to other immediate needs. Taking time to proactively do anything feels like a luxury. But, a small investment of time now (think car maintenance) will save you time and money in the long run.

- Draft an ADA-compliant job description for each position and give a copy to incumbents and candidates. This defines the essential duties.
- Periodically review each position to evaluate whether it is classified correctly as Exempt or Non-Exempt under the Fair Labor Standards Act (FLSA).
- For Non-Exempt employees, track all hours worked when calculating overtime (including off-hours spent on work-related calls and emails).
- Train supervisors on employment laws and the avoidance of harassment, discrimination, and retaliation.
- Train hiring managers on how to conduct a legal and effective behavioral-based interview.
- Check references on a job candidate you plan to hire. Contact individuals who have first-hand knowledge of the candidate's job performance and work habits (i.e., their immediate supervisor, not the best bud they listed as a reference).
- Document an offer of employment in writing so that there are no misunderstandings about title, rate of pay, Exempt/Non-Exempt status, benefits eligibility/waiting period, pre-employment drug screening, etc.
- Train employees on work and conduct rules and performance expectations.
- During the course of employment, regularly discuss and document performance, to prepare for a performance

FLSA Overtime Rules

The Fair Labor Standards Act (FLSA) became federal law back in 1938 when the world was a simpler place. It provides a minimum wage and requires covered workers to be paid 1.5 times their regular hourly pay rate for every hour worked over 40 hours per week. The Department of Labor (DOL) established rules to prevent employers from misclassifying employees to avoid paying overtime. The DOL implemented two tests - the duties test and the salary test - both of which must be met to claim an overtime exemption. Under the sometimes murky duties test, bona fide executive, administrative, professional, and outside sales employees ("white collar" jobs) are excluded from the overtime and minimum-wage protections of the FLSA. The current salary test, which was last updated in 2004 and not indexed to inflation, set a low \$455 minimum weekly salary threshold (\$23,660).

President Obama directed the DOL in a memorandum last month to "modernize and streamline the existing overtime regulations," and simplify the rules so that they will be easier to understand and follow. Outdated white collar overtime regulations could mean "millions of Americans lack the protection of overtime and even the right of minimum wage." The Economic Policy Institute has suggested an increased salary threshold of \$970 per week (\$50,440), with adjustments for inflation going forward. This figure was calculated using the previous threshold established in 1975 as the basis, with updates for price growth over the years. That salary threshold may entitle 5-10 million

review or handle a disciplinary matter.

- If an employee is out for more than 3 days for his own or a family member's illness, send FMLA paperwork. Make sure FMLA runs concurrently with any paid leave, including a Workers' Compensation-related absence.
- Respond carefully to a request for accommodation of a disability. There may be specific protections under the Americans with Disabilities Act (ADA).
- Promptly investigate any complaints or charges. Do not retaliate.
- Document a separation in writing, even a voluntary resignation. This will help you during a subsequent unemployment hearing.

Need help? HR Business Solutions is happy to assist.

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more workers to overtime.

Expect new proposed regulations and much debate over the upcoming months.

About Us

Hamilton Insurance, a top ranked independent broker in both the Washington, DC metropolitan area and the nation, has over 35 years of experience in providing insurance brokerage, risk management, and administrative solutions. It represents a full suite of commercial, health & welfare, and personal insurance solutions, supported by risk compliance and group benefit administrative services.

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