



JMT & Associates, LLC

Human Resources & Safety Consulting

(330) 231-1688 • (309) 423-3085 (fax)
jmt@jmt-associates.com • www.jmt-associates.com

PEOPLE POINTERS

Volume 7, Issue 1 January 2010

*** NEWS ***

OSHA Posting

Employers that are required to comply with the OSHA recordkeeping guidelines (this includes most employers) must remember to post their OSHA 300A (Summary of work-related injuries and illnesses) for the calendar year 2009 from February 1, 2010 thru April 30, 2010. The OSHA 300A should be posted in a conspicuous place where you normally post employee information. Failure to post can result in citations and penalties.



FMLA Changes

In October 2009, President Obama signed into law the Fiscal Year 2010 National Defense Authorization Act (H.R. 2647). The new law includes an expansion of the recently enacted exigency and caregiver leave provisions for military families under the Family and Medical Leave Act of 1993 (FMLA).

H.R. 2647 expands the exigency leave benefits to include family members of active duty service members and expands the

caregiver leave provision to include veterans who are undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.

These provisions are now in effect.



New Poster

The Equal Opportunity Commission (EEOC) has revised its standard poster that employers are required to display concerning federal anti-discrimination laws.

The revision incorporates information about the Genetic Information Nondiscrimination Act (GINA) and the new amendments to the Americans with Disabilities Act (ADAA).

Check to be sure you have the current poster displayed in your workplace.



COBRA Update

The American Recovery and Reinvestment Act of 2009 (ARRA), as amended on

December 19, 2009 by the Department of Defense Appropriations Act, provides for premium reductions for health benefits under the Consolidated Omnibus Budget Reconciliation Act of 1985, commonly called COBRA.

Eligible individuals pay only 35 percent of their COBRA premiums and the remaining 65 percent is reimbursed to the coverage provider through a tax credit. To qualify, individuals must experience a COBRA qualifying event that is the involuntary termination of a covered employee's employment. The involuntary termination must occur during the period that began September 1, 2008 and ends on February 28, 2010. The premium reduction applies to periods of health coverage that began on or after February 17, 2009 and lasts for up to 15 months.

The 2010 DOD Act extended the COBRA premium reduction eligibility period for two months until February 28, 2010 and increased the maximum period for receiving the subsidy for an additional six months (from nine to 15 months).

In addition, individuals who had reached the end of the reduced premium period before the legislation extended it to 15 months will have an extension of



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their grace period to pay the reduced premium. To continue their coverage, they must pay the 35 percent of premium costs by February 17, 2010 or, if later, 30 days after notice of the extension is provided by their plan administrator.

The Department of Labor has updated the model notices. The new law requires that current and future beneficiaries be given a notice describing the details of the subsidy extension. Visit their Web site at www.dol.gov to ensure you are using the most current notices.



Minimum Wage

A reminder to all Ohio employers – post the 2010 minimum wage poster by January 1, 2010.

The minimum wage will remain the same at \$7.30 per hour, however; the new poster has some language changes.



Compliance Review Checklists

Checking key components of your human resources and safety programs is important to maintaining an effective and up-to-date management program.

Each issue, we will present a checklist of human resources, general industry safety and construction safety key components.

Please take a few minutes to check your compliance with the components that apply to your business.

Human Resources Checklist

- ✓ Review/revise employee progressive discipline program.
- ✓ Review/revise employee promotion, advancement and transfer procedures.
- ✓ Review/revise the Family & Medical Leave policy and administration procedures.

General Industry Safety Checklist

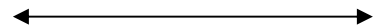
- ✓ Where mechanical handling equipment is used, sufficient safe clearance shall be allowed for aisles at loading docks, through doorways and wherever turns or passage must be made.
- ✓ Permanent aisles and passageways shall be appropriately marked.
- ✓ Covers and/or guardrails shall be provided to protect personnel from the hazards of open pits, tanks, vats and ditches.

Construction Safety Checklist

✓ Each employer who has a workplace or work operation where exposure monitoring is required must perform monitoring to determine accurately the airborne concentrations of asbestos to which employees may be exposed.

✓ Employers must ensure that no employee is exposed to an airborne concentration of asbestos in excess of 1 f/cc as averaged over a sampling period of 30 minutes.

✓ Employers must ensure that no employee is exposed to an airborne concentration of asbestos in excess of 0.1 f/cc as an 8-hour time-weighted average (TWA).



Human Resources (HR) Strategic Planning

By: John M. Turner, Ph.D.,
President

Part 4

Human Resources Planning

The process of analyzing and identifying the need for and availability of human resources so that the company can meet its business objectives is called human resources planning. HR plans must be linked to the overall company strategic plan.

The goal of the HR plan is to have the right number of



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employees, with the right qualifications, at the right times, and in the right places. The focus of the plan must be for the long-term, not just the present situation. This planning requires knowledge of strategic business growth or reduction and the technology changes that will affect the company. HR planning must also address the knowledge, skills, abilities and experience affecting the capabilities of employees for current and future jobs. Other components of the plan include moving employees to different jobs within the company, laying off employees, retraining current employees and adding employees to the staff. Developing an effective plan takes considerable time and effort. However, the company will be far more successful as a result of the plan.

In large companies, the HR executive is in charge of developing the plan. It is also very important to solicit information from all sections of the company. In smaller companies where the owner is very familiar with the day-to-day activities of the company, HR planning is still important. An HR plan is beneficial in companies that have a mix of family and non-family employees. A key is to include non-family members in the planning process. They often have important capabilities and expertise that family members don't have. Planning for the attraction and retention of these non-family employees can be

very important to the success of the company.

The HR Planning Process

A typical HR plan will include the following steps:

1. Review company objectives and strategies
 - Scan the external environment for labor supply changes
 - Assess current workforce
2. Develop forecasting
 - Identify company's need for employees
 - Survey people that are available
3. Formulate HR strategies and plans

HR strategies are means used to anticipate and manage the supply of and demand for human resources. These strategies provide overall direction for the ways HR activities will be designed and managed.

Let's take a closer look at the steps in the plan.

Scan the external environment.

Environmental scanning is a process of studying the environment of the company to pinpoint opportunities and threats. The scan is important because each company must find employees in the same labor pool as other companies in their market area.

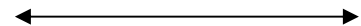
There are several elements of the external environment that must be reviewed.

Government Influences - There is an event changing and sometimes confusing set of government regulations that will affect the HR plan. Some examples include tax legislation, pension provisions, tax benefits, tax credits and labor laws.

Economic Conditions - The economy cycles through recessions and booms. Several factors including: interest rates, inflation, and economic growth will affect the availability of job candidates.

In a low unemployment market, significantly fewer qualified job candidates will be available. As the unemployment rate rises, there will be more job candidates available which improves the chance of hiring the "right" person.

Note: Previous articles are available on our Web site.





Chemical and Toxic Exposure

Employees Have “The Right-to-Know”

By: Vicki Hershey
Independent Safety Consultant

Chemical Exposure can consist of many multiple substances, including biological agents, mineral dusts, nitrogen compounds, metals, pesticides, plastics, rubber, solvents, asphyxiates and sulfur compounds.

Chemicals with greater danger are as follows:

- Ethylene glycol ether: Solvents used in heavy industry in what is called "clean rooms."
- Pentachlorophenol (PCP): First used as a pesticide, now restricted as a preservative for wood. It is a potential carcinogen and may cause birth defects and respiratory complications.
- Chromated Copper Arsenate: It contains high amounts of arsenic that is highly toxic.

- Trichloroethylene: A cleaning solvent, now in many groundwater supplies and soil. It can be inhaled or consumed with water. It may cause respiratory complications, nervous system problems, organ failure and death.

The most frequent illnesses caused by some 400 plus regulated hazardous substances consist of:

- Asthma - A respiratory disorder causing difficulty in breathing caused by allergic reactions.
- Pneumonitis - An inflammation of the lungs that can be caused by a virus or an allergic reaction to aspirated vomitus, ingested gasoline or other petroleum distillates, ingested or skin adsorbed pesticides, gasses from electroplating, or other irritants.
- Fibrosis - Unhealthy growth of scar tissue as a reaction to a hazardous chemical.
- Chronic Bronchitis - Obstructs pulmonary function which, to be considered chronic, must occur for over three months to years in a row.
- Cancer - Many hazardous chemicals are carcinogens and when concentrated, can result in the abnormal growth of cells.

- Neuropathy - Degeneration of the nerves followed by pain, numbness, tingling, swelling, and weakness of muscle or other various parts of the body.
- Parkinson's disease – Attacks the central nervous system causing tremor, muscle rigidity and slow motor movement.
- Methemoglobinemia - Caused by an elevated methemoglobin in the blood and results in difficulty of oxygen transport in blood. Commonly caused by over-exposure to nitrates.
- Anemia - A red blood cell deficiency, causing persons to be tired, weak, and short of breath.
- Dermatitis - Inflammation causing swelling, pain, itching, and cracking of the skin.
- Chloracne - An eruption of blackheads, cysts, and pustules, caused by the over-exposure to chlorine compounds such as halogens (fluoride, chlorine, bromine, iodine, astatine).
- Burns - Resulting from topical contact with strong acids or alkalis.
- Heavy metal poisoning - Over-exposure to substances such as mercury, lead and



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cadmium. Can be caused by elements that are either harmful to the kidneys or liver.

- Birth Defects - Including hydrocephalus, Spina Bifida and Anencephaly.
- Raynaud's Phenomenon - A disorder that affects blood vessels in the fingers, toes, ears, and nose, or secondary to other conditions such as scleroderma or lupus.

Environmental Toxins

Environmental toxins are any chemical in the environment that is poisonous to humans. It is highly important to pay attention to the physical manifestations of a potential overexposure to hazardous chemicals. Damage is mostly irreversible and caused by high concentrations of a particular substance. It can be life threatening. Individuals have the right to be well informed of the risks.

While naturally occurring substances like mold can be toxic, the majority of the environmental toxins that are the subjects of litigation are man-made substances, such as lead paint. These chemicals are, or were, once used in consumer products, manufacturing or other industrial uses, but escaped into the air, water or soil, where they can poison entire communities.

Long-term exposure to environmental toxins can cause a

host of irreversible damages, including cancer, birth defects, organ damage and blood disorders. People who prove they were exposed to environmental toxins due to the negligence of others are entitled to compensation for their medical costs, loss of earning potential and suffering, as well as cleanup costs.

Guidelines for Employer Compliance

(29 CFR 1910.1200)

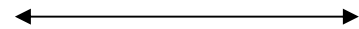
The Hazard Communication Standard is a simple concept.

Employees have both a need and a right to know the hazards and identities of the chemicals they are exposed to when working.

They need to know what protective measures are available to prevent harmful effects from occurring and how to handle the material using personal protective equipment or PPE. The Hazard Communication Standard was developed to provide needed information to employees. It provides the employer with information needed to create safer workplaces for their employees. Employers can use the information to reduce exposures, substitute less hazardous materials, and establish proper work practices. These efforts will help prevent the occurrence of work-related illnesses and injuries caused by chemicals.

The Hazard Communication Standard addresses the issues of evaluating and communicating hazards to workers. Employers are responsible for communicating hazards to employees, but hazard determination is the responsibility of the producers and importers of the materials. They are required to provide the hazard information about products using Material Safety Data Sheets or MSDSs for each material produced.

You can obtain details about Employer Compliance by visiting www.osha.gov



Employee Negativity in Tough Economic Times

By: Bonnie L. Thompson, M.A.O.M.
Independent Consultant

Many organizations have had to adopt the cut-to-the-bone mentality due to the continued economic downturn. Unfortunately, this mentality has led to a wave of pessimism by employees. Employees wonder if the cuts made are temporary or permanent. Employees may be told to not complain - just be glad they have a job. Others find an increase in responsibility with fewer resources.

Organizations have been more transparent while informing employees about the stability of the company and how an employee can advance. The



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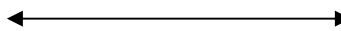
reality is that having information, employees realize that their position might be in jeopardy because efficiencies are now crucial for organizational success. Even after the economy recovers, organizations are not necessarily going to return to previous staffing levels.

Many employees find themselves questioning the stability of their career path. The uncertainty can affect an employees' willingness to commit to long term projects or decline other opportunities within the organization. Turnover could limit the organizations' ability to rebound as the economy rebounds.

Experts suggest that organizations can limit the turnover or lack of commitment by managing expectations without being discouraging or pessimistic. One solution might be to give high-performers visibility among senior leadership and a sense of challenge that they crave. Retaining valued employees who are not high-performers requires providing them with continuous development as well as small but meaningful tokens of recognition.

Recognition can be individualized, pointing to a specific task or project, giving them a small gift card possibly to a local restaurant. A blast e-mail to the entire staff with a note of thanks is an excellent way to recognize an "A+" performer. Face-to-face

recognition is all it takes for some employees to be encouraged. Finally, leaders must not hide behind closed doors. Communication about what the company is doing keeps employees informed and motivated.

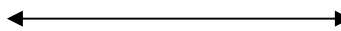


SURVEY

Ready or Not?

A new survey of 2,005 U.S. adults finds 36 percent believing that, when the economy picks up, organizations they work for will not be prepared to meet the increased demand.

Source:
Kronos, Chelmsford, Mass.



INTERESTING FACT

The most noticeable pattern of absenteeism is people calling in sick on Mondays and Fridays (reported by 37 percent of companies), followed by absences around holidays, such as Christmas or the Fourth of July (17 percent) and absences during the flu and hay fever seasons (13 percent).

Source:
CCH, Unscheduled Absence Survey 2007



SERVICE UPDATES

Monthly HR & Safety Programs

JMT & Associates, LLC offers a monthly HR program and a monthly safety program specifically designed for the small business. A comprehensive, customized program is offered for low monthly payments.

CPR, AED and First Aid Training

JMT & Associates, LLC is now offering CPR, AED and First Aid training for your employees.

Safety Products

JMT & Associates, LLC is now offering a full-line of safety and health related products. Call for pricing.

Americans with Disabilities Act (ADA) Training

JMT & Associates, LLC is now offering a 3-hour workshop for supervisors on The Americans with Disabilities Act.

Construction Safety Training

JMT & Associates, LLC is now offering OSHA 10 hour and 30 hour construction industry outreach training programs.

Educational Books

John M. Turner, Ph.D. has written the following books:



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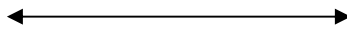
“How Are Your Employees Performing? Employee Performance Appraisals – Book 1.”

COMING SOON - “How Are Your Employees Performing? Employee Performance Appraisals – Book 2.”

“Interviewing for Success – Finding the “Right” Person – Book 1.”

“Interviewing for Success – Finding the “Right” Person – Book 2.”

Please visit our Web site at www.jmt-associates.com or send us an email for additional information.



ABOUT US

JMT & Associates, LLC is a full service Human Resources (HR) and safety solutions provider. We partner with small, mid-size, and large companies to develop and improve HR processes and procedures.

We offer extensive "real-world" experience in a variety of industries, including manufacturing, service, union, union-free, profit, not-for-profit, private, and public sectors.

Our level of involvement ranges from complete management of your HR needs to providing project-based assistance to your in-house HR person, depending on your specific business

requirements. These services range from basic policy development to in-depth HR strategic planning.

We begin with a comprehensive HR assessment of your current policies and procedures, then we provide a detailed analysis and a "roadmap of recommendations" to maximize your HR investment. We then provide the necessary follow-up to ensure process effectiveness.

Areas of Expertise:

Coaching & Leadership Development, Compensation & Benefits, HR & Safety Compliance, Diversity, Employee Relations, General HR, HR Assessments, HR Policies & Procedures, HR Strategy & Planning, Labor Relations, Organizational Development, Performance Management, Job Analysis, Job Descriptions, Employee Assessments, and a variety of HR & Safety Training courses.

Legal Note: JMT & Associates, LLC provides services in conformance with best practices of the human resource profession, but is NOT engaged in rendering legal advice or services. While implementation of effective HR management programs and systems significantly reduces potential legal liability, should legal assistance be required the company is advised to utilize the services of a competent legal professional.

Guest Authors: Articles written by guest authors express

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