

# Workplace Management Resolutions for the New Year

Article By:

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We have all made personal New Year's resolutions. Lose weight. Spend more time with family and friends. Read all those books stacked up on the side table. But how many employers make New Year's resolutions for improving workplace management? Here are the top ten suggestions to consider for 2014.

1. **Resolve to comply with the Affordable Care Act.** Beginning January 1, 2014, employers with 50 or more employees that offer company-sponsored health insurance plans must provide ACA-compliant health care coverage to eligible workers within 90 days of employment. For employers that presently do not offer such plans, the mandate has been postponed until 2015. A decision from the U.S. Supreme Court is expected this year regarding the legality of the ACA's requirement that companies must cover certain reproductive health services without co-pays.
2. **Resolve to update applicant background check policies and practices.** Ensure that such policies are directly job-related and properly conducted. In 2012, the Equal Employment Opportunity Commission (EEOC) published enforcement guidelines targeting the use of criminal history and credit information in employment decisions. In 2014, the EEOC is expected to continue pressuring employers by filing disparate impact lawsuits challenging background check practices.
3. **Resolve to develop a "Bring Your Own Device" (BYOD) policy.** Businesses that allow employees to use their own mobile devices, such as smart phones and tablets, at work should implement policies to help manage these devices and ensure that network security is not compromised.
4. **Resolve to review and update employee handbooks and personnel policies.** Make certain that you are complying with the current laws and latest judicial decisions in key areas, including immigration, discrimination, arbitration, OSHA, FLSA, employee privacy, monitoring or discipline related to social media, and retaliation.
5. **Resolve to review and update employee benefit plans, policies, and administration.** Ensure compliance with recent guidance issued by the IRS and DOL.

6. **Resolve to review payroll card and direct deposit compensation procedures and practices.** Make certain they comply with the Consumer Financial Protection Bureau's (CFPB) October 2013 Bulletin regarding application of the Electronic Fund Transfer Act to the distribution of wages through payroll cards.
7. **Resolve to review and update social networking and media policies.** Consider the NLRB's 2012 advice memorandum limiting employers' ability to fire employees for complaining about employers on social media, even in non-union workplaces.
8. **Resolve to review employee and independent contractor classifications.** Ensure that workers are properly classified under federal and state laws.
9. **Resolve to prepare for OSHA's modified recordkeeping requirements designed to improve tracking of workplace injuries and illnesses.** The proposed rule would require certain employers to submit data about workplace injuries and illnesses for publication on a publicly available electronic database.
10. **Resolve to schedule a workplace audit.** Have counsel review your employment law practices and procedures to identify risks and to help avoid penalties and litigation.

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