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Succinct HR Consulting

Building Sound HR Solutions for Small Businesses

news

Legal Alert: 'EEO is the Law' Poster Update

As of November 21, 2009, covered employers were required to post information on the ban of employment discrimination based on genetic information contained in the Genetic Information Nondiscrimination Act of 2008 (GINA). GINA prohibits employers from discriminating against applicants and employees based on genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family member; the manifestation of diseases or disorders in family members (family medical history); and requests for, or receipt of, genetic services by applicants, employees or their family member. The law also restricts employers' acquisition and disclosure of genetic information. The employment provisions of GINA apply to private and state and local government employers with 15 or more employees, employment agencies, labor unions, and joint labor-management training programs.



The Equal Employment Opportunity Commission (EEOC) has approved a proposed final rule implementing the employment nondiscrimination provisions and has revised its "Equal Employment Opportunity is the Law" poster to add information about GINA. The revised poster also includes updates from the Department of Labor. The EEOC has provided several ways for employers to comply with the posting requirement:

- Employers can print the EEOC's "EEO is the Law" poster supplement and post it alongside the EEOC's September 2002 "EEO is the Law" poster or the OFCCP's August 2008 "EEO is the Law" poster. The supplement can be downloaded at no charge from the EEOC's website at <http://www1.eeoc.gov/employers/poster.cfm>.
- Employers who need more than ten copies of the poster should order it from the EEOC Clearinghouse. Although the EEOC website states that the poster is on backorder, it also states that it will be shipped when it becomes available in the near future.

Although employers may receive solicitations from companies offering to sell them the revised EEO poster or a combination poster, it is not necessary to purchase a poster because the EEOC makes all required postings available at no charge on its website.

If you have any questions regarding GINA or the new posting requirement or other labor or employment related issues, please contact SHRC.

Succinct HR News is a quarterly newsletter prepared specifically for small businesses.

If the need for help should arise, we would appreciate the opportunity to provide your Human Resource solutions.



The SHRC HR Hotline provides answers for a variety of situations including:

- What is required by federal and local laws.
- What you should do to ensure you are in compliance.
- General recommendations for best practices for HR administration, policies, terminations and more.
- Sample language for standard HR communications and forms.

We will research your question and provide you with a confidential, timely response. Or, if you have an HR issue you want to discuss with another HR professional, we can be that objective “sounding board”.

Get Help Now!

NEW 2010 W-4 FORM IS AVAILABLE

The 2010 edition of the Federal W-4 form, Employee's Withholding Allowance Certificate, was recently released by the Internal Revenue Service. Take this time to update your new hire orientation folders with this new version. Current employees are not required to complete a new form.

The free download of the new version is available at: www.irs.gov.

Introducing the SHRC HR Hotline

With the SHRC HR Hotline, you can confidently address Human Resource issues with a seasoned HR professional. We are ready to provide you with practical advice and information you need to do what's best for your company.

- Address your HR issues while they're small and manageable.
- Improve credibility and impact your business immediately.
- Save time and help avoid unnecessary legal fees.

True or False Quiz – Test your HR knowledge on Sexual Harassment

- Q: An employer will not be liable for sexual harassment committed by managers or supervisors as long as it is not aware of the conduct.
 A: False. An employer will be liable for sexual harassment committed by managers or supervisors with direct or successively higher authority over the victim, regardless of whether it was aware of the conduct.
- Q: To bring a lawsuit for sexual harassment, a victim does not need to show that he or she suffered a monetary or economic harm, such as being fired or demoted.
 A: True. Unwelcome sexual conduct that unreasonably interferes with the ability of a person to work or that creates an intimidating, hostile or offensive working environment can constitute sexual harassment, regardless of whether any monetary or economic loss has occurred.
- Q: Quid pro quo sexual harassment (e.g., promising more favorable working conditions in return for sex) can be committed by managers, coworkers and even customers.
 A: False. Only supervisors or members of management with authority to affect an employee's working conditions can engage in quid pro quo harassment.

Let Succinct help you meet your business goals. We provide clients with customized Human Resource and Training Solutions through project based arrangements or complete outsourcing of the Human Resources function. Please call us for your no-obligation quote.

SHRC, Succinct HR Consulting
Serving the Midwest from Lakewood, IL
312-315-8882
www.shrconsult.com