

Creating workplaces that work... for everyone

Training Makes the Difference between Simple Accidents & Lifetime Exposure

FROM OUR CUSTOMERS

“Paula simplified some very complicated issues into a format that was readily understood by our employees. She got to the core of what they needed to know.”

JANE GILE, FORMER
ASSISTANT CITY MANAGER/
HUMAN RESOURCES
MANAGER, CITY OF KEENE,
Keene, NH

Health questions are tricky. Most of them are illegal to ask during a job interview. For example, you can't ask if an interviewee is HIV positive or has Hepatitis C. That's not a problem under normal circumstances. It becomes a problem if you aren't compliant with RSA 281, Lab 1403.9, which requires a written plan and employee training for dealing with bloodborne pathogens.

The Bloodborne Pathogens Program prepares employees to eliminate or minimize their occupational exposure to blood or other bodily fluids. You may not run a hospital or a nursing home; your employees may all work at desks in an office; but if you have ten or more employees, you are still required to set up a Bloodborne Pathogens Program.

Why Is This Program Required?

Let's say you hire a new employee (we'll call him Joe), who is HIV positive. An accident takes place when Joe is operating a piece of machinery—it could be a band saw, a lathe or an office paper cutter. Another employee, Susan, yells for someone to call 911 while she helps Joe stop the blood flowing from his cut. Unfortunately before the ambulance arrives, Susan is exposed to Joe's blood through an open cut on her own hand. This is considered occupational exposure. At some point in the future, Susan is diagnosed with the HIV virus and she knows her only exposure was this particular incident.

Who owns the medical bills for Susan? Your company and your Workers' Compensation carrier.

Non-Compliance Is Serious

Officials are serious about the Bloodborne Pathogens Program. Exposure incidents must be thoroughly documented, specific actions must be taken and records must be kept for a minimum of 30 years.

Unless your company is in the business of providing health care services or you own a hotel/motel where employees change soiled linen, your employees are not at risk under normal circumstances.

However, consider the severity of the risk under abnormal circumstances, not to mention the fines for non-compliance. It makes sense to add this program and documented training to your current safety efforts.

HR Compliance 101 Can Help

HR Compliance 101 has set up Bloodborne Pathogens Programs for many companies and will be glad to customize a program for you. We can train your employees on how to handle incidents that could expose them to blood or other bodily fluids, so that they respond in a manner that protects them—and your company. Give us a call.

This newsletter refers to some of the regulations that may currently apply to small businesses.

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Compliance Alert

The COBRA laws have changed substantially.

If you offer medical insurance to your employees, the American Recovery and Reinvestment Act of 2009 (ARRA) has established new rules. A major provision of ARRA is a 65% subsidy for the nine-month extension of COBRA healthy insurance premiums for workers who lost their jobs between September 1, 2008, and December 31, 2009.

These former employees must have been enrolled in their employer's still active health plan at the time of termination. Eligible individuals will only have to pay 35% of the COBRA premiums. The former employer pays the remaining balance and claims a credit for those payments on Form 941. For more details, contact HR Compliance 101.



Workplace and Training Solutions

- Q. I've been copying a new employee's driver's license as part of my I-9 documentation. Is this legal?
- A. No, it is not legal according to a legal representative from the Department of Motor Vehicles. Under Title XXI, Chapter 263:12, knowingly keeping a copy of a driver's license is prohibited. If the copy gets into the hands of a third party, your company could be in big trouble. HR Compliance 101 is advising all of our clients to carefully record the information from the driver's license onto the I-9 form but *not* to copy it. Department of Transportation regulations require employers to keep copies for DOT purposes only. We are waiting on clarification from a DOT representative and will keep you posted.

FOR OUR CUSTOMERS

The new W-4 for 2009 states that employees may not request withholding as only a flat amount or as a percentage of wages. Call us at 603-585-3139 for more details or to get the new form.