



Legislative Update

SHRM Meeting

December 8, 2016

DOL Overtime Law

DOL is requesting an expedited review of its appeal of an order blocking the overtime rule. Even if an expedited hearing is granted, the appeal won't be decided until early March. A federal judge could rule in the meantime as the groups challenging the rule have requested a motion for summary judgment. And the Trump administration's DOL might withdraw the appeal, once in office.

<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/expedited-review-overtime-appeal.aspx>

Here is a good article on communicating the overtime rule and the delay:

https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/overtime-decision-communication.aspx?_ga=1.180689895.1776979969.1454063997

OSHA

On November 17th OSHA issued a final rule revising and updating its general industry walking-working surfaces standards specific to slip, trip and fall hazards. The rule goes into effect January 17, 2017. The final rule includes provisions on:

- Fixed ladders
- Rope descent systems
- Fall protection systems
- Training
- Inspection of systems
- Storing fall protection equipment

<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/osha-finally-issues-walking-working-surfaces-rule.aspx>

Health Care Reform

- The National Association of Health Underwriters issued a strong statement of support for President Elect Trump’s appointments of Dr. Tom Price as secretary of Health and Human Services (HHS) and Seema Verma as administrator of the Centers of Medicare and Medicaid Services (CMS)
- On December 7th the Senate voted 94-5 on H.R. 34 “The 21st Century Cures Act” and President Obama is expected to sign it. High profile parts of the bill provide \$3 billion in funding for researching Alzheimer’s disease and other condition, \$1.8 billion in cancer research and \$1 billion to fund efforts to fight opioid abuse.

The H.R. 34 package also includes a section at the very end that clarifies how the federal government would let small employers use “qualified small employer health reimbursements” to reimburse worker for up to \$4,950 per year for employee-only coverage and up to \$10,000 for family coverage.

Checklists

- SHRM just issued and Express Request called “2016 Year-End Benefit Plan & Payroll Checklists”. In addition, there are lists for:
 - Employee Benefits
 - Compliance
 - Retirement Plans
 - Payroll
 - ACA
- 2017 Open Enrollment Checklist – note on EEOC Wellness Rule

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