



To: Lynchburg Regional SHRM
From: David Barney (Director of Government Affairs)
Date: April 7, 2016
SUBJECT: **APRIL 2016 LEGISLATIVE UPDATE**

I hope that everyone is enjoying this fall-like weather in April! Please see April's updates below:

- Understanding the DOL's New Fiduciary Rule. While aimed at financial advisors, the DOL's new final rule will impact compliance obligations and costs for plan sponsors. [Understanding the DOL's New Fiduciary Rule](#)
- California and New York have enacted legislation raising each state's minimum wage to \$15 an hour, the highest state minimums in the country. [California, New York Enact \\$15 Minimum Wage](#)
- The Family and Medical Leave Act (FMLA) is full of traps that can snag employers that let their guard down. Here are some common pitfalls. [Top 11 Employer FMLA Mistakes](#)
- More employees are enrolling in high-deductible plans with health savings accounts (HSAs), even as employer funding for HSAs drops. Small employers have typically funded HSAs more generously than large employers that can afford to offer richer health plans. That may be changing. [HSA Enrollment Up, Employer Contributions Down](#)
- More than 26 percent of all data breaches occur in health care, making it the No. 1 targeted industry in the U.S., according to industry experts. Here's how HR and IT can work together to prevent these attacks. [What Makes Hospitals So Attractive to Hackers?](#)
- National SHRM is asking members to contact members of Congress to co-sponsor legislation to nullify current FLSA overtime rule and send it back for a new economic analysis. [Letter of Support](#) and click here to learn more and support: [SHRM's call to action](#)
- After the National Labor Relations Board's decision in *Browning-Ferris Industries*, which found a subcontractor to be a joint employer in the collective bargaining context, employers are concerned that this expanded definition could apply to other compliance areas. [Compliance Alert: Joint Employers, I-9s and E-Verify](#)
- A pair of related cases recently highlight what can happen when an employer tries to hire or continues to employ an unauthorized worker. [The Risks of Hiring Undocumented Workers](#)

- In its most recent instructions, the Internal Revenue Service (IRS) has specifically advised plan sponsors not to complete new questions added to two annual retirement plan returns for the 2015 plan year. Retirement plan administrators and advisors have raised privacy and misreporting concerns about the questions. [IRS: Skip Form 5500's Optional Compliance Questions](#)
- From the Benefits Newswire: There are conflicting arguments about cost savings through a private exchange model, but a strong case can be made that using this approach reduces HR's administrative burden. [Shift to Private Health Exchanges Trails Forecasts](#)
- As a reminder, we will have a government affairs expert speak at our September chapter meeting. Given the timing of the election in November, it should be a great opportunity to get this perspective.
- As always, if you or your organization has an issue that you feel needs to be brought to the attention of our legislators, let me know. You can reach me at 434.832.2160 or dbarney@scottins.com.