

March 2014

Number of Employment Discrimination Charges Declines

The [U.S. Equal Employment Opportunity Commission](#) (EEOC) received 93,727 private sector workplace discrimination charges during the past fiscal year, down 5.7% from the previous year.

Types of Charges Filed

Retaliation, race, and sex discrimination (including allegations of sexual harassment and pregnancy discrimination) were the most commonly filed charges. Termination was the most frequently-cited discriminatory action under all the laws the EEOC enforces, followed by "terms and conditions" of employment and then harassment.

Nondiscrimination Laws Enforced by EEOC

The [laws enforced by the EEOC](#) apply to employers who meet the threshold number of employees for coverage. For example:

- Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act apply to employers who have **at least 15 employees** in 20 or more weeks of the calendar year.
- The Age Discrimination in Employment Act applies to employers with **20 or more employees** in 20 or more weeks of the calendar year.
- The Equal Pay Act does not require a minimum number of employees for an employer to be covered.

More information about each of these laws is featured in our section on [Discrimination](#).

In This Issue...

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WEBINAR – The Affordable Care Act: The Latest Updates and the Impact on Employers

WEBINAR – Keeping the Channels Open, Effective Employee Relations

Recruitment and Staffing Resources

HRCI Seminar Reminders



WEBINAR: The Affordable Care Act: The Latest Updates and the Impact on Employers

Join us on Tuesday, March 25th, 2014 at 2pm EDT as Stacy Barrow of Proskauer Rose reviews the latest legal and regulatory guidance on the Affordable Care Act, and how those changes impact employers and plan sponsors. Stacy will discuss transition relief under the employer mandate and other changes in the final pay-or-play regulations, as well as new guidance on waiting periods and orientation periods. [Register Now by Clicking Here.](#)

WEBINAR: Keeping the Channels Open, Effective Employee Relations

Join us on Thursday, April 10th at 2pm EDT for a Webinar on Keeping the Channels Open, Effective Employee Relations. Many employment lawsuits could have been avoided with better employer-employee communications. Employers have many methods for communicating with employees and it's important that communication efforts be coordinated, consistent and comprehensible. Learn methods for improving employee communication in our one hour webinar.

This educational webinar has been submitted to the HR Certification Institute (HRCI) for 1 general hour of continuing education credit towards PHR, SPHR and GPHR certifications. [Register Now by Clicking Here!](#)



Recruitment and Staffing Resources

Many Human Resources professionals have the arduous task of filling vacancies. Some are more difficult than others to fill. At times, the pros and cons of using professional staffing resources, such as staffing agency or search firms, may be a viable alternative.

First, doing your homework is important!

Search Firms – These firms are usually meant to fill mid-level or executive positions. Their fees are either retained (money paid up front, then paid upon completion of position), or contingency (once position is filled, the company pays the firm a percentage of 1st year wages). Retained searches are usually designed for executive or C-level positions since those positions take a longer period of time to fill and may require national/regional searches where the firm has to outlay some expenses. Contingency searches are usually reserved for professional, mid-level or director level positions in a more localized/regional search area. Using Search Firms may also allow the employer to seek candidates in the “passive” market. Those candidates are not currently looking for work and may be a great

connection and resources to network the position. When having an executive recruiter being the first introduction for your company to a potential candidate, make sure you are pleased with how they are able to relay your company’s culture, organizational success, mission as well as the specification for the position. Finally, executive search firms are highly recommended for confidential recruitment searches and they are able to localize the target audience of potential candidates.

Staffing Agencies – Some agencies also work on a retained or contingency basis. However, staffing agencies usually keep a roster of contacts for immediate temporary filling of vacancies as well. The employer signs a contract with the agency and agrees to a fee and payment schedule. Temporary staffing agencies usually charge an hourly fee for every hour a “temp” is sent to work in the vacancy. This involves a series of timekeeping management, invoicing and billing to the employer from the agency. In the contract, there is also a pro-rated fee schedule if the temp is hired on a permanent basis so money already paid to the agency can be applied towards the permanent placement fee. Use of agencies can be helpful for high turnover positions or temporary/ad-hoc project positions.

HRCI Seminar Reminders

Marshall & Sterling is offering HRCI courses for recertification for PHR/SHPR. Below are the remaining dates and locations.

Workplace Violence - Approved for 1.5 HRCI Recertification Credit Hours. This seminar will be offered for a \$20 fee per company from 9am-11am:

Poughkeepsie, NY Office – Wednesday, March 26th, 2014

Glenville, NY Office – Wednesday, June 4th, 2014

Management Training - Approved for 2.5 HRCI Recertification Credit Hours. This seminar will be offered for a \$20 fee per company from 9am-12pm:

Poughkeepsie, NY Office – Wednesday, April 30th, 2014

Glenville, NY Office – Wednesday, May 7th, 2014

More information will be sent out shortly! Any questions, please contact Regina Murdock, HR Services Specialist at 914-962-1188 Ext. 2487 or rmurdock@marshallsterling.com

Our office locations:

Marshall & Sterling Insurance
110 Main Street
Poughkeepsie, NY 12601

Marshall & Sterling Insurance
113 Saratoga Road
Glenville, NY 12302

Marshall & Sterling Insurance will continue to provide you with updates and information regarding important issues. Should you have specific questions or need more information, please contact us.

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