

OurERC A Local Business Newsletter

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ERC will be closed Friday, April 14th in observation of Good Friday. We will reopen for regular business hours on Monday, April 17th.



Tax Day... Tuesday April 18th?

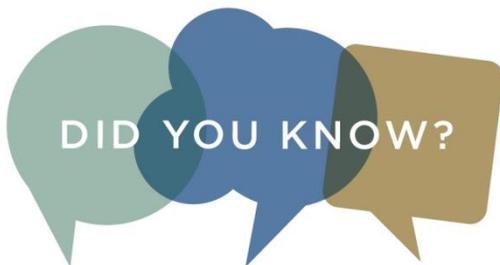
Usually, Tax Day falls on April 15th – the deadline for filing the previous year's taxes. However, this year the tax deadline is April 18th. Why you ask? This year April 15th falls on a

Saturday. The following Monday, the District of Columbia celebrates Emancipation Day, which is normally April 16th but that falls on a Sunday this year. Emancipation Day affects taxes the same

way federal holidays do. Therefore, ***Tax Day is pushed out to the following Tuesday, April 18th, giving tax payers an extra three days to file their taxes.***



ERC Did You Know?



The staff at ERC works hard to ensure the compliance of our clients and their

employees. In order to do so, it is our goal to ensure that you have the most up to date

information on rules, regulations, and current legislation. Check out our weekly emails to stay informed. If you are not receiving our weekly "Did You Know?" emails, please contact Brandy and she will add you to the list. Feel free to contact our

office staff if there is a topic you would like covered or if you have questions about any of the material presented.



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New Workers' Compensation Broker, Six and Geving Insurance

It is indeed a privilege to partner with ERC as its broker for worker's compensation. We are excited to work alongside Dave Wilson and the ERC staff to provide outstanding service and coverage for all clients of ERC.

Six and Geving Insurance was started in 1991 to serve the property and casualty insurance needs of our business community.

We serve about 2,800 businesses throughout Colorado including offices in Colorado Springs and Denver and are licensed in all 50 states. I am especially proud of the experience and quality of our staff in both offices. Our focus is to build strong relationships with our clients, understand their needs, and deliver the highest possible level of service to them. We try to be proactive in

identifying risks our clients face and address them with good risk management advice and insurance protection.

Worker's compensation through Pinnacol Assurance is something we know well. Pinnacol is clearly the leader in worker's comp for Colorado employers, insuring about 65% of all businesses in the state. We know their people and processes so we can

answer questions you may have. If Pinnacol is not the answer for some reason, we have a number of other carriers we can access as well.

To learn more about our agency, please check out our website at www.six-geving.com. I hope you will feel free to contact us about all of your insurance needs. Here is our contact information:



Randy Geving: rgeving@six-geving.com or (719)867-4515
Suzanne Storm: sstorm@six-geving.com or (719)867-4502
Tracy Ardrey: tardrey@six-geving.com or (719)867-4526



We look forward to serving you!

Randy Geving, AAI, CIC

At Note from our Safety Director:

We at ERC are equally as excited for this new partnership. In the short time that they became our new broker, I have been very impressed with their knowledge, dedication, and concern. Having Six and Geving on our team offers up new sources for many types of business insurance that we hope you will explore. You will most likely not notice anything different in your worker's compensation insurance, but they are a great resource to ERC and our clients.

Dave Wilson
Safety Director



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ACA and ObamaCare is Here to Stay (For Now)

With the Republicans failing to receive enough support in the House of Representatives on March 25th, the ObamaCare reconciliation bill was pulled from the floor.

What does this mean for Americans and health coverage? Well, for now everything will stay the same – the Affordable Care Act is the law of the land – for the rest of 2017 and potentially 2018.

What will likely happen if ObamaCare stays in place long-term? The healthcare system as we know it will implode in on itself due to how the system is structured.

Why? Under ObamaCare, the system was set up so that healthy people on health insurance plans would help to balance out the less healthy population that causes health insurance costs to rise. However, what has happened is that much of the healthy

population has opted out of health coverage all together due to cost, and instead pays the penalty at tax time. Since the system is out of balance it has caused the health insurance market to operate in a deficit since 2014. Once this catches up to them, prices will skyrocket and many insurance providers will likely pull out of the market completely.

What this means for small businesses:

Many small business owners in favor of the repeal had increased hiring because they would no longer be required to offer insurance to full-time employees if they had a full-time base of more than fifty.

With ObamaCare still in place, it will still be mandatory for businesses to provide insurance benefits to full-time employees if they employ more than 50 full-time people (this number can be met by adding together part-

time employee hours as well). The continuation of this rule will cause a slowing in small business hiring.

What this means for individuals:

Individuals, regardless of if they are part of a group policy or if they received their insurance via the state marketplace, will see a rise in insurance and healthcare costs.

How would a repeal affect Medicaid recipients?

Medicaid is seen by some as the most important component of the nation's healthcare safety net. The Trump administration could introduce structural changes to Medicaid such as: eligibility restrictions tied to work, required premium contributions and lock-out for nonpayment, annual enrollment periods, and coverage limits and exclusions.

Currently, each dollar spent in the Medicaid program by the state

government is matched by the federal government. Under the Trump administration, block grants would provide states with a lump sum of money instead of the federal government matching their spending dollar-for-dollar. States would either have to raise taxes to make up the difference, charge enrollees, or cut spending to programs.

With the ACA repeal-and-replace proposed by the current administration, there are many potential changes to the system. Only time will tell what propositions make it past the House floor and how they will eventually impact the American people.



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Rescinding an Employment Offer Due to Background Results

Colorado Law states that we cannot run a background check prior to extending an offer of employment.

There are times when the employee does not pass the background check or drug test. When taking an adverse action (for example, firing the employee) based on background information obtained through a company in the business of compiling background information, the Fair Credit Reporting Act (FCRA) has these requirements:

- When you take an adverse employment action, you must give the employee:
 1. A notice that includes a copy of the background report you relied on to make your decision (provided to you by ERC);
 2. a copy of "A Summary of Your Rights Under the Fair Credit Reporting Act" (provided to you by ERC);
 3. you must tell the employee that the company is rescinding the offer of employment because of information in the report (letter provided to you by ERC);
 4. that he or she has a right to dispute the accuracy or completeness of the report;
 5. and that the employee has the option to seek out an additional free report from the reporting company within 60 days.

If you have any questions regarding rescinding a job offer due to background results, or if you would like to start doing background checks on potential employees, please contact Laurie Loudon in our HR Department.

End of 1st Quarter Reports

The end of the first quarter is upon us! Do you take advantage of the valuable reports ERC has to offer? ERC can provide you with reports to include labor costs, current employee information, a benefits

census, quarter earnings per employee, cost reports per employee, and a job cost summary. If you have specific questions concerning your end of quarter reports, please contact your payroll specialist.



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Anthem Blue Cross Blue Shield Announces Minor Credit Protection

In February 2015, Anthem announced that it was the victim of a cyberattack. Following the announcement of the attack, the National Association of

Insurance Commissioners (NAIC) conducted a multistate market conduct and financial exam. The NAIC asked and Anthem has agreed to provide a

customized credit freeze program for minors who were under the age of 18 on January 27, 2015. As part of the Minor Credit Protection program, Anthem:



- Cover the one-time costs to set and remove a freeze at all three major credit bureaus (Equifax, Experian, and TransUnion), if a parent chooses to set a minor credit freeze for his or her minor child.
- Reimburse the costs incurred for an existing minor credit freeze with the three credit bureaus, if a parent previously set a credit freeze as a result of the cyberattack.
- Reimburse the costs for setting a new adult freeze for those individuals who were minors on January 27, 2015 but are now adults (as of February 24, 2017).

Affected minors will be notified by U.S. mail from February to May 2017. These offers will remain open for one year from the date of

the letter. The letters will be mailed to the parents of children who were minors on January 27, 2015 and still are minors at this

time. **Please note that this is an advance notice for your information only.** For the latest information on the

Minor Credit Protection Program, visit AnthemFacts.com. Or call 1-855-260-2775.

Combatting Allergies at Work

It is prime time for the onset of allergies. A study done in 2001 found that spiking pollen counts correlated with a 10% decrease in productivity in the work place. Allergens

are also a big reason for missed worked. The average worker with allergies misses about one hour per week over the course of a year. Managing allergies at work has a three-

pronged approach:
-Accurate Diagnosis,
-Environmental Control, and
-Medication
Managing the work environment to limit allergens is also helpful for employees who

suffer from allergies. As an employer getting free-standing air filtration systems, cleaning ventilation ducts, and changing filters in the air systems are all helpful ways to cut down on the effects of employees with allergies.



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Current Status of the Department of Labor's Overtime Rule

Ever since the preliminary injunction against the DOL's overtime rule was granted by the federal court on November 22, 2016, employers across the country have been wondering when (and whether) the rule will go into effect. More than three months later, the status of the rule remains "up in the air".

Here is what we currently know:

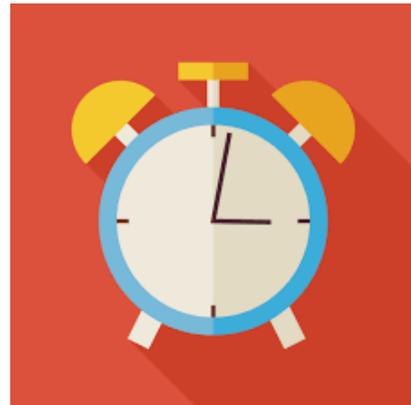
- On Dec. 1, 2016, the DOL filed a notice of appeal of the injunction with the 5th circuit.
- On May 1, 2017, briefing (writing legal arguments for/against the injunction) is scheduled to close.
- Oral arguments on the appeal have not been scheduled.
- There is no anticipated date for a ruling on the injunction.

How has/will the change in administration impact the rule?

With the change in administration, the composition of the leadership team of the DOL will change, as many of these positions are filled by Presidential appointment. At the present time, the majority of these appointed positions remain vacant; therefore, it is unclear how the DOL under the Trump Administration will address the Rule. It may choose to:

- Pursue the appeal;
- Withdraw the DOL overtime rule; or
- Propose a new rule for comment.

Only time will tell.



What should employers do?

Until the fate of the DOL Overtime Rule has been decided, many employers have adopted a "wait and see" attitude - delaying any action until a ruling has been issued on the appeal. To the extent that a company did not already take action to comply with the DOL Overtime Rule, that remains the best course of action. It is also recommended that employers take the opportunity to review their exempt positions against the duties tests.

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Got a Qualifying Life Event? You'll Need Proof.

In the employer group market, insurance plans have annual open enrollment times when members can make changes to their plans and eligible employees can enroll. Outside of that time frame, however, a qualifying event is required in order to enroll or change coverage.

What is a qualifying event? A qualifying life event is a major event that affects your health insurance needs and qualifies you to make changes to or buy a

health plan outside of open enrollment. Some of the qualifying life events include:

Life Event	Examples
Loss of Health Insurance	<ul style="list-style-type: none"> • Losing health insurance for any reason except not paying your premiums • Losing eligibility for Medicare, Medicaid, or the Children's Health Insurance Program • Turning 26 and losing coverage through a parent's plan • Spouse's loss of job affecting insurance coverage
Changes in Household	<ul style="list-style-type: none"> • Marriage or divorce • Having a baby or adopting a child • Losing coverage due to a family member's death
Change in Circumstance	<ul style="list-style-type: none"> • Permanently moving outside your plan's coverage area • A change in income (affecting eligibility for premium tax credits or cost-sharing reductions)

Carriers will ask for proof of a qualifying life event (QLE) when an employee submits an application outside of the open enrollment period. For QLEs such as marriage or childbirth, an employee needs to

show a marriage or birth certificate. If an employee is enrolling in coverage due to a loss of coverage, they must provide official documents directly related to the event. Employees have a maximum of 30 days

from the date the QLE occurred to make changes to an insurance plan. If an employee does not meet the 30 day deadline, they forfeit their opportunity to make changes to their benefit plan and must wait until they are eligible

during open enrollment. If you have more questions concerning benefits coverage or a qualifying event please contact Kelly or Sarah in the Benefits Department.

