

Human Resource issues vital to businesses

It's easy to lose sight of employees, especially in this tough economic climate where many businesses are struggling just to stay afloat. But with the ever-changing legal landscape of Human Resource issues, staying apprised of the law is crucial to companies looking to keep workers happy and avoid costly lawsuits.

"With so many different changes, it's hard to keep up with the law," said Katherine Boyd, an employment law specialist with Modesto's Curtis & Arata, A Professional Law Corporation.

A wide array of government organizations are responsible for different segments of employment law, ranging from the California Department of Industrial Relations to the California Department of Fair Employment and Housing. While trade groups can be a resource to help businesses stay on top of changes in the law, businesses need to be consciously paying attention to the law at all times, according to Boyd.

One very recent change in employment law took effect on April 3, as a new I-9 form is now required for employees. While the changes to the form may seem small — expired documents are no longer acceptable, and the list of allowed credentials has been revised to allow certain passports — ensuring that your company is using the correct paperwork is crucial should legal issues arise. "I wouldn't want to be in a position where I'm using the wrong form," Boyd said. "You definitely want to have

all of your documents in order in case you ever have to produce them."

Other seemingly unrelated laws can also have an effect on a business' HR policies, including the new legislation preventing the use of cell phones for talking or texting while driving. According to Boyd, businesses may need to adopt new policies making sure employees don't engage in this behavior in order to be protected.

Employers must also remain abreast of their employees' hours, given a recent revision to Section 206.5 of the California Labor Code that makes it a misdemeanor to knowingly sign an incorrect statement of hours worked.

In what is perhaps the most sweeping change to employment law, significant changes were adopted to the Family and Medical Leave Act. The massive new document, which contains a preamble that alone comprises more than 700 pages, can seriously affect any business with more than 50 employees.

In general, Boyd advises employers to review their employment handbooks with consideration to the new changes in the law, and also to ensure that the most current required employment posters are in place. Those posters are available through the Turlock Chamber of Commerce.

"There's just no way to summarize," Boyd said. "... They (employers) really should be consulting with their employment law attorney."



STORY BY ALEX CANTATORE