



EMPLOYEE HANDBOOK

Personnel policies

In 1964, Bob Dylan famously sang, “The Times They Are A Changin’.” Those words still stand true today. The times are changing; particularly, the protections that employers are legally required to provide their employees. If employers do not change with the times, they run the risk of a lawsuit and incurring massive expenses.

Keeping your employee handbook/personnel manual up-to-date is an easy, but necessary step to ensure that you keep up with the times. First, if your business does not have an employee handbook, make sure you develop one. The employee handbook is a document that contains a company’s operating procedures. It is usually delivered to employees on their first day of employment, and they are required to sign or acknowledge it in some way. Handbooks are utilized to establish important policies that are expected in the workplace and to protect the rights of employers and employees.

Handbooks contain information on topics ranging from dress codes and benefits, to a company’s policy on smoking and weapons in the workplace.

If your business has an employee handbook, that’s great; but, that is only half the battle. Recently, many states have

“The modern workplace is changing at a rapid pace.”

passed legislation, or enacted regulations, requiring employers to provide a myriad of new protections for their employees. Things like heavily enforced rules against workplace harassment, or expanding protected classifications under the Americans with Disabilities Act and providing employees with paid time off to take care of family members or bond with a child. Make no mistake, the modern

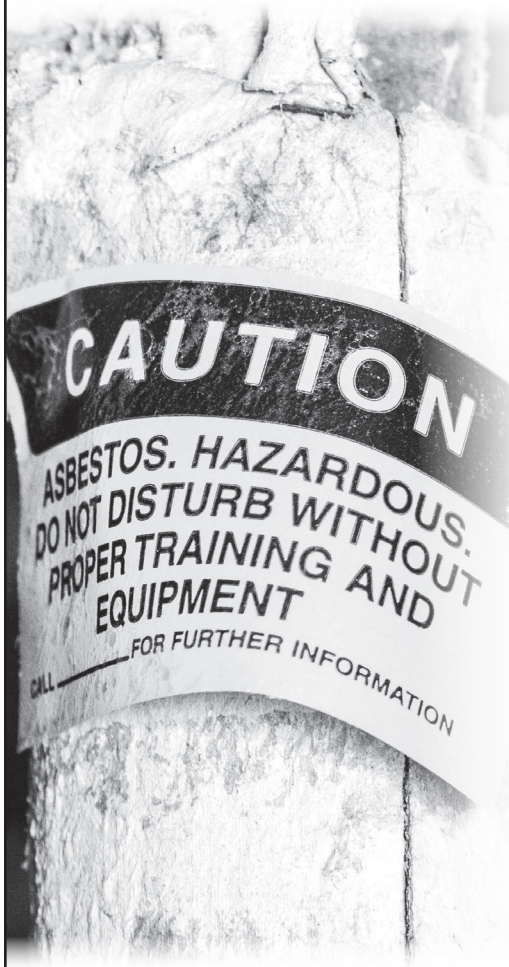
workplace is changing at a rapid pace. It is important that you stay updated on federal and state laws to ensure your employee handbook reflects these changes.

It also is important to invest in employment practices liability insurance. EPLI covers wrongful acts arising from the employment process including common workplace claims like sexual harassment; wrongful termination; and discrimination. While having an EPLI policy is not a replacement for adherence to the law, it does provide assurance that if something does happen in the workplace, a policy will be there to help.

We are here to help. Give us a call today to discuss the proper coverage you need to protect your business in the event of a workplace claim.



The claims-made policy difference



For many types of injuries, identifying the precise trigger for insurance coverage is not difficult because the injury and the event causing the injury appear simultaneously. For example, an auto accident or a slip or fall normally will cause immediate injuries that can be traced to one moment in time when the event occurred. An occurrence policy is the best way to insure this type of claim.

However, the kinds of latent injuries that typify long-tail claims are not so easy to pinpoint within a specific policy term. Latent injuries caused by asbestos; silica; beryllium; formaldehyde; toxic wastes; pharmaceuticals; and medical procedures can cause confusion. Is the trigger the moment the first contact (or mistake) was made; when the cumulative damage was done; when the diagnosis was made; or when the suffering began?

For exposures having long tails, the insurance industry conceived a way to make a single policy respond with contemporary limits to a claim presented during the current policy term

(i.e., a claims-made policy). This policy bundles past occurrences (the nose) into present coverage. It responds to a claim first made (look for clarification in the policy on what is meant by “first made”) during the policy period or any extended reporting period, for an occurrence that falls after the retroactive date but before the expiration date of the policy.

Most state laws have limited the types of risks that can be insured on a claims-made policy. This includes environmental liability; professional liability; medical malpractice liability; directors and officers liability; employment practices liability; fiduciary liability; excess liability; products liability; completed operations liability; employee benefits liability; and large risks qualified by some threshold for size.

Obviously, there is more complexity to this type of policy, creating a need to fully understand the implications. We can help you. Don't hesitate to take advantage of our services.

Paid family leave

Every so often, something new takes over our public awareness. Sometimes, it is a brief fad that disappears as fast as it arrived (e.g., fidget spinners and the ice bucket challenge). Other times, what seems like a fad becomes embedded into our society (e.g., selfies and hashtags). In the world of politics, paid family leave has suddenly appeared to take over as politicians around the country repeat the phrase. While most of the country is trying to figure out if this is just an election-year fad, the ideas have already turned into lasting legislation in New Jersey.

New Jersey has passed PFL and the state Legislature is trying to expand the coverage to encourage more people to use the benefit. Currently, New Jersey's PFL offers employees six weeks leave, receiving two-thirds their average weekly wage up to \$633. Among the changes proposed to the program is a higher wage cap of \$1,200, or 100 percent of the average weekly wage for all workers in New Jersey. The Legislature also proposed extending the leave to 12 weeks during a one-year period. To round it out, the Legislature has proposed dropping the job protection guarantee from workplaces with 50 or more employees down to any with 30 or more employees. Lawmakers hope these changes will encourage more workers to take advantage of PFL options to which most Americans do not have access.

While many people may wonder if PFL is a passing fad battered around by politicians around the country, it already is embedded in New Jersey and is evolving as a lasting feature of the state.

