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HR News Alert

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Health Care Remains High on List of Employer-Provided Benefits



Employer-provided medical care was available to 85% of full-time employees in the private sector, according to data from March 2013 [reported by the U.S. Bureau of Labor Statistics in July](#). Twenty-four percent of part-time workers had health care benefits available.

Access to paid leave continues to top the list of employer-provided benefits for full-time employees

working in private industry:

- Paid vacation was available to 91% of full-time workers and 36% of part-time workers.
- 90% of full-time workers and 39% of part-time workers received paid holidays.
- Paid sick leave was offered to 74% of full-time workers and 24% of part-time workers.

More details and survey results are available in the report, '[Employee Benefits in the United States](#),' which is based on data from the National Compensation Survey. To learn more about employer-provided benefits, visit our section on [Employee Benefits](#).

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'Pay or Play' Requirements Delayed Until 2015

Employers subject to the 'pay or play' requirements under Health Care Reform--generally those with at least 50 full-time employees, including full-time equivalents--will not face penalties (also known as employer shared responsibility payments) for 2014.



According to [formal guidance](#) released by the IRS, the 'pay or play' provisions will be **fully effective for 2015** and employers are encouraged to maintain or expand health coverage in 2014 in preparation for compliance. The delay is a result of transition relief being provided for 2014 with respect to certain employer and insurer reporting requirements which are necessary for the IRS to determine whether a penalty may be due.

The delay does not affect the application or effective dates of other Health Care Reform provisions, including the [individual shared responsibility requirements](#) scheduled to take effect on January 1, 2014.

Our [Summary by Year](#) provides information on other upcoming changes under Health Care Reform.

Interviewing Do's and Don'ts

Conducting effective interviews helps to ensure you are hiring the best-qualified candidate for the job. As a general rule, information requested and obtained through the interview process should be limited to that which is essential for determining whether an applicant is qualified for the job. The do's and don'ts below can help you make the most of your interviews and stay in compliance with the law:



- **DO create a comfortable environment.** Whether you conduct the interview in an office or conference room, make sure the area is neat and quiet. Offering the candidate something to drink--water or coffee--is a small courtesy that demonstrates consideration and thoughtfulness.
- **DON'T ask personal questions.** Be especially careful of this at the beginning of the interview. A friendly demeanor may help put the candidate at ease, but engaging in too much small talk can inadvertently lead to questions bordering on areas that could be considered discriminatory (such as questions relating to the applicant's marital status or political beliefs).
- **DON'T ask discriminatory questions.** Any questions regarding race, religion, age, ethnic group, national origin or ancestry, political affiliations, military service, disability or other sensitive topics may be discriminatory and should be avoided. Also be careful not to ask any questions that could elicit such information (for example, questioning an applicant about the origin of an unusual surname). If an applicant volunteers irrelevant or inappropriate information during an interview, disregard the information and do not write it down.

- **DO keep the conversation focused on job-related information.** In reviewing your interview questions, ask yourself if the information you are seeking is really needed to evaluate the candidate's qualifications, skills, and ability to meet the challenges of the job. Ask only for information you intend to use in making a hiring decision and know how you will use the information to make that decision. Avoid asking questions that are not relevant to the performance of the essential functions and responsibilities of the position.
- **DO provide the candidate with information regarding next steps.** Be sure to give the candidate an opportunity to ask any final questions and provide a general timeframe for getting back in touch regarding any next steps and decisions. Thank the candidate for his or her interest in the job and your company.

If you have specific questions regarding illegal interview questions or how to conduct a lawful interview, please consult with a knowledgeable employment law attorney. Additional tips and guidelines related to the interview process can be found in our section on [How to Interview](#).

5 Tips for Serving Healthy Foods at Workplace Meetings

Maintaining a healthy lifestyle can be a challenge amidst competing demands of the work day, family responsibilities, and other social obligations. But the food we eat while working not only [impacts our health](#)--it can also affect our productivity. Consider the following guidelines when offering food and beverages at meetings and staff gatherings to help support a healthy diet for your employees:

1. **Offer a variety of fresh fruits and vegetables.** Salads, cut-up raw vegetables, and sliced fruit are all good options.
2. **Stick to low-calorie and fat-free or low-fat foods.** Always put dressings on the side. Try salsa, low-fat yogurt dressing, and sweet mustard as toppings.
3. **Provide a variety of grains, especially whole grains.** Cereal bars, baked tortilla chips, pretzels, rice cakes, and pita bread all fit the bill.
4. **Pay attention to portion sizes.** Portion sizes have increased substantially and can contribute to added calories. Try to serve smaller portions of foods, such as mini muffins, mini bagels, or small cubes of low-fat cheese.
5. **Consider offering only beverages at mid-morning and mid-afternoon meetings.** 100% fruit juices, tea, and water with a slice of fruit or seltzers are all good choices.

Additional materials for [Workplace Health Promotion](#) are available from the U.S. Centers for Disease Control and Prevention. You can also visit our section on [Employee Health & Wellness](#) for more ideas to encourage healthy habits at work.

401(k) Plan Administrators May Reschedule Annual Disclosures to Employees

Under a new [temporary enforcement policy](#), administrators of 401(k)-type plans are allowed to reschedule the timing for their annual investment comparative chart that is required to be furnished to plan participants. Plan administrators may reset the deadline **one time**, for either the 2013 or the 2014 chart, if the responsible plan fiduciary determines that doing so will benefit the plan's participants and beneficiaries and provided that no more than 18 months may pass before participants receive their next comparative chart.

The requirement that administrators of 401(k)-type plans disclose annually [certain information about plan investment options](#) to participants and beneficiaries became effective last year. Plans operating on a calendar year had to furnish a comparative chart of investment alternatives for the first time no later than August 30, 2012, meaning that their second chart would have been due no later than August 30, 2013.

The temporary enforcement policy is intended to provide plans with more flexibility so that the annual deadline for furnishing comparative charts can be aligned in a cost-effective manner with the furnishing of other participant notices and disclosures (such as at the end of the year during enrollment periods or with individual benefit statements).

More information and examples of how the temporary enforcement policy will alter the timing requirements for calendar year plans are contained in [Field Assistance Bulletin 2013-02](#). This policy does not alter a plan administrator's obligations to timely update the investment information that is available at the plan's Internet web address or to notify participants about changes to investment information.

You can visit our section on [Retirement Plan Fee Disclosure Rules](#) for more information about the notice and disclosure requirements that may apply to your plan.

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