



MINNESOTA
CHAMBER of
COMMERCE

BUSINESS SOLUTIONS
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COBRA EXTENSION DEADLINE

The Senate recessed without giving final approval to an extension of the COBRA subsidy program, so workers who are involuntarily terminated after March 31, 2010 will not be eligible for the subsidies for healthcare continuation coverage. The Senate is scheduled to return April 12, when proponents of an extension are likely to push for an act. The Minnesota legislature is also scheduled to take up this discussion when it returns from break next week. For more information on the Federal and State Subsidy program, go to the [U.S. Department of Labor](#) and the [Minnesota Department of Human Services](#).

NATIONAL HEALTH CARE LEGISLATION

By now you have seen and heard plenty on the legislation passed and signed into law last week. [H.R. 3590](#), the Patient Protection and Affordable Care Act, has now been officially designated Public Law 111-148.

To complete the package, Congress also approved additional changes or “sidebars” to the new law. These changes, which were included in separate legislation called the Budget Reconciliation Act of 2010, were part of the agreement negotiated between the House and Senate to approve the overall health care reform package.

The new health care law includes many provisions that will affect both employers and employees. To name a few:

- Employers who offer “unaffordable” coverage or no coverage at all and have employees who receive federal subsidies to purchase coverage through an exchange will incur tax penalties.
- Employee contributions to a health flexible spending account will also be capped at \$2,500.
- No health FSA/HRA/HSA reimbursements for **over-the-counter** medications.
- Form W-2 reporting of the value of employees' health coverage.

The new law is complex and many of the provisions will require additional clarification before the full extent of the legislation can be realized. However, [here is a synopsis developed by Mercer](#) on the reform elements that affect employers. Also attached is a timetable developed by [America's Health Insurance Plans \(AHIP\)](#).

The Minnesota Chamber is hosting a webinar on Wednesday, April 7 from noon – 1:00 p.m. to provide our members with details on this new law including a timeline of implementation. This webinar is free to Chamber members and \$89 for non-members. Click [here](#) to register.

SPRING'S COMING: IS YOUR GROUP HEALTH PLAN FEELING CHIPRA?

Last year, Congress passed the **Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA)**, which changed some eligibility and enrollment features of group health plans. CHIPRA created special enrollment rights for eligible employees and dependents to enroll in employer group health plans (1) after losing eligibility for coverage under Medicaid or a state Children's Health Insurance Program (CHIP) or (2) after becoming eligible for a premium assistance subsidy under Medicaid or CHIP. CHIPRA also added to the barrage of annual health plan notices.



FACEBOOK FEARS: LABOR LAW AND SOCIAL NETWORKING

Many employers already know it is unlawful to spy on employees who are engaged in union organizing. As unions start to use social networking sites like Facebook to organize workers, employers must be aware that the same “brick and mortar” rules that have prohibited spying on union activity also will be applied in some circumstances to spying on internet-based union organizing activity.

“Surveillance” of union organizing activity - or even creating the impression that such surveillance is taking place - has long constituted a violation of section 8(a)(1) of the National Labor Relations Act (NLRA). That section makes it unlawful to interfere with, restrain or coerce an employee with respect to the employee's right to form, join or assist a labor union. The National Labor Relations Board (NLRB) has held for decades that spying on lawful organizational activity interferes with the right to unionize because employees may reasonably fear that the employer may retaliate against the union supporters.



GOVERNOR'S AWARD ON INNOVATIVE MEASURES IN WORKERS' COMPENSATION – NOMINATIONS REQUESTED

The Minnesota Department of Labor is taking nominations for this award which recognizes employers that have developed and implemented a unique and result-orientated workers' compensation program. The recipients will be recognized in front of their peers and policy leaders and be asked to share their program at the 2010 Workers' Compensation Policy Conference in June at Grand View Lodge in Nisswa. **If you have a program you are proud of and would like to share with your peers, please consider nominating your company.**

Applications for The Governor's Award on Innovative Measures in Workers' Compensation are due April 30 to the Minnesota Department of Labor. Winners will be notified in May. Click [here](#) to view the attached application. For more information, can contact Jayne Jones at the Department of Labor at (651) 284-5526.

WORK HARD. PLAY HARD. VACATION IN MINNESOTA

Explore Minnesota and the Minnesota Chamber have teamed up to promote vacationing in Minnesota. In April, you will receive a letter and a poster ([sample attached](#)) from John Edman, executive director of Explore Minnesota, and David Olson, president of the Minnesota Chamber, requesting your assistance in promoting to your employees spending their vacation in our great state. Whether it's a day trip close to home or a week-long vacation at a Minnesota resort, active or relaxing, there is no substitute for a great Minnesota vacation. Planning a Minnesota vacation is not only convenient and affordable, it's easier than ever with resources available through www.exploreminnesota.com. Look for your materials in the next few weeks. For more information or additional posters for your site, contact Mary Bethke at mbethke@mnchamber.com.

SAFETY IN THE WORKPLACE

The Minnesota Chamber, through our network of safety leaders, is pleased to be sponsoring a webinar series, "Building a Total Safety Culture." The presenters are safety experts in their respective fields eager to share their experience of what works to ensure employers of all sizes maintain a safe workplace environment. The topics and dates are:

February 16: Potential Hazards and Near Miss Reporting (archived)

June 15: Good Hiring Practices & Employee Safety Orientation

October 12: Job Safety Analysis

The webinars are noon to 1:00 p.m., free to Chamber members, and are led by safety experts from our member companies. To register or to review previous programs, go to: www.mnchamber.com/benefits/safetymanagement.cfm.

WELLNESS IN THE WORKPLACE

Tackling obesity: how to create a healthier worksite

One of the biggest challenges you face as an employer is to maintain a healthy and productive workforce. But an even greater challenge may be tackling obesity in your workplace. It's important to understand how obese employees affect your company — and your bottom line.



At the inaugural Weight of the Nation conference, the U.S. Centers for Disease Control and Prevention (CDC) delivered its recommendations for tackling the national epidemic of obesity.

 [READ MORE](#)

Your Health and Wellness Program: Creating Engaged Employees

In today's corporate environment, employers increasingly turn to health promotion and disease management programs to improve the health of their employees and address accelerating health care cost trends. Having a great wellness program is one thing, but getting your employees to participate is another. Use these tips from JourneyWell, a *HealthPartners Solution*, to boost your program's participation rate while creating employees who are



engaged in their health.

 [READ MORE](#)

The Corporate Athlete: Best Use of Time

Whether you're a high-powered executive, a midlevel manager, or you're just starting your first internship, chances are you'll encounter a variety of challenging scenarios daily. Here we'll walk you through some typical events in a busy professional's life and explain how adopting the training mentality of a "corporate athlete" can help you create a winning situation.



 [READ MORE](#)

UPCOMING WEBINAR

The Minnesota Chamber is hosting a free webinar to Minnesota Chamber members on Wellness in the Workplace on May 11 from noon to 1:00 p.m. To register, go to www.mnchamber.com.

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