



MINNESOTA  
CHAMBER of  
COMMERCE

BUSINESS SOLUTIONS  
HEALTH & BENEFIT E-NEWSLETTER

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#### HEALTH CARE UPDATE

The health care debate has clearly ramped up in Washington. With that in mind, the Minnesota Chamber and our local chamber Federation partners have teamed up with the U.S. Chamber for a December 9 “fly-in” to meet with members of our Congressional delegation to visit about health care. Meetings were set up with our Senators and Representatives to discuss our concerns. [Attached is the letter](#) that was distributed to our legislators.

Attached is a key employer element comparison of the House and Senate versions of the bill developed by Mercer, the trusted HR and related financial advice, products and services advisor, [www.mercer.com](http://www.mercer.com).

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#### UNEMPLOYMENT INSURANCE UPDATE

In preparation for the 2010 legislative session, the Unemployment Insurance Advisory Council is looking at proposals to bring in front of the legislature in an attempt to address costs related to the UI Trust Fund deficit.

The Council is comprised of UI stakeholders and acts as a sounding board for state officials when considering new UI policy. The Minnesota Chamber is contacting its members to receive your feedback on a number of proposals the committee is reviewing. Specifically, we would like to know how it will affect how you do business and if it would lay unnecessary burden on you. Please review the [attached proposals](#) and provide your feedback directly to Jeremy Estenson, manager, labor-management policy at [jestenson@mnchamber.com](mailto:jestenson@mnchamber.com). NOTE: Each of the proposals has corresponding legislation drafted. If you would like to review the legislation, contact Jeremy for a copy.

### **"GEE, I NEED ANOTHER" HEALTH PLAN REGULATION: NONDISCRIMINATION RULES UNDER GINA**

On October 7, 2009, the Internal Revenue Service, U.S. Department of Labor and U.S. Department of Health and Human Services issued interim final regulations implementing the nondiscrimination rules under the Genetic Information Nondiscrimination Act of 2008 (GINA) and proposed regulations to update the HIPAA privacy rule. The regulations implement GINA's prohibition of the collection or use of genetic information for the purpose of determining enrollment eligibility or for underwriting purposes. The final regulations may change the operation of the open enrollment process of a group health plan, so immediate action may be necessary to comply with the regulations and avoid possible monetary penalties.

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### **EMPLOYERS MUST UPDATE REQUIRED EEOC POSTING**

The [Equal Employment Opportunity Commission](#) (EEOC) has released an update to its required "Equal Employment Opportunity is the Law" posting. The new version reflects current federal employment discrimination law, including information regarding the Genetic Information Nondiscrimination Act (GINA) and ADA Amendments Act regulations. The revised poster also includes updates from the U.S. Department of Labor. The EEOC posting update is mandatory for all covered employers and can be downloaded [here](#).

Also available, for a fee, are laminated posters through Ceridian, a Minnesota Chamber partner. [Click here](#) for more information on pricing and click on compliance catalog at the top.

### **NATIONAL DEFENSE AUTHORIZATION ACT INCLUDES EXPANSIONS OF FMLA MILITARY FAMILY LEAVE PROVISIONS**

On October 28, President Barack Obama signed the FY 2010 National Defense Authorization Act (NDAA) (P.L. 111-84) into law. The law contains provisions amending the Family and Medical Leave Act of 1993's (FMLA) military family leave entitlements. The expansions are effective immediately.

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### **RETURN TO WORK: REQUIRING INJURED EMPLOYEE TO BE RESTRICTION-FREE INVITES CHARGE OF DISCRIMINATION**

A recent settlement in a disability discrimination lawsuit is a good reminder to employers that "no restrictions" is not a good employment policy.

The U.S. Equal Employment Opportunity Commission announced recently that AVI Foodsystems Inc., a food service firm based in Warren, Ohio, is required to pay more than \$90,000 and offer jobs to discrimination victims to settle a class disability discrimination suit. The suit was brought by the EEOC in U.S. District Court in Ohio.

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### MINNESOTA CHAMBER PRODUCT SURVEY

Minnesota Chamber Business Services offers members a range of HR and Safety products and services free or at a discount rate. In order to ensure we are providing you with the tools you need to manage your most important assets, your employees, please take the following confidential survey. [Click here](#) to enter the survey.

### FITNESS TRAINING FOR CAREER SUCCESS

Professional athletes train hard to bring their best selves to their sports. What if we did the same thing as a way of winning big at work?

What do Olympic gold-medal swimmer Michael Phelps and a Fortune 500 CEO have in common? At first glance, not much. But look closer. Today's corporate world isn't all that different from the sporting world: It's fiercely competitive, mentally and physically demanding, and it requires constant preparation in order to succeed.

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### 2010 RETIREMENT PLAN COST-OF-LIVING ADJUSTMENTS TABLE

On October 15, 2009, the Internal Revenue Service released the 2010 cost-of-living adjustments for compensation and benefit limits related to retirement plans. The following chart summarizes 2010 retirement plan limits and other benefit plan limits. These limits are adjusted as often as every year to account for increases in the cost of living, or as established by statute. By statute, several of these numbers may not be reduced. Almost all limits remained the same as 2009 amounts. The 2009 limits are also listed for reference purposes.

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### VACATION IN MINNESOTA

This spring, Explore Minnesota Tourism launches a campaign to Minnesota companies called, "Don't leave your vacation days on the table." A poster mailing will encourage workers to use the vacation days they've earned and use them right here in Minnesota. Vacationing close to home is not only convenient and affordable, it's easier than ever with resources and information at [www.exploreminnesota.com](http://www.exploreminnesota.com). If you would be interested in receiving a poster, please contact Mary Bethke at [mbethke@mnchamber.com](mailto:mbethke@mnchamber.com).

*For more information on this or other products and services available through the Minnesota Chamber of Commerce, contact Mary Bethke at (651) 292-4672, (800) 821-2230, or [mbethke@mnchamber.com](mailto:mbethke@mnchamber.com) or visit our web site at [www.mnchamber.com/benefits](http://www.mnchamber.com/benefits).*