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LETTER FROM ANDY



Thanks for reading issue #4 of Merit Resources' m.pact Newsletter!

As the weather warms up, we start thinking Spring Cleaning. In business, that often means evaluating our various vendors and practices, looking for ways to improve and be more efficient. This presents a great opportunity for us at Merit. As business owners become introspective about their organization, outsourcing frequently becomes an attractive alternative to the status quo.

So if you are a current client or strategic partner of Merit Resources, we hope you'll take advantage of this time of year to tell someone else how Merit makes employment easy! Start with this newsletter if you like . . . forward it to someone you know who could use help managing the "business of employment" and let them know Merit is part of your team. Also feel free to direct them to our new website at www.MeritResources.com to learn about what we do. We'd love to see if we can help them, and your friend will thank you for making them aware of another way to handle their human resources challenges.

Happy spring!

Andy TeBockhorst
Vice President of Marketing

Buried deep within the 1,000-plus pages of the American Recovery and Reinvestment Act of 2009 (ARRA) are sweeping changes to the health information privacy and security regulations of the Health Insurance Portability and Accountability Act (HIPAA). These new changes affect not only healthcare providers, health plans and health-care clearinghouses, but a wide range of vendors and contractors that provide services to healthcare organizations.

WHAT YOU NEED TO KNOW ABOUT **HIPAA & ARRA**

Previously, HIPAA applied only to the use and disclosure of individually identifiable health information (known as "protected health information" or PHI) by healthcare providers, health plans, and healthcare clearinghouses (known collectively as "covered entities").

Vendors providing administrative services to covered entities, such as legal services, accounting, information technology, financial support and similar services were not directly subject to HIPAA's privacy and security provisions. Changes made by ARRA expand the scope and application of HIPAA.

Among the most far-reaching provisions of ARRA are those that apply several of HIPAA's security and privacy requirements to business associates. In addition, business associates will be subject to civil and criminal penalties and enforcement proceedings for violations of HIPAA.

Merit Resources protects our clients from such penalties and assumes all responsibilities for prevention and response to any breach of compliance. Merit Resources has procedures and processes already in place that will greatly reduce the likelihood and cost of breaches.

Merit's plan includes incident response analysis and reporting procedures, guidelines for communicating with external parties, established notification mechanisms, as well as a detection, collection and analysis strategy. This piggybacks on the Business Continuity Plan that we outline in our IT section.

There are several important steps in preventing and managing any type of PHI breach, but as a client of Merit Resources, you're covered! And that's how we make employment easy for you.

POLL

How do you structure an employee's time off?
[-Click here to take our Poll-](#)

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HUMAN RESOURCES EEOC CHARGES

During fiscal year (FY) 2009, 93,277 workplace discrimination charges were filed with the US Equal Employment Opportunity Commission (EEOC) nationwide—the second-highest level ever—and more than \$376 million was obtained for victims, the federal agency advised on January 6, 2009.

The FY 2009 data show that private sector job bias charges (which include those filed against state and local governments) alleging discrimination based on disability, religion and/or national origin hit record highs. The number of charges alleging age-based discrimination reached the second-highest level ever.

At Merit Resources we understand that you don't want to be one of these businesses. That is why it is our responsibility to protect you in your Human Resources practices by maintaining compliance with federal requirements and conducting investigations for harassment, discrimination or other types of complaints.

The reason for increases? The near-historic level of total discrimination charge filings may be due to multiple factors, the EEOC suggests, including:

- greater accessibility of the EEOC to the public,
- economic conditions,
- increased diversity and demographic shifts in the labor force,
- employees' greater awareness of their rights under the law, and

- changes to the agency's intake practices that cut down on the steps necessary for an individual to file a charge.

Continuing a decade-long trend, the most frequently filed charges with the EEOC in FY 2009 were charges alleging discrimination based on race (36 percent), retaliation (36 percent) and sex-based discrimination (30 percent). Multiple types of discrimination may be alleged in a single charge filing.

Through its combined enforcement, mediation and litigation programs, the EEOC recovered more than \$376 million in monetary relief for thousands of discrimination victims, and obtained significant remedial relief benefiting millions of workers across the country (e.g., court decrees or settlements requiring employers to change discriminatory policies or practices).

"The latest data tell us that, as the first decade of the 21st century comes to a close, the Commission's work is far from finished," said EEOC Acting Chairman Stuart J. Ishimaru. "Equal employment opportunity remains elusive for far too many workers, and the Commission will continue to fight for their rights. Employers must step up their efforts to foster discrimination-free and inclusive workplaces, or risk enforcement and litigation by the EEOC."

**The EEOC's comprehensive enforcement and litigation statistics for FY 2009 are posted on the agency's website at <http://www.eeoc.gov/eeoc/statistics/enforcement/index.cfm>.

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"Being able to call on Merit to handle our employee HR has been hugely beneficial. We're successful today because of our partnership with Merit Resources."

—Dan Keller



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RISK MANAGEMENT

IT'S YOUR RIGHT TO KNOW ABOUT CHEMICAL SAFETY

Most people come into contact with chemicals on a daily basis, many of which can pose a physical and/or health hazard to both users and those working in surrounding areas. By being properly informed of the hazards associated with the chemicals, and understanding methods to mitigate the risk of exposure, we can minimize the potential for an accident. By law, employers are required to implement hazard communication programs to inform their employees about chemical hazards at work.

- Follow all safety guidelines exactly as outlined for the product.
- Use personal protective equipment (PPE) identified as "required" or "recommended" on the product MSDS.
- Assume that any unfamiliar chemical is hazardous, and don't underestimate the potential hazard of any chemical.
- Do not ever mix chemicals except when instructed to do so by product usage information.
- Properly label all secondary containers with product name, hazards, and manufacturer's information.
- Wash hands after use of any chemical-based products, but especially before eating, drinking, or applying makeup.

**"Chemical Safety" courtesy of Holmes Murphy.

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General Guidelines for Chemical Safety

- Know the hazards associated with the chemicals you encounter—refer to the hazard label and the Material Safety Data Sheet (MSDS) for more detailed information about the product.
- Never use products that are not properly labeled—at a minimum, the label should contain the product name, hazards associated with the product, and the manufacturer's name and address to contact for additional information.

Merit Resources offers you 50% off to attend the
ABI Risk Management Seminar
Examining Broader Operational Risks Related to Your Business

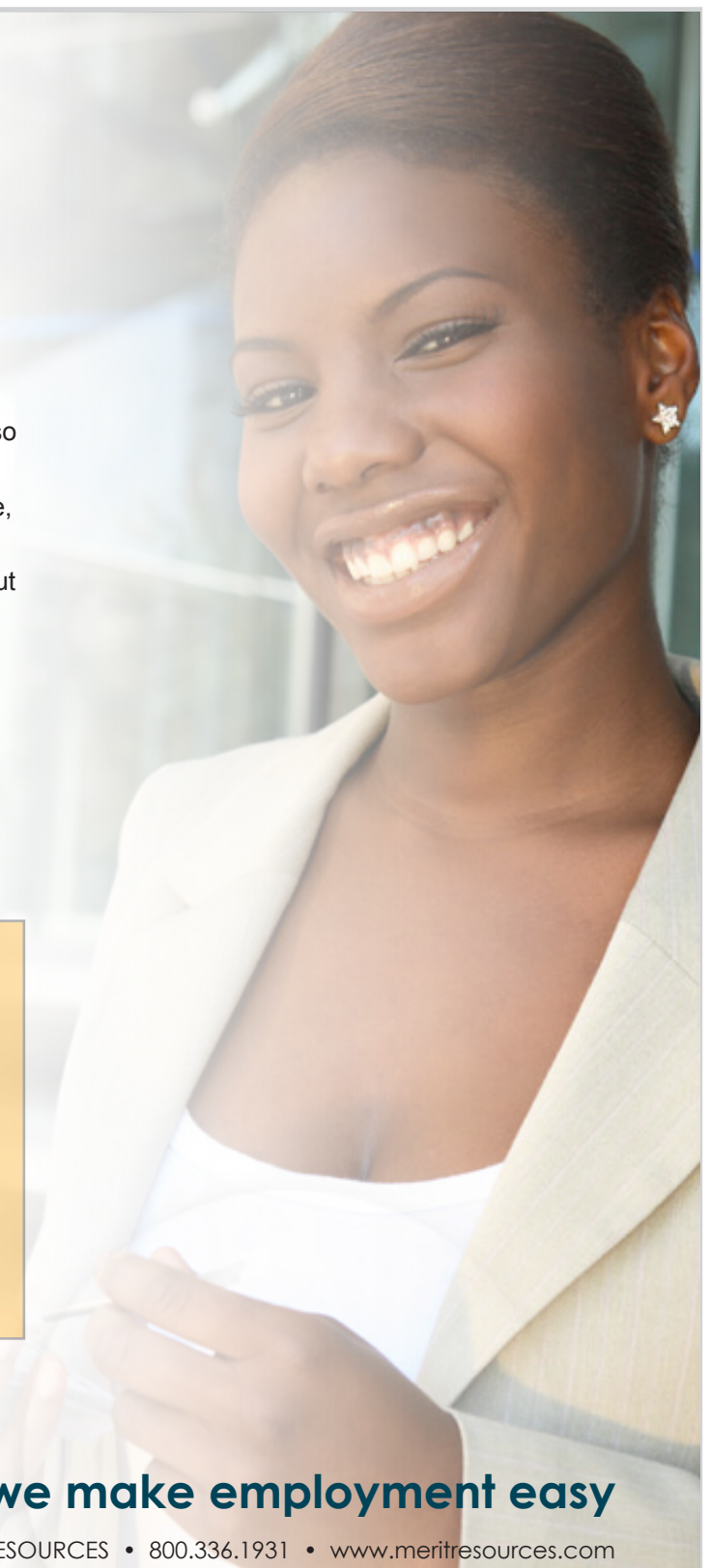
Wednesday, March 31, 2010
9:00 AM–3:00 PM (Lunch is included)

EMC Insurance Company, 717 Mulberry St., Des Moines, IA (parking is available at 7th & Mulberry)

Click here to register as if you were an ABI member and then on the final screen there will be a spot to add a discount code. You will need to enter ACRiskMgmt2010 and then click "apply." Your total will then be adjusted and you can either pay via credit card online or choose to print an invoice.

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PAYROLL, AND FORMS, AND TAXES.

OH, MY!

Tax season is easy as 1, 2, 3 when Merit Resources handles your payroll. The employment tax portion of Merit Resources' services facilitates all tax deposits, quarterly reports and finishes with W-2 processing at year-end. Because we make employment easy, we try to go above and beyond by also helping with the following items:

1. We are here to answer any questions on withholdings for state and federal tax purposes.
2. We will walk through the taxable wages as reported on your W2 to help your income tax preparer and you understand what is included.
3. We work with our clients and their employees to get the information to include auto allowances, moving allowances etc., on their W2s.

4. You can obtain your W2 copy with a few clicks on our employee portal.

From checks through year-end reports and even payroll audits, your payroll is handled by our staff of experts with accuracy and efficiency. We have several payroll and payroll tax team members who are certified with an FPC or CPP designation from the American Payroll Association. Along with that, Merit Resources' payroll staff are active members of the American Payroll Association and regularly attend education meetings, seminars and conferences to stay on top of the latest regulatory rulings to ensure accuracy and compliance.

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CHARACTER COUNTS!

Leadership & Values in Business

Iowa's largest employers learned how character-based leadership can bring their corporate values, mission and culture to life, and positively impact the bottom line. **NOW YOU CAN TOO!**

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CHARACTER COUNTS! IN IOWA

Iowa companies have been giving us a steady stream of business. In the past few years, we've seen a drastic increase in the number of organizations who

would like help integrating ethics into their corporate philosophy and culture. These companies acknowledge that to accomplish their goals and mission, their employees should not only strive for excellence, they must do it ethically.

Maybe you've heard of the Six Pillars of Character: trustworthiness, respect, responsibility, fairness, caring and citizenship. While we often begin teaching these values to younger children, the Pillars are easily adaptable to your workplace. In fact, the Six Pillars address some common workplace problems such as gossip, time theft and more.

We're pleased to work with Merit Resources and offer you the opportunity to learn more about how the Six Pillars of Character can help your company. By investing a few hours to attend an upcoming workshop, you'll gain valuable resources to help your company succeed. What a great way to set yourself apart from your competition!

LEADERSHIP & VALUES IN BUSINESS

Tuesday, April 27th
8:00 am to 12:00 pm

Iowa Realty Office • 15176 Valley Drive • Des Moines, IA

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IT DEVELOPMENT BUSINESS CONTINUITY PLAN

Every day we all go to work and do our jobs, fill our role, to the best of our ability. But, in the moment of crisis, what is your role? Does your business have a plan to continue business as usual in the case of unusual circumstances? What comprises a good plan and how can Merit Resources help?

Phase I: The first step to a solid business continuity plan is completing a Business Impact Analysis (BIA). It is necessary to assess the risks to your business and the processes identified as critical to your operation. During this phase you must consider every possible “What if . . . ?” scenario and take into consideration factors such as systems back up, equipment, personnel and financials. For every process identified as critical, what is your tolerance for outage and the financial impact it will have on your business?

Phase II: The second phase in building your company’s plan is calculating the RPO and RTO. That’s the Recovery Point Objective and Recovery Time Objective. A business’s recovery point is the point in time to which you must recover data as defined by your organization. This is generally a definition of what an organization determines is an “acceptable loss” in a disaster situation and depends on how recently data systems were backed up.

The Recovery Time Objective (RTO) is the duration of time and a service level within which a business process must be restored after a disaster (or disruption) in order to avoid unacceptable consequences associated with a break in business continuity.

RTO includes the time for trying to fix the problem without a recovery, the recovery itself, tests and the communication to the users.

Phase III: The third phase of your business continuity plan is developing the actual plan with a team of employees. Building a team of crisis communication, emergency management and business continuity personnel, is imperative to restoring operations. Your business continuity team should include one senior member from each department who are able to communicate with team members to help make up for time lost. Team members should be able to communicate assignments to all employees and mitigate, respond and recover quickly.

Phase IV: The final phase of a Business Continuity Plan is testing. For this phase in the process, you may want to engage a third party such as your local fire and rescue team. This is a time for reviewing your entire plan and safety information and running the drill through at least once.

Merit Resources is here to help in any disruption of business that you may face and will always have a backup of your most recent employee management documents that we handle. We hold to the only standard endorsed by the 9/11 commission report for Business Continuity Best Practices, entitled NFPA 1600.

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