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If you are an employer with 10 or more employees, OSHA 300-A Posting Deadline – Beginning February 1 of each year, covered employers with 10 or more employees must post the OSHA-required Form 300A, which summarizes an employer's reportable injuries and illnesses for the prior year. The Form 300-A posting period is February 1- April 30. An employer subject to this requirement must post the OSHA Form 300-A even if the employer had no reportable injuries/illnesses in the prior year. In addition to the posting requirement, employees with no fixed work site or no access to posted sites must be provided with a copy of the report..

Please click on the link to view the OSHA provided form and instructions:
Form 300 and 300A and Instructions
<http://www.osha.gov/recordkeeping/new-osh300form1-1-04.pdf>

If you are an employer of 50 or more employees, this notice is for you. On Monday, January 28, 2008, the President signed into law the first expansion of the Family and Medical Leave Act (FMLA). The National Defense Authorization Act (H.R. 4986) provides additional FMLA leave for military families. Specifically, **Section 585** of the bill adds two new FMLA-qualifying events, expanding FMLA to include employees caring for an injured service member as well as family members who have a family member called to active duty.

Under the new law, FMLA-eligible employees will now be entitled to the following:

Family Leave Due to a Call to Active Duty—This benefit provides 12 weeks of FMLA leave due to a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the servicemember's current tour of active duty or because the servicemember is notified of an impending call to duty in support of a contingency operation.

Caregiver Leave for an Injured Servicemember—This benefit provides 26 weeks of FMLA leave during a single 12-month period for a spouse, son, daughter, parent, or nearest blood relative caring for a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member's office, grade, rank or rating.

Most of the provisions of the FMLA remain unchanged and will apply to these new types of FMLA leave, including employer coverage, employee eligibility requirements, health

insurance continuation, and reinstatement rights. Employees can utilize the leave on an incremental basis or in the smallest increment that the employer's payroll system tracks under both of these new leave requirements,

While the Department of Labor (DOL) will need to issue regulations to fully implement this new law, they have released [guidance](#) that indicates the caregiver provision of the law is effective as of January 28, 2008, but the call to active duty provision will not be effective until the Secretary of Labor issues final regulations defining "any qualifying exigency." In the interim, the DOL encourages employers to provide this type of leave to qualifying employees.

Late last year, the **DOL reissued their FMLA Certification Form WH-380 and Request for Leave Form WH-381**, with a current OMB control number which now expires on September 30, 2010. While the forms are both optional for employers to use when designating FMLA leave, each form clearly states that "Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number". To make sure you have the most current version of these forms, we have provided links below, where you may download them free of charge from the DOL for use in your organization.

DOL FMLA Certification Form

<http://www.dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf>

DOL FMLA Request for Leave Form

<http://www.dol.gov/esa/forms/whd/WH-381.pdf>

Louisiana: Law Grants Unemployment Benefits to Domestic Violence Victims

During the 2007 session of the Louisiana legislature, lawmakers passed and Gov. Kathleen Blanco signed the Lost Wage Benefits for the Domestic Violence Victims Act, making Louisiana the latest of a number of states to allow employees to obtain unemployment benefits under certain circumstances when they are unable to continue employment because of domestic abuse.

The Louisiana law provides that benefits may be awarded if the employee has left work for one of the following reasons:

- A reasonable fear of future domestic abuse at work or traveling to and from their place of employment.
- A need to relocate to another geographic area to avoid future domestic abuse.
- A need to address the physical, emotional, psychological or legal impacts of domestic abuse.
- A belief that separation from employment is necessary for the employee's own or family's

safety.

An employee would be able to obtain unemployment benefits upon providing specific proof of one of those reasons, including:

- A protective, restraining or other court order against the perpetrator.
- A law enforcement record documenting the domestic abuse against the employee or a member of her family.
- Documentation that the abuser has been convicted of a criminal offense perpetrated against the employee or a member of her family.
- Medical documentation of the abuse by a licensed health care professional.
- A notarized affidavit from a professional such as a certified domestic violence specialist, psychiatrist, or counselor.

The unemployment benefits paid to victims of domestic violence won't be charged to their employers' accounts but will be paid from the state's general fund.

An employee is only eligible to recover benefits pursuant to this provision one time per calendar year.