

1. **Rewrite Your FMLA Policy (Again)** – The ink is barely dry from adding two new types of FMLA leave, for family members of military personnel who are providing care or helping with an exigent circumstance, and now those provisions are out-of-date. The National Defense Authorization Act of 2010 (H.R. 2647) expanded the scope of exigency leave to include time off to assist a member of the regular Armed Forces who is deployed to a foreign country. The former version gave up to 12 weeks off to the spouse, son, daughter or parent of a service member who was in the Guard or Reserve who had been called up. The caregiver leave had provided up to 26 weeks of time off to various family members to care for a Guard/Reserve/Armed Forces member who whose illness or injury was incurred while on active duty. Now, the scope is expanded to include veterans undergoing treatment, recuperation or therapy for an illness or injury that occurred any time during the five years prior to the date of medical treatment. The leave now also covers a service member who has aggravation of a pre-existing injury.
  
2. **Post It** – Changes to the ADA and the addition of GINA mean that your current “EEO is the Law” poster is probably no longer compliant. There are two ways the fix the problem . . . either print off the new supplement poster and add alongside your EEOC version (Sept. 2002) or OFCCP version (Aug. 2008) of “EEO is the Law” poster, or take down the old version and post the new version (Nov. 2009). Both the supplement and the new version can be printed off at [www.eeoc.gov/posterform.html](http://www.eeoc.gov/posterform.html) or you can go to that same site and act on the directions for ordering multiple copies for each of your establishments, which will be sent via snail mail.
  
3. **Heads’ Up, HealthCare** –
  1. **Workers Comp** – Health care workers who become ill after being in proximity to H1N1 sufferers, as part of their job duties, will likely be successful in seeking workers’ comp coverage of their occupational illness. Not so much for workers in other industries, where a co-worker may be ill, but their job puts them in no greater risk than the general population of contracting H1N1 or other communicable bugs.

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