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IRS LOWERS MILEAGE RATES FOR 2010

The Internal Revenue Service has announced that, effective January 1, 2010, the standard mileage rates for the use of a car (or van, pickup or truck) for business purposes will decrease slightly to 50 cents per business mile driven. This is the standard mileage rate used to calculate the deductible costs of operating an automobile for business purposes. This rate is used by many businesses to reimburse employees for mileage traveled in their personal vehicles for business reasons. Businesses always have the option not to use this standard rate and instead calculate the actual costs of using a vehicle for business reasons.

NEW EQUAL EMPLOYMENT OPPORTUNITY POSTER REQUIREMENT

Businesses with 15 or more employees must post an "Equal Employment Opportunity is the Law" poster in a prominent place where employees can readily see it. This poster explains Title VII of the federal Civil Rights Act, which prohibits employers from discriminating against job applicants and employees on the basis of race, color, religion, sex, national origin, disability, age, and gender. Businesses that have contracts with the federal government in excess of \$10,000 must also post this notice at their workplace, even if they do not have 15 or more employees.

This poster is already included in the "All-in-One" poster that LSBA provided you when you renewed your Association membership.

However, the federal government has updated this poster due to a new law prohibiting discrimination based on genetic information.

In order to comply with the new posting requirement, businesses subject to this law need to post an "EEO is the Law" Poster Supplement. As part of your ongoing membership benefits, LSBA is pleased to provide you with this supplemental poster at no charge along with this newsletter. Simply put the enclosed "EEO is the Law" Poster Supplement next to your current "All-in-One" poster, and you will be in full compliance. If you need additional EEO posters, you can print one from the LSBA website at www.louisianasba.org or you can call the LSBA offices at 800-262-4483 and ask for Erin.

ANOTHER NEW POSTER FOR BUSINESSES WITH 50 OR MORE EMPLOYEES

The Family and Medical Leave Act ("FMLA") is a federal law that applies only to businesses with 50 or more employees. The law requires these businesses to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform his or her job; or

- For employees with a family member on active duty in the National Guard to take care of certain arrangements, such as child care, attending military events, counseling sessions, and addressing certain financial and legal arrangements.

Employers covered by the FMLA (those with 50 or more employees) must post a notice explaining their employees' rights under the law. [Employers with fewer than 50 employees do not have to do this.] This poster was recently updated to include military issues. If you need this updated poster, you can print one at the US Department of Labor's website. The address is: <http://www.dol.gov/whd/fmla/finalrule/FMLAPoster.pdf>. Or, you can call the LSBA offices at 800-262-4483 and ask for Erin, and we will mail one to you at no charge.

CAN EMPLOYERS CHARGE EMPLOYEES FOR MEDICAL EXAMS AND DRUG TESTING?

The short answer is "no." Louisiana law prohibits an employer from requiring a job applicant or an employee already on the job to pay for medical exams, drug testing, fingerprinting, or the expense of furnishing any records required by the employer as a condition of employment. An employer may require the employee or applicant to submit to medical exams or drug testing, but may not make the employee bear the costs. If an employee is hired for a full-time position and never reports to work, the employer may seek reimbursement from the employee for the costs of medical and drug screening.

The Louisiana Workforce Commission is authorized to conduct investigations and audits of employers in Louisiana to determine if employees and applicants have been required to pay for drug testing. If they have been

inappropriately charged, the Commission may collect those costs from employers and reimburse them back to the affected employees. If you have questions concerning this law, contact the Labor Law Division at (225) 342-7824.

AUTO INSURANCE RATES EXPECTED TO RISE AS LOUISIANA REQUIRES MORE COVERAGE

A new state law requiring drivers to have a higher level of auto liability insurance goes into effect January 1, 2010. The new auto liability insurance limit will go from \$10,000 for a vehicle's property damage to \$25,000; from \$10,000 to \$15,000 for the death or injury of one person in an accident; and from \$20,000 to \$35,000 for the deaths or injuries of more than one person.

The new law was passed during the 2008 Legislative Session of the Louisiana Legislature and was sponsored by Rep. Erich Pontj, R-Baton Rouge. Although this law passed back in 2008, its implementation was delayed until January 1, 2010 to give policyholders ample warning and time to comply with the new coverage requirements. The new law will apply to all minimum liability insurance coverage written on or after New Year's Day.

To make sure you are in compliance with the new insurance requirements, please contact your local insurance agent.