



Sandy Seay
President

SEAY MANAGEMENT REPORT

October 13, 2016

SPECIAL NEWS AND HR MANAGEMENT DEVELOPMENTS

- **Seay Management Celebrates 50 Years Of Service**
- **Reminder: New Exempt Salary Levels Are In Sight**
- **Use The DISC Profile To Resolve Employee Problems**
- **New Paid Sick Leave Requirement For Federal Contractors**
- **Changes Approved For 2017 EEO-1 Reports**
- **Revised Form I-9 Release Coming Soon**

*"O, the time goes by so quick,
The years all run together now,
Did I hold Juanita yesterday
Or was it 50 years ago?"*
--Ian Tyson

In April of 1966, a Kentucky Gentleman named Ken Morefield was an Assistant Area Director of the Wage and Hour Division of the Department of Labor. Ken took a look around and decided that, rather than being an enforcer, he would rather be a helper and advise employers on complying with the regulations, thereby avoiding the fines, penalties and back wages associated with a Wage and Hour investigation. So he started a Wage and Hour consulting firm called Kenneth R. Morefield and associates, and soon established a reputation for being one of the finest consultants in this field in the country.

Around 1980 or so, I was a young management consultant working for SESCO Management Consultants in Bristol, Tenn., Va., and as fortune would have it, or as the Good Lord provided, met Ken through a mutual client in Orlando, what was then Florida Informanagement Services, or FIS. We became friends and began to talk and, over a period of about 18 months, reached an agreement for me to acquire his firm. He was ready to retire and I was ready to head out on my own, full of vim and vinegar.

It was a scary proposition for a young man with starry eyes but limited experience, and with a wife, two daughters and a dachshund named Maggie; then Linda, my bride of 49 years, reminded me of the story of the talents in St. Matthew's gospel. It was the fellow who buried his talent that got in trouble, not the two fellows who took the risk. So we put our trust in the Lord, packed up all of our earthly goods in our 1980 Oldsmobile station wagon, left Virginia, and headed to, what was to us, the Far Country. I felt a little like the fellow who fell off of a 30 story building and every time he passed a floor he'd holler out, "All right so far."

Orlando has been our home since April of 1981. We have raised our children here, both of whom are graduates of Florida institutions of higher learning, albeit one in Tallahassee and one in Gainesville, and our three precious granddaughters were born here. Orlando is a wonderful community that in many ways still retains a touch of small town Southern charm.

Today, we are blessed to have a Human Resources Management Consulting firm with something like 300 clients in almost every state in the country. We have an excellent staff with Kylie, Sissy, Tracy and Rhonda, and a fine group of consulting partners that we can call on for special projects, like Dick and Sid and Paul and others. I am grateful for the Seay Management Team of Excellence and grateful to you, our friends and clients, for the opportunity of working with you, and for our 50 years of continuous service.

Quick Reminder – New Exempt Salary Levels Are In Sight

I talked to a friend of mine this week who told me he was talking to a colleague and, during the conversation, he asked his colleague what he was doing about the new exempt salary levels. His colleague remarked, "What new exempt salary levels? Have I missed something?" My friend then said, "Better call Sandy . . .".

So here's a quick reminder – the minimum salary levels for exempt employees will more than double on December 1, 2016, just a few weeks from now. The new salary level will be \$913 per week. In Wage and Hour accounting, everything is done on a weekly basis so annual salaries don't count. The new rule requires that exempt employees must receive a weekly salary of \$913, guaranteed, and not subject to deduction for things like attendance, breakage, loss, production, etc. Exempt employees who do not receive a guaranteed salary of at least \$913 per week must be reclassified to non-exempt, keep a time card and receive overtime if they work more than 40 hours per week. There are no exceptions for small businesses, non-profits, churches or anyone else.

Many of our clients have already analyzed their employees and made arrangements for the necessary changes. However, there are lots of rabbits to chase and lots of issues to resolve and some employers have not quite finalized their plans. There has never been anything like this in the history of the Wage and Hour regulations, going all the way back to 1938. Please call us if you have any questions about this seismic change or if you would like to talk about it. Also, if you would like to have our firm conduct an Exempt/Non-Exempt analysis, or a comprehensive Human Resources Management Audit, to make sure that you are up to date and in compliance with the regulations, please contact your Seay Management Consultant and we'll make these arrangements right away.

Use the DISC Profile to Resolve Employee Problems

If you have an employee problem of some kind, like two or more employees who can't get along, a supervisor who seems to be lacking people skills, a cranky employee who makes people mad, then the best way to resolve this issue is through the use of the DISC profile. The DISC measures "personality temperament," which is a tendency to behave in a certain way – Hard charging Type A, or one who starts more slowly; a people person, or a preference to work alone; multi-tasking decision maker, or one who focuses on one task at a time; detail and systems oriented, or a preference for the big picture.

We all have these tendencies in different degree and the combination of them is our personality temperament. If we can understand our own personality temperament and those of others, this promotes understanding and goes a long way toward resolving problems. Instead of, "These people won't do what I say!," perhaps he or she might say, "I didn't know I was coming on that strong." Instead of, "This guy makes me mad," perhaps he or she might think, "That's just the way he is – he didn't mean anything by it."

Many of our clients have their candidates complete the DISC profile prior to hiring and many of them use it for team building. It is a remarkable tool that we recommend without qualification. Please call your Seay Management consultant if you'd like to find out more about the DISC profile.

RECENT DEVELOPMENTS IN HR COMPLIANCE - from Sissy Egan

Federal Contractors – New Paid Sick Leave Requirement

The Department of Labor has announced publication of a final rule which mandates certain federal government contractors to provide up to 56 hours of paid sick leave each year including leave for family care. This regulation will affect federal contracts implemented as of January 1, 2017.

A posting requirement has been issued in conjunction with this new regulation. The link to download the poster:

<https://www.dol.gov/whd/regs/compliance/wh1090.pdf>

If you have any questions regarding forms or federal and state posting requirements for your company or organization contact us for assistance.

EEO-1 Reports

The EEOC has confirmed upcoming changes to the EEO-1 Report beginning next year which will include a breakdown of an employer's workforce to include compensation data ranges to identify equal pay compliance. The reporting date will be moved from September 2017 to March 31, 2018 to allow employers to use existing W-2 pay reports based on calendar year.

All companies with 100 or more employees or government contractors with 50 or more employees are required to complete the EEO-1 Report annually. The report is a breakdown of a company's workforce by race, sex, ethnicity, EEO-1 category and location.

New Form I-9 Release Is Coming

USCIS is expected to release the revised Employment Eligibility Verification Form I-9 by November 22, 2016. The Form I-9 which contains the expiration date of 3/31/16 can continue to be utilized for employment verification purposes through January 21, 2017. After that date all previous versions of the Form I-9 should not be used for verification.

Please contact Sandy, Kylie, Sissy, Tracy or Rhonda, your Seay Management Consultant Team of Excellence, if you have any question about resolving these kinds of important issues and visit our web site at www.seay.us for management advice and guidance on other employee issues. We appreciate having you as a valued friend and client of our firm and look forward to talking soon.

Very best regards,

SANDY AND THE SEAY MANAGEMENT CONSULTANTS TEAM

Remember, if you have an employment issue or challenge, and you need an answer right away, and you want the very best Human Resources Management or Labor Relations advice available, you need to call . . . The Seay Team!

CONTACT INFORMATION:

Sandy Seay	President	407-722-7675	sandy@seay.us
Kylie Luff	Senior Vice President/Managing Partner	407-722-7670	kylie@seay.us
Tracy Vowden	Senior Management Consultant	407-722-7672	tracy@seay.us
Rhonda Curry	Management Consultant	407-722-7667	rhonda@seay.us
Sissy Egan	VP Director of Operations/Project Management	407-722-7660	sissy@seay.us