

NISA

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Staffing Association

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IN THIS ISSUE:

- ⇒ 2017 Owners Retreat Recap, pg. 1-2
- ⇒ 2017 Owners Retreat Highlights & Presentation Links, pg. 2
- ⇒ Staffing Client Selection and Workforce Safety, pg. 3
- ⇒ Fewer Americans Forecasted File for Unemployment, pgs. 4-5
- ⇒ Staffing Technology, Trumps Impact and Executive Forum, pgs. 5-6
- ⇒ ACA, Repeal? Replace?, pg. 7
- ⇒ This 'n That, pg. 8

UPCOMING MEETINGS AND EVENTS:

SAVE THE DATE!

NISA ANNUAL CONFERENCE:

SEPTEMBER 12-14, 2017

BROWN PALACE, DENVER,
CO



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Recap of the 2017 Owners Retreat in Palm Springs

“Bridging the Workforce Gap” - Keeping the Next Generation Engaged



Another great Owners Meeting is in the books! This year the meeting was held at the Renaissance in Palm Springs California. It was great to see that so many of you were able to make it!

NISA wants to thank the following sponsors for this year's continued support.

- Assurance
- VRAIN
- Gulf Coast Business Credit
- COATS
- CrimCheck
- Global Cash Card

The NISA board meeting was held in the afternoon on Wednesday Morning. If anyone is interested in seeing the minutes of the meeting, please call or email the NISA Business Office.

The meeting got under way on Wednesday with opening remarks by Peter. Introductions of our Board members and Exhibitors were announced. We had a new Member with us – Rod Kelley, Kelley and Ware. Rod each received a special welcome introduction to our meeting.

Assurance began with a presentation from John Rutledge on the ACA and the updates that have happened this year. He also discussed what the future is going to hold.

Jeff Tuisl and Lauren Gizzi talked about OSHA with Emphasis on Staffing Firms. The day ended with a Brewery Tour for anyone that wanted to go check out the local Coachella Valley Brewing Company

We then had our first Key Note Speaker Brian Kinahan. His topic was “*How to properly hire for Maximum Success.*” He also spoke on *how to build a Winning Culture and align people to it.*

After a morning break there was Dave Kollmorgen from Career Builder. His Topic was People Process Technology 2017 Trends on the Horizon.

Lunch was graciously provided by Gulf Coast Business Credit.

The afternoon began with Evan Rosen He had a Interactive Workshop which Topics like included:

What is the Impact of the election from a legal side:

- FMLA (Family Medial Leave Act) ADA (American Disability Act)
- Prevent Discrimination, Harassment , Retaliation Claims Its Possible!
- Wage and Hour Law proposed for Modifications from the Department of Labor, pitfalls to avoid.
- Employee agreements (employment separation purchase and sales) and handbooks The right way to draft them...

The day then ended. Our group then went out for dinner and a Tram Ride in Palm Springs.

Continued on Page 2—links to presentations are available.

Continued from page 1:

Friday Morning session started was Mark Beverwyk from RMP Resources on the following:

- OSHA 101
- How to Handle and OSHA inspection
- Hazard Assessments and Basic Compliance

The Conference wrapped up with closing comments from Peter.

The NISA 2016 National Convention will be held in Denver CO. The dates are September 12-14 at the Brown Palace. There will be more information coming out in future weeks on the convention. Another great conference you won't want to miss!



Did you miss the Owners Retreat last week in Palm Springs?
View the Speaker Presentations Here: *Click on the titles below to access the files.*

ACA—John Rutledge, Senior VP

ObamaTrumpcare—Federal to State?

Confidential Information for NISA members only.

Career Builder—David Kollmorgen, Regional Sales Leader, Staffing and Recruiting Group

2017 Trends on the Horizon

RMP Resources—Mark Beverwyk, Director of Operations

Safety Basics and Hazard Assessments—Basic Compliance in the Workplace

Breaking News: N.Y. Grants Global Cash Card Petition Against Labor Dept. Pay Card Regulations

Payroll card providers, employers, and consumers in New York can breathe a huge sigh of relief. Global Cash Card's petition against the New York Department of Labor payroll card regulations due to go into effect on March 7, 2017, has been granted. The industry had been raising red flags about the regulations, which many feared would result in providers exiting the market, since first proposed in 2015.

New York's Industrial Board of Appeals ruled on Feb. 16 that the regulations exceeded the Labor Department's authority and are beyond the scope of the statute. Although industry groups and individual companies had submitted comment letters objecting to various provisions in the regulations that were viewed as too onerous and inconsistent with federal Reg. E requirements, among other concerns, Global Cash Card was the only company to challenge the regulations with a formal petition. The Commissioner of Labor has 60 days to appeal the decision to a court.

"Our reasoning for filing this petition was ensure that both employers and consumers would not be negatively affected by the proposed regulation," said Global Cash Card President and CEO, Joseph F. Purcell. "We're thrilled that we accomplished this for the benefit of the workforce in New York."

Submitted by Renee Erickson, Regional Sales Manager Global Cash Card



Staffing Client Selection and Worksite Safety

They say 'choose wisely' when it comes to decision-making. This is especially true when your staffing company is seeking new clients.

You want the right clients who invest in safety and have a sound loss history. Too often though staffing companies partner with clients that lack this type of focus. Whether they're simply using the lowest bidder or don't have proper employee safeguards in place, it's not an ideal partnership.

What can you do to minimize risk? Take notes from the most profitable staffing companies. These businesses have a rigorous client selection program and set steps to terminate clients that do not maintain proper worksite safety. Below are a few tips to get started.

8 Client Selection Tips:

1. Enforce required client selection protocols.
 - Pre-inspect the location prior to any industrial placements. While there, look for proper guarding of any industrial machines and a thoroughly clean worksite.
2. Ensure clients are financially sound and safety conscious.
 - During harder financial times, some client companies cut corners when it comes to risk management, as safety trainings and procedures can be costly and time consuming.
 - A financial review can be as simple as a D&B report to see if the client is able to pay its bills on a timely basis.
3. Understand the client's loss history.
 - Review the client's OSHA logs. If completed properly, the OSHA logs will require all employees at that location to be included. This will show the client's employees as well as any previous staffing company's employee injuries.
4. Get access to a client's Experience Modification Rate.
 - Look closely and be cautious of those with over a 1.25 mod.
5. Know the codes/job that need to be billed and the risks attributed to it.
 - Based on the job at-hand, certain exposures often exist. By knowing the risks, you can be more thorough during the client selection and review process.
6. Confirm with your employees they're performing the work they were hired to do.
 - Inform employees that it's okay to report a client pressuring them to do work they weren't hired to do. Employees fear losing their job for reporting this information, so this needs to be communicated clearly by you as the employer.
7. Confirm employees are avoiding exposures that may cause the greatest workplace injuries.
 - This includes working on heights over six feet, over-the-road driving, cleaning machinery without proper lockout/tag out procedures and poor housekeeping.
8. Implement a written program for terminating clients that you can communicate with your internal staff and sales team.

Remove on-site employees immediately from harm's way even if clients ask for exceptions or extra consideration.

Submitted by Jeff Tuisl, Assurance



Fewer Americans Than Forecasted File for Unemployment Insurance

Fewer Americans than forecast filed last week applications for unemployment benefits, underscoring a vibrant labor market.

Jobless claims rose by 5,000 to 239,000 in the week ended Feb. 11, a report from the Labor Department showed Thursday. The median forecast in a Bloomberg survey called for 245,000 applications. Continuing claims fell slightly.

The low number of applications mirrors a tight labor market in which demand for skilled and experienced workers is at a premium. Near historic lows, first-time claims have been below 300,000 for the longest period since 1970.

Economists' estimates in the Bloomberg survey for initial jobless claims ranged from 225,000 to 255,000. The figure for the previous week was unrevised at 234,000.

The four-week moving average edged up to 245,250 last week from 244,750.

No states estimated jobless claims last week, and there was nothing unusual in the figures, according to the Labor Department.

The latest tally marked 102 straight weeks of claims below 300,000, the level economists consider consistent with a healthy labor market. The 161-week period that ended in April 1970 was the longest such streak in records back to 1967.

The number of people continuing to receive jobless benefits fell by 3,000 to 2.08 million in the week ended Feb. 4. The unemployment rate among people eligible for benefits held

at 1.5 percent. These data are reported with a one-week lag.

Temporary help employment edged up 0.5% from December 2016 to January 2017, and was 3.3%

Up 3.3% From a Year Ago, Pace of Growth Returns to Trend

higher than in January 2016, according to seasonally adjusted data released today by the U.S. Bureau of Labor Statistics. Over the past six months, year-to-year job growth has averaged 1.6% per month, compared with 1.4% over the prior 12 months.

Staffing employment typically peaks in November or December, drops substantially in January, and grows the rest of the year. BLS adjusts for this seasonality, which results in an increase in seasonally adjusted January job numbers and a dramatic fall-off in non-seasonally adjusted numbers. BLS also annually recalibrates its report in January and makes other revisions to the past five years of data.

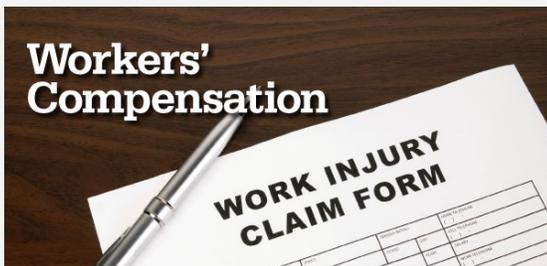
Non-seasonally adjusted BLS data, which estimate the actual number of jobs in the economy, indicated that temporary help employment decreased 7.9% from December 2016 to January 2017. But there were 3.1% more staffing employees in January than in the same month last year.

"Staffing and recruiting firms are reporting increased client optimism about economic growth in 2017 across many sectors," said Richard Wahlquist, president and chief executive officer of the American Staffing Association. "However, the January jobs report also confirms that more growth is needed. The number of unemployed and underemployed workers was 9.4% in January, the highest level since October."

Total U.S. nonfarm payroll employment rose by 227,000 jobs in January (seasonally adjusted), BLS reported. Incorporating revisions for November and December, job gains averaged 183,000 per month over the past three months, slightly less than the average of 187,000 for the prior 12 months.

The unemployment rate was 4.8% in January, up from 4.7% in December 2016.

BLS also released preliminary December 2016 employment data for search and placement services, which, seasonally adjusted, was little changed (0.2%) from November 2016. Search and placement jobs totaled 295,300 in December, 0.6% lower than in the same month last year.



Why Workers' Compensation Audits Are Important

Workers' compensation policies are auditable, meaning that the policy is bound using a payroll estimation, and at the end of the policy period, an audit is required to determine the final cost of the policy based on actual exposures.

The data required as part of the audit process includes, but isn't limited to:

- Detailed description of your business operations
- Payroll records including federal tax reports/941's and state unemployment reports
- Employee records including number of employees, hours, days or weeks worked annually, payroll and overtime compensation, as well as a detailed explanation of the job duties for each employee

Often times an employer can be overwhelmed by the audit process and may think this is just another way for the insurance company to get

more of their hard earned money. What many people don't realize is the important role that accurate audit data plays in the overall workers' compensation system.

Accuracy of Data Impact on Insurance Companies

The insurance company depends on accurate audit data to provide them with the correct workers' compensation premiums for an employer's actual exposure. Inaccurate audit data can impact future rate development and the analysis of their work process acceptability. But it's bigger than just one employer. The data from each individual employer is aggregated for analysis and plays a large role in determining the future direction of an insurance company's workers' compensation program.

Accuracy of Data Impact on NCCI and Individual State Rating Bureaus

The National Council on Compensation Insurance (NCCI) and a handful of individual state rating bureaus are also driven by this data. Collecting and maintaining its accuracy is one of their most important tasks. This data helps determine the costs associated with each individual classification code. Payroll and claim data are then utilized by the rating bureaus to develop rates, loss costs, expected loss rates and other crucial factors used to support the entire workers' compensation rating structure.

Accuracy of Data Impact on Employer Industries

Inaccurate payroll data affects not only the individual employer/insured, but can also cause industry results to be incorrect. This may increase the underlying loss costs and/or base rates utilized by insurance companies in determining premiums. If audits are incorrectly reported, the overall results may suffer, causing increases in rates that in turn could potentially cost the employers/insureds more over a period of time.

Accurate audit data plays an important role throughout many areas of the workers' compensation system. Knowing the interests of all parties – from the employer to the insurance companies to the rating bureaus – can help put the importance of the audit process and accurate data collection into perspective.

Submitted by Melissa Folkes,



Staffing Technology, GIG Economy, TRUMP'S Impact and more — EXECUTIVE FORUM



Changing technology, the gig economy, MSPs and President Donald Trump's affect on the staffing industry were among the topics discussed during the opening keynote and panel today at

the Staffing Industry Executive Forum North America in San Diego.

Still, there's no better time to be in staffing, said Barry Asin, president of Staffing Industry Analysts, in the opening keynote today.

Asin also led the keynote panel discussion with industry executives from Allegis Global Solutions, AMN Healthcare, Manpower Group and On Assignment.

Here are some of the comments from the two sessions:

- Large companies that use staffing plan to increase the size of their contingent workforces, Asin said, citing research by SIA. In 2026, staffing buyers estimated 29% of their workforce would be contingent, up from 22% today.
 - The US spent \$792 billion on contingent/gig work in 2015, including temporary agency workers, independent contractors, statement-of-work consultants and human cloud workers (online staffing and other parts of the human cloud).
 - Trump's potential impact on staffing, Asin said, includes a boost to business confidence in the short- to near-term. In addition, Trump will be making appointments to several federal agencies, including the National Labor Relations Board and the Department of Labor. The overtime rule championed by President Obama's administration likely won't happen. However, more restrictions may come to H-1B visas.
 - Trump and the Republican Congress also made pledges regarding the Affordable Care Act. Asin said one possible outcome of changes would be a simplification in compliance. "Complying with the ACA won't get more complex ... it can't," Asin said. On the other hand, complexity can also be beneficial to staffing firms as buyers can turn to the industry to offload that complexity. There will also be a wait-and-see approach as to how ACA changes would affect the healthcare staffing industry.
 - "Twitter cross hairs" was also a concern raised by Asin. Could the industry ever become a target of a tweet from the president?
 - On Assignment CEO Dameris said online staffing platforms where staffing buyers engage a person entirely online won't take over the world. The W-2 solution offered by staffing firms provides flexibility without concerns over independent contractor misclassification along with more benefits. "The higher skill, the more human interaction," Dameris said.
 - Manpower Group Chairman and CEO Jonas Prising said 98% of online platform jobs are second and third jobs. While online platforms will have a place, they won't take over the value that the industry provides.
 - Discussing MSPs, Allegis Global Solutions President Chad Lane said any good MSP realizes it has two customers: the staffing buyer and the suppliers. "If one is taking advantage of the other, everybody loses."
- Asked what the year 2027 will look like in terms of staffing, AMN Healthcare President and CEO Susan Salka said there will be more workforce solutions.

Repeal the Affordable Care Act? Replace It? Regardless, We're All Over It.

On January 20, President Donald J. Trump was inaugurated as the 45th President of the United States and that same day he issued an Executive Order to take a little steam out of the Patient Protection and Affordable Care Act (Public Law 111-148).

The Executive Order on the Affordable Care Act makes it very clear that the administration's ultimate goal is to repeal the law. But the reality of this order is that some temporary guidelines will be set while the legislature takes on the challenge of reforming health care.

Perhaps of most interest to the staffing and recruiting industry is Section 2 of the order:

"Sec. 2. To the maximum extent permitted by law, the Secretary of Health and Human Services (Secretary) and the heads of all other executive departments and agencies (agencies) with authorities and responsibilities under the Act shall exercise all authority and discretion available to them to waive, defer, grant exemptions from, or delay the implementation of any provision or requirement of the Act that would impose a fiscal burden on any State or a cost, fee, tax, penalty, or regulatory burden on individuals, families, healthcare providers, health insurers, patients, recipients of healthcare services, purchasers of health insurance, or makers of medical devices, products, or medications."

In other words, many of the penalties associated with the law that we have been preparing to avoid through offering things like a minimum value plan (MVP) or minimum essential coverage (MEC) are in a word, moot. For now.

However, this certainly doesn't mean that there is no longer a necessity to comply with the law and properly file the forms.

For COATS Staffing Software, we have been working on the tracking and reporting aspects of this law since its inception. In 2014, we held nine webinars in advance of the law's implementation. In 2015, we learned the specifications for the 1095C form followed shortly by the 1094C form.

Both required significant programming to the software.



"A tremendous amount of time and effort went to study and understanding the regulations – and often it wasn't very clear; yet, the threat of a penalty from the government for a lack of proper reporting was still there," said Karen Connor, Vice President of Business Development. "That said, we're very proud of the work we accomplished to have everything ready to go for tax season – with the full knowledge that our users had software that would assist in their compliance."

The law required many companies to have a whole new system of tracking, recording, and reporting. And all of it is complex.

"Each user had different circumstances, different plans, different billing strategies and all of that led to further complexity with regard to building a tool that we ultimately provided to our clients. Additionally, we almost stopped selling and solely focused on training as existing clients needed help understanding the new law and how to use the tool we built," Connor said.

But with the potential of "repeal and replace," it puts software designers in a holding pattern as to whether or not we will go back to square one with the reporting requirements. Further, clients are going to have to start thinking about how they bill clients for the ACA and if those rate changes will also need to be repealed or replaced.

"We've been tracking this law for a very long time and we've stayed ahead of the curve. Regardless of what happens, we'll stay ahead of the changes again," she said.

Submitted by COATS Staffing Software Staff



This n' That Prospective Members



If you know of an agency who is interested in joining NISA, please contact our office. We would be happy to assist them through the membership process.



Your Network, Your Keys to Success!



Check out our blogs on LinkedIn!

"The only way to do great work is to love what you do."

~Steve Jobs, Apple

New Member:

Rod Kelley
Kelley and Ware Enterprises LLC kelleyandware.com

New Prospective Member

Sal Ramirez
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**“Seek Answers.
Find Solutions.
Gain Knowledge”**

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Your business is a big responsibility that's changing constantly. The National Independent Staffing Association (NISA) offers independent owners an affordable way to access a nationally respected, non-competitive network of other owners.

With territorial protection for their market area, members of NISA can share sensitive information about business operations without the risks of competitive or public memberships. Members strengthen their knowledge, share resources, and receive discounts on necessary insurance, products, and services.

EXPERIENCE THE DIFFERENCE!