

HR Brief

Human Resources tips brought to you by
Baldwin Krystyn Sherman Partners

May 2018

Worried About DOL Audits? Get PAID.

Each year, countless employers are subjected to wage and hour audits from the Department of Labor (DOL). Employers want to resolve the situation and pay back wages, but how can they without risking audits or lawsuits? The answer: Payroll Audit Independent Determination (PAID).

PAID is a new pilot program from the DOL—launched in early April—that allows employers to self-report wage and hour violations. The program tries to encourage self-reporting and to resolve violations quicker, without litigation.

PAID Overview

Essentially, employers conduct their own self-audits and calculate affected employees' back wages. Next, that information is submitted to the DOL for review.

The DOL signs off on the amounts and other various paperwork, and then sends back summary agreements for employees to sign. The employees sign their summaries and the employer pays the agreed amounts.

PAID Benefits

By going through the PAID program, employers may save themselves from paying liquidated damages and civil monetary penalties.

PAID Drawbacks

Even if the employer follows all the program steps, employees are **not** required to accept the payment. This, among other loopholes, still leaves employers open to potential litigation. Additionally, PAID does not protect against future DOL audits.

For more information on this program, visit www.dol.gov/whd/paid.

Speak with Baldwin Krystyn Sherman Partners about any general questions on the program. However, depending on the queries, you may need to consult legal counsel.

DID YOU KNOW?

Workplace stress affects 80 percent of Americans, negatively affecting performance and turnover. Knowing the warning signs of stress can help combat its effects.

Here are four indicators of stress:

1. Trouble sleeping
2. Anxiousness
3. Getting snippy with others
4. Having stomach or back pain

Speak with us to learn more about the employee stress-reduction materials we offer.

Education Benefits: A Trending Way to Retain Talent

Employer-sponsored programs, like tuition assistance, are trending as a way to retain talent. Recently, McDonald's announced a \$150 million investment in their education assistance benefits over the next five years.

The program aims to help employees and their families with initiatives like paying college tuition, earning a high school diploma and learning English as a second language.

McDonald's announcement comes alongside other retailers who are investing more in their employees—via higher wages or otherwise—as a way to improve retention.

Contact Baldwin Krystyn Sherman Partners to discuss the topic in more detail and explore potential options.



BALDWIN
KRISTYN SHERMAN