

Wells Fargo Employment Law HELPLINE

On demand professional support for your human resources issues



Whether you're running your own business or part of a multinational corporation, managing complex human resources issues is a formidable task. Wells Fargo Employment Law HELPLINE can assist you in meeting those challenges.

Whether you're running your own business or part of a multinational corporation, managing complex human resources (HR) issues is a formidable task. Wells Fargo Employment Law HELPLINE (HELPLINE) can assist you in meeting those challenges. HELPLINE is an industry leading service combining state-of-the-art technology and content with unparalleled professional support to provide answers to your specific human resources and employment law questions. HELPLINE gives two authorized users, designated by your organization, access to experienced employment law attorneys from the national firm of Epstein, Becker & Green, P.C., as well as the online resource.

A great tool for managers

Credible, convenient, and quick advice — documented advice is available online and toll-free from experienced employment law attorneys. Receive documented, confidential answers to your specific HR/employment law questions no later than the end of the next business day.

Proactive support resources — www.wellsfargohelpline.com is a comprehensive, one-stop resource to help managers with everyday HR/employment law issues. Support tools include:

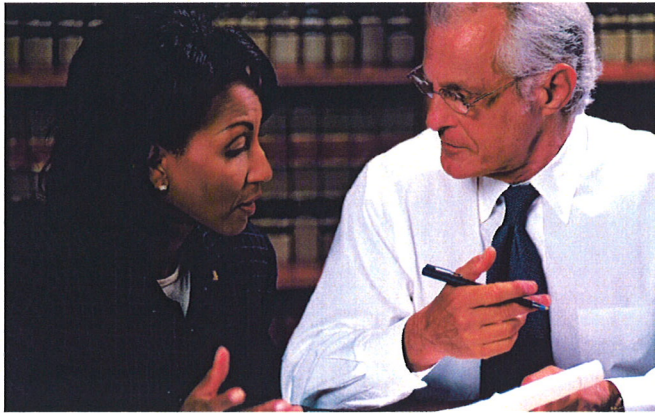
- Federal and state news, and regulation updates
- Sample HR policies and job descriptions
- Forms and posters

Monthly HR updates and periodic HR alerts — the latest workplace issues and regulations delivered directly to you via e-mail, so that you can stay up-to-date without endlessly searching for the latest information.

Practical for today's managers — whether you need initial guidance, second opinions, or complementing support, services are personalized so that HELPLINE can assist the needs of organizations from all sizes and industries.

Together we'll go far





Wells Fargo Employment Law HELPLINE can assist you in handling complex HR-related questions and issues.

How can we help?

Call today or visit us at wellsfargo.com/wfis
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Answers to questions of all complexities

HELPLINE can assist you in handling complex HR-related questions and issues. Below are examples of questions HELPLINE has addressed:

Termination

- I wish to terminate an employee immediately for insubordination, with no prior documentation. The current circumstances are enough that our company could lose one of our biggest customers. What are the company's options and potential legal exposures if we do take this action?

Family & Medical Leave Act (FMLA)

- Is substance abuse covered under FMLA?
- I have an employee who took off of work because her daughter was having a child. Is she covered under FLMA?
- I have an employee who has been out on workers' compensation for a long time. Can we terminate this employee?
- If someone is out on workers' compensation, should we place them on FMLA?

Personnel files

- How long must we retain files for employees who are no longer with the organization?

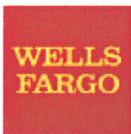
Employee benefits

- I am trying to find out what the difference is, as far as benefits, between termination and a layoff of an employee. If an employee is laid off, are we obligated to pay benefits? If so, which ones?

Progressive discipline

- What is the best way to handle a situation where management has been discreetly notified of an employee who has come from lunch with possible alcohol in his/her beverage cup?

Talk to your local Wells Fargo Insurance Services representative today about the many ways the Wells Fargo Employment Law HELPLINE can support your management team, simply and cost-effectively.



Wells Fargo Employment Law HELPLINE

The Wells Fargo Employment Law HELPLINE will answer your *specific* human resource and employment law questions. Two users from your organization will have unlimited access to employment attorneys who have extensive experience with many of the issues you face as an employer on a daily basis. Organizations both large and small will receive industry-leading customer service, value-added content, and, most importantly, confidential and timely responses to your specific questions from our team of experts.

**Is there a #1 issue you face as an employer? We know there are many.
Here are about 50 areas where our experts will assist you.**

Americans with Disabilities Act (ADA)	Payroll
Affirmative Action Plans	Performance Management
Age Discrimination (ADEA)	Personnel Files (Content & Handling)
Background & Employment Screening	Physical Appearance Issues
Benefit Continuation (COBRA)	Pre-Employment Behavioral & Skill Testing
Compensation	Pregnancy
Disability Claims & Issues	Privacy of Documentation (HIPAA Issues)
Discrimination	Progressive Discipline Situations
Drug Testing	Racial Issues
Employee Handbooks	Recognition Programs
Employee Turnover	Regulatory Compliance (State & Federal)
Exempt/Non-Exempt Issues (Overtime)	Religious Issues
Facility Closure	Retaliation
Family and Medical Leave laws (FMLA)	Safety Procedures & Practices
Fraud/Theft/Shrinkage	Sexual Harassment
Gender Issues	Sexual Preference & Orientation Issues
General Harassment	Termination & Discharge
Hiring Practices	Training
Immigration Laws and Issues	Unemployment Compensation
Interviewing	Union Relations – General Inquiries
Layoffs	Wage/Hour (Federal) – Fair Labor &
Management & Employee Development	Standards Act (FLSA)
Marital Status	Wage/Hour (State)
Military Leave (USERRA)	Workers Compensation
National Origin & Language Issues	Workplace Violence

These are actual questions asked by organizations similar to yours. Can you foresee the potential risks acting without advice and counsel? In some cases, there could be significant exposure to liability. These questions were answered by HELPLINE's attorneys at Epstein Becker & Green, P.C.

In the State of Florida, can an employer establish a policy that all injured employees must be drug-tested even though the employer does not OFFICIALLY have a Drug-Free Workplace plan in effect? Further, does Florida uphold diminished workers comp benefits if the injured employee tests positive for drugs?

**Drug Testing
Policies & Procedures
Workers
Compensation**

Can you please let me know what are the policies & guidelines for the case mentioned below? A nurse is expecting, and her doctor wrote her a note to perform light duty job...The employee's supervisor is unable to find her any light duty job functions. What should we as an employer do under these circumstances so that we are in compliance with the CA laws? Please advice. Thanks for your continued support!

**Disability
Policies & Procedures
Pregnancy**

This past March, we hired a manager to whom we paid a signing bonus. His offer letter states that if he terminates his employment with the CU within 12 months of employment, he will be required to pay back a pro-rated amount of the bonus he received. This employee resigned as of yesterday and therefore owes our company a substantial amount of money. Would we be in violation of any state (he's employed in Maryland) or federal regulation if we withheld his salary in order to recoup the money he owes us?

**Contracts/Agreements
Policies & Procedures
Termination/Discharge
Wage/Hour-State**

Is an employee eligible for FMLA for their cousin? The reason I ask is because this cousin has been living with my employee for 2 years while recuperating from cancer. She's now been given 6 months to live and the employee wants to take FMLA to care for her. I wasn't sure, since the cousin is dependent on her if we had to grant it.

FMLA

Approximately 75 days ago we hired a front office girl for phones and secretarial duties from a temporary service. The service was informed as was the employee that the person we hire need to dress professionally and have good front office appearance. Even though we are a construction firm, we are not typical. The owner and staff dress well and cleanliness and neat dress, hair, makeup is very important. The day after I hired her away from the temp service, she stopped wearing makeup, fixing her hair and wears wrinkled, sloppy clothes. We have tried dropping hints so that her feelings are not hurt, but to no avail. What can we do legally to either enforce this get corrected or terminate? Thank you so much.

**Physical Appearance
Policies**

We have a loyal and dedicated employee who volunteered that he produced false I-9 documentation when hired but now has proper documentation. Can subscriber continue to employ him?

**Hiring Practices
Immigration
Policies & Procedures**

Many of our employees are paid their semi-monthly paychecks via direct deposit to their bank accounts. We have provided them a paper copy of their semi-monthly gross pay and deductions in lieu of a paper paycheck stub. We would like to give employees the option of receiving their payroll check stubs electronically. Our business operates only in the State of Illinois. What are the legal requirements for instituting such a process, and are there other considerations?

**Payroll/Taxes
Policies & Procedures
Wage/Hour-State**

Our company currently has a policy which prohibits employees from bringing weapons or firearms on the premises. The policy stipulates that the company reserves the right to inspect employee cars parked on our site if there is a suspicion that firearms or weapons might be inside. However, in reviewing this policy further, we are wondering whether searching an employee's car is a violation of any privacy rights and possibly could amount to illegal search and seizure. Any advice you can provide would be greatly appreciated. Thanks!

**Policies & Procedures
Privacy/HIPAA**