

Nonprofit Financial Managers

A Resource for the areas of Finance, IT, Human Resources, and Office/Facilities Management

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For information, go to npfm.org, or contact Mitzi Fennel at 617-547-1063 x235 or Jessica Zander at 617-956-0215

Mark Your Calendars

All of our meetings take place on the **last Tuesday** of each month. **No pre-registration required.** Upcoming dates:

- **March 27: Advanced Excel Features**
- **April 24: TBD**

NPFM Membership Information

The annual membership fee of \$100 covers monthly mailings and other operating expenses. The membership period is from September to August. A part-year membership for \$60 is offered for those joining after January 1, which covers membership through August. Full-time students are welcome to join at any time without paying a fee.

In addition to attendance at monthly meetings, members receive a monthly newsletter and access to the NPFM e-mail forum. Lunch is provided for all attendees at meetings. There is a \$20 meeting fee for non-members, and since membership is by organization, there is no limit of individuals from any one organization who may attend the meetings.

RSVPs for the meetings are not required.

For renewals or new membership fees, please make your check out to:

Nonprofit Financial Managers
C/O Child Care Resource Center
130 Bishop Allen Drive
Cambridge, MA 02139

Contact Mitzi Fennel at 617-547-1063, x235 for more information.

The Next Meeting

Topic: Hiring and Firing: Don't Screw it Up!

Date: February 28, 2012

**Location: United South End Settlements
566 Columbus Ave., Boston**

Time: 12:00 PM – 1:30 PM

Labor laws are constantly changing. Incorporating those changes into your agency's human resource policies and operations is a very challenging task. The implementation of hiring and termination decisions are of particular concern because of the number of regulations involved and the risk of legal actions if those decisions are not done properly and/or fairly. Saleha Walsh from Insource Services and Brian E. Lewis from the law firm Jackson Lewis will address this topic. They will review some DOs and DON'Ts and help us navigate through some of the murky and risky issues involved.

Saleha Walsh is a seasoned professional with over 20 years of experience in human resources and general operational management. She manages the Insource Human Resources Practice where she provides direct services to a number of not-for-profit and for-profit organizations. Saleha's expertise is in creating centralized human resource functions, supporting management in stabilizing operations, serving as interim general manager, and being overall troubleshooter for personnel and general HR and operational issues.

Brian E. Lewis is of counsel in the Boston office of Jackson Lewis. He exclusively represents management in all facets of workplace law. Mr. Lewis routinely advises clients regarding day-to-day employment issues, such as employee discipline and discharge, disability management issues, proper payment of wages, reductions in force, and restrictive covenants. Mr. Lewis also has experience in representing clients on traditional labor law issues, and has appeared before the National Labor Relations Board on behalf of employers. He also regularly conducts training programs for employers on a variety of employment-related topics, and is a regular speaker at industry seminars on labor and employment law issues.

Recap of January Meeting

How Nonprofits Can Manage Costs and Fiduciary Liabilities

Rollin Schuster and Rich Bartlett of the firm Schuster & Driscoll, a Connecticut Employee Benefits, Investments and Insurance Provider for Businesses in CT, MA, NY and RI, and the founding member of The Alliance for Non-Profit Growth and Opportunity (TANGO - a unique nonprofit organization that leverages its members' collective purchasing power to bring professional services, from top-tier providers, to its members on a preferred basis) gave a presentation about how a nonprofit organization can design and manage benefit programs that attract and retain talent while balancing budgetary constraints and regulatory obligations? In this age of increasing regulations and government oversight, nonprofit organizations must proactively manage their liabilities brought on by changes in healthcare reform and retirement plan fiduciary regulations. Rollin and Rich addressed these issues and examined how to navigate through these risky regulatory waters.

Providing benefit packages for its employees is a balancing act for nonprofit organizations, with recruitment, retention, and recognition on one side and compliance, regulation, compensation and benefits on the other side. ERISA is the overriding law which governs 1) health and welfare benefits, and 2) retirement benefits. President Obama signed HR 3590 (health care reform bill) into law in 2010. It is a very complex bill and is being challenged in the court by various states. The U.S. Supreme Court will ultimately rule on the constitutionality of the law. The major features of the law are: the establishment of health care insurance exchanges; the individual mandate; health care market reforms; and electronic records and wellness requirements.

There are certain exceptions to the individual mandate, with escalating penalties involved for noncompliance. Both the individual mandate and the employer mandate provision of the law go into effect in 2014. Employers with fewer than 50 employees will probably be exempt from the employer mandate to provide sufficient health insurance coverage, but those with more than 50 employees will be covered. Like the Individual mandate, there will be penalties for employers who provide no coverage and for those who provide insufficient coverage.

Rollin next presented information about the health care insurance exchanges that supposed to be set up by 2014. Exchange plans, individual, and small group plans must provide essential health benefit packages. This package includes: ambulatory services, emergency services, hospitalization, laboratory services, rehabilitation and habilitation, prescription drug coverage, pediatric services including oral and visual care, mental health and substance abuse disorders, and finally, preventive and wellness services. There are also new and expanded coverage

mandates that are slated to go into effect in 2014. They are: the guaranteed issuance and renewal of health insurance; no waiting period for health insurance in excess of 90 days; preexisting condition exclusions and annual spending limits will be prohibited; and there will be modified community rating standards. There probably will be some additional costs for both employers and individuals involved in implementing the new law. The new law basically solves the access to healthcare insurance problem. Though there are certain reforms and cost control measures built into the law, more exploration of cost containment is required. As the appeal process plays out in the courts, organizations should stay tuned to this issue to understand what the ultimate impact of this law to employers is likely to be.

Rollin briefly talked about the fiduciary responsibilities of employers who offer 403B or pension plans to their employees. There are new ERISA regulations 404 (a) and 404(c) and 408(b) 2 fee disclosure requirements. Good fiduciary management includes the following: formally adopt the 404c Protections for Participant Investment Decisions Requirement and comply; establish a Retirement Plan Fiduciary Committee; Adopt an Investment Policy Statement; Perform a Formal Analysis of Investments; Review and Understand Plan Fees; Every 3 -5 years perform a Market Review; and Develop an Employee Communication Plan.

Job Openings...

The NPFM group has a section on their website for job postings. Check out our website at www.npfm.org for a complete list of jobs. Contact David Richardson at dr44@verizon.net with questions or postings.

NPFM E-mail Forum

One of the benefits of membership in NPFM is a subscription to our e-mail listserv. We encourage members to post questions, announcements and new developments in finance and administration. All new members who provide e-mail addresses are automatically subscribed. To post messages send to npfm@topica.com. If your membership is current and you do not have access to the listserv, please contact Karen Kelley Gill, at kgill@cedac.org.

NPFM Steering Committee

The Steering Committee consists of several members who are responsible for the meeting topics, speakers, and other details surrounding the group. If you are interested in joining the steering committee, or in submitting ideas for future sessions, please contact any of the existing members, by e-mail or in person at a meeting.