

NJSA LAW DAY IX

FEBRUARY 13, 2020

THIS ONE-DAY CONFERENCE
IS DESIGNED TO
PROVIDE STAFFING
PROFESSIONALS AND
MANAGEMENT WITH
THE LATEST INFORMATION
ON LEGAL, LEGISLATIVE, AND
OPERATIONAL ISSUES.

FOR OWNERS, MANAGERS AND STAFF ENGAGED IN WORKFORCE AND COMPLIANCE ISSUES



NJSA
NEW JERSEY STAFFING ALLIANCE

Earn CPC Credits:



5.5 LEGAL CE

EISENHOWER CONFERENCE CENTER, 290 WEST MT. PLEASANT AVE., LIVINGSTON, NJ

8:30 a.m. – 9:00 am.

Registration & Breakfast

9:00 a.m. – 9:45 a.m.

Fickle Fingers of State



David Koch

Presented by David Koch, CEO, Two River Benefits Consultants LLC

This presentation will provide a brief overview of four NJ State laws which increase Staffing company administrative burdens and mandate compliance:

- NJ Temporary Disability & Paid Family Leave, as of January 1st 2020 changes in the law separate the Employer Taxable Wage Base and Employee Taxable Wage Base.
- Commuter Law, which is a new law effective March 1st, requires all companies with more than 20 employees to offer a pre-tax transportation fringe benefit.
- NJ Secure Choice Act is a law which passed in 2019 and the projected effective date is January 1st, 2021. The Secure Choice Act applies to any company with 25 or more employees which does not offer a 401k to their employees. The law will require companies to conduct an automatic enrollment of existing employees (as well as new hires) into individual Roth IRA's managed by New Jersey.
- NJ Individual Mandate 2019 6055/6056 Filing. NJ will match the current IRS filing deadlines for the NJ Individual Mandate- coverage verification provided to the employee by March 2nd, and to the State of NJ by March 31st, 2020.

Dave Koch opened Two River Benefits in 2002 to serve New Jersey customers for all benefits programs. In 2004 he signed a deal with the NJSA to distribute a New Jersey Disability program to its members, and it has grown into a large program over the past 16 years and saved Staffing companies millions of dollars vs the State plan.

TEKCare was formed in 2011 to address our National Health Reforms laws. TEKCare was set up to deal with the Administrative hurdles that the Staffing Industry faces with the PPACA act designed by the Obama Administration. Tekcare has its own proprietary products to solve ACA's fiduciary requirements for Staffing companies.

The companies are currently working on a program to manage all new and old laws to deal with the PPACA, TDB/VDI, IRA laws enacted in 2018 in New Jersey and California.

9:45 a.m. – 10:00 a.m.

Break

10:00 a.m. – 11:00 a.m.

*Toby Malara*

Beyond Emerging Legal Landscape – Top 5 Challenges Business Leaders Need to Know and How They Could Be Impacted by the 2020 Election

Presented by Toby Malara, Government Affairs Counsel, American Staffing Association

What comes to mind when you think of the challenges your company faces? Fierce competition? Shortage of talent? Demanding clients? How about legal challenges? In this session, attendees will hear about the top legal challenges to the industry the folks are facing now and will continue to face in the future. These challenges not only affect the day to day operations of staffing firms, they could have a tremendous impact on the company's bottom line. There will also be a preview of the upcoming 2020 Elections and discussion on what the results of the election could mean with regards to these issues.

Toby Malara is Government Affairs Counsel for the American Staffing Association. In his role, Malara handles federal and state legislative issues, assists association members and state chapters in state lobbying efforts, and provides industry related information to members on laws, legislation and regulation. He also heads up the association's Political Action Committee StaffingPAC. He has spoken on federal and state legislation, employment law and workplace issues to business and other groups throughout the country and has testified before Congress and various State and City legislatures on legislation involving the staffing industry. Toby earned his B.A. in Government Affairs and History from Georgetown University, and holds a law degree from the Columbus School of Law at Catholic University.

11:00 a.m. – 11:45 a.m.

*Marc Freedman*

Utilizing Independent Contractors to Perform Services In New Jersey – Proceed With Caution

Presented by Marc Freedman, Freedman & Friedland LLC

In light of the current political and legislative landscape in New Jersey, both the legislature and Governor Murphy have been vigorously moving forward with an agenda aimed at protecting the status of employees over independent contractors. Increased audits, new laws, and proposed legislation focus on making it more difficult to establish independent contractor status, investigating and eradicating misclassification, and expanding and enhancing employer liability, penalties and damages. We will explore these issues, as well as address what staffing firms can do to better adapt to these business realities.

Marc D. Freedman is the principal with Freedman & Friedland LLC, a New Jersey based law firm with concentrates in business and corporate law, corporate acquisitions, employment law, litigation and he specializes in providing legal and consulting services to the temporary employment, permanent placement and other staffing

industries. He has extensive experience in all areas of corporate and employment law.

Mr. Freedman conducts seminars for various groups on many aspects of employment and labor law, writes articles on various legal subjects germane to temporary employment, and published an advisory on the topic of co-employment within the temporary employment industry. He is currently the General Counsel for the New Jersey Staffing Alliance.

11:45 p.m. – 12:30 p.m.

Lunch

12:30 p.m. – 1:30 p.m.

Reference Based Pricing- Deliver Sustainable Cost Management That Goes Beyond Cost Sharing

Presented by Michael Cleary, TAC Benefits



Michael Cleary

Health care represents one of business’s largest, most unpredictable, and growing expenses. Employers’ benefits costs rose a staggering 24% between 2001 and 2017, and the cost of employee health benefits is projected to rise 5% in 2020, topping \$15,000 per employee. Simply put, employers are still paying too much for healthcare through standard carrier network discounts. And there haven’t been many sustainable solutions to this problem, until Reference Based Pricing came to prominence.

Reference Based Pricing offers self-insured plans, a defined benefit structure based on more economical reimbursement levels designed to be fair and reasonable to providers, and based on various pricing data sets, most notably Medicare. Essentially carrier network discounts aren’t enough because we as consumers don’t know provider costs.

We’ll discuss the issues with provider billing, carrier network discounts, and non-transparency. Then we will explain the solutions to these issues and how they can affect your business and the people you employ. Additionally, we will briefly discuss healthcare legislative updates and what employers can be doing to remain compliant while driving down costs.

Michael has been working closely with the NJSA and staffing firms throughout the U.S. since the passage of the Affordable Care Act in 2010. His years of experience with Third Party Administrators as well as his expertise and understanding of claims administration, cost savings programs for self-funded plans, and stop loss insurance makes him a unique asset to any staffing firm and their benefits team who currently have an ACA program in place or are considering one.

Michael has relationships with the top stop loss carriers and underwriters in the country allowing him to negotiate and place the best and most affordable coverage for his clients. His dissection of claims data, knowledge of the staffing industry, and passion for creating the most effective ACA and employee benefit strategy for his staffing clients make him a unique asset for staffing firms.

1:30 p.m. – 2:30 p.m.



David J. Sprong, Esq.

Michael lives with his wife Tricia in Glenside, PA. Combined, Tricia and Michael have eight children. Michael’s passion, outside of his love for saving employers time and money, is the game of hockey.

We Have a Great Opportunity To Hire a Key Producer!/A Key Producer Has Just Bolted! Your Guide to Dealing with Talent Acquisition and Retention in a Volatile Market

Presented by David J. Sprong, Esq., Becker LLC

The market for recruiters and sales professionals is at a fever pitch, and staffing companies are facing an unprecedented level of both opportunities and disputes with respect to the acquisition and retention of business talent. Some staffing firms are even finding themselves simultaneously dealing with the legal issues presented by individuals that they have just on-boarded, and others they have just lost. This presentation will address the problem from both sides, explore the anatomy and prevailing law regarding restrictive covenants, and offer best practices for cost-effective solutions in both the short and long terms.

David J. Sprong, Esq. regularly provides trusted legal advice to staffing clients regarding the many complex and important issues impacting their businesses, including talent acquisition and retention, on-boarding/off-boarding, compensation strategies, litigation and compliance with the myriad of ever-changing laws facing the industry. His industry-specific experience enables him to provide value-added services to staffing clients designed to protect their rights, manage their risks and grow their businesses. He is a long-time contributor to Law Day and he has served on the Board of Directors of the New Jersey Staffing Association.

2:30 p.m. – 2:45 p.m.

Break

2:45 p.m. – 3:45 p.m.



Kevin Ricci

Cybersecurity: Best Practices and Risk Mitigation Strategies

Presented by Kevin Ricci, Principal, Citrin Cooperman

It is more important than ever to make sure you understand the risks to your organization and are informed about cybersecurity best practices and risk-mitigation strategies to safeguard your company from suffering an attack. Are you doing everything you can to secure your company’s IT environment and avoid becoming the next security breach headline because your data was compromised?

Join Citrin Cooperman’s Technology Risk and Advisory (TRAC) consultant Kevin Ricci, as he shares his cybersecurity expertise to help you make appropriate and effective security decisions. Participants will leave with key takeaways, including:

- Understanding the emerging trends in the world of cybersecurity
- Calculating the true cost of falling prey to a cyber attack
- Detecting and avoiding spear phishing attacks, the cause of over 90% of data breaches
- Strategizing on how to effectively protect your company and appropriately prepare your employees

This interactive discussion will provide easy to implement strategies and best practices to help minimize your cyber-risk and increase the chances of keeping your business safe and secure

Kevin Ricci is a principal at Citrin Cooperman with more than 20 years of experience in the information technology field. As part of the firm’s Technology and Risk Advisory Consulting (TRAC) team, Kevin offers clients specialized technology expertise and cybersecurity solutions, including IT auditing, Sarbanes-Oxley IT support, security training, project management, database development, data analysis, and compliance services including PCI DSS and HIPAA.

3:45 p.m. – 4:00 p.m.

Closing Remarks



EISENHOWER CONFERENCE CENTER

290 West Mount Pleasant Ave, Livingston, NJ 07039

FROM EAST OR NEWARK AIRPORT - NJ Turnpike North to Exit 15W (I-280), Take I-280 West approx. 13 miles to Exit 4A (Eisenhower Parkway - South), Proceed South on Eisenhower Parkway for 2.3 miles to Beaufort Ave. (just before Livingston traffic circle), Left onto Beaufort Ave., first right into Eisenhower Corporate Campus

FROM SOUTH - Garden State Parkway North to Exit 142 (I-78 East), Take I-78 East to Exit 54 toward I-78 West, Go back over I-78 and take ramp to I-78 West, Keep right for Route 24 West via Exit 48 toward I-287, Take Exit 7C to JFK Parkway North, Left onto South Orange Ave, Right onto Eisenhower Pkwy (Livingston Mall on Northeast corner), Go through Livingston Circle (Route 10), Right onto Beaufort Ave., first right into Eisenhower Corporate Campus

FROM WEST - Take I-80 East to I-280 East. Follow I-280

FROM NORTH - Garden State Parkway South to Exit 145 (I-280), Take I-280 West approx. 13 miles to Exit 4A (Eisenhower Pkwy South), Proceed South on Eisenhower Pkwy for 2.3 miles to Beaufort Ave. and make first right into Eisenhower Corporate Campus.

NJSA LAW DAY IX SCHEDULE - 2020

February 13, 2020 • Eisenhower Conference Center, 290 West Mount Pleasant Ave, Livingston, NJ

Company Name _____

Address _____

Tel _____

Fax _____

Email _____

ATTENDEE INFORMATION

Attendee 1 Name _____

Email _____

Phone _____

Attendee 2 Name _____

Email _____

Phone _____

Attendee 3 Name _____

Email _____

Phone _____

Attendee 4 Name _____

Email _____

Phone _____

REGISTRATION FEES:

NJSA Member - 1st Attendee from Company: \$180 \$ _____

NJSA Member - Additional Attendees from Company @ \$150 per person \$ _____

Non-Member Registration Fee: \$270 per person \$ _____

Total \$ _____

For credit card orders Amex Visa MasterCard Discover

Account Number: _____ Expiration: _____ CVV# _____

Name on Card: _____

Billing address with zip code: _____

For payment by check (Payable to NJSA) Check # _____

Return completed form to the NJSA Office:

New Jersey Staffing Alliance, P.O. Box 518, Mount Laurel, NJ 08054

Phone: 973-283-0072 Fax: 856-727-9504