



# HR Roundtable Best Practices for Managing Payroll; Avoiding Common Wage and Hour Mistakes

8 a.m. to Noon | Wednesday, Sept. 25, 2019 | Sheraton Harrisburg-Hershey, Harrisburg, PA

Top employment law and business attorneys, and a DOL investigator, will help human resources professionals sort out confusing aspects and understand the practical steps they should be taking to stay on top of compliance, and to stay up to speed in these key areas:

- **Handling payroll** — HR professionals have asked us to cover handling payroll, with best practices and solutions to the most common mistakes. For those companies still doing payroll in-house, there are important protocols they must follow. And as more companies move to third party administrators to do their payroll, some are not checking to ensure things are being done properly – with substantial risk. They still need to audit and monitor the third party as payroll companies have had data breaches, fraud or simply not deducted correct amounts.
- **Wage and Hour** — the rules continue to cause the most headaches for companies, and companies receive a great deal of scrutiny on this from the U.S. Department of Labor. Improper calculating of overtime, meals, breaks and waiting time is a huge problem, especially with more and more employees “on call” at all times of day and night. We are also reviewing this year’s many proposed changes to Pennsylvania’s minimum wage law.

## Agenda

- 8 a.m. **Registration — Continental Breakfast**
- 8:30 a.m. **Welcome**  
– *Dee Yingst, Chief HR & Compliance Officer, Pennsylvania Chamber of Business and Industry*
- 8:35 a.m. **Best Practices to Monitor Payroll**  
– *Amy Anstine, Partner, Small Business Services Group, RKL*  
– *Danielle Hoffer, Practice Leader, Human Resources Consulting, RKL*
- With so many companies having moved to third party administrators to manage their payroll, many HR professionals assume they no longer need to focus on this activity or monitor how it is being handled – with substantial risk. Recently, several payroll companies have had problems with data breaches and employee information being stolen, or fraud. And for those who do payroll in-house, companies are faced regularly with fraud abuse. It is critical that HR audit and monitor their third party administrators to ensure payroll is being done correctly. And companies that handle payroll in-house must implement best practices to ensure they prevent fraud. We will discuss:
    - o The most common payroll mistakes, including: are taxes and benefit deductions being made properly; is overtime calculated correctly; if transferring paychecks to employees electronically are these being sent correctly with fraud protections; if mailing/handing out a check are all accounting protocols being followed.
    - o How often HR should audit their payroll practices, whether they use a third party administrator or do this in-house; recommended best audit practices to ensure all is being done properly
    - o Steps HR should follow should they suspect there is a problem
    - o Best practices and solutions to ensure payroll is operating smoothly and employees’ private information is safeguarded
- 9:45 a.m. **Refreshment Break**
- 10 a.m. **Avoiding Common Wage and Hour Mistakes: The View from a U.S. DOL Planning Specialist and a Top Labor Law Attorney**  
– *Jane E’del, Community Outreach and Planning Specialist, U.S. Department of Labor*  
– *Kathy Speaker MacNett, Managing Member, SkarlatosZonarich LLC*
- Calculating compensable hours for Wage and Hour purposes can be very challenging for companies that must factor in breaks, lunches, overtime, salaried vs. non-salaried status, and more. U.S. Department of Labor investigators are finding common mistakes being made by employers. In addition, although the Pennsylvania Minimum Wage Act (PMWA) is similar to the Fair Labor Standards Act (FLSA), it is not identical. Employers who comply with the FLSA may still fall into various compliance “traps” under the PMWA. In addition there have been a lot of proposed changes this year to the Pennsylvania minimum wage law.
  - To explain the Wage and Hour compliance challenges and what companies should be doing to prevent mistakes under both the Fair Labor Standards Act and Pennsylvania law, including a review of the proposed changes, we will discuss:
    - o How to determine an employee’s “regular rate” for purposes of calculating overtime
    - o Exemptions from overtime
    - o When an employee might be exempt under one law but non-exempt under another law
    - o Rounding, recordkeeping and automated systems
    - o Calculating Wage and Hour rates, including overtime, meals and breaks, and breaks for nursing mothers
    - o The pitfalls of “off-the-clock” hours and preliminary and postliminary work activities
    - o The challenges presented by working from home and mobile devices
    - o The pitfalls of “off-the-clock” hours and preliminary and postliminary work activities
    - o The challenges presented by working from home and mobile devices
    - o When travel time, training time and “volunteer work” equal hours worked
    - o What is proposed and may change to PMWA
    - o Best practices for complying with Wage and Hour
- Noon **Adjourn**

All attendees will receive an electronic Certificate of Completion from the Pennsylvania Chamber.

Although some of the presenters are attorneys, nothing in this program should be construed as legal advice or as pertaining to specific factual situations.

## HR Certification Institute Credits

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This program has been approved by the PA Continuing Legal Education Board for **3 hours of substantive law, practice and procedure CLE credit** and 0 hours of ethics, professionalism or substance abuse CLE credit.

## CPE Credits

**CPE Credits: 3**  
Program Sponsor PX177225  
Prerequisites: None  
Level: **Management**  
Objective: To provide practical information on how companies can better manage the compliance requirements and costs associated with mandatory human resources laws and regulations.

**Note: we are also holding a separate topic roundtable at the same time and location as this event.**

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For exhibitor information, contact Ashley Mostek at 717.720.5557 or [amostek@pachamber.org](mailto:amostek@pachamber.org)