



# HR NEWS

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## In This Issue

[New Version Of Model FCRA Summary Of Rights Released](#)

[Free Webinar on Respiratory Protection Targets Temporary Worker Safety](#)

[OSHA Issues Memorandum Clarifying Position on Post-Incident Drug Testing](#)

[DOL Proposes Rule to Allow Younger Workers to Operate Patient Lifting Devices](#)

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## New Version Of Model FCRA Summary Of Rights Released

As previously reported on Healthcare Council's HR Listserv, a new model form "***A Summary of Your Rights Under the Fair Credit Reporting Act***" was recently released by the Consumer Financial Protection Bureau (CFPB). Employers and background check companies should have started using the new form on September 21. Employers and background check companies are required to provide the disclosure form to employees and job applicants under certain conditions according to the Fair Credit Reporting Act (FCRA). Failure to provide the correct notification can lead to penalties including class action litigation. The revised model form incorporates newly required notices. According to the CFPB, businesses can use the new model disclosure or a combination of the prior disclosure forms along with a summary of recently enacted security freeze rights, as long as a separate page that contains the additional required information is also provided. [www.ConsumerFinance.gov](http://www.ConsumerFinance.gov)

## Free Webinar on Respiratory Protection Targets Temporary Worker Safety

The Occupational Safety and Health Administration (OSHA) and the American Staffing Association are co-hosting a free webinar on November 9 to educate staffing agencies and host employers on how to protect temporary workers from exposure to airborne contaminants. The program will also review OSHA's



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new temporary worker bulletin on respiratory protection.  
 OSHA Temporary Worker  
 Bulletin: [www.OSHA.gov](http://www.OSHA.gov)/Webinar Registration  
 Website: [www.AmericanStaffing.net](http://www.AmericanStaffing.net)

## OSHA Issues Memorandum Clarifying Position on Post-Incident Drug Testing

The Occupational Safety and Health Administration (OSHA) has issued a memorandum clarifying its position that its rule prohibiting employer retaliation against employees for reporting work-related injuries or illnesses does not prohibit post-incident drug testing or workplace safety incentive programs. The agency believes that many employers who implement safety incentive programs and/or conduct post-incident drug testing do so to promote workplace safety and health. Action taken under a safety incentive program or post-incident drug testing policy would only violate OSHA's anti-retaliation rule if the employer took the action to penalize an employee for reporting a work-related injury or illness rather than for the legitimate purpose of promoting workplace safety and health.  
[www.OSHA.gov/Laws](http://www.OSHA.gov/Laws)

## DOL Proposes Rule to Allow Younger Workers to Operate Patient Lifting Devices

Citing more than 1.1 million jobs currently open in health care and social assistance, the US Department of Labor (DOL), has issued a Notice of Proposed Rulemaking to revise its Hazardous Occupations Order 7 (HO 7), which prohibits 16 and 17 year-olds from working in jobs that involve the operation of power-driven patient lifts. Currently, Hazardous Occupations Order No. 7 bars teens from working in occupations that require the operation of power-driven patient lifts, thus considering lifts equivalent to construction equipment. In the proposed rule, the DOL acknowledges that patient lifts differ substantially from construction equipment such as forklifts, backhoes, and cranes. The agency

economically viable entities.

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notes that a bipartisan group of lawmakers has criticized the current regulation for unnecessarily depriving youth of opportunities in the healthcare field. DOL notes that the use of patient lifts is actually safer for workers in comparison to the alternative method of manually lifting patients. Comments are due on or before November 26, 2018.  
[www.FederalRegister.gov](http://www.FederalRegister.gov)