

Southwest Montana SHRM

Affiliate of the Society for Human Resource Management

Chartered in Bozeman, MT



LEGISLATIVE UPDATE

NOVEMBER 2024 UPDATE



Southwest Montana SHRM MISSION:

To connect and inspire members to create a collaborative environment for people to do their best work

IRS Announces 2025 HSA, HDHP Limits

May 9, 2024 | [Kathryn Mayer](#)

Employees will be able to sock away more money in their health savings accounts (HSAs) next year, thanks to rising inflation.

The annual limit on HSA contributions for self-only coverage in 2025 will be \$4,300, a 3.6 percent increase from the \$4,150 limit in 2024, [the IRS announced May 9](#). For family coverage, the HSA contribution limit will jump to \$8,550, up 3 percent from \$8,300 in 2024.

The jump in the contribution limits is significantly less than the [roughly 7 percent increase seen from 2023 to 2024](#).

The IRS did not yet release the 2025 catch-up contribution for savers age 55 and older. It currently stands at \$1,000 for 2024, unchanged from 2023.

Meanwhile, for 2025, a high-deductible health plan (HDHP) must have a deductible of at least \$1,650 for self-only coverage, up from \$1,600 in 2024, or \$3,300 for family coverage, up from \$3,200, the IRS noted. Annual out-of-pocket expense maximums (deductibles, co-payments and other amounts, but not premiums) cannot exceed \$8,300 for self-only coverage in 2025, up from \$8,050 in 2024, or \$16,600 for family coverage, up from \$16,100.

The IRS also announced that the excepted-benefit HRA limit will be \$2,150 in 2025, up from \$2,100.

SHRM LINK ARTICLE: [IRS Announces 2025 HSA, HDHP Limits](#)

Meal Period Compliance: Insights from Washington Court Ruling

October 22, 2024 | Adam T. Pankratz, Laurence A. Shapero, and Zachary V. Zagger © Ogletree Deakins

An appellate court in Washington state recently held a hospital liable for paying employees who worked through meal periods for their time worked, plus compensation for an additional break as a penalty, highlighting Washington employers' obligations to ensure employees take breaks from work during their meal and rest periods.

On Sept. 30, a panel for the Court of Appeals for the State of Washington affirmed a lower-court summary judgment ruling that sided with employees, finding that they were owed additional compensation in the amount of thirty minutes of pay for each missed meal period to compensate them for the deprivation of their right to take a break from work during the meal periods, plus prejudgment interest.

In [*Androckitis v. Virginia Mason Medical Center*](#), the appellate court rejected the hospital's argument that the employees need only be compensated for the time of their meal periods and that additional pay for the missed periods was an improper, judicially created penalty.

But the court stated that it is well-established law that the Washington Industrial Welfare Act (IWA) provides employees "a right to the respite of a meal and rest period, an implied cause of action to enforce that right, and a remedy to compensate them for the loss of the statutorily granted opportunity to have respite from work."

The decision is significant for employers because it underscores that Washington courts will take employers' statutory obligations to provide meal and rest periods seriously and will not treat failure to provide such periods as mere technical violations of labor law.

SHRM LINK ARTICLE: [Meal Period Compliance: Insights from Washington Court Ruling](#)

Employers' Free Speech Rights About Unions Remain, Despite Scrutiny

October 29, 2024 | [Allen Smith, J.D.](#)

Employers can still share facts, opinions, and examples—sometimes referred to by the acronym FOE—about unions, despite increased scrutiny about whether opinions are unlawful threats.

If employers are opposed to unionization, they should exercise their free speech rights during an organizing campaign, said attorney Phillip Wilson, president of LRI Consulting Services Inc., in Broken Arrow, Okla.

He said, "A lot of employers are concerned about exercising their protected speech rights because they don't want to be targeted" by the National Labor Relations Board (NLRB)

general counsel, who is independent from the board and prosecutes unfair labor practice cases, or the NLRB itself. “In my view, this is the wrong approach.”

Once a union is voted in, “you’re basically stuck with it,” Wilson added. “Well over 90% of workers covered by unions today never had a chance to vote on whether they wish to remain represented.”

Facts

Amy Moor Gaylord, an attorney with Akerman in Chicago, said factual statements about unions may involve:

- How much they charge their members in dues and any other fees.
- How many strikes and/or lockouts they have been involved in over the past few years.
- Whether they have been sued and for what.
- Whether any of their leadership has been indicted or sent to prison.
- Anything that can be found in a union’s LM-2 form, such as how much that union pays its officers and business agents, how much it collects in dues each year, how much it spends on business vehicles for its officers and organizers, and how much it spends on parties or travel.

Facts about collective bargaining, such as the average length of time it takes to bargain an initial contract, may also be shared with employees.

“Generally, anything that is verifiable by a reputable source has always been safe to discuss in the context of union organizing,” Gaylord said. “I still believe facts like these are safe to use.”

SHRM LINK ARTICLE: [Employers’ Free Speech Rights About Unions Remain, Despite Scrutiny](#)

E-Verify Historical Records: Act Before the Disposal Deadline (1/5/25)

November 4, 2024

E-Verify employers have until Jan. 5, 2025, to download records for E-Verify cases last updated on or before Dec. 31, 2014. On Jan. 6, 2025, USCIS will dispose of these E-Verify records that are more than 10 years old.

Program administrators may download the Historic Records report to retain information about these E-Verify cases. The case data includes basic company information as well as case identifiers and case resolution information.

Employers who have not already done so must record the E-Verify case verification number on each corresponding Form I-9, Employment Eligibility Verification, or attach a copy of the case details page to the Form I-9. Employers should retain the Historic Records Report with the Forms I-9.

SHRM LINK ARTICLE: [E-Verify Historical Records: Act Before the Disposal Deadline \(1/5/25\)](#)

PLAN AHEAD

[Health Care Cost Projections for 2025](#): The average cost of employer-sponsored health care coverage in the U.S. is expected to increase by 9% in 2025, according to an analysis from Aon. That's significantly higher than the 6.4% increase in health care budgets that employers experienced from 2023 to 2024.

UPCOMING CALENDAR EVENTS:

Crowley Fleck's Eighth Annual Employment Law Webinar

You are invited to Crowley Fleck's Eighth Annual Employment Law Webinar. This year, we are going "Back to Basics," with a two-hour webinar featuring six short presentations on the areas where we see the most employment law questions from clients.

Date: Wednesday, November 13, 2024

Time: 11 a.m. to 1 p.m. Mountain

Who should attend: Employers and HR Professionals

Advance registration is not required. Zoom information is below.

Zoom Information:

[Join Zoom Meeting](#)

<https://crowleyfleck.zoom.us/j/99843730771?pwd=zeU1NVf1f66ETa2bQw2z35TsbEJSXS.1>

Meeting ID: 998 4373 0771

Passcode: 220453 Call in number: 888 475 4499 US Toll-free



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WEBCASTS/CONFERENCE SESSIONS

End the Year in Compliance: Everything HR Needs to Know

Nov 13, 2024 1:00 PM EST /11:00 AM Mtn

SHRM LINK ARTICLE: [End the Year in Compliance: Everything HR Needs to Know](#)



January 8 - 9, 2025
Delta Helena Colonial Hotel

Celebrate the kickoff of Montana's 69th Legislative Session at the Silver Anniversary of Business Days at the Capitol! Register now - the event is almost sold out!!

SCHEDULE

Wednesday, January 8 – 12:00 p.m. – 4:30 p.m. | Seminars, Fireside Chats & Keynotes

Wednesday, January 8 – 5:00 p.m. – 8:00 p.m. | Lawmaker Appreciation Reception & Banquet

Thursday, January 9 – 8:00 a.m. – 1:00 p.m. | Seminars, Fireside Chats and Keynotes

Opening luncheon will be at noon on January 8 with seminars all afternoon. In the evening, the event shifts to the Helena Civic Center for the Lawmaker Appreciation Reception. The morning of January 9 begins with legislative leadership and concludes with 'The Last Word' closing luncheon.

THANK YOU

