



**March  
2009**

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# NUVIEW INSIDER

## From The CEO's Desk

Another great year! NuView Systems is growing and expanding. It has recorded its second straight year of record-breaking growth in 2008. The company increased revenue 32% over 2007, added new clients and hired 17 new employees to support its growing base of 300+ global clients.

Our success is a direct result of our commitment to client successes, our innovative technology platform and most of all by the effort and teamwork exhibited by the NuView staff. Consolidating our position as a leading provider of HRMS and Payroll software tools, we have provided value, solutions and a product that helps our client partners manage their people, process & strategy.

NuView is geared up for another history making year, with plans to build on our foundation of architectural superiority, service excellence, and to making HR strategically indispensable.

We are turning 15 years old on April 4, 2009. Please join me in wishing us a happy birthday as we strive to become even better. Stay tuned for the next newsletter for information regarding our 2009 User Conference, to take place in the Boston, MA area. We welcome your suggestions and feedback in helping us shape the content for this not-to-miss conference. Please take our brief survey by clicking on the link below. This will only take a few minutes of your time and will ensure that your thoughts are heard.

[https://www.surveymonkey.com/s.aspx?sm=kEmNO2E6szwy8p\\_2b\\_2bODgKOA\\_3d\\_3d](https://www.surveymonkey.com/s.aspx?sm=kEmNO2E6szwy8p_2b_2bODgKOA_3d_3d)

We look forward to your feedback!

**-Shafiq Lokhandwala**  
CEO

## Upcoming 2009 Tradeshows– Visit Us!

### IHRIM

April 20th-21st  
Manchester Grand Hyatt  
San Diego, CA  
Booth #614

### WorldAtWork

June 1st-2nd  
Washington State Convention Center  
Seattle, WA  
Booth #1138

### SHRM

June 28th-30th  
Morial Convention Center  
New Orleans, LA  
Booth #2730/2732

### American Payroll Association

May 20th-22nd  
Long Beach Convention Center  
Long Beach, CA  
Booth #735

### The HR Show 2009

June 11th-12th  
Frisco, TX

### HR Technology Conference & Exposition

September 30th-October 1st  
McCormick Place  
Chicago, IL  
Booth #901

## New Client Announcements

NuView is pleased to welcome these new clients to our growing customer base:

- Corbett Accel Healthcare
- Jackson Healthcare
- The Diocese of Providence
- HomeAway
- IntraLinks, Inc.

Be sure to check out our new Client List at:

<http://www.nuviewinc.com/company/newclientcorner.aspx>

## NuView's CEO Interviews with The Wall Street Journal TV

Shafiq Lokhandwala, CEO of NuView Systems, was recently interviewed by Kelsey Hubbard of the Wall Street Journal on the economic climate. To listen to Shafiq's comments click the link below:

<http://online.wsj.com/video/winners-and-losers-in-the-layoffs-storm/2F2BC227-B785-46FF-8990-BADD8E594D17.html>

## NuView In The News

### NuView Announces Strong Revenue Growth in 2008

NuView Systems Inc., announces it has recorded its second straight year of record-breaking growth in 2008. The company increased revenue 32% over 2007, added 27 new clients and hired 17 new employees to support its growing base of 300+ global clients. Shafiq Lokhandwala, CEO of NuView, commented "We had a great year which has been possible by the commitment to client successes, our innovative technology platform and most of all by the effort and teamwork exhibited by the NuView staff. Consolidating our position as a leading provider of HRMS and Payroll software tools, we have steadily grown and increased sales and staff, in a difficult economic environment."

Last year, NuView's "Gateway to Greatness" User Conference also broke records, with almost 100 attendees from 40 different client companies - all of whom had great praise for the products and NuView's staff, technology, flexibility and communications. NuView continues to make Education and Client Service top priorities for all its clients, while staying ahead of the curve on the use of its flexible technology to deliver more than an HR system, but rather, a system of record that drives the entire organization's business strategy, goals and objectives.

### NuView Named a Finalist in 2009 CODiE Awards Competition



NuView Systems was named a finalist in the Software & Information Industry Association's (SIIA) 24th Annual CODiE Awards. NuView's comprehensive HRMS, the NuViewHR® product suite, was selected from many high-caliber products as one of the Best Human Resources Solutions in the industry. The award is based on the best software solution that automates any aspect of human resources management, including HRIS, benefits administration, recruiting, payroll, performance appraisal, asset management, etc. The solution can be distributed as a service (SaaS) or installed (NuView offers both options).

CODiE Award Judges look for ability to manipulate data and functionality of key attributes, ability to pull from disparate data sources, ease of use, level of services provided compared to other similar programs, overall fulfillment of key attributes, overall visual/program aesthetics and user interface. NuView's underlying toolset, NuViewTools, used to customize almost every aspect of the system to reflect client environments, earned high marks among judges.

To Read the full release click here:

[http://www.nuviewinc.com/pdf/NuView%20Named%202009%20CODiE%20Award%](http://www.nuviewinc.com/pdf/NuView%20Named%202009%20CODiE%20Award%20)

## HR NEWS

### The Facebook Generation: Social Networking and the Hiring Process

by the attorneys at the law firm of Steptoe & Johnson

Imagine that you're a hiring representative for your employer (in this case, a Burger King restaurant), and you've just discovered how to use MySpace. You decide to check the profiles of the employees who work the midnight shift. While perusing one employee's profile, you notice a link to a video. As you click on it, you're immediately faced with the employee, possibly in his birthday suit, taking a bath in one of the restaurant's utility sinks.

You instantly imagine every horrible situation that may result from this incident: health violations, customers getting sick, bad public relations. You rightfully fire the employee for misconduct, but you can't help but be amazed at how he felt completely justified in displaying his video to the entire Internet world. That situation is no fabrication. It actually occurred at a Burger King in Xenia, Ohio. Although posting such a video displays a significant amount of immaturity, it's no surprise that the lives of 18- to 24-year-old employees revolve around the Internet -- specifically, their social networking pages.

College students update their Facebook profiles seemingly every five minutes, whether they're adding a note about their opinions on a recent presidential debate or joining a social group that encourages businesses to "go green." For some employers, the fact that employees would release private information to the public is both reckless and incredible, leading to an immediate assumption that they exercise poor judgment. In reality, employers should expect a high percentage of all job applicants between ages 18 and 25 to participate in a social networking site. Thus, the current economic market may lead employers to ask a very important question: How can today's business coexist with social networking sites and the prospective employees who use them?

At first, HR pros may think it's necessary to screen all applicants by looking at their social networking profiles. Although there isn't much legal guidance on the limits of social network screening in the private sector, potential legal risks are lurking right around the corner when employers make a hiring decision based on information on a website like MySpace. To combat the screening process, social networking sites have begun working with, rather than against, the business community. This article explains how to avoid potential liability when conducting social network screening and discusses ways to use networking sites to your advantage -- as well as the applicant's -- during the hiring process.

#### **Potential dangers of social network screening**

In the past few years, much has been said about the potential legal issues resulting from screening a job applicant's social network profile. It's important to remember that if someone is posting personal information publicly and intentionally, he cannot later complain about any type of invasion of privacy. However, be aware that visiting a job applicant's MySpace page may give you access to information that employers otherwise are prohibited from inquiring about in hiring, such as disability, race, religion, or age. If an employer don't hire an individual based on her social networking page, be prepared to offer a nondiscriminatory reason for rejecting her application. Also, remember that some states have statutes that prohibit hiring decisions based on a candidate's lawful leisure time activities.

## The Facebook Generation: Social Networking and the Hiring Process (Cont.)

by attorneys at the law firm of Steptoe & Johnson PLLC

If a company contracts with outside agencies to conduct background checks on potential applicants, it must comply with the Fair Credit Reporting Act (FCRA). Under the FCRA, employers must obtain a candidate's consent before an agency may begin looking into his credit history and putting together a consumer report. Also, be aware that if the agency conducts an investigative consumer report in which it specifically interviews past associates to obtain information on the candidate's character, he has a right to be informed about the scope and coverage of the investigation.

If a consumer reporting agency peruses a social networking page, employers run the risk of being accused of making a hiring decision based on character without following the FCRA's requirements. Although the FCRA is silent about checking social networking sites for information, it's in your company's best interest to notify the candidate that social networking sites may be screened as part of the background check. As with any hiring or firing decision, employers should develop a fair and uniform procedure when evaluating social networking sites. They must treat every applicant consistently to avoid potential discrimination lawsuits. Finally, remember to document everything to prevent any problems that may arise throughout the hiring process.

### Using social networking to an employer's advantage

Young people in today's workforce tend to want immediate access to information, including information about potential jobs. Many have already taken advantage of the advertising services offered through Facebook and LinkedIn to build professional contacts. Most likely, more and more young adults will use those services because they're free to the public. In that regard, it's in an employer's best interest to create a company profile on the social networking sites to connect with potential recruits. After creating a profile, companies will be able to immediately receive information about potential applicants. Social profiles will generally give employers a more holistic view of the candidates. That's especially true in today's market because young people are actively making their social profiles more employer-friendly. For example, some basic information gathered from a network profile can indicate whether a person has good communication or leadership skills based on his connections to social or civic organizations. Acquiring such information should give you a leg up in recruitment and hiring.

Employers should be aware that the job search is a frightening experience for young job applicants. Through a collaborative and inclusive atmosphere, social networks tend to relieve the pressure by allowing companies and recruits to establish relationships online. Young job applicants are sensitive to collaboration and individual feedback, so employer must treat them as individuals with a unique identity. In reaching out to young applicants, try adjusting your company's message to the laid-back and personal atmosphere of social networking sites. For example, people post videos or even essays detailing what they're looking for in a job, and employers should respond to those posts accordingly. All of that adds to a communal atmosphere that puts the company and the applicant at ease.

To continue reading this article, click here:

[http://www.hrhero.com/hl/021309-tip-social\\_networking.html?HLR](http://www.hrhero.com/hl/021309-tip-social_networking.html?HLR)

## Payroll News

### Details on Cobra Continuation Subsidy in the Stimulus Package

#### Posted in the Employment Law Post– HR Hero Alerts

You're probably well aware by now that the \$787 billion economic stimulus package signed by President Barack Obama this week will provide many out-of-work employees and their families with a reduced rate on continuing health care coverage under COBRA. Because the stimulus plan was adopted so quickly in Congress, it has been difficult to learn and understand the details. Here's an outline of some of the major provisions of the stimulus package that relate to the COBRA subsidy.

**What:** The stimulus bill provides for a subsidy of 65% of what the eligible person (laid-off employee, spouse, or child) must pay to continue health coverage under COBRA. The subsidy can be applied to any health coverage except health flexible spending account coverage offered through a cafeteria plan. There are recapture provisions for certain highly compensated employees accepting the subsidy. The recaptures are phased in starting with incomes of \$125,000 per year for individuals and \$250,000 for couples filing joint returns.

**Who:** To be eligible for the subsidy, the covered employee must have involuntarily lost his job between September 1, 2008, and December 31, 2009. An employee fired for gross misconduct, however, can't get the subsidy. Covered spouses (as determined per federal law) and children (as determined under the plan) of covered employees can retain COBRA coverage and obtain a subsidy. There are provisions for notifying those who lost their jobs before the February 17, 2009, enactment date of the stimulus package (and their spouses and children) and either didn't sign up for COBRA or did sign up but let coverage lapse. They have a second chance and 60 days to sign up for subsidized COBRA.

**When:** Employers have 60 days from the date the stimulus package was enacted (February 17) to notify covered employees involuntarily terminated between September 1, 2008, and February 16, 2009, of their rights to elect COBRA at the subsidized rate. Employees have 60 days from receipt of the notice to elect COBRA. Subsidized coverage begins with the first period of coverage on or after February 17, usually March 1, but the COBRA period itself dates from the qualifying event. Employees terminated on or after February 17 and before December 31, 2009, will receive a COBRA continuation notice that includes information specific to the subsidy and spelled out in the stimulus bill. The COBRA subsidy lasts up to nine months, ending earlier if the employee becomes eligible for Medicare or other qualifying group health coverage. Even if the subsidy ends, the employee may retain COBRA coverage, at the full rate, for any COBRA time remaining.

**How:** The person receiving the subsidy pays the nonsubsidized portion of the COBRA premium to her former employer, health plan, or insurer, as the case may be. That entity "covers" the federal government for the subsidy amount until the government reimburses it through credits against payroll taxes. In addition, employers may — but don't have to — allow those eligible for subsidized COBRA payments to choose health coverage that differs from what they had when their qualifying event occurred. At the most basic level, employers will need to first identify everyone in their organization who is or was eligible for COBRA through an involuntary termination of employment that occurred between September 1, 2008, and February 16, 2009, who hadn't elected COBRA as of the enactment date or who elected it but lost coverage. Also include spouses and children covered at the time of the qualifying event within those dates but not covered now. These persons will be entitled to a special election period. Coverage dates may need to be adjusted depending on when each person's qualifying event occurred. Plan administrators must work with their COBRA administrators to tweak systems to accommodate this. In addition, employers should decide if they wish to offer those eligible for subsidized COBRA the option of electing different coverage and whether the employer wishes to develop its own COBRA subsidy notices to employees or wait for the DOL to issue model notices. (The stimulus package requires it to do so within 30 days of February 17.)

To read full post, click here: <http://employmentlawpost.com/hrnews/2009/02/20/more-details-on-cobra-continuation-subsidy-in-stimulus-package/>

## NuView Legal Line News

### February's HR Express Update includes:

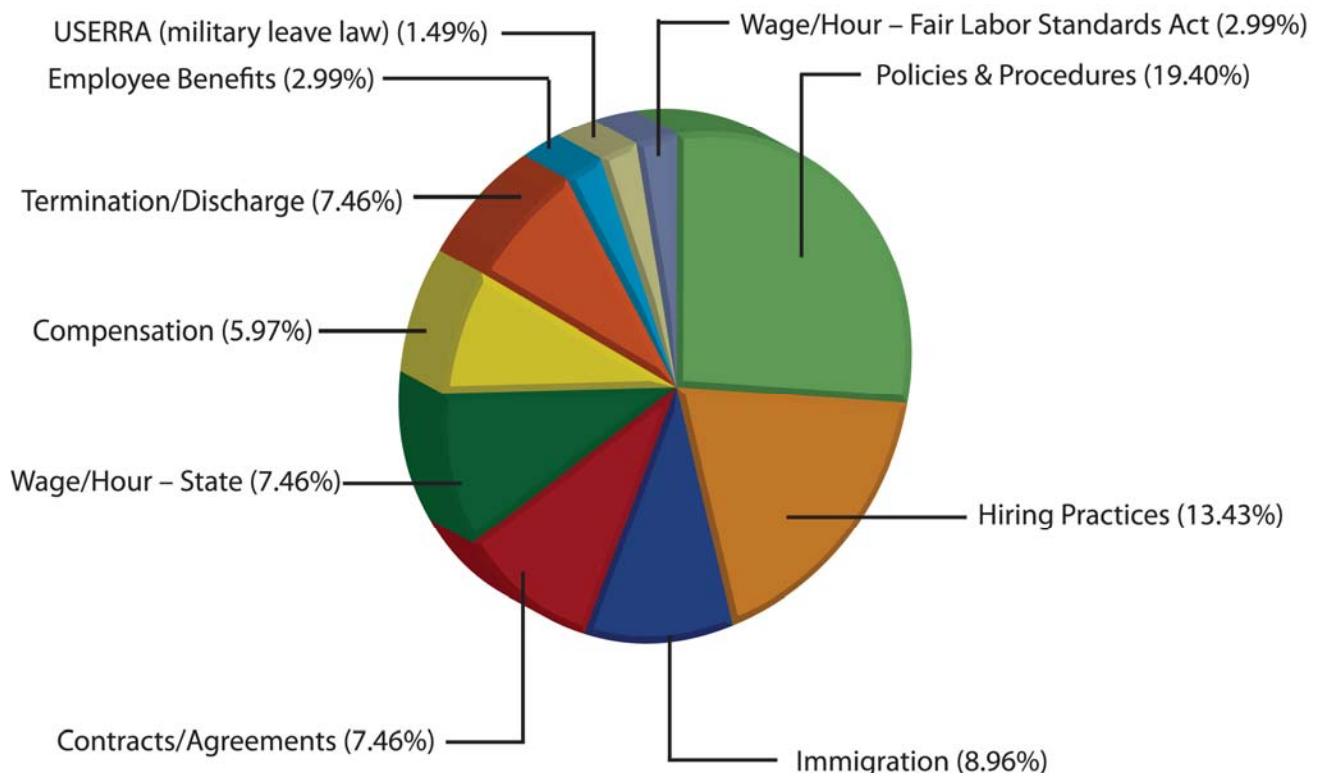
- Question of the Month: We suspect that an employee is using FMLA certification papers (migraine headaches) as a weekend, holiday, and vacation extender. Can we have her submit to a second opinion?
- Case of the Month: Title VII's Retaliation Clause Protects Employee Who Discloses Unlawful Conduct in Response to Employer's Internal Investigation
- State & Federal Employment News Updates

You can view our latest HR Update at: <http://www.hrhelpline.com/nuviewinc/marketing/Default.asp?page=HREXPRESS>

If you have any questions, contact us using the information below:

NuView Legal Line  
(877) 568-6655 toll-free phone  
(877) 705-3678 toll-free fax  
hrupdates@hrhelpline.com

### Top 10 Issues Proactively Requested Are:



## NuView Support News

### NuView Knowledgebase Update

We have recently integrated our Support Knowledgebase into NuView Self-Service (NSS). Now NuView help and Support Event tracking are at your fingertips!

Login to the NSS web address: <https://nss.nuviewhr.com/cr4/> to start using the new Support Knowledgebase today! We have added more than 500 documents to help you maximize your NuView application.

Don't have a NSS login or can't remember it? Call NuView Support and we can help. Keep your eyes on NSS— we'll be adding even more new features and functions to this powerful support portal in the coming weeks.



## Stats that shape our environment

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**33%**

Percent of 804 U.S. companies that are increasing their use of technology, such as Web conferencing and teleconferencing, to offset travel costs.

**Institute for Corporate Productivity**

**22%**

Percent of 3,169 hiring managers that say they use social-networking sites to research job candidates, up from 11 percent in 2006.

**Careerbuilder.com, Chicago, and Harris Interactive, Rochester, NY.**

**39 Years**

Average age of entrepreneurs who started high-tech companies from 1995 to 2005. There were more than twice as many people over 50 as those 25 or younger who did this.

**Ewing Marion Kaufman Foundation**

**13%**

Percent of U.S. companies that now provide no paid leave, up from 5 percent five years ago.

**Society for Human Resource Management**

**81%**

Percentage of organizations that provide tuition-assistance programs for employees. Only 5% track their program's effectiveness.

**Institute for Corporate Productivity, Seattle**

**44%**

Percentage of professionals who say rising gasoline prices have changed their work commutes. The changes include carpooling, using more fuel-efficient cars or telecommuting. The most popular program, utilized by 23 percent of companies, is a condensed workweek, which typically consists of four 10-hour days.

**Robert Half International and Challenger Gray & Christmas**