

# Regulatory agency paper essay



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Regulatory Agency Paper University of Phoenix Nydra McAlister HCS/430

Jeannie Major The purpose of this paper is to explain the application and implication of Family and Medical Leave Act (FMLA), Worker's Compensation Occupational and Safety and Health Act (OSHA), and the regulatory laws implemented by organization to adhere to these mandates, while providing the employee with a safe working environment.

Many organizations are committed to enforce all city and governmental laws that protect the employee safety, health and welfare, while maintaining or commitment to the community and population that may be serve.

Family Leave Act (FMLA) states that every employee, union or non-union, is granted leave of absence, as part of their employee benefit program and in accordance with the law, for the following reasons: •Birth and care of the newborn child of the employee; •Placement with the employee of a son or daughter for adoption or foster care; •Care for an immediate family member (spouse, child, or parent) with a serious health condition; or •Medical leave when the employee is unable to work because of a serious health condition (Source: FMLA Act).

The employee can take a paid or unpaid leave of up to 48 months for maternity or childcare leave for the first born child and up to 36 months for consecutive childcare leaves. For any other family leave, not related to child care, the employee is allowed up to 12 months of leave. “ The Family and Medical Leave Act of 1993 (FMLA), which became effective February 5, 1994, entitles eligible and approved South Carolina employees up to a maximum of 12 weeks of paid and/or unpaid leave in a 12-month period to care for an

immediate family member or for the serious illness of the employee”(Office of Labor Relations).

The employee must provide proper documentation and file a leave request form. Upon return, the employee is not guaranteed to be assigned to the same location; however, the employee will maintain the same salary and may be placed in a different department where their skills are utilized. This is necessary to ensure the facility continues to run without jeopardizing patient care. Some departments opt to hire temporary employees to fulfill the position of an employee who is on leave of absence.

However, this can not be applied to every single position within the organization.

The employee can extend the leave as needed for the maximum time allowed, and must submit a letter to the department head verifying intended return to duty date, at least thirty days prior to the expected returning date. Occupational and Safety and Health Act (OSHA) One of the priorities set by the organization is to develop and implement plans that are aimed to provide employees with a safe working environment.

Because of places such as health care facility, it is important to have policies in place that are aimed to protect the employee from any type of infection, hazard, etc. Therefore, adherence to OSHA regulations is important for our organization’s well being.

“ OSHA’s mission is to assure the safety and health of America’s workers by setting and enforcing standards; providing training, outreach, and education;

establishing partnerships; and encouraging continual improvement in workplace safety and health. (OSHA Mission) As a requirement to continue employment with the agency, every employee is required to attend safety trainings on a yearly basis. Some of the topics highlighted in these trainings are related to infection control, safety management, and employee responsibility to ensure a safe working environment, while maximizing risk of accidents:

Hazards chemicals spills procedures •Regulatory Medical Waste bags utilization •Infection control measurements •Injuries from sharps prevention •Standard precautions applied to all patients Sterilization procedures In terms of employee safety on ground, the facility has surveillance cameras in place to monitor activities of employees and visitors. Security police makes rounds to all areas of the facility to insure the workplace is safe and danger free. Any suspicious or malicious activity is to be reported immediately.

The housekeeping, maintenance, and bio-medical departments play an important role in the safety provided to our employees and visitors. Posting of signage in working areas, and maintaining lighting, locks, etc re some simple but important steps to be monitored on a daily basis. Employees are encouraged to report any malfunction areas, including equipment, etc as soon as possible. The organization undergoes unexpected surveys to ensure the organization adheres to OSHA requirements; therefore, it is important to maintain a high standard in the safety provided to employees, patients and visitors. Workers' Compensation In the event, an employee is injured on the job; workers' compensation is filed and administered by the City Law Department's Workers Compensation Division.

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The mission of the Workers' Compensation Division is to ensure that “ employees are paid promptly for lost earnings and that costs are contained by ensuring that employees and medical providers do not receive more than they are entitled to under the South Carolina State Workers' Compensation Law.

” It is important for the organization to communicate to the Workers' Compensation division of any incident as soon as possible, so that the employee can be placed on leave due to injury and compensation can be granted in a timely fashion.

In addition, unionized employees may receive an additional benefit from their union shop, depending on the contract. In conclusion, the organization is expected to have program in place that provides security and compensation to employees for their commitment to the organization. The implementation of programs aimed to protect the employee from accidents and is important in order to avoid substantial lost. The employer needs to remain up to date with training programs that will provide the employee with basic understanding of safety mechanisms to be carried on.

In the health care environment, it is important that health care providers are given all the necessary equipment and tools to perform their functions, while avoiding exposure to blood, or transmitted diseases. In addition, the Family Medical Leave Act is a very important factor that needs to be available to all employees. It is a benefit that can not be violated or restricted, if the employee has the need to request a leave of absence due to personal or family illness.