

REGISTER TO ATTEND BY: NOON FRIDAY, OCT. 5TH

Members that receive e-mail notification of upcoming meetings and workshops can now register by replying to the notice. When replying, put "Registration" in the subject line. The body of the message needs to include the name of the person registering. If more than one person from an organization is attending the meeting, the e-mail can include multiple registrant names. Be sure to indicate if someone is a guest.

For those members that do not receive e-mail notification of upcoming meetings, you can also register via e-mail by sending a message to: lhrma0048@yahoo.com.

The deadline to register for this meeting or to cancel your registration is by noon on Friday, Oct. 5, 2007. Let us know if you plan to attend.

Remember...cancellations need to be emailed at lhrma0048@yahoo.com by noon on Friday, Oct. 5, 2007. Remember...if you registered but do not attend the meeting, you will be charged an extra \$5.00 in addition to the cost of the meeting! Accommodating for late registrations cause a big problem for the restaurant in terms of providing enough food and seating space for late registrants. ***Please try your hardest to register by the noon deadline.***



OCTOBER 9TH LUNCHEON MEETING:

LEGAL HOT TOPICS, HR SCARY STORIES

Speakers:	Bob Evnen
When:	Tuesday, October 9, 2007
Where:	Isles Reception Hall, 6232 Havelock Avenue
Registration:	11:00 a.m. - 11:30 a.m.
Meal & Program:	11:30 a.m. - 1:00 p.m.
Cost:	\$15.00
Meal:	Pizza Buffet, Salad, Dessert and Drink

ABOUT OUR PROGRAM:

LEGAL HOT TOPICS, HR SCARY STORIES

After a meal of pizza (one of our most popular luncheon items) we will get to hear Bob Evnen update us on some of the latest employment law topics. Some of these legal situations and outcomes are guaranteed to scare the heck out of you. It will however better prepare you as an HR professional for what is happening in our world today. Some of the specific topics include: The Family Military Leave Act passed by the legislature last session; new state law governing vacations and how this affects paid time off; new state law governing commissions; Promissory Estoppel: the Supreme Court's antidote to employment at will.

ABOUT OUR SPEAKER:

BOB EVNEN

Bob is a partner with the law firm of Woods & Aitken LLP. He received his Juris Doctorate from the University of Southern California, where he was a member of the Law Review. In his practice he provides assistance to employers in all facets of labor and employment law.

Bob is a member of the Nebraska and California bars and the American Bar Association. He is former chair of the Nebraska State Bar Association Labor and Employment Law Section. He is also a member of the State Board of Education.



HRESOURCEARTICLES

WE WELCOME YOUR ARTICLES.

IF YOU HAVE SOMETHING THAT IS
NEWSWORTHY FOR OUR NEWSLETTER
PLEASE SUBMIT A REQUEST TO
PUBLISH YOUR INFORMATION.

YOU CAN DO THIS BY SENDING
AN E-MAIL TO THE
SECRETARY/PUBLICITY CHAIR,
ELLY HARDEKOPF AT:
ELLY.HARDEKOPF@MOLEX.COM

BOARD MEETING RECAP:

- Will purchase a display board to use at Monthly meetings
- Still looking for nominations for board openings
- Working on a membership survey

WATCH FOR THESE EXCITING NEW UPCOMING PROGRAMS

Nov. 13: 360 Degree Feedback -
Dave Bracken, Kenexa

Dec. 11: Networking and Holiday Social

Jan. 8: TBD

Reach out to the Students

LHRMA members can use the LHRMA Website to advertise Student Internships or Summer Jobs. The three Student Chapters will be told that they can look on the LHRMA website, throughout the school year, to find job openings as well as internships. Please use this as another FREE advertising tool to get qualified interested candidates to help fill your open positions. Send job postings to Kathy Harper at: lhrma0048@yahoo.com.

President's Message

Carmen Wiles, President



Fall has arrived and isn't the weather lovely, most of the time. As I write this message the weather is gorgeous today but was a little too chilly on Husker game day against USC. I'm sure all those USC fans from sunny California were looking for sweatshirts by kick-off. I was hoping that the USC players would have trouble keeping their muscles warm and moving in the chilly weather but unfortunately, the cool weather had no effect on the players' muscles. In fact they were too hot for our Husker players. Enough said about the Husker game. The newspapers, television stations, ESPN, and all those die hard Husker fans have said it all by now and hopefully by the time you read this our team has moved on and in a more positive direction. I just wish I had a crystal ball when I write these messages.

October is a special month for LHRMA. We get to recognize all our LHRMA and ASPA Past-Presidents. Each of them helped form the organization and get us to where we are now and we thank them for their efforts and leadership. Please take time to read the long list of names in this letter. We have specially invited each of them to October's meeting so we hope they can attend. If you attend make a point to thank them for their past service.

Congratulations to Russ Roberts, our SHRM Foundation Rep for the Chapter. He applied for a SHRM \$750 Regional Scholarship. He was one of 103 applications and he was selected. He plans to use this

money help pay for the cost of the SHRM Learning System to help him study for the SPHR certification. Way to go, Russ!

Look for a special SHRM newsfeed link on the LHRMA website, www.lincolnhr.org. This is something new that SHRM is offering chapters at no cost. Remember we are also offering a \$99 special to join SHRM. This is a great bargain and you get some wonderful benefits from having a SHRM membership. Please read the article in this month's letter for more details on how to join.

Please plan to attend not only this month's meeting at Misty Isles when we will recognize our Past-Presidents but also our November meeting at Wilderness Ridge when we will recognize all LHRMA volunteers with a special gift. At this meeting we will also vote on our 2008 slate of officers. The slate will be listed in our November newsletter.

See you in October!

Sincerely,

Carmen Wiles

Carmen Wiles

Saint Elizabeth Company Care

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LEGAL UPDATE

Supreme Court Recognizes Cause of Action for Retaliatory Demotion for Filing Workers' Compensation Claim

by Jack L. Shultz, HARDING & SHULTZ, P.C., L.L.O. • Lincoln, Nebraska

Under Nebraska law, an employer, without incurring liability, generally may terminate an at-will employee at any time. There is an exception for municipal employees who have a property interest in continued employment, by constitution, state law, municipal ordinance, or by contract, and may not be discharged from their employment without due process. The Nebraska Supreme Court, four years ago in *Jackson v. Morris Communications Corp.*, 265 Neb. 423 (2003), held there is a public policy exception to the "employment-at-will" rule when an employer wrongfully discharges an employee in retaliation for filing a workers' compensation claim. On July 6, 2007, the Nebraska Supreme Court answered the question of whether the public policy exception included being demoted because the employee pursued workers' compensation. In *Trosper v. Bag 'N Save*, 273 Neb. 855 (July 6, 2007), the Nebraska Supreme Court held demotion, like discharge, for filing a workers' compensation claim violates public policy.

The employee in this case alleged she suffered a work-related injury which required medical treatment. When she reported the injury to her employer, she was demoted and her salary decreased significantly. The employee alleged her employer acted in retaliation for her filing a workers' compensation claim. The trial court dismissed the case for her failure to state a claim for which relief could be granted.

The Supreme Court found the Illinois Supreme Court and Utah Supreme Court had rejected similar efforts to broaden the public policy exception, but the Kansas Supreme Court had recognized such a cause of action.

The Nebraska Supreme Court, in concluding that such a cause of action for retaliatory demotion existed in Nebraska, stated:

An employee's right to be free from retaliatory demotion for filing a workers' compensation claim is married to the right to be free from discharge. Demotion, like termination, coercively affects an employee's exercise of his or her rights under the Nebraska Workers' Compensation Act. If we fail to recognize a claim for retaliatory demotion, it would create an incentive for employers to merely demote, rather than discharge, employees who exercise their rights. To promote such behavior would compromise the act and would render illusory the cause of action for retaliatory discharge. Thus, we believe that extending the tort created in *Jackson* to include retaliatory demotion is the logical step, and one which gives vitality to that decision.

Justice Stephan, joined by Chief Justice Heavican, dissented to the decision finding it unwisely expands the Court's retaliatory discharge ruling in *Jackson* and that the issue of retaliatory discharge should be addressed only by the Legislature.

This decision underscores the importance for employers to be able to demonstrate that any adverse change in an employment relationship due to a work-related injury is based on legitimate, lawful reasons, and not in retaliation for filing a workers' compensation claim.

Editor's Note: This article is not intended to provide legal advice to our readers. Rather, this article is intended to alert our readers to new and developing issues and to provide some common sense answers to complex legal questions. Readers are urged to consult their own legal counsel or the author of this article if the reader wishes to obtain a specific legal opinion regarding how these legal standards may apply to their particular circumstances. The author of this article, Jack L. Shultz, can be contacted at 402/434-3000, or at Harding & Shultz, P.C., L.L.O., P.O. Box 82028, Lincoln, NE 68501-2028, or jshultz@hslegalfirm.com.



HELP ACHIEVE THE SUPERIOR MERIT AWARD

You can help achieve the LHRMA Chapter Superior Merit Award by notifying Julie Singh, Workforce Readiness Chair, with any dates that you provide service to local schools or adults in regards to: career days, mock interviews, speaking on the HR profession, provide internships to students to gain HR knowledge, etc.. The following information would be needed: name, date of event, location/school name, hours spent or duration of program. Email your information to jsingh@notes.state.nc.us throughout the year.



**Watch for a mailing in October
to renew your
LHRMA Membership.
The renewal fee will remain
the same as in the past -
\$50 per member.**

LHRMA MEMBER CHANGES

Check and verify your name and address on this month's LHRResource for accuracy. Please contact Kathy Harper our LHRMA Administrative Assistant, for any of your personal job and address changes. Please either email your changes to Kathy at lhrma0048@yahoo.com or by telephone at 402.483-4581 x 339.



Membership Updates:

Kendra Knauss
HR Administrator
Child Guidance Center
2444 O Street
Lincoln, NE 68510
402/475-7666 Ext. 134
kknauss@child_guidance.org

Sabrina Dahl
Human Resources
Willmar Electric Service
1441 Adams St.
Lincoln, NE 68521
sdahl@willmar-electric.com
402.464.1877 ext 106
f) 402.464.1887

JOBS, JOBS & MORE JOBS!

**DO YOU HAVE ONE TO ADVERTISE
OR ARE YOU LOOKING FOR ONE?**

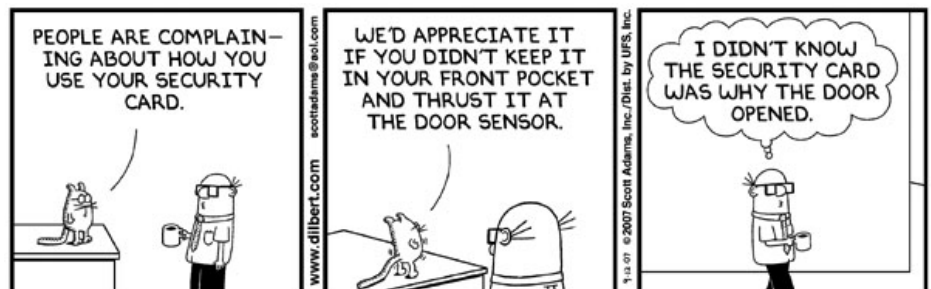
CHECK OUT OUR WEBSITE:
www.lincolnhir.org

IF YOU ARE AN EMPLOYER WHO HAS A LHRMA MEMBER EMPLOYEE, THEN YOU CAN POST YOUR HUMAN RESOURCE JOB OPENING ON OUR WEBSITE BY CONTACTING KATHY HARPER AT: LHRMA0048@YAHOO.COM OR CALL 402.483-4581 x 339

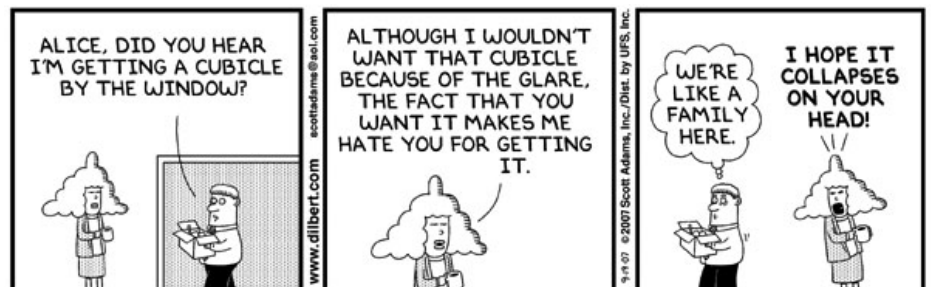
IF YOU ARE LOOKING FOR A HUMAN RESOURCE JOB THEN YOU CAN CHECK OUT OUR WEBSITE:

www.lincolnhir.org

THIS WILL BE AN EXCELLENT RESOURCE FOR STUDENTS WHO ARE SEEKING AN HR POSITION. IT IS ALSO AN EXCELLENT FORUM FOR COMPANIES TO ADVERTISE IF THEY HAVE SUMMER INTERNSHIPS AVAILABLE. PLEASE TAKE ADVANTAGE OF THIS GREAT RESOURCE!



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★ EXTRA!! ★

EAP CORNER NEWS

We're here to help.

WISHING FOR LOWER HEALTH-CARE COSTS? TOSS A FEW PENNIES INTO YOUR WELLNESS PROGRAM

By *Kevin J. Mattran* • *Continuum EAP*

As buzzwords go *wellness* is a great one. We use it all the time. It pops up in workshop titles, strategic plans, awards presentations and more. I think one would be hard-pressed to find an HR professional who hasn't used the word at sometime in their career (or within the last week). We, as employers, have a responsibility to turn this buzzword into a lifestyle.

In an August 22, 2007 Omaha World Herald article, *Employers urged: Cure Health System*, writer Steve Jordan tells of a recent seminar by physician and author Dr. John Abramson. In his seminar, Dr. Abramson points out that out of 22 developed nations, the U.S. pays the most per person for health care and ranks last in long, healthy lives. Dr. Abramson goes on to say that employees believe that they are entitled to health benefits and are given no incentives to lead healthier lifestyles.

Much of the expense comes from unnecessary utilization of office visits, urgent care visits and trip to the ER. Think about the last time you went to the doctor and were told, "It's a virus, get plenty of rest and drink lots of fluids." Encourage employees to use wellness and self-care programs like a 24-hour nurse line. Resources like these can give valuable information regarding the point at which one should see a physician.

Consider the following information from Blue Cross/Blue Shield. These are average costs and the number of can be reduced by a stronger focus on wellness.

- Heart attack \$23,000
- Coronary bypass \$77,000
- Cardiac stent \$35,000
- Cardiac cath \$10,000
- Treatment of back pain \$9,000

According to the Department of Health and Human Services, up to 70 percent of healthcare costs are likely due to preventable and/or modifiable health risk factors. Out of every 100 employees:

- 27 have cardiovascular disease
- 24 have high blood pressure
- 50 or more have high cholesterol
- 26 are more than 20 percent above their ideal body weight
- 26 smoke
- 10 use alcohol to excess
- 60 don't wear seatbelts regularly
- 59 don't get adequate exercise
- 44 suffer from excess stress

PAST-PRESIDENT RECOGNITION –

At our October meeting we will be recognizing those individuals that have helped build and mold our outstanding association. Because of their involvement and leadership, we are the strong chapter that we are today. If you see or know any of these individuals, please tell them thank you for all that they have done.

Our past LHRMA presidents, whom we pay tribute to this month, are:

- | | | |
|---|--|--|
| William Stenton 1953
Walter F Roberts 1954 (deceased)
R. "Max" Peterson 1955
Victor Seymour 1956 (deceased)
Richard M. Bourne 1957 (deceased)
R.D. Andersen, 1958
W. "Tom" Tomkins, 1959
Ann Scott, 19960
Joe Hartley, 1961
Don Fahleson, 1962
Dave Hendricks, 1963 (deceased)
Roy Loudon, 1963
James E. Geist, 1964
Robert Murphy, 1965 | John D. Beecham, 1966 (deceased)
Earl R. Fell, 1967
Walter J. Mitchell, 1968 (deceased)
William M. Cords, 1969 (deceased)
Joseph R. Ruschetti, 1970
Stuart A. Maseman, 1971
Jerry L. Sellentin, 1972
Harvey Schwartz, 1973
Ray Oepping, 1974
Georgia Schmitt, 1975
James P. Spangler, 1976
David L. Bornholdt, 1977
Linda G. Larsen, 1978
Dick Whitcomb, 1979 | Sally Schneider, 1980
Reid E. Devoe, 1981
Patricia A. Kant, 1982
Bob Hanrath, 1983
Neal Westphal, 1984
Connie Soucie, 1985
Chriss Lloyd, 1986
Linda Shafer, 1987
Kent Mattson, 1988
Lovie Magruder, 1989
Doug McDaniel, 1990
Cheryl Vavra, 1991
Jane Goertzen, 1992
Dennis Seaman, 1993 |
| Nancy Conway, 1994
Judy Backhaus, 1995
Chris Matousek, 1996
Peggy Storm, 1997
Rebecca Ferguson, 1998
Mary Crook, 1999
Laurie Kortum, 2000
Trish Reimers, 2001
Toni Beyer, 2002
Ruth Jones, 2003
Chris Ganz, 2004
Michele Spadt, 2005
Cindy Mefford, 2006 | | |

**ATTENDANCE
DRAWING WINNER**

Who Says There's No Such Thing as a Free Lunch? Congratulations to Lois Fisher with The Ambassador. Lois will receive free registration at the October 2007 meeting!

**New
LHRMA Members**

Gretchen Petersen

Gretchen.petersen@gmail.com

Teresa Valdez, Adecco

Staffing Consultant

Teresa.valdez@adeconna.com

Amanda Morse, Adecco

Account Executive

Amanda.morse@adeconna.com

Timothy Wiedman, Doane College

Assistant Professor of Mgmt/HR

Timothy.wiedman@doane.edu

Jon Zvolanek, National Research Corp.

Sr. VP of Shared Services

jzvolanek@nationalresearch.com

Amy Severinson, Cabelas

HR Representative

Amy.severinson@cabelas.com

Katharina Sherman, Cross Dillon

HR/Payroll

ksherman@crossdillon.com

Steve Wanser, Manpower International

Branch Manager

Steve.wanser@na.manpower.com

Eddie Brown, Developmental Services

Director of HR

ebrown@dsnonline.org

Kolby Schneider, PHR

Developmental Services

HR Manager

kschneider@dsnonline.org

Welcome — you have joined an outstanding organization!

SHRMNews**SHRM STUDENT CHAPTER HAPPENINGS****SHRM at Doane College —**

Pictured are Pamela Masker, Treasurer and Christina Scheib, President of the Doane College Student Chapter with the display board that was created by the LHRMA Workforce Readiness Committee. The display board was given to the student chapters to use for recruitment of students into the SHRM Student Chapter. The theme is "come grow with us" and the board displays a stalk with seven ears of corn. The seven ears of corn represent the seven areas of the HR body of knowledge from SHRM.

**SHRM at NE Wesleyan —**

The Nebraska Wesleyan University Student Chapter participated in the recruitment fair and gained four new members.

SHRM FOUNDATION SCHOLARSHIPS AWARDED

The Lincoln Human Resources Management Association (LHRMA) chapter of the Society for Human Resource Management (SHRM) has received notice that a local human resources professional has received a certification scholarship from the SHRM Foundation. Russ Roberts, PHR, will be receiving one of twelve (12) individual certification scholarships for \$750 awarded in the North Central Region of the Society, from a pool of 103 applicants in 2007.

Promoted by Society for Human Resource Management (SHRM) each year in brochures, the HR Magazine ® and press releases, these one-time scholarships are designed to promote certification efforts by individuals, chapters or state councils. Applicants need to be members in good standing of SHRM and their local chapter, and committed to working to earn certification as a Professional in Human Resources (PHR), a Global Professional in Human Resources (GPHR) or a Senior Professional in Human Resources (SPHR). Scholarship funds may be used to purchase test preparation materials, attend a certification preparation seminar, and/or pay the exam fee.

Russ Roberts has been a Human Resources (HR) Director for nearly twelve (12) years, serving as the HR Director at Family Service Association of Lincoln for nine (9) of those years. Family Service is a not-for-profit human service agency serving children and their families in the Lincoln area since 1891.

Roberts earned the PHR designation by the Human Resource Certification Institute in June of 2003, after participating in the local LHRMA Certification Study Group. Roberts stated, "We really have excellent local resources for certification preparation in the professionals who provide training and support through LHRMA and the certification study group." Darci Spence SPHR, is the volunteer Certification Director for LHRMA.

Individual scholarship recipients were selected on the basis of work experience, commitment to a career in human resources, volunteer activity and financial need. Roberts has served on the LHRMA Board of Directors since 2004 in an appointed position as the SHRM Foundation Representative. In his application Roberts wrote, "I seek to enhance my knowledge base, become more marketable in my career and promote the Human Resources profession by earning my SPHR certification through the Human Resource Certification Institute. I think each of us has a role in advancing the profession through our daily contributions, professional conduct and modeling a commitment to continued professional growth through the certification process." Congratulations to Russ Roberts and the Lincoln Human Resources Management Association!

SUREFIRE WAYS TO GET A GREAT NIGHT'S SLEEP

Are you getting enough sleep? According to an Institute of Medicine study, about 50 million Americans are not. Yet adequate rest is as vital to health and peak performance as exercise and good nutrition. **And it can be so e-zzzz:**

Go to bed and get up at the same times every day — even on days off. **Why:** You'll help regulate your body's internal clock to get the 7-8 hours sleep most adults require.

Establish a relaxing bedtime routine. Try a warm bath, light reading or listening to pleasant music. **Fact:** Listening to classical or New Age music at bedtime has been shown to help insomnia sufferers fall asleep. **Possible reason:** The music matches body rhythms and slows the heart rate.

Skip stimulants such as caffeine and nicotine from late afternoon on. And don't use alcohol to induce sleep. As its sedative effect wears off, alcohol can trigger wakefulness. Don't rely on

sleeping pills. They can disrupt your sleep/wake cycle if you depend on them too much.

Squeeze in daytime fitness. In one recent study, regular exercisers not only slept almost an hour longer than non-exercisers; they also fell asleep in half the time.

Get help if your sleep has been disturbed often during the past month, or if sleep problems interfere with your ability to function normally during the day.

INFOLINE: For more information about sleep, call the National Sleep Foundation at 1-888-673-7533.



AVOID FLU MISERY

Get the Shot



Fever, sore throat, runny nose, headache, joint pain, chills — you guessed it — the flu season has arrived. That's why right now (mid-October through November) is the perfect time to get your flu shot.

Who Should Get It?

The flu vaccine can help protect anyone from the virus. In fact, 85 percent of those who get the shot are protected for about six months. But it is especially recommended for the following groups of people.

- Everyone age 50 and older
- Anyone with lung disease
- Anyone with heart disease
- Anyone with chronic kidney disease
- Anyone with diabetes
- Anyone with severe anemia
- Anyone with HIV
- Young healthy people can also benefit from the vaccine
- Anyone regularly exposed to flu infections (e.g., health care workers, hospital workers, etc.)

How to Get It

Your doctor should have the vaccine. But if not, contact your local, county, or state health department or a local pharmacy. All of the vaccines are the same. Just be sure to get in line while supplies last!

What Else Can You Do?

Avoid unnecessary contact with people who have the flu. It is a highly contagious virus. The flu can be transmitted by kissing, grasping a doorknob, or inhaling the virus from another's sneeze or a cough. And remember, be sure to wash your hands on a regular basis.

FLU SHOT FEARS: BE GONE!

Obviously, not everyone gets a flu shot. Some people seem to avoid the virus even without a shot—lucky ducks. And yes, a small portion of those who get vaccinated—about 15 percent—still get the flu.

Skeptics voice a variety of doubts about getting flu shots, but most of them don't carry much weight. Here are some examples.

FEAR: Flu shots weaken the immune system.

TRUTH: Not true—flu shots teach your immune system to combat the flu virus.

FEAR: Getting a flu shot might give me the flu.

TRUTH: This is not possible.

FEAR: "I'm afraid of needles."

TRUTH: Try to tough it out—the few moments of fear are worth the months of protection.

FEAR: It doesn't work.

TRUTH: It's not perfect, but 85 percent are effective for six months.

LHRMA BOARD MEMBERS AND OFFICERS



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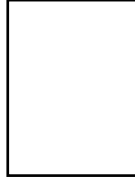
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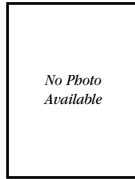
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**SHRM
FOUNDATION REPRESENTATIVE**
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*No Photo
Available*

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LHRMA RESOURCE

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SHRMTM
SOCIETY FOR HUMAN
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SHRM LOCAL CHAPTER 0048

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402-483-4581 X 339,
WITH ANY CHANGE IN POSITION, COMPANY
OR ADDRESS OR SEND HER AN E-MAIL AT:
LHRMA0048@YAHOO.COM