

## Save the Date!

### 2009 SHRM Nebraska State Conference

Thursday, September 24 & Friday, September 25, 2009  
Embassy Suites ~ LaVista, NE



Learn how you too can “go for the gold” at this fun and educational conference. Hear first hand the winning strategies used by motivational keynote speaker and Olympic Gold Medalist, John Naber.

For more information on the 2009 Nebraska State Human Resource Conference, or to register, visit: <http://www.shrm-ne.org/conference.htm>

### BOARD MEETING RECAP

- Lhrma ne – new Facebook page is ready
- Past Presidents will be recognized at the November meeting this year
- Volunteers will be recognized in the newsletter and at the December Social

### YOU CAN DO IT!

Plan now for the Fall PHR/SPHR/GPHR Study Group – August 24<sup>th</sup> thru November 16<sup>th</sup>. Visit the LHRMA website [www.lincolnhr.org](http://www.lincolnhr.org) for more information and to fill out the registration form. If you have any questions please contact Melissa Price at [mprice@nebook.com](mailto:mprice@nebook.com).

### FUTURE MEETINGS

- September:
  - State Conference
- October:
  - ASTD Duad Meeting, Country Inn & Suites
- November:
  - Brad Black, President HUMANeX
  - The Isles -afternoon workshop
- December: Social - TBA

# President's Message

Cathy Maddox, President



Our little neighbor girl across the street will be starting Kindergarten this year and when you talk to her it's interesting to see all the emotions that run across her face. She's excited, giggly, terrified and curious, which is always followed by terrified again. It brings back so many memories of the "First Day" with all 3 girls. Michele, my oldest, was always very independent so starting school was treated like an every day occurrence – no big deal. Becky – oh my – I would walk her to school and I would get no further than 1 block away and she was running after me. Lauren – she would lose sleep for days before school started worrying about what seemed like the smallest things! Even now, as she starts her senior year at Wesleyan, she still gets the butterflies a few days before classes start.

I remember my first day as a kindergartner (yes, I can remember all the way back to that!) and how terrified I was! St. Michael's in Fairbury did not have kindergarten, so you went to the public school where there were so many kids that you did not know at all! Miss Shoebottom was my teacher and I was scared to death of her. She was not mean or anything, but you have to remember that in those days when you went to Catholic school, all the teachers were nuns. So to see a teacher in regular clothes - and you could even see her hair – it just seemed so weird!

We're all grown up now, but still the fear of the unknown is enough to want to bury your head under the covers and not get out of bed. Starting a new job

can be exciting, but it can also be so intimidating. I try to keep that in mind when new employees start, especially the kids that are just out of high school. They have that "deer in the headlights" look and I swear they are going to start puking on my floor any minute now! When that happens I try to remember how I felt on that first day, both at school and at a new job. You have to pause, regroup a little bit, and figure out a different way to communicate with the newbies.

We have a Facebook page now – Lhrma ne – and we're hoping that you use this as a forum of sorts, where you can pose questions, and other members can respond. So if you look, you will see that I've posted a question on new employee orientation. This is a wonderful opportunity for our members to share ideas and help each other. My gratitude to Amber Artz for taking on this project! We're always trying to think of ways to reach out to our members, and to bring you more value for your membership buck. I hope that you will take advantage of this new tool.

State Conference will be just days away when you get this newsletter (OMG, does that mean that the first game will already be done????!! Oh my, talk about butterflies!) and if you have not registered for the conference yet, I hope that you will do so right away. You don't have to pay travel costs like you do for National conference, the registration fee is just pennies compared to National – talk about value! Hope to see you all there!

*-Cathy Maddox*

## ATTENDANCE DRAWING WINNERS

Who Says There's No Such Thing as a Free Lunch? Congratulations to Kendra Knauss with General Excavating . Kendra will receive free lunch registration at the October 2009 meeting!

## REACH OUT TO THE STUDENTS

LHRMA members can use the LHRMA website to advertise Student Internships or summer jobs. The three Students 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](mailto:lhrma0048@yahoo.com).



## JOBS, JOBS & MORE JOBS!

*Do you have one to advertise or are you looking for one?*

**CHECK OUT OUR WEBSITE:**

**[www.lincolnhn.org](http://www.lincolnhn.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](mailto:lhrma0048@yahoo.com) or at 402.483.4581 x*

*339. If you are looking for a Human Resource job, then you can check out our website at:*

**[www.lincolnhn.org](http://www.lincolnhn.org)**

## LEGAL UPDATE

### Do Background Checks? Follow FCRA or Else!

by Mark A. Fahleson, Esq. • Rembolt Ludtke LLP • Lincoln, NE

Many employers conduct post-conditional offer background checks on individuals seeking employment. These background checks vary greatly in scope, ranging from a simple search of public records to determine whether the applicant has a criminal record, to a more extensive review of an applicant's credit and personal history. As two employers recently discovered, these background checks may be regulated by the federal Fair Credit Reporting Act (FCRA), and an employer's failure to comply with FCRA may result in significant penalties and expenses.

On August 11, 2009, the Federal Trade Commission (FTC)—the agency charged with enforcing FCRA—filed proposed consent decrees in two separate federal court actions (*U.S. v. Quality Terminal Servs. LLC*, (D.Colo. 2009) and *U.S. v. Rail Terminal Servs.*, (W.D. Wash. 2009)). The federal lawsuits alleged that both employers contracted with a consumer reporting agency to conduct background checks on applicants and employees, but failed to strictly follow FCRA when the employers made hiring and firing decisions based upon information uncovered as a result of the background checks. Among other things, the employers failed to provide the applicants and employees with “pre-adverse action” notice and a copy of the background report. The proposed consent decrees require the employers to pay civil penalties totalling \$77,000 and to comply with FCRA or face potential contempt of court charges.

**LESSON:** FCRA imposes certain obligations on employers that obtain or use “consumer reports” from “consumer

reporting agencies” for employment purposes. The definition of “consumer report” is quite broad and can include information obtained through reference checking. Under FCRA, a “consumer report” is defined as “any written, oral or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for . . . employment purposes.”

FCRA imposes obligations on employers at four different stages of the hiring process. Specifically, FCRA requires the following:

Prior to obtaining a consumer report, an employer generally must provide an applicant with a clear and conspicuous written notice that a consumer report will be obtained and obtain written authorization from the applicant to obtain the report.

When obtaining a consumer report on an applicant, the employer must provide written notice to the applicant informing the applicant of his or her right to request information from the employer as to the nature and scope of the investigation.

Once an employer *decides* to take an adverse employment action based in whole or in part on information contained in a consumer report, the employer must provide the applicant with a copy of the report and a written description of his or her FCRA rights,

including the right to request disclosure of the nature, source and recipients of any consumer report.

Finally, once an adverse employment action is actually taken based in whole or in part on information contained in a consumer report, the employer must provide the applicant with notice of the adverse action; provide the applicant with contact information for the consumer reporting agency together with a statement that the consumer reporting agency did not make the employment decision; and provide the applicant with notice of his or her rights to dispute the accuracy of the report.

As the employers discussed above discovered, the penalties for failing to comply with FCRA can be quite severe.

Increased regulation of employer background checks may soon be on its way as Congress and the Obama Administration are exploring possible changes. On July 29, H.R. 3149 was introduced in the U.S. House of Representatives by Rep. Steve Cohen (D-Tenn). This legislation would prohibit employers from using credit information as a factor in making adverse employment actions. In addition, the federal Equal Employment Opportunity Commission has indicted that it may issue guidance attempting to limit employer use of criminal records and credit histories in employment decisions as they may have a discriminatory impact on certain protected classes.

Employers that utilize background checks are strongly encouraged to review their practices and policies so as

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to ensure they comply with applicable law. Better now than waiting until the federal government arrives with a consent decree and civil penalties in hand.

*Fahleson is a partner with the law firm of Rembolt Ludtke LLP and may be reached at (402) 475-5100 or mfahleson@remboltludtke.com. This article is provided for general informational purposes only and should not be construed as legal advice. Those requiring legal advice are encouraged to consult with their attorney.*

## HELP ACHIEVE THE SUPERIOR MERIT AWARD

You can help achieve the LHRMA Chapter Superior Merit Award by notifying Tara Jennings, 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 [tjennings@oasisadvantage.com](mailto:tjennings@oasisadvantage.com) throughout the year.



## SHRM STUDENT CHAPTER HAPPENINGS

### SHRM Student Chapter Updates

The LHRMA Board would like to recognize the Doane-Crete student SHRM chapter for an amazing recruiting drive during spring semester! Due to diligent recruiting efforts, the chapter has increased active membership to 26 members! This is a major increase over the year before and is our largest SHRM student chapter to date! Thank you to Tim Wiedman, Chapter Advisor, and all student chapter members who worked to make this possible! Keep up the great work!

On another note, with the fall semester under way, please keep in mind the student chapter members for any internship opportunities your company may have available. As a LHRMA member, you may advertise internships for free on the LHRMA website. Contact Jennifer Monroe, College Relations Chair, with questions



### 2009-2010 Student Chapter contacts

#### Doane – Crete

Tim Wiedman, Advisor

Becky Springer, President SHRM Student Chapter

#### Wesleyan

Geri Cotter, Advisor

Nancy Cookson, Co-Advisor

## DECEMBER SOCIAL - VOLUNTEER RECOGNITION

Volunteers, where would we be without them? Be sure to attend the LHRMA Social. Mark your calendars!

The LHRMA board will be recognizing its committee members and volunteers at this year's social. Even if you aren't currently volunteering or serving on a committee be sure to attend. We will be giving out lots of prizes including gift certificates.

Just for fun, you can volunteer at the Recognition Social...doubles your chances for the grand door prize!!! Email [Judy@nas-pa.org](mailto:Judy@nas-pa.org)

Don't tell anyone but the Program Committee is working on the LHRMA Board to donate a fantastic item for the grand door prize!

This year's Social will be Tuesday, December 8, 2009 from 4:00 to 6:30 pm. (Or, until the last free beverage ticket is passed out) The Program Committee has not decided on the location yet but with this group you know it will be fun.

If you aren't on a committee or volunteering and would like to, please let anyone of the committee chairperson's know. We would love to have you be a part of the activities LHRMA is involved in plus your ideas are what make LHRMA a great organization.



## Use It, or Lose It Season!

By Kevin J. Mattran • Continuum EAP • Lincoln, NE

As we move into fall, the “use it, or lose it” vacation time deadline looms for many employees. Many will end up giving back earned vacation days. According to Expedia.com, 31% of employed adults did not use all of the vacation days they had earned in 2008. The one bright spot in this statistic is that percentage is down from 35% in 2007.

Each U.S. worker gives back an average of 3 vacation days each year for an estimated total of 460 million vacation days each year. The estimated value of those earned vacation days is \$65.52 billion.

### **OK, so what can we do?**

Studies have shown that employees who use their earned vacation time have less stress, are more productive, and feel better about their jobs. However, there is a perception in our society that people get rewarded for hard work and long hours not taking vacations.

Most employers know the importance of work/life balance and continually try to find ways to communicate the importance of taking time off. If you aren't already, try some of these:

**-Regular PTO Reports-** Look at how you communicate to your employees the amount of vacation and sick time available and consider increasing the frequency. Some employers print PTO accrued and used on pay stubs.

**-Create Resources for Employees (by Employees)-** Ask people to share information on vacation ideas and deals they have found. Begin with a collection of “One-Tank Trips” for people on a budget. Also include family friendly vacation

destinations and low-cost or no-cost activities.

This can be done easily with a few loose-leaf binders and a form that employees can use to share information about fun and relaxing getaways.

### ***-Suggest Piggy-Backing-***

When employees request days off for events like weddings and reunions, suggest they take the entire week and make it a vacation.

### ***-Start a Skills Exchange***

**Pool-** Many people like to use vacation time to complete projects around the home, but often don't have the skills needed nor the budget to hire a contractor. A pool of people willing to trade skills would give people the opportunity to complete household projects and have something to do with their time off. For instance, one employee has skills as a carpenter but doesn't like painting or wallpapering, that person can exchange skills with an employee who needs carpentry work and enjoys decorating.

Again, this sort of pool can be accomplished by providing a binder and a form.

### ***Really Getting Away***

Many employees who do take vacations never really get away because they remain tethered to their employer or take “working vacations.” Vacation time should be devoted to personal and family

activities. Here are some suggestions for the individual to help enjoy time off more fully:

Inform key clients and customers of your up-coming absence and provide names and phone numbers of people who can answer their questions.

Do not give your private cell phone number to customers or your employer; rather provide the number of the hotel where they may leave a message for you in case of an emergency.

Change your voicemail greeting and set an automatic out of office email reply to inform people that you'll be gone. Remember to include the date you'll return to work and the names of people in your department to be contacted in your absence.

If you must check email and voicemail messages while on vacation, limit it to just 10-15 minutes each day at a time that won't interfere with vacation activities or take time spent with your travel companions.

Leave your laptop at home and turn off your cell phone.

Show your appreciation to people who filled in during your absence and be willing to do the same for them.

Your EAP professionals are experts in helping people achieve that important work/life balance. Remind your employees about this valuable resource. Your EAP consultants and counselors have the training and experience to help people deal with the stresses of the workplace and every day life.

*Kevin Mattran is the Organizational Training and Education Specialist for Continuum EAP. For more information on this and other workplace issues, call us at (402) 476-0186 or email at [easpecialist@4continuum.com](mailto:easpecialist@4continuum.com)*

## NEW MEMBERS

**Jill Lewis**

Administrative Office  
National Park Service  
Jill\_lewis@nps.gov

**Michelle Kershaw, PHR**

People Resource Asst.  
Lincoln Industries

**Michael Hruska**

Teacher  
Zac's Place  
Ma-hruska@hotmail.com

**Denice Archer**

Director  
College of St. Mary  
darcher@csm.edu



*Jill Lewis*

## WELCOME NEW MEMBERS!

### FACTS ABOUT THE MONTH OF SEPTEMBER -CUSTOMS AND TRADITIONS-

- Gemstone: Sapphire
- Flower: Aster

The name September comes from the old Roman word 'septem', which means seven, because in the Roman calendar it was the seventh month. The Anglo-Saxons called it Gerst monath (Barley month), because it was their time when they harvested barley to be made into their favourite drink - barley brew. They also called it Haefest monath, or Harvest month.

The Romans believed that the month of September was looked after by the god, Vulcan. As the god of the fire and forge they therefore expected September to be associated with fires, volcanic eruptions and earthquakes.

#### The Gregorian calendar

The Gregorian calendar is the one most used nowadays. It is named after Pope Gregory XIII who introduced it in 1582. There is a leap year every four years (or more precisely, 97 leap years every 400 years). This means that the year corresponds closely with the astronomical year (365.24219 days) so that it is just one day out every 3,300 years.

#### The Julian Calendar

Up until 1753, the calendar we used in Britain was the Julian Calendar. It was based on the solar year, the time it takes for the Earth to rotate around the Sun, and thus was less accurate than the Gregorian Calendar.

The Julian Calendar was 365.25 days long, which was fractionally too long, and the calendar over time fell out of line with the seasons.

#### All change - "Give us back our 11 days!"

In 1752 Britain decided to correct this by abandoning the Julian calendar in favour of the Gregorian. By doing so, 3 September instantly became 14 September - and as a result, nothing whatsoever happened in British history between 3 and 13 September 1752.

Many people believed their lives would be shortened. They protested in the streets, demanding "Give us back our 11 days!"

## 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.

Update your directory with the following changes:

**Pat Cabeen**

LSI Staffing  
Employment Specialist  
3814 Normal Blvd.

Lincoln, Ne 68508

phone: 261-6904 fax: 261-6907

## NEBRASKA STATE

### CONFERENCE RAFFLE WINNER

**FREE** registration to Jennifer Monore, Personnel Analyst with the State of Nebraska.



# Pandemic (H1N1) 2009 Flu Update

Lincoln & Lancaster County • Updated August 17, 2009

## Summary/Highlights:

Entire report found at [www.lincoln.ne.gov/city/health/data/flu/flu.htm](http://www.lincoln.ne.gov/city/health/data/flu/flu.htm)

- The World Health Organization (WHO) declared that there was a pandemic (worldwide epidemic) on June 11, 2009. They also named the flu as “pandemic (H1N1) 2009,” but it also referred to as simply ‘H1N1,’ novel influenza A (H1N1) or by journalists and the public as “swine flu.” Cases of H1N1 influenza have been occurring over the summer in the U.S. and other Northern countries, and it is more prevalent than seasonal flu in many countries in the Southern Hemisphere.

- Pandemic H1N1 is here to stay for the foreseeable future; it has rapidly circled the globe and many people have become infected. Since it is a novel strain, few people have any immunity to the disease so there's an expectation that H1N1 will result in epidemics this fall. Up to 40% of the population could catch it. Fortunately, so far it's a mild to moderate disease.

- The best prevention against any flu is to be vaccinated against it. The seasonal flu vaccines for 2009-2010 were already under production when the first cases of pandemic H1N1 were diagnosed. Those vaccines are not likely to provide any immunity against H1N1, but we are advising everyone at high risk for complications from flu to get vaccinated as soon as seasonal flu vaccine is available.

- The groups to be offered the shots first are:

- Pregnant women
- Caregivers and family members of infants under the age of six months
- Children, youths and young adults aged 6 months to 24
- Individuals aged 25 to 64 with chronic health problems
- Health care workers and emergency medical services providers

- Local and Nebraska case numbers of pandemic (H1N1) 2009 flu are beginning to slow down, but we expect that the disease is still circulating even this late in the summer. Schools have been opening around the county and state. Lincoln Public Schools will open later this week. Bearing in mind that some students may show signs of H1N1 early in the school year, it is unlikely that schools will close since the CCD recently updated their guidance about school closures and changed their recommendation for the time students with H1N1 should be excluded from school: [www.cdc.gov/h1n1flu/schools/](http://www.cdc.gov/h1n1flu/schools/).

- The new recommendation is that only in exceptional circumstances should schools be closed, and students can return to school as long as it's been 24 hours since they had a fever.

- Be prepared. It now appears that pandemic (H1N1) 2009 is no more dangerous than regular seasonal flu although since it is a novel flu virus it spreads more easily than seasonal influenzas during warm weather. While most people recover without medical intervention, national and international data indicate that hospitalizations and deaths are occurring. Furthermore, the virus could mutate to a more virulent strain later on so the situation may change at any time.

- If you feel ill or believe you or your child may have come contact with someone who has pandemic (H1N1) 2009, individuals and parents should look for the following flu-like symptoms. The symptoms of pandemic (H1N1) 2009 are similar to regular seasonal flu: sudden onset of fever (100 degrees or higher, but at least

a low-grade fever) plus cough or sore throat. Individuals also may experience body aches and pains, a headache or fatigue. Some people have had vomiting and diarrhea, which are not normally flu symptoms, but more likely for H1N1.

- Treatment. Fortunately, the pandemic (H1N1) 2009 virus is sensitive to a couple of antiviral medications. Both oseltamivir (Tamiflu®) and zanamivir (Relenza®) help to lessen the severity of the disease as long as they are administered to the patient in the first 48 hours of their having symptoms. Resistance has recently been noted in isolated incidents and it's not a good practice to treat everyone with an antiviral, because that may lead to a resistant strain.

- General Preventive Practices: This pandemic (H1N1) 2009 outbreak is a good reminder that everyone should follow basic hygiene practices such as those mentioned below. These practices should help control the spread of colds, seasonal flu and other respiratory viruses as well as the pandemic (H1N1) 2009:

- Stay home from work or school if you are sick. Don't return until free of symptoms for 24 hours.

- Avoid crowds and stay a safe distance (3 to 6 feet) from someone who is sick.

- Wash your hands often especially if you share a computer or touch items others touch.

- Cover your cough or sneeze into a tissue not with your hand

- Dispose of any tissue after use to prevent it being re-contaminated.

- Cough into your sleeve if you have no tissues.

- Wash your hands properly (wash your hands in warm water with soap for 20 seconds) or use an alcohol-based (at least 60%) hand sanitizer when water is not available. Wash your hands often.



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## LHRMA RESOURCE

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