

Luncheon Meeting:

There is NO meeting
in December.

*Have A Wonderful
Holiday Season!*

DEADLINE FOR JANUARY MEETING IS NOON, FRIDAY, JANUARY 6TH

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.

Members can still register for meetings by calling LHRMA's automated voice mail system at 434-6554.

The same registration deadlines, late and no-show fees still apply if you register by e-mail or voice mail. The deadline to register for this meeting or to cancel your registration is by **noon on Friday, January 6, 2005. Let us know if you plan to attend.**

Remember... cancellations need to be called in to the voice mail system at 434-6554 or by email at lhrma0048@yahoo.com by noon on Friday, January 6, 2005. 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.*

LHRMA SPONSORS WORLDATWORK BUILDING BLOCK WORKSHOP TUESDAY, FEBRUARY 14, 2006

LHRMA will be hosting a *WorldatWork Building Block Workshop* on "Compensation Basics for HR Generalists". This workshop will identify the specific components of typical compensation programs for the benefit of HR generalists. Topics will include: compensation philosophy, base pay, job evaluation, marketing analysis, salary ranges, legal defensibility, incentive pay, pay for performance, salary surveys and total compensation. The workshop presenter will be Tom Whelan, a Principal with the Silverstone Group in Omaha. The workshop will cost \$35 which includes the price of the workbook provided to all participants. Watch for more details to come on this great educational opportunity offered by LHRMA.

New LHRMA Members

Paula Tompkin, HR & Benefits Spec.

TierOne Bank
Paula.tompkin@tieronebank.com

Roderick Shelton, SPHR, Labor Rel. Ofcr.

Offutt Air Force Base
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Jean Hassler, HR Representative

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Jean.hassler.hhwi@statefarm.com

Stacie Hooks, HR Manager

Concord Enterprises
shooks@concordei.com

Welcome — you have joined an outstanding organization!

President's Message

Michele Spadt, President



Happy Holidays Everyone!

"The more you lose yourself in something bigger than yourself, the more energy you will have."

— Norman Vincent Peal

I can't believe its December and the end of my term as President. The year went by so fast! I have enjoyed serving as LHRMA President and am grateful for the opportunity to have served in this capacity. Having completed my term, I can truly say that it has been an awesome experience.

I would like to thank the 2005 LHRMA Board - Chris Gantz, Cindy Mefford, Cathy Maddox, Carmen Wiles, Kari Andersen, Elly Hardekopf, Joyce Welsch, and Liz Mark. These wonderful individuals worked hard to complete many "behind the scenes projects" that resulted in improved service to our members. Our appointed representatives, Kent Mattson, Russ Roberts and Ruth Jones also did a great job in liaison positions that provide additional benefits for members. All of these individuals are extremely talented, knowledgeable and dedicated to the future of LHRMA. I am truly grateful that I had the opportunity to work with each and every one of them.

I would be extremely remiss if I did not also thank our Administrative Assistant, Kelly Riley. Kelly is a very talented individual and our organization benefits from

those talents in many ways. She conducts the annual salary survey, processes e-mail registrations, develops and maintains the website, prepares the membership directory, processes membership renewals and performs a multitude of other functions that are too numerous to list. Suffice it to say that we are very grateful for her skills and knowledge. Thank you so much Kelly!

In case I have given you the impression that participation on the Board is just one tedious task after another, let me assure you that we also have a lot of FUN! I would definitely encourage any interested parties to make the commitment and take advantage of the opportunities that LHRMA has for you. For your effort, you'll be rewarded with new friendships, a lot of laughter and a renewed appreciation for the HR profession.

I wish all of you a joyous holiday season and look forward to seeing you in January!

Michele Spadt

Michele Spadt, PHR
President

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HR Tip

Recruiting for Diversity

Advances in technology has made the world seem "smaller," resulting in a shift to a more global economy and an increasing number of qualified immigrants, minorities, and women employees here in the U.S. workplace. Many employers realize that understanding and recruiting a diverse staff is more critical now than ever before. For example, recruiting a diverse group of employees can help employers meet the needs of a more diverse customer base

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 IT E-MAIL TO THE SECRETARY/PUBLICITY CHAIR, CATHY MADDOX AT: CMADDOX@HAMPTON1.COM

LHRMA MEMBER CHANGES

Check and verify your name and address on this month's LHResource for accuracy. Please contact Kelly Riley, PHR our LHRMA Administrative Assistant, for any of your personal job and address changes. Please either email your changes to Kelly at kelly@clarion-group.net, by telephone at 402.781-2054 or by mail to Kelly Riley, PHR, 1338 South 202nd St., Eagle, NE 68347.



HO, HO, HO, "O-NO!!!"

By: Mike Reynolds & Bill Hutto

Can you believe it? The Thanksgiving Turkey is history and only the extra pounds remain. Our shorts are packed away and the sweaters, coats, and boots are back in the front of our closets. It seems like just last week that we took the lights down from last year and it is time to find them and hang them once again. The date for mailing packages to friends and family in other states or overseas have passed and their gifts are still in the shopping bag. Sound familiar? For most of us it does, as the 2005/2006 Holiday Season is just a few shopping days away!

It is traditional for Employee Assistance Programs to publish "Tips for dealing with holiday stress and grief." Far be it from us to break such a tradition, so here goes:

- **Start with a plan:** You can save yourself many wasted hours and "tons" of stress by beginning with a blank sheet of paper and a cup of hot coco. Make a list of people you plan to buy for, try to match them with one or two potential gifts. The alternative is to walk through store after store hoping that you will spot just the right present for your friends and family. The same "plan first" approach will help make your travel, entertainment, and other holiday activities more enjoyable.
- **Keep it Simple:** Very often our stress is self imposed when we try to pack in too many activities and/or set our expectations (on ourselves and others) too high. Remember what actually makes the season special are the relationships that we enhance, the new friends we make, and the joy we add to the lives of our children and friends.
- **Be your own Santa:** Remember to take care of yourself first! Yep I did say "you first." It is like the briefing we get from our airline attendants - you know the one. "In the unlikely event that we suddenly lose cabin pressure oxygen masks will drop from the overhead compartment. If you are traveling with a child or anyone who will need help with the mask, put your mask on first and then help them..." This same recommendation is universally true for all of us during stressful times. We need to give our personal health a priority so we will have time and energy to reach out to others.
- **Stick to your priorities and your budget:** Well yes, that does mean setting your priorities and deciding on a budget before you start. The problem here is the competing opportunities, invitations and temptations that are part of the season in our culture today. I promise you, thousands of very clever people have been working for months to design ads and displays that will tempt us into activities and purchases we did not intend.

If you do find yourself overly stressed or feeling very blue before, during, or after the holidays, remember to call your EAP for assistance. We have many, many other suggestions to help you manage the common stressors and the frustrations many people feel at this time of year.

If Directions is your EAP, you can call (402) 481-5998 or (800) 563-8201 for your appointment. If you are an employer considering an EAP for your employees, call Mike Reynolds at the same numbers listed above.

The Staff of Directions EAP wish you a *Very Merry Christmas and a Happy New Year.*

HELP ACHIEVE

THE SUPERIOR MERIT AWARD

You can help achieve the LHRMA Chapter Superior Merit Award by notifying Elly Hardekopf, 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 elly.hardekopf@molex.com throughout the year. We are getting close to the end of the year, and all volunteer efforts need to be recorded in order to qualify for the award.

ATTENDANCE DRAWING WINNER

Who Says There's No Such Thing as a Free Lunch? Congratulations to Michelle Fischbach, HR SR Representative, Allied Insurance. Michelle will receive free registration at the January, 2006 meeting!

JOBS, JOBS & MORE JOBS!

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

CHECK OUT OUR WEBSITE:

www.lincolnh.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 KELLY RILEY AT: KELLY@CLARION-GROUP.NET OR CALL **402.781.2054**

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

www.lincolnh.org

BOARD MEETING RECAP:

- The Nebraska Leadership Conference will be held January 20th.
- A raffle for the SHRM Foundation will be held again, and gift baskets will be the prizes
- The Legislative Committee spoke with Rich Lombardi on the reference checking bill

DOCUMENTING EMPLOYEE INCIDENTS WHO, WHAT, WHERE, WHEN AND WHY?

by *HARDING, SHULTZ & DOWNS* • *Lincoln, Nebraska and Denver, Colorado*

Too often employee performance does not get documented because first-line supervisors do not take the time to document the performance (good or bad) of their employees. As a rule of thumb, an incident is important if it may lead to further discipline or termination, and should therefore be documented. Most lawsuits arise out of termination where the employee claims he or she was fired for unlawful or discriminatory reasons and the employer claims he or she was fired because of performance or disciplinary problems. An employer must have documentation to prove its position and support its trial testimony.

Jury surveys consistently confirm two facts: (1) juries distrust employers and (2) juries expect employers to document performance and discipline problems. For example, a survey by Dispute Dynamics, Inc. reported:

(1) Jurors have a "victim mindset." Sixty-one percent said companies need to be sent a message.

(2) Seventy-four percent think that employers must give fair warning before firing an employee, ensure the employee understands the policy or rule violated and work with the employee to correct the problem of poor performance.

(3) Fifty-seven percent agreed or strongly agreed that the best evidence of an employee's work performance is the employee's performance evaluations.

(4) Ninety percent believe that the company is negligent if it does not properly document an employee's performance problems.

Individual Employment Rights (BNA), April 9, 1996, p. 1.

Employment performance documentation needs to be prepared with two audiences in mind. The most obvious audience is the employee. Documentation should educate the employee as to the nature and seriousness of the performance or disciplinary issues, the employer's

expectations and the likely consequences of similar conduct. However, disciplinary documentation should also be written for a second audience, those involved in the legal aspects of any termination or challenge to discipline such as: (1) the employee's lawyer, who may be less likely to pursue the matter in the face of persuasive documentation or who may be willing to settle on more favorable terms based on strong documentation; (2) the investigators and members of any anti-discrimination agency who may be more likely to find no probable cause that discrimination occurred if adequate documentation exists to support the employer's position; and finally (3) judges and juries are more likely to believe the employer if the employer contemporaneously documented the employee's conduct or poor performance.

When a supervisor or manager is documenting employee performance, he or she must remember the secondary audience is unfamiliar with the parties and the employer's business. It is therefore critical to effectively communicate through the documentation in a fashion that the second audience will understand. A supervisor needs to explain the problem and the impact or consequences of the employee's action. Tell a short story in the documentation. Avoid jargon and acronyms which are unique to the company's business or industry and record the matter in layman's terms. Make clear to the employee receiving the notice the importance of the matter by virtue of it rising to a level which requires documentation and make it clear that the employee is being given an opportunity to improve. However, it must also be conveyed that if the performance does not improve, there will be further disciplinary action, up to and including termination. It is critical that the employee be given a copy of the written warning. Ideally, the supervisor will meet with the employee with another supervisor present and request that the employee sign the disciplinary notice indicating **not** that the employee agrees with the written documentation, **but**

that the employee acknowledges receipt of the documentation. If the employee refuses to sign, that should be noted on the disciplinary notice.

The object of the written discipline or performance documentation is to tell a story. The document should factually describe what happened and why it was important. The written document should educate the employee and educate and persuade the secondary audiences.

WHO: In addition to the employee, were any other employees involved in the incident? Employees, customers or vendors who witnessed the conduct should be noted. Whoever reported the conduct should be identified.

WHAT: It is essential that the supervisor or manager preparing the documentation learn the facts. If the documenter did not witness the event personally, it is necessary to interview witnesses to record what they observed. It is desirable to get statements from the witnesses in their own words. It is also critical to get the employee's explanation because employees and juries expect it. The employee may have a good reason or explanation for his or her conduct or the employee may make comments which strengthen the employer's position.

WHERE: It is important to note where the incident occurred. This may also shed some additional light on who might have observed the incident. The nature of the discipline may be different if the event occurred in the supervisor's office as opposed to on the production line or in front of a customer.

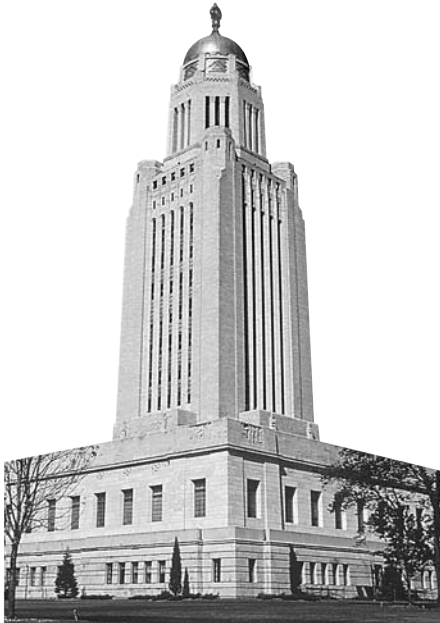
WHEN: Part of the documentation should be dedicated to the date the event occurred and the time of

See Legal Update on Page 7.

LEGISLATIVE UPDATE

Legislative Report...

Cindy Mefford, Government Relations Chair



Wow! The year has slipped by already. This was an excellent educational experience for me as I have not ever been very active in the legislative process. I sat in on a hearing for the reference checking bill and witnessed some of our own LHRMA members testify. It was a great experience and I found that it's not quite as intimidating as I thought it would be. You don't have to be a rocket scientist to testify, just need facts and your own personal experiences relating to how the bill will help or hinder your company.

I feel our committee achieved six of the seven goals for this year.

1. Find innovative ways to increase membership participation in letter writing at state and federal level.

The legislative committee provided sample letters in Word format so members could simply revise to fit their own company. This was sent out by email and placed on the LHRMA website. We also provide generic letters for members to simply sign and the committee forwarded to the Judiciary Committee.

2. Select priority bills for LHRMA

to focus on and have the Legislative Committee take any necessary appropriate action (watch bill status, attend hearings, etc.).

The committee focused on 12 bills during the 2005 session. Several members attended and a few testified on behalf of LB 510 and LB 661.

3. Provide timely reports to LHRMA membership on pending federal and state legislation relevant to the human resource field.

A report was given at the membership meeting each month the legislature was in session and any time there was new information. Articles were also printed in the newsletter.

4. Have the Legislative Committee meet our Senators.

We attempted to set some meetings up but could not get the senators scheduled.

5. Network with other legislative committee members of other NE Chapters and State Council Legislature Director.

Cindy worked with the State Council Director, Bruce Stec on a number of issues.

6. Educate the Legislative Committee on the steps on how a bill is killed or becomes a law.

Rich Lombardi, a local lobbyist, gave informational presentations twice this year (January and November).

7. Have one Legislative Committee representative attend the Employment Law and Legislative Conference in March.

Joyce Welsh, LHRMA Board member attended this conference on Cindy's behalf.

Thank you to everyone that wrote or signed letters to the senators and to those who are participating in the "I Am a Resource" Campaign. It is with our combined efforts as a professional group that we can make our voices be heard.

LHRMA HAPPENS!

HERE'S WHAT'S HAPPENING ON THE HOME FRONT.

Mark Your Calendars



December: No meeting, but there will be a newsletter.

Looking forward to 2006 —

In February: a World at Work seminar will be offered.

HERE'S TO YOUR HEALTH

The following will probably amaze and startle you...

- One glass of water shuts down midnight hunger pangs for almost 100% of the dieters studied in a University study.
- Lack of water is the #1 trigger of daytime fatigue.
- Preliminary research indicates that 8-10 glasses of water a day could significantly ease back and joint pain for up to 80% of sufferers.
- A mere 2% drop in body water can trigger fuzzy short-term memory, trouble with basic math, and difficulty focusing on the computer screen.
- Drinking 5 glasses of water daily decreases the risk of colon cancer by 45%, plus it can slash the risk of breast cancer by 79%, and one is 50% less likely to develop bladder cancer.



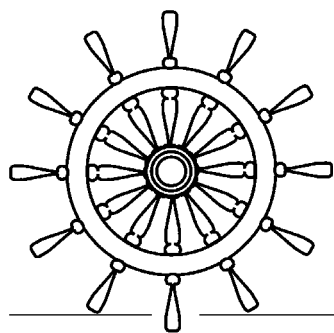
Are you drinking the amount of water you should every day?

(No kidding, all of the above is true....)

Of course, too much water may have strange side effects.

Now that I have your attention, go get another glass of water! Don't forget.





DIVERSITY HUB

“ ‘GATEWAY EVENTS’ — THE ROLE OF EMOTION ”

By: Sondra Thiederman

- Embarrassment
- Fear
- Anger
- Shame
- Hurt Feelings
- Confusion

These are just a few of the emotions that accompany moments of diversity-related tension. We are apt to bristle with anger when someone says something offensive. We feel hurt when accused of a biased attitude that your most heart-felt self-exploration says does not exist. Confusion reigns when, out of ignorance, we say something that offends only to find ourselves the target of accusations of bias or worse.

Painful though they are, these incidents can, if handled correctly, serve as opportunities for and gateways to increased understanding. For this reason, I call them “Gateway Events.” The problem is that the emotions these events elicit interfere with our ability to respond in the productive way that will guarantee a better relationship.

The “Ouch” Factor:

My response was less that “productive” when unexpectedly faced with a Gateway Event while settling in for a short flight to Cleveland. Despite the regulation that clearly states “two pieces per passenger,” the people boarding the plane after me were laden with packages and bags and so-called “carry-ons” too large to take on the Titanic much less on board a 20-seat commuter aircraft. Being absorbed in my reading, I didn’t see it coming:

Bam! This huge dark green duffel bag swung around and hit me, hard, in the head. I looked up and, with a scowl more appropriate to a deliberate attack than an act of clumsiness, struck back with an impatient, “Can’t you be more careful?!” The woman who had lost control of the bag obviously had no intention of hitting me; nonetheless, my head hurt just as much as if it had been a

carefully-aimed assault and my response was just as churlish.

My defensive reaction to this surprise “attack” is exactly what happens at the outset of many Gateway Events. This is especially true if the object that has come hurtling at us is an offensive comment or an accusation of bias. We initially recoil in surprise and then lash out. What we don’t do is take a moment to re-group and assess what is really going on. We may feel hurt or offended or angry, but, no matter what the genre of discomfort, an ill-considered response, even if it ends up being justified, will do more harm than good.

It is understandable that perceived attacks generate intense emotion.

Having said that, one of the keys to achieving a productive Gateway conversation is to resist the urge to vent the full force of our feelings.

I disagree with the school of thought that says that, once we feel something, we must express it. This argument is accompanied by the implication that, if we fail to express our emotions, we risk some sort of psychic sprain that will take years to heal. The fact is: It is not necessary to express every emotion we feel. It is neither dishonest nor weak nor cowardly to calm down before we react. It is, in fact, a very good idea.

Communicating Effectively:

One reason that emotional calm is so central to success is that it increases our mental capacity to remember and follow the rules of good communication. There are many such rules; I’d like to focus on the two that, in my experience, are most often broken:

1. Avoid exaggerated accusatory terms like “homophobic” or “sexist.”

Even if your accusation is true, hurling it in someone’s face will only make him or her defensive and might just cause your “gateway to understanding” to swing abruptly closed. As Paul Wachtel said in *Race in the Mind of America*, “Accusing a guilty man of the wrong crime is one of the greatest gifts one can

give him. It fosters an orgy of self-righteous conviction of innocence, and conveniently diverts his attention from the offense of which he is truly guilty.”

Admittedly, Americans love large language. We like to indulge in a kind of over-speak in which the finest eggs are always the biggest, buildings the tallest, and books the “best selling.” This is all very nice when pitching a product or coming up with a book title that sells, but exaggeration is a sure-fire way to draw psychological blood and, thereby, inflame the dialogue to the point of conflagration or, worse, shut the conversation down entirely.

2. Speak softly or, at the very least, don’t shout.

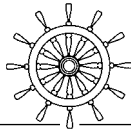
By speaking softly, we allow, and even tempt, the listener to crane forward to hear, and more readily understand, what this mysterious and barely audible message is all about. While loud and harsh utterances cause most of us to retreat behind a soundproof wall of denial and disinterest, a softer tone has a remarkable way of creating a feeling of safety for and, thus, receptivity in the listener.

Workplace Application:

Learning to communicate effectively in the face of emotion is not an easy task. For this reason, it is helpful to take proactive steps in the workplace that will increase our chances of success. Here are just a few ideas to get you started:

1. Modify communication training to include a module on how to have productive conversations when under emotional stress.
2. Add “effective and respectful communication” to your core corporate values.
3. Model the message. As managers you are in the tough position of serving as role models to those around you. When moments of diversity tension arise, it is your job to

See Diversity Hub on Page 7.



DIVERSITY HUB

Continued From Page 6

demonstrate the appropriate way to respond. If, when something happens, your emotions leave you incapable of communicating effectively, walk away from the situation; take a break (and a few deep breaths). Come back after a few minutes or hours - depending on the situation - and you will return to the conversation better able to communicate in a way that will produce your desired result - greater understanding and increased

harmony in your workplace.

ABOUT SONDRA THIEDERMAN: Sondra Thiederman has 25 years experience as a speaker, trainer, and author on bias-reduction and diversity issues. She is the author of four books, including the groundbreaking "Making Diversity

Work: Seven Steps for Defeating Bias in the Workplace" (http://www.thiederman.com/products_detail.php?id=10).

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LEGAL UPDATE

Continued from Page 4.

day it occurred. Identification of time may lead to the identity of other potential witnesses and gives greater credibility to the document.

WHY: What makes the event worthy of documentation? Was a company rule violated? Was another employee put at risk? What were the consequences to the employer because of the employee's conduct? For example, assume an employee is written up for attendance or tardiness. Did this conduct result in other employees having to work overtime or products not being delivered to a customer on time? The why segment of the documentation is often not included because the documenter presumes the reader will understand the consequences of the employee's conduct. Rarely will the secondary audience understand the consequences unless there is an explanation.

Obviously, any disciplinary notice should be consistent with the company's disciplinary policy. If a progressive discipline policy is outlined in the employee handbook, it must be followed. If a termination is restricted to "for cause," then the employer's action must be consistent with the standard. The employer's process of documenting employee performance must be consistent. One employee should not be written up for the same violation for which another employee received no written warning.

There are also some aspects of employee documentation that the documenter should avoid. Avoid conclusions regarding the employee's conduct and merely record the facts. Avoid adjectives and adverbs. For example, if an employee violates an attendance standard, it does little good to indicate that the employee was "excessively absent." If the employer has a numerical attendance standard and the employee has violated the standard, it is far better to indicate what the standard is and the number of violations which the employee has experienced. The recorder should also avoid labels. For example, if a supervisor and an employee get into a conflict, it does little good to say the employee was insubordinate, it is better to describe what happened between the two. If the supervisor gave the employee a directive and the employee argued with the supervisor or declined to follow the instruction, this is what should be recorded. Another pitfall for many documenters is to state the employee has a "bad attitude." The reader will wonder what that means. Examples of the employee's attitudinal behavior should be recorded. If the employee is making negative comments about a supervisor, coworker or the company, the comments should be recorded. Record the facts. Do not use conclusory words or labels.

CONCLUSION

The best evidence in employment discrimination or wrongful discharge cases is the written documentation. The lack of written documentation will lead an agency or a court to conclude that the employee's

conduct was not so egregious that it required documentation or recording. It is essential that any documented employee incident be shared with the employee so as to provide the employee an opportunity to correct the performance on a go-forward basis. Documentation which is made at the time that an incident occurs will be more detailed and more accurately reflect the circumstances than if a witness tries to reconstruct the events from memory months or years later. It is not critical that the recorder write a lengthy document. If the supervisor or manager will take only a few minutes to record the who, what, where, when and why of an employee performance incident, it will make their job as a witness much easier, and perhaps even keep them from becoming a witness.

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, Jack L. Shultz, can be contacted at (402) 434-3000, or at Harding, Shultz & Downs, P.O. Box 82028, Lincoln, NE 68501-2028, or jshultz@hsdlegal.com.

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LHRMA RESOURCE

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PLEASE CALL KELLY RILEY, PHR, AT 402-781-2054, WITH ANY CHANGE IN POSITION, COMPANY OR ADDRESS OR SEND HER AN E-MAIL AT: KELLY@CLARION-GROUP.NET