

**REGISTER TO
ATTEND BY:
NOON
FRIDAY, NOV. 4TH**

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, November 4, 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, November 4, 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.

NOVEMBER 8 LUNCHEON MEETING:

When: Tuesday, November 8, 2005
Where: Wilderness Ridge Lodge
1800 Wilderness Woods Place
(Southeast of South 27th and Yankee Hill Road—but due to street closings, you may wish to take 14th street)

Registration: 8:00 a.m. - 8:30 a.m.

Workshop: 8:30 a.m. - 11:00 a.m.

Lunch Registration: 11:00 a.m. - 11:30 a.m.

Lunch & Panel: 11:30 a.m. - 1:00 p.m.

Cost: For **lunch** only, the cost is \$15⁰⁰. **Workshop** only is \$35⁰⁰, if you are attending **both**, total cost is \$50⁰⁰. **PLEASE NOTE: WHEN MAKING YOUR RESERVATION, PLEASE SPECIFY IF YOU ARE ATTENDING JUST LUNCH, JUST THE WORKSHOP, OR BOTH.**

Meal: Tomato Basil Soup, Mesclun Salad with Grape Tomatoes & Champagne Dressing, Rotisserie Chicken Wrap with Avocado, Bacon, Cucumber, and Sprouts with a Citrus Mayo Spread, Potato Chips, Assorted Brownies and Cookies.

WORKSHOP: IMMIGRATION LAW

- TIPS FROM THE EXPERTS -

Local immigration expert Ed Leahy, coordinator of the Immigrant Rights Network of Iowa-Nebraska, will introduce the seminar with a reminder that while we, as human resources managers, may find ourselves focusing on technical laws and regulations when employing immigrants and refugees, there is an important human aspect in this employment relationship that should not be ignored. Leahy will highlight some of the benefits of employing newcomers to the United States.

The morning workshop will continue with featured speakers Jerry Heinauer, District Director of the U.S. Citizenship and Immigrations Services Office in Omaha, and David Zaritsky Brown, Esq., Practice Leader of Harding Schultz & Downs' Business Immigration Practice. Heinauer and Brown will review legal requirements and provide guidance for employers who are tapping this important source of talent. Topics may include:

Read More About the Luncheon Meeting on Page 7 of This Month's Issue.

President's Message

Michele Spadt, President



November is our final meeting for 2005 and is also our Past Presidents recognition luncheon. Each year, we take a moment to recognize and say "thank you" to the individuals who have helped LHRMA grow into the outstanding professional organization that it is today. We have all benefited from the expertise and talent of each Past President, and those benefits continue to this date through the active presence of many of our Past Presidents.

LHRMA Executive Board positions, although rewarding, can also be very demanding in terms of time and energy. The Board members juggle the responsibilities of their volunteer positions, in addition to their already busy personal and professional lives. The President's role challenges the incumbent to meet the educational and professional needs of the membership, organize a busy volunteer base and fulfill numerous responsibilities to the national and state HR organizations. We appreciate the efforts of all Past Presidents, and we hope you can join us this month to help extend our gratitude.

November is also our annual business meeting. We will hold an official election

of the 2006 Board members. The slate of officers is listed in this newsletter. We have a busy agenda this month and look forward to your presence at one of our most important meetings of the year!

Although there is not a meeting in December, LHRMA will publish a December newsletter. The Board members will present their end of the year reports, as well as information for the upcoming year. It also serves as a last-minute reminder to turn in your dues statements by December 31st! This is a busy time of year for everyone, so we appreciate your prompt response to the statements. The renewal information is used for end-of-the-year reporting to SHRM, as well as to ensure everyone receives the 2006 membership directory in a timely manner.

I look forward to seeing you at our final meeting of the year! Please don't miss the great luncheon panel, business meeting and opportunity to say "thank you" to the Past Presidents!

Sincerely,

Michele Spadt

Michele Spadt, PHR
President

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.

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

New LHRMA Members

Deborah Marshall,
Employment Specialist
Department of Labor - OWS
debbmarshall@yahoo.com

Welcome — you have joined an outstanding organization!

HR TIP Avian Flu: Looming Crisis?

Employers have long faced challenges in operating a successful business while providing a healthy and caring working environment for their employees. Most recently, U.S. employers have coped with challenges associated with catastrophic natural disasters and global terrorism. There now looms a new threat to all employers, in the US and worldwide, if dire predictions of an Avian flu pandemic come true.



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Slate of Officers for the 2006 LHRMA Board of Directors

The Nominating Committee has selected the following nominees for 2006.

In addition to these nominees, nominations will be accepted from the floor at our regular membership meeting on November 8th. Please be prepared to vote on this slate of officers:

Past-President

MICHELE SPADT, PHR



Human Resources
Manager
Lincoln Housing
Authority

President

CINDY MEFFORD, PHR



Director of Human
Resources
Eastmont Towers

***President-Elect/
Government Relations Chair***

CARMEN WILES, PHR



Human Resources
Manager
Cooperative Benefit
Administrators, Inc.

Programs Chair

MARK PANKOKE, PHR



Director of Operations
John Henry's Plumbing,
Heating & AC

Treasurer/Registration Chair

KARI ANDERSEN



Human Resources
Director
Security Financial Life
Insurance

Membership Chair

MIKE BODEN, CGBA



Public Sector
Consultant
Colonial Insurance

Secretary

CATHY MADDOX, PHR



Human Resources
Coordinator
Hampton Enterprises,
Inc.

Diversity Chair

JOYCE WELSCH, JD, SPHR



Affirmative Action
Director
Lincoln/Lancaster/LES

Workforce Readiness Chair

ELLY HARDEKOPF, PHR



Senior Human
Resources Generalist
Molex

PAST-PRESIDENT RECOGNITION –

Please help us recognize those individuals that have helped build and mold such an outstanding association

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

William Stenton 1953-54
Walter F Roberts 1954-55
(deceased)
R. "Max" Peterson 1955-56
Victor Seymour 1956-57
(deceased)
Richard M. Bourne 1957-58
(deceased)
R.D. Andersen, 1958-59
W. "Tom" Tomkins, 1959-60
Ann Scott, 19960-61
Joe Hartley, 1961-62
Don Fahleson, 1962-63
Dave Hendricks, 1963-64
(deceased)

Roy Loudon, 1963-64
James E. Geist, 1964-65
Robert Murphy, 1965-66
John D. Beecham, 1966-67
(deceased)
Earl R. Fell, 1967-68
Walter J. Mitchel, 1968-69
(deceased)
William M. Cords, 1969-70
(deceased)
Joseph R. Ruschetti, 1970-71
Stuart A. Maseman, 1971-72
Jerry L. Sellentin, 1972-73
Harvey Schwartz, 1973-74
Ray Oepping, 1974-75

Georgia Schmitt, 1975-76
James P. Spangler, 1976-77
David L. Bornholdt, 1977-78
Linda G. Larsen, 1978-79
Dick Whitcomb, 1979-80
Sally Schneider, 1980-81
Reid E. Devoe, 1981-82
Patricia A. Kant, 1982-83
Bob Hanrath, 1983-84
Neal Westphal, 1984-85
Connie Soucie, 1985-86
Chriss Lloyd, 1986-87
Linda Shafer, 1987-88
Kent Mattson, 1988-89
Lovie Magruder, 1989-90

Doug McDaniel, 1990-91
Cheryl Vavra, 1991-92
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



MY CHOICE? RIGHT!

We know how it happens. We have a plan, the day is laid out. And then... sometimes before we even get out of bed or leave home to come to work stuff starts happening. Maybe we oversleep, or get a call that the babysitter is out with the flu, or reach up only to find we're out of coffee, or get to the car and we have a flat tire! Sometimes best-laid plans get off track. LIFE HAPPENS.

Maybe you came in this morning feeling energized ready to tackle the challenges of the day only to get to work and find a number of people have called in sick and you needed all hands on deck to get a big project out on time.

- Folks in your department are angry when you suggest they'll have to double up the workload, as no replacements are available.
- Then the CEO comes and reminds you that you promised those budget figures would be on his desk by 9 this morning and he's disappointed in you, says he thought he could trust your word.

The mail brings more for the to-do list, the e-mails are all marked urgent and the phone hasn't stopped ringing since you got there.

As you're burying your head on the desk you see the sign. You remember the leadership banquet desk plaque you got that said...

"Issues come up. Circumstances happen. But, leaders choose their face every minute of every day. Your power is in your choice!"

Have you ever been envious of the folks around you who seem to take absolutely everything in stride? Nothing shakes them from their positive attitude. They keep smiling, stay calm, keep talking about options, and Plan B. It seems almost inhuman! Don't they understand very important things are on the line here? People's careers may be at stake. Contracts can be won or lost. Futures can be determined or destroyed? They should be panicked shouldn't they? Have you thought to yourself - they just don't get it?

Or, perhaps these leaders have tapped into another power. **The power to choose their attitude or their face in times of adversity.** We all have the power or can cultivate it if we discipline ourselves to become conscious about our choices. A leading behavioral psychologist,

Shad Helmstetter, Ph.D. has written a wonderful program for learning the power of choosing our attitude, he calls it What To Say When You Talk To Your Self. He reminds us that we do the spinning of our own situations. Maybe our real power is that we choose our perspective, our language, even the expressions on our face. We can choose our attitude.

Listen to your words and attitudes. Do you say things like:

- "I just can't get with it today."
- "That's impossible!"
- "I'm just not cut out for that."
- "You can't trust anyone anymore!"

If your self-programming is filled with futility and negativity - how can there possibly be a good attitude outcome? What could change if we were instead programmed to believe things like...

- "Life does not have to be perfect."
- "It is not awful when things go wrong."
- "Don't amplify, multiply, inflate, magnify, escalate, blow-up, or pyramid unwanted or unpleasant circumstances and feelings."

These statements come from another very helpful source called You Can Control Your Feelings! 24 Guides to Emotional Well-Being by Bill Borcherdt.

When we accept that situations are what they are — life happens — we now have a choice how we'll respond. If you find yourself struggling with this idea maybe it would be helpful to **listen for the next 48 hours to the self-talk messages you give yourself**. Helmstetter teaches ways to change negativity. When able to program ourselves with empowering self talk we learn that what happens next for each of us — is more up to us than we might have thought; **it is up to us what we choose to think.**

If you find yourself struggling with destructive self messages and yearn for the ability to ride out the challenges with greater control but need some coaching on how to make that happen, make an appointment to talk with someone who can help. If we are your provider, staff at Directions EAP frequently address this very issue. Call for a free, confidential appointment today at (402) 481-5998 or (800) 563-8201. **The choice is yours-right?**

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 Janet Bauer, Recruiter, Madonna Rehabilitation Hospital. Janet will receive free registration at the November luncheon 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:

- We have 49 new members for the year!
- Raffle baskets for the SHRM foundation raffle will again be offered.
- A number of members are attending the SHRM Leadership conference in Washington, DC in November

LEGAL UPDATE

Recent USERRA Case is a Little Too Close to Home for Many Nebraska Employers

by MARK A. FAHLESON and KRISTIN SCHROEDER SIMPSON • *Rembolt Ludtke LLP*

Enacted on the heels of the Gulf War, the Uniformed Services Employment and Reemployment Rights Act (“USERRA”) is the federal law that governs the rights of citizen soldiers and dictates the obligations of those that employ them. As one Lincoln, Nebraska employer recently found out, many of USERRA’s key terms remain undefined, which can unfortunately result in litigation to determine their meaning and scope.

In *Haight v. Katch, LLC* (2005 WL 2464642, D.Neb. Oct. 5, 2005), Plaintiff Jeffrey Haight, a member of the Army National Guard, was called up to service in Iraq and left his employment as a bar manager with a Lincoln, Nebraska lounge and grill owned and operated by Katch, LLC. Prior to training and actual deployment to Iraq, however, Haight injured his leg in a rollerblading accident and was released from service. Haight had no contact with Katch until Labor Day, 2004, when he showed up unannounced demanding his job back that day. Katch wanted to consult with its legal counsel, but before having a chance to discuss its obligations with an attorney, Haight walked out of the lounge threatening to sue. The next day Haight reportedly sabotaged Katch’s website and picketed outside the lounge, carrying a sign stating that Katch refused to rehire him. Following this behavior, Katch terminated Haight.

Haight filed suit in federal district court in Nebraska alleging that Katch’s failure to “promptly” reemploy him violated USERRA. According to Haight’s theory of the case, USERRA requires “prompt” reemployment under any circumstance, and Katch was required to “immediately, on the spot” reemploy him as its bar manager when he entered the lounge on Labor Day without any prior notice and demanded reinstatement.

The federal district court noted that USERRA does not define “prompt” reemployment, and although proposed regulations attempt to place parameters on what is meant by “prompt,” they have not yet been approved. Nevertheless, the court noted that the proposed regulations and case

law generally define “prompt reemployment” to mean “as soon as practicable under the circumstances of your case. Absent unusual circumstances, . . . reemployment must occur within two weeks of [an employee’s] application for reemployment.”

Applying that standard to Haight’s claim, the court concluded that Haight’s right to “prompt” reemployment under USERRA did not require Katch to immediately reemploy him when he reported to work on Labor Day. According to the court, “[u]nder such circumstances, it was not ‘practicable’ and it would be unreasonable to require the defendant to spontaneously create a position for the plaintiff, send another employee home from work, or simply ‘make work’ in order to accommodate the plaintiff’s demand for immediate reemployment.” Consequently, the district court entered judgment for the Lincoln, Nebraska employer.

LESSON:

USERRA’s stated purpose is to strengthen and broaden the rights of persons who voluntarily and involuntarily leave employment positions to undertake military service. To strengthen and broaden these rights, USERRA provides for protection on three fronts. First, USERRA prohibits discrimination and retaliation against employees who perform military service. Second, USERRA delineates the rights and benefits to which employees serving the military are entitled. And, third, USERRA provides for reemployment rights.

USERRA operates to minimize the disadvantages and disruption to soldiers’ civilian careers. Accordingly, USERRA both provides for broad protections to covered employees and allows for serious penalties against noncomplying employers. Take note - if you have employees, USERRA likely applies to you.

USERRA covers both active and reserve service with the Army, Navy, Marine Corp, Air Force, Coast Guard, the Army or Air National Guard, the commissioned corps of Public Health Service, and any other category of persons designated by the President in

time of war or national emergency. The employee’s absence from work may be based on voluntary or involuntary service, and absences due to training and weekend maneuvers are also covered. Thus, it is incumbent upon employers to have policies and procedures in place to facilitate their employees’ military leave (and return) process. It also behooves citizen soldiers to become educated about their rights and the procedures to follow to ensure the vesting of those rights.

Covered Employers

USERRA applies to all private employers, regardless of whether an employer has one employee or thousands. USERRA’s definition of employer also includes the federal government, states, and successors in interest. In fact, any person, institution, organization or other entity that pays salary or wages for work performed or that has control over employment opportunities is covered by USERRA. Thus, both an employment agency and a union hall fall within USERRA’s definition of employer. Furthermore, USERRA applies extraterritorially.

Covered Employees

To qualify for USERRA protection, the employee must be a member of, perform, have performed, applied to perform, or have an obligation to perform service in a uniformed service. Even part-time, temporary or probationary employees are eligible, and no minimum period of employment is required of an employee seeking USERRA’s protection. Professionals and employees who occupy managerial or executive positions are also USERRA employees. USERRA, however, does not apply to soldiers that have separated from the uniformed service under a dishonorable or bad conduct discharge, or other than honorable conditions.

Prohibited Discrimination

The first tier of USERRA’s three-tiered approach prohibits an employer from denying initial employment, reemployment,

See Legal Update on Page 6.

Continued from Page 5.

retention in employment, promotion, or any “benefit of employment” on the basis of an employee’s service in the uniformed services if such service is a motivating factor in the adverse employment action. A “benefit of employment” is a benefit that flows to the employee as a result of the employee’s employment by the employer in question. Courts have unanimously held that USERRA is to be construed broadly in favor of its military beneficiaries. For example, a regular schedule can be considered a benefit of employment, and an employer who transfers a covered employee to a different job with a less desirable schedule denies that employee a benefit of employment.

USERRA also provides protection from discrimination to persons who take action to enforce USERRA protections, testify or make a statement in conjunction with a USERRA proceeding, or assist or participate in a USERRA investigation. A court has recently held that USERRA also provides a cause of action for harassment and hostile work environment, as freedom from these conditions is a benefit of employment.

Protected Benefits

The second of USERRA’s protections ensures certain rights and benefits of employees while they are absent due to military service. Generally, an employee who is absent for military service is treated as if he or she were on an unpaid leave of absence. Thus, while on leave the employee is entitled to the same rights and benefits, other than salary, as any other similarly situated employee.

Health care coverage during periods of leave is governed by USERRA provisions as well as the Consolidated Omnibus Budget Reconciliation Act (“COBRA”). Even for employers that are not subject to COBRA, USERRA provides for health benefit continuation coverage for employees on leave. As to vacation days, the employer must allow the employee to use any accrued vacation or paid leave during any absence due to service in the uniformed services; however, the employer may not require the employee to use vacation or leave during the service period. In regard to retirement benefits, regardless of whether the employer’s plan is a defined contribution or defined benefit plan, USERRA guarantees any employee who qualifies for USERRA’s protections those benefits that would have accrued if the employee had not been on a

military leave of absence. In other words, military service is treated as employment for purposes of vesting and benefit accrual.

USERRA also contains a statutory limit on the at-will employment doctrine. For a returning employee who serves for more than 30 days, but less than 181 days, such employee cannot be discharged except for cause within 180 days after the date of such employee’s reemployment. If the employee serves for more than 180 days, the period of protection extends to one year. By implication, an employee who serves 30 days or less is not protected from at-will status and can be terminated for reasons other than cause.

Reemployment Rights

As the *Haight* case makes clear, the most complicated and perhaps the most important of USERRA’s protections are its reemployment rights provisions. Stated simply, USERRA provides for prompt reemployment in the position that the employee would have attained had the military service not interrupted the employment relationship. It is as if the employee is on an escalator during military service – when the employee returns to work, he or she returns to the position that he or she would have held had military service not interrupted.

To qualify for reemployment rights, an employee must satisfy certain requirements, which differ depending on the length of the employee’s service. All employees must give prior notice of military service, unless military necessity renders prior notice impossible. For any service less than 31 days (e.g., weekend drills, intermittent training, or fitness for duty examinations), the employee is to return to work on the next scheduled shift. For service in excess of 30 days, USERRA provides for a period of rest and a method by which to report back to work or reapply for employment. An employer is excused from reemploying a returning soldier only if reemployment would cause undue hardship, if changed circumstances make reemployment impossible or unreasonable, or if the employee performed brief, non-recurring services.

USERRA requires employers to notify employees of their USERRA rights. The Department of Labor has created a poster that satisfies this requirement. The poster is available at www.dol.gov/vets/.

Be Prepared

Congress clearly recognizes the importance of prohibiting discrimination and retaliation against members of the service, ensuring their employment benefits, and preserving their ability to return to civilian employment. Therefore, USERRA is essential in both keeping skilled members in the uniformed services and protecting the jobs of those who serve. As the employer in *Haight* found out, employers must be aware of USERRA protections and requirements. Although such protections and requirements are extensive and complex the employer’s USERRA awareness and training of requisite personnel to implement policies and procedures will substantially minimize the viability of USERRA enforcement actions.

Mr. Fablesen and Ms. Simpson are attorneys with the Lincoln-based law firm of Rembolt Ludtke LLP and may be reached at (402) 475-5100, mfablesen@remboltludtke.com or ksimpson@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.

“I AM A RESOURCE” CAMPAIGN

The Legislative Affairs Committee is recruiting HR professionals that are willing to be called on as resources for our Nebraska lawmakers when they have questions on such topics as benefits, FLSA, EEO/Affirmative Action, employee relations, etc. Interested HR practitioners will be compiled into a resource list which will be provided to U.S. Senators, Congressmen, and targeted State Senators in early January, 2006.

If you would like to be on the resource list, go to lincolnhr.org to the legislative page. Complete the data form and email it to cindym@eastmonttowers.com, fax it to 486-2450 or bring it to the November meeting. We will accept the forms through Nov. 18th at which time we will compile the resource list. Any questions may be directed to Cindy Mefford, Legislative Chair, at 486-2221.

GOVERNOR'S SUMMIT ON WORKFORCE DEVELOPMENT FOCUSES ON TRAINING, RETENTION AND RECRUITMENT

The 2005 Governor's Summit on Workforce Development will be held November 9-10 at the DoubleTree Hotel in Omaha, NE. This year's theme, Harvesting Opportunities, focuses on economic development. Specifically, the Summit will address how to develop and cultivate our workforce talent in Nebraska.

Keynote speakers this year will cover a wide

range of topics. Dr. Joseph Mancusi, one of America's greatest motivational speakers will kick off the Summit. Dr. Mancusi founded the Center for Organizational Excellence, Inc. and has taught thousands of people how to enrich their lives. Dr. Mancusi will be addressing the conference during two sessions. The first session will give tips on taking your company from good to great. The second

session will take an entertaining and informative look at how we treat each other as human beings.

Bruce Tulgan is internationally recognized as the leading expert on young people in the workplace. He has authored or co-authored 15 books and will also be presenting a breakout session on his best selling book "HOT Management". Dr. Mae Jemison will end the conference with her session titled "S.E.E.ing the Future (Science, Engineering and Education)" Dr. Jemison blasted into orbit as the first woman of color to go into space and is now the founder of two technology companies. She is a medical doctor, an astronaut, a linguist (she's fluent in five languages and speaks several others), a former medical missionary, a television broadcaster, and a leading female entrepreneur.

Guest speakers include Lt Governor Rick Sheehy, Labor Commissioner Fernando "Butch" Lecuona III, Festo Corporation CEO Hans Zobel, and U.S. Senator Chuck Hagel.

Concurrent Sessions will be conducted the first day in both the morning and afternoon and will include:

- eCommerce Strategies for Rural and Urban Economic Development, facilitated by the AIM Institute
- Disaster Preparedness and Recovery in the Workplace, presented by Lt. Governor Sheehy and Dr. Joann Schaefer
- A panel on FutureForce Nebraska, a look at successful partnerships between students, parents, educators, and business
- A presentation on soft skills by Metropolitan Community College on successful partnerships and initiatives
- Decreasing health care costs when negotiating contracts, which will help employers get the best coverage for employees at the best price
- * Nursing recruitment and retention issues
- P-16 seamless education in Nebraska
- Early childhood initiatives
- Advantage Nebraska: informing employers on how they can access funds for worker training
- HOT Management by Bruce Tulgan, how to increase productivity and quality one person at a time, one day at a time
- A session by Nancy Mills, Executive Director of the AFL-CIO Working for America Institute on why apprenticeship programs are important for Nebraska

This Summit offers something for everyone and will provide hands on tools to recruit, train, and retain a talented workforce.

For more information, visit our website at NebraskaWorkforce.com and click on the Governor's Summit icon or contact Kim Johanns at (402) 471-3418 or via email at kjohanns@dol.state.ne.us.

ABOUT OUR LUNCHEON MEETING:

Continued From Page 1

employment authorization, status of the H-1B/H-2B caps for workers, status of PERM, social security no match letter and I-9 compliance issues, discrimination avoidance, as well as new policies or recent changes. Questions are welcome.

"This program has been approved for 3.75 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage at www.brcci.org."

LUNCH PANEL: IMMIGRANT WORKERS: ISSUES AND INSIGHTS

This panel, featuring Ed Leahy, Jerry Heinauer, David Zaritsky Brown, and Flavio Mesquita, will discuss immigration issues as they affect both employers and employees. Our panel will provide a variety of perspectives on questions such as: "What is the main thing an employer should keep in mind when working with immigrant employees?" and "If you could change something about our current immigration employment laws/regulations what would it be?" The panel will take questions from the audience. You will leave with a better understanding of both personal and professional issues in this important area.

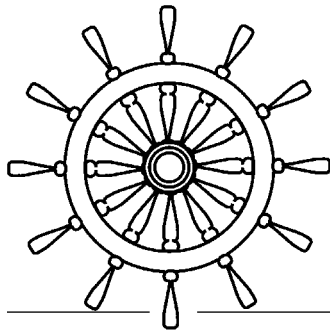
PRESENTERS & PANEL MEMBER BIOGRAPHIES

Jerry Heinauer is the District Director of the U.S. Citizenship and Immigrations Services Office in Omaha. Jerry began his career with the U.S. Border Patrol, worked as an Immigration Inspector and Examiner, and eventually was selected as a Deputy District Director for the Office of Foreign Operations in Rome, Italy, where he was responsible for the day-to-day operations of eight suboffices and for management of the U.S. refugee resettlement program for Europe, Africa, the Middle East, and the subcontinent.

David Zaritzky Brown is Practice Leader of Harding Shultz & Downs' Business Immigration Practice. An attorney licensed in both the U.S. (California) and Canada (Ontario), David assists a variety of large, medium and small businesses comply with immigration regulations. He manages work and permanent residence immigration related matters for employees working in the U.S. and Canada. He also manages outside counsel relationships for the provision of immigration legal services to other countries. Prior to moving to Lincoln, David worked in two major immigration centers, San Francisco, and Toronto.

Ed Leahy is the coordinator of the Immigrant Rights Network of Iowa-Nebraska. The Network is composed of organizations and individuals seeking meaningful immigration reform and has eight chapters throughout the region. Ed brings over 15 years experience of working with immigrant communities to his job, including work with the Catholic ministry in Central America as well as immigrant communities in St. Louis, Chicago and Minneapolis. Since his time as coordinator of the Network, Leahy has helped raise awareness of immigrant issues and become a voice for positive change. He is one of our community's most knowledgeable resources with regards to our immigrant community and the challenges they face.

Flavio O. Mesquita, who emigrated from Rio de Janeiro, Brazil, is a Commercial Lines Underwriter for Allied Insurance. Flavio is a graduate of UNL with a degree in Business Administration, with an emphasis in International Economics and International Management. He is currently pursuing a Masters of Science degree in Leadership Development. He is fluent in English, Portuguese, Spanish, and has two years of Italian under his belt.



DIVERSITY HUB

HOW TO BEGIN AN INITIATIVE WHEN THERE IS LITTLE VISIBLE DIVERSITY

By Lee Gardenswartz, Ph.D. and Anita Rowe, Ph.D. || March 2005

Question: Our organization has decided to embark on a diversity initiative in 2005. However, since we have very little visible diversity, we have gotten a lot of push back regarding why we're doing this. The general opinion seems to be, "We don't have different races and cultures here and we all get along, so why do we need to deal with something that's a non-issue for us?"

Answer: While a rich multicultural mix is the norm in most metropolitan areas across the country, we've just spent the last two months working with clients in organizations in communities in middle America where there is little visible diversity. They, too, are facing the same issue. Let's take a look at some of the steps such organizations are taking to overcome this hurdle, demonstrate relevance and generate widespread commitment for their diversity initiatives.

1. Figure out and articulate why. The first step any organization needs to take in beginning a diversity culture change process is to clarify the reasons why. Just because other organizations are doing it, isn't a good enough answer. A diversity initiative is not an end in itself, but rather a means to an end. To formulate a clear explanation of the reasons to answer employees' questions about "why" have answers for questions such as:

- "Why are we committing resources to this effort?"
- "What is the goal of the process?"
- "How will our organization be better if we engage in this initiative?"

A number of organizations we have worked with who have had little visible diversity have articulated their answer to the why question by giving explanations such as:

- The labor/talent pool from which we recruit is getting increasingly diverse and we won't be able to attract and retain top candidates unless we have an inclusive climate that welcomes diversity and is comfortable for a wide variety of employees.
- We are not tapping the creative potential of staff because we do not recognize or value

the unique experiences, perspectives and talents they bring. Focusing on diversity will help us identify and use these differences.

- Teamwork is at the core of our success as an organization. Understanding each other's similarities and differences and capitalizing on our complimentary abilities strengthen teamwork.
- We are facing labor shortages and a difficulty in recruiting in certain positions. The more we can create a hospitable, satisfying and fair work environment, the better we will be able to compete in the labor market and attract employees to our organization.

2. Communicate a broad, inclusive definition of diversity. It is not surprising that when people hear the word diversity, their first knee jerk association is with race and gender since research shows that skin color and gender are the first two things we notice about others when seeing them for the first time.

Beginning with a definition of diversity that goes beyond race and gender is a critical first step in overcoming this limited view that diversity is only about visible differences. Many organizations use our "Four Layers of Diversity" model which delineates the multiple dimensions around which we can have both commonalities and differences. These range from differences such as personality, age and marital status to religion, work location and level/position in the organization. Other companies use an iceberg model that delineates both the visible and invisible dimensions of difference that are encompassed by diversity.

However, beyond just defining diversity broadly, it is also important to engage staff in discussions of how these multiple differences play out. Building on personal style assessments that may already be in use in your organization, such as the DISC or Myers-Briggs, is one way to highlight the impact of invisible differences. Another is to talk about the effect of assumptions and stereotypes that may exist in the organization about groups with labels such as "techie," "bean counters," "gen Xers,"

"suits," and "good ol' boys." Still another is to get people thinking about the barriers that may be created when us vs. them attitudes prevail, for example, between corporate and field locations, management and non-management staff or one department and another.

3. Connect the diversity initiative to data. Gathering and sharing data is another way to demonstrate relevance. Data can be in the form of demographic statistics that show the increasing diversity of the labor pool you are drawing from, the customers you deal with or the markets you are targeting. You can also use data from your employee opinion survey that shows, for example, how differences in treatment create barriers to full commitment or how diversity issues contribute to problems such as turnover. Having employees with young children leave because of lack of flexibility in schedules, or having disgruntled and disenfranchised workers withhold commitment are examples of issues that can be addressed through your diversity initiative. Data about these issues demonstrates that the initiative goes far beyond visible differences and aims at creating a better work environment for all employees.

4. Communicate effectively by using multiple pathways and creative methods. People listen when leaders talk with honesty, clarity and commitment about the business reasons for addressing diversity. Giving executives and managers talking points to explain the what, why and how of your diversity initiative in simple, real ways is one step. Another is to use on-line avenues - intranet, emails and pop-up messages to give information. One organization had a daily diversity factoid pop-up on screens when employees logged on. Another made it a point to dispel myths by explaining in plain language what the initiative was and was not. They made it clear that it was not the flavor of the month, not about political correctness, not intended to change employees' values and not about quotas.

5. Avoid hot button words. In many

See Diversity Hub on Page 9.

**COMING IN 2006 —
MARK YOUR CALENDAR!**

**LHRMA TO SPONSOR
WORLDATWORK BUILDING
BLOCK WORKSHOP**

Early this year LHRMA hosted a very well attended WorldatWork Building Block workshop on "Employee Benefit Basics". LHRMA plans to host another workshop in February 2006 and would like your input on available topics in the areas of compensation, benefits and work life. A survey will be distributed at the November meeting. Please complete the survey so that your input can be considered in determining the workshop topic. If you have any questions about the workshop or WorldatWork, including certification courses, please contact Kent Mattson at kmattson@ameritas.com.

**LHRMA HAPPENS!
HERE'S WHAT'S HAPPENING ON
THE HOME FRONT.**

**Mark Your
Calendars**



November: Diversity meeting and workshop on Immigration. To be held at Wilderness Ridge (look for more information on this in an article elsewhere in the newsletter)

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

Looking forward to 2006 —

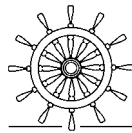
In February: a World at Work seminar will be offered.

A BELATED THANKS

We thought that we had gotten everybody thanked in last month's newsletter, but we missed Kathy Harper.

Kari Andersen especially appreciates your volunteering

— thanks so much!



DIVERSITY HUB

Continued From Page 8

organizations the word diversity itself is a hot button because of painful past experiences with ineffective training or because of negative connotations associated with the word. In such cases, the organizations avoided creating an additional barrier by using the word diversity and gave their initiatives labels such as "Building a Respectful Workplace," "Teamwork and Respect," and "Building Respect and Cooperation." They also avoid words such as "quota," "sensitivity" and "mandatory" that often trigger negative reactions.

6. Create innovative ways to involve employees in learning. Another way to engage all employees is to focus on developmental experiences that are relevant to everyone. One organization has a diversity film series, showing a pertinent movie quarterly during an extended lunch period and then following the film up with a facilitated discussion. Films such as "Smoke Signals," "El Norte," "Philadelphia," and "Remember the Titans" are typical of the kinds of films shown. A recent documentary entitled "Paper Clips," which tells the story of a small, homogeneous, Southern town's meaningful approach to dealing with prejudice and hate, would be a great addition to such a series. Other

organizations have used brown bag lunch and learn sessions or mini-seminars on topics such as "Communicating Across the Generation Gap" which have relevance both at work and at home. One client used lunch hour sessions to enrich their career development process. Once a month diverse executives speak about their career paths in the organization, giving valuable information about how to access and use the informal network. It is heartening to see a wide array of employees approach the speakers at the end of the session asking to be mentored by these leaders.

Diversity is about and for everyone in the organization. Being clear about the strategic and personal benefits of dealing with diversity and helping employees understand that this initiative is a culture change process that aims at improving the work environment for everyone is key to gaining commitment. Art Amadon, a participant in a session many years ago said it best, "I get my own way more often now that I have more than one way."

Lee Gardenswartz, Ph.D., and Anita Rowe, Ph.D., are diversity trainers based in Los Angeles, Calif. They can be reached at www.gardenswartzrowe.com and welcome diversity questions.

\$99.00 SHRM

Membership Enrollment Special

October 1, 2005 — November 30, 2005

From October 1 through November 30, 2005, you can join SHRM for only \$99!! This is over \$50 less than the normal annual rate. This special rate applies to LHRMA members who have *never* been members of SHRM, or who have let their membership lapse for longer than one year. (This special rate does NOT include regular renewals). Check out all the advantages to help you grow in your profession at www.sbrm.org or e-mail sbrm@sbrm.org. SHRM applications may be downloaded from www.shrm.org or may be obtained by contacting membership@lincolnbr.org. Complete a SHRM application and mail it with your \$99 check, made payable to SHRM, to:

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jwelsch@ci.lincoln.ne.us



WORKFORCE READINESS CHAIR
Elly Hardekopf, PHR
475-1700
ehardekopf@molex.com



GPN LIAISON - TOTAL REWARDS ADVOCATE
Kent Mattson, SPHR, CBP, CCP, CEBS
467-7160
kmattson@ameritas.com



SHRM FOUNDATION REPRESENTATIVE
Russ Roberts
441-7949
fshrlncne@aol.com



CERTIFICATION DIRECTOR
Ruth Jones
479-9332
jones@danacole.com

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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