



Lincoln
Human
Resource
Management
Association



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May, 2012



What Diversity and Inclusion Mean Today

A Presentation and Workshop with
Nationally-Renowned **Joe Gerstandt**



When:

Tuesday, May 8th, 2012

11:00 – 11:30 Registration

11:30 – 12:00 Lunch & Announcements

12:00 – 1:00 Keynote Session

1:15—3:30 Workshop—Fly Your Freak Flag Baby!***

****This month's program & workshop have been pre-approved for
General HRCI Recertification Hours**

Where:

Firefighter's Hall
241 Victory Lane
Lincoln, NE

Parking is **FREE** to all attendees.

Cost:

Luncheon: LHRMA members—\$15

All Other Attendees—\$25

Workshop for all Attendees—\$35

Menu: Grisanti's Buffet

Deadline: Register or cancel your registration by: **Noon, Friday, May 4th.**

Please remember: There is a \$10 fee for late registrations and for no-shows. This \$10 fee is in addition to the regular registration fee. Please try your hardest to register on time, as late registrations and no-shows make it difficult on everyone involved.

About our Program:

A highly sought-after Speaker and Consultant, Joe Gerstandt weaves art and science together with stories and research to illustrate a better approach to diversity and inclusion – one that will help us all create more effective and innovative next generation communities that deliver on their promises.

A one-hour presentation will be followed by a 2-hour workshop entitled Fly Your Freak Flag, Baby! It's an afternoon you won't want to miss!

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At the Luncheon....

What Diversity and Inclusion Mean Today

Presented by Joe Gerstandt

Nationally-renowned and highly sought after speaker Joe Gerstandt will use personal life experiences to illustrate a better approach to diversity and inclusion.

At the Workshop...

Fly Your Freak Flag, Baby!

Conformity makes us much easier to manage, but also radically incomplete. This interactive session is about having radical clarity on who we are and what we are here for...so that we can live accordingly.

About our Presenter:

Raised on a family farm in Iowa, Joe Gerstandt has that certain kind of sensibility you can't help but notice. His unique approach to speaking, extensive community involvement, and personal experiences illustrate Joe's passion for reaching out to and relating to people.

Listen to Joe speak, and you'll see that he draws from his days as a United States Marine and Gulf War Veteran and his insightful time in sales.

Prior to becoming a celebrated one-man institute, Joe held positions as the Program Director of Education for the Nebraska AIDS Project and the Director of Diversity for Alegent Health. He has served on the Board of Directors for Catholic Charities, the Young Professionals Council, and Midlands Community Planning Group. Additionally, Joe has worked with several organizations including Big Brothers, Big Sisters, the National Conference for Community and Justice, and Boys and Girls Club.

Joe maintains a popular blog, and his insights have been published in the Diversity Factor, The Workforce Diversity Network newsletter, the American Diversity Report, and ASAE's *Associations Now* magazine. Joe currently serves on the board of directors for the Global Diversity and Inclusion Foundation, a nonprofit that focuses on developing business leaders who create value for the communities where we work and live.

As a speaker and consultant, Joe helps organizations understand and implement diversity in a way that leads to innovation and prosperity. His presentations are both empowering and interactive, provoking action from every audience. At times edgy, at times hilarious, *always* passionate, Joe Gerstandt is committed to facilitating positive change.

In 2010, Joe founded Talent Anarchy with Jason Lauritsen. Joe lives in Omaha, Nebraska with his wife, son, and two daughters.



Upcoming Meetings

June 12th, 2012 – location and topic to be announced soon!



President's Message

Judy Ganoung, President

I recently went on a wine and shopping trip with four very pertinent and smart HR professionals who happen to be members of LHRMA. Two were past presidents of LHRMA. As I drove many, many miles listening to them talk (and talk and talk...and talk) about their experiences within the HR profession and LHRMA, I thought to myself, wow there is a lot of knowledge as well as expertise in these women. I wondered how much influence they have had on the LHRMA membership and the information we share.

Having said that, I thought I would do something fun for this month's newsletter. Below are quotes from past presidents. The first LHRMA member to accurately name who said each quote will receive a prize. Email your answers to Judy@nas-pa.org, remember the first one to email the correct answers will win the prize. In case you are wondering, yes, I read all of the "President's Messages" that have been in the LHRMA newsletter since I joined (that's a hint.)

I will start with an easy one:

1. "Just so you know – its 11 days until the first Husker baseball game, 61 days until the Spring Game, and 6 months and 12 days until the first home football game!"
2. "I constantly have to remind myself to "create days that are meaningful and fulfilling" so I don't feel like life is passing me by."
3. "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."
4. "HR people are constantly preaching – take advantage of your opportunities, continue to manage your strengths, keep persevering in what you believe in."
5. "The journey towards a truly engaged workforce is a long one that requires discipline, accountability and a firm long-term goal for the organization and its leadership in this quest for engagement."
6. "When we combine our hearts and minds, all of us thrive."
7. "Don't spend all your time fixing your weaknesses, leverage and improve your strengths!"
8. "We can't expect things to change unless we get involved."
9. "If somebody puts a whoopee cushion on my chair just one more time.....! The act that I always enjoyed were the people who would stack up dishes and twirl them all around, all the while balancing the whole thing. Now who can't relate to that one!"

We as members of LHRMA are so lucky to have each other as mentors, teachers, support givers, as well as friends to laugh and have lunch with once a month (and don't forget cocktails in December). I look forward to the diversity presentation presented by Joe Gerstandt in May. Joe has presented for our group before and has always provided good information on what is relevant right now. And, don't forget the raffle for the May baskets! The raffle is a fund raiser for the SHRM Foundation. Your contribution helps LHRMA in its fund raising goal to SHRM and its fun. June's meeting will be on Employee Recognition. This presentation will take a look at what organizations are doing in regards to Recognition Programs.

— Judy Ganoung

Legal Update

Business Meetings are No Party!

By Jack L. Shultz and Robert B. Truhe

Harding & Shultz, P.C., L.L.O., LIBA General Counsel

It is easy to ask the question, “Business or pleasure?” without thinking twice. It might describe appropriate attire for a social situation. It might describe a round of golf. It is perhaps most commonly used by perfect strangers on an airplane. However, for one company and its insurer, that seemingly innocuous question could mean a workers’ compensation claim worth more than \$250,000.

THE “MEETING”

The case is **Nunn v. Noodles & Co.**, out of Minnesota. Heather Nunn was a shift supervisor at Noodles & Co., a semi-fast food eatery popular for its worldwide variety of noodle dishes. Heather was in line to receive a promotion at work; she was being considered for the position of assistant manager at a new restaurant location. Her boss invited Heather to his house to meet with a few of the company’s managers and discuss the possible promotion. Having already made plans for the evening, Heather asked if the meeting could be re-scheduled. According to Heather, her boss told her to be there.

THE ACCIDENT

On her way to her boss’s house, Heather ran a red light on her motorcycle, attempting to make a left turn. Another vehicle struck Heather, causing a serious injury leading to medical bills in excess of \$250,000. Heather filed a workers’ compensation claim with Noodles & Co., who alerted its carrier, Zurich American Insurance Co. (“Zurich”).

THE FACTS

At first, Heather’s manager called it a “social gathering,” but he later admitted to Zurich that it was more of a business meeting. Zurich had a recording of this admission from the manager. Zurich made sure to explain the important difference to the manager: call it a meeting, and Heather gets paid; call it a social event, and she doesn’t. The manager (then) maintained that it was nothing more than a chance for Heather to blow off some steam, claiming that all “business meetings” were held at the store locations on company time. Heather, of course, saw it differently, claiming that she had to cancel her other plans and was compelled to attend.

THE PROCEDURAL VOLLEY

Zurich denied Heather’s claim, alleging that Heather was “attending a party,” not a business meeting. Heather appealed the denial to the Department of Labor. The Department held that because Heather was driving to a business meeting, she was entitled to workers’ compensation coverage, overruling Zurich’s decision.

Zurich appealed the Department’s decision to a Minnesota federal court, where the legal volley continued. This time, Zurich won. The court found the manager’s testimony compelling, holding that this was a “social gathering” and not a business meeting.

True to her position, Heather appealed to the Eighth Circuit Court of Appeals. This time, Heather won. The judges on the Eighth Circuit had one critical piece of information that the Department and the trial court did not have: the recording of the manager’s contradictory testimony to Zurich. Based upon the conflicting facts and positions of the parties, the Eighth Circuit sent the case back down to the Minnesota federal court for a trial.

CONCLUSION

It is unclear how this game of legal tennis will end up. A jury could find that Heather was called to a business meeting, or they could believe Zurich and the manager who maintain that this was a mere social gathering. In this case, the process is more enlightening than the actual outcome. Three different entities (the Depart-

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ment, trial court, and Eighth Circuit) reached different conclusions based upon very similar facts. The lesson here: “business vs. pleasure” cases are *highly* fact-specific. As a business owner or manager, it is up to you to clearly define the scope of employee gatherings. Be sure to follow your policy and/or protocol, because failure to do so can ruin the party!

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 authors of this article, Jack L. Shultz and Robert B. Truhe, can be contacted at 402/434-3000, or at Harding & Shultz, P.C., L.L.O., P.O. Box 82028, Lincoln, NE 68501-2028, jshultz@hslegalfirm.com or btruhe@hslegalfirm.com.

May Basket Raffle

The LHRMA annual basket raffle is taking shape and promises to be every bit as exciting as in the past. This is a fun event that chapter members look forward to every spring. Raffle proceeds will go to the SHRM Foundation so they can continue to support the Human Resource profession with innovative academic research grants, educational resources, and scholarships.



In addition to purchasing raffle tickets by cash/check at the chapter meeting, you may also purchase them in advance through PayPal. The cost of tickets is: 6 for \$5, 12 for \$10, and 35 for \$25. Ticket purchases of \$25 or more are tax deductible; receipts will be provided.

So buy your raffle tickets on line, write a check or bring cash to help the SHRM Foundation support the Human Resource profession and have fun!

We wish to thank the following businesses that have donated raffle items: Advance Services; Artisan Salon and Esthetics; Continuum EAP; Crete Carrier; Cornhusker Bank; Lincoln Surgical Hospital; Mr. Goodcents Subs and Pastas - 5633 South 16th Street; Madonna Rehabilitation Hospital; Midlands Financial; Nebraska Advocacy Services, Inc.; Nebraska Book Company; Norvartis; Southeast Community College and Wild Bird Habitat in the Alamo Plaza. If your organization is interested in donating a basket, please contact Denice Sears at: (402) 489-1406 or hramandas@windstream.net.



WELCOME NEW MEMBERS

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Drawing Winner

Who Says There’s No Such Thing as a Free Lunch? Congratulations to **Duana Freeman** with UNICO. She will receive free registration for the May program.



You’ve joined an outstanding organization!

Wellness

Dig Gardening? Watch Your Back!

Safe, Seasonal Tips from Madonna TherapyPlus

Lincoln Lancaster County Health Department

For many people, spring is a season of gardening, but before you begin tilling and planting, take a few minutes to consider your back. Pulling weeds, raking a lawn, or just digging a hole can strain your back. In fact, any movement that requires lifting, twisting or turning can injure your back. To make sure your flower bed doesn't land you in bed, here's what Madonna TherapyPlus recommends:

- Avoid squatting and bending as much as possible.
- Instead of bending over to work on your garden, kneel on a soft cushion.
- Take a break to stretch your back every 15 to 30 minutes. Stand up slowly, take several deep breaths and place your hands on your low back while slowly arching backward.
- Use a wheelbarrow for hauling heavy objects. Always load materials toward the front of the wheelbarrow, using your legs to lift.
- When lifting, position yourself close to the object. Separate your feet shoulder width apart. Make sure that you bend at the knees and tighten your stomach muscles. Lift with your legs as you stand up.
- Avoid raking, lifting or digging for long, uninterrupted periods. It's important to take frequent rests and alternate between using your right and left side.
- When mowing, always push with your legs and maintain a good, upright posture.
- Choose gardening tools with padded handles to protect joints in your hands and fingers from excess pressure.
- Remember to drink plenty of water to prevent dehydration and wear sun screen.

If you experience pain of any kind, stop immediately, and seek assistance. If you suffer from persistent pain, speak with your doctor, and ask if physical therapy would be appropriate for you.

EAP Corner

Recommit to Your Commitments

Pat Cavanah, Consultant

Best Care EAP

The month of May is well known for several observances including Cinco De Mayo, Mother's Day, and Memorial Day. But, did you know that May is National Recommitment Month?

Hmmm, what does it say about our commitment to commitments if we have a whole month devoted to recommitment? Obviously, none of us are perfect, and as a result, we sometimes have difficulty keeping the commitments we make.

Think about the meaning of the word *commitment* which is by definition: an agreement or pledge to do something in the future. This month, take some time to revisit the following important areas in your life where commitments are critical.

Health

Many of us make a resolution every New Year's Day to make the coming year a healthy one. Too often, however, we don't make a real commitment to our resolutions. We may start out eating right and begin an

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exercising routine, but too soon our dedication diminishes.

Healthy eating can be challenging during the winter months, but this time of year, consuming fresh, whole foods becomes easier for us Midwesterners. Start a vegetable garden on your own or with a friend, or take advantage of the variety of fresh fruits, vegetables and herbs you can find at a local farmer's market throughout the spring and summer seasons.

Stop thinking about exercising and start exercising! Don't make exercise more complicated than it has to be; start out small, you don't have to run a marathon. After work, take a 20-30 minute walk or ride your bike through the neighborhood. In addition to the exercise, taking the time after work gives you some well deserved "you" time that can help you unwind and alleviate your work day stress.

Career

Business is a network of relationships built on integrity earned via trust and respect. Our employer, co-workers, and clients judge our integrity, in part, by our ability to honor the commitments we make to them. Obviously, the importance of keeping commitments is a matter of common sense, but common sense doesn't necessarily result in common practice.

Too often we give ourselves a pass and justify not keeping a commitment based on its importance. Unfortunately, it is not our place to decide the importance of our commitment; that right and judgment belongs to whom the commitment was made.

Think before making commitments to your co-workers. Is the commitment you are about to make one that is reasonable for you to fulfill? If there is any concern that the commitment might be unreasonable for you to keep, be forthright and tell them rather than over promise and under deliver. It is far better to make fewer commitments and keep them. Taking on more than you can handle or sacrificing quality will not endear you to your employer, co-workers, or clients.

Although your word *should* be your bond, our actions clearly speak louder than words. Once your workplace commitment is made, take responsibility for your actions, be accountable, and follow through on your promises to others.

Family and Friends

Keeping commitments to jobs, co-workers, or clients is, for some, not as difficult as keeping those to family and friends because we think those closest to us should be more understanding and flexible. But, if keeping commitments demonstrates respect, don't we owe those that mean the most to us the same, if not a higher, level of respect?

The same rules apply to friends and family when it comes to commitment. Don't take advantage of relationships; be the person that can always be counted on and trusted to do what was agreed upon.

As a parent, you are setting an example for your children. Help prepare them for a successful future by being the role model of accountability and teaching them to be responsible. Whether your commitments are implicit or explicit, your children are depending on you to keep them. Don't let them down.

Remember where your friends and family rank on your list of priorities and honor the commitments you make to them.

If you struggle with making or keeping commitments, consider contacting your Employee Assistance Provider for their advice and assistance. EAP counselors have the knowledge, education and experience to assist you with any personal or professional issues. Contact them today for a confidential consultation.



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