



Lincoln
Human
Resource
Management
Association



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June, 2012



You Better Recognize!

A Presentation on Current Trends in Employee Recognition Programs by ITA Group

Speaker Jaimee Chism

When:

Tuesday, June 12th, 2012

11:00 – 11:30 Registration

11:30 – 12:00 Lunch & Announcements

12:00 – 1:00 Keynote Session

1:15–3:30 Workshop—The Power of Recognition**

**HRCI Recertification Hours Applied For

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

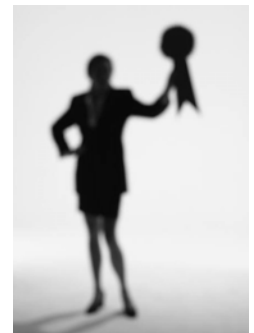
Menu: Chicken Mediterranean with Grilled Veggies, Rosemary Potatoes, Tossed Garden Salad, Fresh Ciabatta Rolls, Classic Cherry Cheesecake and Sodas.

Deadline: Register or cancel your registration by: **Noon, Friday, June 8th.**

Please remember: There is a \$10 fee for late registrations and for no-shows. This \$10 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:

Speakers from the ITA Group, who specialize in loyalty and employee engagement, will lead a presentation that takes a look at what organizations are doing in regards to Recognition Programs. They will review the World at Work research and also add their own experiences and what they are seeing in the market place. This will be an opportunity for participants to learn, but also ask questions of professionals who design and implement Recognition programs on a day-to-day basis.



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At the Luncheon....

You Better Recognize!

A Presentation on Current Trends in Employee Recognition Programs by ITA Group

- ♦ What are companies utilizing in their Employee Recognition Programs, and what should you think about implementing?
- ♦ Learn how to design and implement an effective recognition program.

At the Workshop...

The Power of Recognition

- ♦ Understand and appreciate the power of recognition.
- ♦ Discuss aspects to be aware of when implementing or revising employee recognition programs.

About our Presenters:

ITA Group taps the immense power of that basic truth to engage employees, motivate sales and channel partners, and ignite customer devotion. Loyalty is born in the tiniest of moments, in the grandest of gestures and everywhere in between. We combine incentive programs, rewards and recognition platforms, inspiring group travel opportunities and seamless event management to engage employees, motivate sales and channel partners, and ignite customer devotion.



Upcoming Meetings

July 10, 2012 – “Disabilities in the Workforce” with Christine Walters at Hillcrest Country Club.

LHRMA Representation at the Lincoln Veteran’s Workshop

A career workshop for current and former military service members and their spouses was held on April 17 at the National Guard Armory in Lincoln. This event occurred a week prior to the “Hiring our Heroes” job fair to provide information and resources to maximize the benefit of the job fair. Participants took advantage the opportunity to have their resumes reviewed and their questions answered.

The LHRMA Diversity Committee coordinated a panel session regarding “working the room, meeting employers and first impressions”. The HR professional panel included Angela Caldwell, Jean Niemann, Leon Holloway and Barb Benes.

Veterans were provided an overview of how to plan ahead and utilize employer information to take advantage of job opportunities available. Helpful tips were provided on resume writing and interview skills. Job seekers also had the opportunity to discuss one-on-one various issues or scenarios.

This first time workshop prior to the “Hiring our Heroes” job fair was a great success. LHRMA’s participation was greatly appreciated.



Angela Caldwell, Barb Benes, Jean Niemann, Leon Holloway

President's Message

Judy Ganoung, LHRMA President



I hope you have enjoyed the programs that have been presented by the LHRMA Program Committee so far this year. In particular, I enjoyed Joe Gerstandt's perspective on cognitive diversity last month. Joe presented at last year's SHRM Leadership Conference in DC, I was lucky to sit in on that presentation also. His presentations are always interesting and humorous.

In June we have a company coming in to talk to us about Recognition Programs. This presentation will take a look at what organizations are doing in this area. My understanding of the presentation is that it will be an opportunity for participants to learn, but also ask questions. Sounds like an opportunity to do some real sharing of experiences by both the presenters as well as the people in the audience.

I wanted to let you all know about the exciting event we have planned for the LHRMA Workforce Readiness month to be held in July! We are pleased to announce that Christine Walters, M.A.S, JD, SPHR will be speaking at our luncheon meeting as well as the afternoon workshop. She has received national and regional awards, presented at conferences across the country, and has been engaged as an expert witness for the defense. Her book, *From Hello to Goodbye: Proactive Tips for Maintaining Positive Employee Relations* was published in March, 2011. The book is SHRM's number four best seller.

Ms. Walters has nearly 25 years combined experience in management, HR administration, employment law practice, and teaching. She works as an independent consultant providing proactive human resources and employment law consulting services and training programs.

She demonstrates her commitment to supporting and advancing the needs and interests of the business community and human resources profession by serving in a number of volunteer leadership roles. You notice the SPHR certification behind her name

Recently, I watched Ms. Walters appear before a US Senate Committee. She was there to share ideas and best practices from the private sector on helping people with disabilities remain on the job or return to the workforce. I will have the opportunity to hear her again at the SHRM 2012 Annual Conference in June. The conference is in Atlanta. I will be sure to give you an update after the conference.

LHRMA will be inviting organizations within our community to participate in this event, and I believe there will be a book give away but I don't have all of the details yet.

I know summer is a busy time for everyone with vacations and family activities, but I hope to see you throughout the summer! Again, if you have ideas for a program, please pass them on to Dave Hunt or any member of the Program Committee!

— Judy Ganoung



Find us on Facebook.
Become a fan and join
the conversation.

Legal Update

EEOC Releases New Guidance on Criminal Background Checks

By Keith Prettyman, Woods & Aitken, LLP

On April 25, 2012, the Equal Opportunity Employment Commission (“EEOC” or “Commission”) published its Enforcement Guidance on Consideration of Arrest and Conviction Records in Employment Decisions

Under Title VII of the Civil Rights Act of 1964 (“Guidance”). The Guidance consolidates and supersedes the Commission’s 1987 and 1990 policy statements on this issue and is intended to limit employers’ options to use criminal history information in the employment process. A 2010 survey from the Society for Human Resource Management indicates that 73 percent of employers conduct criminal background checks on all candidates and another 19 percent do so for selected positions.

While employers conduct criminal background checks for valid reasons – to keep customers and other employees safe, to weed out dishonest or violent workers and to prevent negligent hiring claims – the EEOC believes that the use of criminal history information has the potential to violate Title VII in two ways. The first concern is that some employers may require criminal history information only from certain applicants based on their protected class status or treat applicants with the same criminal records differently based on protected class status (disparate treatment). The second concern is that even if an employer applies its criminal record exclusion uniformly, the exclusion may operate to disproportionately exclude applicants of a particular race or national origin (disparate impact). In such cases, the Commission indicates that the employer must show the exclusion is “job related and consistent with business necessity” to avoid the exclusion being found unlawful under Title VII.

A substantial portion of the Guidance addresses the standard for defending a criminal record screening policy as job related and consistent with business necessity. The Guidance distinguishes between arrest records and conviction records on the basis that arrest records have limited value as they do not establish that the underlying criminal conduct actually occurred. Conviction records on the other hand, “will usually serve as sufficient evidence that a person engaged in a particular conduct, given the procedural safeguards associated with trials and guilty pleas.” Care, however, must be taken to assure there is not an error in the record or that the record was changed.

Even when using verified conviction records, the EEOC states that “an employer needs to show that the [criminal conviction screening] policy operates to effectively link specific criminal conduct and its dangers with the risk inherent in the duties of a particular position.” To that end, the EEOC recommends that employers conduct “individual assessments” before disqualifying an applicant based on his or her criminal background. The Guidance sets forth a number of factors that employers should review when making an individualized assessment, including: (1) the facts or circumstances surrounding the offense or conduct; (2) the number of offenses for which the individual was convicted; (3) age at the time of conviction or release from prison; (4) evidence that the individual performed the same type of work, post-conviction, with the same or a different employer, with no known incidents of criminal conduct; (5) the length and consistency of employment history before and after the offense or conduct; (6) rehabilitation efforts, e.g., education and training; (7) employment or character references and any other information regarding fitness for the particular position; and (8) whether the individual is bonded under a federal, state, or local bonding program.

Based on the Guidance and the “best practices” identified by the EEOC described below, it is recommended that employers:

- ♦ Review their criminal background screening practices and policies and eliminate policies or practices that exclude people from employment based on any criminal record;
- ♦ Adjust their current screening policies as necessary if current policies are not justified as job related

(Continued on page 5)

(Continued from page 4)

- and consistent with business necessity;
- ♦ Provide training to supervisors and job interviewers on the Guidance; and
- ♦ Consider developing and implementing a program of individual assessments to be used before excluding any applicant from employment due to his or her criminal background.

Answers to Your (Likely) Questions

1. **Is the Guidance the “law”?** No. Courts are not bound by the Guidance nor are they required to defer to it. However, the EEOC will rely on the Guidance in its administrative actions.
2. **Can employers still ask about criminal records in the hiring process?** Yes. The Guidance recommends that employers not ask about convictions on job applications, but the practice is not prohibited.
3. **Are employers prohibited from considering criminal records?** No.
4. **Are employers required to use an “individual assessment” prior to excluding an applicant?** No. However, it is clear that failing to conduct an individual assessment will impact the EEOC in its administrative decision –in determining if the employer’s overall actions have resulted in disparate impact discrimination.
5. **Did the Commission suggest “best practices” in this area?** Yes. Section VIII of the Guidance provides the following examples:

General

- ♦ Eliminate policies or practices that exclude people from employment based on any criminal record.
- ♦ Train managers, hiring officials, and decision makers about Title VII and its prohibition on employment discrimination.

Developing a Policy

- ♦ Identify essential job requirements and the actual circumstances under which the jobs are performed.
- ♦ Determine the specific offences that may demonstrate unfitness for performing such jobs.
- ♦ Determine the duration of exclusions for criminal conduct based on all available evidence.
- ♦ Include an individualized assessment.
- ♦ Record the justification for the policy and procedures.
- ♦ Note and keep a record of consultations and research considered in crafting the policy and procedures.
- ♦ Train managers, hiring officials, and decision makers on how to implement the policy and procedures consistent with Title VII.

Questions about Criminal Records

- ♦ When asking questions about criminal records, limit inquiries to records for which exclusion would be job related for the position in questions and consistent with business necessity.

Confidentiality

- ♦ Keep information about applicants’ and employees’ criminal records confidential. Only use it for the purpose for which it was intended.

May Basket Raffle

The LHRMA annual basket raffle took place on May 8. The raffle was very successful generating over \$600.00 for the SHRM Foundation. This year we offered PayPal advance ticket sales with 10 people taking advantage of the convenience. PayPal will be offered again for future fund raisers.

We had some very nice and creative items donated this year; some from new donors and others from donors that have supported the SHRM Foundation for several years.

Please consider these donors for your personal and business needs.

Before I conclude with a list of the winners, I would like to thank everyone that purchased tickets. Some of you may not have won a basket, but your monetary donation to support the SHRM Foundation and Human Resource profession makes you a winner in the most important sense.

Respectfully ~ Denice Sears, LHRMA, SHRM Foundation Officer

1. **Artisan Salon and Esthetics**, Denton, NE – For Me?
Jenny Seamans
2. **Continuum EAP** – For Mom!
Angela Caldwell
3. **Nebraska Book Company and Neebo** – Go Big Red!
Sheri Neeman
4. **Southeast Community College** – Finals Cram!
Dave Hunt
5. **Madonna Rehabilitation Hospital** – April Showers Bring Madonna flowers!
Laura Williams
6. **Midlands Financial** – Helping you find balance at work and home!
Georgette Kingkade
7. **Novartis** – Family Game Night!
Laurie Oxley
8. **Wild Bird Habitat**, in the Alamo – Bird Watching!
Kelly white
9. **Nebraska Advocacy Services, Inc.** – Sing Your Own Song!
Marcia Sheinost
10. **Advance Services** – Family movie Night!
Melissa price
11. **Crete Carrier Shaffer Trucking** – A Day at the Lake!
Michele Spadt
12. **Cornhusker Bank** – Cinco De Mayo!
Angie Reid
13. **Mr. Goodcents Subs and Pastas**, 14th and Old Cheney – Backyard Picnic!
Jenny Seamans
14. **Mr. Goodcents Subs and Pastas**, 14th and Old Cheney – It's My Party!
Elly Hardekopf
15. **Lincoln Surgical Hospital** – Summer Fun!
Kenda Fink



Drawing Winner

Who Says There's No Such Thing as a Free Lunch? Congratulations to **Susan Merwick** with Continuum Employee Assistance. will receive free registration for the June program.



JUNETEENTH

June 16, 2012

Coming back to TRAGO Park!!!

Join us for our annual Juneteenth celebration. Enjoy Free Food, Musical Entertainment, Kid's Corner, and Health and Human Service Fair right outside the Malone Center at Trago Park!

Go to www.malonecenter.org for more information.

EAP Corner

We're Moving Our Offices—You're Kidding, Right?

Julie Gibson, Partner Owner, Counselor

Directions EAP, LLC

Whether expected or a shocking surprise, moving an office is usually an ordeal. It upsets everyone's routine. Finding a new space can push everyone out of their comfort zone. Trying to visualize our needs for offices, conference areas, copiers and storage...with an all new floor plan taxes one's imagination. Regardless if you have a month or 3 or 12 months to prepare, it seems to always come with some crazy-making time. If I had written this article two months ago I might have titled it – "Is there Life after a Move?" But this month I can surely report, with some authority, that yes, there is!

I used to think I was a real detail person. But next to our great Office Manager, I was the generalist to be sure. She thought of details I'd never even worried about. We first had to address our initial resistance to see the possibilities this great effort might bring. We had to get past the inconvenience of it all, the insecurities that pop up when you consider new leases and, the disruption of business as we know it. Like some people in this position we could foresee countless reasons why this wasn't the ideal time- why not in the summer, when more help might be available, or fall, when it's cooler, or next winter when...?

Do transitions ever happen as planned? Can you anticipate every possible glitch and have a Plan B to overcome it? It occurs to me this is the microcosm of life's challenges. The skill set needed for surviving an office move isn't unlike skills needed for any challenge.

Our ability to re-think circumstances means to entertain a different perspective, to see with new eyes. It means coming to terms with realities of a situation, the pros and cons of certain decisions and choices. We seek to understand the parameters of the changes, whether by our choice or a demand from another. Think of all the transitions that keep coming with changes in the economy – need for relocating, downsizing, doing more with less. Even changes in weather patterns and infrastructure can cause unexpected changes. Change happens! But it's not a four letter word as some choose to believe.

Finding a path to resiliency, i.e. survival, means quickly assessing strengths, options, resources and alternate pathways to the same objectives. Keeping a strong vision of what we're trying to accomplish and problem solving until we find solutions that fit our needs. The pathway of surviving and embracing change may mean re-tooling equipment or redesigning our skill sets, or cross training for new roles.

Resiliency is all about coping with change – the mind set to survive and thrive, the willingness to "see" differently, and the timing to allow acceptance for that which we cannot change, courage to change what we can and wisdom to know the difference.

Sure resiliency is a challenge, but failure to change can't be an option. It is no longer survival of the fittest. It is survival of those who have learned resiliency. Spaces for offices can be reconfigured. IT and phone services have solutions for every setting (that's what they said). We can lean into and accept the challenge of changes to move us into opportunities we couldn't even see coming. Is there life after a move? Definitely! Because we decided there would be!

If you are dealing with change, or lots of changes and you begin to doubt the above statements – call your EAP and let us help you find your pathway to resiliency.

2012 LHRMA Salary and Benefits Compensation Survey

It is that time of year when LHRMA conducts its annual Compensation and Benefits Survey. LHRMA will again be using the services of Clarion Group, Inc. to collect and summarize the data, and produce a summary report of the results.

Survey Invitations will be sent out to each LHRMA member on Monday, June 4. Please note that even though every member will receive the invitation, only one response from an organization with a LHRMA member will be accepted.

The survey will be open through Friday, June 29, which allows survey participants four weeks to complete the survey.

This year's survey will be similar to past surveys with some additions to the benefits section including questions regarding including % in addition to \$ co-pay for insurance; an expanded section on differentials; questions regarding long term care insurance, short term disability insurance, and long term disability insurance; and questions regarding tobacco-free workplace and incentives to be tobacco free.

The final summary report is available to participants for only \$50. (The final summary report is made available only to the contact person provided on the survey.) This is an excellent value for any organization. Members not participating in the survey can also purchase the survey for \$300.

Last year we had 56 companies that participated in the survey. The companies represented many industries, both profit and not-for-profit, from the Lincoln/Lancaster area. This year we would like to have 75 participants. Help us reach this goal by completing the 2012 LHRMA Compensation and Benefits survey. If you have not participated before, we encourage you to be a part of this year's survey.

If you have any questions about the survey, please contact Kelly Riley (Kelly@clarion-group.net; 402.540.7130) or Lou Ann Manske, LHRMA Survey Chair (lmanske@madonna.org; 402.483.9588).

WELCOME NEW MEMBERS

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Michelle Willet
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We're on the web!
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