



Lincoln
Human
Resource
Management
Association



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Volume 5, Issue 7

July, 2014

Program: From Gratitude to Greatness: Three Life-Changing Leadership Skills
Workshop: Communication at Work: How to Say What You Mean with Clarity, Compassion and Confidence
Presented by: Mary Kay Mueller, International Trainer and Author

WHEN:

Tuesday, July 8th, 2014
11:00 – 11:30 Registration
11:30 – 12:00 Lunch & Announcements
12:00 – 1:00 Keynote Session
1:15 – 3:15 Workshop

WHERE:

Country Inn & Suites, 5353 N 27th Street, Lincoln, NE
Parking is free.

COST: Program Registration:

LHRMA members—\$15
Guests / All Other Attendees—\$25
College Student Chapter Members—FREE (You must register with Jenessa Keiser, College Relations Chair)

Workshop Registration:

All Attendees—\$35

MENU: Creamy Chicken Bruschetta Pasta, Chicken Vegetable Rice, Green Bean Almandine, Mixed Green Salad, Rolls, Decadent Devil Cake, Coffee, Tea/Soda.

DEADLINE: Register/cancel your registration by **12:00 noon, Thursday, July 3rd**.

REMINDER: 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:

From Gratitude to Greatness: Three Life-Changing Leadership Skills

Growing up, gratitude was something many of us were taught we should feel, but often took for granted. Now research proves that feelings of gratitude are the key to living a happy, healthy and successful life. In this powerful presentation, you'll hear how Harvard studies have validated what award-winning author and trainer MK Mueller has been teaching for decades.

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You'll learn:

- ◆ how a one-minute ritual of sharing gratitude enhances our health, wealth, and happiness
- ◆ how feeling good is a choice, rather than a response
- ◆ how to open and close meetings on a positive note
- ◆ how to handle challenges gracefully and gratefully
- ◆ how the “luckiest” among us have learned the world’s most powerful positive attitude formula—FGH: Forgiveness of the past, Gratitude for the present, and Hope for the future.

About our Workshop:

Communication at Work: How to Say What You Mean with Clarity, Compassion and Confidence

The rules of effective communication aren't hard to understand, they're just hard to remember! Don't miss this engaging session to hear award-winning author MK Mueller share her simple processes and powerful solutions for the most common communication issues at work:

- ◆ How to ask for what you want and get it
- ◆ How to stop 3rd party communication and gossip for good
- ◆ How to decrease rage and depression in yourself and others
- ◆ How to say “No” and set limits effectively
- ◆ How to deal with whiners and complainers
- ◆ How to handle confrontation without getting defensive
- ◆ How to open and close every meeting so people feel open and close!

About our Speaker:

MK Mueller / 8 to Great: The Powerful Process for Positive Change

Why is MK Mueller being referred to, by readers of her latest book, as the next Stephen Covey? Because this single mom took her lessons from a life challenging experience and turned them into an 8-step process that is helping tens of thousands of adults each year, and more recently, high school students, to find greater happiness and success.

8 to Great has become her passion and she now takes it to the boardrooms of Fortune 500 companies, homeless shelters, universities prisons and the stage of international conferences. Dr Phil mentioned 8 to Great on his show in January. Mike Dooley, from The Secret, believes her new book, explaining the process could change the world.

Like every motivational speaker MK had a rock bottom experience: she spent a month in a domestic violence shelter, leading to life-changing insights which she immediately began sharing with others by starting a support group with five neighbors. In no time, hundreds were gathering to hear her message each week.

In 1997 Mueller published her first book, **Taking Care of Me: The Habits of Happiness**, which has sold over 80,000 copies and has been translated in Spanish and French. It includes the story of her recovery from domestic violence along with hundreds of success stories from her coaching clients.

In 2003, MK launched her **8 to Great Curriculum** for middle and high schools. It is now taught in 12 states by over 600 certified trainers and growing rapidly through word of mouth and a national sales team.

Most recently, she finished the book that the curriculum is based on – **8 to Great: The Powerful Process for Positive Change**. The principles include startlingly fresh and simple definitions for risk, dreams, and a positive attitude definition that is sure to be in Webster's dictionary in the next decade.



President's Message

Melissa Price, LHRMA President



What do we do to ensure that our top performers are retained? How do we make sure that our best talent doesn't leave our companies to go somewhere else? With the economy changing and the job market improving, it is more important than ever that we have answers to these questions. *HR Magazine* recently ran an article titled "Keep Your Top Talent: The Return of Retention", where they described that all we need to do to know if our top performers are at risk of leaving is ask them. Wow, could it really be that simple and so many managers are missing it?

The article continues to discuss three things that HR teams can drive for their companies – re-recruit, re-energize, and re-engage. I thought that the concept of re-recruiting them was fantastic and wanted to share. Here are a few of the principles that can be involved with re-recruiting:

- ♦ **Understand the Need** Ruts in jobs can occur every 18 months. If we don't re-recruit our top performers than there is a good chance that they leave or are disengaged within 18 months. Yikes!
- ♦ **Stay Questions** Asking your top people the right questions can help us understand how to keep them. Some suggested questions in the article are – Are you doing "the best work of your life"? If not, what would enable you to do so? Do you feel your work makes a difference in the company, to customers, in the world? Do you feel fully utilized in your current role? How else can we take advantage of your talents and interests? What frustrates you in your current job? What restricts productivity and innovation? And many more...
- ♦ **What Can You Offer** What are some additional benefits that can be offered to these top performers? Maybe more workplace flexibility, picking projects that they focus on, additional training in areas that interest them, leadership development, etc.
- ♦ **Develop a Plan** Consider each re-recruiting effort with an individual separately. Develop a plan for each top person that will help you focus your efforts and determine who should own certain pieces.

As HR Professionals continue to work with their managers to keep the top talent, our LHRMA Board will be continuing to work to ensure we offer the best benefits to retain our membership (and gain new members). In the near future, you may be asked about your membership to LHRMA; please be open and honest so we can use information we collect to continue to progress our organization.

Fox, A. (2014, April). Keep Your Top Talent: The Return of Retention. *HR Magazine*, 31-40.

—Melissa Price

Upcoming Programs and Workshops:



- July 15—Workforce Strategy ~ Gaining and Maintaining the Attention of Those That Matter, with Neil McCormick @ Kaplan University ****FREE & Pre-Approved for 2 HRCI credit hours!!**
- Aug. 12—Affordable Care Act with Randy Limbeck @ Wilderness Ridge Workshop—Affordable Care Act
- Sept. 11 & 12—2014 SHRM NE State Conference
- Oct. 14—Social Media Panel @ The Isles
- Nov. 11—Aligning Values & Beliefs with that of our Organization with Paula Pace @ Lincoln Firefighter's Hall *** Program has been pre-approved for HRCI credit
- Dec. 9—December Social @ Grata

Legal Update

I Believe Your Complaint, But...

by Jack Shultz and William A. Harding

HARDING & SHULTZ, P.C., L.L.O.

On May 23, 2014, the United States Court of Appeals for the First Circuit issued a ruling in a Title VII discrimination case. The decision involves sexual harassment allegations, but the more important issue is that the decision is a "game changer" with respect to employer liability. The important change concerns harassment by co-workers rather than supervisors.

THE SITUATION

The male employee in question was initially hired as an Operations Manager and later promoted to Regional General Manager. He reported directly to another male supervisor and indirectly to another male supervisor. The employee also interacted with a female HR representative. The male employee reported that during the first 10 months he worked with the female HR representative, the two enjoyed a good working relationship and would sometimes flirt with each other. However, whenever the HR representative expressed a romantic interest in him, he gently rebuffed her.

THE THREAT

At a later date, the male employee and the HR representative were traveling together on business. The male employee threatened to call hotel security after the HR representative tried to force her way into his hotel room and later stood outside the door to his room. This confrontation led to a series of angry e-mails between the two with the HR representative telling the male employee that if anybody knows of his "professional weaknesses" it would be her and that "I will manage to undercut you at work and get you fired."

THE COMPLAINT

The male employee complained to his immediate supervisor but told him he should just send the HR representative a conciliatory e-mail because otherwise she would get him terminated. The supervisor allegedly joked that the male employee should just have sex with the HR representative as a way to solve the problem. The male employee later complained to both of his male supervisors but never filed a written complaint because the company did not have a formal complaint procedure dealing with sexual harassment or any other type of harassment.

THE TERMINATION

In addition to her e-mails, the HR representative began discussing the male employee's job performance with his two supervisors. One supervisor stated that the male employee needed to be disciplined and the other supervisor stated that the male employee should receive a formal warning and be placed on a performance improvement plan. However, the HR representative responded that she was "obligated to refer this" matter to senior company officials at the company headquarters in another state. Before doing so, the HR representative made another sexual advance toward the male employee. The advance was again at a hotel while on a business trip. After the HR representative told the male employee that she wanted to have a romantic relationship with him, he replied that he wasn't interested and that she should stop pursuing him. That night, the HR representative sent an e-mail to senior officials at the company headquarters. Four days later, his supervisor told the male employee that he was fired.

THE DECISION

The federal district court granted summary judgment to the employer on the grounds that the

(Continued on page 5)

harassment had come from a co-worker who did not have the authority to reprimand or terminate the male employee. In partially reversing that decision, the circuit court concluded that the male employee should be allowed to proceed to trial with his discriminatory discharge claim based on his rejection of the HR representative's sexual advances. The circuit court noted that the HR representative was not the supervisor of the male employee but stated that "the distinction between supervisors and co-workers" did not matter in the context of quid pro quo harassment. The court specifically noted that whether a co-worker is harassing another employee instead of a supervisor does not matter because "the same elements are present: an act of discrimination is allowed to cause harm by an employer that knows or reasonably should know of the discrimination."

CONCLUSION

In this case, the recommendation for termination and the "investigation" into the alleged job performance deficiencies of the male employee were based at least in part on the biased actions of the HR representative. On the TV series "Dragnet," Sergeant Joe Friday frequently reminded everyone of the need to get "the facts." The same thing may be said of decisions to reprimand or terminate employees. Allegations of employee misconduct or lack of performance should be carefully investigated in order to obtain "the facts." Senior management is now on notice that it should not take every reported "investigation" at face value. If the investigation is "tainted" by bias, the employer may face liability even if the bias comes from a co-worker who does not have the authority to directly terminate the employee in question. This decision underscores how important it is for employers to have an unbiased performance appraisal system as well as an unbiased investigation procedure for allegations of employee misconduct or under performance. Failure to have such safeguards could lead to a trip to federal court.

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 William A. Harding, 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 and wharding@hslegalfirm.com.
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SPECIAL WORKSHOP: LHRMA members (current members only) are invited to attend a special free learning session on Tuesday, July 15th held at Kaplan University from 2:00 - 4:00 p.m.

The session **Workforce Strategy – Gaining and Maintaining the Attention of Those That Matter**, will be presented by Neil McCormick. Mr. McCormick is visiting Lincoln from Australia and brings with him a broad history of international management experience, having held board and senior leadership positions in both domestic and international markets. He has worked in HR and consulting services for the past 17 years building a repertoire covering the spectrum of HR management.

There's five key topics in the presentation:

1. HR consulting - Observations across all types of industries, regions and sectors
2. Gaining the attention of those that matter
3. Proving the value of HR interventions in terms of organizational outcomes
4. Return on investment model
5. Open discussion questions and answers

Register for this session by emailing: lhurma0048@yahoo.com

This workshop is **FREE**, and is only open to current LHRMA members, but you **MUST** register.

****Not only is it free, but it has been pre-approved for 2 HRCI credit hours!!**

Seating is limited, so email today to reserve your spot!



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Certification Update

As you may know, SHRM recently announced their new competency-based certification. There will be two levels, SHRM Certified Professional (SHRM-CP) and SHRM Senior Certified Professional (SHRM-SCP).

What does this mean for those who are currently certified with a PHR or SPHR or were planning to be certified under HRCI? If you are currently certified and **are in good standing with your current certification** - or if you become certified by January 31, 2015 - you will be eligible for the new SHRM certification **at no additional cost** by completing the following by December 31, 2015:

- ◆ **Document** that your current certification is in good standing
- ◆ **Sign** the SHRM Code of Ethics
- ◆ **Complete** a brief online tutorial on HR competencies

Once you go through this process you will be able to use the new SHRM designation and begin a new three-year certification cycle under the SHRM certification program. This means you would hold both the SHRM and HRCI certification and could then decide if you want to continue to recertify both. To find out more information you can visit shrmcertification.org.

LHRMA will be offering the Fall PHR\SPHR Study Group which begins August 25th and will still be using the SHRM Learning System as the basis for the study group. For more information about the Fall Study Group please visit our website [Certification Information](#).

Please feel free to contact me with any questions.

Amy Spellman, Certification Director, certification@lincolnhhr.org, or 402-471-5027



Drawing Winner

Who Says There's No Such Thing
as a Free Lunch?

Congratulations to
Barb Boggs with
The City of Lincoln.

Barb will receive free registration
for the July program.

EAP Corner

Happy Workers are More Productive
Best Practices in Employee Productivity, Part 3
Deer Oaks EAP Services



According to USA Today, there is fairly solid evidence that organizations that treat their employees well see better financial results. For example, Google who is acclaimed as a great place to work has seen its stock rise about 700% since 2004. And of course, happy employees are less likely to leave an organization. Lower turnover means that good employees stay and are more productive. Happy, satisfied employees also lessen organizational risk. Organizations with a happy workforce are less likely to experience negative workplace events such as strikes or employee lawsuits.

Supervisors who communicate well with the team is a key

Research shows that 80% of the reason employees are happy or satisfied in their jobs has to do with the relationship they have with their supervisor. Along those lines, supervisors that create a positive interpersonal environment for their workers are likely to have a happy and productive team. Spending sufficient time communicating with individual employees is an important part of the process. Effective supervisor-employee communication should include soliciting input from employees about team goals and projects. People feel empowered when they are given opportunities to have input. In addition, supervisors should also proactively provide feedback and recognition to employees about their performance. Employees who know how well they are doing will feel more secure and important to the organization.

Deer Oaks is a leading national provider of EAP and Work/Life services that enhance employee health, morale and productivity. For more information, contact Greg Brannan at 301-829-0364 or gbrannan@deeroaks.com.

Wellness

Health and Wellness

Jackie Varicak, WorkWell Coordinator
WorkWell

The Nebraska Department of Health and Human Services (DHHS) launched the new Nebraska Worksite Wellness Toolkit for businesses to support the development and growth of workplace wellness programs. The Toolkit was developed by various subject matter experts in the field of wellness and health promotion in partnership with DHHS including the Lincoln Lancaster County Health Department, the state's three wellness council's; the Panhandle Worksite Wellness Council, WorkWell, and the Wellness Council of the Midlands (WELCOM), and local businesses and wellness champions. The Toolkit is free, follows the worksite wellness evidenced based model of wellness and takes a step-by-step approach to help employers start or expand wellness programs for their employees.

Promoting wellness in the workplace makes sense for many reasons. Americans spend around 36 percent of their total waking hours at work. Since employees are an organization's greatest asset, and much of the financial burden lands on the employers, it makes good business sense to strive to develop a worksite environment that supports a culture of wellness that will in turn help employees to stay or become healthy. Recognizing this, it was determined this Toolkit should be organized to include the following sections which are the steps to build a successful wellness program: Build the foundation, Assess the needs and interests, Plan the objectives based on data, Implement policies and activities and Evaluate for effectiveness to identify opportunities, barriers and options for changes.

The Nebraska Worksite Wellness Toolkit is an easy-to-use guide and is available both in a document and online. The website contains additional resources beyond the Toolkit document and connects businesses with up-to-date information to support their programs.

Here are some ideas of how businesses can use the Nebraska Worksite Wellness Toolkit:

- ◆ Print the entire document or each chapter and share it with wellness committee members.
- ◆ Save the website as a "favorites tab" for easy access and to check regularly for additional resources.
- ◆ Develop an action plan to create or enhance your organization's worksite wellness efforts.
- ◆ Review the case studies, quotes, active links and special considerations in each chapter to gain more information.
- ◆ Seek additional assistance from the Wellness Council experts from WorkWell, WELCOM, and the Panhandle Worksite Wellness Council.
- ◆ Document activities by using the checklists made available at the end of each chapter or on the website.
- ◆ Share successes with other businesses who may be beginning their wellness programming.

Research shows employers are interested in worksite wellness. Approximately 55 percent of employers already use worksite wellness programs to improve employee health, according to a recent national survey conducted by the Society for Human Resource Management. Of those, 85 percent were interested in expanding or improving their worksite wellness programs over the next three years. The Toolkit will be a great resource for businesses wanting to get started or expand their program due to its innovative design that includes how-to guides, case studies, wellness policies and surveys....all useful tools in developing a successful worksite wellness program.

To access the Toolkit through WorkWell, your local wellness council, go to www.nesafetycouncil.org and find the WorkWell tab, then go to the learning center where you will be able to access the Toolkit.



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