



Lincoln Human Resource Management Association



PO Box 81066, Lincoln, NE 68501-1066
www.lincolnhrr.org



Volume 6, Issue 8 August, 2015

PROGRAM: Labor and Employment Law Update
WORKSHOP: NLRB Update and Trainings
Both Sessions Presented by: Chad Richter, Attorney with Jackson Lewis, PC

WHEN:
Tuesday, August 11th, 2015
11:00 - 11:30 Registration
11:30 - 12:00 Lunch & Announcements
12:00 - 1:00 Keynote Session
1:15 - 3:15 Workshop

WHERE:
Wilderness Ridge
1800 Wilderness Woods Place, Lincoln, NE
Parking is FREE!

COST:
Program Registration Fee: LHRMA members—\$15
All Other Attendees—\$25
College Student Chapter Members—FREE (You must register with Jenessa Keiser, College Relations Chair)

Workshop Registration Fee: All Attendees—\$35

MENU: Catered by Tastefully Yours.

DEADLINE: Register/cancel your registration by 12:00 noon, Friday, Aug. 7th.

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: Labor and Employment Law Update

Chad Richter of Jackson Lewis, PC will inform and guide us through the most recent labor and employment law issues.

About Our Workshop: NLRB Update and Training

The latest developments from the Board that impact both union and non-union employers. Chad will discuss the recent changes, practical proactive steps every employer should implement and provide a labor training (i.e. Train the Trainer) with regard to traditional labor law.

About our Speakers:

Chad Richter is a Shareholder in the Omaha, Nebraska, office of Jackson Lewis P.C.

This month's program and workshop have been pre-approved for General Credit Hours from both SHRM and HRCI.

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Mr. Richter's practice is divided into three areas: (1) preventive counseling and training; (2) traditional labor law; and (3) workplace litigation. With regard to Mr. Richter's preventive practice, he routinely provides day-to-day advice and counseling to management on a variety of employment law matters including human resource management, traditional labor relations, employment discrimination, wage and hour, privacy, disability leave management, and reductions in force. Mr. Richter routinely assists management in workplace audits, preparing contracts and workplace policies, complex employment investigations and developing and presenting training curriculums on numerous employment and labor law topics. Mr. Richter has developed a host of training models designed to educate all levels of management from front-line supervisors to the most senior executives and board members in the organization. Mr. Richter develops training that is highly interactive, engaging, and educational.

Mr. Richter also assists organizations during labor organizing campaigns, labor negotiations and routinely represents management in labor arbitration proceedings nationally. Provided litigation arises, Mr. Richter also defends management before federal and state administrative agencies and before federal and state courts throughout Nebraska, Missouri and Iowa.

Mr. Richter routinely presents both locally and nationally to business and civic organizations on a variety of employment and labor related topics. For example, recently Mr. Richter spoke at the annual Corporate Counsel Conference in Los Angeles, California in October 2013 and in Washington DC in 2012; the national convention of the Society of Human Resource Management in Las Vegas, Nevada in 2011; the American Teleservices Association national convention in Washington, DC in 2011; presented numerous times to the Association of Corporate Counsel nationally; and presented at the Nebraska Chapter of the Society of Human Resource Management annual convention in Omaha, Nebraska in September, 2013.



President's Message

Joel Scherling, LHRMA President-Elect

Google's Rules for Managers

Study after study reveals that managers play a critical role in our employee's lives and whether they stay or go. You've probably heard the old saying, "People quit their bosses, not their jobs."

Even successful companies such as Google have this problem. They used to do what most companies *still* do: promote the best technical experts to management positions and let them manage without much assistance. After Google's "People Operations" department noticed unacceptable levels of employee attrition, they embarked upon an effort to bolster its managerial ranks with the ultimate goal of lowering employee attrition. Google used its extensive resources to analyze over 10,000 observations of managers across more than 100 variables, performance reviews, employee surveys and nominations for supervisor awards. They also interviewed managers themselves.

Google's research, which was dubbed "Project Oxygen," identified eight key behaviors that highly effective managers carried out.

1. **Be a good coach**

- ⇒ Provide specific, constructive feedback, balancing the negative and the positive.
- ⇒ Have regular one-on-ones, presenting solutions to problems tailored to your employees' specific strengths.

2. Empower your team and don't micromanage

⇒ Balance giving freedom to your employees, while still being available for advice. Make stretch assignments to help the team tackle big problems.

3. Express interest in team members' success and personal well-being

⇒ Get to know your employees as people, with lives outside of work
 ⇒ Make new members of your team feel welcome and help ease their transition.

4. Be productive and results-oriented

⇒ Focus on what the employees want the team to achieve and how they can help achieve it.
 ⇒ Help the team to prioritize work and use seniority to remove roadblocks.

5. Be a good communicator and listen to your team.

⇒ Communication is two-way: you both listen and share information.
 ⇒ Hold all-hands meetings and be straightforward about the messages and goals of the team. Help the team connect the dots.
 ⇒ Encourage open dialogue and listen to the issues and concerns of your employees.

6. Help your employees with career development

7. Have a clear vision and strategy for the team

⇒ Even in the midst of turmoil, keep the team focused on goals and strategy.
 ⇒ Involve the team in setting and evolving the team's vision and making progress toward it.

8. Have key technical skills so you can help advise the team

⇒ Roll up your sleeves and conduct work side by side with the team, when needed.
 ⇒ Understand the specific challenges of the work.

(Source: Google)

What You Can Do

What did Google do after coming up with these findings? They used coaches to help managers develop their abilities around the eight behaviors and realized some good results. Use this list to remind your managers of the impact they have on the employees they supervise. Ask your managers to pick one priority area and focus just on that behavior for an entire month. Adopting new behaviors, whether exercising more, eating healthier, or managing better – all take some time to become ingrained in our daily routines. Give it a try!

— Joel Scherling, President-Elect

Your LHRMA chapter has earned the 2015 SHRM Learning System Champion status!! Thank you to Amy Spellman, Certification Chair, and all of our volunteer instructors for making this happen!



An advertisement for Aureus Group. The top section has a purple background with the text 'Gain MORE from your search' in white and green. Below this is a green background with the text 'We're your regional staffing resource with a national reach, bringing expertise to each search since 1969.' The Aureus Group logo is prominently displayed, along with the phone number 402.891.6900 and the website aureusgroup.com. At the bottom, a purple banner lists services: 'Temp • Direct Hire • Match Hire® • Interim'.

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Legal Update

President, US Dept. of Labor Propose Steep Increase to Salary Floor for Exempt Employees

Bob Evnen

Woods & Aitken, LLP

The Fair Labor Standards Act (FLSA) is the federal law governing the payment of minimum wage and overtime. Under the FLSA, all employees are required to be paid overtime after 40 hours of work each week unless the employee is exempted from the overtime requirement.

The most common exemptions are the “white collar” exemptions for those who hold executive, administrative or professional positions. (There are a number of other exemptions specified in the statute.) In general, in order to qualify for these exemptions from overtime under the current regulations, employees (1) must be paid on a true salary basis of at least \$455 per week (or \$23,660 per year); and (2) must perform exempt duties.

The \$455 per week floor was established in 2004. In July, the President and the U.S. Department of Labor proposed increasing the salary floor from \$455 per week to \$970 per week (or \$50,440 per year) -- more than doubling the current level. Under the proposed rule any employee who is paid less than \$970 per week would have to be paid overtime regardless of the employee’s duties.

Obviously, an increase of that magnitude would have a very substantial impact on employers. Based on a Bureau of Labor Statistics online calculator (http://www.bls.gov/data/inflation_calculator.htm), if the \$455 amount were adjusted for inflation, today it would be \$572.80. The amount proposed -- \$970 per week -- far exceeds an inflation adjustment.

If this proposal is adopted, a vast number of employees who perform exempt work will nevertheless be required to be treated as hourly employees and paid overtime. In its Notice of Proposed Rulemaking, the Department of Labor proposed no changes to the exempt duties test but hinted that, in a future rulemaking, it might decide to relax the duties test: “The Department has long recognized the salary level test as ‘the best single test’ of exempt status.” But all it did was hint -- there are no proposed changes to the existing duties test rules.

Additionally, the Department intends to adopt some sort of automatic escalator of the salary floor amount, but it has not decided how to calculate the escalator.

Comments on the proposed rulemaking will be taken by the Department of Labor for several months. We anticipate that the Department will receive thousands of comments, some of them very detailed and extensive concerning the impact on business. The Department is required to review and consider all of the comments. After doing so, the final rule will be adopted. The Department projects that it will adopt a final rule in the first quarter of 2016.

While the final amount of the exempt salary floor increase might vary from what’s been proposed, there is little question that it will be increased, probably substantially. Employers would be well advised to carefully review their exempt employee designations now in order to evaluate the impact of this proposed rule.

There are a number of options for employers who wish to plan and budget for this coming change. Some options that employers may want to review are fixed pay for fluctuating workweek arrangements and Belo contracts. Each of these options contains its own set of regulatory requirements and should be evaluated with care. We expect that the Wage and Hour Division will be directed to look more closely at whether the requirements for alternative arrangements such as these have been met by employers.

This will be an enormous change both from a legal compliance and a company culture standpoint. Employers are well advised to plan ahead.

Earn the New Standard in HR Certification.

Prepare with LHRMA's Fall/Winter Certification Study Group.

This is an exciting and pivotal time in the HR profession. Now, more than ever, HR teams are required to assume a greater leadership role, contributing to the strategic direction of their organizations. The profession is no longer just about *what* you know – but *how* you do your job.

The [SHRM Certified Professional \(SHRM-CP™\)](#) and [SHRM Senior Certified Professional \(SHRM-SCP™\)](#) credentials are poised to become the new standard for HR professionals worldwide, as they are among the first HR certifications that focus on teaching and testing the practical, real-life information HR professionals need to excel in their careers today, including knowledge, skills and behavioral competencies.

Ensure you're prepared with LHRMA's Fall/Winter Certification Study Group designed for SHRM credential candidates. This intensive 12 week program combines expert instruction with the SHRM Learning System® for SHRM-CP/SHRM-SCP, so you will learn faster, retain more knowledge and stay on track for success on the exam.

The LHRMA Study Group meets at Southeast Community College Continuing Education Center (68th and O) on Mondays from 5:30 pm to 8:30 pm for 12 weeks beginning August 31st. The course registration is \$600 for members and \$650 for nonmembers. The cost includes the SHRM Learning System and tuition.

Let Us Guide You to Success.

Our course is based on the *NEW* 2015 SHRM Learning System for SHRM-CP/SHRM-SCP. Comprised of comprehensive learning modules teaching the SHRM Body of Competency and Knowledge™ (SHRM BoCK™), and online resources, these study materials streamline study time, accelerate learning and build confidence for passing the SHRM-CP/SHRM-SCP exam. Expand and test your knowledge and practical, real-life competencies in areas critical for HR career success.

By attending our course, you'll benefit from:

- Multiple experienced, certified instructors
- The SHRM Learning System, historically ranked the #1 HR certification prep tool.
- A structured learning experience that keeps you on track.
- Opportunities to network and learn from your peers
- Tuition reimbursement and up to 36 professional development credits (PDCs)

[Register by Friday August 14th for the upcoming study group at www.lincolnh.org. Don't miss out!](http://www.lincolnh.org)



The SHRM Learning System has a long and established track record of helping HR certification candidates beat average pass rates.

SHRM-CP/SHRM-SCP Exam Window

Our course is designed to prepare HR professionals sitting for the SHRM-CP and SHRM-SCP exams. The next test window is:

Winter Window: 12/1/15-2/15/16

Applications Accepted: May 1

Application Deadline: Oct 16

Late Application Deadline: Nov 13

For registration fees and exam information, visit SHRMcertification.org

EAP Corner

Part 2 of 2: Managing Difficult Conversations at Work

Kelly Ann Ethridge, M.A.

Best Care EAP

PART 2 OF 2: MANAGING DIFFICULT CONVERSATIONS AT WORK*

Whether you're telling a client the project is delayed or presiding over a troubled performance review, difficult conversations are an inevitable part of management. How do you find the right words when you are in the moment? How can you manage the exchange so that it goes as smoothly as possible?

PART 2:

- **Be compassionate** - *These kinds of conversations often lead to strained working relationships. So, come at sensitive topics from a place of empathy. It might not be pleasant, but you can manage to deliver even the most difficult news in a courageous, honest and fair way. Don't play the victim, "I feel so bad about saying this" or "this is really hard for me to do." Be as direct as possible, "I see that you are having a hard time managing this project, how can I help?"*
- **Slow down and listen** - Slow the pace of the conversation. Slowing your cadence and pausing before responding "gives you the chance to find the right words" and "helps to defuse negative emotions" on both sides. If you listen to what the other person is saying, you're more likely to address the right issues and the conversation ends up being more productive!
- **Give something back** - If you're embarking on a conversation that will put the other person in a difficult spot ask yourself "is there something I can give back?" If, you're laying someone off that you've worked with for a long time, you could say "I have written what I think is a strong recommendation for you; would you like to see it?" Proposing options shows the other person respect.
- **Reflect and Learn** - After a difficult conversation, take time to reflect-consider what went well and what didn't. Think about why you had certain reactions and what you might have said differently. It might also help to observe how another manager handles the same situation.

Handling a difficult conversation is not just a skill, it is a definite act of courage. Need to refresh your management techniques? Our boot camps could be just what you looking for! The following sessions are coming up in the next few months!

MANAGEMENT BOOT CAMP	Aug. 20/\$169 PP
CONFLICT MANAGEMENT BOOT CAMP	Sept. 17/\$169 PP
MANAGING FOR MAXIMUM RESULTS	Oct. 15/\$169 PP
MANAGEMENT BOOT CAMP	Nov. 3/\$169 PP

Center Pointe Building, 9239 W. Center Road, 2nd Floor, Omaha, NE, 9 am – 4 pm.

To register, call 800 801-4182 or send an email to EAP@bestcareeap.org
or for more information check out our website www.bestcareeap.org

*Part I featured in May 2015 issue of LHRMA newsletter.



Wellness

Back to School and Healthy Routines

Amy Schlichting, MS, MA, Corporate Wellness Coordinator
Madonna Fit for Work

It's hard to believe that summer is drawing to an end. Before we know it, school will be back in session—it's time to start your back to school routine! Even if you don't have kids at home, now is a perfect time to establish a routine to help incorporate healthy behaviors into your daily schedule.

Prioritize and Organize

Make a list of your top health prioritize...Does your home set you up for success?

- **In living areas:** Is furniture arranged so you have adequate room to stretch and exercise? Do you have a quiet place for reading or journaling?
- **In outdoor areas:** Do you have pleasant landscaping that makes you want to spend time outdoors? Do you have a patio table for outdoor meals with your family as the evenings start to cool down? Do you have an adequate supply of charcoal/propane for grilling?
- **In the kitchen:** Are your food containers neatly organized and accessible to portion food? In your snack cabinet, are healthier options (single serving nuts, dried fruits, granola bars, etc.) at a level that is easy to reach? In the refrigerator, do you have a pitcher of water, fresh fruits, and fresh vegetables? Do you have foods in the cabinets, refrigerator, or freezer that are expired or do not help you reach your health-related goals? If so, get rid of them!

Establish Your Routine

Now that you have your priorities in line, the next step is to establish a routine that creates healthy habits. We are creatures of habit...Make your routine a healthy one!

- **Monthly:** Reorganize kitchen cabinets to ensure food storage is stacked neatly and convenient to grab, clean out refrigerator and get rid of any unwanted or expired foods.
- **Weekly:** Prep produce and divide snacks into individual-sized containers immediately after grocery shopping, review the weekly schedule with the entire family (re-schedule personal workouts/relaxation time if necessary), plan weekly workout attire based on inside or outside activity and forecasted weather, take healthy snacks to work to leave in your desk drawer.
- **Daily:** Keep consistent bed and wake times, even on non-work/school days—sleep is one of the most important things we can do for our health! Pack your lunch and healthy snacks, and plan to incorporate activity into your day (stretch during break, walk at lunch or while you wait for your son to finish baseball practice, etc.), schedule 30-45 minute exercise sessions into your daily routine 3-5 days per week, and block out 15-60 minutes each day to relax and unwind sitting quietly reflecting, meditating, journaling, or reading.

Submitted by Amy Schlichting, MS, MA, Corporate Wellness Coordinator for Madonna Fit for Work. For more information about healthy lifestyle tips and corporate wellness initiatives, call Fit for Work at (402) 434-5936.

NEW MEMBERS & MEMBER CHANGES

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You've joined an outstanding organization!

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SHRM Certification Examination Drawing

We have a goal for you – and an incentive! Get SHRM Certified before the 2015 Nebraska State Conference to be eligible to win a \$100 Amazon gift card. **Stop by the SHRM Nebraska State Council booth to enter your name for the drawing. You have 2 chances to win if you attend both days.**

It's easy:

1. Complete the SHRM tutorial for SHRM-CP or SHRM-SCP before August 27th if you are already HRCI certified as of January 1
2. Attend the Nebraska State SHRM Conference
3. Visit the SHRM Nebraska State Council booth to enter your name

SHRM Pathway

If you were HRCI Certified by 1/31/15, you may be eligible to take SHRM's certification tutorial for free before 12/31/15. It's quick and easy! Become SHRM Certified prior to the state conference to start earning your re-certification credits and be eligible Amazon gift card. <http://www.shrm.org/certification/pathway/pages/default.aspx>

SHRM Exam

If not currently HR Certified - become SHRM Certified by taking the SHRM Certification Exam. Download the Certification Handbook at: <http://forms.shrm.org/forms/shrm-certification-handbook> to learn about the exam including:

- Eligibility requirements, testing windows, and application process

Apply for the SHRM Certification Examination at: <http://www.shrm.org/certification/apply/pages/default.aspx>



Drawing Winner

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

Congratulations to **Morgan Gerteisen**
with Facts Management.
Morgan will receive free registration
for the August program.

Jobs, Jobs and More Jobs!



If you are an employer with an employee that is a current LHRMA member, then you can post your HR-related job opening on our website for **FREE!** Just email Kathy Harper at lhurma0048@yahoo.com.

If you are looking for a human resource position, then check it out!
Go to <http://lincolnhr.org/blog/hr-job-openings/>

This is also an excellent resource for students who are seeking an HR position or for companies to advertise if they have summer internships available. Take advantage of this great resource—you can't beat the price!



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SHRM local chapter #0048



We're on the web!
lincolnhr.org

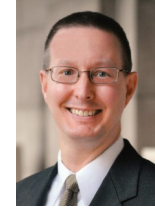
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