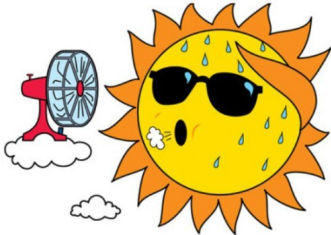




Lincoln  
Human  
Resource  
Management  
Association



PO Box 81066, Lincoln, NE 68501-1066  
[www.lincolnhrr.org](http://www.lincolnhrr.org)



Volume 7, Issue 8

August, 2016

**Lunch Program: Alternative Dispute Resolution**

Presented by a Panel of Experts

**Workshop: Strategic HR Leadership Forum – Session 3**

Retaining and Engaging High Quality Employees

**Inside this issue:**

President’s Message	2
Legal Update	4
New Members	5
EAP Corner	6
Wellness News	7
Board of Directors	8

**WHEN:**

**Tuesday, August 9, 2016**

- 11:00 – 11:30 Registration
- 11:30 – 12:00 Lunch & Announcements
- 12:00 – 1:00 Keynote Session
- 1:15 – 3:00 Workshop

**WHERE:**

Lincoln Firefighter’s Hall—241 Victory Lane,  
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

**DEADLINE:** Register/cancel your registration by **12:00 noon, Friday, Aug. 5<sup>th</sup>**.

**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:**

This month’s program is a panel of experts discussing **Alternative Dispute Resolution**.

Kristen Blankley (and others) will provide an overview of the alternative dispute process (as it applies to human resource administrators). Kristen will also outline the pre-dispute and post-dispute best practices for success in the alternative dispute resolution process. Pam Bourne (and others) will discuss employment law cases and will outline practical tips for human resource administrators to keep in mind during the alternative dispute resolution process. Finally, Dave Hubbard will outline all the services that the Mediation Center provides which would be helpful to know from a human resource perspective.

[Click here for the panelist’s bios.](#)

This program has been pre-approved for General Recertification hours from HRCI and SHRM.  
The workshop has been pre-approved for Strategic Recertification Hours from HRCI and SHRM.



This month's workshop is session 3 of a series of 4 in our Strategic HR Leadership Forum.

### **Retaining and Engaging High Quality Employees**

We figured out how to survey our employees really well, but are we truly maximizing their feedback in a way that increases retention and engagement? Creating cultures where everyone has ownership of the retention and engagement strategy leads to increased morale and less external recruiting efforts. In this session, action planning based on employee feedback will be emphasized in an effort to better retain and engage high quality employees and help leaders see their organizational blind spots.

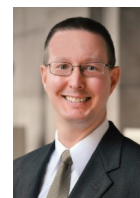
Presented by Bridget Musick and Stephanie Sands, SilverStone Group .

This Program has been pre-approved for 1.5 hours of Strategic Business CREDIT from the HR Certification Institute, and 2.0 Professional Development Credits from SHRM.

[Click here for more information on sessions 3 and 4 of our Strategic HR Leadership Forum.](#)

## **President's Message**

Joel Scherling, LHRMA President



Members of the conference committee for the 2016 SHRM Nebraska State Conference are finalizing preparations for the event on August 25 & 26 at the LaVista Conference Center (just off the interstate near Cabela's). LHRMA president-elect Lindsay Selig is the conference director!

Nearly 40 sessions will be offered on topics such as "Ban the Box," E-Verify, immigration, FLSA, FMLA and employee engagement. There were be some great keynote addresses, including one by national-level speaker Michelle Ray on how to elevate your influence as a human resources professional.


A couple of new features at this year's conference include:

- A "meet and eat" event on Thursday evening, to continue networking with a smaller group of HR professionals over dinner; and
- A new track of sessions geared toward early/mid-career HR professionals.

Don't miss this opportunity to continue your learning, network with fellow HR practitioners, earn some recertification credits, and get some tools to help you address some of the workplace issues you are facing. As always, there will be plenty of vendors there to offer useful products and services.

[Register for the conference](#) through August 15<sup>th</sup>.

One- or two-day rates are available.

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

**NEW MEMBERS****Mitchell Clark**

Legislative Aid  
Nebraska State Legislature  
mlmc0745@gmail.com

**Becky Howell**

Office Manager  
Communication Systems Solutions  
bhowell@css-design.com

**Ryan Walton**

Branch Manager  
Kelly Services  
ryan.walton@kellyservices.com



**Welcome! You've joined an outstanding organization!**



The Malone Center is preparing for the annual **Back to School Jam** on Sunday, August 7, 2016, from 3:00pm -7:00pm. This has been one of the largest events in the community for readying kids for back to school.

The goal is to provide each child with a \$20 gift certificate to be used only for the purchase of shoes for children under 13 years of age. \$6,000 must be raised to provide the first 300 children the gift of shoes. You or your business can make a monetary donation; provide a gift card, voucher, or any other manner that will work for you.

We have made it convenient for you to donate online – [click here](#) – or you can pay with a check. Please make your check payable to the Malone Community Center Shoe Fund and send to: The Malone Center Attn: Ms. Julianna Grabianowski, Director of Operations/Finance at 2032 U Street, Lincoln, Nebraska, 68503. If you need more information, please contact Ms. Regina Sullivan, Malone Center Community Health Worker, at [reginas@malonecenter.org](mailto:reginas@malonecenter.org) or 474-1110.

**We Know People**

Partnering with top companies to  
recruit the best talent for their  
culture since 1969.

**AUREUS**  
GROUP

Finance | Systems | Executive

402.891.6900

[aureusgroup.com](http://aureusgroup.com)

Contract • Direct Hire • Interim

# Legal Update

## Federal Judge Halts the Persuader Rule

Kelly Ekeler

Woods & Aitken LLP

If you have been following the new Persuader Rule, you might feel as though you have been watching an enduring ping pong match. For more than 50 years, the Persuader Rule applied only when an employer hired an outside consultant to communicate directly with employees concerning unionization. The original intent of the Persuader Rule was to prevent practices where the employer hired “middlemen” to pose as employees and persuade coworkers not to join a union. In other words, the Persuader Rule applied to “direct persuader” activities, where a consultant communicated directly with employees for the purpose of persuading the employees about how they should exercise representation or collective bargaining rights.

Significantly, the plain language of the statute authorizing the Persuader Rule contains an “advice” exemption. Historically, the advice exemption covered legal services provided by attorneys to employers that did not involve direct communications between attorneys and employees. Generally, so long as an attorney did not directly communicate with bargaining unit employees (e.g., non-management employees), the Persuader Rule’s reporting requirements were not triggered.

The first lob came in June 2011, when the U.S. Department of Labor (DOL) proposed to drastically expand reporting obligations under the Persuader Rule by revising the regulations to significantly narrow the advice exemption. The proposed change required, for the first time, reporting of confidential information regarding agreements with attorneys or consultants for “indirect persuader” services such as legal guidance, supervisor training, and materials concerning labor relations. The American Bar Association, State Attorneys General, and industry groups submitted comments to the DOL raising concerns that the proposed change would require attorneys to report privileged and confidential client information.

On March 24, 2016, almost five years after it first proposed the new rule, the DOL published the final rule. **See** 81 Fed. Reg. 15924. The final rule was to take effect on April 25, 2016, and apply to arrangements, agreements, and payments made on or after July 1, 2016. Like the proposed rule, the final rule narrows the advice exemption and, for the first time, requires reporting of “indirect persuader” activities where the attorney or consultant does not have direct contact with employees.

Shortly after publication of the new Persuader Rule, several associations and entities filed lawsuits against the DOL seeking to enjoin the rule. During the course of litigation, the DOL clarified that agreements between attorneys or consultants and their clients regarding indirect persuader activities would be exempted from the new reporting requirements if the agreements were entered into prior to July 1, 2016. As a result, many attorneys and consultants requested that their clients enter into agreements prior to July 1 to cover indirect persuader services.

The latest lob fell on June 27, 2016, when the U.S. District Court for the Northern District of Texas issued a nationwide preliminary injunction blocking the DOL from implementing the new Persuader Rule. **See National Fed’n of Indep. Bus. v. Perez**, No. 5:16-cv-00066-C. In light of this ruling, the DOL is prohibited from implementing the new rule until further notice. It is expected that the DOL will appeal the Texas federal court ruling.

HR professionals should watch for future developments in the litigation challenging the Persuader Rule. The DOL’s intent to enforce the rule threatens the attorney-client privilege between attorneys, and HR professionals and employers who seek legal advice concerning labor relations. With the new rule presently

(Continued on page 5)

enjoined, employers now have a perhaps limited opportunity to use outside counsel for such potentially “indirect persuader” activities as providing supervisory training and developing personnel policies, without triggering reporting requirements.

Kelly Ekeler is an attorney with Woods & Aitken LLP in Lincoln where she advises and represents employers in labor and employment law issues.



### Drawing Winner

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

Congratulations to  
**Julie Spader** with  
Christian Heritage.

Julie will receive free registration  
for the August program.

## Employers Increase Your Workplace Productivity

**Breastfeeding =**  
Healthier Moms & Babies  
Less Absenteeism  
Lower Insurance Costs



Support the **New Moms** in Your Workplace

Learn more at **HealthyLincoln.org**

*Made possible with funding from the Centers for Disease Control and Prevention*

## EAP Corner

Be the Best Boss You Can Be

Kelly Ann Ethridge, MA

Best Care EAP Services

---

According to a recent Gallup report, only 10% of managers have what it takes to be a “great manager.” If you want to be a part of the elite 10%, avoid these five things!

1. Communicating with the team solely through emails: Email is a great tool. And, it really does help managers interact with their team. However, this is not the **ONLY** way to communicate. Schedule face time with each of your employees, and talk one-on-one. It will help you keep track of your team and offer help when they need it most, something you may not be able to catch through an email.
2. Shutting your office door. An open door policy is the best policy. If you have to shut your door, only do it if you are on an important call or trying to meet a deadline.
3. Bringing a bad attitude to work. Mondays are hard enough for everyone, so if you expect employees to leave their home life at the door, then you must do the same.
4. Accepting a promotion to manager without any training: Moving into management is really not a promotion. It is a job change. It requires an entirely different set of skills than your previous job. Before leaping into a management position, participate in management training to expand your skills and knowledge.
5. Allowing a team member to drown. The best managers notice when someone on the team is struggling. They provide the resources and support their employees need to be successful.

Being a great manager is not easy, especially when you're new at it. Best Care EAP Management Boot Camp classes could be just what you need. For more detailed information on upcoming classes and fees, click on [register here](#) next to each title below:

MANAGEMENT BOOT CAMP — AUG 11 [register here](#)

CONFLICT MANAGEMENT BOOT CAMP — SEPT 15 [register here](#)

MANAGING FOR MAXIMUM RESULTS:

GETTING THE BEST OUT OF YOUR PEOPLE EVERY DAY — OCT. 13

MANAGEMENT BOOT CAMP — NOV. 2

If you have questions about being the best manager you can be or the registration process, call (402) 354-8000 or (800) 801-4182 or email [eap@bestcareeap.org](mailto:eap@bestcareeap.org).

[2016 Boot Camp Schedule](#)



**BEST CARE**  
EMPLOYEE ASSISTANCE PROGRAM

# Wellness News

## Back to School—Healthy Habits

Megan Ksionzek, WorkWell Coordinator

Madonna Fit for Work

The new school year is arriving soon, which means new beginnings, new goals for healthy habits, and schedules that are busier than ever. For the months ahead quick and convenient meals as never appealed more, along with not enough hours in the day, and endless drop-offs and pick-ups. Prepare now for a healthy routine and set yourself up for succeeding in building those healthy habits for the new school year ahead with these tips:

**Sleep routine** - With summer ending; that means an end to staying up late and sleeping in and getting into a healthy sleep routine for the whole family. Try to establish a new sleep routine a week or two before the first week of school by going to bed and waking up one hour earlier until the routine is established. A healthy sleep routine is best for the whole family to improve productivity, overall focus and mood, as well as improve our health.

**Cut back on screen time** - With technology ever evolving and the age for screen time use getting younger, the beginning of the school year is the best time to set some new standards in your household. Try to decrease in screen time after school by staying involved with homework, creativity-boosting activities, and quality family time. Studies show that elementary aged children use on average 7.5 hours per day of entertainment technology. Unfortunately, that number is not much different for most adults as the family dynamic has changed from a focus around the kitchen table to a focus on what's on the television.

**Healthy eating** - From the lunchbox to the dinner table, healthy nutrition is of the utmost importance to our bodies at any age, and can help with proper growth and development, as well as combat against obesity, dental cavities, and other health issues. Eating healthy can still be a part of any busy routine; all it takes is weekly meal planning and prep to set you up for success. Try to plan your meals and snacks for the week ahead on the weekend, that way you have time to prepare your list, grocery shop, and prep any meals ahead of time. Always keep healthy snack options visible on the kitchen counters, as well as keeping fresh and convenient options towards the front of the refrigerator. Most importantly, make sure everyone in the family is starting their day off with a balanced breakfast so as to improve cognitive function, reduce absenteeism, and improve overall mood.

**Outdoor activities** - Get moving! A family that plays together stays healthy together. Try to find 30 minutes each day to be active together, and if time doesn't always allow try things like: walk your kids to school, ride bikes after dinner, shoot baskets, dance around in the living room, walk the dog, rake leaves, or play a yard game. Demonstrating the importance of physical activity for your kids at a young age will help improve their health as they get older but also get them into that healthy routine of exercising.

### **Organize your schedule** -

1. Choose an electronic calendar such as Google or Cozi that allows you to consolidate all family members schedules, as well as make it easy to view when on the go.
2. Take 20 minutes each week to plan the schedule for the new week ahead. Making note of to-do's, reminders, carpool, and meal planning.
3. Use your time wisely by carpooling with other families in the neighborhood, taking turns on attending extracurricular activities, and asking for help from other family members so that the tasks never seem like too much. Balance is the key.

**Listen & Learn** - Allowing for family down time is essential in every household. As children get older, they have different needs and questions, and so we always need to be there to listen and learn. Always make yourself available, whether it a time to celebrate, a time to cry on your shoulder, or a time to help them learn from a certain situation. The quality of time spent as a family can go a long way to improve healthy habits.

For more information about how to stay healthy throughout the school year contact Megan Ksionzek with Madonna Fit for Work at [mksionzek@madonna.org](mailto:mksionzek@madonna.org) or call 402-434-5937. I look forward to hearing from you soon!





**Lincoln Human Resource Management Association**  
PO Box 81066  
Lincoln, NE 68501-1066

www.lincolnhr.org

SHRM local chapter #0048



**We're on the web!**  
[lincolnhr.org](http://lincolnhr.org)



**PRESIDENT**  
Joel Scherling, SHRM-CP, PHR  
HR Administrator  
NE Dept. of Education  
402.471.4736  
[president@lincolnhr.org](mailto:president@lincolnhr.org)



**PAST PRESIDENT**  
Melissa Price, SHRM-CP, PHR  
Director of Human Resources  
PenLink  
402.421.8857  
[pastpresident@lincolnhr.org](mailto:pastpresident@lincolnhr.org)



**PRESIDENT ELECT/ GOV'T RELATIONS**  
Lindsay Selig, SHRM-SCP, SPHR  
HR Coordinator  
Complete Children's Health  
402.327.6002  
[govt.relations@lincolnhr.org](mailto:govt.relations@lincolnhr.org)



**PROGRAMS**  
Judy Ganoung  
Fiscal & HR Director  
Disability Rights Nebraska  
402.474.3183  
[programs@lincolnhr.org](mailto:programs@lincolnhr.org)



**PROGRAMS**  
Michele Spadt, SHRM-CP, PHR  
Chief HR Officer  
Lincoln Surgical Hospital  
402.484.9016  
[programs@lincolnhr.org](mailto:programs@lincolnhr.org)



**MEMBERSHIP**  
Jamie Mohrman, PHR  
HR Generalist  
Kidwell  
402.817.3494  
[membership@lincolnhr.org](mailto:membership@lincolnhr.org)



**MARKETING/SOCIAL MEDIA**  
Kelly White, SPHR  
Asst. Director of Employee  
Relations/Sr. HR Facilitator  
University of Nebraska - Lincoln  
[marketing.sm@lincolnhr.org](mailto:marketing.sm@lincolnhr.org)



**CERTIFICATION**  
Amy Spellman, SHRM-CP, PHR  
HR Assistant Director  
NE Dept. of Education  
402.471.5027  
[certification@lincolnhr.org](mailto:certification@lincolnhr.org)



**COMMUNITY OUTREACH**  
Shannon Rowen, SHRM-SCP  
Asst. Professor of Practice  
University of Nebraska—Lincoln  
402.472.3097  
[diversity@lincolnhr.org](mailto:diversity@lincolnhr.org)



**SECRETARY**  
Kellie Graham, SPHR, SHRM-SCP  
Director of Human Resources  
Integrated Life Choices  
402.742.0311  
[secretary@lincolnhr.org](mailto:secretary@lincolnhr.org)



**COLLEGE RELATIONS**  
Jenessa Keiser, SHRM-CP, PHR  
Director of Human Resources  
Lincoln Surgical Hospital  
402.484.0823  
[college.relations@lincolnhr.org](mailto:college.relations@lincolnhr.org)



**WORKFORCE READINESS**  
Kim Michael, SHRM-CP, PHR  
Director of Operations & HR  
Region V Systems  
402.441.4350  
[workforce.readiness@lincolnhr.org](mailto:workforce.readiness@lincolnhr.org)



**TREASURER**  
Laurie Gyhra, SHRM-CP, PHR  
HR Representative  
State Farm Insurance  
402.327-5341  
[treasurer@lincolnhr.org](mailto:treasurer@lincolnhr.org)



**SHRM FOUNDATION**  
Jessica Reay, PHR, SHRM-CP  
Senior HR Generalist  
Crete Carrier Corp.  
402.479.7074  
[shrmfoundation@lincolnhr.org](mailto:shrmfoundation@lincolnhr.org)