



Lincoln
Human
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Association



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October, 2016

Program: The Times They Are A Changin': Evaluating The Impact of the 2016 Elections. Presented by Christopher Hoyme of Jackson Lewis.

Workshop: A Realistic Succession Strategy: Do You Have a Plan?

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WHEN:

Tuesday, October 11, 2016

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

WHERE:

Wilderness Ridge, 1800 Wilderness Woods Place, Lincoln, NE 68512
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: Fresh Spring Mix Salad, Vegetable Beef Soup with Fresh Baked Bread, Brownies and Blondies, Coffee, Tea and Water.

DEADLINE: Register/cancel your registration by 12:00 noon, Friday, Oct. 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:

The Times They Are A Changin': Evaluating The Impact of the 2016 Elections, Presented by Christopher Hoyme of Jackson Lewis

By now, you probably have heard many things about the election that will be held in just a few short weeks to determine who will serve as the 45th President of the United States. What you may not have considered though, is how the election of our next President could impact the profession of HR across America. Prudent employers will want to be mindful of issues such as minimum wage, paid family leave and many others that could drastically change as a result of the election and have a significant impact on businesses. This session will evaluate those key legislative issues

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and assist in preparing HR professionals for the potential results.

Learning Objectives:

Participants will gain the knowledge of potential legislative and regulatory changes and their potential impact to the organization, as well as start to understand how to take appropriate proactive steps to support, modify, or oppose the proposed changes.

Participants will also be able to ensure that human resources and employment activities will remain compliant with potential federal laws and regulations.

Christopher Hoyme's Bio: <http://www.jacksonlewis.com/people/christopher-e-hoyme>

About Our Workshop:

A Realistic Succession Strategy: Do You Have a Plan? Presented by Gini Collins, SilverStone Group

Many of our current succession plans are quick fixes which may not be able to endure the long-term succession needs of our organizations. How do we position ourselves to help ensure our succession strategy is going to outlast the long series of Baby Boomer retirements that are upon us? In this session, attendees will be asked to take a critical eye to their current succession strategies to help ensure they are truly meeting organizational needs, both now and in the future.

Gini Collins' Bio: <http://www.silverstonegroup.com/about-us/our-people/associate-directory/>



LHRMA is recognized by SHRM to offer Professional Development Credits (PDCs) for the SHRM-CP or SHRM-SCP. This month's program has been pre-approved for 1 PDC and the workshop has been pre-approved for 1.5 PDCs for the SHRM-CP and SHRM-SCP. For more information about certification or recertification, please visit www.shrmercification.org.



This month's program has been submitted for 1 General hour and the workshop has been submitted for 1.5 **Business** hours from the HR Certification Institute. The use of this seal is not an endorsement by the HR Certification Institute of the quality of the program. It means that this program has met the HR Certification Institute's criteria to be preapproved for recertification credit.

NEW MEMBERS

Aaron Marchand
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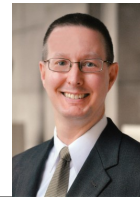
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President's Message

Joel Scherling, LHRMA President



Note: Spurred by last month's article, I received some requests for more detailed information about investigations. So, the following article is intended to provide a basic framework for planning and implementing an investigation. Of course, each situation is different, so the process should be tweaked to suit the circumstance. And, as the attorneys like to say, this article is not to be construed as legal advice, but considered general guidance from some experts in the field.

Planning a Workplace Investigation

It's 4:30 on a Friday afternoon. You hope to leave work on time. An employee walks into your office. "Do you have a minute? I'd like to talk to you." As the story unfolds, you learn of serious allegations. You realize that an investigation is likely warranted. What should you do? Here is some general guidance to help you prepare for conducting an investigation.

Checklists. There are many moving parts to an investigation. Checklists help ensure that all the bases are covered. Items on the checklist could include tasks such as:

- Identify the core issues
- Determine who needs to be advised of the complaint
- Decide who should investigate
- Set a timeframe for the investigation
- Decide what documentation methods will be used
- Identify information sources
- Determine who will be interviewed and in what order
- Decide the topics to be covered in the interview
- Determine any disclosures that must be made to those interviewed and whether representation may be permitted
- Decide who will conduct the interviews and who may attend
- Prepare an interview script that includes opening and closing statements
- Prepare for uncooperative employees
- Determine temporary action steps while the investigation is underway.

Identify core issues. This may seem obvious. However, stopping to clearly identify the core issues defines the essence and scope of the investigation: who helps conduct it, who is interviewed, what questions are asked, potential legal liability, and so on.

Notify of complaint. Consider who should be notified of the complaint depending on the issue. Generally, the supervisor and next level supervisor of both the complainant and the alleged wrongdoer are involved. Of course, HR personnel should be in the mix and legal counsel, if appropriate. Keep the number of people involved to a minimum to ensure as much confidentiality as possible.

Investigation triggers. Identify events that trigger an investigation, both direct and indirect. Examples of direct triggers include: complaints of harassment, discrimination or retaliation; allegations of misconduct; accidents; & whistleblowing complaints). Examples of indirect triggers include: exit interview statements & overheard comments about inappropriate conduct).

Investigators. Develop a short list of potential investigators. Consider their ability to be objective (i.e., no stake in the outcome), strong interpersonal skills, attention to detail, and ability to be assertive (e.g., call attention to inconsistencies). Consider individuals in role such as: next level supervisor, HR representative, legal counsel, senior-level administrator, security personnel, or third party investigators.

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Timeframe. Mapping out a timeframe for the investigation helps expedite the process. Think about other activities that may impact the investigation. For example: work projects that may involve the employees involved in the investigation; the end of a probationary period; an employee's stated intention to file a charge by a certain date; or a supervisor's intent to meet with an involved employee to discuss poor work performance.

Documentation. Plan for investigation interview documentation (e.g., tape record, videotape, take notes on a laptop, request a hand-written statement, create a comprehensive written report). Consider having two individuals in the interview so one can focus on the conversation and the other can take the notes.

Information sources. Create a checklist of information sources for the investigation. These may include:

- Notes of an oral complaint,
- A written complaint submitted by an employee (e.g., memo, email, exit interview remarks),
- Supervisor notes/file,
- Personnel file(s),
- Correspondence regarding the alleged incident,
- Records of prior complaints by the complainant and against the alleged wrongdoer, and
- Witness statements.

Interviews. Determine the order of the interviews (e.g., complainant, alleged wrongdoer, witnesses, supervisors, others). Identify banks of questions from which to select depending upon the situation. Consider developing a list of questions specific to sexual harassment, workplace discrimination and general investigations. Here are some questions on the topic of sexual harassment.

1. What occurred?
2. When (date, approximate time period involved)?
3. Where did it happen?
4. How did it happen?
5. Who did or said what? In what order? Was anything else said or done?
6. If there was physical contact, describe the contact in detail. Demonstrate the physical contact.
7. How did you respond?
8. Have you ever reported this incident before? If so, to whom? When? What was the response you received?
9. Did you discuss the incident(s) with anyone? If so, who? Where? When? What was said?
10. Are you aware of any other incident(s) involving this person? If so, who? What? Where? When?
11. Do you know why it happened?
12. What is your relationship with the respondent?
13. Why are you coming forward now?
14. Are there any notes, documents or other evidence to support your claims? Did this person give you anything in writing, any gifts or other items?
15. Were there any witnesses? Who was nearby? Who was within earshot?
16. Who else may have relevant information?
17. Was your work affected? How?
18. How did the situation make you feel?
19. What outcome would you like to see from this process?

Include questions specific to the alleged wrongdoer. For example:

1. "What is your relationship to the complainant?"
2. Tell us about any other reasons _____ may have made this complaint.
3. Are there any witnesses or individuals who may have knowledge about this situation?
4. Do you have any other information that may assist in the investigation?

Prepare an interview template that includes standard opening and closing statements. To open the interview, consider the following:

- Our company is committed to compliance with the law and its policies, and will conduct a prompt and thorough

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investigation to determine whether inappropriate conduct has occurred. If so, the conduct will be stopped and appropriate corrective action will be taken.

- The purpose of the interview is to obtain a thorough understanding of what has occurred, and to identify all evidence and witnesses who may have knowledge of the incident.
- Your name will be used in the investigative process only as and/or if necessary.
- There will be no retaliation against you for making a good-faith complaint. Notify management or HR immediately if you believe retaliation has occurred or is occurring.
- Keep the matter confidential to protect the integrity of the investigation.

To close the interview, consider the following:

- Explain the remainder of the investigation process.
- When interviewing the complainant, confirm that his/her identity may be disclosed to the alleged wrongdoer.

Personnel conducting the interviews. In general, it's best to keep the number of individuals in the interview to the investigator, the interviewee, and in some cases, an individual who is taking notes (and can serve as a witness to what was said). Generally, employee representatives such as family members or legal counsel wouldn't be allowed. However, in a union environment, if it is reasonable to believe that an interview of a unionized employee may lead to discipline of that employee, then the employee may request to have a union representative present (i.e., Weingarten rights).

Handling uncooperative employees. Some complainants may be reluctant to share the "whole" story. Alleged wrongdoers may avoid saying much to protect themselves. Witnesses may be afraid to get involved for a variety of reasons, such as damaging work relationships. It's a good idea to include a few bullet points in your interview script should you need to address employees who are not cooperating. Consider the following:

- You are required to participate in this investigation and you may be subject to corrective or disciplinary action for hindering the investigation.
- I want to assure you again that the information you provide will be held in confidence and made available only to those who have a need to know. You are protected from retaliation.
- If you withhold information, we can't act on it.
- As the complainant in this situation, if you are not forthcoming and truthful, it casts some doubt on the credibility of your complaint and potential motives for bringing this forward.

Consider temporary action steps. Depending upon the situation, you may need to take some temporary actions while the investigation is underway. For example, you may wish to relocate involved employees or ask them not to have contact with each other while the investigation is ongoing. Be mindful of not doing anything that may be perceived as punitive by either the complainant or the alleged wrongdoer. Doing so might unintentionally signal a predetermined outcome to the investigation.

Review the documentation. The interviewers should write up a report of the information gathered. Include statements concerning credibility of each person interviewed, but be careful to focus on observable or objective criteria (e.g., body language, hesitation before answering a particular question). Determine if any follow-up interviews are necessary. Ensure that the documentation is clear and represents both sides of the issue.

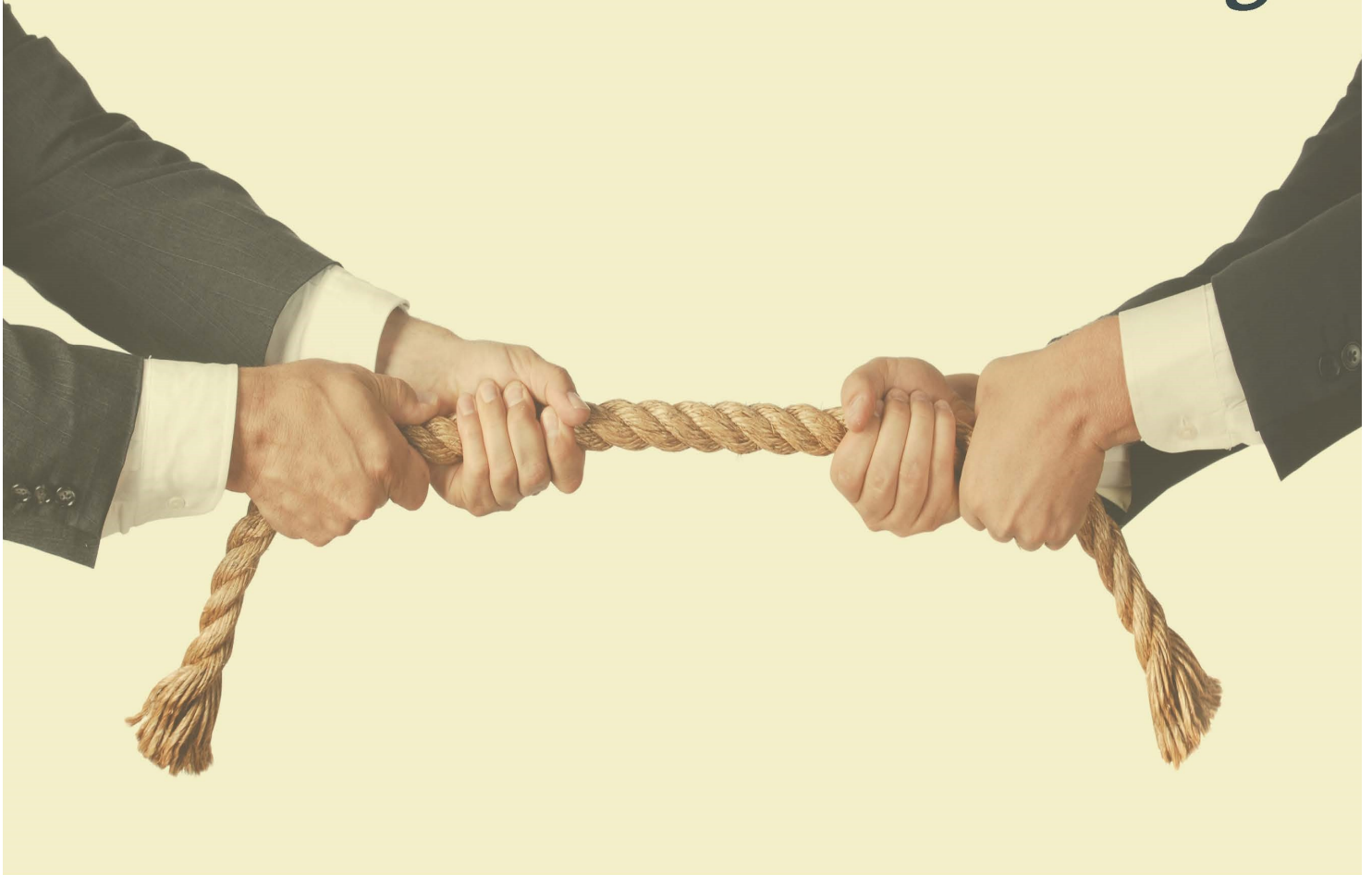
Review the report and make decisions. Assemble the appropriate individuals to discuss the report findings and make decisions about the outcome. Respond to the complainant and the alleged wrongdoer in writing and take any other action steps necessary.

In summary, advance preparation for investigations will help you tackle the task with efficiency and effectiveness. Having interview templates and other aids at the ready will instill confidence in employees and supervisors who come to you for help. If you would like to learn more about conducting investigations, check out the wealth of resources available on the [SHRM website](#).

This article was adapted from the following resources:

- Conducting Effective Workplace Investigation: Legal Requirements and Practical Considerations; Thomas Petrides & Jennifer Wayne; K&L Gates; Los Angeles; September 18, 2007.
- Investigations: How to Conduct an Investigation; SHRM, July 23, 2015.
- Workplace Investigations: The Initial Investigation Planning; Veronica Blake-Greenaway, Leslie Dent, Louis Malone, Ellen Martin & George Washington, Jr.; November 8, 2007.

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Legal Update

Navigating the Bermuda Triangle of Employment Law

Susan K. Sapp, Attorney

CLINE WILLIAMS WRIGHT JOHNSON & OLDFATHER, L.L.P.

NAVIGATING THE BERMUDA TRIANGLE OF EMPLOYMENT LAW: ADA, FMLA, WORKERS COMPENSATION AND LEAVE AS AN ACCOMMODATION

In May of 2016, the United States Equal Employment Opportunity Commission (EEOC) issued new guidance on employer-provided leave and the Americans With Disabilities Act (ADA). While only guidance, the EEOC describes for employers how the EEOC will view employee requests for leave as an accommodation. While some of the EEOC's opinions might be beyond what a court would require, especially the Eighth Circuit, the EEOC's view of the ADA will govern how administrative proceedings are decided. To determine whether the EEOC's position accurately reflects the law, however, an employer will have to be willing to see a case through litigation and court, which can occur at considerable expense.

The EEOC notes that an employer's obligation is to provide reasonable accommodations to employees with disabilities who require such accommodations. A reasonable accommodation is, of course, "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities." 29 C.F.R. Pt. 1630 App. § 1630.2(o).

The EEOC has declared that making modifications to existing leave policies and providing leave when needed for a disability is a reasonable accommodation, even where an employer does not offer leave to non-disabled employees. See Employer-Provided Leave and the Americans With Disabilities Act, U.S. Equal Employment Opportunity Commission, May 9, 2016. The EEOC has also clarified that employers may be required to modify their policies as to the amount of leave employees can take if an employee needs additional leave as a reasonable accommodation. The EEOC also determined that employer policies that require employees to be 100% healed or able to work without restrictions are unlawful, as they deny employees the use of reasonable accommodations that would enable them to return to work prior to being 100% healed. The EEOC also pointed out that employers sometimes fail to consider reassignment as an option for employees with disabilities who cannot return to their jobs following leave.

The following provides a summary of the EEOC's guidance with respect to leave as an accommodation.

Leave as an Accommodation

The EEOC believes that making modifications to existing leave policies and providing leave for a disability is a reasonable accommodation, even if the employer does not offer leave to other employees and even if it contradicts the employer's leave policies. A hot button for the EEOC is the phrase "equal access to leave." Id. Employers are to manage employees with disabilities under the same rules for leave as employees without disabilities. For example, when an employer has an annual leave policy and does not require employees to explain how they intend to use their leave, an employee who requests annual leave to have repairs made to her wheelchair cannot be denied the leave on the basis that she should be using sick leave for that purpose. The EEOC indicates that an employer violates the ADA if it makes the disabled employee explain the reason for the leave when other employees are not required to explain.

On the other hand it is important to point out that employers **can** have policies that require all employees to provide a doctor's note to substantiate the need for leave. If an employer's policy is to require a doctor's note for any sick leave over 3 days, the rule applies to everyone, disabled or otherwise.

I. Unpaid leave in excess of FMLA.

An employer must consider providing unpaid leave to an employee with a disability as a reasonable accommodation if the employee needs the leave due to a disability, as long as it does not create an undue hardship for the employer.

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According to the EEOC, that is true even when:

- The employer does not offer leave as an employee benefit.
- The employee is not eligible for leave under the employer's policies.
- The employee has exhausted the leave the employer provides as a benefit, including leave provided under a workers comp program or FMLA.

Here is an example the EEOC gives:

- Employer's leave policy does not cover employees until they have worked for 6 months. An employee who has worked for only 3 months needs 4 weeks of leave for treatment of a disability. Even though the employee is ineligible for leave under the employer's leave policy, the employer must provide unpaid leave as a reasonable accommodation, unless it would cause undue hardship.
- This is true even if the employer's leave policy explicitly prohibits leave during the first 6 months.
- The same is true if an employer's leave policy does not cover employees who work fewer than 30 hours a week and the employee who needs leave for treatment of a disability only works 25 hours per week.

2. Leave and the Interactive Process

When an employee requests leave, the employer's first step is to determine whether it can automatically provide the leave under its existing leave programs, such as FMLA, workers comp or discretionary leave. If the leave cannot be granted under those programs, then the employer and the employee have to engage in an interactive process. This process is for the employer to determine if it can provide the leave as a reasonable accommodation without causing an undue hardship.

The information exchanged during the interactive process will vary but will generally include the reason for the leave, whether it will be a block of time or intermittent, and when the need for leave will end. Employers are allowed to obtain information from health care providers to confirm or elaborate on the information the employee has provided. Employers can ask health care providers to respond to questions designed to enable the employer to understand the need for leave, the amount and type of leave required, and whether reasonable accommodations other than leave could be effective.

It is important to explore other possible accommodations—transfer to another position, special equipment, etc., that might allow the employee to avoid going on leave. Both the employer and employee have the obligation to participate, but it is unclear whether the employer has the obligation to suggest accommodations the employee has not requested. To be safe, good documentation should be kept of these interactive conversations.

3. Maximum leave policies.

The ADA requires employers to make exceptions to their policies, including leave policies, in order to provide reasonable accommodations. Generally, employers have to go beyond their maximum leave limits as an accommodation unless it would cause an undue hardship. For example, an employee uses the full 12 weeks of FMLA leave, but still needs an additional 5 weeks of leave due to a disability. The additional leave probably needs to be provided.

Absence frequency policies may also need to be modified as a reasonable accommodation. For example, an employer is not subject to the FMLA and its leave policy specifies an employee is entitled to only 8 days of unscheduled leave per year. An employee has a disability that may cause periodic unplanned absences and those absences might exceed 4 days a year. The employer likely has to engage in an interactive process to determine if the disability requires intermittent absences, and if so, the employer needs to grant the exception to its policy unless it would cause an undue hardship.

Employers are still allowed to have discretionary leave policies. For example, some employers have discretionary leave policies that allow up to an additional 12 weeks of leave after FMLA leave is exhausted or to provide leave for employees who do not qualify for FMLA. The employer has to be prepared to extend that discretionary leave even further, however, as a reasonable accommodation, unless it would pose an undue hardship.

Some employers have eliminated discretionary leave policies for that very reason and now individually review each request for leave beyond FMLA. Employers have to be careful that any discretionary leave requests are handled con-

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sistently, so that no one category of employee is treated better than another. For example, if employees with cancer get discretionary leave but the employees with pregnancy-related complications do not, it could result in a law violation.

4. Returning to Work

According to the NEOC, an employer will violate the ADA if it requires an employee with a disability to have no medical restrictions--meaning to be 100% healed or recovered-- in order to return to work, unless providing the needed accommodations would cause an undue hardship. One important clarification is that employers are still allowed to take the position that the employee's medical restrictions pose a safety risk, but there has to be a direct threat, meaning significant risk of substantial harm to self or to others.

Even if there is a direct threat, employers have to consider whether there are reasonable accommodations which will eliminate or diminish the direct threat. For example, an employee has been out on medical leave for 12 weeks for surgery to address a disability. He is released to work with a 25 lb. lifting restriction. The employer refuses to allow the employee to return to work with the lifting restriction even though the employee's essential functions do not require lifting 25 lbs. The employer's actions violate the ADA because the employee can perform his job and does not pose a direct threat.

An important takeaway is that when employees return from a leave of absence with restrictions, the employer is allowed to ask why the restrictions are required and how long they are needed. The employer may explore that issue with the employee and his or her doctor. In some situations, there may be more than one way to meet a medical restriction. For example, an employee with a disability returns from leave and is required to take a 10 minute break every 60 minutes. When the employer asks the purpose of the break, the doctor explains that the employee needs to sit for 10 minutes out of each 60 minutes. The employer asks if the employee could do seated work during the break and the doctor agrees. The employer then rearranges the job functions to make that accommodation, but avoids the 10 minutes of lost productivity every hour.

5. Job reassignments.

A difficult area of ADA compliance is when an employee returns from leave and cannot perform the essential job functions of his or her position, even with reasonable accommodations.

The EEOC takes the position that if reassignment is required, an employer must place the employee in a vacant position for which she is qualified without requiring the employee to compete with other applicants for the open position. Based on Eighth Circuit case law, I believe our court would reach a different conclusion on this issue, however. The Eighth Circuit cases have provided little indication that the Court would prohibit an employer from having the employee apply for the open position, interview, and make an actual determination of his or her qualifications and whether he or she is indeed the best qualified person for the position. If an employer has a policy that it only hires the best qualified applicant for each open position, then the Eighth Circuit might find the EEOC's position to be incorrect. It is important for employers to understand, however, that this issue has yet to be fully decided.

What is clear is that reassignment does not need to include a promotion and generally an employer **does not** have to place someone in a vacant position as a reasonable accommodation when another employee is entitled to the position under a consistently applied seniority system.

6. Undue hardship

The issue of undue hardship is difficult and fact dependent. If extended leave is the accommodation requested, determining whether it would result in an undue hardship may involve consideration of several factors.

- The amount of leave requested. The Eighth Circuit still maintains that a request for indefinite leave is not a reasonable accommodation but other courts view it differently and the EEOC may as well.
- The frequency of the leave.
- Whether there is any flexibility with respect to the days on which the leave could be taken.
- Whether the intermittent leave is predictable or unpredictable. For example, leave needed due to seizures is unpredictable, but intermittent leave to obtain chemotherapy is predictable.

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- The impact of the employee's absence on co-workers and whether there are other opportunities to get the job duties completed. Concerns about failing to fulfill a contract or incurring significant overtime costs would also be appropriate considerations.
- The impact on the employer's operation, the size of the employer, the nature of the position, whether it can be filled with temporary help, are all important considerations.

If an employer denies an accommodation on the basis of undue hardship, it needs to make sure to document the reasons thoroughly and engage in additional interactive conversations with the employee to see if there are other ways to accommodate the employee's disability short of termination.

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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 authors of this article if the reader wishes to obtain a specific legal opinion regarding how these legal standards may apply to their particular circumstances.

COMMUNITY OUTREACH: *Recognizing National Disability Awareness Month*

October is a month that is especially important to recognize, it is a month relevant for our community and as Human Resources professionals. October is **National Disability Employment Awareness Month (NDEAM)**. Diversity and Inclusion plays an important role in the workplace and within our community.

IMPORTANT REMINDER: Nearly one in five Americans has a disability, and not all disabilities are visible.



National Disability Employment Awareness Month history dates back to 1945. Congress declared the first week in October as a week to recognize and create awareness of those that had a limitation that was seen as “physical”. In 1962, this week was reviewed. At that time, physical disabilities were removed and replaced to include and acknowledge individuals with all types of disabilities. In 1988, the federal legislature expanded the week to a month and changed the name to National Disability Employment Awareness Month (NDEAM). The Department of Labor established the Office of Disability Employment Policy under the U.S. Department of Labor in 2001, and at that time,

the agency assumed responsibility for NDEAM and has lead the awareness since.

Reminders for Effective Workplace and Employment Practices

1. Provide a centralized process and/or policy to facilitate accommodation in the workplace.
2. Establish a relationship with local community agencies that can help with tools, resources and identification of appropriate accommodations, when needed.
3. Having policies and practices that minimize discrimination in the recruitment and hiring process.
4. Having policies and practices that promote career and promotional opportunities for workers with disabilities.
5. Ensuring a collaborative process engaging in disability management or return-to-work programs.
6. Providing staff training on disability and non-discrimination practices.

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Local Resources

Organization	Phone	Description
Goodwill Goodwill's Job Connection	402-438-2022	Goodwill's Job Connection was created to maximize the employability of job seekers.
Goodwill Ability One	402-231-1926	Goodwill manages AbilityOne contracts that provide employment opportunities for individuals with disabilities in a supportive, team-oriented work environment at several federal properties.
HireNebraska	402-934-2540	HireNebraska puts Nebraskans to work as they transition from public assistance to life-changing employment.
Business Solutions	402-573-4713	Business Solutions Specialists connects with companies across the Metro to learn about their business and hiring needs. Business Solutions matches those needs with individuals served by Goodwill and other agencies in the community.
Vocational Rehabilitation	402-471-3231	Vocational Rehabilitation assists and supports people with disabilities, prepare for, obtain, and maintain employment while helping businesses recruit, train, and retain employees with disabilities.
Worker Training Program	402-471-9977	The Worker Training Program is a business incentive program to support the retraining and up-grading of Nebraska's current workforce. Training is central to preparing Nebraskans to excel in the workplace and in marketplace today and in the future.
Project Search	402-474-1111 Heather Brethouwer	This one year school-to-work program is business led and takes place entirely in the workplace. The experience includes a combination of classroom instruction, career exploration, and hands-on training through worksite rotations.
Nebraska Commission for the Blind and Visually Impaired	402-471-2891	The Nebraska Commission for the Blind and Visually Impaired works to help the blind and visually impaired Nebraskans achieve full and rewarding lives through independent living skills and assisting with finding employment in Nebraska and across the country.
Workforce Development	402-471-9000	Nebraska Workforce Development Center in Lincoln, provides a variety of services to Aging Nebraskans and Nebraskans with Disabilities including: Supported Employment, Vocational Rehabilitation, State Government Agencies.
Nebraska Department of Health and Human Services	402-471-8501	Nebraska Department of Health and Human Services - Behavioral Health Services (NE-DHHS) makes employment services available to Nebraskans with severe mental illness. VR and NE-DHHS fund six regional programs that provide Supported Employment services across the State.
Assistive Technology Partnership	402-471-0734	ATP Technology Specialists conduct on-site assessments for consumers referred by VR. The assessments may be for students preparing to work and consumers who are ready to work or returning to work after an injury or illness.
Disability.gov	NA	Visit this U.S. federal government website for information on disability programs and services nationwide.
Americans with Disabilities Act (ADA)	NA	Information and Technical Assistance on the Americans with Disabilities Act.

Community Outreach Committee:

Shannon Rowen, Maggie McPherson, Lynn Friesen, Dana Buss, and Angela Caldwell

LHRMA members!

In support of the annual Toys for Tots campaign, we are asking LHRMA members to bring an unwrapped toy to the November 8 meeting at the Embassy Suites. Toys should be purchased for kids up to age 12. The best thing to do when considering an appropriate gift for the Toys for Tots campaign is to consider your own children/relatives.



You can learn more about Toys for Tots at www.ToysForTots.org.

EAP Corner

Provide Support for Your Employees During Times of Change

Greg Brannan

Deer Oaks EAP Services

Provide Support for Your Employees during Times of Change

Don't underestimate the impact that workplace change has on your employees. All changes – even positive ones - can be stressful and have an impact on an employee's productivity. According to the Holmes-Rahe Life Events Scale, many of the most stressful situations that typically confront individuals are work-related. Circumstances like a promotion to new responsibilities, organizational changes, changes in income, trouble with a co-worker, and trying to catch up after being away on vacation create additional stress that your employees need to cope with and adjust to.

Recognize the effects of stress on your employees

Employee's experiencing the stress of change can have increases in physical problems like headaches, upset stomachs, or fatigue. Emotionally, they may experience feelings of irritability, anger, and nervousness. Normally upbeat and enthusiastic employees may display a lack of motivation. Relationships among team members may become more difficult, including more conflict than usual. There may be increases in absenteeism. Stress can also impact an employee's ability to be creative. When there's a lot of change going on in an organization, it can be harder for individuals to think outside of the box and respond to challenges in innovative ways.

Supportive leadership can make a big difference

With support, and time to adjust to change, most individuals will return to being fully productive. But Managers and supervisors who proactively provide support for their employees during times of change can be particularly effective in maintaining a positive workplace culture throughout. Support for employees can include the following:

- Minimizing any additional organizational changes until employees have had sufficient time to deal with previous changes;
- Encouraging employees to maintain greater work-life balance (i.e., encouraging hard-working employees to use their leave, promote the use telecommuting when appropriate, etc.);
- Suggesting to employees who are obviously struggling in response to stress to access the EAP for support, resources, etc.

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.



We will Recognize our Past Presidents at the October Program



William Stenton 1953	Jerry L. Sellentin, 1972	Jane Goertzen, 1992
Walter F. Roberts 1954 (deceased)	Harvey Schwartz, 1973	Dennis Seaman, 1993
R. "Max" Peterson 1955	Ray Cepping, 1974	Nancy Conway, 1994
Victor Seymour 1956 (deceased)	Georgia Schmitt, 1975	Judy Backhaus, 1995
Richard M. Bourne 1957 (deceased)	James P. Spangler, 1976	Chris Matousek, 1996
R.D. Andersen, 1958	David L. Bornholdt, 1977	Peggy Storm, 1997
W."Tom" Tomkins, 1959	Linda G. Larsen, 1978	Rebecca Ferguson, 1998
Ann Scott, 19960	Dick Whitcomb, 1979	Mary Crook, 1999
Joe Hartley, 1961	Sally Schneider, 1980	Laurie Kortum, 2000
Don Fahleson, 1962 (deceased)	Reid E. Devoe, 1981 (deceased)	Trish Reimers, 2001
Dave Hendricks, 1963 (deceased)	Patricia A. Kant, 1982	Toni Beyer, 2002
Roy Loudon, 1963	Bob Hanrath, 1983	Ruth Jones, 2003
James E. Geist, 1964	Neal Westphal, 1984 (deceased)	Chris Ganz, 2004
Robert Murphy, 1965	Connie Soucie, 1985	Michele Spadt, 2005
John D. Beecham, 1966 (deceased)	Chriss Lloyd, 1986	Cindy Mefford, 2006
Earl R. Fell, 1967	Linda Shafer, 1987	Carmen Wiles, 2007
Walter J. Mitchell, 1968 (deceased)	Kent Mattson, 1988	Cathy Maddox, 2008 - 2009
William M. Cords, 1969 (deceased)	Lovie Magruder, 1989	Mark Pankoke, 2010 - 2011
Joseph R. Ruschetti, 1970	Doug McDaniel, 1990	Judy Ganoung, 2012 - 2013
Stuart A. Maseman, 1971 (deceased)	Cheryl Vavra, 1991	Melissa Price, 2014 - 2015

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Wellness News

Stress is Number One Health Concern

Tonya Vyhlidal, Director

WorkWell

In the Worksite Wellness Survey published by the Nebraska Department of Health and Human Services and completed by over 1,300 businesses across Nebraska, stress was cited as the number one health concern over obesity, heart disease, and other chronic conditions in the workplace. According to an April 2014, Randstad Engagement study of 2,257 American workers, stress was found to be the number one reason why people would quit their jobs. The top three specific areas of stress selected by employees were excessive work load, difficult working relationships, pay and opportunity for advancement which were cited as the most likely reasons employees would leave their job.

Overall, stress is caused by many factors including increased workloads, poor work life balance and constant connectivity. Stress that is not addressed can lead to low productivity, low employee morale, poor family life and increased negative health outcomes. Common health issues where stress is a contributing factor are heart disease, diabetes, obesity and mental health disorders.

According to Jim Link, chief HR officer at Randstad North America, “It’s crucial for managers to understand there is not a one-size-fits-all approach to addressing the problem of stress in the workplace, and some employees are more susceptible to stress than others,” Link said. “The good news about workplace stress is that it can be managed, especially when employers provide support – and that starts with being well-connected to your workers. Companies can impact employee stress by communicating regularly with workers to identify their concerns and establishing wellness programs that make healthy stress management a top priority across the organization.” (Cited from apaexcellence.org, Sept. 10, 2014)

The APA Center for Organizational Excellence shares several tips to alleviate workplace stress. Communicate often to employees, gauge their stress levels and work to diminish pressure before it affects morale. Encourage camaraderie, connecting with others creates a better environment, set aside time for employees to socialize. Promote wellness and give employees access to programs that help relieve stress. Set an example, healthy stress management starts at the top, negative energy from a boss trickles down. And empower employees, feeling out of control is one of the most stress-inducing triggers, allow staff to take ownership of their work and give them as much control as possible.

When individuals have a problem with any area of life that puts them out of balance such as not getting enough sleep, having poor nutrition, financial problems, relationship issues, people are less likely to handle stress well and can become even more stressed adding to workplace performance issues. Providing worksite resources for employees to manage their stress levels makes for good business. Employers should strongly consider having an EAP provider to support individual employee needs and provide 1-1 counseling combined with a strong worksite wellness program that is comprehensively designed which includes stress management and resilience options to provide education, support, and direction for employees. Stress is not going away any time soon, and organizations who are forward thinking and supportive of their employees will perform better allowing the organization to thrive.



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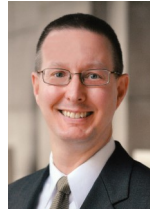
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