



BV-SHRM Newsletter

Chapter #0330

April 2011

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Monthly Program & Luncheon

TOPIC: Pros/Cons & Cautionary Tales of the Use of Assessments

WHEN: Thursday, April 7, 2011

TIME: Lunch served from 11:30AM to noon; Program from noon to 1:00PM

WHERE: College Station Conference Center

COST:

\$10 BV-SHRM member with RSVP

\$15 BV-SHRM member without RSVP or non-member guest

SPEAKER: Teresa Gonzalez

ADDRESS: 1300 George Bush Drive
College Station, TX 77840-3175

Program Details

Pros/Cons & Cautionary Tales of the Use of Assessments

This interactive session, based on a practitioner's view of the true purpose and human impact of assessments, will cover:

- Principles for the appropriate/ethical use of assessments
- When and why to use assessments
- The proper role of assessments
- Effective processing of assessments

Speaker Bio

Teresa Gonzalez is co-owner and COO of THE MANAGEMENT CONNECTION, INC. She joined TMC as a Professional Facilitator in 1999. Reflecting TMC's vision of being *Committed to Your Leadership*, Teresa's facilitation style includes a deep understanding and respect for the individual. Her wisdom and insight is evident through consistent client appreciation for achievement of significant results which impact their professional and personal lives.

Teresa has an extensive background and practical experience in all aspects of individual, staff and organization development. She has a passion for facilitating organizations through processes that define and implement the critical links between strategic goals, culture, staff value, and performance outcomes. Teresa has been an invited speaker at numerous professional conferences on a variety of topics.

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Please RSVP for the monthly luncheon by noon on
Monday, 4/4/11!
rsvpprograms@gmail.com





Member Newsletter



“Never mistake knowledge for wisdom. One helps you make a living; the other helps you make a life.”
~Sandra Carey”



Deadline to register for the Spring HRCI testing window is April 16th!

Have you recently attended a great presentation or do you have a topic or speaker idea to share with Programs?

Or are YOU willing to share about a HR subject matter at an upcoming meeting?

If so, please contact us with the details.

Speaker Bio Continued

Prior to TMC, Teresa served ten (10) years in municipal government roles of Children’s Librarian, Human Resource Manager, Director of Employee and Organization Services, and Acting City Manager. Additionally, she was the founding member and first President of the Williamson County, TX Chapter of Society for Human Resource Management (SHRM). Teresa has also worked for private-sector international companies in the areas of sales, marketing, training, and logistics. She has non-profit experience serving as board member, Chair and grant writer.

Teresa is a Cum Laude graduate of the University of Texas at Dallas with a Bachelor’s degree in Public Administration and holds a Master’s degree in Public Affairs from the LBJ School of Public Affairs at the University of Texas at Austin. She has also earned several professional certifications in areas such as adult training and development, systems evaluation and improvement, assessment administration and interpretation, human resources practices, and professional facilitation.

THE MANAGEMENT CONNECTION (TMC) is a professional facilitation firm established 1992 in Bryan-College Station. We work primarily with progressive municipalities and private-sector entrepreneurs. We design and facilitate processes to maximize the ability of individuals, groups, organizations, and communities to reach their full potential. We do extreme customization of all our processes and products to honor the unique characteristics and leadership style of each of our clients. We work diligently to exceed client expectations. We establish quality, long-term relationships and provide follow-up service to ensure significant results.

“THE EYE OF THE HURRICANE” represents our Professional Facilitation Model. The “eye of the hurricane” is the calm and guide within the chaotic storm. When faced with a constant bombardment of challenges and competing interests, any city or enterprise may feel like it is whirling in a chaotic storm. Focused leadership, at all levels, creates the “eye of the hurricane” within an organization. TMC’s Professional Facilitation Model will guide you in developing or strengthening the “eye of the hurricane”—in your organization.

- Vision** **COMMITTED TO YOUR LEADERSHIP**
We are committed to your success as a leader.
- Mission** **FACILITATING SIGNIFICANT RESULTS THROUGH QUALITY LONG-TERM RELATIONSHIPS**
We stay committed to your success because we care about the relationship.
- Principles** **PERSONAL LEADERSHIP** — We believe leadership starts at the personal level with each individual being accountable and taking responsibility for his or her own actions. We practice leadership. We facilitate the development of personal leadership in others.
- ESTABLISHING LONG-TERM RELATIONSHIPS** — Relationships are the driving force and our primary client focus.
- SIGNIFICANTLY IMPACTING OUR CLIENTS**— Our goal is to make a significant impact personally and organizationally.
- MEETING CLIENTS’ NEEDS** — We diligently work to meet clients’ needs. We facilitate processes for clients to identify and achieve their desired results.
- FOLLOW-UP SERVICE TO ENSURE CLIENTS ACHIEVE THEIR DESIRED RESULTS** — Follow-up service facilitates the client to stay on course after the process is completed. Our goal is to ensure long-term desired results for a lasting impact.





Member Newsletter



REMINDER
Annual BV-SHRM membership dues are due for 2011.
Membership renewal is \$20.00 if a SHRM National Member or \$40.00 if not a SHRM National Member.

Invest in your professional development through BV-SHRM and SHRM National Membership.

Visit us and become a Fan of BV-SHRM on **facebook**

Visit us on the Web at www.bv-shrm.org



President's Piece

Hello Everyone,

Could it be any prettier outside? Wow, what a beautiful start to Spring in the Brazos Valley. I can't convince myself to go back inside when I'm out working in my yard. I hope everyone took a little time off at Spring Break and got your batteries recharged. Have I told you lately how thankful I am to be a part of BV-SHRM and Human Resources. I sincerely appreciate everything that you bring to our Chapter. It continues to grow every week with new members. Continue to invite those out there that don't know about us. During the most recent Texas State Council meeting our Chapter also received the 2010 SHRM Membership Super Star award for achieving a 15.5% increase in our SHRM membership. I look forward to seeing you all at our next luncheon on April 7, 2011. Don't forget to RSVP. Although it is a great problem to deal with, we had a lot more people show up for our last luncheon than we had expected and ran out of plates and cups. I think it would be great if we have to find a bigger room to hold the group!

Today tell someone that you appreciate them,
Stacy



SAVE THE DATE – BV-SHRM Mixer April 21st

during lunch at Los Cucos in Bryan
More details to follow, but plan to join us for fun and social networking.

B/CS Chamber Job Fair – Resume Service

Volunteers Needed!

Each year, our chapter provides a resume review service during the B/CS Chamber of Commerce job fair. This year, the job fair is scheduled for Wednesday, April 6 at the Hilton, College Station.

We are still looking for a few more individuals to help with this resume review booth that is sponsored by BV-SHRM. Shifts include:

We need two more people for the 1:00-2:00 shift and one more person for the 3:00-4:00 shift.

This is a great way to use your HR talents to help make a difference in someone's life and help them be more successful in their career search. If you are interested, please send your shift preference Cheryl.Young@bwaycorp.com. Thanks in advance for your service!!



Member Newsletter



DATES AT A GLANCE:

April 1th

Deadline to apply for SHRM Foundation Scholarship

April 6th

Job Fair at Hilton

April 7th

Monthly meeting at CS Conference Center

April 16th

Deadline for late application for certification exam for Spring testing window

April 21st

Member Mixer at Los Cucos

*"A keen sense of humor helps us to overlook the unbecoming, understand the unconventional, tolerate the unpleasant, overcome the unexpected, and outlast the unbearable."
~Billy Graham~*

Student SHRM Chapter Update

Submitted by Diana Dean

BV-SHRM Sponsored 3 SHRM students (Katie Hempel, Rebecca Glazar, and Jeremy Garcia) to attend the 2011 Southwest Central Regional Student Conference in Stillwater, Oklahoma. The students experienced great networking opportunities as well as several HR seminars. The Student SHRM Chapter thanks BVSHRM for their sponsorship!

We are excited that 13 of our BVSHRM members have volunteered their time to serve as mentors for 21 members of the SHRM student chapter. This is a wonderful opportunity for these individuals to learn valuable information from experienced HR Professionals. Thank you to the below people for volunteering your time and expertise for these students and in helping shape the individuals who will be the future of the HR Profession. Please contact Ellen Foushee via email at ellenfoushee@hotmail.com with any suggestions, questions or concerns about the program. Remember, it would be a great idea to invite your mentee to sit with you at the next BV-SHRM Luncheon!

25 SHRM students are also volunteering this Saturday, March 26th, during the Big Event. This is the largest, one-day, student-run service project in the nation. This is just another way the SHRM students are being proactive and involved in their community.

Stacy Overby Lee Felder Chantal Deuel

Cheryl Young Kevin Karli Bill Dixon

Jan Pfannstiel Julie Irvin Thom Holt

Sarah Tobola Melissa Green Katherine Kleemann

Jennifer Cabezas



Member Newsletter



Upcoming Meetings:

Apr 7 – Pro/Cons and Cautionary Tales of the Use of Assessments; Teresa Gonzales, The Management Connection

May 5 –Rep from TALX; Unemployment

June 2 – Attorney Chris Peterson; References

All meetings are at College Station Conference Center unless otherwise noted.

SHRM Foundation Scholarship Deadline

The **Susan R. Meisinger Fellowship for Graduate Study in HR** is designed to support master's degree students who are either members of SHRM or certified HR professionals through the HR Certification Institute. The Fellowship is geared toward those who want to leverage significant past contributions affecting the HR management field and who wish to continue contributing to the profession by earning a master's degree in HR.

The deadline to apply is **April 1, 2011**. We encourage volunteer SHRM leaders and academics to share this information with other HR professionals who are applying now to begin studying HR at the master's level in summer or fall of 2011, or spring 2012

Anyone who meets the eligibility requirements is encouraged to apply. Please complete the application form and submit it by the **April 1, 2011** deadline.

ANNOUNCEMENTS!

Brittany Cullison
Chia Shing-Lee
Jamie Owens
Tyler Carpenter
Regenia Johnson
Brittany Berryman

Geanna Kincanon, SPHR has recently been selected by a group of her peers to join the prestigious Human Capital Executive Research Board, which is the market intelligence arm of *Talent Management* and *Diversity Executive* magazines.

The Human Capital Executive Research Board will help the editors of *Talent Management* and *Diversity Executive* magazines track, chart and report on current trends in the field of human capital management. Some of the topics targeted for 2011 are performance management, assessments and measurement, HR technology, staffing and outsourcing.

!

Order Your BV-SHRM Magnetic Name Badges

BV-SHRM has started using magnetic names badges, so if you want one, you can still order one. The cost for the magnetic name badge is \$5.00 and we will accept cash or checks. If you are paying by check, please make your check payable to BV-SHRM.





Member Newsletter



*"If you only do what you know you can do – you never do very much."
~Thomas Krause ~*

Professional Development Opportunities

2011 Gulf Coast Symposium on HR Issues

May 11-12, 2011 @ the Reliant Center in Houston, TX

For more information: <http://www.hrhouston.org/displaycommon.cfm?an=1&subarticlenbr=235>.

SHRM 2011 Conference Schedule:

Talent & Staffing Management Conference & Exhibition
April 11-13, 2011, San Diego, CA

SHRM 2011 Annual Conference & Exposition
June 26-29, 2011, Las Vegas, NV

Diversity & Inclusion Conference & Exhibition
October 24-26, 2011, Washington DC

To register for SHRM Conferences use below link:

<http://www.shrm.org/Conferences/Pages/default.aspx>

Fun Monthly Observances:

Frog Month
National Kite Month
Straw Hat Month
National Park Week
No Housework Day (7)
Blah, Blah, Blah day (17)

If you are strolling through the park and swear you see a frog wearing a hat flying a kite saying blah, blah, blah, then you need to realize that you are stressed out and try to find a little humor in life.

Some Actual Useful Observances:

Celebrate Diversity Month
Financial Literacy Month
Physical Wellness Month
Workplace Conflict Awareness Month
Laugh at Work Week (1-7)
Administrative Professionals Week (24-30)
Equal Pay Day (12)
Income Tax Day (15)
National Stress Awareness Day (18)



THE HRSOUTHWEST CONFERENCE™

HR Training Camp – Building HR Champions

October 30- November 2, 2011, Fort Worth, TX

The HRSouthwest Conference is the largest regional human resources conference in the United States. The Conference offers world-renowned keynote speakers, two and a half days of educational sessions, networking opportunities and exposure to the latest HR products, techniques and services.

The 10th Annual Texas A&M Recruiter Seminar

May 3rd, 2011, from 9:30am-3:00pm, in Rudder 601.

Topics of interest will include: a discussion of successful strategies for recruiting at A&M, a student panel which will share their insights into what they seek in a "premier employer", technology issues, and topical recruiting trends. This is a great opportunity to meet members of our staff and network with other employers.

Registration cost is \$65 per person. This covers meals, materials, and parking in the University Center Garage. To register for the event, click on the following link:

http://careercenter.tamu.edu/employers/recruiting/recruiter_training.cfm?sn=employers

Registration closes on April 24th. Register early as space is limited!

If you have specific questions, you may contact Paula Moses at paulam@careercenter.tamu.edu

Refer-a-Friend Program

Share BV-SHRM with a friend or co-worker in the HR field by completing the *Refer-a-Friend* form located at the end of the newsletter. Help them achieve professional growth and networking.





Member Newsletter



Legal Briefs

Welcome to Legal Briefs for HR, an update on employment issues sent to over 4800 HR professionals, in-house counsel and business owners all over the U.S. to help them stay in the know about employment issues. Anyone is welcome to join the email group . . . just let me know you'd like to be added to the list and you're in! Back issues are posted at www.munckcarter.com under Media Center/Legal Briefs. I'm looking forward to presenting "OMG! What's Up With Social Networking in the Workplace?" to the Dallas Bar Association's Computer Law section on February 28. And for those who may need CLE this spring, yours truly will be among the speakers at the University of Texas School of Law 2011 Labor and Employment Law Conference in Austin on May 12 and 13.

Here's how we begin March Madness, labor and employment style:

1. **About Face** - The "overbroad social networking policy as potential unfair labor practice" case (see LB4HR #1 -2010) is over. To refresh, an ambulance driver was fired for posting, um, unkind comments about her supervisor (e.g., "scumbag") and other managers on her Facebook page while off duty, via her home computer. Co-workers chorused their agreement on her Facebook page, and she was fired. The NLRB responded with a complaint that the driver's section 7 rights were violated as her comments were protected concerted activity relating to her terms and conditions of employment. The terms of the settlement included a statement that the employer has "agreed to revise its overly-broad rules to ensure that they do not improperly restrict employees from discussing their wages, hours and working conditions with co-workers and others" and promised not to discipline or fire employees for similar conduct. Although settlement of this case did not provide the Board with a "win" that might open a fresh round of enforcement activity, it's pretty clear where they stand on the issue. It may be time to add a new policy or modify an existing one, to make sure your social networking policy does not end up being a hot item in the blogosphere.
2. **Pssst . . . Here's a Tip** - Employers using a tip credit to satisfy minimum wage requirements on your tipped employees, heads' up! A bill was introduced in Congress to amend the FLSA and incrementally raise the tipped minimum wage rate from \$2.13/hour to \$3.75/hour (within 90 days of bill's enactment), then to \$5.00/hour a year later and finally to a percentage of the federal minimum wage, not to exceed \$5.50/hour, a year after that. You can read full text of Working for Adequate Gains for Employment in Services (WAGES)(H.R. 631) and follow its progress at <http://thomas.loc.gov>. While you might think this means more pay for tipped employees, all it really does is reduce the amount of the tip credit employers may take. The federal minimum wage under the FLSA remains the same. For now.
3. **Check on Credit?** - Several states (HI, IL, LA, OR, WA) have laws the limit employers' use of credit checks when making employment decisions and lots of states are thinking about it. And now Congress is getting into the act via H.R. 321, the Equal Employment for All Act. The bill, if passed, will put limits on employers' use of credit reports when used to make employment decisions involving applicants or employees. Similar to the states' laws, there are exceptions which apply to [1] employment that requires national security or FDIC clearance; [2] employment with a State or local government agency which requires such a report; [3] supervisory, managerial, professional or executive jobs at financial institutions; or [4] when otherwise required by law. You can read full text and check status at <http://thomas.loc.gov>.
4. **Check it Out** - Until now, only employers could use E-Verify. Beginning on March 18, you can check out yourself. The idea is for individuals to submit their info and pre-confirm that the system will spit out an "all clear" if and when their next prospective employer uses E-Verify to confirm identity and work authorization.

Although tempting, employers who use E-Verify should not require applicants to prescreen themselves via the Self Check feature, as this violates their MOU with USCIS.

5. **Come All Ye Faithful** - But don't plan on your trip being treated as job-protected leave under FMLA, if it's more tropical vacation than medical treatment. Employee's spouse has numerous medical conditions and she's taken FMLA intermittent leave for years, to care for him. This time, she asks her employer for 7 weeks off for a faith-healing trip to the Philippines. The spouse's heart doc says he's not incapacitated, so the FMLA leave request is denied. She goes anyway, and gets mad when she returns to a pink slip. In evaluating her FMLA interference and retaliation claims, the Court notes that while the "needed to care for a family member" reason for FMLA leave (at 29 CFR sec. 825.124) is mighty broad, it does not encompass visiting with friends and family, praying and attending Mass, where there was no concurrent medical treatment of the family member. *Tayag v. Lahey Clinical Hospital Inc.* (1st Cir. 1-11). Can I get an "Amen!?"
6. **More Fun With FMLA** - Legal secretary was denied her sliver of year-end profit sharing because she was on disability leave (following surgery for carpal tunnel) at the year's end. Surgery was in September and she went on disability in January, granted retroactively to December. Small print on the profit sharing plan says participant must be employed on the last day of the calendar year to be eligible for profit sharing. Small problem under ERISA. Employer says she was not employed, but court says because she was on FMLA at the time, she was an employee of the firm and eligible. And her employer's attempts to get her to resign in February did not help their argument that she was not an employee on December 31. *Dorsey v. Jacobson Holman* (D.D.C. 1-11).
7. **Oh, Well** - A class action was filed in Florida, alleging that an employer's wellness plan violates the Americans With Disabilities Act (ADA). At issue is a \$20 bi-weekly charge for employees who refused to take biometric testing (i.e., finger prick tests for glucose and cholesterol) and also refused to complete the on-line health risk assessment. *Seff v. Broward County* (S.D. Fla. 8-10). As mentioned in previous posts and speeches, several federal agencies have "blessed" wellness programs that comply with certain limits but the EEOC has taken the position that they may violate the ADA if they are not truly voluntary, and that certain incentives or penalties tied to participation may undercut "voluntariness."
8. **A Taxing Situation** - With 34 states' unemployment comp trust funds in the red (and being supplemented with federal funds to keep UI benefits flowing), the Obama administration proposes to replenish them by more than doubling the limit on employers' FUTA contribution. The 6.2% surtax is now capped at the 1st \$7000 earned by each employee. The proposed change would up the cap to the 1st \$15,000 earned per worker, starting in 2014.
9. **March Badness** - It is hoops fans' favorite time of year, and watching the game no longer requires calling in sick or taking a long lunch at the nearest sports bar. Live feeds can be found everywhere (e.g., ncaa.com, cbssports.com, conference websites) and who doesn't have easy access to a desktop computer, laptop or smartphone? If you've got concerns about lack of individual productivity and a drain on your organization's computer bandwidth, you might want to just say "no." Gambling can be a concern, too. Increasingly, though, employers are looking for ways to use the excitement about the games as a team-building opportunity and to have some fun. Ideas range from casual days (sporting of one's team colors/logo encouraged), converting a TV-equipped conference room into a watch party with snacks, brackets/pools with prizes (or the donated cash going to a favorite charity), games (match the mascot or logo to the school) and talent contests (e.g., sing your alma mater, free throw prowess, best celebration dance).
10. **Stated Differently** - Here are some morsels for you multi-state employers:
 1. **California** - A CA court interpreted state law governing employer penalties for failing to provide mandated daily meal breaks and rest periods. The statute reads "If an employer fails to provide an employee a meal period or rest period . . . the employer shall pay the employee an additional hour of pay . . .

. for each work day that the meal period or rest period is not provided." CAL LABOR CODE sec. 226.7. The question was whether affected employees were entitled to two hours of pay per day (one for meal and one for rest period) or only one hour of backpay. The court concluded the legislators intended the proper remedy to be two hours per day. *UPS v. Superior Court* (Cal. Ct. App. 2-11).

2. **Michigan** - Worker who was fired for testing positive for marijuana after workplace accident had no claim against his employer under the state's medical marijuana law. The law is silent on employment rights and the court declined to imply a right to sue arising out of employment decisions. *Casias v. Wal-Mart Stores Inc.* (W.D. Mich. 2-11). Put that in your pipe and smoke it.
 3. **New York** - Bill (S. 1490) has been filed which, if passed, will require employers to provide paid sick leave to employees. Leave would accrue at one hour for each 20 hours worked, capped at 80 hours (40 hours for small businesses). Leave may be used for the employee's own illness or injury or to care for the employee's child, parent, legal guardian, sibling, grandparent, grandchild, spouse or other designated person. Unused amounts would not have to be paid out upon separation from employment.
 4. **Pennsylvania** - Law requires health care workers to wear a photo ID tag when working, which includes the worker's name and title, name of their employer and a recent photo of the employee. The tag does not have to be worn where not clinically feasible and the last name may be obscured if the employee is caring for a person who exhibits symptoms of irrationality or violence.
11. **For the Birds** - If you like being tweeted and want breaking news on employment law changes, follow me on Twitter. I'm at @amross.

Until next time,

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REFER A FRIEND!

I would like to refer a friend to BV-SHRM.

Please send information about this organization to:



Name: _____

Address: _____

Phone: _____

Email: _____

Your Name: _____
(Optional)