CHAPTER CONNECTION

March 2015



AFFILIATE OF SHRM® SOCIETY FOR HUMAN RESOURCE MANAGEMENT

SHRM EXCEL AWARD 2013 SILVER CHAPTER

SHRM Foundation Shaping the future of HR 2013 CHAPTER CHAMPIONS

HR ASSOCIATION EVANSVILLE AREA HUMAN RESOURCE ASSOCIATION, INC.

explore – cover



Welcome to the March 2015 edition of the EHRA newsletter.

meet – p.3

See information on the March meeting, where you will gain valuable information from attorneys at KDDK.

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KAHN, DEES, DONOVAN & KAHN, LLP
Attorneys & Counselors at Law

Spring Conference– p.4

Save the date and learn how to register!

Legal Update—P.5

Department of Labor Finalizes FMLA Changes to Definition of Spouse

Diversity Minute—P.6

Read about EHRA's commitment to Diversity and cultural observances for March.

OSHA—P.7

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How can you help in 2015 and beyond?

President's letter—p.9

Tela Erdell, EHRA President, shares EHRA news and provides details on this month's non-profit.

Member Spotlight – p.10

See this month's EHRA members and new 2015 board member.

Indiana SHRM Webinar—P.11

Chapter Connection is a publication of the Evansville-Area Human Resources Association made possible by contributions from it's members and the board of directors. If you have suggestions, please email them to: newsletter@ehranet.org.

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Labor Law and Patient Protection and Affordable Care Act (ACA) Update

Southern Indiana Career and Technical Center | 1901 Lynch Rd. | Evansville, IN 47711

$15.00 EHRA Members, $30.00 Guests, $5.00 EHRA Student Member

Schedule below

Agenda

11:00 am—11:30 am CST: Registration and Networking
11:30 am—12:00 pm CST: Meeting Announcements and Lunch
12:00 pm—12:30 pm CST: Labor Law Update
12:30 pm—1:00 pm CST: Patient Protection and Affordable Care Act (ACA) Update

Description

Joshua B. Gessling, a labor and employment lawyer with Kahn, Dees, Donovan & Kahn, LLP will provide updates, commentary and analysis regarding labor law topics relevant to union and non-union employers, including the National Labor Relations Board's "quickie election" rule, recent decisions impacting employers' social media and email use policies, and the year ahead.

Ashley R. Hollen and Steven M. Theising, who are business and employee benefits law attorneys with Kahn, Dees, Donovan & Kahn, LLP, will provide a brief overview of the ACA provisions that are already in effect and how those provisions are currently affecting the workplace. Other topics covered will include the employer mandate, specifically, what it is and how full time employees are calculated and measured; and the penalties assessed under the ACA and how those penalties are calculated.

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This program has been submitted for 1.0 general recertification credit with HRCI.

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Vendors Wanted!

On Thursday, April 16, 2015, the EHRA will again hold its Spring 2015 Conference at the Southern Indiana Career & Technical Center.

The Spring Conference Committee is again offering the opportunity for you or your company to become a part of the event by being an Exhibitor/Vendor Booth. Our booths are $325; with an Early Bird Special of $275 for reservations received by April 1, 2015. No booth reservations will be accepted after April 5, 2015.

For more information, contact Mary Thompson at (812) 779-6338 or e-mail metst53@hotmail.com!

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SAVE THE DATE

EHRA SPRING CONFERENCE

Southern Indiana Career and Technical Center | 1901 Lynch Rd. | Evansville, IN 47711
Member: $150 Full Day / $100 1/2 Day
Non-Member: $200 Full Day / $125 1/2 Day

Spring Conference '15

KEYNOTE SPEAKER:



Richard P. Finnegan
CEO, C-Suite Analytics

Dick Finnegan is the author of ***The Power of Stay Interviews for Engagement and Retention*** which is the top-selling SHRM-published book in history. He is also the author of **Rethinking Retention in Good Times and Bad** which was excerpted by BusinessWeek which said "Finnegan offers fresh thinking for solving the turnover problem in any economy". His new books for 2015 include **The *Stay Interview: A Manager's Guide to Keeping the Best and Brightest***, and ***HR's Greatest Challenge: Driving the C-Suite to Improve Employee Engagement and Retention.***

The Power of Stay Interviews

Employee turnover is up and engagement is stuck, yet we spend $1.5 billion each year to "fix" them. The problem is extraordinarily simple: We implement programs like employee appreciation week when engagement and retention is driven by managers.



Chad Sullivan



Jake Fulcher



Cory Kuhlenschmidt



Cliff Whitehead



Mark Miller

Morning Session:

7:30 am – 8:00 am	Registration/Full Breakfast
8:00 am – 8:15 am	Opening Remarks Jeff Devine, EHRA Director of Professional Development
8:15 am – 8:45 am	Networking Activity
8:45 am – 10:15 am	**The Power of Stay Interviews** Dick Finnegan
10:15 am – 10:45am	Break – Exhibitors Open
10:45 am – 12:15 pm	**FMLA/ADA/Hostile Work Environment/Harassment** Jake Fulcher and Chad Sullivan
12:15 pm – 1:15 pm	Lunch – Exhibitors Open

Afternoon Session:

1:15pm – 2:45pm	**How to Properly Conduct an Internal Investigation** Cory Kuhlenschmidt, Cliff Whitehead, Mark Miller
2:45 pm – 3:00 pm	Break
3:00 pm – 4:30 pm	**Tactics in Defending an EEOC Charge** Ogletree Deakins
4:30 pm – 5:00 pm	Prize Giveaways/ Closing Remarks – Jeff Devine

* attendees must be present to win prizes

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LEGAL UPDATE

Department of Labor Finalizes FMLA Changes to Definition of Spouse

In a recent announcement, the U.S. Department of Labor finalized changes to the regulations that define a spouse for purposes of Family and Medical Leave Act (FMLA). "Enacted in 1993, the FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. Employees are, for example, entitled to take FMLA leave to care for a spouse who has a serious health condition. Millions of workers and their families have benefited since the FMLA's provisions became effective and even more American families will benefit as a result of the rule."[1]

The new regulations, released in February 2015, complete necessary modifications after the United States Supreme Court's decision in *United States v. Windsor*, which struck down the Defense of Marriage Act. Immediately after the *Windsor* decision, the Department of Labor announced that employers must grant FMLA leave to an employee to care for his or her same-sex spouse if the employee resides in a state that recognizes same-sex marriages.[2]

Under these new regulations, eligibility for federal FMLA protection *will now be determined based on where the couple was married, not on where an employee lives. This is called a "place of celebration" rule. That means that access to federal FMLA leave for an individual in a same-sex marriage is protected regardless of the marriage laws of the state in which that worker resides.*[3] This "place of celebration" provision allows all legally married couples, whether opposite-sex or same-sex, to have consistent federal family leave rights regardless of whether the state in which they currently reside recognizes such marriages.[3]

"The new regulations also change an employee's right to FMLA leave for other family members. For example, an employee in a legal, same-sex or common-law marriage may take leave to care for a child of his or her spouse (his or her "stepchild"), regardless of whether the employee ever acted as a parent to that child (referred to as *in loco parentis*). Similarly, if an employee's parent has a legal same-sex or common-law spouse, the employee may take leave to care for his or her stepparent, regardless of whether that stepparent ever stood in the shoes of a parent toward the employee."[4]

Prior to the effective date of March 27, 2015, Human Resources departments should review any definition of the term "spouse" contained in FMLA policies and benefit plans and make any necessary and appropriate changes. Additionally, any current leaves where FMLA has been denied due to the definition of a spouse in the current regulations should be reviewed to determine whether the leave should be approved as of the effective date.[4]

1. http://www.dol.gov/opa/media/press/whd/WHD20150285.htm
2. http://www.jdsupra.com/legalnews/federal-fmla-regulations-recognize-same-81608/
3. http://www.workforce.com/blogs/3-the-practical-employer/post/21143-dol-proposes-expanded-fmla-coverage-for-same-sex-couples
4. http://www.icemiller.com/ice-on-fire-insights/publications/if-legally-married-somewhere,-legally-married-ever/

Do you have a topic you would like our team to get more information on? If so, contact us at info@ehranet.org.

Recruiting and Retaining People with Disabilities

The White House announced Feb. 3, 2015, the release of a new resource guide for employers related to the employment of people with disabilities. The guide is a federal interagency effort full of tips on how to legally and proactively recruit, retain and promote workers with disabilities.



We have heard time and time again that employers do not want to visit 10 government websites to access the information they need," said U.S. Equal Employment Opportunity Commission (EEOC) Commissioner Chai Feldblum. "This resource guide is an example of federal agencies coming together to respond to the needs of employers by creating a central repository of user-friendly information and resources."

The EEOC enforces Title I of the Americans with Disabilities Act (ADA).

Recruiting People with Disabilities

The U.S. Department of Labor's Office of Disability Employment Policy outlined these practical strategies to ensure that a company's recruitment efforts are successful:

- Establish internal policies that prioritize hiring people with disabilities.
- Ensure that hiring people with disabilities is part of the company's overall hiring plan.
- Conduct targeted outreach to attract qualified candidates with disabilities. Successful recruitment efforts can be built through collaboration with community-based partners such as nonprofit organizations, national and local disability organizations, and federally funded state and local employment programs that have connections to qualified candidates, the guide said. Examples include vocational rehabilitation facilities, employment networks, American Job Centers and Centers for Independent Living.
- Develop community linkages. Community linkages are ongoing relationships that facilitate an employer's ability to diversify its workforce.
- Retain and review applications from people with disabilities for future openings.
- Ensure that the company uses fully accessible online job applications and electronic and social media recruitment materials. Posting vacancies on job boards designed for people with disabilities, in disability-related publications and with disability organizations will increase the diversity of the applicant pool. Examples of national job boards for people with disabilities include the Workforce Recruitment Program and the Talent Acquisition Portal.

Internship programs designed specifically for people with disabilities are another effective and cost-efficient recruitment strategy, according to the guide. Employers with internship programs for people with disabilities were 4.5 times more likely to hire a person with a disability than businesses without such programs, according to research from Cornell University and the Society for Human Resource Management (SHRM).

Interviewing Applicants with Disabilities

In general, the ADA does not allow an employer to ask any questions about disability or to conduct any medical examinations until after the employer makes a conditional job offer to the applicant. Although employers may not ask disability-related questions or require medical examinations at the pre-offer stage, they are allowed to evaluate whether an applicant is qualified for the job, including asking about:

- An applicant's ability to perform specific job functions or tasks.
- An applicant's qualifications and skills, such as education, work history, and required certifications and licenses.

Retaining Employees with Disabilities

Many existing employee programs, such as orientation and onboarding programs, career development programs, and mentoring programs, can be tweaked to increase retention rates of employees with disabilities.

Typical onboarding programs acclimate new employees to the workplace culture and educate them on relevant policies and procedures. An onboarding program tailored for new employees with disabilities would have the same objective, but it would include disability-specific information such as reasonable accommodation procedures and would make use of orientation materials in accessible formats. According to research by SHRM, the long-term benefits of effective onboarding programs include improved employee retention rates and increased productivity.

Career development programs such as conferences, training, tuition assistance and rotational assignments are proven employee retention strategies. HR should ensure that all online professional development classes and materials and workplace events are fully accessible, as well as reserve a portion of employee training funds to provide disability-related accommodations for training opportunities, the EEOC advised.

Workplace mentoring programs and employee resource groups are additional tools businesses can use to help increase recruitment and retention, improve organizational culture, and provide guidance to employees and managers about disability issues, according to the agency

Originally published as "Recruiting and Retaining People with Disabilities" by Rob Maurer. © 2015, Society for Human Resource Management, Alexandria, VA. Used with permission. All rights reserved.

CLICK HERE for a printable resource calendar that provides in-depth information regarding observances, holidays, customs from various cultures.

- Women's History Month
- March 5—Purim (Jewish)
- March 17—Maha Shivaratri (Hindu)
- March 17—St. Patrick's Day
- Disability Awareness Month (some states)
- March 28—Rama Navami (Hindu)
- March 29—Palm Sunday (Christian)
- March 31—Cesar Chavez Day

Are You in Compliance with OSHA's Poster Requirements?

Employers are required to display a poster prepared by the Occupational Safety and Health Administration (OSHA) that informs workers of the protections afforded them under the Occupational Safety and Health (OSH) Act.



The poster must be displayed in a conspicuous place where employees can view it. Private employers may use the actual poster provided for free by OSHA, or a suitable reproduction or facsimile. Previous versions of the poster are allowed. Employers in states with an OSHA-approved plan may have a state version of the OSHA poster.

"The OSHA poster clearly lists the workers' safety rights, as established by the Occupational Safety and Health Act. It also includes information that may be useful to an employee if he or she feels like the workplace is in violation of regulations," said Marie Athey, environmental health and safety director at 360training.com, a provider of online health and safety training.

"In other words, the OSHA poster exists to help protect the employee. No employee should ever be forced to work in unsafe or unsanitary conditions without training and protection. The OSHA compliance poster also exists, in part, to remind employers of their obligation to this end."

The poster must state that for assistance and information—including copies of the OSH Act and of specific safety and health standards—employees should contact the employer or the nearest office of the Department of Labor.

"Often, this poster can be found in a break room or a common area where employees come and go. Employers should ensure that this poster is placed where employees can see it—whether on a jobsite or in a manufacturing facility," said Athey. It must be physically posted. There is no provision for maintaining an OSHA poster in an electronic format.

The poster is available in several languages, although OSHA only requires employers to post the English version, said Athey. Federal OSHA's workplace poster is also available in Chinese, Korean, Nepali, Polish, Portuguese and Spanish.

"OSHA encourages companies to display the poster in other languages, particularly Spanish, but does not penalize companies who only post the English version," she said.

Beware of Scams

Some private companies sell a version of the OSHA poster, but it's not necessary to buy as the agency provides them free of charge.

In some cases, individuals have fraudulently identified themselves as OSHA representatives and threatened to fine employers that do not buy their OSHA posters. "We continue to learn of complaints from employers who have received 'official looking' announcements and in some cases, threatening notices, messages or telephone calls from various companies requiring that employers purchase OSHA documents from them in order to remain in compliance with OSHA rules and regulations," the agency said. The most popular document being offered for sale is the OSHA Workplace Poster.

"It's important that employers do not become victim of misleading solicitation practices or incur unnecessary costs where these resources are concerned," OSHA said. If found in this situation, OSHA asks that you file a complaint with the Federal Trade Commission. You can also contact any OSHA area office nationwide to report a misleading solicitation, or to get information on specific workplace safety and health requirements.

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CALLING ALL SPEAKERS

Join the EHRA Speakers Bureau

The EHRA Speakers Bureau provides professional speakers who can address a variety of topics to assist education, business, and the community.

Members of the Speakers Bureau are available for group presentations on a variety of HR topics. Topics such as job seeking skills, interviewing tips, resume preparation, etc. for student groups along with human resource topics related to the specialty areas of the HR profession.

Need HR professions for the following topics:

- Generation Gaps (Younger vs. Older)
- Women and Competing in the Workplace
- Compensation and Benefits
- Employer Incentives
- Effective Techniques for Conflict Resolution



Please contact the Workforce Readiness Chairperson at volunteer@ehranet.org to inquire about the Speakers Bureau.

AURORA UPDATE:

Thank you for your recent donations to Aurora. Any assistance we get is greatly appreciated. As an update, we are currently in need of:

- **Food items including Beanie Weenies, Vienna Sausages, Ravioli, Beef Jerky, Potted meat, Tuna, Peanut Butter, Fruit (canned or cups), Applesauce, Protein Bars, Nuts, Soup and Ramen Noodles**
- **Pantry items needed include Canned goods, box dinners, pasta and sauce,**
- **Household items include cleaning supplies, new brooms, mops and dustpans, full and queen sheets and comforters.**

Sincerely,
Jayme Walters, MSW
Director of Development

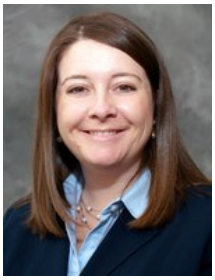
AURORA
—Giving Light to the Homeless—

DONATIONS NEEDED



The EHRA is currently seeking donations of new or gently used work clothing to donate to many different local charities. If you are interested in donating, please bring your items to our next meeting. Our current non-for-profit company that we are accepting donations for is:

THE EVANSVILLE CHRISTIAN LIFE CENTER





Dear EHRA Members:

Join In!

February provided two opportunities for members to **join in**. Over 80 attendees heard from Mercer at the EHRA's Annual Survey of Employer Sponsored Health Plans on February 10th. Later in the month on February 24th, members networked at the first 2015 HR after Hours event at Biaggi's (watch for more networking events this year).

Are you engaging with other local HR professionals? There are lots of ways to engage within EHRA: attend a monthly meeting, network at an HR after Hours event, or participate in a volunteer activity. Over the next few months, you'll have several opportunities to **join in**: March Labor Law & ACA Update, Spring Conference and a Social Media webinar in April, and a Legislative Update in May.

Thanks for being a member - **Join In**!

Tela

Tela M. Erdell, SPHR, GPHR, SHRM-SCP
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812.461.9743

EHRA Mission

The mission of the Evansville-Area Human Resource Association, Inc. is to promote professionalism in the area of Human Resource Management by providing opportunities for networking, comprehensive education and proactive support for its members while serving as a resource and advancing initiatives in the community through the enlistment of engaged and talented volunteer leaders.

EHRA Vision

To be the HR voice for the Tri-State.

March Nonprofit Highlight

Big Brothers Big Sisters of the Ohio Valley

Big Brothers Big Sisters wants every child to achieve success in life. By giving them a caring adult in their life, children facing adversity in our community are more likely to succeed at school and in life. The singular focus of Big Brothers Big Sisters is one-to-one mentoring relationships.

Volunteers ("Bigs") are carefully screened and matched with children ("Littles") based on similar interests. Out of those interests, a trusted relationship is formed that has a measurable impact on youth development. Nearly 9 out of 10 guardians surveyed in our region reported their child maintained or improved their self-confidence and ability to express their feelings.

Big Sister Sam and Little Sister Linzie have been matched for four years. Sam says, "I don't think Linzie had a grasp on what her future could be before we were matched, and I hope that she learns that there are a ton of opportunities out there for her." More than 8 out of 10 former Littles surveyed agree their Big gave them hope and changed their perspective of what they thought possible. Both Linzie and Sam agree that they will be a part of each other's lives forever and are so thankful to Big Brothers Big Sisters for bringing them together.

Big Brothers Big Sisters of the Ohio Valley serves the regional area including Vanderburgh, Warrick, Posey, Perry, Spencer and Gibson counties in Indiana, and Henderson County in Kentucky. For more information contact Anna Hargis: anna.hargis@bbbsov.org—(812) 425-6076—www.bbbsov.org—Facebook.com/BBBSOhioValley.

MEMBER SPOTLIGHT

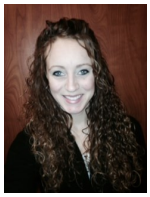


The EHRA would like you to get to know the new members who have joined us recently.



Sherri Stokes, Executive director of Aurora, Inc., joined EHRA to gain a new network of peers who are dealing with, or have already dealt with, some of the issues she will be addressing. While her front line staff is doing critical work in the community, she wants to make sure she protects the organization and staff, as well as develop them professionally and personally—it's a win-win situation and she feels blessed to be given this opportunity.

Sandy Hand, Human Resources Specialist at Anchor Industries, Inc., moved back to the Evansville area after some time away and is happy to be back and proud to be a member of the EHRA again. She looks forward to all the benefits of being a member and the networking and getting to know the HR professionals.



Jordyn Jones, Corporate Human Resources Generalist at United Companies, hopes to gain lasting professional relationships with other members in the EHRA. She is also looking forward to the opportunity to continue her education in Human Resources through EHRA and SHRM.

Caitlin McCowan, Operations Manager at



Home Instead Senior Care, joined EHRA because she'd like to be the best HR professional she can be and is always looking to learn more. She hopes to gain connections with community HR professionals.



Leslie Ousley, CWPC, Wellness Program Specialist for Vectren Corporation, enjoys most about her position that she gets to make programs/services available to their employee population that help improve and maintain all aspects of their physical and emotional health—which in turn has the power to lead employees to a better quality of life.



Jennifer Frederick, Store Manager at Barnes & Noble College, is glad she found the EHRA through SHRM and looks forward to meeting and networking with many of you. As Store Manager, she gets the opportunity to work with a wonderful group of students and faculty. She enjoys interacting and helping the students grow and building relationships with the campus faculty and staff.



Hannah Wiscaver, HR Manager at Boyd & Company, LLC, hopes to gain up-to-date information on the ever changing world of Human Resources as well as network with other HR professionals.



Natalie Clouse, Associate Compensation Analyst at Vectren Corporation, joined EHRA because she recently accepted a job in HR and wants to utilize the resources EHRA provides to help in her career.



Fred Emory, Director of Business Development for Gorman Recruiting, enjoys making a positive impact on local small/medium business owners in terms of providing them assistance with hiring key employees for their growing companies.



Wendy Summers, Human Resources Manager at Heritage Petroleum, joined the EHRA Board of Directors as Workforce Readiness Chairperson because she has an interest in developing programs that meet the needs of our local community. She would like to be a leader in her field and discover ways to help employers and employees find exactly what they need.

Please give a big welcome to our other newest members:

Jana Horton, Account Manager, Aerotek
Cheryl Martin, Director of Operations, YWCA of Evansville
Teresa Hagedorn, HR Generalist, Gibbs Die Casting Corp.
Kylie Sandefer, HR Assistant, Highway Machine Co.
Jennifer Frederick, Store Manager, Barnes & Noble
Jackie Askins, Dir. Of ER & Development, Accuride Corp.
Stacie Gillis, Manager or Corporate Communications, MasterBrand Cabinets.
Nora Nixon, HR Manager, Highway Machine Co.
Sheri Brown, Manager, HR, Deaconess Health System
Ticha Causey, Payroll Specialist, City of Evansville
Shelly Meserve, HR Coordinator, Gibbs Die Casting Corp.
Lynn Melms, HR Business Partner, Flanders
Patricia Wolfe, Dir. Compensation & Benefits, Accuride Corp.
Brad Futrell, Sr. Human Resources Generalist, CountryMark Refining

Don't Forget!

⇒ **If you haven't paid your 2015 EHRA membership dues, please do so as soon as possible!**
⇒ **Our March meeting is the last month that you can use your free meeting vouchers!**

INDIANA SHRM Webinar Series



Social Media: Communicate Smarter, Better, Faster

Friday, April 10, 2015

12:00 p.m. to 1:30 p.m.

Indiana SHRM Chapter Member: $15 Nonmembers: $20
(Note: EHRA will receive a portion of the registration fee)

Social media teaches us a lot about how people want to interact with each other, personally, professionally and as businesses. How we communicate can dramatically change how people respond to our message and how our relationships are built.

In this session we'll talk about how social media is revolutionizing ways we communicate and how you can take advantage of it.

Speaker: Krista Neher, CEO of Boot Camp Digital

Krista Neher is the CEO of Boot Camp Digital, author of the bestselling Social Media Field Guide, Visual Social Media Marketing and the textbook Social Media Marketing: A Strategic Approach and an international speaker. Krista is a social media pioneer, having run one of the first successful corporate Twitter accounts – before social media was even a recognized phrase. Krista has over 10 years of branding and marketing experience, working with companies like Procter & Gamble, GE, Macy's, Google and the United States Senate and has been featured as an expert in the New York Times, CNN, Wall Street Journal, NBC, CBS, Mashable and the Associated Press. Krista is passionate about social media and created one of the first accredited social media certification programs in the world.

The Webinar will be certified for both 1.5 HRCI recertification credits and 1.5 SHRM PDCs.



EHRA members network at HR After Hours at Biaggi's on February 24th. Watch for more networking opportunities coming up soon!



New from When Work Works—Free Workflex Assessment

Ever wonder how your workplace flexibility strategies stack up against other organizations in your industry across the U.S.? Now you can find out by completing the ***free*** **Workflex Assessment** courtesy of ***When Work Works***. The survey takes roughly 15 minutes to complete and once finished you'll be provided feedback on what your organization is doing well and about opportunities for improving your flexible workplace policies.

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ATTORNEYS AT LAW PLLC

Compass Financial Group

Ameriprise Private Wealth Advisory Practice

Spring EHRA Platinum Sponsor

Join us 12:00pm

April 29, 2015
at Biaggi's Ristorante

A sneak peak at your local provider of Ameriprise Financial Wellness Education Workshop

Please RSVP to Ryan Hayes at 812-477-5520

This program has been approved for 1 recertification credit hours toward PHR, SPHR and GPHR recertification through the Human Resource Certification Institute (HRCI) and (SHRM).

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