CHAPTER CONNECTION

A publication of the Evansville-Area Human Resource Association

May 2023



PRESIDENT'S **MESSAGE**

Welcome to May!

Thank you to all that joined the April meeting with Chris Schrader. We received positive feedback about his presentation as usual!



May is Mental Health Awareness Month. Please take a moment to reflect on your employees' mental health as well as your own. This is a very important topic and some of the small things we can do make a huge difference!

Please save the date for August 8 – 10th for the HRIN SHRM conference! Here is a link with information: https://hrindianashrm.org/conference/

There are scholarships available for certification and for the inclusion conference! Please visit the HRIN website above to review the information. It's a wonderful opportunity!

Our meeting is going to be held at First Federal in May as well. We'll welcome Megan Nail, and I know it's going to be great!

EHRA takes a basket for a raffle to the state conference. This year's theme is Life is a Carnival. We want to represent Evansville well. So if you have any ideas for this basket, we welcome them! They can be experiences, artwork, etc. Something that someone anywhere in Indiana can use. We appreciate any input and certainly donations!

Thank you to all for making our organization what it is. We appreciate all of you!

Amanda Gries
President

SHRM Tip:

HR Magazine is available to SHRM members to read on your phone as an app! Search for *HR Magazine SHRM* and download the app today!

HR Magazine

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.

Welcome Our New Members!

BROOKE **BUCKLEY**

Evansville Rescue Mission

ERIC **WOOD**

Anchor

THERESA **CAMPBELL**

Anchor

*MEMBERSHIP REQUIRES DUES TO BE PAID TO BE RECOGNIZED IN EHRA SYSTEMS AS A MEMBER.

LET US RECOGNIZE YOU OR A TEAM MEMBER! IF YOU HAVE A FUN PHOTO OR KNOW OF AN ACCOMPLISHMENT OF ONE OF OUR MEMBERS, PLEASE SEND THEM TO JESSICA.BAILEY@COUNTRYMARK.COM TO SHARE IN THE NEWSLETTER.

SAVE THE DATE

2023 EHRA

MONTHLY MEETINGS

5/18—MEGAN NAIL

6/15—STACEY BANE

7/19— KATHLEEN LAPEKAS

8/8—8/10—IN SHRM CONFERENCE

9/21—PENNY TEPE

10/26—EHRA ANNUAL CONFERENCE

11/16—TBD

DECEMBER—EHRA HOLIDAY PARTY



May Meeting Information

Thursday, May 18, 2023
11AM - 1PM
First Federal Operations Building
4920 Davis Lant Dr.
Evansville, IN



AGENDA

11:00 - 11:30 Registration and Networking
11:30 - 12:00 Lunch
12:00 - 1:00 Program

PROGRAM:
TOTAL REWARDS AND COMPENSATION: STACKING THE DECK AGAINST THE GREAT RESHUFFLE

Recent world events have dramatically changed what employees value and the competition for talent, but have you changed your total rewards approach as an employer? Between new compensation strategies for a highly competitive market, transformed workplaces, and a focus on crucial areas such as diversity, equity and inclusion and mental health, there are new trends everywhere. This fast-paced session will give you the highlights of what you need to know, along with a deep dive on compensation, for now and the future so you are prepared!

SPEAKER:
MEGAN NAIL

As Vice President, Total Rewards Practice at NFP, Megan advises clients on how to meet their organization's goals through total rewards and compensation strategy. She builds and designs market competitive base and incentive pay structures for organizations. She is currently the national Membership Advisory Council representative for the North Central Region of the Society for Human Resource Management, which is the highest level of volunteer leadership within SHRM. Megan has her Master of Science in Organizational Communication from Purdue University and a Bachelor of Arts from the University of Dayton. She also possesses professional certifications including Certified Compensation Professional (CCP), Certified Employee Benefits Specialist (CEBS) and SHRM-SCP. Megan most recently served as Senior Human Resources & Compensation Senior Manager at a major international law firm.

Announcing the 8th Annual Barnes & Thornburg/Ken Yerkes Scholarships for HR Professionals

SHRM Certification Scholarship (deadline 6/1/2023)

- Award recipient will receive a SHRM Learning System (online and hard copy) to prepare for the SHRM Certification Exam, and/or will be reimbursed for exam fees for SHRM certification.
- Awarded annually in August each year at the HR Indiana Conference and can be used during the remainder of the current year or until August 31 of the following calendar year.
- This scholarship is a one-time award to a recipient.
- Eligibility is based on the following:
  - SHRM and Indiana local chapter member
  - Must be preparing to sit for a SHRM certification exam
- Selection Criteria
  - Work experience/progression (HR involvement and future career plans)
  - Volunteer activity
  - Financial need
  - Must reside in Indiana
- How to apply
  - Complete an application at https://hrindiana.formstack.com/forms/2023hrindianascholarship
  - Submit two professional letters of reference providing insight into the person's character, career and volunteer accomplishments, work ethic, values and need for scholarship.
- Timeline
  - Applications submitted by June 1, 2023
  - All applicants notified prior to HR Indiana Conference
  - Award recipient announced at the HR Indiana Conference

HR Indiana Conference Scholarship (deadline 6/1/2023)

- Award will be used to pay for registration and hotel expenses (overnight room and parking) associated with attendance at the annual HR Indiana Conference.
- This scholarship is a one-time award to the recipient.
- Eligibility is based on the following:
  - Attendance at the upcoming HR Indiana Conference (must register as an attendee)
  - Must hold a position in the HR profession
  - SHRM and Indiana local chapter member
- Selection Criteria
  - Work experience/progression (HR involvement and future career plans)
  - Volunteer activity
  - Financial need
  - Must reside in Indiana
- How to apply
  - Complete an application at https://hrindiana.formstack.com/forms/2023hrindianascholarship
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  - Award recipient announced at the HR Indiana Conference

Questions?
Contact: HR Indiana SHRM • 317-961-5051 • admin@hrindianashrm.org • www.HRIndianaSHRM.org

HR Indiana SHRM is Sponsoring a SHRM INCLUSION 2023 Conference Award

HR Indiana SHRM is sponsoring a SHRM INCLUSION 2023 Conference scholarship/grant in Ed Carpenter's memory through the SHRM Foundation.

SHRM INCLUSION 2023 will be in Savannah, Georgia; the conference will be held October 30 – November 1, 2023. Learn more about SHRM INCLUSION 2023 at https://conferences.shrm.org/inclusion

SHRM Foundation will accept scholarship applications for SHRM INCLUSION 2023 April 11 – June 7, 2023.

SHRM Foundation scholarship/grant deadlines can be found at https://www.shrm.org/foundation/ourwork/scholarships/pages/all-deadlines.aspx

Eligibility

- To be eligible for an award, applicants must be ONE of the following:
  - Employed (full or part-time)
  - Full-Time Student

- To be eligible for an award, applicants must meet the following criteria:
  - Have a SHRM membership through October 31st of the year the award is accepted
  - Not receive any organizational support or reimbursement to attend the conference
  - Not be registered for the conference
  - Not have received a SHRM Inclusion Conference grant in the past five years

How to Apply

Complete online application including:

- Contact & demographic information
- A few short essay questions about your career and learning objectives
- Your resume
- A statement of support from your supervisor, professor, or colleague*
  *This statement may be completed by a colleague, current or former supervisor, professor, volunteer col league or other professional contacts. Statements from family members will not be accepted. Please up load a statement as part of the online application.

  Please print/download your application for your records before you submit it. Once you submit your applica tion, the SHRM Foundation will not be able to return it to you, in whole or in part, for any reason.

Selection Criteria

Applications are evaluated and scored by groups of SHRM volunteers and are reviewed by staff. The review committee will select individuals whom they believe are most likely to leverage this learning opportunity. They will seek candidates who are eager to learn and plan to apply the skills and knowledge gained to benefit their careers, their organizations, and their communities. HR professionals who are new to the field are encouraged to apply. All decisions are final.

Grant Distribution

If selected to receive a SHRM Foundation Inclusion Conference grant, a member of the SHRM Foundation team will work with the recipients on Inclusion Conference registration and hotel bookings. Recipients are responsible for scheduling travel plans and submitting all itemized travel-related invoices/receipts not to exceed $500. (i.e., flight, meals, gas, tolls, taxi/Uber, etc.)

Please note, the SHRM Foundation does not reimburse for any fees or expenses incurred by applicants prior to being awarded the professional development grant. SHRM/SHRM Foundation employees or board members and the immediate family are not eligible to apply for SHRM Foundation Scholarships, Grants, or Awards.



NLRB: Derogatory and Profane Speech is Protected (Sometimes)

On May 1, 2023, the National Labor Relations Board (NLRB) found workers who use derogatory and profane language while engaging in union-related activities may be protected under the National Labor Relations Act (NLRA).

The case is *Lion Elastomers II*. The facts of the case are as follows. An employee got into an argument with management about working conditions. The employer found the employee's conduct to be offensive and fired him. The employee challenged the employer's decision. Following lengthy legal proceedings, the NLRB found that since the worker was speaking out about workplace concerns (an activity that can be protected under the NLRA) when the offensive language was used, he was entitled to greater legal protections.

The NLRB's *Lion Elastomers II* decision overturns a Trump-era NLRB decision (*General Motors LLC*) from 2020. In *General Motors*, the NLRB utilized a new standard for reviewing offensive conduct that made it easier for employers to discipline employees for using discriminatory, harassing, and other profane language in the workplace regardless of the context in which it was used. The NLRB's holding in *Lion Elastomers II* represents a return to the pre-*General Motors* standard and requires employers to again consider the context in which the speech occurs. In doing so, the NLRB effectively makes it easier for union and non-union employees to *avoid* discipline for using racist, sexually inappropriate, profane, and other abusive language so long as the speech occurs in the context of NLRA-protected activities. Protected activities may include, but are not limited to, striking, picketing, expressing collective workplace concerns, and engaging in other union-related activities.

By way of example, the NLRB has found the following incidents of offensive speech and conduct to be protected under the NLRA under the pre-*General Motors* standards:

- An employee calling a business owner a "f##king crook," an "a$$hole," and "stupid" deemed protected in the context of a workplace dispute;
- An employee posting on Facebook that a manager was a "NASTY MOTHER F#####," "f##k his mother and his entire f##king family," and "Vote YES for the UNION" deemed protected in the context of union organizing activities;
- A striking employee shouting "f##k you, [n-word]" to a black security guard while holding up middle fingers deemed protected; and
- An employee repeatedly calling non-striking employees "whores" and telling one non-striking employee that she could make more money by selling her non-striking daughter at the flea market deemed protected.

(cont. on next page)



NLRB: Derogatory and Profane Speech is Protected (Sometimes)

(cont. from page 8)

Since *Lion Elastomers II* effectively overrules *General Motors* and reinstates the pre-*General Motors* standards, incidents of employee speech like the foregoing may be deemed "protected" if brought before the NLRB going forward.

Even under the employee-friendly standard adopted by the NLRB in *Lion Elastomers II*, it is still possible for employees to lose protection under the NLRA if their speech or conduct is so outrageous that it loses protection; however, the NLRB's *Lion Elastomers II* decision makes the distinction between protected and unprotected speech and conduct more difficult than this author believes it should be.

The NLRB's decision applies to union and non-union workplaces and protects union and non-union employees. Going forward, employers may wish to consider the NLRB's decision in *Lion Elastomers II* before disciplining employees for using derogatory or profane language in the workplace, particularly when the speech occurs in the context of activities protected by the NLRA. Employers may also wish to consider how the NLRB's ruling might affect their employee handbooks, manuals, and other policies.

This note is for informational purposes only and not for the purpose of providing legal advice. You should contact your legal counsel to obtain advice with respect to this update and how it affects you or your organization or any other specific legal issue or problem you may be experiencing.



CLASSIFIEDS: JOB POSTINGS & HELP WANTED ADVERTISEMENTS

Help Wanted Advertisements

Companies, Recruiters, and Human Resources Professionals who are seeking applicants for human resource positions may place "Help Wanted" advertisements on the EHRA website. The advertisement, which will run for 30 days, will appear on the EHRA Jobs webpage that can be viewed by the general public. This option also provides additional reach with posts made on the EHRA Facebook, Twitter, and LinkedIn social media pages.

The following rates apply for "Help Wanted" Advertisements:

- SHRM Members: $100/30 days
- Non-SHRM Members: $200/30 days
- Staffing Agencies: $250/30 days

To place a "Help Wanted" job listing, please visit our website and complete the online form. The Communication Chair will review the submission and contact the employer submitting the application. Once the posting has expired, the Communications Chair will contact the employer with an invoice and information on payment.

Job Wanted Advertisements

Members of EHRA who are seeking new career opportunities may place "Job Wanted" advertisements on the EHRA website. The listing, which will run for 30, will appear on the Job Link webpage viewed only by active EHRA members who are logged into the website. If the EHRA member placing this advertisement would like for the listing to be confidential, the EHRA Communication Chair will serve as liaison between the member and interested employers.

These advertisements are free of charge for EHRA members.

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EHRA is looking for sponsors for our Monthly Meetings.

Sponsorship provides many benefits including presenting your business to the meeting attendees .

Contact Brad at bodil@referenceservices.com for more information!

SAVE THE DATE!

Upcoming Member Meetings

May 18th—Megan Nail

June 15th—Stacey Bane

July 19th—Kathleen Lapekas

more information to come

What's Happening at EHRA

2023 board

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Amanda Gries
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President-Elect
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Secretary
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