Chapter Connection

A publication of the Evansville Area Human Resources Association

September 2020



PRESIDENT'S**MESSAGE**



Happy September! It's hard to believe that fall is already right around the corner. I hope many of you were able to enjoy the virtual HR Indiana Conference this year. EHRA received an award for having the highest increase in our percentage of SHRM membership within our chapter. Our own **Mary Thompson** was also honored with the **Chapter Volunteer Leader of the Year award**! Mary has been a dedicated and valuable member of EHRA and our EHRA board for many years, and is so deserving of this recognition! Even though we couldn't be there in person, I still thoroughly enjoyed the conference. The keynotes were excellent, and the conference committee did a great job engaging us all virtually.



Chris Schrader will present our September meeting virtually on Thursday, September 17 from 11am-12pm. He will be providing a federal and state government update. If you have seen Chris present before, you know that he always brings relevant and timely information to keep us updated on the latest in legislative affairs.

Speaking of legislative affairs, SHRM has announced a new Election Resources Center with tools and resources that will be updated regularly as we approach the general election in November. Check it out here. Together Forward @Work, SHRM's brand new call to action focused on driving racial inequity out of the workplace, has also officially launched. You can access is here.

Thanks for being a member!

Stay safe and be well!

Wendy Gumbel

Follow EHRA on Twitter
@EvansvilleHR

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.

09 17 2020

ABOUT OUR
EVENT

PROGRAM: State and Federal Legislative Updates

What is the Federal and State Government Up To? What are they up to in Washington DC? What are the political developments and how will they shape the upcoming presidential election? What legislation passed the Assembly session and how may they affect us? How much do you know about the bills and public policy efforts that may well shape our profession for the next 50 years? Do you know what to do? How to make a difference? Attend this lively and fast-paced presentation to learn what's happening in Washington DC and the Indiana State House.

SCHEDULE

11:00am-12:00pm

LOCATION

WEBEX LINK WILL BE SENT AFTER REGISTRATION, ONE DAY BEFORE THE MEETING

COST

Before September 17th
Member: $15 Guest: $30

September 17th and later
Member: $20 Guest: $35



ABOUT OUR
SPEAKER

Chris Schrader

Chris Shcrader is president of Schrader and Associates, a full-service HR consulting firm focused on helping small and medium businesses excel and grow. Prior to starting his own company he worked for several firms in the publishing industry for more than 25 years, holding leadership positions in Operations, Sales, Finance & Accounting and Human Resources.

He is also Director – Government Affairs for the HR Indiana SHRM and serves on the healthcare and labor law policy committees at the Indiana Chamber of Commerce. Chris is a frequent visitor to the Indiana delegation in Washington, DC and has developed solid Capitol Hill relationships over the last 20 years.

Both in his current role, and earlier as Chair of the Indiana State Chamber of Commerce's Labor Law Policy Committee, he has testified many times before Indiana Legislature.

He is also a Lecturer on the HR faculty at Indiana University, Bloomington, where he teaches Human Resources Management and Organized Labor Negotiation.

Chris holds a degree in Political Science from Indiana University and is certified a Senior Professional in Human Resources by the Human Resources Certification Institute.

MEMBER **SPOTLIGHT**



WELCOME TO OUR

NEW MEMBERS*

CHASITY **GOUARD**

Genentech

ELIZABETH **PETERS**

TrueScripts Management Services

JESSICA **POOLE**

Kimball International

MELISSA **SCHMITT**

Shamrock Technologies

LAUREL **VANHOOSER**

Student—USI

*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, SHARE IT WITH US AT JFERTIG@USI.EDU

MEMBER **SPOTLIGHT**



LAUREL **VANHOOSER**

Clinical Assistant

Tri-State Orthopaedic Surgeons

What led you to join EHRA?

I am seeking community in the HR space. I am wanting to network with like-minded people who can help me learn and grow into my role as an HR professional.

What do you enjoy about your job?

Taking care of people in vulnerable situations is a skill that takes time and a lot of effort to understand. I believe the most gratifying aspect of my job is having a hand in getting patients back to their normal lives and being a safe space for them along the way.

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Wage and Hour Update: WHD Issues Guidance on Tracking Compensable Telework Time and School Re-openings

By: Josh Gessling, Esq., *EHRA Legislative Director*

On August 24, 2020, the U.S. Department of Labor's Wage and Hour Division (WHD) issued Field Assistance Bulletin 2020-5 to clarify the obligations of employers to track compensable work performed by remote workers. Therein, the WHD confirmed that employers must pay employees for all time they are "suffered or permitted to work" (the standard under the Fair Labor Standards Act (FLSA)). This includes work performed by the employee of which the employer is aware (or has reason to be aware), even if the employer did not specifically request that it be performed.

According to the guidance, the obligation to compensate employees for hours worked can be based on actual or constructive knowledge of the work being performed. Employers may possess actual knowledge when an employee's work schedule is known or when an employee reports his or her work hours to an employer. Additionally, according to the guidance, an employer may possess constructive knowledge when the employer has "reason to believe work is being performed." An employer may have "reason to believe work is being performed" when "reasonable diligence" would have led to the discovery of the performance of work. According to the guidance, one way for employers to satisfy their obligation of "reasonable diligence" is to impose a "reasonable process for an employee to report uncompensated work time."

Even prior to the COVID-19 pandemic, employers were commonly advised to develop policies that required employees to immediately report all time worked (even unscheduled time). As the WHD's guidance illustrates, however, given the prevalence of remote and telework arrangements today, this practice may be more important now than ever. HR pros are encouraged to consult the WHD's guidance and consider implementing such a policy to guard against wage and hour claims.

Additionally, on August 27, the WHD supplemented its FAQs on the Families First Coronavirus Response Act (FFCRA) to include guidance related to the reopening of schools. According to the WHD's guidance, an individual may take paid leave under the FFCRA when his or her child is not permitted to attend school in person but, instead, must engage in remote learning (so long as the leave is needed to actually care for the child and no other suitable person is available to provide such care).

The WHD's guidance further clarifies that an employee is generally *ineligible* for FFCRA leave when his or her child's school offers a choice between in-person attendance versus remote learning and the employee elects the remote learning option (because the school is not closed or unavailable). According to the guidance, this is true even if the employee elects the remote learning option out of fear for his or her child contracting COVID-19. Note, however, if the child's health care provider has advised the child to self-quarantine or isolate, or if the child is subject to a quarantine order, the employee could be *eligible* for leave. The WHD's supplemented FAQs are available here: https://www.dol.gov/agencies/whd/pandemic/ffcra-questions.

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 any particular issue or problem.

What's Happening at EHRA

SHRM has announced a new initiative, Together Forward @Work, aimed at eliminating racial inequality in the workplace. The new microsite and *Blue Ribbon Commission on Racial Equity* will provide content, tools, and guidance for workplace leaders in creating positive workplace cultures for Black employees and other people of color.

NEW EHRA LOGO WEAR COMING SOON!

2020 board

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