

SHRM Sentinel

Jayhawk Chapter—Lawrence, KS #486



JUNE–JULY 2007

President's Message

AFFILIATE OF



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AUGUST 7, 2007
4pm–6pm
Stone Creek Restaurant
See page 3 for details

June, 2007—On Being Prepared.....

Recent reports of the Greensburg tornado tragedy, alarming threats of bird flu, and any number of other topics running around on the news screen have us all reeling with a heightened awareness of the possibilities of something drastic and unexpected happening in our sphere of influence.

Many are digging out the disaster plans and dusting them off, and perhaps finding they could be more complete.

Some are fortunate enough to have a department who puts most of that together for you; others of us are trudging through various phases of that task on our own, or with a small team in our organizations.

Whatever the case may be in your organization, I urge everyone to be very familiar with your plans, both disaster and pandemic, and make sure those around you are quite familiar with them as well.

If some portion of your plan is yet to be created, keep this in mind: The pandemic preparedness plan has many distinct characteristics that are different than the disaster preparedness plan.

If you have the honor of participating on a team to either update your organization's disaster plan, or to work together to generate the pandemic preparedness plan, keep in mind the differences between the two types of plans. Some recommend shoring up the disaster plan first, and then building the pandemic plan, pulling what's applicable from the disaster preparedness plan as part of the foundation.

Though it is overwhelming, and seems to be a priority that is in line behind all of the fires we are trying to put out each day of each week, I urge all of us to bring it to the forefront and work on one aspect each month. Continue to move forward.

Keep in mind, it is also important to find ways to communicate with all members of the team that being prepared is a priority to the company. Knowing the status of the organization's disaster planning and preparation is reassuring, and people are naturally interested in their part of the puzzle as well.

We don't know kind of plan the folks in Greensburg had, but we do know they had to put it to the test recently. We all could easily be faced with that reality at any point in time. Let's make sure we are in a position of preparedness. Our associates look to us for guidance and count on us to be as prepared as we possibly can. And they rest easier when they know we are doing our best in difficult subject areas such as disaster preparedness.

- Mary McKenzie, President

June Meeting Recap

“Free Money for Employee Training”
Presented by Stacy Walters, Business Consultant



If you weren't able to attend the June meeting and want to know more how you may be able to get FREE money for Employee Training, send **Stacy Walters, Business Consultant** an e-mail at swalters@heartlandworks.org for more information.

Heartland Works, Inc. is a private, non-profit company promoting economic growth in Northeast Kansas through a variety of workforce services and solutions. Using federal Workforce Investment Act funds, we operate 5 Workforce Centers where both employers and job seekers can find solutions to their employment and training needs.

July Meeting Recap

“Insure You” Program
Department’s Top Priorities
Presented by: **Sandy Praeger, KS Insurance Commissioner**



Learn more about Sandy Praeger by visiting www.ksinsurance.org



10 Secrets to Success

- 1 **HOW YOU THINK IS EVERYTHING:** Always be positive. Think success, not failure. Beware of a negative environment.
- 2 **DECIDE UPON YOUR TRUE DREAMS AND GOALS:** Write down your specific goals and develop a plan to reach them.
- 3 **TAKE ACTION:** Goals are nothing without action. Don't be afraid to get started. Just do it.
- 4 **NEVER STOP LEARNING:** Go back to school or read books. Get training and acquire skills.
- 5 **BE PERSISTENT AND WORK HARD:** Success is a marathon, not a sprint. Never give up.
- 6 **LEARN TO ANALYZE DETAILS:** Get all the facts, all the input. Learn from your mistakes.
- 7 **FOCUS YOUR TIME AND MONEY:** Don't let other people or things distract you.
- 8 **DON'T BE AFRAID TO INNOVATE; BE DIFFERENT:** Following the herd is a sure way to mediocrity.
- 9 **DEAL AND COMMUNICATE WITH PEOPLE EFFECTIVELY:** No person is an island. Learn to understand and motivate others.
- 10 **BE HONEST AND DEPENDABLE; TAKE RESPONSIBILITY:** Otherwise, numbers 1-9 won't matter.

Investor's Business Daily has spent years analyzing leaders and successful people in all walks of life. Most have these 10 traits that, when combined, can turn dreams into reality.

Upcoming Events

August 7, 2007—4pm to 6pm

SHRM August Social will be held Tuesday, August 7th from 4:00 to 6:00 pm at
Stone Creek Restaurant,
 3801 W. 6th St., Lawrence, Kansas



Join us in the meeting room on the lower level for appetizers and beverages. Bring a guest with you and get your name entered in a drawing for a prize! This is a great opportunity to socialize and to have prospective members meet our wonderful membership.

We will also be collecting school supplies to be donated to USD 497. These supplies will be distributed to children in need of items at all district elementary schools.

At this point, the district office staff doesn't have any specific supply needs, but sent a copy of the school supply list to give us ideas! Thank you so much to our membership for supporting children in need in the Lawrence area!

See you at the SHRM Social!

- Carol Rau, Recognition & Networking

Ideas for School Supplies

Prang (preferred) or Crayola (acceptable) watercolor paints
 Gallon size freezer Ziploc bags
 Pint size freezer Ziploc bags
 THICK Crayola markers (washable) - not fluorescent
 #8, #16, or #24 THIN Crayola crayons - no fluorescent
 Crayola assorted colored pencils
 #2 pencils
 200-count facial tissues
 14-oz Borden's or Elmer's white glue
 Glue stick
 Rubber erasers (not art gum)
 400 sheets wide-lined notebook paper
 Wide-lined 8½ x 11 spiral notebooks --single subject
 PLAIN colored pocket folders
 5-inch scissors (Fiskar)
 Pencil bag
 Book bag or backpack
 Thin-point dry erase markers



State SHRM Conference
September 26-28, 2007
 Overland Park Convention Center,
 6000 College Blvd.,
 Overland Park, Kansas

"The Jayhawk SHRM chapter invites all of our membership to join us in attendance at the 2007 Annual Conference which is being held on September 26-28th at the Overland Park Convention Center. This year our chapter has submitted art work shown below to be raffled off in support of the National SHRM foundation. This piece was provided to us by Nichole Baker, a local artist. If you are interested in previewing other pieces of Nicole's work, you can see her complete portfolio at www.divinetechniques.com. If you wish to preview all of the items that will be raffled off in support of the SHRM foundation, you can log on to www.ksshrm.org. We hope to see many of you there!"



Written By Tom Gimbel

The baby boomers are retiring and according to experts, Millennials offer a wealth of much-needed talent to fill the void. The National Association for Colleges and Employers predicts that college hiring will increase 19.2% this year over 2006 figures. As companies begin ushering in Millennials en masse, they will be forced to rethink how they do business, particularly how they manage their new tech savvy, plugged in batch of new employees.

Who Are the Millennials?

Millennials are people born between 1980 and 2000. They share a generational personality that is highly misunderstood by preceding generations who often misinterpret their motivation as impatience and their enthusiasm as narcissism. To manage Millennials in a way that will add value to a company, employers need to understand their generational footprint.

Millennials Are:

- **Confident:** Millennials were raised by doting parents and a culture that emphasized their “specialness.” Parents told them they could be whatever they wanted to be, and the culture catered to them with customized services like Baby Gap, Nickelodeon, and *Sports Illustrated for Kids*. They’ve always been told they can succeed, and they expect to.
- **Connected:** Millennials are more connected than any previous generation. They grew up with mobile, easily accessible information that is available 24/7.
- **Short-sighted:** Paychecks are the dividing factor between Millennials and baby boomers. Millennials fail to see the benefit in saving for retirement if they spend 30 years in a boring job. They prefer to find a job that provides fulfillment, happiness, and a little extra cash for the weekends.
- **Civic-Minded:** They were taught to value the greater good and have an innate need to contribute.
- **Inclusive:** Millennials value teamwork and their teammates. They’re a no-person-left-behind generation, and they’re willing to fight for fairness.
- **Goal-Oriented:** Millennials were brought up in a fast-paced, hectic environment. Their parents hustled them from soccer practice to dance class, so they’re used to finishing one project and moving directly on to the next.
- **Believers in Work/Life Balance:** Unlike their parents, they view life and work as two separate entities—and life comes before work. Millennials don’t view it as work/life balance, but rather life/work balance.

Managing Millennials

Learning to manage Millennials is comparable to learning to drive a new car. At first, it can be kind of tricky. The brakes may be sensitive, the steering a bit stiff, and you’re not sure how it’ll handle a sharp turn. But once you break it in and find out what makes it tick, you’ll be amazed by its performance.

Millennials are brimming with potential; they just need a little guidance and the right management style, which involves meeting their innate needs in an environment that fosters growth. So how do you accomplish that?

- **Give Them a Mentor:** Millennials want attention in the form of guidance, advice, and genuine interest. A mentor gives Millennials someone they can connect with on a personal and professional platform who will provide them one-on-one attention that will help them gain experience and knowledge. Millennials value the genuine interest mentors take in them, and they will work harder for someone whom they appreciate and respect than for someone who is a disconnected manager. Companies such as Proctor and Gamble and Siemens have even established reverse mentoring programs that combine new hires with middle-aged executives. These programs allow the older mentor to advise on business knowledge and the younger mentor to advise on the newest technologies.
- **Challenge Them:** Millennials know they have a lot to offer and they are eager to share it. They’ll tolerate mundane tasks if given the opportunity to voice ideas. Let them sample more challenging work so that they know they’ll have an opportunity to grow. Keep them excited about what’s to come.

- **Encourage Collaboration:** There is a stereotype that Millennials are demanding. In reality, their insistence stems from the urge to contribute. Encourage them to be collaborative in the workplace. Peer groups push Millennials to succeed and allow for more creativity.
- **Make Work Fun:** Millennials are extremely enthusiastic and optimistic, and they crave a work environment that fosters their outgoing attitude. They are more willing to do hard work when it's in a fun environment.
- **Show Respect and Appreciation:** It's true that Millennials respond well to respect and appreciation, but who doesn't? Millennials are smart and hardworking; they know it and they want to know that you know it. It doesn't take much to show a little appreciation. Bring in free bagels on Fridays or try a simple thank-you. A small gesture can go a long way. The most important thing to remember about managing Millennials is that just like buying a new pair of jeans, the perfect fit is hard to find. But with a little time and wear and tear, they become comfortable, and eventually, irreplaceable. Always keep in mind that eventually, change leads to comfort.

AUTHOR BIO:

Tom Gimbel is the founder and CEO of The LaSalle Network, which offers staffing and employment solutions to Chicago-area businesses. For more information, visit www.thelasallenetwork.com

Financials



As of June 19, 2007

Checking:	\$14,430.31
Pay Pal	\$ 4,695.17
Petty Cash:	\$ 200.00
Total:	\$19,325.48

- Angela Fleming,
Vice President of Finance

Minimum wage increase: A decade in the making

By Rob Smith, Ceridian manager of Government Relations

On May 25, President Bush signed the first increase in the minimum wage in a decade. Beginning July 24, 2007, the minimum wage will increase from \$5.15 to \$5.85. On July 24, 2008, the wage will increase to \$6.55, and one year later – on July 24, 2009 – it will increase again to \$7.25.

The minimum wage has long been a hot item in the U.S. Congress for 10 years. The Democrats made the issue a cornerstone of its successful effort in the 2006 elections to take over leadership in the House and Senate.

That's not to say that the Democratic Congress had an easy time getting the wage increase approved. From the beginning, House and Senate leaders couldn't agree whether to go forward with a "clean" bill to raise the wage or combine the increase with a package of tax breaks for small businesses to offset the cost. In the end, and after both the House and Senate approved several versions of minimum wage legislation, the Congressional leadership felt it was necessary to attach the increase to "must pass" legislation to provide funding for American troops serving in Iraq and Afghanistan in order to approve the wage increase.

Many states affected

As a result, wages will rise in 13 states/territories that follow the federal minimum wage rate – New Mexico, North Dakota, South Dakota, Georgia, Indiana, Utah, Virginia, Oklahoma, New Hampshire, Texas, Idaho, Indiana and Puerto Rico. It also applies to the five states with no minimum wage law – Mississippi, South Carolina, Alabama, Louisiana and Tennessee. The new federal minimum wage will apply to employees who are covered by the Fair Labor Standards Act (FLSA).

Changes to garnishments; tip credit remains

Calculations for creditor garnishments will be affected significantly by the federal wage increase. Creditor garnishments usually are issued through the court for the repayment of civil debts and are governed by federal and state law. Under the Consumer Credit Protection Act, the amount that can be garnished in any pay period is the lesser of 25 percent of an employee's disposable earnings or the amount by which disposable earnings are greater than 30 times the current federal minimum wage. While the 25 percent rule applies in most cases, states may have a lower percentage, and employers are required to use the percentage which is most favorable to the employee. For more detailed information regarding creditor garnishments, visit your state department of labor Web site or the federal Department of Labor at www.dol.gov.

In addition, the law allows employers in the food service business that employ workers who receive a certain amount of their incomes in customer tips to claim the full amount of the tip credit even though the minimum wage is increasing. In effect, it freezes the minimum wage at \$5.15 for purposes of calculating the credit for businesses. Without this provision, the credit would have been reduced as the minimum wage increased.

Small business tax relief

Small businesses will benefit from a \$4.8 billion small business tax relief package included in the legislation. Most significantly, the bill includes an extension of higher Section 179 expensing limits for capital investments through 2010. The expensing limit is increased to \$125,000 for 2007 and will be indexed for inflation in future years. Expensing under Section 179 is useful for small businesses because it allows them to expense the purchase of new equipment in the year it is purchased rather than writing its cost off over several years.

Under the legislation, the work opportunity tax credit is extended 44 months for qualified individuals who begin work after December 31, 2007, and before September 1, 2011. Employers will now be able to take the credit for hiring veterans and individuals who live in counties where the population has decreased.

In addition, married couples who own a business and file jointly will be able to report each of their shares of income. As a result, both individuals will be able to receive full credit for Social Security benefits. Under previous law, these couples had to report their business income in only one name or go through the complicated process of forming a partnership.

In the Senate's original version of the minimum wage increase legislation, the small business tax package was much larger at \$12 billion. It also carried a wide variety of revenue raisers to pay for the package, including a provision targeting executives that would have put a \$1 million annual cap on the amount an employee could place in a Section 409A non-qualified deferred compensation plan. Currently, there is no limit on the amount that can be placed in a tax-deferred plan, which allows executives and other employees to put off paying taxes on what can be millions of dollars in pay, stock options, bonuses and earnings.

Sign of the times

The 409A provision was not included in the bill the president signed into law. However, the Democratic Senate leadership's decision to consider a bill that would limit executive compensation arrangements while at the same time raising the minimum wage for the economy's lowest paid workers provides an interesting juxtaposition. What employers can take away is that this Congress not only will continue on a more worker-centric legislative track than we have seen in recent years, but CEOs' and other top level executives' pay will remain squarely in the crosshairs. Indeed, the chairmen of the House and Senate committees that handle tax have already signaled that they intend to revisit the 409A measure in the near future.

HOME HEALTH CARE WORKERS ARE EXEMPT FROM MINIMUM WAGE, OVERTIME LAWS, SUPREME COURT SAYS - By [James M. Coleman, Fairfax, VA](#)



June 13, 2007

The Supreme Court has unanimously held that home health care workers are exempt from the FLSA's minimum wage and overtime provisions as "domestic service employees," regardless of whether they are employed by third-party agencies. To see a copy of the decision in *Long Island Care at Home, Ltd. v. Coke*, click [here](#). The decision reversed a prior ruling of the U.S. Court of Appeals for the Second Circuit (Connecticut, New York, and Vermont) which had held that the exemption did not apply and that the minimum wage and overtime requirements of the FLSA did.

The lengthy litigation, which involved two trips to the Court of Appeals and an intervening petition to the Supreme Court, was premised upon the plaintiff's direct attack on the validity and enforceability of regulations and interpretations promulgated by the Wage and Hour Division of the U.S. Department of Labor. The FLSA exempts from its minimum wage and overtime provisions those engaged in "domestic service employment" and "companionship services." Under regulations issued by the Department of Labor, employees of third-party agencies who perform in-home companionship services for the aged or infirm are subject to this exemption, which means that such employees are not entitled to overtime pay under the FLSA, even if they work more than 40 hours in a workweek.

The Supreme Court's decision focused primarily on issues of administrative law and the level of deference that courts should give to agency interpretations of statutes that they are charged with enforcing. While acknowledging that the Labor Department's regulatory history with respect to the statute in question had been somewhat inconsistent over the years, the Supreme Court ultimately concluded that the Labor Department had properly fulfilled the regulatory duties that had been delegated by Congress. Justice Breyer, who wrote the opinion, said, "The statutory language refers broadly to 'domestic service employment' and to 'companionship services.' It expressly instructs the agency to work out the details of those broad definitions. And whether to include workers paid by third parties within the scope of the definitions is one of those details."

The Labor Department, of course, applauded the Supreme Court's decision as upholding its longstanding enforcement position that the exemption applied broadly, regardless of whether the worker was employed by a third-party agency. Taking a contrary view, Senator Edward M. Kennedy (D-Mass.), who chairs the Senate Committee with jurisdiction over the FLSA, issued a statement suggesting that the ruling was unfair to home health care workers, and promised to seek to correct the situation through legislative means.

If you have any questions about the applicability of federal or state minimum wage or overtime requirements to your company, please contact any member of Constangy's [wage and hour practice group](#), or the Constangy attorney of your choice.

Constangy, Brooks & Smith, LLC has counseled employers, exclusively, on labor and employment law matters since 1946. For more information about the firm's labor and employment services, visit www.constangy.com, or call toll free at 866-843-9555.

SHRM Jayhawk Chapter

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Keep us Posted!

Please send any corrections or updates of names, job titles and mailing addresses of our members to Ann Connor or Amy Bellerive.

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