



Lawrence, KS #486

THE RESOURCE

October 2013



Inside this issue:

Luncheon Speaker Bio	1
Presidents Message	2
Board of Directors	2
Mark Your Calendars	
Chapter Membership	3
2013 Diversity Survey	
Legislative News	4
Financial Report	
Quote of the Month	
Who eats breakfast?	
Mandatory Flu Vaccination Policies	5

In 2002 best friends, Doug Richards and Scott Allen stood in the sunshine on the then newly erected Sprint campus and asked a question; If time and money were unlimited what would we do?

Instead of early retirement or giant houses their surprising answer was to build. But not just to build a company or even several companies but instead to begin a lifelong pursuit of change based on the simple mantra; "What If...?"

The Power of the word If is well-documented in science and innovation through the ages but what happens when we apply the Power of If to people? Simply; we change cultures, beliefs, attitudes and disrupt power centers. Simply asking "What If..." we give ourselves permission to learn and others opportunity to excel.

In this sixty minute session you will begin to understand just how simple the Power of If can be harnessed in your organization.

Speakers Bio:

Doug Richards's knowledge spans technology, adult learning theory, compliance, software implementation, human performance improvement, commercialization, sales, and change management.

The Power of "If" Presented by: Doug Richards

Doug began a love affair with web technology in late 1991 following an invitation found on a Compu-Serve BBS to join in testing the emerging Winsock TCP/IP protocol. The chance relationship with pioneers of the early internet sparked a passion that led to being witness to the birth of the internet browser as it evolved from Nexus to Mosaic. At the release of Mosaic in 1993 he moved from witness to contributor and began creating web pages for himself and his friends – mostly musicians and artists. His early work explored the boundaries of design and information presentation and radically exploited the inline image capabilities that made Mosaic a phenomenon. In 1994 he created an interactive marketing department for an events production company based in Lawrence, Kansas (the home of Kansas University) and took event flyers digital by mobilizing IRC and BBS into ad hoc social marketing networks. In parallel to this he became an advocate for the web to become a system for effecting social change by leveling access to education. This progression of philosophy drew him to pursue membership in the W3C where he donated his time to the pursuit of developing measurable certifications for web technicians.

In the last decade his company, B2i Ventures, has been behind the scenes leading systems and strategies to propel innovations to market for some of the world's largest companies including

Bayer, Target, Miami Children's Hospital, Burger King, Johnson and Johnson, Vanity Fair, the NBA, MLB and NFL. He is the inventor of multiple technology patents and his new book; Artificial Business Intelligence is due for release September 2013.

"If you can keep your head when all about you are losing theirs and blaming it on you..."

—"If" Rudyard Kipling

The Power of "If" Tuesday, October 8, 2013

Time: 11:30 a.m. to 1:00 p.m.
Registration begins at 11:15 a.m.
11:30 a.m. Buffet Lunch Available
11:45 Opening Business, Chapter Announcements
12:00 Speaker Presentation
1:00 Meeting Adjourned
Location: Pachamama's Alton Ballroom
800 New Hampshire Street, Lawrence, Ks 66044

Cost: \$15 if pre-registered by Thursday noon deadline prior to chapter meeting.
\$20 after Thursday noon pre-registration deadline or walk in at the door.

REGISTER ONLINE:
www.jayhawkshrm.org



2013 Board of Directors

Co-President

Heather Bunker and Mary McKenzie

President-Elect

Heather Bunker, SPHR

VP of Membership

Kelly Calvert, SPHR

VP of Finance

Mary Seyk

VP of Professional Development

Debbie Snyder

VP of Communications

Jenny Hiatt, PHR

Past President

Mary McKenzie, SPHR

Certification Chair

Heather Bunker, SPHR

Diversity Chair

Angela Fleming, PHR

Foundation Activities Chair

Laura Paoli

Legislative Affairs Chair

Scott Criqui

Recognition & Networking Chair

Ryann Pem

Volunteerism Chair

KU Student Relations Chair

Lori Carnahan, SPHR

Workforce Readiness

Barry Kingery

Sponsorship Chair

Charlie Upton

Web Site Administrator

Jo Ann Williams, PHR

Website-In-Training

Eva Lopez-Iskandrani

www.jayhawkshrm.org

President's Message



Human Resources Professionals as Business Partners

Having just attended the outstanding Kansas SHRM Conference, I was reminded of the importance of HR professionals developing our skills and building professional knowledge. In addition, the theme of HR professionals advocating for themselves by communicating the value of the HR role surfaced in presentations and small group discussions.

SHRM is continually working to help HR professionals become more successful as business partners in their organizations. We witnessed this during the Kansas SHRM Conference last week, and we see it every time we communicate with SHRM, including our contact via www.shrm.org. A prominent message throughout SHRM is, by expanding our knowledge base and applying it in our work, we enhance our ability to promote awareness of the value and necessity of business leaders partnering with HR professionals.

Examples of the ways HR impacts the business are included in a SHRM seminar agenda* that lists the qualities of a successful business partner:

- Demonstrating effective internal consulting skills.
- Understanding business acumen and the financial drivers of company performance.
- Identifying ways to demonstrate skill as a business leader and HR professional through effective communication, influence and leadership.
- Ability to develop a business case and implementation plan.
- Coaching executives and managers to effectively lead their teams.
- Identifying key organizational initiatives requiring a change management process and communicating the key steps to business leaders.
- Identifying opportunities to support the organization through effective facilitation.

Aligning HR activities with the strategic direction of the organization and communicating how HR supports business results."

As HR professionals, we impact our organizations when we apply these skills, which results in HR being recognized as critical partners to the organization. We are encouraged to keep in the forefront of our minds both the encouraging message of the importance of our roles for those providing HR expertise as internal or external business partners, and the benefit of communicating that value through words and actions in our everyday work.

*Excerpts from SHRM "HR Business Partners I and II"

Mary McKenzie, SPHR

Co-President, Jayhawk Chapter SHRM

Mark Your Calendars 2013 Upcoming Events

October 8th Meeting—"The Power of If"

Presented by Doug Richards

November 12th – What's New in Employment Law

Presented by Kathy Perkins

December 10th – Social Event

Jayhawk Chapter SHRM meetings are held on the second Tuesday of each month with registration and buffet beginning at 11:15 a.m. and the presentation from Noon to 1:00 pm at Pachamama's, 800 New Hampshire, Lawrence, Kansas.



Debbie Snyder

VP of Professional Development

professionaldevelopment@jayhawkshrm.org



Did I hear **Free**? What is **Free**? How do I get it?

Effective October 1st, the Jayhawk Chapter of the Society for Human Resources Management is offering three “free” months of membership with your 2014 enrollment. Come join this group of HR professionals who provide opportunities to network and attend monthly professional programs. Now is your chance to take advantage of these and other membership benefits. Here is a list of the different membership categories effective October 1, 2013 through December 31, 2014:

Professional Membership: Limited to those individuals who are engaged in the human resources profession or human resources education and either have the majority of their job duties in professional HR work; are a full-time consultant with at least three years experience as a practitioner in human resource man-

agement or are certified by the Human Resource Certification Institute. COST: \$60

"SHRM" Membership: For those individuals who have CURRENT professional membership in the Society for Human Resource Management and have designated the Jayhawk Chapter (#486) as their local affiliate. NOTE: You must provide your national member number to the VP of Membership. COST: \$50

Associate Membership: For individuals who do not meet the qualifications of other classes of membership, but who demonstrate a bona fide interest in human resource management and the mission of the Chapter. Associate Members may not vote or hold office in the Chapter. COST:\$60.

For more information about the Jayhawk Chapter, please visit our website, www.jayhawkshrm.org, or contact Kelly Calvert at membership@jayhawkshrm.org.



Kelly Calvert, SPHR
Vice President of Membership

Special points of interest:

- 3 **FREE** months of membership with 2014 enrollment
- Professional Membership
- SHRM Membership
- Associate Membership

Diversity

Race	Gender	Creed
Age	Life-Style	National Origin
Disability	Gender Identity	Personality
Educational Background	Income Level	

The Jayhawk chapter of SHRM recognizes, appreciates and fosters the synergy, which is created when the environment values the differences in individuals and practices inclusiveness and open communication.

As a group, we are committed to advancing the issue of diversity throughout the association, placing value on all individuals and the different perspectives of those individuals, and promoting the process for all to feel included as part of the whole .

Diversity includes race, gender, creed, age, life-style, national Origin, disability, gender identity, personality, educational background, and income level.

As many of you know, annually we review the diversity practices and initiatives of organizations that are nominated by members for our Diversity Award.

Well friends.... it is that time of year!!! In addition to enjoying a great presentation by Doug Richards on “The Power of If” on October 8th, we hope that you will join us to celebrate the organization being presented with this accolade for 2013.



Angela Fleming, PHR
Diversity Chair - Jayhawk Chapter of SHRM
diversity@jayhawkshrm.org

DOL Releases Same-Sex Spouse Guidance for Purposes of ERISA

By: Jason Lacey

The DOL released guidance today describing how it will interpret the term "spouse" for purposes of ERISA in light of the Supreme Court's decision in *Windsor*. There are no real surprises. The guidance is consistent with broader tax-based guidance released by the IRS a few weeks ago.

A same-sex couple will be treated as married (and therefore as "spouses") for purposes of ERISA if their marriage is valid in the state in which it was celebrated. This includes marriages entered into in foreign countries that recognize same-sex marriage. It does not matter that the couple may reside in a state (like Kansas) that does not recognize same-sex marriage.

Consistent with the IRS's guidance, the DOL also clarified that same-sex couples who are in non-marriage relationships, such as civil unions or domestic partnerships, will *not* be recognized as spouses for purposes of ERISA. They must, in fact, be married.

The DOL's guidance was limited to the definition of spouse for purposes of ERISA and does not address other federal statutes under the jurisdiction of the DOL, such as the FMLA.

Provisions of ERISA that affect spousal rights include:

1. HIPAA special enrollment rights.
2. COBRA notice and election rights.
3. Survivor benefits and other spousal rights under retirement plans.
4. Rights under qualified domestic relations orders (QDROs).



Scott Criqui
Legislative Affairs
legislative@jayhawkshrm.org

Financial Report

Prepared by:
Mary Seyk
VP Of Finance
finance@jayhawkshrm.org



Current Assets: 9/30/2013

Checking Account:	\$ 5,758.80
CD's:	
91-Day (8/6/13)	\$ 1,135.06
182-Day (9/6/13)	\$ 5,122.39
12-months (5/13/14)	\$ 8,450.08
	\$14,707.53
Pay Pal Account	\$ 400.94
Petty Cash:	\$ 100.00
Total:	\$ 20,967.27

Quote of the Month:
"Nothing great was ever achieved without enthusiasm"
 - Ralph Waldo Emerson



Breakfast is known as the most important meal of the day for a very good reason: a healthy meal in the morning can balance our blood sugar levels and give us the sustenance we need to handle physical and mental stress. Without it, we will be less resilient, both physically and mentally.

Eating breakfast gives us a mental advantage. When we start off our day, our body needs fuel. If we haven't had a healthy breakfast or any food at all, by lunch we may start to feel fatigued. Without eating breakfast, we may be more vulnerable to cravings and less likely to make healthy choices in the morning and throughout the day. A healthy breakfast could consist of many different choices. To get started, think about plenty of protein and fruit, not just caffeine and empty calories.

If you don't consider yourself 'a breakfast person', try eating a healthy breakfast for a week and see how you feel. You may start looking forward to it, or notice the difference if you leave home without it.

Mandatory Flu Vaccination Policies: Tips for the Upcoming Flu Season

By Jeanine Conley on September 5, 2013 Posted in Health and Wellness

As the summer comes to an end, the dreaded flu season, which impacts employers across the country, looms ahead. According to the Centers for Disease Control and Prevention (“CDC”), the flu season can begin as early as October and last as late as May. The CDC reports that, on average, 5 to 20 percent of United States residents get the flu each year, and more than 200,000 are hospitalized.

In light of these statistics, many employers have begun to revisit their flu vaccination policies in an effort to determine how best to protect their employees, as well as their patients, customers, and clients. Indeed, many hospitals and health care facilities have implemented mandatory flu vaccination policies, and for safety and business reasons, other types of employers are determining whether to follow suit.

But employers must first be aware of the legal implications involved with such programs:

Exemptions to Mandatory Policies – Employers should be prepared to work with employees who object to receiving a mandatory flu shot on the basis of medical or religious reasons. For example, an employer could be held liable if it forces an employee, who claims she is allergic to the vaccination, to take it or face termination and that employee later becomes ill. Additionally, anti-discrimination laws, such as Title VII of the Civil Rights Act of 1964 and the Americans with Disabilities Act (“ADA”),



may prohibit the enforcement of mandatory vaccination policies against employees who claim their disability or sincerely held religious belief or practice prohibits them from receiving the flu shot. Employers should set up a clear and consistent process for assessing whether an exemption is warranted, require employees to sign a declination form to document the employee’s objection, and request a doctor’s note where an employee seeks a medical exemption. In keeping with ADA obligations, employers should also engage in the interactive process with any employee who cites an alleged disability to determine whether a reasonable accommodation exists, such as complete exemption, wearing a mask, temporary reassignment, or use of a color badge to identify if an employee has not been immunized. An employer, however, should never treat an employee who has received an exemption in a retaliatory or punitive manner.

Who Should Be Vaccinated – Many employers only require employees who have regular access to patients or individuals with compromised immune systems to receive a flu shot. If a policy is challenged, an employer must be prepared to present its reasonable business interest. Careful consideration of the scope of a mandatory policy prior to implementation can avoid legal issues down the road.

Consequences for Failure to Vaccinate – An employer must determine whether corrective action or termination will be the penalty for employees who refuse to receive a vaccination (but do not fit within an exemption) and whether to institute infection control measures, such as wearing a mask or temporarily reassigning an employee, during the flu season. It is critical, however, that the employer uniformly implement the policy and ensure that the measures are being used to increase public safety and are not punitive.

Employment Contract or CBA – If an employee has an employment contract, an employer may be barred from forcing the employee to take a flu shot or risk termination. Similarly, a collective bargaining agreement between an employer and a union may also prevent an employer from unilaterally instituting a policy that changes the terms and conditions of employment without approval from the union and its members.

Take-Aways

If employers intend to develop mandatory flu vaccination policies, they should consider all legal implications before implementing such policies. The key, however, to the success of any policy is consistent implementation, especially to protect against any discrimination claims or civil rights violations.

There are also several steps an employer can take to reduce the spread of the flu other than instituting mandatory vaccination policies. Some employers ease attendance policies increasing sick leave, encourage ill workers to stay home, or allow sick workers to work from home. Many employers also offer free voluntary workplace vaccinations, which studies show increase the number of employees who are vaccinated. The policy, whether mandatory or voluntary, should be set forth clearly and also can be included in the employee handbook, which each employee should be required to sign acknowledging that they have read the policy along with a disclaimer that the policy does not imply any contractual agreement.

In short, not every employer will approach the flu season in the same way - employers should consider their needs and plan accordingly and should consult their state departments of health to seek further guidance on such policies.