



Summer 2009 Newsletter



www.achra.org

From the Desk of the President, Rudy Beverly

Dear ACHRA Members:

Its summer and our thoughts turn to vacation planning – beaches, swimming to escape the heat, grilling and of course, gardening and yard work. Before we know it, the season will change and fall will be upon us. Much like our profession, time and HR waits for no one.

We are in the midst of a long, difficult economic downturn. While many predict that we will see an economic rebound in the latter part of 2009, employment may still be in the midst of stormy seas. As we know, employment is the lagging indicator of any recovery, thus, our profession will continue to face challenging days ahead. More than ever, HR professionals must support each other to get through the rollercoaster of furloughs, plant closures, and benefit cost containment, to identify just a few of our day-to-day challenges. For this reason alone, ACHRA and SHRM stand ready to help you gain strategies to meet the challenge of your workplace.

In the upcoming months, ACHRA will host some exciting membership meetings and an HR Day Conference that will educate, encourage, and support you. On July 14, come to our morning membership meeting and hear about our local economy from a panel of *local* business leaders. At the August membership meeting, Tracy Burpee will provide an overview of SHRM's 2009 National Conference – HR Leadership for the New Economy. And, on September 10, ACHRA will host its 11th Annual HR Day Conference, and this year's theme is "Leadership in Challenging Times." The HR Day Planning Committee is hard at work preparing what I believe will be one of the best conferences ever, providing you with great information and preparing you to be an HR leader.

At the state level, VASHRM continues to focus on promoting partnerships between businesses, government, and educational institutions to develop and maintain pathways to meet the workforce demands in Virginia. One of the efforts includes the creation of a newsletter focusing on workforce readiness in Virginia. I encourage you to read this newsletter. To view a copy of *Pathways to Workforce Readiness* newsletter, please visit: <http://www.shrmva.org/WorkforceReadiness09.htm>.

Throughout the year, many of you have heard me stress the importance of "advancing our profession while supporting the professional." In this spirit, at our July membership meeting, 10 ACHRA members will be selected to receive paid registration to the Virginia State SHRM conference in Virginia Beach, October 4-6. The Virginia Beach conference offers another opportunity for ACHRA members to learn about opportunities that challenge today's HR environment. And, if you are looking for more reasons to attend, its 3 days at the beach, meeting new people with a party in the park... and up to 17.25 PHR/SPHR recertification credits.

I began musing about beaches, and found a way to end including beaches in an HR learning environment. To this end, maybe things don't change that much for HR professionals who are prepared for the challenges of our profession.

ACHRA is here to help you – become a member. Join us as we prepare HR leaders for today's challenging workplaces!

Upcoming ACHRA Meetings

Mark Your Calendars – August Membership Meeting – August 11, 2009 from 7:30 – 9:00 a.m. at the Best Western Cavalier Inn. More information to follow!

12th Annual HR Conference

Leadership in a Time of Change

Save the Date

Thursday, September 10, 2009

7:45 am-4:30 pm

Farmington Country Club

Charlottesville, Virginia

The conference topics and speakers have been carefully selected in order to provide the necessary tools and education for all professionals to adjust during these changing times. ACHRA cordially invites you to take a break from your busy schedule to engage in what promises to be a productive and informative day! Conference brochures will be mailed in July with full details!

Interested in Certification?

Last day to register for the ACHRA-sponsored SPHR/PHR/GPHR prep course/study group is July 31st! See more details on page 5 of the newsletter.

Win FREE Registration to the VASHRM State Conference!

As part of our continued effort to support members and advance the profession, ACHRA will pay the registration fees for 10 members to attend the state conference. The 2009 Virginia State SHRM Conference will be held in Virginia Beach (October 4-6, 2009). You can read more about the Conference (and the opportunity to earn up to 17.25 HRCI Recertification Credits) at

<http://virginiashrmstateconference.com/>

The 10 Lucky Winners are:

Robyn Fisher - ACAC

Allison Linney – Allison Partners

Yvonne Carter – UVa Development

Mark Davis – Kelly Services

Faye Giles - NRAO

Michele Flint – Blue Ridge School

Gayle Mapstone - nTelos

Mia Burroughs – MicroAire Surgical Instruments

Wendy Miller – Martha Jefferson Hospital

Nikki Forbes – Northrop Grumman/Sperry Marine

Congratulations to you all!

Have fun at the Conference.

Volunteers Needed!

ACHRA is looking for volunteers for the following committees: Website and Newsletter. If you are interested or want more information on expectations and commitment:

Website – contact Rena Wray at rlwray@embarqmail.com

Newsletter – contact Barbara Kessler at bkessler@virginia.edu

Thanks!

Your ACHRA Board for 2009

President, Rudy Beverly

President Elect, Rachel Brozenske, SPHR

Secretary, Shirley Franks, CCP

Treasurer, Jenn Oliver

Sponsorship Committee Chair, Ashleigh Slawski, SPHR

Membership Co-Chairs, Debbie Mincarelli, and John Habel, SPHR

Program Co-Chairs, Reggie Ryals, SPHR and Tracy Burpee, PHR

Newsletter Chair, Barbara Kessler, PHR

Workforce Readiness Committee Chair, Ava Baum, SPHR

Professional Development Committee Chairs, Tracey Via, SPHR & Carolyn Fowler, SPHR, CCP, CBP

Web Master, Rena Wray

Marketing Committee Chair, Deb Deuchar

HR Day Co-Chairs, Wendy Miller, SPHR and Robin Fisher, PHR

Legislative Committee Chair, Marty Lupinetti, SPHR

What's Your Time Worth?

ACHRA has a unique opportunity to present workforce readiness workshops to job seekers who frequent the Jefferson-Madison library system. SHRM has given us a challenge to find a way to volunteer our HR services to the community in which we live and work. That challenge came to us.

The Jefferson-Madison Regional Library on Market Street in Charlottesville provides approximately 20 public computers to our community for use on a daily basis. Many of those individuals are job seekers in need of resume preparation, interview skills, job search techniques, putting one's best foot forward in an interview, how to retain employment, and basic computer skills.

We are seeking interested and talented volunteers to devise curricula (and handouts where appropriate) for these workshops, train the presenters, and then facilitate the workshops.

Once we have ourselves organized, we will make arrangements with the Library to hold the classes in the evenings (Monday-Thursday) or on Saturday mornings. The central branch of the Library is open until 9:00 p.m. Monday through Friday, and on Saturdays from 9:00-5:00 p.m. All classes will be provided at that location.

We can start with a trial run of three topics for our series, determine how often they will be presented in a month, get a pulse on the level of interest and attendance, and go from there. We're looking to commence these workshops in the fall of 2009.

If you are interested in serving our community on behalf of ACHRA, please contact Ava Baum no later than August 10 at avabaum@embarqmail.com. If you already work with a curriculum that we can "borrow" or make our own, we'll be that much further ahead. The Library can provide a finite number of laptops for a computer-based class, a projector, and a variety of meeting rooms. Power Point presentations are encouraged, but not necessary. The Library will handle all the advertising and the workshops will be provided free of charge.

More of your time may be necessary in the planning stages. Once we're ready to facilitate the workshops, your contribution can be as little as 1.5 hours per month.

Many of in our community would appreciate our assistance. We have the expertise and the resources to make a difference. What's Your Time Worth?

ACHRA Workforce Readiness Committee

Meeting Sponsors Needed!

Sponsor an ACHRA Meeting in 2009!

Is your company looking for the opportunity to present your service or product to Human Resource professionals in the Charlottesville area? If so, consider sponsoring an ACHRA monthly chapter meeting!

For a \$250 fee, you'll receive the following:

- Up to five minutes at the beginning of the meeting to promote your company/organization.
- Public thank you during the event.
- A table to display promotional materials.
- Opportunity to place promotional brochures at tables where members are seated.
- Acknowledgement of sponsorship in ACHRA meeting announcements (e.g., on electronic invitation to members as well as having information posted on the ACHRA website).
- Acknowledgement of sponsorship in ACHRA newsletter.
- One guest attendee at the meeting.

Meetings are held the second Tuesday of each month. Places and times TBD.

Sponsor the Annual Fall Conference!

HR Day is September 10, 2009. This is a wonderful opportunity to promote your business at our annual day-long HR learning event, held at Farmington Country Club. We are looking for one more Level I sponsor, and several Level II sponsors.

HR Conference Level I Sponsor: \$750

- Display booth at event
- Company materials included in program packet
- Public thank you at event and acknowledgement in ACHRA newsletter
- Brief (3-5) minutes presentation to attendees to introduce company/organization
- Company banner displayed in the meeting room
- Company promoted on pre-event advertising [TV, print, online] with company logo
- Conference attendance for one person

HR Conference Level II Sponsor: \$450

- Display booth at event
- Company materials included in program packet
- Public thank you at event and acknowledgement in ACHRA newsletter
- Conference attendance for one person

For more information regarding ACHRA sponsorship, please contact Ashleigh Slawski at ashleigh.slawski@lexisnexis.com.

Come Study with ACHRA!

The Professional Development Committee will once again sponsor a **SPHR/PHR Study Group/Prep Course**. We will meet once a week for ten sessions starting the week of September 14th. We would like to have eight or more members commit to signing up to attend. Each of the six functional areas of HR will be facilitated by volunteer HRCI Certified ACHRA members.

Target Audience:	Individuals preparing to sit for the SPHR or PHR certification exam and/or wishing to expand their HR body of knowledge
Dates:	Tuesday Evenings Beginning the Week of 9/14 to Week of 11/16 (10 weeks)
Times:	5:30-7:45 pm- length subject to change depending on session content
Location:	3 rd floor conference room of the UVA Michie North Building, Emmet Street

Requirements:

Must be a member of ACHRA (Albemarle-Charlottesville HR Assn.). To access an Application for Membership, go to www.achra.org and follow the "Join ACHRA" link. Be sure to submit the application in plenty of time for it to be reviewed by the Membership Committee.

- It is **highly recommended** that class participants purchase the 2009 SHRM Learning System (the Chapter will purchase these for a reduced fee of \$493 and sell them at cost to those who register). Participants are encouraged to have the most current version of the SHRM Learning System in order to best prepare for the certification exam.
- It is expected that each registrant purchase their own SHRM Learning System. A license agreement is packaged with each SHRM Learning System. It clearly states that the manuals can only be used by **one** person. It also addresses the copyright issues - nothing can be photocopied for use by another person. The intellectual property is protected in the terms of use agreements.

To receive this special price, send a check payable to ACHRA for \$493 to be received no later than July 31, 2009 with delivery of the check to the ACHRA Treasurer Jennifer Oliver or mail to ACHRA, ATTN: Jennifer Oliver, Treasurer, Post Office Box 6185, Charlottesville, VA 22906. This will allow time for the Committee to order and deliver your 2009 SHRM Learning System materials before the first class.

Examination Information for the winter 2009 Test Window:

- Registration deadline is October 9, 2009. (Late registration is November 13, 2009)
- The winter test window for SPHR/PHR is December 1, 2009 – January 31, 2010
- Check the www.hrci.org website for more details.

Certification requirements will increase beginning 2011. So, now is the perfect time to become certified. (Go to the HRCI or ACHRA website to review the new requirements.)

Contact one of the Professional Development Committee Co-Chairs if you wish to sign up for the class or have any questions.

- Carolyn Fowler at 434-975-5415 or by email at cfowler@hrdiversifiedsolutions.com
- Tracey Via at 434-327-1902 or by email at viat@cadmus.com

Legislative Committee Update

The second quarter of 2009, for the HR Professional, has been a time to update policies, procedures and handbooks to stay in step with the avalanche of new and amended employment legislation on both the federal and state level.

The federal government is stepping up its labor enforcement efforts in several ways. In March it was announced that the Department of Labor's Wage and Hour Division will be recruiting an additional 250 field investigators who will focus on general wage and hour enforcement and ensure that applicable laws are being obeyed. The office of Federal Contract Compliance Programs (OFCCP) will be increasing staffers to focus on enforcement of affirmative action provisions of contracts using federal dollars and Homeland Security will be shifting its immigration enforcements efforts toward non-complying employers.

It is to our best interests to be current, not only on the changes with the recent legislation but also with the amendments to the existing employment laws. As a form of review, I have highlighted some of the changes that are at the forefront of the legislative watchdogs.

FMLA: Revised FMLA regulations were effective January 16, 2009

The DOL has a website devoted just to the changes in FMLA regulations (<http://www.dol.gov/esa/whd/fmla>) which includes:

- The full text of the Final Regulations
- Fact Sheets – non-military regulations and military regulations
- Revised FMLA Poster

Even more importantly, the DOL site has the new and revised forms that need to be used.

- WH-380-E Certification of Health Care Provider for Employee's Serious Health Condition
- WH-380-F Certification of Health Care Provider for Family Member's Serious Health Condition
- WH-381 Notice of Eligibility and Rights & Responsibilities
- WH382 Designation Notice
- WH-384 Certification of Qualifying Exigency For Military Family Leave
- WH-385 Certification for Serious Injury or Illness of Covered Servicemember - - for Military Family Leave

The Fair Labor Standards Act (FLSA) – covers, at the federal level, overtime pay, minimum wage levels and child labor requirements. With the state of the economic environment, compliance with the FLSA is increasingly important. Here are some common Wage & Hour errors.

- Incorrectly determining overtime exemptions based on job title, job description, importance of the employee or job to the company, or by paying the employee a salary.
- Failing to pay for all hours worked, including unapproved overtime, travel time, preparing for/finishing up from work, or expected employees to respond to emails/phone calls outside of reported work hours.
- Inaccurately reporting breaks and meal times. Short breaks of around 15 minutes or interrupted lunch periods are compensable time.
- Allowing a non-exempt employee to take "comp time" instead of being paid overtime (even at the employee's request). "Comp time" is not allowed for an exempt employee except through a public employer.
- Failing to include all job-related compensation in calculating overtime pay.
- Docking exempt employees' pay for time not worked or for replacement of damaged or unreturned business tools, such as a laptop or cell phone.
- Not realizing that the FLSA is the legal "floor" and that almost all states have additional requirements that must also be complied with regarding overtime, minimum wage or child labor.*

**Reminder: Minimum wage will be raised to \$7.25 per hour effective 7/24/2009

COBRA – The COBRA changes under the American Recovery and Reinvestment Act of 2009 (ARRA) for workers who are involuntarily terminate from employment between September 1, 2008 and December 31, 2009 (and their qualified beneficiaries) are under DOL scrutiny. As you will recall the ARRA will allow involuntarily terminated employees to pay reduced COBRA premiums for a period of up to 9 months. The federal government will subsidize 65% of the premium, and individuals are responsible for the remaining 35%.

The point of interest from the Department of Labor currently is focused on those employees who have been denied the COBRA subsidy. The DOL has issued guidance to help employees appeal claims for denial for the COBRA subsidy. Employers are being advised to consider carefully when they deny the COBRA subsidy. The two reasons to deny the subsidy include a termination for gross misconduct (as provided under COBRA) and a voluntary termination. It would be best if there is doubt regarding the employee termination status, the legal counsel be obtained.

For additional information go to the SHRM website. You can click on the following link: <http://www.shrm.org>.

The Healthy Families Act has been introduced in both the House and Senate. The bill, as currently written, would require public and private employers with 15 or more employee to allow employees to accrue one hour of paid sick leave for every 30 hours worked or up to 56 hours of paid sick leave per year. Under the current Act, an employee begins accruing the sick leave at commencement of employment and is able to begin using the leave after 60 days. The paid sick time could be used for the employee's own medical needs or to care for a child, parent, spouse, or any other blood relative, or for an absence resulting from domestic violence, sexual assault or stalking. Sick leave required under the HFA would be in addition to any leave provided under the Family and Medical Leave Act or state statues. If the employer's existing paid leave policy fails to meet ALL the requirements of the Act, the employer's plan would need to be amended to comply with the HFA requirements.

SHRM is not supporting the HFA as it is written and is encouraging SHRM members to write to their Members of Congress.

I-9 Form Remains Valid: On June 26, 2009, the United States Citizenship and Immigration Services announced that the current Employment Eligibility Verification Form I-9 (Revised 2/2/09) will remain valid for usage beyond its current expiration date of 6/30/2009 by employers in verifying the employment eligibility of employees.

On a related note, implementation of the E-Verify Rules for Federal Contractors, the internet-based system operated by the Department of Homeland Security with the Social Security Administration that allows employers to verify employment eligibility of their new employees, has been delayed. The effective date for the regulation was set for June 30, 2009 has been delayed until September 8, 2009 in this latest delay from the Department of Justice.