

# Winona SHRM Newsletter October 2011

AFFILIATE OF



SOCIETY FOR HUMAN  
RESOURCE MANAGEMENT



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## Scheduled Meeting Dates

- Tuesday, Oct 11, 2011
- Tuesday, Nov 8, 2011

## President's Notes

*Sonya Ganther, President*

I love the fact that it is now autumn and the colorful leaves are making their way through. Soon that cool crisp air will turn to snow but for now we will enjoy this wonderful season.

As you read this, you may be getting ready to attend the 2011 MN SHRM Conference - "Human Resources: Unconventional, Unbelievable, Unpredictable & Uncharted" held in St. Cloud, MN. Take notes for those Winona SHRM members who are not available to attend and report back for us at the Winona October meeting.

## Board Openings

We have three open positions on the Winona Area SHRM Board for the 2012 program year. Now is the time to cast your ballot on-line. If you have not voted already, please take a moment to vote for each position. Voting will take place through October 7th. Only one vote per member will be accepted.

You can vote by [clicking here](#).

## Conference Committee Meeting

The Spring Conference Committee Meeting will be at noon on Tuesday, October 11<sup>th</sup>. If you would like to join this fun group, please contact Cheri Gabbert for more information. Note: You receive 3 HRCI credits for your involvement with this committee!

Thank you to everyone who submitted questions for our September Legislative meeting and to Cheri Gabbert and Beth Ede for orchestrating our speakers for the day. I look forward to seeing everyone at our special morning October meeting at the Tandeski Center!

## SHRM Links

National SHRM website  
www.shrm.org

MN State SHRM website  
www.mn-shrm.org

Winona SHRM website.  
http://winona.shrm.org  
Username: first initial, last name  
Password: hr

JobDig  
www.jobdig.com

Winona SHRM  
PO Box 71, Winona, MN 55987



## Contact Us

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## Monthly Meeting Information

Cheri Gabbert – Vice-President



### What you need to know about the Family and Medical Leave Act (FMLA)

Tuesday, October 11, 2011

7:30 am - 9:30 am (NOTE CHANGE IN TIME)

Tandeski Center

1200 Storr's Pond Road | Winona, MN 55987

Speaker: Dawn Marie Harris, Attorney, D.M. Harris  
Law, L.L.C

Please [click here](#) to register by October 7, 2011

Breakfast will include donuts, bagels, and coffee.

Cost: FREE for Members; Guests - \$7.00.

You can now pay online ahead of time!

Pending approval for 2 HRCI re-certification credit  
Hours

Be sure to bring your business card  
for a chance to win SHRM  
merchandise!!

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**WINONA and La Crosse SHRM**

## **2011 Benefits Survey Results** Nicole Danielson-Membership Chair

Thank you to all of you who took the time out of your busy schedule to participate in the Winona and La Crosse Area Societies for Human Resource Management's 2011 Comprehensive Benefit Survey.

Find out how your company benefits compare to other employers in the Winona and La Crosse area and gain an effective new tool for your retention efforts.

**Cost for Survey Results:**  
\$50 All participants  
\$75 Winona & La Crosse SHRM members who did not participate  
\$100 Non-members who did not participate

You can order the survey, by filling out the form found at:

<http://winona.shrm.org/news/2011/09/2011-benefits-survey-results>

For more information, please contact Nicole Danielson at (507) 494-0526 or [nldanielson@merchantsbank.com](mailto:nldanielson@merchantsbank.com).

## MEMBERSHIP NEWS!!

Nicole Danielson - Membership Chair

Please welcome the following professional to the Winona Area SHRM group:

*Tanya Berzinski - Winona Health*

Tanya is an HR Professional at Winona Health. She is a graduate of Winona State University with a B.A. in Psychology. Tanya is a lifelong resident of Winona, and lives here with her husband, Brad, and their two children. Their daughter, Arabella, is 4 and proud to be in her first year of preschool, while their son, Teagen, is an energetic and loving 2 year old. In her spare time Tanya likes to read, bake, and enjoys volunteering at the Winona Area Humane Society.

If you know of someone that would be interested in learning more about Winona Area SHRM please contact our Membership Chair - Nicole Danielson at [nldanielson@merchantsbank.com](mailto:nlanielson@merchantsbank.com) or 507-494-0526.

We are also having a promotion for new members through the end of the year. Those who sign up for local membership in the Fall will receive the rest of 2011 free of charge to have the chance to learn more about our group!



### Legislative Update

Beth Ede, Legislative Representative

#### Capitol Hill Update

*Jobs Bill Heads To Congress*

With a national unemployment rate of 9.1%, President Obama announced the "American Jobs Act of 2011" on September 8<sup>th</sup>.

The proposal includes a combination of tax rate changes and spending projects, but also features several provisions that would affect the HR profession. The employment-related provisions include:

#### **Prohibits discrimination against unemployed**

The bill would bar an employer from refusing to consider or hire someone because he or she is unemployed. It would also be unlawful to suggest that sort of discrimination in any job advertisement.

#### **Bridge to Work program**

This program would allow employers to give eight-week trial employment to people receiving emergency unemployment compensation. The program would be voluntary for employers and unemployed workers who have exhausted their state unemployment benefits.

#### **Temporary payroll tax cuts**

One provision would halve (from 6.2 percent to 3.1) the payroll tax paid by private and tax-exempt employers, based on up to \$5 million in wages. Another would cut the payroll tax paid by employees in 2011, reducing it from the current 4.2 percent to 3.1.

#### **Payroll tax holiday for new hires**

This would give employers a complete holiday on the social security taxes paid for increased wages, up to \$50 million of an employer's increased wages.

#### **Long-term unemployed Work Opportunity Tax Credit**

This section would make employers eligible for a maximum tax credit of \$4,000 if they hire individuals who have been unemployed for at least 6 months.

#### **Wounded Warriors tax credit**

This provision would double, from \$4,800 to \$9,600, the maximum tax credit available to employers that hire veterans unemployed for at least six months and who have a service-connected disability.

Many provisions of the President's proposal will likely meet significant resistance from members of both parties but votes are expected in the next few weeks.

## Winona SHRM Conference Committee Members needed

Cheri Gabbert, Vice President

I know we still have the long, cold Midwest winter ahead of us, but it's not too early to start thinking about the Winona Area SHRM Conference that is held in March. If you are interested in participating in the Conference Committee, please send me an e-mail at [cgabbert@hbc.com](mailto:cgabbert@hbc.com).



## Winona Area SHRM Merchandise

We will be placing another order after the first of the year for apparel items with the new Winona Area SHRM logo. A flyer is at the end of the newsletter for those who would like to purchase our polo shirts, button down dress shirts, fleece jackets, and cardigans. Additional order forms will be available at our next meeting. Payment can be paid at the time the order is received or at the time the order is placed.

## SHRM-Supported Legislation Moves in House

Good news for HR public policy advocates: Two bills strongly supported by SHRM advanced in Congress this week. **Thank you** to those local Winona SHRM members who stepped up and spoke out on one or both of these Acts.

On September 15<sup>th</sup>, the House passed H.R. 2587, the "Protecting Jobs from Government Interference Act" - a response to the National Labor Relations Board's complaint against The Boeing Company for opening a new Dreamliner aircraft assembly line in South Carolina. This legislation would amend the National Labor Relations Act to prevent the Board from ordering an employer to restore business operations, rescind a relocation or transfer, or make an investment at a particular plant, facility, or location.

That same day, consideration was given to H.R. 2885, the "Legal Workforce Act." The bill would create a modern, federal employment verification system that would preempt conflicting state laws. It would include a pilot of a biometric program enabling employers to further confirm the identity of job applicants.

### Federal Regulatory Update

#### Federal COBRA Subsidy Ends - UPDATE

Last month we reported that the 15-month (maximum) federal COBRA premium subsidy expired for the last group of eligible beneficiaries at the end of August. Shortly thereafter, clarification was released by the Department of Labor (DOL) stating that individuals who qualified for subsidized COBRA on or before May 31, 2010 may continue to pay reduced premiums for up to 15 months, as long as they are not eligible for another group health plan or Medicare even if their COBRA coverage did not start until a later date due to the terms of a severance arrangement or another similar provision that delayed the start of their COBRA coverage.

The specific DOL Q&A reads:

**Q1: I've heard that the COBRA Premium Reduction (Subsidy) ends on August 31, 2011, is this true?**

Not necessarily, some individuals will still be eligible to receive the subsidy beyond August 31, 2011. The American Recovery and Reinvestment Act (ARRA) provided a COBRA premium reduction for eligible individuals who were involuntarily terminated from employment through the end of May 2010. Due to the statutory sunset, the COBRA premium reduction under ARRA is not available for individuals who experience involuntary terminations after May 31, 2010. However, individuals who qualified on or before May 31, 2010 may continue to pay reduced premiums for up to 15 months, as long as they are not eligible for another group health plan or Medicare even if their COBRA coverage did not start until a later date due to the terms of a severance arrangement, or the use of banked hours or other similar provision that delayed the start of their COBRA coverage. For example if an individual was involuntarily terminated on May 31, 2010 and due to the terms of a severance agreement their COBRA coverage did not start until December 1, 2010, they would still be eligible for the full 15 months of subsidy through February 29, 2012 as long as they are not eligible for another group health plan or Medicare.

You are encouraged to review your COBRA subsidy eligible situations to see if the clarification results in the 15-month period extending beyond August 2011. If you want to read more on this, please see the DOL website at: <http://www.dol.gov/ebsa/COBRA.html>

## Headlines:

### New Link Connection:

To read these and other headlines, go to [http://www.shrm.org/hrnews\\_published/](http://www.shrm.org/hrnews_published/).

Some articles require a national SHRM membership. Articles created by other news sources are accessible to all.

### More Nonprofits Might Opt Out of Unemployment Tax System

As states raise taxes to bolster their unemployment insurance systems, more nonprofit organizations might choose to opt out of those systems. Overall, nonprofits fared better than businesses during the economic downturn.

**Error! Hyperlink reference not valid.** Men in the U.S.—especially those in two-income families who are fathers and working 50 or more hours a week—are experiencing the kind of work-family conflict that women long have felt, according to a study.

### Disease Management Programs Offer Lessons

Though early disease management programs in the U.S. have had mixed results, they offer valuable lessons as the need to curb health care costs increases.

### Effective Wellness Programs Given Awards

A nonprofit organization honors corporate programs that help prevent diseases by following evidence-based guidelines.

## *DOL & IRS Coordinate on Compliance - Standing United to End the Practice of Misclassifying Employees*

On September 19<sup>th</sup>, Secretary of Labor Hilda L. Solis hosted a ceremony at the U.S. Department of Labor (DOL) headquarters in Washington, D.C., to sign a memorandum of understanding with the Internal Revenue Service (IRS) that will improve departmental efforts to end business's misclassification of employees. In addition, labor commissioners and other agency leaders representing seven states signed memorandums of understanding with the department's Wage and Hour Division - Minnesota was one of the signatory states.

The memoranda of understanding will enable the DOL to share information and coordinate law enforcement with the IRS and participating states in an effort to level the playing field for law-abiding employers and ensure that employees receive the protections to which they are entitled under federal and state laws.

This agreement takes the partnership between the IRS and DOL to a new level where they will work together more efficiently to address worker misclassification issues.

Accordingly, this is an opportune time to ensure your organization has done due diligence on the classification of all employees.

For more information on classification exemptions, you are encouraged to review Fact Sheets on the DOL website at:

[http://www.dol.gov/whd/regs/compliance/fairpay/fact\\_exemption.htm](http://www.dol.gov/whd/regs/compliance/fairpay/fact_exemption.htm)



Society for Human Resource Management



WINONA AREA

Winona Area SHRM Apparel Order Form

Member: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Order Date: \_\_\_\_\_ Paid: \_\_\_\_\_ At Order \_\_\_\_\_ At Pick-up

\_\_\_\_\_ Polo Shirt (1,590/6,500) - \$21.00

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Royal Blue \_\_\_\_\_ Light Blue \_\_\_\_\_ Cream/Light Stone

Size \_\_\_\_\_ (include \$2.00 more for XXL)

\_\_\_\_\_ Button Down Shirt (1,868, 1,612, 1,850\*) - \$26.00

Sleeve Size: \_\_\_\_\_ Long Sleeve \_\_\_\_\_ ¾ Sleeve (women only) \_\_\_\_\_ Short Sleeve

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Royal Blue \_\_\_\_\_ Light Blue \_\_\_\_\_ Cream/Light Stone

(not available on ¾ sleeve)

Size \_\_\_\_\_ (include \$2.00 more for XXL)

\_\_\_\_\_ Women's Cardigan (1,530) - \$26.00

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Navy \_\_\_\_\_ White

Size \_\_\_\_\_ (include \$2.00 more for XXL)

\_\_\_\_\_ Women's Scoop Neck Shirt (3,518/5,17) - \$ 24.00

Sleeve Size: \_\_\_\_\_ Long Sleeve \_\_\_\_\_ ¾ Sleeve

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Sapphire Blue \_\_\_\_\_ White

Size \_\_\_\_\_ (include \$2.00 more for XXL)

\_\_\_\_\_ Fitted Fleece (1,218/2,17) - \$30.00

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Navy \_\_\_\_\_ White (women only) \_\_\_\_\_ Grey

Size \_\_\_\_\_ (include \$2.00 more for XXL)

\_\_\_\_\_ Fleece (1,217/1,971) - \$39.00

Colors: \_\_\_\_\_ Black \_\_\_\_\_ Navy \_\_\_\_\_ White (women only) \_\_\_\_\_ Grey

Size \_\_\_\_\_ (include \$2.00 more for XXL)

Orders will be placed 3-4 times a year. Return order form to Cheri Gabbert at [cgabbert@hbci.com](mailto:cgabbert@hbci.com)