

Dallas HR Horizon
December 2005



Dallas HR Monthly Luncheon Meeting

Tuesday, December 13, 2005
11:30 - 1:00

“The Strength of Laughter: Energizing Your Spirit with Humor”

presented by



The Strength of Laughter, one of Joel’s most popular topics, focuses on reducing stress, increasing creativity and creating a renewed passion for our jobs. He highlights the importance of play in our work lives to create balance. During the session, he takes the audience on a hilarious journey using interactive audience surprises. You will walk away from his session smiling, motivated and rejuvenated.

About Our Speaker:

Joel Zeff creates energy. His spontaneous humor and vital messages have thrilled audiences for years. As a national speaker and humorist, Joel captivates audiences with a unique blend of hilarious improvisational comedy and essential ideas on work and life. Corporations and organizations nationwide seek him out to motivate and energize their employees on such topics as creativity, communication, teamwork, passion and fun.

A former newspaper journalist and public relations executive, Joel started his own consulting business in 1994. His business initially focused on helping technology and telecommunications companies with marketing, advertising and public relations. As he

Agenda:

11:00 - Registration
11:30 - 11:45 - Lunch Served
12:00 - 1:00 - Keynote

Don't forget your donations for:



Meeting Costs for those who Pre-Register:

Members \$30.00
Non-Members \$40.00

Meeting Costs for those who Register On-Site:

Members \$45.00
Non-Members \$55.00

Location:

DoubleTree Hotel Dallas
4099 Valley View Lane
Dallas, TX 75244
(972) 385-9000

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came in contact with so many corporate cultures, he noticed the glaring need for employees to have more fun and reenergize their creative spirit.

Sponsorship:

Please contact
[Buffy Peschka](#)
for sponsorship
information.

Payment is due before or at the meeting. No POs or requests for invoicing can be honored. Checks should be made payable and mailed (to be received no later than Wednesday, December 7, 2005) to:

Dallas HR
4100 Spring Valley Road, Suite 300
Dallas, TX 75244
214-631-8775
214-631-4533 - Fax

IMPORTANT: Advance reservations with payment are strongly recommended. Due to hotel catering requirements, we cannot guarantee seating for onsite registrants. Payment will be required for reservations made but not kept, unless cancelled prior to the registration deadline indicated. To receive cancellation credit, you must fax your cancellation request to Dallas HR by 5:00 pm, Wednesday, December 7, 2005. No-shows will be billed. Outstanding balances may result in exclusion from future meeting registration.

CALENDAR OF EVENTS December 2005

[Click Here for a 2005 Event Calendar](#)

Tuesday December 6	Job Link Meeting	 <p>The Dallas Morning News DallasNews.com</p>
Friday December 9	E-Link Meeting	
Tuesday December 13	Monthly Luncheon Meeting "The Strength of Laughter - Energizing Your Spirit With Humor" presented by Joel Zeff	
Wednesday December 14	Compensation PEG Seminar COMPENSATION PLANNING –	

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2006 and BEYOND - "Tips, Tricks & Traps" presented by William H. Melton.

Tuesday
December 20

[Job-Link Meeting](#)

President's Letter

December 2005



Wow – 2005 has certainly flown by! When I took the oath of office last December, I never expected that this experience would be so gratifying. As I look back over the past year, we have many things to be proud of. Our 2005 theme was "Excellence Through Partnerships", and we have certainly accomplished that!

Thank You

A very special "thank you" to our incredible, hard-working, and dedicated staff, led by Executive Director, Diane McClendon. We appreciate the tireless efforts of Diane, Amy Westerman, Buffy Peschka, Nikki Williams, and Karen Brueckner.

I would also like to acknowledge and thank the Board of Trustees, the Executive Committee, the Boards of Dallas HR and HR Southwest, the Committee Chairs and Members, Sponsors, Speakers and the countless Volunteers and other Partners who gave their time and energy to make this such a successful year.

We would be remiss if we did not thank our employers who generously allowed us the time to participate in these professional development and volunteer opportunities, so we could continue to grow and develop, both as individuals and as an organization!

What did we accomplish in 2005?

Pinnacle Award

Dallas HR was recently honored by SHRM as the recipient of a 2005 Pinnacle Award for our Community Relations Program. The SHRM Pinnacle Awards Program is an annual recognition program honoring the highest achievements in chapter development and contributions that enhance the development and advancement of effective human resource management.

The Community Relations Program was designed to assist in the transition from welfare to productive employment and to improve community relations through active partnerships with various community organizations. These organizations included the American Red Cross, the Salvation Army, the North

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Texas Food Bank, Bryan's House, the Dallas Life Foundation, Attitudes & Attire, and the Texas Workforce Commission.

Congratulations to Debi Dault, Community Relations Director, to all of the committee members, and to all the Dallas HR members who participated in and contributed to this wonderful program.

More Accomplishments

The following list highlights a few more accomplishments in 2005 –

Programs and Special Events:

- Educational Sessions -- “Tools for Implementing HR Strategic Management”; “Emotional Intelligence-Useful Tools for the HR Practitioner”; “Employee Selection-What an Interviewer Must Know”; “HR 101”; “Relationship Management for HR Business Partners”; and “Interview Boot Camp”, our newest educational offering.
- Monthly luncheon meetings with informative and entertaining speakers and panelists
- Certification Reception for our HRCI certified members
- Certification Credits for Programs and Monthly Meetings
- Networking Happy Hours, including one co-sponsored with ASTD
- Breakfast Meetings on topics of interest
- Diversity Seminar
- Employment Law Conference
- Volunteer Fair
- Best Places to Work co-sponsor with the Dallas Business Journal
- A Fantastic HR Southwest Conference, thanks to Cathy White (Conference Director), the HR Southwest Board, Staff and Volunteers!

Professional Development and Member Services:

- Leadership Training for Association Volunteers
- Job Link and E-Link Meetings
- HRCI Study Groups
- HRCI Exam Crash Course
- Scholarships
- SHRM National Conference participants
- SHRM Leadership Conference participants
- SHRM Employment Law & Legislative Conference participants
- A Redesigned Web Site with Additional Links
- Quarterly Printed Newsletters (Horizon)
- Dallas HR Member Survey
- DFW Area Salary Survey
- Served as HR Voice and Resource in Response to Media Requests for Information
- A Record High Membership – 1947 Members!

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- Professional Emphasis Groups (PEGs)
 - Compensation
 - Benefits
 - Independent Consultants
 - HR Healthcare
 - Staffing & Recruiting, now forming

Governance:

- Development of Corporate Duties and Responsibilities Matrix
- Strategic Planning Process
- Implementation of Balanced Scorecard
- Refinement of Cash Management and other Administrative Procedures

Partnerships:

- SHRM Foundation
 - Dallas HR Silent Auction raised \$8,000+ for the SHRM Foundation
- Texas State Council Participation
 - Chapter members who serve in leadership roles with TSC
 - Co-hosted TSC Leadership meeting in October
- Partnered with Fellow SHRM Chapters on Various Programs and Projects
- Student Chapters
 - Student Sponsorships to HR Southwest Conference
 - Student Scholarships
 - Hosted Student Guests at Monthly Meetings
 - Provided Speakers for Student Programs
 - Assistance with The HR Games and Student Leadership Conference
- Community Relations Programs
- Training Seminars for Texas Workforce Commission – TWC is on track to train over 2000 people in 2005.
- Contributed 1,000 New Toys to the Salvation Army Forgotten Angel Program
- Raised Funds for Tsunami Victim Relief
- Donated over 200 Pounds of Food to the North Texas Food Bank
- Provided diapers and Need Supplies for Bryan's House
- Donated 1,000 Toiletry Items to the Dallas Life Foundation
- Provided Clothing and Accessories for Attitudes and Attire
- Held a Community Relations Fair
- Promotion of Hurricane Katrina Job Fair and Hurricane Relief resource Information on the web site
- Raised \$10,000 for American Red Cross Hurricane Relief

I think everyone deserves a round of applause for all these accomplishments!

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December Monthly Meeting

Joel Zeff will present our December program -- "*The Strength of Laughter: Energizing Your Spirit with Humor*". The Strength of Laughter focuses on reducing stress, increasing creativity and creating a renewed passion for our jobs. Joel highlights the importance of play in our work lives to create balance. You'll walk away smiling, motivated and rejuvenated -- a great program as we close out 2005 and look forward to 2006!

December Meeting Toy Drive

Remember our Community Relations beneficiary for the December meeting is Salvation Army Forgotten Angels. Remember to bring new, unwrapped toys for children who were not adopted from the Salvation Army Angel Trees. Last year we donated 1,000 toys for this worthy cause. Let's make the holidays special for even more children this year!

Looking Forward to 2006

The 2005 leadership team and volunteers did a fantastic job! They continued to build on the foundation that was in place and "modified the blueprints" when necessary. Carol Hollen will assume the role of President for 2006, and again we have a great leadership team in place to guide us through the coming year. The organization will be in very capable hands.

I want to thank each one of you for your personal support and encouragement -- and for making 2005 such a rewarding year for me. Above all, thank you for continuing the tradition of excellence for Dallas HR!

Carla Williams, SPHR
2005 President

Dallas HR – 2005 SHRM Pinnacle Award Winner

"Excellence Through Partnerships"

Dallas HR Compensation PEG Seminar

"COMPENSATION PLANNING - 2006 and BEYOND - "Tips, Tricks & Traps"

December 14, 2005

11:30 am – 1:00 pm

Dallas HR Office

4100 Spring Valley Rd, Suite 300, Dallas, TX

Presented by:

William H. Melton

William H. Melton Consulting

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Whether you are currently preparing to implement your organization's compensation plans for 2006 – or just beginning to develop compensation plans, budgets and guidelines for a fiscal year that is other than the calendar year – this presentation is offered to ...

- Assess your organization's compensation planning and budgeting readiness;
- Provide useful tips and tricks in developing and/or implementing a compensation plan;
- Suggest some ways to get additional mileage out of otherwise slim salary increase budgets;
- Identify some potential traps (and cold, hard facts) that may be encountered; and
- Explore a broader "total compensation" approach to the process.

More than just a matter of assuring that salary increase budgets conform to numbers found in various surveys, the compensation planning process is one wherein the HR function can truly play a vital role in contributing to the success of the organization – and to appropriately rewarding its people.

The compensation plan can and should be a "win-win" proposition, directly supporting enterprise objectives and values. The objective of this presentation is to generate a thought process in how to make it so.

**FREE Seminar!! RSVP by Monday, December 12, 2005
Bring your own lunch or pick up a Deli lunch on your way!**

For more information or to RSVP, contact PEG leader:

Mary Beseda, MBA, SPHR (mbeseda@yahoo.com)

About the Speaker:

Bill Melton has more than thirty years of consulting and corporate experience in compensation management, organization analysis, and human resource information systems. Bill is a former Partner and Senior Consultant with *Hay Management Consultants*, where he was instrumental in developing the firm's reward management practice, client and consultant training programs, and job measurement R&D. He also wrote and managed the firm's client and consultant development seminar series on *Salary Administration / Compensation Planning and Budgeting*. While with Hay, Bill served on the firm's world-wide Job Measurement Technology Council, and participated in the development of job evaluation standards for CEO positions, the banking industry, information technology functions, various industry models and quality assurance standards.

A graduate of The University of Texas at Austin with a degree in Industrial Relations & Personnel Management, Bill is a member of *WorldatWork* (formerly the American Compensation Association), and is a recipient of the ACA Lifetime Achievement Award. He is also a member of the North Texas Compensation Association. Bill has been a frequent speaker at various professional association

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meetings, has conducted numerous workshops for client and association groups including ACA and the American Management Association, and is a past personnel committee chairman of the National Association for Retarded Citizens.

Reward Consulting Alliance:

William E. Melton Consulting, LLC, is affiliated with the *Reward Consulting Alliance* – a network of seasoned, independent consultants with complementary practice areas, disciplines, competencies and values. This network provides access to additional resources for client engagements requiring multi-disciplinary consulting teams or where an assignment's magnitude requires additional resources.

2005 D/FW Area Salary Survey

Dallas/Fort Worth Area Compensation Survey of Nonexempt, Professional, Supervisory, and Management Jobs

The **Dallas Human Resource Management Association** and the **North Texas Compensation Association** have partnered with **Deloitte Consulting** to conduct the **2005 D/FW Area Salary Survey**.

Thank you to those companies who participated in the survey! We appreciate your time and efforts invested in this survey.

The survey results will be available in hard copy or CD-Rom for purchase by mid September. Purchase information will be sent to you as the survey results become available. The purchase price of the survey is as follows.

	Participants	Non-participants
DHRMA/NTCA Member	\$535.84	\$968.84
Non-DHRMA/Non-NTCA Member	\$644.09	\$1,185.34

Comprehensive compensation information at your fingertips!

The survey collects and reports base salary, bonus and total cash compensation information for 199 nonexempt, professional, supervisory, and management positions in the areas of:

- Accounting, finance, and banking
- Customer service and marketing support
- Education and learning resources

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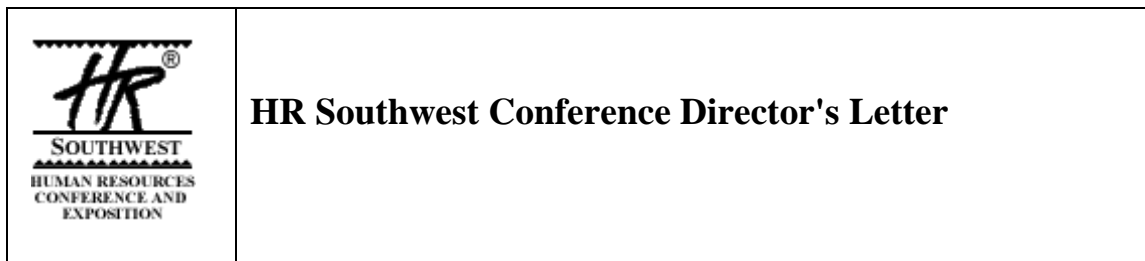
- Engineering
- General office administration
- Healthcare
- Human resources
- Information systems
- Materials and logistics
- Production and maintenance
- Publishing

The survey also collects and reports, where possible, compensation statistics for all participating organizations by:

- Exempt and nonexempt status
- Industry group and segment
- Geographic location within the greater D/FW area
- Total number of U.S. employees

You may contact Lina Jing via email or phone with any questions at ljing@deloitte.com or 469/417-3576 or contact the Dallas HR offices at 214-631-8775.

Jamie Bottorff
Compensation Committee Chair



This has been an exciting year for DHRMA, Inc. and HR Southwest. The 2005 HR Southwest Human Resources Conference and Exposition, HR: A Hallmark of Excellence was record breaking in attendance, bookstore sales, Silent Auction proceeds, conference sponsorships and exhibit hall booths sold.

The focus for the 2005 Conference was to enhance the overall conference experience for attendees, sponsors, exhibitors, volunteers and staff. Based on the positive feedback we have received already it appears that we were able to accomplish this objective.

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The Welcome Center was one of the new amenities offered this year and it was greatly utilized and feedback has been overwhelmingly positive.

More than 500 first time attendees joined us this year and over 1/3 of those hold the PHR/SPHR certification. We believe this was a direct result of some of the new features offered this year with the addition of the Strategic HR educational track and the HRCI Hideaway for the exclusive use of certificated HR professionals. In addition, over 40% of our educational session speakers were new to HRSW and our very supportive returning speakers provided new and timely topics.

We were fortunate to have our opening keynote, Mr. Michael Israel generously donate two of his masterpieces. One was designated for the Silent Auction with proceeds going to the four student scholarship winners, and the second painting designated for the American Red Cross. We raised more than \$1,700 for the American Red Cross Hurricane Relief Fund and \$3,500 for student scholarships.

Remember to keep your Conference Brochure/Exhibitor Directory handy for easy access to the more than 270 exhibitors who shared their products and services with us during the conference.

Conference attendees and exhibitors were emailed a conference evaluation and hopefully you took the opportunity to complete it. Your feedback is invaluable in helping the planning team for next year's conference. Each year we want to ensure that the conference meets and exceeds your expectations. We depend on your feedback to do that.

I'd like to express a special thank you to our staff and the more than seventy volunteers who planned and orchestrated this year's conference. Without the dedication of these individuals it would not be possible to produce the 2nd largest regional HR conference year after year. I want to thank our Conference Board of Directors, committee members, staff, Board of Trustees and Executive Committee for your personal support in my role as Conference Director. This was truly a rewarding and memorable experience.

Again, thank you to those of you who attended the conference, and we trust that you found it to be a professionally rewarding experience.

Please mark your calendar for the 2006 HRSW Conference, Next Generation HR: Imagine the Future which will be held at the Fort Worth Convention Center on October 17 – 20, 2006.

Best wishes for a joyous holiday season!

Sincerely,

Cathy White, SPHR
2005 HRSW Conference Director
Director of Human Resources – The Mansion on Turtle Creek

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Community Relations Committee

Wait ... Don't forget the Angels!

At our December 13th meeting we will be collecting gifts for Salvation Army Forgotten Angels. Those of you who attended our December meeting last year will remember the wonderful array of gifts our members contributed. There were so many gifts, in fact, that one whole corner of our meeting room was overflowing with toys for children of all ages.

If you are new to this program, you may be asking yourself what a Forgotten Angel is. Each year the Salvation Army collects Angel Tree gifts from all over the metroplex. Unfortunately, not all of the Angels on the trees around our area are picked. So some Angels remain on the trees. Each year the Salvation collects gifts from individuals who buy just for the Forgotten Angels who are not adopted or whose gifts are not turned in to the Salvation Army in time for distribution.

We invite you to remember a Forgotten Angel and bring a gift for a child or a teen to our meeting on December 13th. Thanks in advance for your support.

Susan Tennyson, SPHR
Associate
Mercer Human Resource Consulting
1717 Main Street
Suite 4400
Dallas, TX 75201

The Icing On The Cake (or the Certification Credential)

There are many benefits to having the proper credentials for your profession - things like a formal degree or a certain number of years' experience in the field. Certification offers that "icing on the cake", that additional credential which is a visible and outward sign of the professionalism a candidate brings to the job. For the Human Resources profession, becoming HRCI certified as an SPHR (Senior Professional in Human Resources) or PHR (Professional in Human Resources) is like becoming a CPA or a PhD. It is recognized by the profession and those who work in the profession as a verification of that person's knowledge about the profession. It requires preparation and study, actual work experience, and knowledge of the law as well as other significant rulings and practices. Once obtained, it is a credential worth having and maintaining. It can give unemployed HR professional an edge over similar candidates who do not have certification. As an employed HR professional, it can distinguish someone from their peers in the same company and offer a development challenge for achievement. The knowledge and insights gained from preparing for the exam will also be useful to those who are certified as they continue their careers. Many use their study guides as ready references

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for new situations as they arise within the work environment, or as an opportunity to explore other areas of HR that they might want to pursue professionally.

Any credential worth having is worth nourishing and sustaining, just as the HRCI certification credential is. HRCI requires those who are certified to re-certify by testing or application for recertification, in order to assure that they are maintaining their qualifications and knowledge. This serves as an impetus to continue one's education and professional development, while keeping their certification status active. Recertification by application outlines the different areas that a professional can pursue in order to receive recertification credits - like teaching HR topics, developing new HR programs, serving in volunteer capacities within an HR organization (like DHR!), publishing an article on an HR topic, etc. Dallas HR has specifically requested HRCI credit for most of our programming in order to help with this process. The HRSW is a particularly easy way to obtain several credits over the span of the 3 day conference!

Whether you are just contemplating getting certified or have re-certified several times, I think you'll agree that it's definitely a credential worth having! Dallas HR is our local resource for certification - from HRCI exam info and study group preparation to various opportunities throughout the year to serve as volunteers, speak, teach, write, learn, and re-certify. We're just completing the Fall Study Group for December/January HRCI exam, but will have another group scheduled in the Spring for the May exam. Consider now whether this will be your New Year's resolution, then come join the certified within Dallas HR, and increase both your personal and professional credentials!

Tamara Trummer, SPHR

Dallas HR Board Meeting Minutes – November

Dallas Human Resource Management Association Board Meeting - November 15, 2005

Attendees

Board Members Present: Carla Williams, Carol Hollen, Debi Dault, Karen Cunningham, Richard Stahl, Tamara Trummer, Al Lucia, Janet Blair, Heather Haynes, Jude Coward, Diane McClendon, Nikki Williams and Buffy Peschka. Absent: Beth Monson, Barbara O'Neal, Karen Adams, Jamie Bottorff, Sandi Stevens, Leisha Cadwallader, David Bayers, Judy Martin, John Hagan, Rhonda Shively, Ginger Owen, Ann LaBree, and Amy Westerman.

Agenda Items & Announcement: Carla Williams

The meeting was called to order by Carla Williams. The agenda for this meeting and minutes from the September meeting were approved by the board via a consent agenda.

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Carla offered congratulations to all who were a part of making HR Southwest in October so successful this year! Also, she congratulated everyone on Dallas HR's winning the Pinnacle award from SHRM for our Community Relations efforts led by Debi Dault and her team!

Carla also handed out copies of SHRM's Leader's Edge, which includes information on upcoming webcasts that are great resources for volunteer leaders.

Miscellaneous Updates: Diane McClendon

Remember that our Volunteer of the Year nomination deadline is this Friday, the 18th. Nomination forms are available on Dallas HR's website.

A strategic planning meeting was held last Friday with the Board of Trustees and Executive Committee. There will be a larger session on Friday, February 3rd, with a dinner Thursday night that will include a leadership orientation for our 2006 board.

Bylaws changes will be sent to the membership this week for a vote.

Stephanie Sottong has left Dallas HR. Diane is reviewing all job descriptions with the Executive Committee and will finalize the role soon. All board members, please review your job description on the website and submit any recommended changes to Diane.

SHRM national conference will be in DC June 24-28. Dallas HR has 10 rooms booked already for those who are able to go.

Membership Update: Richard Stahl

Membership at the end of October was 1,880, down from our all time high of 1,947 at the end of August. However, we've added 576 new members through October vs. 574 for all of 2004.

Our new multi-year membership option was announced in the Horizon and at the November membership luncheon.

Survey results (see separate attachment) have been compiled. A few highlights include: 84.5% are satisfied or very satisfied with their membership; 98% plan to renew; 29.3% are very likely to take advantage of the multi-year renewal option.

Professional Development Update: Tamara Trummer

Jamie Bottorff reports that we've sold 55 copies of our salary survey. We're beginning to plan for next year's survey and are very satisfied with our partnership with Deloitte Consulting. A motion was made and passed to continue working with Deloitte on the 2006 survey with the stipulation that our contract include a profit sharing component benefiting Dallas HR.

Judy Martin has led our Certification Study Group ending tonight. Our thanks to Trammel Crow for letting us use their facility again this year.

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Leisha Cadwallader reports continued high participation in Job Link and our new E Link group.

Jude Coward reported that 71 students registered for HR SOUTHWEST, 10 of which were sponsored by Dallas HR. Our scholarship winners were ecstatic! We're beginning to plan with the local student chapters for a job shadow day in early 2006.

Janet Blair reported that we have a new PEG, Recruiting and Staffing, and are looking for someone to lead the group. Also, leaders are needed for our Healthcare and Compensation PEGs.

Community Relations: Debi Dault

Debi is working on a showcase of our Pinnacle award winning Community Relations program for the SHRM Leadership Conference this week in DC.

She reminded us that we'll be collecting toys for the Salvation Army's Forgotten Angels at our December membership luncheon. We collected 1,000 last year, and hope to double that amount this year!

Programs Update: Karen Cunningham

The Compensation PEG hosted a breakfast in October that attracted 95 attendees, and our happy hour at Sam's Boat in September, hosted jointly with ASTD, was enjoyed by 75. Our thanks to Heather Haynes for arranging our happy hours.

Our January luncheon speaker will be Dean Lindsay speaking on Breaking the Networking Code, and in December Joel Zeff will be returning by popular acclaim.

Karen is working with Rhonda Shively on a preliminary programs calendar for 2006.

Miscellaneous Updates: Carla Williams

Carla reminded us all to pass the word about our Forgotten Angel donations in December.

We'll be having a holiday luncheon on December 20th at Brookhaven Country Club for board directors and chairs, so mark your calendars.

The meeting was adjourned.

Respectfully submitted:

Carol Hollen
2005 President Elect

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**Dallas HR Would Like to Thank the 2005 Leaders and Volunteers
That Helped Make This Year a Success!**

Board of Trustees:

Chuck Canfield
Elyse Gut
Tim Heup, SPHR
Diane McClendon
Carla Williams, SPHR

Bill Davis, J.D.
Kevin Harris, CPA
Karen King, SPHR
Cathy White, SPHR

Executive Committee:

Jennifer Davis
Diane McClendon
Dan Weber, SPHR
Carla Williams, SPHR

Carol Hollen, SPHR, LPC
John MCGregor, GPHR, PHR
Cathy White, SPHR

Dallas HR Board of Directors:

President
President-Elect
Past President
Community Relations
Diversity
Legislative
Member Services
Professional Development
Programs
Executive HR Programs
Advisor
Advisor

Carla Williams, SPHR
Carol Hollen, SPHR, LPC
Beth Monson, PHR, CPC, CTS
Debi Dault, GPHR, CRP
Karen Adams, PHR
Barbara O' Neal
Richard Stahli
Tamara Trummer, SPHR
Karen Cunningham, SPHR
Sandi Stevens
Al Lucia
Larry Burk, SPHR, CCP

Dallas Human Resource Management Association Staff

Executive Director
Corporate Bookkeeper
Business Development and Exhibits Director
Conference Services and Marketing Director
Administrative Manager

Diane McClendon
Karen Brueckner
Buffy Peschka
Amy Westerman
Nikki Williams

Community Relations Committee Members:

Matt Clements (TWC Chair)
Dana Roper (North Texas Food Bank Chair)
Stacy Thiele (Dallas Life Foundation Chair)
Susan Tennyson (American Red Cross & Public Relations Chair)

Lisa Hayes (Attitudes & Attire Chair)
Sandi Denton (Salvation Army Chair)
Nikkhi Whittney (Bryan's House Chair)

Diversity Committee Members:

Hul Kenney
Melissa Schachter
Cynthia Brink

Margaret Crawley
Tasnim Benhalim
Edward Retta

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Legislative Committee Members:

Terry Stallcup (Employment Law Conference Chair)	
Cheryl Austin	Angelica Alexander-Bryels
Elisha Bell	Regina Caffey
Maruchy Cantu	Laurie Collins
Sue Cass	Kathleen Huggins
Sonia Jackson	Sherry McKenzie
Karen Nickerson	Georgia Oakes
Cathy O'Brien	Allison Simpson

Member Services Committee Members:

John Hagan (Chair)	Karen Byers
Linda Burson-Jersin	Tom Peterson
Dean Davis	Clayton Conine
Cheryl Beuttas	Cyndi Baldwin
Kim West	Dan Stodghill
Ginger Owen	Greg Hollen
Rich Paterik	Steve Graham
Jason Holder	

Professional Development Committee Members:

David Bayers (Study Group Chair)	Jamie Bottorff (Compensation Chair)
Jude Coward (Students Chair)	Leisha Cadwallader (JobLink & ELink Chair)
Judy Martin (Study Group Chair)	Sandy Stevens (ELink Chair)

Programs Committee Members:

Rhonda Shively (Monthly Meetings Chair)	Heather Haynes (Special Events Chair)
Glenn Shooner (Educational Programs Chair)	Anne LaBree
Tenice Wehmeyer	Rosalyn Smith
Judy Guyer	Judy Reynolds
Amanda Hatton	Jennifer Nack
Sue Miller	Mario Stresow
Barbara Giesing	

Silent Auction Committee Members:

Chris Luttrell (Chair)	Greg Hollen
Tom Peterson	Joe Torres
Clayton Conine	

Compensation Committee Members:

Jamie Bottorff (Chair)	Bob Dill
Judy Martin	Aimee Krieger
Jason Holder	Cynthia Gilmore
Bonnie Dunevant	Shirly Sanders

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Ginger Tonne

Study Group Speakers:

Karen Hopkins
David Heinze
Deborah Avrin
Donna Howard

Donna McGary
Karen Adams
Lucille Jones

Professional Emphasis Groups:

Janet Blair (Chair)
Barbara Rathwick (HR Healthcare PEG)
David Byers (Independent Consultants PEG)

Mary Beseda (Compensation PEG)
Linda Miller (Benefits HR Professionals PEG)



Legal Briefs

December 2005

Welcome to Legal Briefs for HR!

Welcome to Legal Briefs for HR! This email update on issues that matter to employers is provided as a service of the SHRM Texas State Council, which I serve as Co-Director of Legislative Action. Feel free to forward this to anyone who might benefit . . . all are welcome to join this FREE email group of 2600+ subscribers!

A special welcome to new subscribers who attended my talks at the University of Dallas, HR Southwest Human Resources Conference and Exposition in Fort Worth, the real estate HR group, and the Remington Hotels HR staff meeting! Here's the latest:

- 1. Hot Tip** – Unlike a voluntary tip, an “imposed gratuity” cannot be counted toward a tip credit used to bring a non-exempt worker’s wages up to the minimum wage. The subject of the recently issued DOL Wage and Hour Division Opinion Letter was a chauffeur for a limousine company, but the same rule applies to other tipped workers, such as wait staff who automatically tack on a fixed percentage of the bill for large groups served in restaurants. If you’d like to receive DOL WH opinion letters, hot off the presses, just go to www.dol.gov and click on “Subscribe to e-mail updates” in the right hand margin.
- 2. Taking Credit** – Check out S. 1868 which, if passed, would give both employees and employers a tax credit for telecommuting (in lieu of guzzling gas to get to and from work). The credit would apply to “furnishings and electronic information equipment” up to \$1000/year for employees and \$2000 for employers. For complete text, go to www.thomas.loc.gov and put the bill number in the search box. In the meantime, go to

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<http://autos.msn.com/everyday/gasstations.aspx?zip=&src=Netx> and put in your zip code, to find the cheapest gas for sale in your area!

3. **Giving Credit** – The Environmental Protection Agency is giving kudos to 90 Fortune 500 employers who offer employee commuter benefits designed to reduce fuel consumption, vehicle emissions and traffic congestion. It's "Top 20" list recognizes companies who offer the benefits to the highest percentage of their U.S. workforces and includes Texas-based Texas Instruments. The top five are Intel, Qualcomm, Oracle, Sun Microsystems and Microsoft. For a complete list, go to www.epa.gov and click on EPA Newsroom. A North Texas coalition is recognizing eco-friendly employers, too, with a full page ad in the Nov. 1 Dallas Morning News.
4. **Finally!** – After years of study, the OFCCP has published its final rule which contains the definition of an electronic applicant, as it applies to federal contractors' record-keeping requirements. The rule, which takes effect 120 days after Oct. 7, is not much different from the March 2004 proposed rule. The four criteria to be deemed an applicant are [1] the individual submits an expression of interest in employment through the Internet or related electronic data technologies; [2] the contractor considers the individual for employment in a particular position; [3] the individual's expression of interest indicates the individual possesses the basic objective qualifications for the position; and [4] the individual at no point in the contractor's selection process prior to receiving an offer of employment from the contractor, removes himself or herself from further consideration or otherwise indicates the he or she is no longer interested in the position. The old "any expression of interest" rule still applies to non-electronic applications (unless both electronic and non-electronic apps are accepted for a particular position . . . then the new definition applies to both types). Go to www.dol.gov/esa/regs/fedreg/final/2005020176.htm for a copy of the final rule.
5. **FMLA Follies** – An employee had no FMLA protection from termination of his employment because he did not give sufficient notice of the need for leave to his employer, and ignored letters asking for medical certification of the need for leave. The employee called the security office, which is staffed by contractors, to say he would be out sick for a few days due to a knee injury. Some cases have held failure to comply with internal notice procedures won't nix FMLA rights, so long as the employee gave timely notice. In this case, however, employees were expressly notified not to ask for FMLA via the security office, and by notifying only contractors of the need for leave, the employer had not been properly notified. *Walton v. Ford Motor Co.* (6th Cir. 9-28-05).
6. **More Fun with FMLA** – FMLA leave for placement of an adopted or foster child in the employee's home applies only to a "new" placement, and not when the employee decides to adopt a foster child who has been in the home for awhile. In addition to the regulation which limits FMLA leave entitlement to the first 12 months after the birth/adoption/foster placement of a child, the language also expressly mentions that the employee is needed to care for a "newly placed child." See CFR sec. 825.200(a).

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7. **Check Your Policy** – A rule that requires employees to give two weeks’ notice before using vacation can violate the FMLA. A nurse who took unforeseeable leave to care for her terminally ill father was wrongfully denied the ability to use vacation pay to cover the absence. Employees have the right to substitute accrued paid time off for FMLA leave taken, whether foreseeable or not. The court found the rule created an economic hardship (two weeks without pay) that could discourage use of FMLA leave. *Solovey v. Wyoming Valley Health Care Sys.* (M.D. Pa. 10-13-05).
8. **Bring Home the Bacon** – Suspension of the Davis-Bacon Act (which guarantees payment of prevailing wages to workers on federally funded construction contracts) is being reversed by the Bush administration. The Act was suspended on Sept. 8, to help reduce the cost of rebuilding hurricane-ravaged areas, but will be reinstated on Nov. 8, after outcries that the effect was to displace unemployed storm victims with out-of-state workers and line the pockets of profiteers.
9. **New Home for Workers’ Comp** – Go to www.tdi.state.tx.us for the new home of workers’ compensation in the state of Texas. If you go to the old website at www.twcc.state.tx.us you will be automatically redirected to the new site. The TWCC was abolished, effective Sept. 1, and the Texas Department of Insurance has assumed those duties.
10. **Thanks, Governor!** – For the second year in a row, Governor Rick Perry of Texas has declared October “HR Awareness Month” and publicly recognized the HR profession for “fostering business excellence and promoting prosperity.” Go to www.tsc-shrm.org and click on two links in the left hand margin, to see the proclamation and cover letter from the governor. And while you’re there, check out the new website features!

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We have a Newly-Created Recruiting/Staffing PEG!
Please join us!

Contact Janet Blair for details on this or any other Professional Emphasis Groups.
janet.blair@ericsson.com

Are you an HR professional working in a specialized industry? Would you like a chance to network and share best practices with other HR professionals in similar situations?

Dallas HR Professional Emphasis Groups are for you!

PEG	When	Contact
Compensation	11:30 am – 1:00 pm 2 nd Wednesday of the month	Mary Beseda, SPHR (972) 987-5905 mbeseda@yahoo.com
HR Healthcare	11:30 am – 1:00 pm 3 rd Thursday of the month	Barbara Rathwick 214-349-0673 brathwick@tiertwoservices.com
Benefits HR Professionals	11:30 am – 1:00 pm First Tuesday of the month Bimonthly	Linda Miller, SPHR 214-265-6301 lmiller@holmesmurphy.com
Independent Consultants	Contact David for meeting schedule.	David W. Byers 972-618-0481 dbyers@elcg.com

Compensation PEG - HR Professionals who wish to expand their knowledge and networks in the dynamic field of Compensation and Total Rewards are invited to join this PEG. No matter what your level -- Beginner, Intermediate, or Advanced -- you will find a myriad of timely topics, trends, best practices, and educational seminars to enhance your skills and knowledge in the Compensation field. For more information, contact Mary Beseda at mbeseda@yahoo.com or 972-987-5905.

HR Professionals in Healthcare - Our common interest is talent and current issues relevant to the healthcare field. This Professional Emphasis Group meets monthly to compare HR notes and needs, to

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share information and to discuss topics relevant to our profession. For more information, please contact Barbara Rathwick, Tier Two Services at brathwick@tiertwoservices.com or 214-349-0673.

Benefits HR Professionals - For HR professionals specializing in benefits or working in a benefits-related organization, this is a great opportunity to network and discuss your current challenges and concerns! Please contact Linda Miller, SPHR at lmiller@holmesmurphy.com. A special thanks to Holmes Murphy for being a corporate sponsor.

Independent Consultants - If you are an actively practicing Independent Human Resources Consultant and would like to network with fellow HR consulting professionals, please contact David W. Byers at 972-618-0481, dbyers@elcg.com, for more information.

If you are interested in participating in a PEG in Recruiting, International HR, Real Estate or other HR areas, please don't hesitate to contact Janet Blair at janet.blair@ericsson.com.
