



West Sound Human Resource Management Association

West Sound Happenings

June 2007

ERRORS AND LIABILITY IN MISCLASSIFYING EMPLOYEE'S AS EXEMPT LARRY SHAPERO

Laurence A. Shapero, Principal at Riddell Williams P.S. law firm in Seattle This presentation covers the critical errors employers are commonly making in misclassifying certain categories of employees as exempt from overtime pay requirements under federal and state laws. The liability potential is enormous for the kinds of mistakes that even the most sophisticated employers are committing when classifying certain employees as exempt. This presentation will allow you to get a reality check to determine if your company is committing some of these errors, which are often the most difficult to defend in a court of law.

Larry is an attorney in the firm's Labor and Employment and Executive Compensation and Employee Benefits practice groups.

Larry's practice includes both litigation and counseling, in such matters as employment discrimination, workplace harassment, ADA and FMLA compliance, federal and state wage/hour law compliance, unfair competition, defeating union organizing campaigns and other workplace issues. He also assists employers with plan design and Internal Revenue Code and ERISA compliance for tax-qualified retirement plans, health and welfare plans and executive compensation arrangements. Larry has served as employment and/or benefits counsel for local manufacturing companies, software design firms, regional bottling and beverage distribution companies, insurance companies, airlines, biomedical research firms, not-for-profit hospitals, healthcare providers and other employers of all sizes. Representative clients include Microsoft Corporation, Idaho Power Company, Scripps Health, Raleigh America, Zones, Inc., Diadora America and T-Mobile USA.

Before joining Riddell Williams in 2001, Larry was an associate in the Chicago office of Katten Muchin Zavis, where he practiced in the area of employee benefits and executive compensation.

In addition to his experience as an attorney, Larry has almost ten years of experience as a human resources manager and generalist, and also has served in a variety of line and staff management positions at Six Flags, Inc., where he managed safety and litigation matters for the company's Southern California facility, and at United Airlines, where he was the airline's general manager in Vancouver, B.C. before working in several assignments at United's World Headquarters near Chicago, Illinois.

Larry has a B.A. in Psychology, summa cum laude, and an M.B.A from California State University,

*Save The
Date*

**Mark these dates on
your Calendar!**

July—No Meeting

August 8, 2007

****Breakfast Meeting****

Dr. Susan Longstreth,
The Role of Work-Based
Learning in Kitsap
County High Schools

September 12, 2007

Job Evaluation &
Compensation

October—No Meeting

Please continue to check
our website at
www.wshrma.org
for updated information
on the above events.



Date: June 13, 2007

Time: 11:45 a.m.—1:30 p.m.

Place: Silverdale Beach Hotel

**Price: \$20.00 Member*
\$30.00 Non-Members***

**RSVP: wshrma@artanderson.com
360-479-5600 x2265**

RSVP by June 8, 2007

**Silverdale Beach Hotel
3073 NW Bucklin Hill Road
Silverdale, WA 98383**

*Add \$10 with no reservation. Cancellations must be received at least 2 days prior to receive refund.



**SHRM®
SUPERIOR
MERIT
AWARD
2006 CHAPTER**

Become A Member

Are you interested in a SHRM Membership or transferring your membership to our chapter? Please contact Rachael Taylor, VP of Membership with any questions: 360-792-3336 or rtaylor@kitsapsun.com

AFFILIATE OF



Job Bank

Please check out our website at www.wshrma.org for current job openings. If you would like to advertise an open HR position in the WSHRMA job bank, please contact Mandy Clute at 360-478-2608 or e-mail to mclute@kpshealthplans.com



Workplace Readiness Credentials: a Shortcut to Better Hires? By Diane Cadrain

Tired of complaining about the poor skills of new workforce entrants? Help may be on the way via a voluntary work readiness credential designed to certify that applicants have many of the basic skills employers need.

A national business-backed coalition has developed a pilot computer-based work readiness test. Once in use, the credential will be available for use across industries and states. Those involved include the U.S. Chamber of Commerce, prominent people from business and academia, and the workforce development systems in Florida, New York, New Jersey, Washington state, the District of Columbia and Rhode Island. Employers also have been involved from the ground up. In Washington state alone, more than 70 employers have filled out surveys, given feedback and participated in focus groups, says Heather Fredericks, manager of training and education partnerships for the Washington Workforce Training & Education Coordination Board.

The test has four subtests: applied reading, applied math, situational judgment and oral language, says Regie Stites, project director, an adult education specialist with SRI of Menlo Park, Calif., the prime contractor on the project. While some media reports have stated incorrectly that the test focuses solely on employability or “soft” skills such as communication and decision-making, it places equal emphasis on reading and math skills, says Stites. The reading and math tests are self-explanatory. The situational judgment test gives test takers a scenario they might encounter on the job and asks them to choose the best and worst choices among four options. The oral language component assesses speaking and listening skills by asking the test taker to listen to the situation and respond orally.

Employers will be able to use the credential to identify qualified candidates for entry-level jobs, Stites said, and job seekers will be able to use it to demonstrate that they have the knowledge and skills required for success. Judy Titzel, project director for the Rhode Island Governor’s Adult Literacy Task Force, emphasizes that the test is not only for youth but also for the immigrant workforce.

In the states developing the credential, employers familiar with the project can’t praise it enough. “I’d give it a lot of weight,” said Bob Santare, president of Champion Fasteners of Lumberton, N.J., who is chairman of the Workforce Investment Board in Burlington County. “It will make someone looking for a job more attractive to the employer. And it will save employers the cost of getting people up to speed.” The project’s developers expect other states to join as the project progresses. “States that have taken the lead have made a financial investment and are helping develop it,” said Lansing Davis, senior policy analyst with the New Jersey State Employment and Training Commission. “State governments will kick it off, probably through their workforce investment boards. But multistate companies could adopt it too. Its credibility won’t happen overnight, but there’s nothing like it out there, and it’s what employers say they need.”

Diane Cadrain, J.D., is a freelance writer based in West Hartford, Conn., and a member of the Human Resource Association of Central Connecticut. She has covered workplace-related legal issues for more than 20 years for a variety of publications.

LEADING PEOPLE
LEADING ORGANIZATIONS

Diversity Corner

Behavioral Profiles

Human Resource professionals probably do not ask themselves, why people do what they do, we know the answer, “their human”, and we are all different and unique, personally and professionally. It is our challenge to get others to recognize and understand these differences. Behavioral profiles can be productive in identifying diversity in beliefs, approaches, styles and behaviors that our employees apply to their work.

Behavioral profiling provides a basis for understanding ourselves and others so that we can:

- Reduce conflict by speaking a common, neutral “language” regarding our differences
- Learn to modify our behavior to get what we need from others
- Make better decisions by capitalizing on a variety of approaches and Viewpoints
- Build teams that don’t waste previous time on interpersonal misunderstandings

Whatever tools we choose to identify and recognize diversity within ourselves and others must be used appropriately and fit uniquely within our organizational cultures. Perhaps this is one that may bring new light within your organization.

Note: There is no July luncheon.



August 8, 2007 **Breakfast Meeting**

Dr. Susan Longstreth, The Role of Work-Based Learning in Kitsap County High Schools

Olympic College Bremer Student Center, Dining Library

7:45 a.m.—9:30 a.m.

Parking is open during the summer, park anywhere.

Topics will include the types of activities, benefits to businesses, benefits to students and current regulations.

Dr. Susan Longstreth has worked in career & technical education for over thirty years. She is currently the Director of Career & Technical Education for the Bremerton School District, working with the district’s CTE programs at Bremerton High School and Renaissance High School. Previous work experience includes serving as the Executive Director of the WA State Council on Vocational Education and the Associate Dean of Continuing Education and Contracted Services for Front Range Community College in Ft. Collins, Colorado. She has a Master's Degree in Education and a Ph.D. in Vocational Education Administration from Colorado State University.

Legislative Update

June 2007

June Legislative Update

As you know, the 2007 legislature was very busy last session. 2500 bills were introduced and more than 2100 amendments were debated. Thank you to everyone who has stayed informed and in touch with our elected officials. A record number attended HR Day on the Hill. When all was said and done, a number of bills that we opposed passed but many were stalled or amended to reduce their negative impact on employers. "While I can't say the session was an overall success, the outcome was far less detrimental than it could have been without vigorous grassroots efforts from so many of you combined with highly effective work from our lobbying partner, AWB," states Jenifer Lammert.

End of session reports are available on the Washington State Council website (<http://wastatecouncil.shrm.org>).

An appeal from Bob Carragher, Manager, Government Relations, SHRMA

Dear State & Chapter Legislative Directors —

As you are aware, the U.S. Senate has begun debate on a bipartisan immigration reform package, negotiated between the White House and a select group of senators from both parties. The debate, which is expected to last into the week of June 4, will be contentious at times and the outcome is uncertain.

The HR community has a lot at stake in this debate. Specifically, human resource professionals have begun to voice serious concerns about the feasibility, adequacy and effectiveness of a verification system based largely on the Department of Homeland Security's Basic Pilot program contained in the Senate bill. We're all too aware of the economic hardship experienced by Swift & Company, Inc., when it became apparent that nearly 1,200 employees who had supposedly been "verified" through Basic Pilot turned up being ineligible for employment.

This debate represents a unique opportunity for the HR community to help public policy makers "get it right" in legislating a new employment verification system. SHRM governmental affairs staff is actively communicating with the Senate on the bill to address the HR community's concerns. However, in order to have our views heard as to what would constitute an accurate, reliable, and efficient verification system; we need each and every SHRM member to communicate with their U.S. senators TODAY through the HRVoice letter-writing tool.

On Monday, May 21, all SHRM members should have received a HRVoice action alert encouraging members to write and call their senators (using the toll-free number 1-866/605-7500) and express their concerns regarding the employment verification provisions in the current draft of the immigration bill. Encourage them to consider the use of the newest technologies available today, such as biometric identifiers or other tools, to make false documents and identity theft a thing of the past for HR professionals. Non-members can access the HR Initiative for a Legal Workforce website (www.legal-workforce.org), of which SHRM is a founding member, to send letters of their own.

Legislators need to hear from those in the workplace who will be charged with using this system to verify the employment eligibility of their current and future workers. Your work in generating a good response from the SHRM members in your respective states/chapters will go far in ensuring that the verification system embraced by Congress is a workable solution to the current broken system.

Thanks in advance for your support and commitment to this advocacy effort!

rcarragher@shrm.org



West Sound Human Resource Association Receives Distinguished Award

The Society for Human Resource Management (SHRM) in Alexandria, VA has awarded the Superior Merit Chapter designation to the West Sound Human Resource Management Association (WSHRMA) for its scope of work in perpetuating and supporting the mission of the organization in 2006.

The Society for Human Resource Management (SHRM) is the world's largest association devoted to human resource management. Representing more than 200,000 individual members, the Society's mission is both to serve the needs of human resource professionals and to advance the human resources profession. Founded in 1948, SHRM currently has more than 550 affiliated chapters within the United States and members in more than 100 countries.

"By achieving Superior Merit designation, your chapter has distinguished itself as an outstanding organization dedicated to serving the networking and professional development needs of your members and to the advancement of the human resources profession" noted Keith J. Greene, SPHR, Vice President for Member Relations for SHRM.

WSHRMA receives a Certificate of Recognition, a specialized banner to display at its meetings and events, and is being recognized in SHRM's publications and at its conferences.

Upcoming Events:

Association of Washington Business

HR Essentials

A Briefing on New Legislation from 2007 Session of the Washington State Legislature

*New laws and regulations employers and HR professionals
will need to know and understand*

TOPICS INCLUDE:

- discrimination laws credit reporting paid family leave
- benefit increases new claims reporting management rules
- new provisions and penalties for reporting UI premiums
- new corporate officer provisions
- new Professional Employer Organization rules

COST: \$20, payable in advance (credit card, check, invoice)

Please RSVP to Shannon at

shannong@awb.org or 1.800.521.9325, ext. 1032

West Sound Human Resource
Management Association
PO Box 1285
Bremerton, WA 98337



WSHRMA
West Sound
Human
Resource
Management
Association

Check out our
website at
www.wshrma.org

**2007 WSHRMA
Board of Directors**

President

Sharon Tucker, PHR
360-662-2125
stucker@kitsapcu.org

Past President/Foundation

Marie LaMarche, SPHR
360-792-3330
mlamarche@kitsapsun.com

President Elect

Debbie Laudenslager, SPHR
360-415-6533
dlaudenslager@kpshealthplans.com

VP Membership

Rachael Taylor
360-792-3336
rtaylor@kitsapsun.com

VP Programs

Laura Holloway, PHR
360-415-5806
laurah@kitsapmentalhealth.org and
Annie Davis, SPHR
360-475-7332
adavis@oc.ctc.edu

Secretary

Pamela Townsend, SPHR
360-373-2536
hrchr@hollyridge.org

Treasurer

Deanne Hull
360-479-5600
dhull@artanderson.com

Certification/Education Coord.

Rachael Taylor
360-792-3336
rtaylor@kitsapsun.com

Job Bank/Publications Director

Mandy Clute
360-478-2608
mclute@kpshealthplans.com

Legislative Director

Jenny Hoskins
360-779-4448
jenny@ehlinsurance.com

Diversity Director

Susan Chesbrough
360-475-3709
susan@pchs.org

School to Work Director

Lisa Hecker, PHR
360-779-4431 ext 137
lisah@fredhillmaterials.com