



Articles

Monthly Program & Luncheon

➔ Monthly Program and Luncheon

TOPIC: How to Evaluate an EAP

➔ Calendar of Events and Diversity Dates

WHEN: Thursday, April 1, 2010

➔ Legal Briefs

TIME: Lunch served from 11:30AM to noon;
Program from noon to 1:00PM

WHERE: College Station Conference Center

COST: \$10/member & first time guest
\$15/non-RSVP guest

PROGRAM: In order for an organization to gain the full potential of an employee assistance program, it must understand the multiple ways by which an EAP can support its business objectives. Properly conceived and embedded within an organization's executive processes, an EAP is far more than a form of employer-paid outpatient counseling. Rather, it is a key player that lends its subject matter expertise to a number of organizational structures, including:

- Human Resources
- Health, Safety, and Environment
- Corporate Security
- Legal
- Dispute Resolution/Mediation
- Disability Management
- Benefits
- Business Development

This presentation will describe EAP's value in relation to the objectives of these structures and explain the advantages of a fully-utilized EAP.

SPEAKER: Jeff Christie, LCSW, CEAP is Global Manager of the Halliburton Employee Assistance Program, an internal program serving Halliburton employees and their families. He received his Master of Social Work degree from the University of Pittsburgh in

1981. For the past 27 years he has worked in the fields of chemical dependency treatment and employee assistance programs. Prior to Halliburton, Mr. Christie served in the employee assistance programs of Conoco, Pennzoil, and those of a large external EAP vendor.

In addition to his Halliburton responsibilities, Mr. Christie has presented over 50 workshops on the subjects of stress management, EAP ethics, and mental health care. He has published numerous articles on ethics and ethics education. He is a primary author of the book, *Ethical Dilemmas in Workplace Counseling: A Casebook*.

Last year, Mr. Christie served on the EAP task force of the National Business Group on Health, charged with creating and disseminating an NBGH product that will serve as an employer's guide to evaluating EAP services.

In September 2008, Mr. Christie was selected as president-elect of the Employee Assistance Professionals Association, the largest of the EAP professional associations. In October 2008, he was elected as president of the Employee Assistance Roundtable, an organization of internally managed employee assistance programs of Fortune 500 companies.

If Attending: RSVP to Katherine at rsvpprograms@gmail.com by noon on Tuesday, March 30, 2010

*This program has been approved for 1.0 (General) recertification credit hour towards PHR, SPHR and GPHR recertification through the HR Certification Institute. Please be sure to note the ***program ID number on your recertification application form. For more information about certification or recertification, please visit the HR Certification Institute website at www.hrci.org.*
*****If you would like to count this program as 1.0 recertification credit towards your PHR or SPHR, please be sure to pick-up your receipt for this meeting, the program ID number will be listed on the receipt. You will need to pick-up your receipt on 04/01/10.**

What's coming up?

April 13, Bryan-College Station Chamber Job Fair
(see more details below)

April 18-24, Volunteer Appreciation Week! 😊

October 10-13, HR Southwest Conference
www.hrsouthwest.com

JOB FAIR INFORMATION:

The B/CS Chamber of Commerce will be holding their local job fair on 4/13/2010. As in the past, BVHRMA will be offering a resume review service as part of our service to the community. If you are interested in volunteering to critique resumes, please sign up for one of the below shifts:

Shift A 1:45-
3:15
Shift B 3:00-
4:30
Shift C 4:15-
6:00

E-mail your availability to Sarah Tobola s-tobola@tamu.edu

Also, the Chamber has requested help with the *below* survey questions - they want your feedback whether you have or have not participated in the job fair. Your candid feedback is appreciated and can be sent to Jordan Meserole at Jordan@BCSChamber.org

Thanks for volunteering your time and expertise!

--Has you or your company participated in a B/CS Chamber of Commerce Job Fair?
--If so, please give your thoughts on the Job Fair (ie: "terrible", "smoothly run", etc).

--In your experience with Job or Hiring Fairs, what tends to work when attracting qualified or "professional" applicants?

--What doesn't seem to work?

--Has your company reduced the amount of Job Fairs they attend? Is your company planning on reducing the amount of Job Fairs they attend?

--Does your company use the Internet or computer to pursue more applicants these days?

--Does your company accept paper applications anymore?

--What is the primary way your company pursues applicants? (College job fairs, Newspaper ads, Community Job Fairs, Internet postings, etc)

--Based on your experiences, if there were seminars that would assist a community member in preparing to apply for a job, what would they be? (Topics such as "Communication skills" or "Properly filling out on-line applications", etc)
Continued...

--If there were seminars that would assist in further development of your current employees or managers, do you think your company would be interested in sending them?

--If so, what topics would be useful to developing a more educated "already employed" workforce? (Topics such as "Interviewing skills" or "Investing in your company", etc)

--Predicting changes is tough, but is it likely that your company will be hiring in April of 2010? (The month of the Job Fair).

--If so, for what type of position, and how many? (Part-time, full-time, temporary)

--Is your company under a temporary hiring freeze, or expecting to be under a freeze in April of 2010?

--Whether your company is hiring or not, do you expect your company to (potentially) participate in the 2010 Job Fair?

--Open Ended Section for any thoughts on the B/CS Chamber of Commerce Job Fair, or past job fairs in other cities you have participated in, or suggestions that may assist the Workforce Development Committee:

Diversity Calendar: APRIL 2010



Alcohol Awareness Month

National Autism Awareness Month

National Occupational Therapy Month

National Parkinson's Awareness Month

- 1 - April Fool's Day (United States)
- 2 - Good Friday (Protestant, Roman Catholic)
- 4 - Easter (Protestant, Roman Catholic)
- 6 - National Tartan Day (Scottish-American)
- 6 - Organization of the Church of Jesus Christ of Latter Day Saints
- 8 - Vesak - Buddha's Birth (Buddhist)
- 14 - Sinhala and Tamil New Year (Sri Lanka) observed
- 19 - Easter (Orthodox) or Pascha
- 22 - Earth Day

22 - Take Our Daughters and Sons to Work Day (United States)

23 - St. George's Day (English)

25 - Arbor Day

HR CORNER....It's Legal Briefs Time!!!

Welcome to Legal Briefs for HR, an update on employment issues sent to over 4500 HR professionals, in-house counsel and business owners all over the U.S. to help them stay in the know about employment issues.

Here's what's up springing up:

1. **Want to Ax the Tax?** - Congress is hoping that employers will be lured into creating more jobs via a proposal to waive payment of Social Security taxes through the end of 2010, on any unemployed person who is hired. The pot is further sweetened by offering a \$1000 tax credit on any new hire who remains on the job for one year. These ideas are featured in Jobs for Main Street Act (H.R. 2847) which has been rolled into a Dep't of Commerce appropriations bill. Sticking point? The estimated \$15 billion bill is at odds with "pay as you go" budget rules, where Congress agreed not to OK any new programs that add to the already bloated federal deficit.
2. **Marching Orders** - As of March 2, extensions to COBRA premium subsidies and federal emergency unemployment compensation (EUC) benefits took effect, via the Temporary Extension Act of 2010 (H.R. 4691). EUC is extended through April 5 and the involuntary termination period which triggers 15 months of a 65% subsidy on COBRA premiums has been extended through March 31, 2010. H.R. 4691 also beefs up the penalties for employers who get it wrong, so go to <http://thomas.loc.gov> for full text of the enactment. Stay tuned for additional bills in Congress and more extensions of both benefits for displaced workers.
3. **HEARTfelt Advice** - The Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act) requires employers to provide certain benefits for returning U.S. military service personnel. Until recently, employers lacked helpful guidance to interpret the requirements. On January 20, 2010, the IRS released guidance in a helpful Q&A format, to address survivor benefits, benefit accruals, wage differential payments and distributions from retirement plans. For example, prior to the HEART Act, generous employers who offered wage continuation or the difference between an employee's regular and military pay (aka "gap pay") to their citizen soldiers could not treat the payments as wages. With no tax withholding allowed, a soldier could incur an unexpected tax bite. Since January 1, 2009, the HEART Act allows employers to

treat such payments as wages if [1] made by the employer to an individual with respect to any period in which the individual is performing service in the U.S. uniformed services while on active duty for more than 30 days; and [2] represents all or a portion of the wages the individual would have received from the employer. The guidance explains that such payments are not required to be treated as pay for purposes of determining contributions and benefits under employer's plans. For a copy of the 27-page guidance, go to www.irs.gov/pub/irs-drop/n-10-15.pdf.

4. **Ha Ha Very Funny** - Do you think it would be a hoot to post a bogus help-wanted ad on a social networking site and watch your unsuspecting former employer be inundated with emails and calls from eager applicants? Well, don't try it in Texas or any other state that prosecutes for "online harassment." Since Sept. 1, 2009, the Lone Star state has a statute which creates a third degree felony offense if a person uses the name or persona of another person to create web page on or to post one or more messages on a commercial social networking site: (1) without obtaining the other person's consent; and (2) with the intent to harm, defraud, intimidate, or threaten any person. An unhappy former employee in Houston who tried the aforementioned stunt is out on \$5000 bond and is in a heap of trouble.

5. **CHIP Shot** - The Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA) requires that employers with group health plans notify employees who may be eligible to receive State-provided premium assistance via Medicaid and the Children's Health Insurance Program (CHIP). A link to the new model notice (issued Feb. 4) to satisfy this requirement can be found at www.dol.gov/ebsa under "New and Noteworthy." The notice must be provided to any employee, regardless of plan enrollee status, if he or she resides in one of the 40 states which offer premium assistance (even if the employer is HQ'd in state that does not). The model notice includes the list of all 40 states. How quickly must you do this? You've got until the later of (1) first day of first plan year after Feb. 4, 2010; or (2) May 10, 2010. If your plan is on a calendar year, do it by Jan. 1, 2011. If your next plan year starts on May 10, 2010, you have until May 10, 2011.

6. **Bone up on Bonus Rules** - If your organization was fortunate enough to have a good year that triggered year-end bonuses, hooray! Typical bonus plans or policies state that the employee must be employed through the end of the bonus year to be eligible. Some go farther, and say the employee must be employed at the time the bonuses are paid, which is often during Q1 of the ensuing calendar year. Under the IRS' deduction rules, it's OK to deduct in 2009 for a bonus earned in 2009 but paid in 2010, so long as the bonus is paid within 2.5 months of the close of the year. But a recent IRS internal memorandum explains that the deduction will have to wait (in my example) until 2010 where the employee must be employed when the bonus is paid in 2010, because all events had not occurred by December 31, 2009 to allow accrual of the bonus in 2009. For a copy of the memorandum, go to www.irs.gov/pub/irs-wd/0949040.pdf.

7. **Pray Your Pay is OK** - Here are just a few wage and hour issues that are making headlines and serve to show that your time and money is well spent in self-auditing and correcting boo-boos stemming from incorrect employment practices, before someone comes and does it for you:
 1. Office supply store, Staples, has agreed to pay \$42 million in order to settle allegations that assistant store managers were misclassified as exempt and failed to receive overtime pay.
 2. Electronics retailer, Best Buy, has agreed to pay \$900,000 to settle claims it did not pay store employees for time spent going through a security check at the end of each workday.
 3. Miami-Dade County has a new "wage theft" ordinance that authorizes three times the amount of back pay owed to aggrieved employees.
 4. New Jersey has a new law that allows the state to suspend and revoke employers' licenses based on repeat violation of state wage, benefits and tax laws.
 5. Exempt employees in NY must be notified in writing at the time of hire which exemption the employer is relying upon under either state or federal wage and hour law.
 6. Helicopter pilots for Port Authority of NY and NJ are "highly trained technicians" not professionals entitled to that exemption from the FLSA's minimum wage and overtime requirements.

8. **March Badness** - It is hoops fans' favorite time of year, and watching the game no longer requires calling in sick or taking a long lunch at the nearest sports bar. Live feeds can be found on websites (e.g., ncaa.com, cbssports.com), to be watched from desktop computers to handheld smartphones. As an employer, if you've got productivity and/or bandwidth concerns you might try to clamp down on excessive eyeballing of the tourneys. Gambling can be a concern, too. Increasingly, though, some are looking for ways to use the games as a team-building exercise and to elicit a spark of enthusiasm that carries over into the workday. Ideas range from casual days (sporting of one's team logo and/or colors), catered lunch to watch the game in a conference room, pools with no money exchanged, or the proceeds going to a favorite charity and crazy contests (e.g., match NCAA teams with their logo, sing your alma mater, free throw prowess, imitate your favorite sports announcer, Bay-Bee ☺). Here's my mini-celebration . . . Go K-State Wildcats! Woo Hoo!

9. **Need an Update?** - If you're interested in a luncheon with featured speakers (including yours truly) who will discuss the latest and greatest in employment legislative and legal trends, join me for the Texas Association of Business Dallas chapter meeting on March 11, co-hosted by the North Texas Compensation Association! We will meet at the Crowne Plaza on Midway Road at 11:30 a.m. and you can register at www.txbiz.org (click on link to the March 11 meeting from the TAB homepage). Time will be set aside to answer your questions!

10. **For the Birds** - If you like being "tweeted" and want breaking news on employment law changes, follow me on Twitter. I'm at @amross.

Until next time,
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If attending luncheon on **April 1st:**

Please RSVP to Katherine at
rsvpprograms@gmail.com by noon on
Tuesday, March 30, 2010