

2005 OCHRS

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OKLAHOMA CITY
HUMAN RESOURCE SOCIETY
NEWSLETTER



Diversity and the Bottom Line

Diversity Author to Speak at September OCHRS Meeting

By Bradley Davidson, SPHR; Vice-President, Public Relations

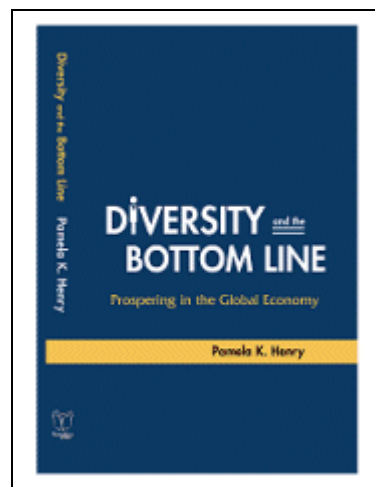
The September Oklahoma City Human Resource Society (OCHRS) meeting program will feature noted author Pamela Henry. Henry, an expert on the subject of diversity, will speak about how workplace diversity can create a competitive business advantage.

“Attributing bottom line results to diversity is not easy but neither is attributing bottom line results to any other initiative,” Henry began. She noted that there has been a lot of research that has linked an organization’s commitment to diversity to an improved bottom line. But how does that happen? “Ford’s Winstar van was a product that wasn’t successful until Ford engaged their women’s employee network group and asked them ‘how can we make this van more family friendly?’”, Henry said. She cited another example in SBC’s commitment to diversity.

Cont. on next page....

SBC noticed the trend of increased US immigration from Asia, “They began to work with their customer base to identify how they could make their products appealing to that group. As a result, they gained 60% market share of Asian-Americans,” noted Henry.

“There are also organizations,” Henry states, “who really blew it by leaving out diversity.” But why do some organizations not do as well as others when it comes to diversity in the workplace? Henry answered, “It’s hard work. Diversity is not about numbers; it is about cultural change. It’s not easy to sustain the effort. You really need to have a strategic plan in place and key to that plan is communication.”



In her book, “Diversity and the Bottom Line”, Henry provides a pragmatic approach to positioning diversity as a business issue. Citing ten business imperatives, she provides a compelling case for the correlation between diversity and an increased customer base and better profitability.

Henry’s passion for diversity and its relationship to key business issues is contagious. She understands business and she understands diversity. This knowledge enables her to provide real strategies, tools and metrics that help organizations make the connection.

Do not miss this opportunity to hear this dynamic speaker. Copies of Henry’s book will be available at the meeting. Ms. Henry will also be available for autographed copies. The OCHRS September luncheon meeting will be held Thursday September 15th from 11:30am until 1:00pm. The meeting will be held at the Embassy Suites at 1815 South Meridian in Oklahoma City.

Cont. on next page....

Copies of Henry's book will be available for purchase. Henry will also be available to sign copies of her book. There is a charge to attend the meeting and advanced registration is required. For additional meeting information or to register online, visit the OCHRS website at www.ochrs.org.

***What readers are saying about
"Diversity and The Bottom Line"***

"Outstanding! Henry has created a solid, research-based roadmap for tying diversity to the bottom line. Jam-packed with concepts, facts, figures, processes and statistics to show how diversity can help any organization prosper in the global economy. This book is a must read for all executives and managers. comprehensive, practical, easy to read, rich with tremendous insight. Buy this book and you will use it immediately and repeatedly."

Dr. Edward E. Hubbard, Author of: *Measuring Diversity Results, How to Calculate Diversity Return on Investment and The Diversity Scorecard*

"Henry not only provides a bottom line-oriented rationale for diversity but also practical guidance for corporations to progress in making diversity part of their competitive advantage."

Steve Leven, Senior Vice President of Human Resources, Texas Instruments

"This is a must read for anyone involved in diversity. Finally -a book that presents compelling data as to why every company must not only incorporate diversity, but embrace it, as a core strategy for success."

Carolyn Leighton, Founder and Chairwoman, Women in Technology International (WITI)

Don't Miss Out! RSVP today at www.ochrs.org

Date: Thursday, Sept. 15, 2005

Place: Embassy Suites Hotel

1815 S. Meridian

Oklahoma City, OK

Time: 11:30 a.m.

Cost: \$18 for members, \$25 for non-members

Please RSVP to Stacey Scott by Monday, Sept.12th, 2005, 12:00 P.M. by registering online at www.ochrs.org or by phone at 706-6499. Thank you.

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GAYLE BARRETT, CROWE & DUNLEVY, P.C. OCHRS GENERAL COUNSEL

EMPLOYMENT REFERENCES WHAT IS AT RISK?

A recent opinion out of New Jersey should remind all employers of the dangers inherent in giving employment references to prospective employers of ex-employees. *Singer v. Beach Trading Co.*, 23 IER Cases 238 (NJ Super. Ct. App. Div. 2005). In *Singer*, the plaintiff claimed that she was fired from her new job with HRK Industries, Inc. (“HRK”) because she had allegedly misrepresented on her resume the positions that she held with her prior employer, Beach Trading Co. (“Beach”). The plaintiff sued Beach for negligent misrepresentation.

The facts developed in the case indicated that the plaintiff’s supervisor at HRK telephoned her prior supervisor at Beach when performance issues developed leading him to doubt that the plaintiff had accurately represented her job experience at Beach. In that telephone conversation, plaintiff’s supervisor at Beach failed to accurately describe the position that the plaintiff had when employed there. Although there were disputed facts about the

real reason for the plaintiff’s termination from HRK, it appeared that HRK had fired the plaintiff based on the inaccurate information provided to it by Beach.

The New Jersey court held that the question of whether there was a misrepresentation by Beach and whether that misrepresentation had resulted in the plaintiff’s firing was a question for the jury to decide. The court found that while New Jersey law did not require an employer to respond to a reference inquiry, employers who chose to do so might be held liable for negligent misrepresentation if they made misleading or incomplete statements during the employment reference. The court additionally held that the issue of employer liability depended upon whether the person providing the misrepresentation was authorized to respond to inquiries about former employees.

Oklahoma law recognizes a claim for negligent misrepresentation, although no reported case could be found applying

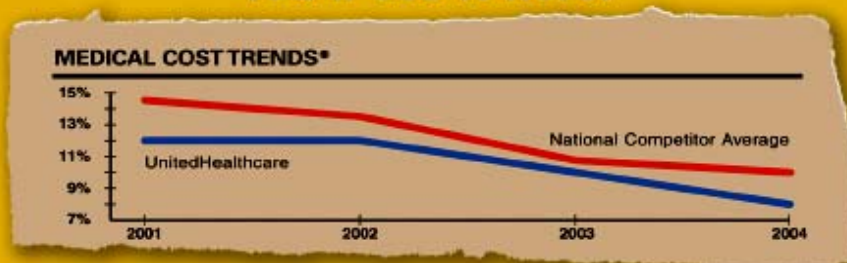
that claim to cases involving employment references. Additionally, Oklahoma provides employers making good faith references with some limited protection in very limited circumstances. Therefore, a prudent employer should have a written policy that limits the persons authorized to give out employment references to the human resource director. Additionally, the only information given in an employment reference should be the dates of employment and the position(s) held. And, as is obvious, that information must be absolutely correct.

This article is intended to advise OCHRS members regarding legal developments of which they should be aware. It does not constitute legal advice and should not be used to resolve legal questions. Readers should contact their employment counsel with regard to specific factual situations before acting with regard to the subject matter of this article.

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the value of UnitedHealthcare here.



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Which is another reason you'll like UnitedHealthcare. We understand the importance of affordability. And, as independent research shows, we're managing cost trends better than our largest national competitors. We offer numerous ways to hold down the cost of health care in Oklahoma while helping to keep employees healthy and productive. Here are just a few examples of the ways we serve our Oklahoma customers:

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- ➔ **UnitedHealth Networks** – providing affordable access and favorable discounts for over 20 million consumers.
- ➔ **UnitedHealth Wellness™** – programs offering employees the knowledge and inspiration to enjoy healthier lifestyles.

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To learn more, talk to your broker or consultant, or visit unitedhealthcare.com

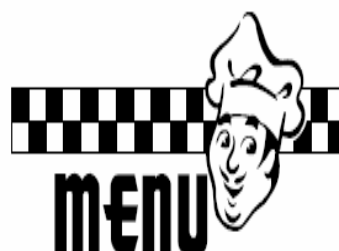


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- Baked Potatoes
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50 — 200 persons\$6.50 per person

201— 3000 persons \$6 per person

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[Call to Legislative Action](#)

The 2005-2006 state and federal legislative sessions may seem far away, (didn't the last sessions just end??), however, preparations for any and all legislation to be considered in the next session starts now.

SHRM is a strong advocate for the power of our HR Voice to influence positive changes in employment law and government regulations. After all, we have the knowledge and experience base to draw upon, not the legislators. As OCHRS members, let's commit to sharing our knowledge and contributing to the process in a meaningful way.

Following is a look back at legislative outcomes from the last session, provided by the State Chamber. (Note: *U.S., State and Local Chambers of Commerce serve as effective conduits for our voices to reach legislators.*) Please pay close attention to potentially adverse initiatives prevented last session. Expect these initiatives to return, and more to arise, in the next session.

[From the Oklahoma State Chamber:](#)

The State Chamber, Oklahoma's Association of Business & Industry won a number of hard-earned victories in the 2005 Legislative Session, victories that create a better business climate and jobs for Oklahoma. Topping the list is workers' compensation reform, a victory achieved in a special session a week after the regular legislative session ended on May 27. Passage of quality investment legislation is another milestone for The State Chamber and for Oklahoma.

Workers' Compensation Reform - The State Chamber describes the bill, **SB 1X**, with its estimated \$120 million in savings to the state's businesses, as "probably the best workers' compensation reform bill ever seen in Oklahoma" and gave it an overall grade of "A". The bill addresses the controversial topics of attorney fees, definitions of what constitutes a "work-related" injury, soft tissue injuries, so-called "dueling doctors", medical fees and choice of doctors.

Quality Investment Act – **SB 755** is designed to help Oklahoma manufacturers who are "at risk" of closing or leaving the state due to old or obsolete equipment or for a number of other reasons. The legislation calls for a vote of the people at the 2006 general election because quality investment funding would come from the Constitutional Reserve Fund. Implementing legislation will be introduced in the 2006 session.

Transportation Infrastructure Funding – **HB 1078** provides increased funding to the tune of \$170 million per year to the Oklahoma Department of Transportation (ODOT) for construction, maintenance and repair of state highways and bridges once the funding schedule is fully implemented.

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Tax Cuts – **HB 1547, SB 435 & HB 1577** provide more than \$150 million in tax relief, beginning in FY '07 (\$58 million in FY '07), including (1) reduction in the state's marginal income tax rate from the current 6.65 percent to 6.25 percent; (2) an increase in the standard deduction on state income taxes from \$2,000 to \$4,000; (3) expansion of the income tax exemption for retirees from \$7,500 to \$10,000; (4) elimination of sales tax on aircraft repairs and modifications; and (5) elimination of capital gains taxes for property owned by Oklahoma corporations. A tax rebate is also part of the tax relief package.

Franchise Tax Cut – **HB 1738** eliminates the state's Franchise Tax for businesses that owe \$10 or less. That adds up to nearly 54 percent of the state's businesses and a savings of nearly half a million dollars. This has been a perennial issue on the State Chamber's legislative agenda.

Medicaid Funding – **HB 1088** provides state matching funds to capture more than \$200 million in federal funding for Medicaid enhancements in Oklahoma. Proposed by Speaker Todd Hiatt during the final days of the session, The State Chamber joined with the Oklahoma Hospital Association and others in a strong and effective campaign to secure support for capturing this money to upgrade Oklahoma's Medicaid program this year.

Health Care Spending Control – **SB 896**, a State Chamber-backed measure, allows the Oklahoma State Educator and Employee's Group Insurance Board (OSEEGIB) to contract with an "Evidence-based Medicine" provider.

Education Reform – **Preparing Tomorrow's Workforce** – **SB 982** provides for end-of-course high school testing and includes remediation for those who do not meet the requirements for academic advancement; and **HB 1621** provides for standards of instruction in reading, language arts and mathematics for children in kindergarten through third grade.

Education Funding Increase – The State Chamber supported the \$145 million increase in common education funding that pays for increases in pay for teachers and funds teacher health care premiums.

Higher Education Bond Proposal – **HB 1191** authorized a nearly \$500 million bond issue for higher education, supported by The State Chamber.

Quality Jobs Act Amendments – **HB 1810** is a bill proposed by The State Chamber that expands Quality Jobs Act benefits to include flight training.

Small Employer Quality Jobs Act Amendments – **SB 407** is a bill proposed by The State Chamber that amends the Small Employer Quality Jobs Act by providing applicants in larger communities more time to reach the required 15 new jobs and the threshold of 75 percent of sales to be from out-of-state.

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Research & Development Incentives – **SB 628** is another measure proposed by The State Chamber that re-enacts tax credits that sunset last year for the creation of research and development jobs, data processing and computer services jobs. It also provides \$500 per new employee (making more than \$35,000) tax credit, up to a maximum of 50 new employees in a year.

Nano-Technology – Funding of \$125,000 approved for the Oklahoma Nano-Technology Initiative (ONI) to create awareness of and promote nano-technology.

Rural Development/Investment – **HB 1680 (Originally HB 1681)** is designed to increase investment in rural Oklahoma. It allows a tax credit against the gross production tax by expanding the applicability of two current tax credits – the Oklahoma Rural Small Business Capital Formation Act and the Small Business Capital Formation Act. The measure also expands certain tax credits for agricultural activity to allow “Oklahoma-owned and based corporations or partnerships” to claim the credits.

Unemployment Compensation – **SB 763** contained important conformity amendments that were required by the U.S. Department of Labor. It also allowed the use of \$8 million in federal money to expand the employment services of the Oklahoma Employment Security Commission.

State Chamber Derails Anti-Business Legislation:

A number of business negative bills were introduced in the 2005 legislative session. Fortunately, none of them found their way into law. The State Chamber had a hand in defeating or derailing several of them, including the following.

HB 1423 and SB 744 – So-called “clawback” bills that would require repayment of incentives by beneficiary industries if they were to re-locate outside the state.

HB 1936 and SB 519 – State minimum wage increase bills.

HB 1699 and SB 935 – Expansion of the Federal Family Medical Leave Act in Oklahoma to cover additional issues such as domestic and sexual abuse.

HB 1287 – Prohibits state agencies from purchasing certain computer software unless the source code is provided.

HB 1985 – “Identity Theft Protection Act.” contains language that could interfere with a business owner’s ability to contract with a third party to conduct background checks on potential employees.

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The so-called "Gun Bill" we fought against last year which gave employees and others the right to have legal guns in their possession (i.e., in personal vehicles) on company property was modified to provide businesses and employers protection from liability for gun-related acts committed by such persons on their private property. However, we are far from having what most employers, private property owners, and HR professionals view as a reasonable outcome from that legislation.

Do you have employment law ideas to share? Is there key legislation you want supported or opposed next session? Want a more active role on the Legislative Affairs Committee? **Please send comments as soon possible.** Thanks.

Lynette Parmley
Legislative Affairs, OCHRS
(405) 290-5761; parmley@clfrates.com

WELCOME NEW MEMBER

**OCHRS WOULD LIKE TO EXTEND A WARM
WELCOME TO OUR NEWEST MEMBER:**

Jill Trevino, PHR
Human Resources Manager
Cendant Travel
jill.trevino@celandant.com

CONGRATULATIONS AND WELCOME NEW MEMBER!!!

PHR and SPHR Certification

PHR and SPHR Certification is the mark of a true HR professional. It shows a demonstrated mastery of the HR professional body of knowledge, and is a confirmation that you are dedicated to staying on top of developments in your field and committed to maintaining the highest standards of the Human Resource profession. The next testing window for the PHR and SPHR exams will be December 1, 2005 thru January 31, 2006. Registration deadline for the exam will be September 30, 2005. For more information regarding the exam or preparation programs being offered this fall contact OCHRS Vice President of Professional Development Stephany.Wade.Tate@chickasaw.net or visit to the SHRM web page at www.shrm.org/hrci

EMPLOYMENT



Department: Human Resources
FLSA Status: Non-Exempt

Reports To: Director of HR
Prepared Date: August 24, 2005

Interested applicants can fill out an application at 300 North May Avenue, OKC, OK 73107, or download the app at www.forestlbr.com under careers.

Summary Assists the Head of the department in all areas of Human Resources which includes but not limited to the following duties.

1. Conduct preliminary screening and processing of staff member applications.
2. Assists in the New Hire Orientation process.
3. Prepare personnel and payroll files.
4. Records employee information such as personal data, compensation, benefits, tax data, attendance, performance reviews or evaluations, and termination date and reason.
5. Updates employee files to document personnel actions and to provide information for payroll and other uses.
6. Assists in the process of placing ads for openings with newspapers and online job posting sites (i.e. career builder, monster etc...)
7. Assists in the process of quarterly evaluations for Staff Members and Management Team.
8. Assists in the process of the "ABC" Reports.
9. Examines staff member files to answer inquiries and provides information to authorized persons.
10. Compiles data from personnel records and prepares reports.
11. Compiles and maintains records for use in employee benefits administration.
12. Reports initial report of injury, file claims and maintain files and OK300 Report.

Competencies To perform the job successfully, an individual should demonstrate the following competencies:

- Ability to respond promptly to internal and external customer needs and requests for service and assistance. Meets commitments.
- Must maintain confidentiality
- Ability to speak clearly and persuasively in positive or negative situations; listens and gets clarification; Responds well to questions.
- Ability to balance team and individual responsibilities; exhibits objectivity and openness to others' views; gives and welcomes feedback; contributes to building a positive team spirit; puts success of team above own interests.

EMPLOYMENT CONT.....

EMPLOYMENT CONT.....

- Is consistently at work and on time; ensures work responsibilities are covered when absent; arrives at meetings and appointments on time.
- Follows instructions, responds to management direction; takes responsibility for own actions; keeps commitments; commits to long hours of work when necessary to reach goals. completes tasks on time or notifies appropriate person with an alternate plan.
- Able to handle and react well under pressure; treats others with respect and consideration regardless of their status or position; accepts responsibility for own actions; follows through on commitments.
- Demonstrates accuracy and thoroughness; applies feedback to improve performance.
- Able to complete work in a timely manner; strives to increase productivity; works quickly.
- Demonstrates working knowledge of FLSA, COBRA, IRCA, ERISA, EEO and other applicable Human Resource regulations.

Qualifications To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Associate's degree (A. A.) or equivalent from two-year college or technical school; or one to three years related experience and/or training; or equivalent combination of education and experience.
2. Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization.
3. To perform this job successfully, an individual should have an excellent working knowledge of MS Excel and of MS Word software.
4. Ability to speak fluent Spanish a plus

Physical Demands The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is frequently required to use hands to finger, handle, or feel. The employee is occasionally required to stand; walk; reach with hands and arms and climb or balance. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

Work Environment The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is occasionally exposed to outside weather conditions. The noise level in the work environment is usually moderate.

EMPLOYMENT CONT.....

EMPLOYMENT CONT.....



Position Title: Compensation/Classification Specialist

Position Number: 997286

Organization Name: Emp Hiring & Bnfts-010352

Job Description/Responsibilities:

Performs researching and analyzing competitive compensation practices in the job market; contributes to established compensation surveys. Provides routine, day-to-day advice to University staff regarding the implementation and interpretation of compensation policies, guidelines, and procedures. Performs and collaborates in the planning, coordination, facilitation, administration, and reporting of the annual salary review program for regular staff employees. May develop and write job descriptions to accurately describe job content. Develops, write, edits, and modifies operating policies, guidelines, and procedures. Conducts training and instruction to University staff. Collaborates with Manager of Compensation/Classification Human Resources Consultants in the analysis and review of job classification and reclassification requests; ensures quality control of the job classification process for both existing positions and newly created positions performing job audits. Processes related paperwork. May develop and implement the career ladder process to ensure overall consistency and appropriateness of application, and compliance with established policies, procedures, and guidelines. Performs other related duties as assigned.

Qualifications:

Bachelor's degree required, preferably in Personnel, Human Resources Administration, Public or Business Administration or closely related field. Master's degree preferred or equivalent combination of education and experience. Minimum of two years of personnel experience required. Experience in applying job analysis, classification and compensation administration concepts and principles preferred. Ability to make work-related decisions. Excellent communication, organizational and records management skills required. Must be computer literate in Microsoft Office Suite. Ability to work independently under general supervision.

Job Type: Full-Time

Hours of Work: 8:00 am to 5:00 pm

Regular Workdays: M-F

Recommended Salary: \$32,500

Job Close Date: Open Until Filled

Full Position Description and application details are available at our website:

<http://jobs.ucok.edu>

All applicants must be eligible to work in the United States.

All Finalists for University of Central Oklahoma positions are subject to OSBI background checks.

EMPLOYMENT CONT.....

EMPLOYMENT CONT.....

Nextep, Inc. is a sophisticated Human Resources Outsourcing Company, (PEO) providing complete employee management functions in a high-technology environment for small and medium size businesses. Our solutions include human resources consultation, payroll administration, risk management and employee benefits. **Nextep** has grown into an industry leader with a unique business plan offering two distinct types of HR outsourcing solutions, both enabling our clients to have instant access to an employee benefits and administration platform comparable to Fortune 500 company services. We place customer service as the priority focus in everything we do.

Nextep has an exciting position available as a Human Resource Generalist. Minimum qualifications include a Bachelor's degree and at least 2 years of directly related experience. PHR preferred but not required. Position provides support in functional areas of human resources department, which may include personnel records, employee and/or labor relation, benefits administration, organization development and training. Strong interpersonal, oral and written communication skills. Ability to interact with all levels of employees/management. Strong analytical, process improvement and problems solving skills. Ability to work independently, demonstrate initiative and responsiveness to needs of end users.

Responsibilities:

- Process benefits, 401(K), Cafeteria plan, unemployment, and FLSA paperwork.
- Provide a high level of client service to all those who contact HR.
- Work with HR team members on projects as needed.
- Assist clients to ensure they are in compliance with all state and federal laws pertaining to employment matters.
- Conduct audits and assist clients in writing employee handbooks, job descriptions and job postings.

Qualifications:

- Bachelor's degree in Human Resources or related field.
- Proficiency with computer applications.
- Attention to detail and ability to multi-task.
- Detailed oriented with the ability to organize and prioritize work.
- Outstanding communications skills
- Flexible and adaptable, able to work under pressure and handle highly sensitive issues.

Nextep, Inc. is a young and successful company committed to the success of our employees. We offer an attractive employee benefits package including Medical, Dental, Vision and 401K with match. You can learn more about **Nextep** and our services at www.nextep.com

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We are Professional Insurance Company*, now a part of Genworth Financial Employee Benefits Group. We're proud to be part of our new parent, Genworth Financial, a global company built on GE heritage and comprised of GE Financial and GE Mortgage Insurance.

For over 65 years, Professional Insurance Company* has provided high quality, affordable supplemental insurance benefits to employees of small- to medium-sized businesses through payroll deduction. Our entire team is dedicated to providing superior service.

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Professional Insurance Company has earned the following financial strength rating¹

A.M. Best

"A" (Excellent)²

Ratings Explanation:

¹ The ratings are an opinion of the rating agency and not a warranty of the insurer's ability to meet its contractual obligations.

² "A" is the third highest ranking of 16 A.M. Best categories. The ratings are based on relative financial strength and operating performance in comparison with others in the industry.

Ratings as of 9/30/04

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Consistent and responsive claim adjudication	< 10 day average turnaround time from receipt of claim to Automated Clearing House (ACH) 99% claim accuracy
Easy access to plan information and tools	Account information, transaction capabilities, billing statements, forms, secure information exchange and HIPAA information available through our website for appointed agents

* Statistics from 1/1/04 - 9/30/04

¹ Excludes print and mail time.

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GNW-P0072 (10/04)



OCHRS OFFICER ELECTION

As directed by the Bylaws of the Oklahoma City Human Resource Society, the Board of Director election for 2006 will be held at the upcoming September OCHRS meeting. Please review the list of the nominees below and place your vote at the meeting.

<u>President</u> Scott Lowber, PHR	<u>Past President</u> Stacey F. Scott, PHR
<u>Vice President, Public Relations</u> Brad Davidson, SPHR	<u>Vice President Membership</u> Melanie Thompson-Stillinger
<u>Vice President, Comp & Benefits</u> Dan Maloy, CCP	<u>Vice President Community Services</u> Michelle Gibson, PHR
<u>VP, Prof Development/Certification</u> <u>Chair</u> Stephany Wade Tate, M.A.,J.D.,SPHR	<u>Vice President Programs</u> Jeremy S. Hornbuckle, PHR
<u>Vice President Diversity</u> Kathleen R. Norman, SPHR	<u>Vice President Legislative Affairs</u> Lynette Parmley
<u>Vice President Sponsorships</u> Cooper Johnson	<u>General Counsel</u> Gayle L. Barrett
<u>Vice President Member Services</u> Joy Pollock, PHR	<u>Treasurer</u> Sara Elledge

**WE LOOK FORWARD
TO SEEING EVERYONE
AT THE MEETING!!!**



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