

# Westchester Human Resource Management Association



## WHRMA News

January 2010

AFFILIATE OF  
**SHRM**<sup>TM</sup>  
 SOCIETY FOR HUMAN  
 RESOURCE MANAGEMENT

### January Program Summary

#### Inside this issue:

<b>Getting Organized</b>	<b>2</b>
<b>Best &amp; Worst Jobs</b>	<b>2</b>
<b>Board Contacts</b>	<b>3</b>
<b>Top 10 Mistakes</b>	<b>4</b>
<b>Legislative Update</b>	<b>4</b>
<b>New Members</b>	<b>5</b>
<b>Facts &amp; Figures</b>	<b>5</b>
<b>SHRM Programs</b>	<b>5</b>
<b>WHRMA Programs</b>	<b>6</b>
<b>SIGs &amp; Sponsors</b>	<b>6</b>

We began the year with a presentation from the Department of Labor. Sonia Rybak, Assistant District Director, spoke of Wage and Hour Issues and Johanna Bauer, FMLA Investigator spoke of FMLA issues. The program was very helpful; very informative to those that are newer to the field and a good overview for those that have been in the field a long time.

From a Wage and Hour perspective, the employer/employee relationship is key. Here are some highlights:

- ◆ There are 130 million workers covered by the Fair Labor Standards Act (FLSA).
- ◆ Compensation includes just about everything: wages, bonuses, commissions, room and board provided by the employer for the employer's benefit, etc.
- ◆ Deductions are illegal if they cause an individual to have wages fall below the minimum wage.

- ◆ Hours worked: if an employee is not requested to work but suffered and was permitted to work, it's work time. If you allow it and benefit from it, you have to pay for it.
- ◆ Waiting time has to be paid if the employee is unable to use the time effectively for his or her own purposes and their time is controlled by the employer.
- ◆ Training time counts as work time unless it is outside the normal working hours; attendance is voluntary; it's not job related and the employee does not perform any productive work.
- ◆ Travel time is always confusing: to and from work in NOT work time but travel between job sites during the normal work day is considered work time.
- ◆ For overtime calculations, each work week stands alone. The overtime rate is calculated based on half wages for the workweek, NOT just the hourly rate.

There was so much more—Sonia also did a great job in providing an excellent overview to the exemption requirements as well as giving the audience some wage and hour audit pointers.

From a FMLA perspective, the federal law rules as there is no NYS FMLA law. A brief overview of the recent changes was shared with the audience. It is important to note that the employee is responsible for informing the employer that he/she will be out for medical reasons; it is then up to the employer to ask more questions and offer the employee an opportunity for FMLA. The employer must provide the employee with their notice of rights along with all the necessary forms.

The 90 minutes were jam packed with information. If you need guidance, feel free to contact the DOL:

1-866-4US-WAGE  
[www.wagehour.dol.gov](http://www.wagehour.dol.gov)  
[www.usdol.gov](http://www.usdol.gov)



**PLEASE NOTE:** WHRMA's official mailing address is PO Box 1131, White Plains, NY 10602. All correspondence should go to that address. Thank you!

#### HR JOBS:

Visit our website [www.whrma.org](http://www.whrma.org) for HR openings in our area. We'll be happy to list any openings you may have as well! You can also post your resume on the site if you are interested. Any questions? Send an email to Angela Bellizzi: [anbellizzi@aol.com](mailto:anbellizzi@aol.com).

*For those interested, we now have the local Wine and Dine Schedule on the Networking page of our website.*

#### JACKSON LEWIS EMPLOYMENT ROUNDTABLE PROGRAMS:

**March 24, 2010: 3pm—5pm** Topic: Dealing with Employment Law Violations: Discovery, Disclosure and Correction

**May 26, 2010: 9:30 am—11:30 am**

**July 21, 2010: 3 pm—5 pm**

**November 3, 2010: 3 pm—5 pm**

*Programs are free and offered to members only.*

## Turn Down Time into Productive Time Source: The Organized Executive's Priority One, December 23, 2009

With the new year underway, we all have plans to get and stay organized. Thought these tips would be helpful to all!

Seize the opportunity when work slows to a crawl in your office, whenever it is. Use a seasonal slowdown to tune up your business:

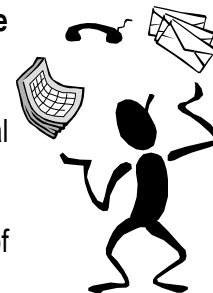
**Plan:** With no urgent matters distracting you, take time to think about the future and your vision of your team. Then outline the steps you will take to lead them toward that vision.

**Organize:** Do more than file documents. Take a fresh look at your filing system to see whether it is working well or you spot an opportunity to revamp the structure. Purge or archive unneeded files that distract from what you are working on now.

**Study:** Work through a tutorial, read a book or ask colleagues for tips on the gadgets and programs you use. Even if you have been using a program for years, you will discover useful shortcuts.

**Network:** Have lunch or pick up the phone and reconnect with your contacts. Do more than chat about the holidays or vacations. Ask about their plans for the coming year so you will recognize opportunities to support them. Talk about your goals and plans too.

By taking those actions when the workplace is quiet, you will be ready to operate in high gear when the next rush hits.



### Some Quotes:

*The single greatest killer of your time is other people stealing it. - Robert E. Dittmer*

*The less one has to do, the less time one finds to do it in. - Lord Chesterfield*

*It has been my observation that most people get ahead during the time that others waste. - Henry Ford*

## 10 Best & Worst Jobs for 2010 Source: CareerCast.com

A new report identifies the best and worst jobs for 2010. The list was created by CareerCast.com, a job portal. They factored the work environment, income, employment outlook, physical demands and stress of 200 occupations.

**The 10 best jobs are:** Actuary, Software Engineer, Computer Systems Analyst, Biologist, Historian, Mathematician, Paralegal Assistant, Statistician, Accountant and Dental Hygienist.

**The 10 worst jobs are:** Roustabout, Lumberjack, Ironworker, Dairy Farmer, Welder, Garbage Collector, taxi Driver, Construction Worker, Meter Reader, and Mail Carrier.

## Your Board—Your WHRMA Resource

### President

Edwin L. Bowman  
Bowman Becker Consultancy, LLC  
914-682-4137  
edwin.bowman@bowmanbecker.com

### Secretary

Vicki Rowe  
Manager of HR, Farrand Controls  
914-287-4028  
vrowe@ruhle.com

### Treasurer

Greg Chartier, Ph.D., SPHR  
Principal  
914-548-1689  
greg@hrinfo4u.com

### Hospitality Chair

Debbie Hilden  
914-834-2120  
debhilden@yahoo.com

### College Relations

Debbie Callaghan, MS, PHR  
HR Officer, Mahopac Nat'l Bank  
845-278-1079  
dcallaghan@mahopacnationalbank.com

### Program Chair

Theresa Delgado, SPHR  
VP Human Resources, Castle Oil  
914-381-6541  
tdelgado@castle.us

### Membership Chairs

Rhonda James, PHR  
Dir., Human Resources, Baker Companies  
914-747-1550  
Rjames@thebakercompanies.com

### Diversity Chair

*Vacant*

### HR Job Bank & Networking Chair

Angela Bellizzi, SPHR  
914-325-6952  
anbellizzi@aol.com

### Legislative Chair

Lena Bodin  
Principal, People Resource Strategies  
845-362-3445  
Lena@4prs.com

### Certification Chair & President-Elect

Danielle Martin, MBA, MS  
Manager HR, A&E Television Networks  
203-353-7285  
Danielle.martin@aetn.com

### Website e-Commerce Chair

Grant Schneider, SPHR  
Pres. Performance Development Strat.  
grant@pdstrategies.com  
914-953-4458

### Communications Chair

Elizabeth Rossi, PHR  
Director HR, The Osborn  
914-925-8222  
erossi@theosborn.org

### SHRM Foundation Chair

Kathy Meaney  
914-941-0318  
kaz7853@aol.com

### Workforce Readiness Chair

Omayra Wheeler, MBA  
HR & Management Consultant  
914-734-1290  
oj10566@aol.com

### Immediate Past President

Alan Pearlman, CCP  
Director, Compensation/ Benefits, MBIA  
914-765-3872  
Alan.Pearlman@mbia.com

***We have an immediate  
opening for a Diversity Chair.  
Anyone interested in this  
volunteer opportunity should  
contact Edwin Bowman,  
WHRMA President at  
914-682-4137.***

### Goal Achievement: What's it Boil Down to?

There are thousands of books on goal achievement, but not all of them have a unique message. In fact, most boil down to four principles stated in many different ways: (1) You must decide precisely what you are going to achieve and accept no substitute for achievement; (2) You must decide that you will act vigorously and relentlessly to make the goal a reality; (3) You must recognize progress and lack of progress so you can repeat, add to, or not repeat action steps accordingly; (4) You must abandon preconceived notions of what or will ultimately work.

Source: Care Plus Solutions, Inc.; Work\*Life\*Excel; January 2010

## Top 10 Mistakes of Well Meaning Employees Source: <http://buildabetterworkplace.com>

Mistakes are valuable. They're golden tickets to a new and better way of doing things. Here are 10 of them ready for your use:

1. **Assuming the Worst** When facts are lacking, it's easy to fill in the blanks with doom and gloom. Do some fact-finding; get the real story.
2. **Focusing on What's Wrong** Every workplace has its dysfunctions. Pay attention to what's going right. Acknowledge it, talk about it, imitate it, and build on it.
3. **Writing People Off** Bob is too opinionated, Jane is too quiet, Stan is too new, Kim is too whatever. Forget the labels. Focus on the strengths these people bring to the workplace.
4. **Mistaking Busyness for Worthwhile Action** Just because you're busy doesn't mean you're getting anything done. Scrutinize your to-do list, find what's unimportant, and ditch it immediately.
5. **Not Appreciating Your Own Influence** Disempowerment is often self-inflicted. No matter how small your sphere of control, there is more you can do to get things done—as long as you believe it and take action.
6. **Letting Yourself Blend Into the Woodwork** Too many people get commoditized at work. Strive to become your own brand. Stand out by leveraging your strengths, speaking up, and taking some risks.
7. **Going for Perfect When Pretty Good Will Do Just Fine** Some people pursue perfection regardless of the task. Know when you're doing the equivalent of brain surgery (perfection desired) vs. ditch digging (perfection optional). Adjust your time and effort accordingly.
8. **Getting Sucked in by Naysayers** Every workplace has its raging cynics. Hear them out but don't let them pull you in.
9. **Looking for Ways to Say No** Some people always push back when new work comes their way. Make yes your new default response, knowing that new assignments will bring more learning, more contacts, more opportunities, and more interesting workdays.
10. **Failing to Connect With a Meaningful Mission** There's more work than tasks and a paycheck. Know exactly whom you serve and how they benefit, because we all need some emotional compensation.

## Happy New Year from the Legislative Committee!!!

2009 has brought numerous legislative changes to the HR field. As we move into 2010, we will continue to see changes in the area of health reform, wage and hour issues, and employee free choice, to name a few... In 2010, the WHRMA Legislative Committee is committed to bringing you information on key legislation and changes in the HR arena. Thank you to all who took our legislative survey. We are happy to say the response was overwhelming. Taking our cue from you, we will be updating the Legislative page of our website to bring you information and resources on an on-going basis in addition to providing you information through this newsletter.

### The NYS Department of Labor changes its position on its Recent Decision

In our November issue we talked about the new DOL Section 195 and provided you with a link to the mandatory form to notify new hires of their wage information. In December the NYS DOL revised its position where the form is no longer mandatory. However, the information on the form remains mandatory and companies can use their internal forms to capture the information along with the new hire's signature. Those companies who choose to continue using offer letters should make revisions to their form letters as necessary to comply with the requirements of this new law. To visit the NYS DOL website please follow the link [new information and the optional form](#).

### COBRA Subsidy Extension and New Provisions

Late in December, President Obama signed into law extending certain provisions of the American Recovery and Reinvestment Act (ARRA) of 2009 related to the COBRA continuation coverage subsidy. Although this is very good news to those on COBRA, it can become a challenge for administrators to ensure that every eligible COBRA recipient is made aware of the extension and then to make sure the extension and subsidy is managed accurately.

In summary, the new provisions do the following:

- Change the end date of eligibility for the COBRA subsidy from December 31, 2009 to February 28, 2010 (a two-month extension);
- Expand the ARRA premium subsidy to 15 months (an increase from the nine month period under the original provisions);
- Allow for a 60-day period for the retroactive payment of premiums for assistance eligible individuals (i.e., individuals who were entitled to the subsidy) whose subsidy period expired on November 30th and who paid their November premium but failed to pay their premium for December

coverage. The period will commence the day after the bill's enactment, or, if later, 30 days after provision of the special notice (described below). The same refund/credit rules under the original bill will apply to any assistance eligible individual ("AEI") whose subsidy expired in November and who has since paid the full COBRA premium;

- Require a special notice describing the new subsidy provisions to all AEIs who are on COBRA on or after November 1, 2009 or whose qualifying event is an "involuntary termination" of employment occurring on or after November 1, 2009;

- Conditions eligibility for the COBRA subsidy on only one factor: a qualifying event that is an "involuntary termination" of employment occurring on or before the new February 28, 2010 sunset date. The previous version of the subsidy also took into account when the COBRA coverage period actually began. This means that employees who are involuntarily terminated before February 28, 2010 but still receive coverage subsidized by employers that defers the COBRA start date to a date later than February 28, 2010 will still be eligible to receive the subsidy.

**Please contact Lena Bodin with any comments or questions at 845-362-3445.**

## Welcome to Our New Members!!!!

Deborah Finley-Troope

The Children's Village

Sylvia Gonzalez

Rye YMCA



### Some Facts & Figures

**Source: Human Resource Executive, December 2009**

- ◆ Roughly half (51%) of 761 lesbian, gay, bisexual and transgendered workers report they continue to hide their sexual identities from most, or all, of their co-workers (Human Rights Campaign Foundation, Washington)
- ◆ According to the findings of a survey of 1,000 employed American workers, 25% say that, due to a feeling of stagnation at their current job, they are ready to switch to a new job once the recession ends. (DDI, Bridgeville, PA)
- ◆ 40% of 318 North American organizations surveyed say they are planning to rehire some former workers who had previously been laid off, as either full time employees or as consultants and freelancers. (OI Partners, Nashville, TN)
- ◆ When judged on adequacy, sustainability and integrity, the US Retirement Income System ranks sixth (6th) among 11 countries, with an overall index value of 59.8, according to new research. The top five countries are: Netherlands (76.1); Australia (74.0); Sweden (73.5); Canada (73.2) and UK (63.9). (Mercer Global Pension Index, Mercer, New York)
- ◆ New medical research involving 509 migraine patients in the US finds they lost a total of 1,301 hours of work while actually present on the job and 974 hours from absenteeism due to the condition. (Dr. Stephen H. Landy, University of Tennessee College of Medicine, Memphis, TN)

## SHRM Seminar News for 2010

### SHRM Employment Law & Legislative Conference

March 17—19 2010  
Washington DC

### SHRM Staffing Management Conference & Exposition

April 26—28 2010  
Orlando Florida

### 62nd Annual Conference & Exposition

June 27—30  
San Diego, California  
SHRM Strategy Conference  
October 6—8 2010  
San Antonio, Texas

For more details or information,  
log onto the SHRM website:

[www.shrm.org](http://www.shrm.org)



**2010 Chapter Meeting Dates**

**All are Breakfast Meetings**

**Tuesday, February 16, 2010**

*The HR Marketing Interface*

**Tuesday, March 16, 2010**

*Coaching*

**Tuesday, April 20, 2010**

*Best Companies in NY*

**Tuesday, May 18, 2010**

**Tuesday, June 15, 2010**

*Diversity*

**Tuesday, September 21, 2010**

**Tuesday, October 19, 2010**

**Tuesday, November 16, 2010**

Go online for more details: [www.whrma.org](http://www.whrma.org)

**Our Purpose:**

1. To provide a forum for educational presentations and the discussion of topics relative to the HR profession.
2. To encourage and support members in their pursuit of professional certification.
3. To provide a clearing house of human resource information to the business community.
4. To cooperate with other human resource organizations in meeting the needs of the HR professional.
5. To provide information and services to serve the professional and advance the profession.

**UPCOMING MEETING DATES:**

**International SIG Dates**

February 9, 2010  
April 6, 2010

**Comp/ER SIG Dates**

February 25, 2010  
March 18, 2010

**Coaching/OD SIG Dates**

February 10, 2010  
March 10, 2010  
April 14, 2010

April 22, 2010  
June 17, 2010

**Consulting requires**

the balance of data, judgement and business knowledge.

For information, call (914) 633-3335



Visit us online at [www.nadelgroup.com](http://www.nadelgroup.com)

Take our FREE organizational effectiveness quiz.

E-mail: [rsnadel@nadelgroup.com](mailto:rsnadel@nadelgroup.com)

**Our strength**

is balancing HR strategies and business solutions.

For information, call (914) 633-3335



Visit us online at [www.nadelgroup.com](http://www.nadelgroup.com)

Take our FREE organizational effectiveness quiz.

E-mail: [rsnadel@nadelgroup.com](mailto:rsnadel@nadelgroup.com)