



2018 South Dakota Safety & Health Summit

No matter your organization's size or industry, if you are responsible for workplace safety or health, you need to keep current on a brand range of issues. Please join us! You'll find the timely, effective tools that you need to do your job better at the 3rd annual S.D. Safety & Health Summit!

**Starting 11:30am on Wednesday, 8/8/2018—
12pm Noon on Thursday, 8/9/2018
Ramkota Hotel & Convention Center, Pierre, SD**

You may register for 1 or 2 days, depending on your schedule.

Plus, Avera Health Plans is providing free confidential health screenings to Summit participants including BMI, BP and more.

A book of hotel rooms are available for reduced cost. You must call the hotel directly at #605-224-6877 to receive this rate.

See pages 9—12 in this newsletter for more information.

To register, visit <https://www.sodakshrm.org/events>.

2018 Board Members

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What Employee Speech Is Protected in the Workplace?



July 23, 2018—Employees don't have a constitutional right to free speech at work, but employers still need to be aware of federal and state laws that do protect workers' speech in certain situations.

The First Amendment guarantees citizens the protection of free speech from intrusion by the federal government, explained Grant Alexander, an attorney with Alston & Bird in Los Angeles. "The First Amendment does not apply to private actors, and employers are private actors."

Thus, government employees do have some First Amendment protections. "Employees working in the private sector often [don't understand] that the constitutional First Amendment right to free speech applies to government employees but not employees working for businesses," said Christopher Olmsted, an attorney with Ogletree Deakins in San Diego.

But that doesn't mean that businesses can curb all employee speech. For instance, private-sector employees have the right to engage in concerted activity under the National Labor Relations Act (NLRA). This applies to workers in both union and nonunion settings.

The NLRA protects employees' right to discuss the terms and conditions of their employment, said Steve Hernández, an attorney with Barnes & Thornburg in Los Angeles. For example, workers are protected if they discuss their wages with each other, decide they're not being paid enough and seek raises from their employer.

Employees also have the right to talk about possible unlawful conduct in the workplace. Under various federal laws, employees may complain about harassment, discrimination, workplace safety violations and other issues. "However, employees don't have the freedom or right to express racist, sexist or other discriminatory comments where such comments constitute violations of these laws," Olmsted noted.

Social Media

Employers should be mindful of how social media and policies affecting the use of social media interact with employee rights, Alexander said. In certain states, employees have the right to engage in lawful conduct when they are off the clock, and that may impact how social media policies are crafted and implemented, he added.

Employers must also be careful not to run afoul of the NLRA when disciplining employees for their social media activities, Hernández noted.

An employee's posts on social media platforms might be considered protected concerted activity if the employee is discussing working conditions and other labor relations matters. In recent years, the National Labor Relations Board (NLRB) and courts have found that social media posts might be protected even if they contain profanities or sound disloyal to the business. *(continued on next page)*

What Employee Speech Is Protected in the Workplace? (continued from previous page)

Thus, employers should ensure that their social media policies and practices can't be reasonably perceived as restricting such discussions.

Now that the NLRB has a Republican majority, it has shifted a bit in its stance to a more employer-friendly position, Hernández noted. But employers still can't stop workers from discussing the terms and conditions of their employment, he said.

State Laws

State laws may also enhance workers' rights to discuss certain topics. State laws protecting lawful off-duty conduct vary, so employers should check the laws in their states to see what is covered.

Although private employers may regulate political speech in the workplace without violating the Constitution, some state laws specifically protect political expression. In California, employees cannot be discriminated against based upon their political affiliation or political activity, Alexander noted. However, the protection does not necessarily give employees a right to speech in the workplace, he added.

In Oregon, the Worker Freedom Act prohibits employers from forcing workers to attend political meetings and distribute political communications.

Most states have a presumption of at-will employment, which means either the employer or the worker can terminate the employment for any lawful reason, but employers should be mindful that employees still have certain rights in the workplace that cannot be curbed, Alexander said.

Source: Lisa Nagele-Piazza, J.D., SHRM-SCP via SHRM.org (online article)

40% of Millennials OK with limiting speech offensive to minorities

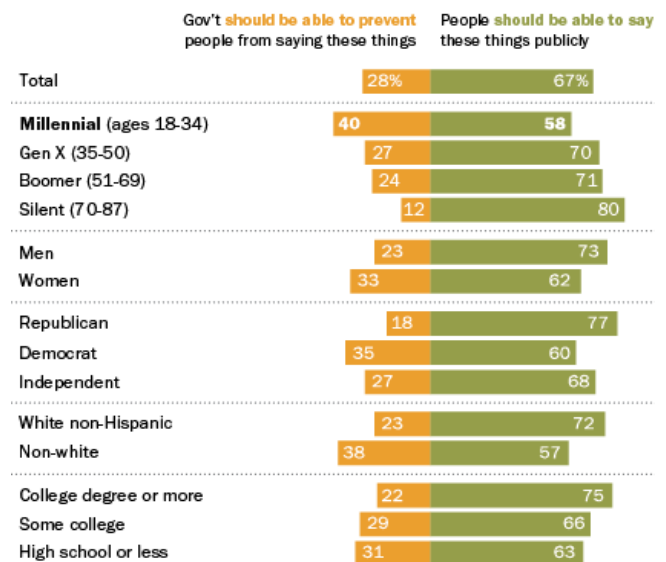
November 20, 2015—American Millennials are far more likely than older generations to say the government should be able to prevent people from saying offensive statements about minority groups, according to a new analysis of Pew Research Center survey data on free speech and media across the globe.

Source: Jacob Poushter via PewResearch.org (online article)

To read this full article and see more statistics, please visit: <http://www.pewresearch.org/fact-tank/2015/11/20/40-of-millennials-ok-with-limiting-speech-offensive-to-minorities/>.

U.S. Millennials More Likely to Support Censoring Offensive Statements About Minorities

Statements that are offensive to minority groups



Source: Spring 2015 Global Attitudes survey.

PEW RESEARCH CENTER

Diversity And Inclusion: What's The Difference, And How Can We Ensure Both?

June 25, 2018—How diverse is your workplace? And how inclusive is it? While many organizations may feel prepared to answer the first question, the second often causes a bit of confusion. Isn't it just the same question rephrased?

Thrown together though they often are, diversity and inclusion are distinct terms for different concepts — and both are critical to developing a healthy workforce. How so? Rita Mitjans, ADP's chief diversity and social responsibility officer, explains.

Let's begin with the basics: What's the difference between diversity and inclusion in the workplace?

Mitjans: Diversity is the "what"; inclusion is the "how." Diversity focuses on the makeup of your workforce — demographics such as gender, race/ethnicity, age, sexual orientation, veteran status, just to name a few, and inclusion is a measure of culture that enables diversity to thrive.

How do people misinterpret or conflate these concepts, and what is often the result?

Mitjans: People sometimes use these terms interchangeably, but they are quite distinctly different. Often organizations focus on increasing diversity without focusing on the necessary foundation that enables diversity. You can certainly hire in diversity — whether it's more women, more Latinos or African-Americans — but if your culture does not embrace different perspectives, you will not be able to retain diversity. Inclusion requires that everyone's contributions be valued, that individuals, regardless of the diversity dimension, have the opportunity to do their best work and advance.

Why is it important for workplaces to focus on both diversity and inclusion?

Mitjans: Great talent is always in demand, and organizations are in competition for top talent. Candidates evaluating whether to join an organization want to see others who look like them at the top and work in a culture that values different perspectives and supports authentic, respectful behaviors. All generations appreciate a culture of respect, fairness and inclusion — but Millennials are particularly drawn to this idea.

What sort of initiatives can organizations put in place to ensure both diversity and inclusion, including for LGBTQ individuals?

Mitjans: Sponsoring employee resource groups, including one for LGBTQ individuals, is a great start. Developing a baseline and goals for diversity and inclusion, and integrating those with current talent and business processes, is key. What gets measured gets done.

Ensuring leaders and talent acquisition partners are trained in unconscious bias and setting the expectation that there are diverse slates for openings and diverse interview panels also helps. Updating employment brand materials and language to reflect a diverse workforce. Implementing a voluntary self-identification program that allows employees to confidentially share their demographics, including sexual orientation and identity. Also, establishing recruiting partnerships with organizations like Out & Equal, the National LGBT Chamber of Commerce, and LGBTQ and other diverse student groups at college campuses ensures you have access to a diverse talent pool.

(continued on next page)

Diversity and Inclusion, What's The Difference (continued from previous page)

While one can imagine ways of measuring for diversity, how do you measure for inclusion?

Mitjans: Inclusion is about belonging. There are numerous questions in engagement surveys that measure whether employees feel they belong, such as “My ideas and suggestions count,” “This organization values my contribution” and “My manager treats me with dignity and respect.” You can also look at turnover data with a diversity lens to see if there is a disproportionate number of women or ethnic minorities, for example, leaving the organization compared to the majority group. Exit interviews and Glassdoor reviews are also indicators of how inclusive an organization’s culture is. Employee relations complaints (both in type and in volume) are also an indicator of inclusion.

What should diversity and inclusion goals look like for organizations?



Mitjans: Every organization is in a different part of the journey — and it is a journey, which means it’s an ongoing process. Having specific goals for diversity and inclusion, and regularly measuring progress, is key. I would look to a few indicators: Does the leadership of the organization reflect the available talent pool in the marketplace? Are women and people of color advancing at the same rates as white men? Do our hires reflect the available skilled talent in the market across all roles? Do our pay practices support pay equity? Do all employees feel like they’re treated fairly, and is the organization committed to advancing diversity and inclusion?

What challenges exist for workplaces implementing diversity and inclusion initiatives?

Mitjans: With all the focus on advancing diversity, organizations also run the risk of backlash from majority groups. It’s important to acknowledge this as a challenge and call out the elephant in the room. For example, white men make up only 37 percent of the population but over 70 percent of senior leadership, and it’s even higher for CEOs. If we are looking to have leadership reflect the population, that will mean a rebalancing of those opportunities, resulting in a perceived loss for the in-group. This is where education and awareness come in. The business case for diversity and inclusion is about ensuring that all qualified talent has the opportunity to contribute, grow and thrive because the population we serve and who consumes our products and services is diverse, and innovation by definition requires a different way of thinking.

Source: Natalie Burg with ADP via Forbes.com (online article)

DIVERSITY is being invited to the party. **INCLUSION** is being asked to dance.”
-Verna Myers



“You can’t categorize diversity based on what a person looks like. It’s what that person can do for the organization.”
Charles K. Poole
Citi

diversity, like ingredients,
makes a world of difference

“Those of us who work at Safeway come from all walks of life. We have a team comprised of people from all races, religions and ethnic backgrounds. They bring to the workplace a variety of styles, abilities and skills. I am proud of our diversity. Without a diverse team, we could not make Safeway the best company in our industry.”
Steve Burd, Chairman, President and CEO



Inclusion is not a matter of political correctness. It is the key to growth.

Jesse Jackson



The Watertown Banquet



PO Box 186 • Watertown, South Dakota 57201

May 22, 2018

Dear NISD SHRM,

Thank you so much for serving the Banquet meal this past Monday! We are grateful that you volunteered your time, and energy to this worthwhile event and hope that you had a wonderful time! Without volunteers like you, there would be no Banquet meal served each Monday night.

We thought your group would appreciate the following information:

Number of Guests Served	96
Volunteers/Staff	15
Seconds Served	29
Total Served:	140

Because it's vital that we continue to offer an experience that is rewarding and meaningful to the organizations who serve, as well as to the guests who come to the Banquet, we are always looking for ways to improve the services we offer. If you have any suggestions or concerns from your Banquet experience, we would like to hear from you. You may contact me at thewtbanquet@gmail.com. Again, on behalf of our guests, we thank you for your hospitality and generosity!

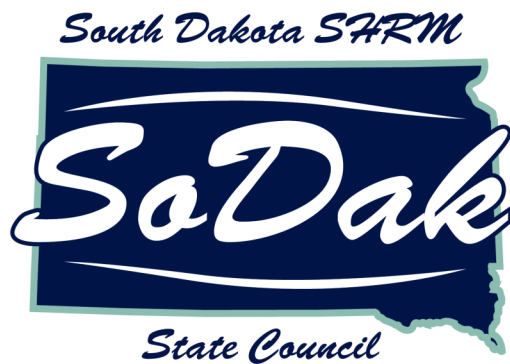
Blessings,

Heidi Hockman
On-site Coordinator
605-237-6987

Next Serving Date:
May 6, 2019

Nourishing Body and Spirit





NEW Scholarship Program: \$1,000 Available!

Submit a written application to the SoDakSHRM College Relations Director.

To be eligible, a candidate must be:

- ▶ A current SHRM National Member AND local SHRM Chapter Member in SD.
- ▶ Enrolled in a HR-related graduate or undergraduate program at a S.D. school.
 - ▶ Must have a 3.0 or higher cumulative GPA.

For full program details, please visit: <https://www.sodakshrm.org/scholarship-program>.

NEVER STOP LEARNING!

2018 Employee Benefits: The Evolution of Benefits

The 2018 Employee Benefits Survey, administered by the Society for Human Resource Management (SHRM) in February and March 2018, assessed the prevalence of more than 300 benefits. Human resource professionals were asked whether their organizations formally offered each benefit or had plans to do so in the next 12 months. This report examines changes in the prevalence of benefits over the past five years.

Key Findings:

Of the 34% of organizations that increased benefits offerings in the last 12 months, 72% cited retention as a reason for doing so and over one-half to attract new talent (58%) and/or respond to employee feedback (54%).

The prevalence of paid parental leave increased significantly between 2016 and 2018 for every type of parental leave assessed, including paid maternity (26% in 2016 to 35% in 2018), paternity (21% vs. 29%), adoption (20% vs. 28%), foster child (13% vs. 21%) and surrogacy (6% vs. 12%) leave.

Visit https://www.shrm.org/hr-today/trends-and-forecasting/research-and-surveys/pages/2018-employee-benefits.aspx?_ga=2.51006369.962997486.1532543135-1770298188.1505750786 to view full survey findings.

UPCOMING EVENTS



HR Roundtable Discussions

Tuesday, August 14th

11:30 am – 1:00 pm

Watertown Regional Library

Ever wondered how other HR's handle some of the biggest challenges that we face in Human Resources? Well, here's your opportunity to share best practices, ask questions, and network with other Human Resources professionals in our chapter!

➤ This session will feature:

- **Chris Schilken, Watertown Development Company**
- **Hiring and workforce development strategies**
- **Any other topics (you may have questions on)**

We will be providing pizza and a beverage for lunch. The session is FREE, but we ask that you register on our website so we have a head count for ordering the pizza. Thank you!

Please RSVP by Friday, 8/10/2018, on the chapter website <http://nesd.shrm.org> under the Events & Education tab.



S.D. Safety & Health

SUMMIT 2018

Join us for the
3rd Annual Summit!

Wednesday, 8/8 - Thursday, 8/9

Ramkota Hotel & Convention Center

Pierre, S.D. 57501

The 2017 Summit in
Watertown was a huge
success! Please join us
for another great event!

SPONSORED BY

NESD SHRM – Central SD SHRM- SoDak SHRM

SDSU Engineering Extension OSHA Consultation

SD Department of Labor & Regulation - Avera Health Plans

Sanford Health Plans – Orion Workforce Surety

The Weston Group – Glacial Lakes Energy





2018 S.D. Safety & Health Summit

Wednesday, 8/8 noon – Thursday, 8/9 noon
Ramkota Hotel & Convention Center
920 W. Sioux Ave., Pierre, SD



➤ Human Resource Professionals, Safety Directors, and Safety Team members:

No matter your organization's size or industry, if you are responsible for workplace safety or health, you need to keep current on a broad range of issues. Please join us! You'll find the timely, effective tools that you need to do your job better at the 3rd annual S.D. Safety & Health Summit!

- **Hotel Rooms** - A block of rooms is reserved at the conference rate of \$90.00 per night for Wednesday, 8/8/18 and/or Thursday, 8/9/18. Guests may call directly to make reservations at 605-224-6877, and should specify that they are with "SHRM NESD" to get the special group rate. All reservations must be received by 7/9/18. The block rate is not available on websites.
- **Health Fair** - Take advantage of FREE confidential screenings provided by Avera Health Plans during registration on Wednesday, 8/8 from 11:30 am to 1:00 pm. Screenings to include blood pressure, BMI, etc.

PRESENTING SPONSORS



Engineering Extension
OSHA Consultation



S.D. Safety & Health
SUMMIT

CONFERENCE AGENDA

WEDNESDAY, August 8th

11:30 a.m. - 1:00 p.m.	Registration	Health Fair (Blood Pressure Checks, BMI, etc.), Box Lunch (optional)
1:00 p.m. - 2:30 p.m.	Opening Remarks & Introductions	Welcome - Laurie Gates, SoDak SHRM Diversity Director Scott Berg, OSHA Consultation Advisory Board Chair
		OSHA Consultation Update - Greg DeRynck, OSHA Consultation
		S.D. Injury Trends - Sheila Stanley, OSHA Enforcement
2:30 p.m. - 3:00 p.m.	Break - Exhibit Booth Visits	
3:00 p.m. - 4:00 p.m.	Breakout Session 1	A. Worker's Comp. Update - Tom Hart, Deputy Secretary, DOL, Pierre, SD
		B. Reducing Hand Injuries- Doug Bohl, Ringers Gloves, Houston, TX
		C. Risk and Hazard Analysis -Terry Lively, Marsh & McLennan, Sioux Falls, SD
4:00 p.m. - 5:00 p.m.	Breakout Session 2	A. Identity Theft Prevention: – Bill Walker, ID Shield, Sioux Falls, SD
		B. Active Shooter Training - Terry Lively, Marsh & McLennan, Sioux Falls, SD
		C. Reasonable Suspicion -Jan Kornmann, KorManagement, Watertown, SD
5:00 p.m. - 7:00 p.m.	Social	Hors d' oeuvres, Cash Bar, Vendor Games/Prizes

THURSDAY, August 9th

7:30 a.m. - 8:00 a.m.	Registration	Light Breakfast (coffee and rolls) - Exhibit Booth visits
8:00 a.m. - 9:00 a.m.	Breakout Session 3	A. Behavior Based Management - Tom Slattery, Raven Ind., Sioux Falls, SD
		B. Self-Inspections- Why & How- Doug Kirkus, Safety Benefits, Sioux Falls, SD
		C. Electrical Safety/LOTO- Greg DeRynck, OSHA Consultation, Brookings, SD
9:00 a.m. - 10:00 a.m.	Breakout Session 4	A. ADA/FMLA/Work Comp. - Trish Dougherty, Weston Group, Sioux Falls, SD
		B. Root Cause Analysis - Tom Slattery, Raven Ind., Sioux Falls, SD
		C. How's Your Safety Attitude? - Doug Kirkus, Safety Benefits, Sioux Falls, SD
10:00 a.m.-10:30 a.m.	Break - Exhibit Booth Visits	
10:30 a.m. - 11:30 am	Closing	Generational Diversity - Trish Dougherty, The Weston Group, Sioux Falls, SD
11:30 a.m.- 12 noon	Wrap Up	Door prizes and evaluations

S.D. Safety & Health SUMMIT

CONFERENCE REGISTRATION

To register online for the conference, go to <https://www.sodakshrm.org/events> or see below for manual registration and payment instructions. Please be prepared to select break out sessions for yourself and for any additional attendees from your organization that you are registering prior to completing registration page.

CONFERENCE REGISTRATION FEES

	<u>BY 7/6</u>	<u>AFTER 7/6</u>	<u>AMOUNT</u>
Full Registration	\$75	\$95	_____
Wednesday, 8/8 only	\$50	\$75	_____
Thursday, 8/9 only	\$50	\$75	_____
Wednesday Evening Social	_____ Yes	_____ No	Included in Registration

Attendee Name	Indicate option A, B, or C for each session				8/8 Lunch?	Amount \$
	Session 1	Session 2	Session 3	Session 4	If yes -Add \$10	

Total: _____

PAYMENT INFORMATION

_____ Check _____ VISA _____ Mastercard _____ American Express

Card# _____

Name _____

Signature _____

Expiration Date _____ Security Code _____

Make checks out to NESD SHRM. Mail payment, if applicable to: Laurie Gates, PO Box 1237, Watertown, SD 57201. Cancellations received before 7/27 will be refunded. Questions? Call Laurie Gates, 605-753-8215.

Door Prize Drawings 11:30 am Thursday, 8/9 – Register at these booths and more!

NESD SHRM

Central SD SHRM

SD Department of Labor

The Weston Group

SDSU Engineering Extension OSHA Consultation

Grainger

Avera Health Plans

Sanford Health

Orien Workforce Surety

KorManagement



Contact Us

We are a network of HR Professionals. If you have a question, concern or inquiry, please reach out to one or all of us. We are here to help and teach each other!

Tammy Davis: Tammy.Davis@we-online.com • Laurie Gates: lgates@escomfg.com

Lindsay Frederick: Lindsay.Frederick@sparon.com • Kristi Melmer: kristi@moffattproducts.com

Melanie Schroeder: Melanie.Schroeder@we-online.com • Steve Hauck: haucks@lakeareatech.edu

Sheila Mennenga: smennenga@watertownmu.com • Stacey Goar: Staceyg@dakotabodies.com

Paige Sullivan: Psullivan@watertownbox.com • Sarah Hansen: Shansen@personasigns.com

Becky Joseph: Becky.Joseph@techord.net

Our last-minute tidbits and events:

- ▶ **Upcoming Monthly Meetings:** Roundtable Discussion August and then back to normal meetings in September. Keep an eye out for more details to come!
- ▶ Plus, we are starting to think about our **Holiday Social** for later this year. If you have any ideas or recommendations, please pass them along to Sarah Hansen at shansen@personasigns.com.
- ▶ **2017 NESD SHRM Wage Survey:** copies are available to be purchased. Please contact Laurie Gates at 605-753-8215 or lgates@escomfg.com to inquire about how to snag your copy!
- ▶ Are you looking to get **HRCI or SHRM certified** soon? Are you looking for a local study group to help you? If so, contact Tammy Davis at tammy.davis@we-online.com for more information.



HR HUMOR: only HR will fully appreciate these comics!

