

Legal Update

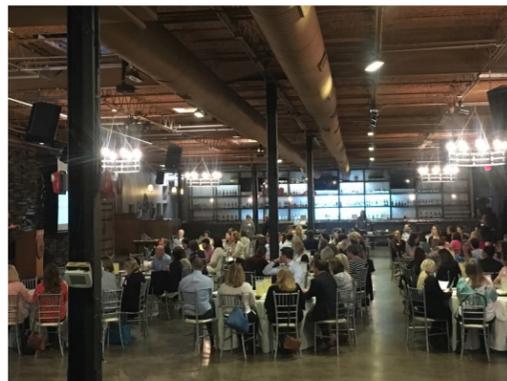
Legislative Board Report by Kelly Bolton

Possible changes to unemployment hearings: The Kentucky Court of Appeals issued a decision on 4/26/19 on the case Nichols v. Kentucky Unemployment Insurance Commission, finding that employers can no longer represent themselves in unemployment hearings, citing that a nonattorney questioning a person is unconstitutional. The Kentucky Unemployment commission has not yet made any official change to their practice, but we could expect to see changes as a result. It is best to carefully review Notice of Hearing documents from the commission in the interim.

Upcoming update to the W-4: There is a pending update to the W-4 which is set to be released sometime between fall of 2019 and spring of 2020. It lengthens the W-4 to several pages, and includes the bracket as a requirement, where it used to be for reference. Department of Labor Salary Exemption Rule: The period of public comment has been closed, and no additional updates from DOL have been issued at this point. We will continue to review.

Kentucky Pregnant Workers Act: On April 9th, Governor Bevin signed Senate Bill 18, known as the Kentucky Pregnant Workers Act, which amends the Kentucky Civil Rights Act as it relates to pregnant employees by requiring companies to provide “reasonable accommodations” for pregnancy, childbirth, and related conditions. Under the Pregnant Workers Act, employers will be liable if they fail to make reasonable accommodations for an employee who requests an accommodation for pregnancy, childbirth, or a related medical condition. These requirements are already in place from a federal standpoint and therefore employers are likely already meeting these standards. The Kentucky Pregnant Workers Act does have a posting requirement, and the poster is available online.

April & May Chapter Meetings Pics



Bluegrass Society of Human Resource Management

BLUEGRASS
SHRM
SOCIETY FOR HUMAN RESOURCE MANAGEMENT

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BLUEGRASS
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Bluegrass SHRM Gazette

A Message From your President



Greetings to my fellow HR professionals! I have been thoroughly impressed by your involvement with Bluegrass SHRM despite experiencing such a strong (and busy) first quarter. Our economy has continued its unprecedented growth and experienced the longest upward trajectory in history. On top of that we have record high job openings, record low unemployment, and a host of legal changes that have affected our practice. Despite these exhausting conditions, you have made time for your own development, and rightly so. BGSHRM has had record attendance at meetings and has seen strong membership growth. The drive you have shown within our chapter is no doubt a reflection of how strong and driven you are in your daily practitioner life.

Continuing this strong start to 2019, you can expect expansion on these successes with new 2019, you can expect expansion on these successes with new opportunities for professional development and networking. This includes a **Fitness Challenge** to benefit SHRM Foundation, a **robust Membership Drive and social event** in July, a **Wellness Fair** in August that should provide you abundant resources, and a new extended **Legal Update Session at Keeneland** this October which will be followed by a group outing to the races. Additionally, I thank our members for their involvement in new committees, such as the newsletter committee. Keep your eye out for the quarterly Bluegrass SHRM **Gazette** for important updates. Furthermore, in an effort to enrich the professional development of our member base, we are initiating a **certification scholarship** opportunity for the first time this year. Lastly, for any of those attending **SHRM19 in Las Vegas**, we are offering a happy hour at the Wynn Encore Monday night. The 2019 Board of Directors has truly exceeded my expectations thus far and has

proved to be an active and committed group that is consistently working towards serving our members. As your President, I would like to challenge you to grow your HR network – introduce yourself to new people at meetings, exchange ideas and best practices, and get involved. You deserve the support and resources this will provide you. I continue to encourage you to give yourself regular breaks from your day-to-day practitioner life and join us at our monthly meetings, which will expose you to new ways to enhance your knowledge, your career and your organizations. I am fully committed to serving you and making this your best year yet. Any ideas, questions, or concerns, or if there is anything I can do for you, please do not hesitate to contact me. Kudos to each of you as you support the mission of Bluegrass SHRM and drive excellence, innovation and make a difference in the community. Keep up the momentum BGSHRM! Best Regards,

Leslie C. Moore
2019 BGSHRM Chapter President

Bluegrass Society of Human Resource Management

Special points of interest:

- > SHRM Excel 2018
- > August Breakfast Meeting/Wellness Fair
- > SHRM Annual Conference—Kentucky Night
- > Upcoming Community Outreach Partners

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Upcoming Community Outreach Partners & BGSHRM Giving Back!

| | |
|----------------|---------------------------------|
| July 9th | Special Olympics |
| August 13th | YMCA Black Achievers |
| September 10th | Junior Achievement of Bluegrass |

The Bluegrass Chapter of the Society for Human Resource Management is committed to promoting initiatives to enhance the workforce and the community. If you have a suggestion for a non-profit to be a Community Outreach Partner at one of our Chapter Meetings please email diversity@bgshrm.org.



Upcoming BGSHRM Meetings!

| | |
|-------------|----------------------------------------------------------------------|
| June 11th | Workforce Development: Developing Talent Pools for your Hiring Needs |
| July 9th | Unemployment Law Tips, Traps, and Hot Button Issues |
| August 13th | More Details to Come |



Dodging Coconuts—Succession Planning

by Sylvia Lovely

Think of yourself lounging at the pool enveloped in a sun-soaked vacation. Palm trees are gently swaying and --what you may barely have noticed -- so are the coconuts. Suddenly, a storm comes up -- the trees bend in half as you run for cover. You note that the coconuts start flying all around and you count your blessings as you head for the indoor bar. So too, in today's world, the coconuts, part of the palm tree "gently swaying" schtick, become flying missiles of destruction in high winds. Better to apply prevention in advance, as a bar may not be nearby. How does this relate to the HR profession? Let me ask this: "Do you ever feel overwhelmed and under siege from your daily tasks?" You get one thing done and a dozen or so pop up before you have your first cup of coffee. I think I heard a universal chorus of "YES." And so, as I have put my ear to the ground, I have chosen to call my work in assisting others with understanding better the forces at work in our world today, "Dodging Coconuts."

Why? Sure, life issues have been with us always -- but never before have they been so complicated; flying seemingly at random bringing change at breakneck dizzying speed. Today, we embrace technology, social media, and our constant need to express ourselves and express opinions as we "see things." There is gold at the end of this rainbow, of course, but we struggle with overload. As Lily Tomlin, the comedian, once said, "I try hard to be cynical -- but it is so hard to keep up." In particular, the workforce, at one time, looked the same, talked the same, aged the same, and had roughly the same outlook on life. And so, we rejoice at the expanding talent pool, as diversity comes

in waves and five generations are sitting around the conference table. The coconuts are flying and the outcry is -- "How can I manage all this?"

The top two issues for 2020 in a recently conducted SHRM survey of CEO's were: (1) attracting the best and brightest of employees and (2) retaining them. Immediately, "hiring" practices come to mind, but as importantly is "retaining" them. Begin with a strong succession plan. Succession planning done correctly addresses a growing issue. According to the SMRM Foundation Effective Practice and Guidelines Series, we have a coconut ready to run amuck. Forty percent of our management workers are retirement eligible in the next five years. Two-thirds of senior managers hired from the outside fail in the first 18 months of employment. In addition, not retaining employees is expensive -- some estimates are up to one year's salary for high level management positions. (www.peoplekeep.com, "Employee Retention -- The Real Cost of Losing an Employee.")

What does an effective succession plan look like? First, a framework: PREPAREDNESS -- knowing the workforce you have and need to have. PURPOSE -- communicated clearly and adhered to. PLANNING -- applying the forces at work in a manner that helps you achieve purpose and, finally, PERSPECTIVE -- the wisdom to read the tea leaves of the future that comes with experience, education, setbacks and successes.

A recent SHRM training on succession planning resulted in several elements. <https://www.hrperformancesolutions.net/blog/hr-news-and-culture/Elements-of-an-Effective-Succession-Plan> -- provides the high points: get buy-in from the top and

tie it to mission, take time out of your busy schedule to make a plan and stick to it, and keep your plan simple. Though initially time consuming, a succession plan is essential in a world of flying coconuts.

Specific elements include: (1) identifying key positions -- not all positions are created equal in terms of availability of replacements -- gap analysis of difficulty in filling certain roles; (2) compensation studies; (3) identifying in-house talent and (4) measurement of results and constant re-evaluation. Finally, to re-emphasize, KNOW YOUR WORKFORCE.

Different benefits will be required depending on the needs of your particular workforce. For instance, a recent study <https://www.hrdiver.com/news/gen-z-millennials-bring-different-attitudes-to-the-job-hunt/553804/> reveals that Gen Z'ers (born after 1995) love technology but also employers who address their human interaction weaknesses with warmth and encouragement, causing some employers to beef up soft skills development. Others may be more in need of child care assistance. The list is endless and is up to you as you survey your own workforce both current and desired.

SHRM has developed several guideposts to assist with the succession plan process (SHRM Foundation Effective Practice Guideline Series.) While the coconuts are flying, the task appears daunting but to seize the ample opportunity to thrive, take this important step and create a solid and effective succession plan.



Bluegrass Society for Human Resource Management Awarded For Elevating Human Resources, Improving Workplaces

and state councils' activities with SHRM's aspirations for the HR profession. The award recognizes major accomplishments, strategic activities, and tactical initiatives that elevate the profession of human resources.

"So much of SHRM's success in shaping better workplaces--where employers and employees can thrive together-- is owed to the hard work of our chapters and state councils such as Bluegrass Society for Human Resource

Management. Through their courage and leadership, Bluegrass Society for Human Resource Management is driving true, measurable progress toward the healthy, productive, and dynamic workplaces of tomorrow," said Johnny C. Taylor, Jr., SHRM-SCP, president and chief executive officer of SHRM. "Awarding this Silver Excel Award is just one small way for SHRM to recognize and celebrate the big steps this Chapter has taken this past year."

[Lexington, Kentucky) May 28, 2019 -- SHRM (the Society for Human Resource Management) recently awarded Bluegrass Society for Human Resource Management its prestigious EXCEL Silver Award for the Chapter's accomplishments in 2018.

The EXCEL award aligns individual chapters'



Employing Older Workers Makes Good Business Sense

by Jeff Rubin

Two-thirds of today's baby boomers plan to work past age 65, or do not plan to retire at all, according to a report that appearing in the Transamerica Center for Retirement. Yet that decision may be harder to realize given the realities that many older workers face and the subsequent spike of "ageism" in the workplace. For older workers and others who've experienced job loss, their situation may be compounded even further when viewed against the backdrop of a 2014 Employee Benefit Research Institute report on the preparedness of older workers for retirement. The study reveals rather alarmingly that nearly 60 percent of workers ages 55 and older had saved less than \$100,000 for their retirement years, and another 24 percent have saved less than \$1,000.

In short, for an increasing number of traditional retirement age workers today, the greatest fear they face may be running out of money; the consequences of which will ultimately be felt by us all. While many cite the need to continue working, there is also a growing number of people approaching 65 who, for reasons other than financial, are simply not ready to retire. They choose instead, to remain active either full time, part time or in other productive ways. The irony in all this is the convergence of these issues at a time when business, industry, and communities are being forced to re-think the ways in which they perceive age, work, consumers, and their economy. It is emerging too, at a time when, according to The National Older Worker Career Center (NOWCC) www.nowcc.org "many employers, public and private sector alike, are beginning to face the loss of experience as those workers who want to retire are doing so."

To put this in context, consider the num-

bers. According to the PEW Research Center, some 10,000 people turn 65 every day, a never-before seen surge that is expected to peak at 4.3 million annually by 2025. Add in the fact that elders are living longer (85 plus is the fastest growing age group) and you can see why this represents an alarming concern to some. To others however, what is happening is nothing short of revolutionary. The former refers to this convergence as a "silver tsunami." The latter sees what is taking shape as part of a new and booming dynamic where the benefits of longevity are fueling the economy. They point to the already staggering \$7.1 trillion spent annually in the U S alone by those 50 and over on products and services they presently consume to make their case.

In Kentucky alone, this "longevity economy" is already yielding dividends. According to an Oxford Economics report conducted for AARP, despite being just 35 percent of Kentucky's population in 2013, people over 50 accounted for 45 percent of Kentucky's Gross Domestic Product (\$83 billion). This longevity revolution is expected to create a whole range of opportunities for those investors, companies, small business owners, and budding entrepreneurs willing to embrace it. Yet the positive implications of longevity and what it may mean for growing old has been slow to take hold both within and outside of our homes.

Many civic and community leaders, like the individuals and families they serve, are more likely to see aging as something that happens to other people rather than something to embrace in themselves. Therefore, actively preparing for transition is often an afterthought rather than a plan. This comes despite assertions from many

in the financial and retirement fields who see older adults as people who are working longer, buying more goods, and generally propelling economic growth in their communities. Businesses unwilling to acknowledge this inevitable reality find themselves facing a double-edged sword. Many lack the knowledge to capitalize on the economic opportunities inherent in catering to this elder clientele. Others, whose own long-time employees are ready to leave the workforce, find themselves ill-prepared to replace or retain the knowledge, the contacts, the 'how to get that problem solved' experience of the folks who've been with them for years. To retain their talents, future-focused employers are beginning to implement a variety of workplace practices including flexible and shared work arrangements, part-time and part-year schedules, and remote and offsite access just to name a few. And why shouldn't they? Older workers often get high marks for leadership, stability, problem-solving skills, loyalty, and reliability. They also serve as mentors to younger workers and can relate better to a business's growing aging customers. Hiring or retaining older workers promotes retention, increases productivity, and makes good business sense.

Jeff Rubin is an internationally recognized positive aging advocate and leader in the fight against ageism, and an adviser to business and community leaders on community and aging issues. An advocate for "Age-friendly" and "Livable" communities, Mr. Rubin is currently working to advance these initiatives in Kentucky and elsewhere across the country. He can be reached at jeff@wisdomofage.net



August Breakfast Meeting/Wellness Fair

KC Wellness will be giving a presentation on Wellness plans at the August 22nd breakfast meeting. We are inviting 15 vendors that can assist with your wellness plan. They will have tables set up around the room so that you can visit with them and ask questions. Join us for ideas to promote your wellness plans!

August 22, 2019
8:30am - 10:30am
The Barrel House
903 Manchester St. #150
Lexington, KY 40508

SHRM19 Annual Conference - Kentucky Night



Kentucky Night
Monday, June 24th
5pm - 7pm

Join your Fellow HR professionals from Kentucky for a Happy Hour at the Wynn Encore Lobby Bar!

Please RSVP by Friday June 21st to Leslie Moore at president@bgshrm.org

Food provided by Precision Staffing, Inc.