



Inside this Issue

2017 Board Members	1
President's Address	1/2
Upcoming Events	2
Meeting Millennial Expectations	2/4/5/6
House Passes Comp Time Bill	3/4/5
UPDATE DOL Overtime Rule	4/5

NEWSLETTER

May 2017 ISSUE

President's Address

Welcome back to the newsletter everyone!

This month in our NUHRA world we are hosting our annual Half Day Conference. We hope to see you all there! The conference will be hosted on May 18at the Ogden/Weber Technology College, building 2HT, located at 200 N Washington Blvd. Ogden, UT 84404.

NUHRA members attend FREE! Non-Members have a killer deal at \$50! Please feel free to share this information with anybody you believe could benefit from the conference. This is not just for members! RSVP to mstanger@strongandhanni.com

REMINDER: We will NOT be hosting a monthly luncheon in May. We hope you plan to attend the conference in Ogden instead. If you're unable to attend the conference, we hope to see you at our June luncheon back at the Davis Hospital & Medical Center on June 15th.

Please allow me to take a moment to congratulate all recent graduates who may now be entering the workforce, in full force! If you are a recent grad, or you know one, don't hesitate to share their information, resume, etc. with our membership. I know a lot of companies are hiring right now and could use the education these grads just received!

Cont. Page 2

2017 Board Members

- President | Alison Evans
- President Elect | Steven Maughan
- Secretary | Ronda Bateman
- Treasurer | Darrel May
- VP Membership | Dana Williams
- Communications | Trisha Clark
- Webmaster | Christina London
- Programs | Stacey Comeau
- Certification | Shauna Greer
- Hospitality | Michael Stanger
- Workforce Readiness | Tia Larsen
- Diversity | Kevin Smith
- Legislative Representative | Jesse Oakeson
- Public Relations | Kathy Hammerle
- Foundation Liaison | Heather Briskey
- Student Liaison | Pat Wheeler
- Student President | Curtis Waite
- Golf Committee Chair | Shawn Choate
- Past President | Veronica Akers

AFFILIATE OF



Upcoming Events

May Half-Day Conference

May 18th @ 7:45 a.m. – 1:30 p.m.

Ogden Weber ATC

200 North Washington Blvd, Ogden

See agenda online at www.nurha.org

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June Luncheon

June 15th @ 11:30 a.m.

Davis Hospital & Medical Center

1600 Antelope Dr., Layton

Presenter | Mikhail Shneyder – Nightingale College
“Controlling Costs of Providing Medical Care to Employees”

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July Luncheon

July 20th @ 11:30 a.m.

Davis Hospital & Medical Center

1600 W Antelope Dr., Layton

Presenter | Ascanio Pignatelli – E3 Solutions
“How to Drive Engagement with Energy Leadership”

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Annual Golf Tournament

July 31st

Mt. Ogden Golf Course

1787 Constitution Way Ogden, UT

Visit www.nuhra.org for more information
to attend or sponsor the event

President’s Address Cont.

If you are an employer interested in connecting with the recent grads, please don’t hesitate to reach out and the NUHRA Board can get you connected with the Student Chapter and hopefully help satisfy those needs.

As always, thanks again for reading our monthly newsletter! Trisha does an amazing job as our Communications Director, and we hope each of you are finding value in what she’s presenting in this publication.

Sincerely, Alison Evans - NUHRA President



Meeting Millennial Expectations Can Benefit Your Entire Workforce

By: Kathy Gurchiek, SHRM Contributor

If you haven't changed your organization's practices to meet the Millennial generation's workplace expectations, maybe you should.

"The Millennials are going to become half of the workforce and ... they're going to run the place," said Itala Keller, associate account manager at Pearl Meyer, an executive compensation consulting firm headquartered in New York City. The generation born between 1981 and 1997 officially became the largest share of the U.S. workforce in 2015, according to a Pew Research Center analysis of U.S. Census Bureau data.

Cont. Page 4



House Passes Comp Time Bill; White House Voices Support

By: Kate McGovern

Editor at BLR, Compliance Training Solutions

The U.S. House of Representatives has passed a bill that would allow private employers to offer workers compensatory time off in lieu of [overtime](#) pay.

The Working Families Flexibility Act of 2017 will now go to the Senate. However, despite having the White House's support, the bill could face obstacles.

The bill

H.R. 1180 would amend the [Fair Labor Standards Act \(FLSA\)](#) so that employers could offer workers the option of banking paid time off instead of receiving 1½ times their regular rate for hours worked over 40 in a workweek.

The parties would have to agree to the arrangement in advance, and employees could accrue no more than 160 hours of comp time. Employers would have to allow workers to use their comp time within a "reasonable period" after making a request but could deny a request if it would "unduly disrupt" operations. Also, employers would have to cash out comp time banks every year.

The public sector already has that option available, and Republicans say private businesses should have it as well. Because the bill incentivizes the program for employers, it will encourage more businesses to allow workers to take time off as needed, supporters say. In written testimony, a representative of the Society for Human Resource Management (SHRM) told Congress that the bill



would result in more employers offering more time off because they'll receive predictability and certainty in exchange. Democrats and worker advocates, however, say the bill merely amounts to an interest-free loan for employers and includes no guarantee that employees would be able to take time off when they want. They also say the program will cause employers to offer overtime hours to employees who agree to accept comp time first, denying extra pay to employees who need it most.

[David S. Fortney](#), a founder of [Fortney & Scott](#) and an editor of [Federal Employment Law Insider](#), believes the bill properly addresses those concerns and said the program will benefit both employees and employers: Workers will have improved access to time off, and employers will gain consistency in paying workers.

Next steps

The House has passed similar bills before, but they have always died in the Senate, which means H.R. 1180 carries some baggage, Fortney said. The most recent bill passed the House 229-197 almost along party lines. It's possible that the Senate could pass the bill, Fortney added, but if the Senate votes in a similar manner, the measure could face a filibuster there.

The White House offered its support for the bill on May 2, saying in a statement that the administration believes the bill would help workers balance the competing demands of family and

Comp Time Bill cont.

work. The administration also said it believes the bill contains satisfactory protections to ensure that employers won't coerce workers into accepting comp time instead of overtime pay.

"If H.R. 1180 were presented to the President in its current form, his advisors would recommend that he sign the bill into law," the White House said. If the bill doesn't pass the Senate, it could at least serve as a springboard to continue a national discussion on workplace flexibility, Fortney said.

Noting that the FLSA was designed for the workforce of the 1930s, he said comp time may be just one component in a series of broad updates that could include things like flexible scheduling. Regardless of whether comp time is approved for private-sector use, "we need to develop workplace rules that meet the needs of today's workforce," Fortney said.

Millennial Expectations cont.

Keller was among panelists at WorldatWork's Total Rewards Conference on May 9 in Washington, D.C., discussing "Maximizing the Positive Impact of Millennials in the Workplace."

A Pearl Meyer survey, conducted in April with 84 businesses around the world and to be released this week, confirmed that Millennials:

- Want and expect constant feedback.
- Want training and development opportunities and a manager who is interested in their career growth.
- Want to understand how their work contributes to the organization's mission.

DOL to Address Overtime Rules by June 30th

Story via HR Hero – April 19, 2017

A federal court of appeals has granted the U.S. Department of Labor (DOL) its third extension in defending a lawsuit challenging new [Fair Labor Standards Act \(FLSA\)](#) overtime regulations.

A lower court [temporarily enjoined the rules last year](#), and the Obama administration appealed that order. Now the Trump administration must decide whether to continue with that defense. Citing a lack of leadership—specifically, a secretary of labor—the DOL has now requested and received three delays, giving it until June 30 to make a decision.

Background

The rules, which were scheduled to take effect December 1, 2016, would have required employers to pay [overtime](#) to employees earning less than \$913 per week (\$47,476 annually). The change would have more than doubled the existing threshold.

States and business groups challenged the rule in court, and a federal district court judge granted a preliminary injunction temporarily halting the rules just days before their effective date.

President Barack Obama's DOL appealed the order to the U.S. 5th Circuit Court of Appeals. Shortly after President Donald Trump's inauguration, his administration obtained a 30-day extension for

Overtime Rule cont.

submitting a reply brief. It then received a 60-day extension, making the new deadline May 1. In an unopposed motion filed April 14, the DOL requested another 60 days. "The due date was previously extended to allow incoming leadership personnel adequate time to consider the issues.

The nominee [for] Secretary of Labor has not yet been confirmed. Thus, the federal government respectfully requests an additional 60-day extension," the motion said. The court granted the request April 19.

Fate of the rules

Trump's nominee for secretary of labor, Alexander Acosta, called into question the legitimacy of *any* overtime salary threshold during [his Senate confirmation hearing](#).

Acosta dodged questions about what an appropriate salary level might be and instead volunteered concerns about the threshold altogether. "I think the authority of the secretary to address this is a separate issue from what the correct amount is and the litigation needs to be considered carefully both with respect to what would be the appropriate amount if the rule were to be changed or revised but also what is within the authority of the secretary to do," he told lawmakers last month. A former DOL economist who worked under Obama called the assertion "breathtakingly radical" because a threshold has been in place since 1938.

The Senate Committee on Health, Education, Labor, and Pensions approved Acosta, and he is now awaiting a vote by the full Senate.

In the meantime, the lower court judge who issued the injunction still could issue a permanent injunction or rule on a pending motion for dismissal without a trial. Obama's DOL asked the judge to halt all proceedings while the 5th Circuit reviews the injunction, but he declined, saying the department has not shown that it is likely to succeed with its argument that the court erred in issuing the injunction.

If Trump's DOL drops its defense of the lawsuit, a group of labor organizations has asked to take over. "With the recent presidential election, and particularly as more information becomes available regarding the . . . Administration's plans, policy, and appointments, the Texas AFL-CIO has grave concerns as to whether its interests in the Final Rule will be represented by the DOL," the motion said. The district court has not issued a ruling on the organizations' motion.

Millennial Expectations cont.

Meeting those expectations can benefit an organization's entire workforce, according to panelists.

'Tell Me How I'm Doing'

"I can't envision working a whole year without hearing how I'm doing," said Keller, a Millennial, on the importance of feedback. "I want to know how my performance is, what needs to be improved and what is going well so I know which direction to [focus on]."

Cont. page 6

