



DECEMBER 2001

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NCPA

NORTH COUNTY PERSONNEL ASSOCIATION

San Diego

DECEMBER MEETING

Wednesday December 12th

You are cordially invited to attend:



North County Personnel Association's Toys for Tots Holiday Luncheon



**Wednesday, December 12, 2001
11:30 a.m. to 1:30 p.m.**

**Four Seasons Resort Aviara
7100 Four Seasons Point,
Carlsbad**



**Admission
\$25.00 each**

**Reservations are
required and must be
received by December 7,
2001.**

**For information call:
(619) 594-7078
Or email:
toevers@aol.com**

Come enjoy a delightful gourmet lunch, caroling by Santa Fe Christian Choir, a gift from NCPA, and fabulous raffle prizes. Receive one raffle ticket for attending & one for your unwrapped toy donation.



Upcoming Speakers and Topics:

January 16th -- Legal Update.

February 13th -- President's Luncheon, where we honor past NCPA Presidents and CEOs who champion Human Resources in their companies.

March 13th -- How To Implement And Get The Most From 360 Degree Feedback In Training, Development And Performance Reviews.

President's Pen

by John Vermeren



There was so much to give thanks for this year. Especially for those of us who live in The Land of the Free. This excerpt from a recent e-mail seemed to sum it up for me.

The following is something to ponder...

If you woke up this morning with more health than illness... you are more blessed than the million who will not survive this week.

If you have never experienced the danger of battle, the loneliness of imprisonment, the agony of torture, or the pangs of starvation ...you are ahead of 500 million people in the world.

If you can attend a church meeting without fear of harassment, arrest, torture, or death...you are more blessed than three billion people in the world.

If you have food in the refrigerator, clothes on your back, a roof overhead and a place to sleep...you are richer than 75% of this world.

If you have money in the bank, in your wallet, and spare change in a dish someplace ... you are among the top 8% of the world's wealthy.

By
Dr. Richard McCall

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Benefit Tip of the Month

by William Peartree peartree@cbsrs.com

IRS Extends Remedial Amendment Period For Qualified Retirement Plans

Under 401(b), plan sponsors have a remedial amendment period in which to adopt plan amendments for GUST. The end of the GUST remedial amendment period is the deadline for making all GUST plan amendments and other plan amendments specifically outlined in Rev. Pro. 99-23, 1999-1 C.B. 920. The GUST Remedial amendment period also applies to all disqualifying provisions of new plans adopted or effective after December 7, 1994 and with respect to all plan amendments that would cause an existing plan to fail to be qualified. This is also the end of the remedial amendment period for the Tax Reform Act of 1986 for Government plans and non-electing church plans.

This new revenue procedure extends the GUST remedial amendment period for qualified retirement plans. The revenue procedure extends the GUST remedial amendment period for all plans to February 28, 2002, if the period would otherwise end before then. Next, the revenue procedure provides an additional extension to June 30, 2002 for plans that were directly affected by the events on September 11, 2001. Finally, in situation of substantial hardship resulting from the terrorist attack, the IRS may grant additional extensions to particular plans, on a discretionary basis, up to December 31, 2002.

It is not safe to assume your Plan Provider, Third Party Administrator (TPA) or Record Keeper has taken care of the necessary remedial amendment. Start by contacting your TPA to make sure it has been completed or is being prepared for the plan fiduciary's signature.

Bill Peartree is a partner with Corporate Benefit Solutions, LLC

Holiday Wish

**Work like you don't need the money.
Love like you've never been hurt.
Dance like nobody's watching.
Sing like nobody's listening.
Live like it's Heaven on Earth.**

Happy Holidays from NCPA!

Legislative Update

By William Peartree, Lou Storrow & Richard Soares



The following are some California Assembly and Senate Bills we've been tracking and their current status. Bills signed into law will be effective January 1, 2002. You may get complete bill information at the Legislative Information from California web site. To get copies of the bills, check status, amendments or subscribe to email updates, you may also go to the California Senate or California State Assembly website - click on "legislation" and enter the bill number for information.

- AB 25: (Migden) Domestic Partnerships. Signed into Law. The bill requires health and disability insurance plans to offer coverage to domestic partners. Requires employers to allow use of sick leave to care for a domestic partner.

- AB 800: (Wesson) English-only Policies. Signed into Law. Codifies existing DFEH regulations. Adds Government Code Section 12951 to the FEHA, making it an unlawful employment practice for an employer to adopt or enforce a policy that prohibits the use of any language in the workplace unless the policy is justified by an "overriding business necessity," as defined, and employees are given notice of the policy and its enforcement consequences.

- AB 1015: (Wright) Employment Retaliation. Signed into Law. Extends provisions that prohibit an employer from discriminating against an employee who is involved in a Labor Code dispute to apply them to applicants for employment who are refused employment, not selected for a training program leading to employment, or discriminated against in any other manner. Expands existing prohibitions to include protection for employees and applicants who engage in conduct delineated in additional chapters of the Labor Code.

- AB 1025: (Fromer) Lactation Accommodation. Signed into Law. Adds several sections to the Labor Code mandating that an employer allow a nursing mom an appropriate place to express milk during a regular break or an additional, unpaid break. The place must be somewhere other than a toilet stall, and must be near the employee's work area, and may be the employee's work station, if appropriate. Exempts employers whose operations would be "seriously" disrupted. Violation will result in a \$100 fine and subjects the employer to a citation, but will not be a misdemeanor.

- SB 20: (Alarco_n) At-Will Exception. Signed into Law. This bill prohibits at-will termination of janitors and building maintenance personnel under certain circumstances.

- SB 40: (Alarco_n) Unemployment Insurance. Signed into Law. Increases unemployment insurance benefits from a maximum weekly benefit of \$230 per week to \$380 per week and changes base period calculations.

- AB 1679: (Shelley) Private Sector: Contract Worker Ban. Vetoed. Would deem all licensed contractors working on any private contract to be the actual employer of any temporary, leased or contract worker that is supplied by an employment agency or service.

- SB 71: (Burton) Workers' Compensation. Vetoed. Increases workers' compensation benefits and has the potential to increase employer costs by as much as \$3 billion by some estimates.

- SB 147: (Bowen) Employee Computer Records. Vetoed. Would have prohibited an employer from secretly monitoring the electronic mail or other computer records generated by an employee.

- SB 208: (Alpert) Private Investigators: Exemption from Licensure. Vetoed. Exempts, under specified conditions, an independent contractor who possesses a certificate or degree in human resource management, and who analyzes and makes recommendations regarding workplace harassment incidents, from the Private Investigator Act.

- SB 1197: (Romero) Sick Leave Policy. Vetoed. This bill would provide that if an employer maintains an absence control policy that counts sick leave used to attend to an illness of a child, parent, or spouse as a basis for discipline, discharge, demotion, or suspension, the policy would constitute a per se violation of the law.

Professional Development Opportunity for NCPA Members

by Jeannie Ramos

The NCPA Professional Development Committee is pleased to offer a significant discount for members for an eleven-week course to earn a Certificate in Human Resource Management through Chapman University. This course is designed to prepare members for the Professional in Human Resources (PHR) or Senior Professional in Human Resources (SPHR) certification exams. The class will be held at a North County location beginning Tuesday, February 12, 2002 and will continue through April 23, 2002. For more information, please contact Mimi Murray at Chapman University at (619) 908-6022, or email her at murray@chapman.edu.

NCPA members who apply on-line for a scholarship through NCPA may be eligible for a \$100 scholarship if they successfully pass the HRCI examination. To apply for the scholarship, fill out and submit a scholarship application on our NCPA website: ncpasd.org prior to taking the exam. If you have any questions about the scholarship, please contact Jeannie Ramos at (760) 434-9665 (evenings).

Is Your CEO An HR Superstar?

Honor Your CEO or President by nominating him or her as a Champion of Human Resources!

February is President's Month at NCPA and in keeping with our tradition we want to honor and hear from a few CEOs who put HR at the top of the list and actively support the efforts of their HR Department. Let us know if your CEO or President should be considered for this award by giving us examples of programs you have put in place with the support of your top executive.

We will honor these top executives at the February 13th meeting and ask each one to speak to us about their view from the top and of how they work with you in Human Resources to make your company a great place to work!

Please direct your nomination to JohnCaspole@aol.com

South County Personnel Association

Date: 2nd Thursday of the month
 Time: 11:30 am - 1:00 pm
 Place: San Diego Country Club
 88 L Street - Chula Vista CA
 Cost: \$15 Members/\$20 Non-members
 RSVP: 619-687-7412
 Topic: Christmas Program

ASTD - San Diego Chapter

www.astsandiego.com
 Date: 4th Wednesday of the month
 Time: 11:30 am - 1:00 pm
 Place: Handlery Hotel
 950 Hotel Circle North
 Cost: \$25/\$35 Pre-Registered
 \$30/\$40 After Deadline
 RSVP: 858-581-2783

East County Personnel Association

www.sdshrm.org
 Date: 3rd Thursday of the month
 Time: 11:30 am - 1:00 pm
 Place: The Brigantine Restaurant
 9350 Fuerte Drive, La Masa, CA
 RSVP: 858-587-7568

Society for Human Resource Management

Date: 3rd Wednesday of the month
 Time: 11:30 am - Registration / 12:00 pm Lunch
 Cost: \$25/\$40 - Pre-Registered
 RSVP: 619-589-0111

Give the Gift of Knowledge

For 2002, why not give an NCPA Gift membership to a co-worker or friend? With all the exciting programs planned for 2002, it's a great gift for HR Professionals and those that are in training for the role. Membership is also a great way to network, meet new friends and develop resources. Call for a gift certificate!

2002 Membership Upgrades

Prices have NOT gone up but our value has! Beginning in January 2002 your Corporate Membership now entitles you to 3 newsletters for your employees.

Individual Membership - \$40.00
 Corporate Membership - \$100.00

2002 Directory Advertising

Reserve and pay for your advertising space in our 2002 Membership Directory before January 31st and receive 10% off the price of your ad.

For information contact: Mardi Montague at (760) 438-1809.

Check out our web site! www.ncpasd.org

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