

JUNE 2001



NORTH COUNTY PERSONNEL ASSOCIATION

San Diego

ADA "Safe Harbor"

Not Available to Employee

Jailed for Drug Use

For more information about

this and other recent court

rulings, check out our website

at www.ncpasd.org

Coming in July!

Sunset Social Party at the

Grand Pacific Hotel

in Carlsbad 5:00-7:00pm

JUNE MEETING

\$20 Member / \$25 Non-Member

Wednesday June 13TH
Windmill Restaurant, Carlsbad

11:30 a.m - 1:00 p.m.
RSVP: (760) 438-1809 ext. 104 (No later than Friday 6/8/01)

June NCPA Meeting at the Windmill Restaurant June 13 11:30 to 1:00

Legal Update - Emerging Legal Issues You Need to Know.

Learn the changing and emerging issues employers need to know to avoid liability in the ever-changing workplace!

Presented by a panel of attorneys who are recognized experts in the field of Labor & Employment Law.

Craig A. Schloss, Morrison & Foerster, San Diego
Stacey E. James, Sheppard Mullin, San Diego
Louis A. Storrow, Carlsbad

This will be another "interactive program," in which our expert panel will present and discuss real life scenarios facing today's HR professional, addressing emerging legal issues such as:

- The New Look of the Disabled Worker under AB 2222
- The Employee's Right to a Representative in Investigations and Disciplinary Discussions
- The Affirmative Defense to a Sexual Harassment Claim
- Safe Downsizing

Join us for an informative and entertaining program on June 13th!

Upcoming Speakers and Topics:

July 11TH ~ Sunset Social Party at the Grand Pacific Hotel in Carlsbad 5-7:00pm

August 8TH ~ Low cost-High Leverage Benefit Opportunities!

Sept 12TH ~ How to work with Baby Boomers and Gen Xers!

President's Pen

by John Vermeren

I HOPE YOU DIDN'T MISS IT.

Because it was terrific! Wendy Evers did it again with about 20 booths, 2 excellent seminars and a great Keynote Speaker.

Ted Owen is the editor of the San Diego Business Journal and had an interesting take on how badly the "Energy Crisis" was going to affect our economy. He asked us to think back to the early 1990's and the crisis that many felt would be the end of San Diego's economic prosperity. Do you even remember what the "Crisis" was back then? Here's a hint. Our economy was so dependent on that industry that common wisdom was that it would be decades before we recovered completely. Yet today our Gross Regional Product is much higher than it has EVER been. Unemployment is still at record lows even after that "Crisis."

It's hard for some to remember that San Diego was a Defense Industry town. Ted said "What ever is necessary to solve the energy crisis will be done." We just need to let our elected officials (Federal and State) know that their jobs are on the line. I was told after Ted's speech that what we need is Federal Price Caps and to make sure everyone knows that when California catches a cold the whole country will sneeze.

Did you you know that San Diego has the 34th largest regional product in the Nation with the entire State of California ranking 8th? As FDR said "The only thing we have to fear is fear itself."

He also told wonderful tongue-in-cheek stories of how his own business is run. For example, Starbucks Coffee is served in the coffee room because it takes fewer ounces for the same buzz and the increased cost is offset by the productivity savings of not having to go to the bathroom as often. He told of how he personally prepares popcorn every Deadline Thursday afternoon and then personally delivers it to each person's desk. R-E-S-P-E-C-T is what it's all about. He passes out dollar bills, with I Love your Attitude stickers attached, to people he catches doing the right thing. And more often than not he finds those same dollar bills pinned up in a cubicle rather than spent.

We had booths related to all parts of the HR Puzzle including Recruitment, Retention, Staffing, Benefits, and Training, as well as Outplacement. There were all sorts of goodies and prizes from Queen Eileen's Cookie Baskets to Salary Surveys.

Renee Huston and Susan Scherwerts not only educated us about "Saying Goodbye with Style" but got us up to speed on the many services of EDD. Marshall Lightner, Ph.D., was inspirational in helping us to understand how we can change our own attitudes so we can integrate family and business by "going with the flow." All in all, a good time was had by all.

Thanks to all those who made it happen, especially TLC Staffing who was our Event Sponsor.

See you next month for the Legislative update on the 2000 HR Laws that will affect us all this coming year.

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Something New

by Jeannie Ramos

SOMETHING NEW FOR OUR NCPA PROFESSIONAL DEVELOPMENT PROGRAM

The purpose of the NCPA Scholarship Program is to promote professional development of our members. The Executive Board has agreed to slight modifications to the criteria for awarding scholarships. Scholarship, rules and regulations are as follows:

- To receive a discount for the Certificate in Human Resource Management class through Chapman University, you must be a member of NCPA. If you are not a current member, you can join to take advantage of the class.
- To receive a \$100 scholarship, you must have registered through NCPA prior to taking the class and must pass the HRCI certification test. You must continue to be a dues-paying member at the time of registering for the class as well as when you collect the scholarship money.

To be eligible, you can either attend the Chapman University class or another comparable class (which is a preparation course for the HRCI exam) with Chapman or another university (i.e., Cal State San Marcos), and you must pass the HRCI test.

- NCPA will sponsor the class annually in February. Those who want to take it during the summer or fall will need to sign up on your own for the class, and sign up through us at the onset of the class to be eligible for the scholarship. You must be a member both at the time of signing up with NCPA and at the time of collecting the scholarship.

- There are no limitations as to the number of people from an individual company who can take the class if the company has a corporate membership.

If you have any questions, please contact Jeannie Ramos at (760) 434-9665 or e-mail at jramos@sdcoe.k12.ca.us.

Legislative Update

by William Peartree

The following are Assembly and Senate Bills from the State Legislature to be watched. To learn more about the bills, visit the NCPA website at www.ncpasd.org. There you will find informative links to the Assembly, the Senate and the Federal Government.

AB 181: This bill, which would be known as the Living Wage Act, would require the Industrial Welfare Commission to establish the hourly minimum wage at not less than \$7.25 effective January 1, 2003; \$7.75 effective January 1, 2004; \$8.25 effective January 1, 2005; and \$8.75 effective January 1, 2006. Thereafter, the bill would require the Commission to adjust the minimum wage annually, as specified, to maintain employee purchasing power.

AB 800: This bill would make it an unlawful employment practice for an employer to adopt or enforce a policy that prohibits the use of a non-English language in the workplace unless the policy is justified by an overriding business necessity, as specified, and prescribed notice of the policy is given to employees. The bill would authorize any employee affected by a policy in violation of the bill to bring a civil action for equitable relief and would also require the court or the Fair Employment and Housing Commission, as the case may be, to award \$5,000 penal damages to any aggrieved employee wrongfully subjected to a policy in violation of the bill.

AB 1040: This bill would require employers to provide a reasonable amount of unpaid break time to employees desiring to express milk. The break time would be required to run concurrently, if possible, with any break time already provided. Employers would also be required to provide the use of a

room, or other location, other than a toilet stall, in close proximity to the employees' work area.

SB 147: This bill would prohibit an employer from secretly monitoring the electronic mail or other computer records generated by an employee. The bill would provide that an employer who intends to inspect, review, or retain any electronic mail or any other computer records generated by an employee shall prepare and distribute to all employees the employer's workplace privacy and electronic monitoring policies and practices. The bill would provide that, upon distribution, the employer shall require every affected employee to sign or electronically verify that he or she read, understands, and acknowledges, receipt of the policies and practices. The bill would apply to specified public entities.

SB170: Existing law prohibits an employer from adopting or enforcing any rule, regulation, or policy that prevents employees from disclosing information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of, or noncompliance with, a state or Federal regulation. This bill would specify that these provisions of existing law apply to an employee of a government agency who reports this information to his or her employer. The bill would declare the intent to codify the interpretation of the above existing law held in *Gardenshire v. Housing Authority*.

Benefit Tip of the Month

By William Peartree

IS YOUR PLAN AFFECTED BY THE NEW BONDING REQUIREMENTS?

On October 19, 2000 the Department of Labor released Final Rules 29 CFR Part 2520 that imposed additional bonding requirements on sponsors of small employee benefit plans. These new requirements will affect those who file annual reports on Form 5500 without audited financial statements.

Unless one of the two following provisions is met, all small plans are required to include audited financials when filing Form 5500:

1) At least 95% of the plan assets must be "Qualifying Plan Assets", or

2) A fidelity bond is established to cover 100% of the "Non-Qualifying Plan Assets", and it must be in place as of the first day of the plan year. For every plan year an exemption is claimed for the plan audit requirement, either at least 95% of the assets of the plan must constitute "Qualifying Plan Assets" or the bonding requirement for the plan is increased to 100% of the total non-qualifying plan assets. Any additional bonding requirements for non-qualifying plan assets should be in place no later than the first day of the plan year commencing after April 17, 2001.

In the past, the required bond coverage was a minimum of \$1,000.00 or 10% of total plan assets as of the beginning of each plan year up to a maximum of \$500,000.

Assets that fall into the qualifying category include employer securities, assets held by banks, insurance companies, broker-dealers, mutual funds, investment and annuity contracts, and participant loans.

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

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 Mesa, 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

**Membership has its
privileges!**

NCPA is pleased to offer its members the following great benefits annually:

- Educational luncheons
- Networking opportunities
- Certification classes and scholarships
- Informative seminars
- Legislative updates
- Membership directory published annually
- Resources, resources, resources....

Values like NCPA are hard to find. Why not share the value with a friend? Bring a guest that registers in June and you receive a free lunch certificate.

For information on new memberships and the benefits you receive, please visit our website at www.ncpasd.org or call Mardi Montague at 760.438.1809 ext. 119.

If you have not received your new 2001 Membership Directory please let us know. They're a great Resource.

Check out our web site! www.ncpasd.org

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