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August Meeting Information

Unemployment Insurance Benefit Tips for Employers

Presented by
Shelly Tidaback,
Job Service North Dakota
Claims Center Supervisor

August 10, 2023
8:15 am Doors Open
8:30 am Chapter Meeting &
Presentation



Meeting Location:
NDSU Extension Service Office
2680 Empire Road, Dickinson
(North of Sanford Clinic)
Enter Door C / South Side

<http://ndsahra.shrm.org>

Unemployment Insurance Benefit Tips for Employers

Shelley Tidaback is the Claims Center Supervisor with Job Service North Dakota. Shelly will join SAHRA in August for a presentation on “Unemployment Insurance Benefit Tips for Employers.”

Shelly's presentation provides an overview of the unemployment insurance process for employers and how their role and responsibilities can impact unemployment costs. Key learning objectives include:

1. Understanding the correspondence an employer receives from Job Service
2. The importance of fact finding and responding completely to requests for information
3. Understanding the appeals process
4. Tips to minimize costs

Shelly was a small business owner prior to working for Job Service. She has been in her role as a Claims Center Supervisor for the past 13 years. In her role at JSND, she provides leadership to the customer service and adjudication teams to resolve complex client issues. She is a University of Mary graduate and a member of the International Association of Workforce Professionals.

Join us Thursday, August 10, 2023, for a brief chapter meeting followed by this presentation from Job Service. ■



Interested in HR Certification?

The Society for Human Resource Management offers two levels of professional certification: Professional in Human Resources (SHRM-PHR) and Senior Professional in Human Resources (SHRM-SPHR). If you are interested in learning more, please contact Alyssa Baranko, SAHRA Certification Chair, 701-483-3229 or abaranko@bravera.bank . ■



Like us on Facebook!

SAHRA is on Facebook! For updates and reminders on SAHRA events and activities, LIKE us on Facebook.



President's Message

Greetings! Where has the summer gone?!?! I swear the kiddos just got out of school and the summer temps barely started to show its face. I hope you have had an opportunity to break free and enjoy some of these summer days. We are back from our little "summer break" and the programming committee as lined up another awesome presenter for this month's meeting! Please plan to join us to learn more about unemployment insurance and impacts to the business.



I also hope that many of you have already registered for the upcoming state conference being held in Bismarck this September 12-14th. This is a great way to meet new faces, network, and catch up on pressing issues that affect the HR community. This conference is not a success without all the volunteers who make this happen. If you would like to volunteer at the state conference or serve as a board of director please let myself or April Frank know. WE NEED YOU! ▪

DeEII Jordre
SAHRA President

Society for Human Resource Management

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Thank You!

Thank you for your contributions to this edition of the SAHRA Newsletter.

Southwest Area Human Resource Association

This newsletter is a publication of the Southwest Area Human Resource Association
Chapter #0571
PO Box 132 • Dickinson ND 58601
<http://ndsahra.shrm.org>
Newsletter Editor: Carrie Zubke

Did You Miss a Meeting?

SAHRA members are able to access recordings of membership meetings by logging into our website and clicking on the Meetings & Events tab. Each month will include a link to You Tube for meetings with permission to record. <https://ndsahra.shrm.org/>

Treasurer's Report

Southwest Area Human Resource Assoc.
July, 2023

New Statement Balance				\$15,904.09
Current Checks / Deposits	7/19/2023	Interest earned		\$0.13
Compare to ending bank statement balance		\$15,904.22		
Outstanding Checks / Deposits	#646 4/11/2022	Stark County	Room rental deposit	(\$100.00)
	#656	St A's EAP Program	May program fee	(\$200.00)
BALANCE				\$15,604.22

SAHRA Board Minutes

No July board meeting. ▪

SAHRA Meeting Minutes

No July chapter meeting. ▪

Registration is open for the ND SHRM 2023 State Conference!

It will be held in Bismarck on September 12-14, 2023.

Visit <https://ndshrm.com/state-conference/> to learn more and get registered.

Looking for Sponsors & Exhibitors!

Do you work for a company that would like to get in front of HR professionals from around the state? Contact the ND SHRM State Conference sponsorship committee at sponsorship@ndshrm.com for more information.



Southwest Area Human Resource Association Board of Directors

President:

DeEll Jordre
Marathon Petroleum, Dickinson
dmjordre@marathonpetroleum.com | 701-456-6912

Past President / SHRM Foundation Director:

April Frank, PHR, SHRM-CP
FH Holdings / Home & Land Co, Dickinson
aprilhouseholder@yahoo.com | 701-590-2900

President Elect / Legislative Director:

Marie Bittner
CBIZ Benefits, Glen Ullin
marie.bittner@cbiz.com | 701-260-5964

Secretary-Treasurer:

Melissa Stoltz, SHRM-SCP, Dickinson
a_mstoltz@yahoo.com | 701-260-3729

Certification Director:

Alyssa Baranko, SHRM-SCP
Bravera Holdings Corp., Dickinson
abaranko@bravera.bank | 701-483-3229

Community Relations Director:

AJ Eslinger
Charbonneau Car Center
om.office@charbonneaumotors.com | 701-456-9605

Workforce Readiness Director:

Amber Beld, SHRM-CP
Dickinson
amber.beld@gmail.com

Membership Director:

Kim Heidt
Steffes, LLC, Dickinson
kheidt@steffes.com | 701-690-6686

Program Director:

Carrie Zubke, SPHR, SHRM-SCP
Bravera Holdings Corp, Dickinson
czubke@bravera.bank | 701-483-3287
Committee Members include: Joetta Percy, Marie Bittner,
and Carissa Suter.

Marketing Director:

Krissy Kilwein, SHRM-CP
Dickinson State University, Dickinson
krissy.kilwein@dickinsonstate.edu | 701-502-4304

Diversity Director:

Tiffany Benner
Killdeer Mountain Manufacturing, Dickinson
tiffany.benner@kmmnet.com | 406-971-5545



Pregnant Workers Fairness Act

On June 27, 2023, a new federal law went into effect that closes a gap in coverage for pregnant and postpartum employees. The Pregnant Workers Fairness Act (PWFA) requires employers to provide “reasonable accommodations” to a worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.”

Under the PWFA, pregnant or postpartum employees seeking reasonable accommodations are no longer required to (1) have a pregnancy-related disability or (2) identify other similarly situated employees with accommodations. Prior to the enactment of the PWFA, pregnant or postpartum employees were limited in their ability to obtain reasonable accommodations. Although employees were protected from discrimination on the basis of pregnancy under Title VII of the Civil Rights Act of 1964 (Title VII), they were only entitled to reasonable accommodation if they were able to identify other similarly situated employees in the workplace who received accommodations. Moreover, since pregnancy itself is not a disability under the Americans with Disabilities Act of 1990 (ADA) and few pregnancy-related conditions are considered a disability, pregnant and postpartum employees rarely were protected under the ADA. With the passage of the PWFA, pregnant and postpartum employees are now afforded reasonable accommodations that were not previously covered under Title VII or the ADA.

It is important to note that although the PWFA provides additional protections to pregnant and postpartum employees, those protections only apply to accommodations. Additionally, the PWFA does not replace federal, state, or local laws that provide greater protections to workers affected by pregnancy, childbirth, or related medical conditions. Like the PWFA, North Dakota provides accommodations for pregnant workers as well, and can be summarized as follows:

An employer must provide reasonable accommodations for an otherwise qualified individual because that individual is pregnant. An employer is not required to provide an accommodation that would disrupt or interfere with the employer’s normal business operations, threaten an individual’s health or safety, contradict a business necessity of the employer, or impose an undue hardship on the employer. N.D.C.C. §14-02.4-03

At this time, the Equal Employment Opportunity Committee (“EEOC”) has not yet issued its regulations and examples of reasonable accommodations; however, it has pointed to the House Committee on Education and Labor Report on the PWFA, which provided several examples of possible reasonable accommodations including the ability to sit or drink water; receive closer parking; have flexible hours; receive appropriately sized uniforms and safety apparel; receive additional break time to use the bathroom, eat, and rest; take leave or time off to recover from childbirth; and be excused from strenuous activities and/or activities that involve exposure to compounds not safe for pregnancy.

The Takeaway:

With the enactment of the PWFA, pregnant and postpartum employees now have more protection in the workplace than ever before. Employers are urged to recognize that the PWFA is an **addition** to the already existing laws that afford protection beyond reasonable accommodations to pregnant and postpartum employees. In applying the PWFA, pregnant and postpartum employees are able to receive reasonable accommodations,

(Continued on page 5)



*Marissa R. Cerkoney, Lawyer
Ebeltoft . Sickler . Lawyers PLLC*

Pregnant Workers Fairness Act

while still maintaining the protections under Title VII, the ADA, and other existing laws that make it illegal to fire or otherwise discriminate against workers on the basis of pregnancy, childbirth, or related conditions. To ensure that workplace policies do not infringe on the protections imposed by the PWFA, employers are well-advised to seek the help of legal counsel.

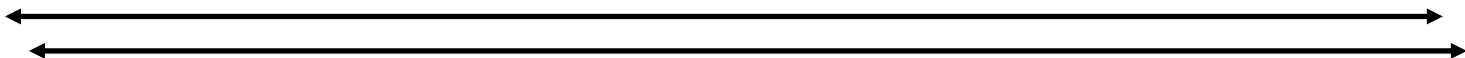
Our Interest in Serving You:

My law firm's goal is to give understandable information and to foster discussion about real-life issues facing human resource professionals. If we are not achieving that goal or if you would like us to address other employment law issues, please email me at mcerkoney@ndlaw.com. We promise to take your comments and ideas to heart.

Disclaimers (Otherwise known as "the fine print")

I make a serious effort to be accurate in my writings. These articles are not exhaustive treatises, though, so do not consider them complete or authoritative. Providing this information to you does not create an attorney-client relationship with my firm or me. Do not act upon the contents of this or of any article on our homepage or consider it a replacement for professional advice.

Marissa R. Cerkoney | Lawyer
 2272 Eighth Street West | Dickinson, ND 58601
 701.225.LAWS (5297) tel
 701.225.9650 fax



ND SHRM Board

Ready to expand your professional network and share your talents? You are in luck! Per the ND SHRM Council bylaws, six Director positions on the board are up for election this year.

The following Director positions will be filled for a two-year term beginning January 1, 2024, and will end December 31, 2025.

- Certification Director
- Director-Elect
- Membership Director
- Professional Development Director
- Public Relations & Technology Director
- Secretary

Descriptions of the positions can be found on the [ND SHRM website](#).

Interested individuals (including incumbents*) should complete the [2024 Board Position Application](#) and submit a resume to April at aprilfrank@ndshrm.com by **no later than September 13th at 10 am CST**. **Incumbents may serve in the same position for a total of two terms.*

Elections will be held on the night of September 13th and the election results will be announced at the closing ceremony of the 2023 ND SHRM State Conference on September 14th.

Candidates are encouraged to volunteer during the 2023 ND SHRM State conference to get to know the behind-the-scenes work and to attend the NDSHRM After Hours event on September 12th to mingle with the current board.

Key dates for in-person meetings candidates should keep in mind:

- October 26 & 27th, 2023- ND SHRM Leadership Meeting
- November 16-18th, 2023- SHRM VLBM (*applies to some positions*)
- February 8-10th, 2024- SHRM RCBM (*applies to Director-Elect only*)
- September 16-18th, 2024- 2024 ND SHRM State Conference

Top 5 Reasons to Join the ND SHRM Council Board:

- 5) Career development
- 4) Advancing the HR profession
- 3) Volunteers serving in leadership positions earn 5 recertification credits
- 2) ND SHRM State Conference free admission
- 1) (drum roll please)... An opportunity to serve on a fantastic board! ▪

1. Baranko, Alyssa, SHRM-SCP*- Bravera Holdings Corp., Dickinson
2. Beld, Amber, SHRM-CP*- Dickinson
3. Benner, Tiffany*-Killdeer Mountain Manufacturing, Dickinson
4. Berger, Missy –Trial Runners, Dickinson
5. Bittner, Marie*-CBIZ Benefits, Glen Ullin
6. Braunberger, Brooke-Watford City Park District
7. Burgess, Sierra*-Therapy Solutions, Dickinson
8. Calihou, Dessie*-Dunn County, Manning
9. Camisa, Joe-Bismarck State College, Bismarck
10. Cerkoney, Marissa-Ebeltoft . Sickler . Lawyers, Dickinson
11. Cloutier, Jon, SHRM-CP-St Luke's Nursing Home, Dickinson
12. Dohrmann, Michelle-Consolidated, Dickinson
13. Ebach, Katelyn, SHRM-CP-ESRI, Dickinson
14. Enney, Justin*-Killdeer Mountain Manufacturing, Dickinson
15. Erickson, Alicia-Dickinson Chamber of Commerce, Dickinson
16. Eslinger, AJ*-Charbonneau Car Center, Dickinson
17. Exon, Amber-McKenzie County Healthcare Systems, Watford City
18. Fetch, Cindy – Southwest Water Authority, Dickinson
19. Fitzsimmons, Amanda, SHRM-SCP*-Continental Resources, Dickinson
20. Fong, Carter-Dickinson Chamber of Commerce
21. Frank, April, SHRM-CP, PHR* - FH Holdings / Home & Land Co, Dickinson
22. Hagen, Richard*-Theodore Roosevelt Medora Foundation, Medora
23. Haight, Reghan-Theodore Roosevelt Medora Foundation, Medora
24. Hanson, Shelly*-Fisher Industries, Dickinson
25. Harper, Lynae, SHRM-CP-Chord Energy
26. Haugen, Tammy-Marathon Petroleum, Dickinson
27. Heidt, Kim*-Steffes, LLC, Dickinson
28. Heiser, Ashley-Benedictine Living Community, Dickinson
29. Hintz, Kristy*-Ixom Watercare, Dickinson
30. Hintz, Layne-City of Dickinson
31. Hoff, Brittani*-Western Cooperative Credit Union, Dickinson
32. Jenkin, Jackie- Dickinson
33. Jirges, Karen*-Ebeltoft . Sickler . Lawyers, Dickinson
34. Johnson, Katrina, PHR*-Baker Boy, Dickinson
35. Johnson, Mackenna-Baker Boy, Dickinson
36. Jordre, DeEll*- Marathon Petroleum, Dickinson
37. Karsky, Alissa*-Ironworks, Dickinson
38. Kaufman, Tanner*-Fisher Sand & Gravel, Dickinson
39. Keller, Chantel-Braun Distributing, Dickinson
40. Kilwein, Krissy, SHRM-CP*-Dickinson State University, Dickinson
41. Kirchoffner, Jessica*-City of Watford City
42. Klusmann, Chandra-Steffes, Dickinson
43. Kovash, Aimee-Job Service, Dickinson
44. Lantz, Nancy - Southwestern District Health Unit, Dickinson
45. Matthews, Libby*-Dickinson Ready Mix, Dickinson
46. Messer, Jennefer, SHRM-SCP*, Dickinson
47. Michael, Sara*-Theodore Roosevelt Medora Foundation, Medora
48. Murray, Jen*-Southwest Water Authority, Dickinson
49. Nameniuk, Shelly, SHRM-CP*- City of Dickinson, Dickinson
50. Nicklos, Amanda-Steffes, LLC, Dickinson
51. O'Shields, Ledeanne-Southwest Water Authority, Dickinson
52. Oase, Matt*-City of Killdeer
53. Obritsch, Kathleen - Sysko Business Solutions, Dickinson
54. Olheiser, Chris*-Lund Oil, Inc., Watford City
55. Parkin, Dannielle-TMI, Dickinson
56. Percy, Joetta, SHRM-SCP*-Stark County, Dickinson
57. Pearson, Madison-Steffes, Dickinson
58. Peterson, Rachel*-Fisher Industries, Dickinson
59. Praus, Carey, SHRM-CP*-Benz Oil Company, LLC, Killdeer
60. Reiger-Kempenich, Cindy-Sackman Electric & Controls, Dickinson
61. Riely, Patty-Dickinson Parks & Recreation, Dickinson
62. Sickler, Brandon*, SHRM-CP-Steffes LLC, Dickinson
63. Songer, Imee, SHRM-CP, SHRM-SCP, PHR, Richardton Taylor Public Schools, Richardton
64. Stoltz, Melissa, SHRM-SCP*, Dickinson
65. Strommen, Sheila*-Theodore Roosevelt Foundation, Medora
66. Suter, Carissa, SHRM-SCP– Marigold Consulting, LLC, Watford City
67. Swanson, Ashley*-Steffes, LLC, Dickinson
68. Torgerson, Natalie*-City of Dickinson
69. Tysver, Danita - Stark County Development, Dickinson
70. Wallace, Sarah*- Wallace Business Services, Dickinson
71. Zubke, Carrie, SPHR, SHRM-SCP*,- Bravera Holdings Corp, Dickinson

* - indicates SHRM National Membership

PHR indicates HRCI's Professional in Human Resources certification

SPHR indicates HRCI's Senior Professional in Human Resources certification

SHRM-CP indicates SHRM's Certified Professional certification

SHRM-SCP indicates SHRM's Senior Certified Professional certification