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November Meeting Information

I-9 Forms

Presented by Jen Messer,
Fisher Industries

Thursday, November 10, 2016
Dickinson Elk's Lodge
11:30 am MT

Menu:
Soup & Salad Bar
or
Teriyaki Bowl

November to Focus on I-9 Forms

Our November program will be presented by Jen Messer with Fisher Industries. Jen has been the HR Director for Fisher Industries for 5 years. She earned her SHRM-SCP designation in July of 2015. Her previous experience includes ten years as a Compliance Officer and Internal Auditor for a local community bank and five years as a Qualified Retirement Plan Trust Officer.

Her presentation will cover the basics of completing an I-9 form, how to perform an I-9 audit, audit findings remediation, and electronic storage of I-9s. ■



Jen Messer
SHRM-SCP, CRSP



December Membership Social



The Southwest Area Human Resource Association is pleased to announce a membership social on Thursday, December 8, 2016 from 4-6 pm MT at the Fluffy Fields Vineyard & Winery in Dickinson. This event will be held in place of our regular noon meeting. Join us for a short presentation by The Power of 100 Women organization, the Dickinson Area Chamber of Commerce, and Stark County Development Corporation. In addition, our annual SHRM Foundation Grand Prize Drawing will take place, along with our \$50 Visa drawing for those members that have renewed their membership for 2017 by the December 8th early bird deadline. This will be a great opportunity to network with chapter leaders and members and unwind a bit before the holidays! You don't want to miss it! ■

Like us on Facebook!

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



President's Message



Hello SAHRA Friends,

This month we kicked off our community service project with the Dickinson Backpack program! It's a lot of fun to get together with fellow HR friends, and it feels great to know you're helping local students have meals on the weekends. If you haven't signed up and are interested, please join us! You can find more details on the SAHRA website and FB page, or email me.

Next month we are doing a new and exciting thing for our membership meeting. We will have an evening networking social at Fluffy Fields Vineyard! Please remember, there will be NO regular meeting at the Elk's for December – but please join us at Fluffy Fields later that day.

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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

Treasurer's Report

Southwest Area
Human Resource Association
July-October, 2016

New Statement Balance				\$14,593.70
Current Checks / Deposits		Interest Earned		\$0.35
#569	6/15/2016	TNT Training	May Speaker	(\$609.00)
	7/15/2016	Deposit	Membership Dues	\$145.00
	8/30/2016	ND SHRM	Conference Dividend	\$359.63
#571	8/30/2016	Carrie Zubke	State Conference SHRM Foundation Basket donation	(\$88.14)
#570	8/31/2016	Shar Tuhy	State Conference SHRM Foundation	(\$54.35)
	9/7/2016	SHRM	SHRM membership dividend	\$215.00
	9/12/2016	Elk's	Monthly Speaker Meal	(\$15.88)
Compare to ending bank statement balance		\$14,546.31		
Outstanding Checks / Deposits		Deposit	Membership Dues	\$590.00
TOTAL:				\$15,136.31

SAHRA Board Meeting Minutes

October 13, 2016

Present: DeAnn Scheeler, DeEll Jordre, Kathleen Obritsch, Melissa Stoltz, Carrie Zubke, Amber Mathieson, Sarita Haag. Absent: Chelsea Dicke and Christina Anthony.

President DeAnn Scheeler called the meeting to order.

Secretary's Report: The August board minutes were submitted. Upon motion by Amber Mathieson, second by Melissa Stoltz, motion carried to approve the August minutes as presented.

Treasurer's Report: The current month's treasurer's report was not available. With DeEll returning to her roles and responsibilities, she will report all treasurer activity in the November newsletter.

Newsletter: The October newsletter was posted on the website and an email notification was sent to all registered members.

NOMINATING REPORT:

Discussion was held on the open board positions and interested parties. Final nominations will be sought during the November meetings prior to election taking place. Individuals interested in open positions are encouraged to contact DeAnn Scheeler.

President Elect / Legislative Director
Secretary / Treasurer
Membership Director
Program Director
Certification Director
Community Relations Director

COMMITTEE REPORTS:

Program: The program details are being covered for the remainder of the year by the board.

November: Jen Messer with Fisher Industries will present on EEO / I9s / Affirmative Action

December: Dickinson Chamber/Stark Development/Power 100 Presentation
January: Kari Shea with Voc Rehab-pending

Diversity: Chelsea Dicke: No report.

SHRM Certification-Carrie Zubke: Carrie stated that we have two individuals in the process of certifying. Currently, there isn't an active study group. However, if interest returns, further discussion will be held.

Foundation: Carrie will be donating the raffle basket for November and December's grand prize is still being determined.

President Elect / Legislative Director: Sarita will be attending the Leadership Conference in Washington, DC in November. She hopes to have updates to share with the board and membership.

Membership-Melissa Stoltz: Melissa gave updates on potential new and returning members. She submitted the audit information to SHRM. It was determined that a few SHRM memberships have expired and Melissa will be in contact with them to encourage a renewal. Melissa reviewed the Membership Month activities.

Publicity –Amber Mathieson: Amber is actively looking for other ways to get

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Southwest Area Human Resource Association Board of Directors

President:

DeAnn Scheeler-Fisher Industries
dscheeler@fisherind.com
701-456-2179

Past President / SHRM Foundation Director:

Open

President Elect / Legislative Director:

Sarita Haag-Killdeer Mountain Manufacturing
sarita.haag@kmmnet.com
701-456-3502

Secretary-Treasurer:

DeEll Jordre-Dakota Prairie Refining, LLC
deell.jordre@tsocorp.com
701-456-6912

SHRM Certification Director:

Carrie Zubke-American Bancor, Ltd.
czubke@weareamerican.com
701-483-3287

Diversity Director:

Chelsea Dicke -Theodore Roosevelt Medora Found
chelsead@medora.com
701-623- 4444 ext 8802

Membership Director:

Melissa Stoltz-American Bancor, Ltd.
mstoltz@weareamerican.com
701-483-6811

Program Director:

Open

Public Relations Director:

Amber Mathieson-Dickinson Parks & Recreation
amathieson@dickinsonparks.org
701-456-2074

Workforce Readiness Director:

Kathleen Obritsch-Dickinson State University
Kathleen.obritsch@dickinsonstate.edu
701-483-2541

Technology Director:

Christina Anthony, CHI St Joseph's Health
christinaanthony@catholichealth.net
701-456-4278

SAHRA Meeting Minutes

October 13, 2016

Present: Melissa Stoltz, Kathleen Obritsch, Sarita Haag, Carrie Zubke, Pam Pavlicek, Dave Huizenga, Lynae Harper, Tammy Haugen, Krissy Kilwein, Rynae Golke, Connie Lindbo, DeAnn Scheeler, Sara Vollmer, April Frank, Rosie Jahner, Aimee Kovash, Donna Giese, Kaela Thornton, Amanda Pearson, Danita Tysver, Cindy Fetch, Janel Volesky, Kaylen Morast, LeAnne Berry, Shelly Nameniuk, Karen Jirges, Sarah Wallace, Amber Mathieson, Tiffany Benner, DeEll Jordre, and Dorene Lorge.

Guests: Cal Oraw-Parke Investments, Jennifer Strange-Senator Heitkamp Office, Sara Turner- DPRD, Kara Visger-DPRD.

DeAnn Scheeler called the meeting to order. Guests were introduced.

The chapter meeting minutes from September were included in the October newsletter. Upon motion by LeAnne Berry, second by Karen Jirges, motion carried to approve the minutes as presented. The treasurer's report was not included in the newsletter this month but will be included in the November newsletter.

DeAnn thanked the board and membership for being patient and willing to help out where needed while herself and DeEll were out on maternity leave. All efforts are greatly appreciated.

NEW MEMBERS:

Carrie Zubke made the motion to accept new member applications from Dorene

Lorge-Dakota Western Bank in Bowman and Brad Boyd with Impact Dakota. Kathleen Obritsch seconded, motion carried.

ANNOUNCEMENTS:

DeAnn indicated that membership would be electing directors in November. If you would like to volunteer, please contact any of our directors. Positions that will be up for election include:

President Elect / Legislative Director
Secretary / Treasurer
Membership Director
Program Director
Certification Director
Community Relations Director

DeAnn thanked Train ND for sponsoring the speaker for today's meeting.

Dave Huizenga with Train ND gave an update on what Train ND is and how it can benefit your company.

COMMITTEE REPORTS:

SHRM Certification – Carrie Zubke: No report.

Diversity – Chelsea Dicke: No report.

Foundation / Past President: No report.

Legislative Director / President-Elect: No report.

Membership – Melissa Stoltz: No report.

Program: No report.

Publicity – Amber Mathieson: No report.

Workforce Readiness – Kathleen Obritsch: No report.

Secretary / Treasurer – DeEll Jordre: No report.

Technology – Christina Anthony: No report.

OLD BUSINESS:

Sarita indicted that we were still looking for a few more volunteers to support the Dickinson Backpack Program.

NEW BUSINESS:

DeAnn indicated that for any new member that submits a membership application, they will get the remainder of 2016 and 2017 for the price of an annual membership (\$35 SHRM member, \$40 Non-SHRM member). Also, anyone who submits a new application or renewal will be included in the drawing for a \$50 gift card if paid before the December meeting.

DeAnn informed the membership that the December SAHRA meeting will be held at Fluffy Fields Winery. We will be having appetizers and a social. This will be a great networking event! The Dickinson Chamber of Commerce, Stark Development, and Power of 100 Women will be speaking.

PROGRAM:

Kristi Pfliger-Keller with Train ND presented on Developing Leaders at Every Level.

The meeting adjourned. ■

Minutes submitted by:
DeEll Jordre-Secretary/Treasurer
DeAnn Scheeler, President



Antitrust Laws in Human Resources

Human resources is generally not the first topic the average person thinks about when they hear the term antitrust law. Antitrust laws are put in place to protect consumers by promoting competition. General examples of anticompetitive behavior include creating monopolies and price-fixing. These laws have gained recent attention with the proposed Time Warner and AT&T merger.

However, antitrust law is a topic that human resource professionals must not ignore. Federal agencies have exhibited a renewed commitment to enforcing the laws against firms for certain employment practices, and those agencies have taken a rather aggressive approach. A number of companies, including EBay, Pixar, Adobe, Apple, Google and Intuit, have all been sued over this type of anticompetitive behavior. In October 2016, the Department of Justice (DOJ) and the Federal Trade Commission (FTC) jointly published *Antitrust Guidance for Human Resource Professionals* (the "Guidance"), in order to alert employers to potential violations of the law, of which they may not have been aware.

What Constitutes Anticompetitive Behavior?

Antitrust laws mandate that the marketplace for employment must be competitive in wages, salaries and benefits. Anticompetitive behavior in employment is found where competitive companies (i.e. companies that seek to hire the same employees) engage in behavior that lessens that competition. Two examples were stressed in the guidance: (1) wage-fixing agreements; and (2) no poaching agreements.

First, a wage fixing agreement is any situation where two or more competitors agree to offer employees the same wage, salary or benefits. For example, a group of human resource managers at different companies establish a "reasonable" pay scale for employees. Another example is found where two companies agree that they will not offer their employees certain benefits, such as free gym memberships. Both of these situations violate antitrust law.

Second, is the no poaching agreement, which is any situation where companies agree not to solicit employees from their competitors. Recently, a group of technology and animation

companies have run afoul of this aspect of the law. The companies allegedly agreed that they would not "cold call" the other companies' employees. A sizable class action lawsuit has been brought seeking damages in the hundreds of millions of dollars. In fact, one of the defendant companies has offered a \$50 million settlement in order to be released. This settlement has not been approved.



Allison Mann | Lawyer

These two types of activities are per se illegal. However, many situations are not as cut and dry. There are very few situations where two companies will enter into express agreements to collude. Implied agreements are also actionable. The Guidance stresses that an "agreement" can be found where two or more companies simply share competitive information.

The Takeaway: Avoid Antitrust Violations

The Guidance not only provides direction to HR professionals. It shows how seriously the DOJ and FTC take this type of anticompetitive behavior. The Guidance describes these situations as akin to "hardcore cartel conduct." It is clear that these agencies will criminally prosecute wage-fixing or no poaching agreements. And in these situations, not only is the company itself liable, but the individual human resource professional that participated in the conduct can be held personally liable.

In short, it is in an employer's (and the HR professional's) best interest to avoid violating these laws. The following guidelines will help employers avoid such violations.:

- Do not enter into any agreement with a competitor that may reduce competition in employment.
- Do not talk about entering into any agreement that may reduce competition in employment. The FTC has taken action against companies simply for making an offer to enter an anticompetitive agreement, where no agreement was actually entered.
- Avoid sharing any information regarding terms of employment with your competitors. This includes wages, salary, and benefits. If you need to share this type of information be very careful and consider seeking an opinion on the potential legal consequences.
- Make sure that individuals in charge of employment decisions

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Antitrust Laws in Human Resources

(Continued from page 5)

including recruitment activities and setting salaries and benefits are aware of the law. However, remember that you cannot suppress your employees' rights to discuss this type of information under the NLRA.

These are just a few general tips. For more specific guidance, contact competent 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 amann@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.

Allison Mann | Lawyer
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701.225.LAWS (5297) tel

President's Message

(Continued from page 2)

As we are in the heart of fall, with leaves changing and falling every day, it's important to note that it's also time for some change in our SAHRA Board of Directors. At the November meeting, we will be holding our election for the 2017 open SAHRA Board Positions. If you are interested, please let a board member know as soon as possible, and be sure to attend on November 10! ■

DeAnn Scheeler, SHRM-SCP
SAHRA President
dscheeler@fisherind.com

SAHRA Board Meeting Minutes

(Continued from page 3)

the word out about SAHRA and will continue Chamber announcements.

Workforce Readiness-Kathleen Obritsch: Kathleen is looking into ways we can support the Jr. SHRM Achievement USA announcement from the state council meeting minutes.

OLD BUSINESS:

Strategic Planning and Budgeting Meeting was moved to December 14th at 3:00 pm at American Bancor with supper to be catered.

Sarita indicated that there are still a few available slots for the Dickinson Backpack Program to volunteer your services. They could use one more on November 17th and DeAnn is tentative on November 3rd and 9th. If interested please let her or Amanda know.

Williston/Watford City MSA- no report, tabled.

Meeting adjourned. ■

Submitted by:
DeEll Jordre, Secretary/Treasurer

Approved by:
DeAnn Scheeler, President

SHRM Foundation Fundraiser

🌀 Pasta & More! 🌀

For each \$1 donation to the SHRM Foundation, your name will be entered into the raffle drawing for this prize. Drawing to be held November 10, 2016 at the SAHRA meeting. Thank you for your support of the SHRM Foundation!

Permit #15-25

If you or your business are interested in donating an item for the SHRM Foundation Fundraiser, please contact: DeAnn Scheeler, SAHRA President.

Membership Month a Success!

Thank you to everyone who joined us for SAHRA's Membership Month in October! Special thanks to Train ND who was our Silver Sponsor for the meeting. Kristi Pfliger-Keller presented "Developing Leaders at Every Level."

Congratulations to two of our guests who each won a free 15-month membership to SAHRA! Kara Visger with Dickinson Parks & Rec and Cal Oraw with Parke Investment Management will join SAHRA as new members through 2017.

Congratulations to our door prize winners! Each attendee was able to register for a door prize and each member who brought a guest was able to register additional times. Prizes included gift cards and a variety of baskets.

Congratulations to April Frank, Amy Spangler, Amber Mathieson, Melissa Stoltz, Kathleen Obritsch, and Connie Lindbo, Janel Volesky! ■



1. Anderson, Amber-Diamond H Services, LLC, Bowman
2. Beerbower, Mandy-Herberger's, Dickinson
3. Benner, Tiffany-Dickinson State University (student member)
4. Berry-Gietzen, LeAnne-Trial Runners, Dickinson
5. Bittner, Marie*- Blue Cross Blue Shield of ND, Bismarck
6. Bren, Erv*- Community Action Partnership, Dickinson
7. Boyd, Brad-Impact Dakota, Bismarck
8. Burwick, Sandra - Southwest Water Authority, Dickinson
9. Cook, Lindsey, SHRM-CP*- Steffes Corporation, Dickinson
10. Cordova, Rosemary-Baker Boy, Dickinson
11. Dicke, Chelsea -Theodore Roosevelt Medora Foundation, Medora
12. Fetch, Cindy – Southwest Water Authority, Dickinson
13. Frank, April, SHRM-CP, PHR* - Dry Bulk Rentals, Dickinson
14. Giese, Donna*-Continental Resources, Dickinson
15. Golke, Rynae, PHR* -Trial Runners, Dickinson
16. Gonzalez, Amy*-McKenzie County Healthcare System, Watford City
17. Gooss, Jennifer-SHRM-SCP*-Dickinson
18. Haag, Sarita-Killdeer Mountain Manufacturing, Dickinson
19. Hanson, Shelly* - Fisher Industries, Dickinson
20. Harper, Lynae, SHRM-CP*-Whiting Oil & Gas, Dickinson
21. Haugen, Tammy-Dakota Prairie Refining, LLC, Dickinson
22. Heidt, Amanda-St. Benedict's Health Center, Dickinson
23. Hendricks, Brittney*- Western Cooperative Credit Union, Dickinson
24. Hintz, Kristy -The Medora Corporation, Dickinson
25. Hoffmann, Uma, SHRM-SCP*, SPHR- Steffes Corporation, Dickinson
26. Huizenga, David-Bismarck State College/Train ND, Bismarck
27. Hutzenbiler, Rebecca, SPHR, SHRM-SCP*- Killdeer Mountain Manufacturing, Dickinson
28. Jackson, Andrea, SHRM-CP*-Whiting Oil & Gas, Dickinson
29. Jahner, Rosie - Able, Inc., Dickinson
30. Jahner, Zach - Baker Boy, Dickinson
31. Jirges, Karen*-Ebeltoft.Sickler Lawyers, Dickinson
32. Jordre, DeEll* - Dakota Prairie Refining, LLC, Dickinson
33. Kilwein, Krissy-Dickinson State University, Dickinson (student member)
34. Kolling, Cal, SPHR, SHRM-SCP *- Kolling HR Associates, Dickinson
35. Kovash, Aimee - Job Service North Dakota, Dickinson
36. Krebs, Linda*-Stark County, Dickinson
37. Lantz, Nancy - Southwestern District Health Unit, Dickinson
38. Lengowski, Susan*- St. Benedict's Health Center, Dickinson
39. Lindbo, Connie - Community Action, Dickinson
40. Mann, Allison-Ebeltoft.Sickler Lawyers, Dickinson
41. Massad, Mary*- SW Water Authority, Dickinson
42. Mathieson, Amber, SHRM-CP*-Dickinson Parks & Recreation, Dickinson
43. Marquardt, Dawn– City of Killdeer, Killdeer
44. Messer, Jennefer, SHRM-SCP*- Fisher Industries, Dickinson
45. Morris, Shauna*-Theodore Roosevelt Medora Foundation, Medora
46. Mural, Olyana-Dickinson State University, Dickinson (student member)
47. Nameniuk, Shelly*- City of Dickinson, Dickinson
48. Nash, Tracy*-Tooz Construction, Dickinson
49. Obritsch, Kathleen - Sysko Business Solutions, Dickinson
50. Oraw, Cal-Parke Investment Management, Dickinson
51. Pavlicek, Pam, PHR SHRM-CP* - Southwest Grain, Dickinson
52. Pearson, Amanda, SHRM-CP*-Continental Resources, Dickinson
53. Perry, Laura*- Dickinson
54. Peterson, Donette, SPHR, SHRM-SCP* - Missouri Valley Petroleum, Mandan / Belfield
55. Praus, Carey*-Benz Oil Co, Killdeer
56. Price, Christopher-Southwest Water Authority, Dickinson
57. Reiger-Kempenich, Cindy-Sackman Electric & Controls, Dickinson
58. Reindel, Rebecca-USC Staffing, Inc., Dickinson
59. Roller, Sue, SPHR, SHRM-SCP*- Baker Boy, Dickinson
60. Scheeler, DeAnn, SHRM-SCP*- Fisher Industries, Dickinson
61. Schwindt, Scott - Western Cooperative Credit Union, Dickinson
62. Senator Heidi Heitkamp Office—Dickinson
63. Shea, Kari - North Dakota Vocational Rehabilitation, Dickinson
64. Spangler, Amy - City of Dickinson
65. Stenger, Heidi-Theodore Roosevelt Regional Airport, Dickinson
66. Stoltz, Melissa, SHRM-SCP*- American Bancor, Ltd., Dickinson
67. Suter, Carissa*-SHRM-CP, McKenzie Electric Co-Op, Watford City
68. Thornton, Kaela*-Continental Resources, Dickinson
69. Tuhy, Shar - American Bank Center, Dickinson
70. Tysver, Danita - Stark County Development, Dickinson
71. Visgar, Kara-Dickinson Parks & Recreation, Dickinson
72. Volesky, Janel*-St Luke's Home, Dickinson
73. Vollmer, Sara , CPP, CCT- Bismarck State College, Bismarck
74. Wagner, Stacy*-Red Trail Energy, Richardton
75. Wald, Irene*- Consolidated Telcom, Dickinson
76. Wallace, Sarah*- Able, Inc., Dickinson
77. Zubke, Carrie, SPHR, SHRM-SCP*- American Bancor, Ltd., 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