



Monthly Newsletter

BV-SHRM

July 2021
Chapter No. 0330

2021 Board Members

President

Toni Steele, SHRM-SCP

President-Elect

Corina De La Cruz

Treasurer

Krystal Broussard, PHR,
SHRM-CP

VP-Programs (Speakers)

Bob Lewis

VP Membership

Angela Alston

Past President

Lauren Pearce, PHR,
SHRM-CP

July 8th Luncheon

Speaker: Julie Burch

Topic: Asking the Right Questions: Discovering
Blindspots and Collaborating as a Team

Location: Embassy Suites

Cleaning out your closet?

BV-SHRM is collecting clothing, new toiletries, and new undergarments. Donated items are provided for free to help community members put their best foot forward at job interviews, career fairs, etc. Collection will take place during our July and August meeting!

Email brazosvalleyshrm@gmail.com for pickup/drop-off options.

SPONSOR HIGHLIGHT HR DEFINED



HR Defined equips HR professionals with the tools they need to become thought leaders. Instructors encourage students to deep dive into the HR principles and empower them to pursue their certification goals. HR Defined strives to bring perseverance and resiliency to human resources professionals while simultaneously helping them gain the confidence they need to ace their certification exams.



2021 Directors

Certification (Co-Director)

Katherine Kleeman

Certification (Co-Director)

Melissa Green

College Relations

Lesly Tomaszewski

Diversity

Jovannie Lagman, PHR

Government Affairs

Michelle Reyes

SHRM Foundation

Thom Holt

Workforce Readiness

Randy Goodson



TXSHRM Resources

TXSHRM has partnered with the resources below to create programs and content for Texas HR professionals. The Texas Association of Business and their program partners assembled a Return to Work Resources Guide to help employers and workers get back to work safely and as soon as possible. Check out the websites below for some interesting and valuable information regarding returning to work, HR resources and tips, and more.

Link: ReturnToWorkTX.org

Link: capitol.TX.gov

Plan Ahead - Important Dates

June 30th: End of Q2

July 4th: Independence Day

July 19th: Adjusted EEO-1 Reporting and Filing Deadline for 2019, 2020

July 31st: From 720, Form 550, Form 5558, Form 941 due

August 2: Deadline to file Form 941, employer's quarterly tax return for Q2 2021

August 2: Deadline to file Form 5500 or 5500-EZ for calendar year 2020

September 6: Labor Day

Stay Connected

If you aren't already, be sure to connect with us to keep up to date on meetings, news, giveaways, articles, and more!

Facebook: [@BVSHRM](https://www.facebook.com/BVSHRM)

LinkedIn: [Brazos Valley - SHRM](https://www.linkedin.com/company/Brazos-Valley-SHRM)

2021 Committee Chairs

Communications

Jaiden Johnson, SHRM-CP

Re-Certification (CEU)

Michelle Merritt, PHR, SHRM-CP

Sponsor

Robin Hartley, SHRM-CP

Website & Hospitality

Janice Quast

Business Seminar

Jessica Lennerton

Project Committees

HRSW Ambassadors

Darla Guerra, PHR
Kelley Ervin

TX-SHRM District 3 Director

Mayela Macia

SHRM

ANNUAL CONFERENCE & EXPO
LAS VEGAS & LIVE ONLINE
SEPTEMBER 9-12 **21**

SHRM National Conference, Sep 9-12

Join thousands of HR professionals, executives, people managers and studies in Las Vegas and online to build workplaces where employees and employers thrive. SHRM21 is your opportunity to shine, inspire and create new possibilities within the HR community.

Learn more at annual.shrm.org



THE
HR SOUTHWEST
CONFERENCE™
POWERED BY DALLASHR

HR Southwest Conference, Oct 10-13

The HR Southwest Conference (HRSWC) is recognized as the premier regional human resources event in the United States. The Conference offers more than 100 educational sessions, national renowned keynote speakers and a Marketplace of 200+ solutions and service providers. The event offers an abundance of networking opportunities to build connection and interact with the expert lineup of educational speakers.

Learn more at hrsouthwest.com

BV SHRM Legislative Update – Q2 2021

Quarterly legislative updates are provided to alert members to new and emerging developments in the law with the understanding that they are not legal opinion or professional advice on specific facts or matters. For answers to your specific questions, please consult with counsel.

SHRM Legislative and Regulatory Update

Congress is currently working on a wide variety of bills in areas such as anti-trust, police reform, and US competitiveness with China, as well as House and Senate appropriation bills as usual. However, the big package currently being worked in Congress is the infrastructure bill, known as the [American Jobs Plan](#), and the [American Families Plan](#), which Democrats are attempting to progress on a dual track. The American Jobs Plan covers a wide range of physical infrastructure projects, in addition to the PRO Act, job training measures, and diversity and equity initiatives. The American Family Plan includes more progressive proposals on items such as childcare, paid family leave, and the environment. In order for the American Families Plan to pass through the Senate on this dual track, a fiscal year 2022 budget resolution must be passed to unlock reconciliation. This budget should come in July after recess, and will be the real test to see if Democrats can pass everything they are proposing. While more than a year away, 2022 midterm elections are also putting pressure on Democrats to pass this major package. Due to redistricting and a historical gravitation towards the minority party following a presidential election, Republicans may be in a strong position to take back the House.

Major Workplace Policy Legislation

The American Families Plan (AFP) includes several items of interest to employers and HR professionals such as the PRO Act, Paid Leave, and proposals on education.

- **Workplace Governance – PRO Act:** The [Protecting the Right to Organize \(PRO\) Act](#) was passed by the House in March, and is now embedded in the AFP. If enacted, it would be the most extensive labor legislation since the NLRA was passed in 1935. SHRM has written House leaders to express concern that this act could violate employee privacy, among other issues.
- **Workplace Flexibility & Leave – Paid Leave:** The AFP guarantees up to twelve weeks of paid family and medical leave, provided through a national program, phased in over a 10-year period. The program will provide workers up to \$4,000 a month, with a minimum of two-thirds average weekly wages replaced, rising to 80% for the lowest wage workers. For more on how this proposal would work, click [here](#).
- **Workplace Development – Education:** Employer-provided education assistance and related benefit offerings could be impacted by the AFP's proposal to provide two free years of community college to all Americans.

While separate from the AFP, the following legislation also has a potential impact on workplace policy:

- **Workplace Equity – Equality Act:** The House of Representatives passed the [Equality Act](#) on February 5, which would amend Title VII of the Civil Rights Act of 1964 to extend its provisions to LGBTQ individuals. Incremental progress has been made since the bill's passage; however, the timeline for a Senate vote is uncertain as Congress focuses on the major jobs and families package.
- **Workplace Equity – Paycheck Fairness Act:** This act passed through the House in April, but was [blocked by the Senate](#) in June. While this would have required employers to prove that pay disparities are job-related, among other things, SHRM has previously expressed concerns that the bill would restrict employers' ability to base pay decisions on legitimate business practices.



BV SHRM Legislative Update – Q2 2021

Agency & Regulatory Actions

The Department of Labor (DOL) has withdrawn the newly issued rule on independent contractors and proposed rescinding the recently effective rule on joint employers.

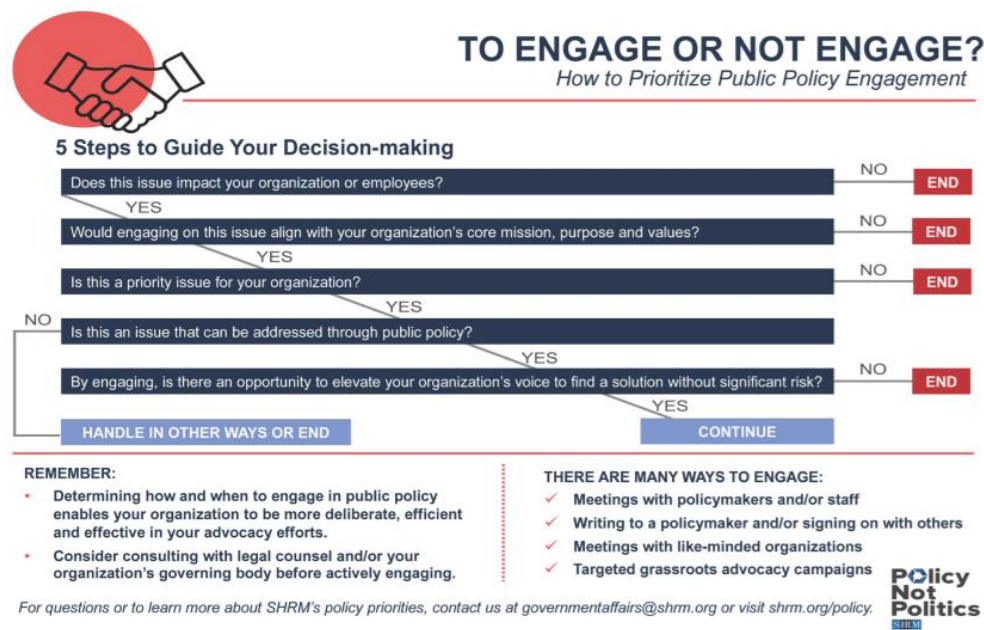
- **Independent Contractor Rule:** The prior administration issued a [new rule](#) in January, which used an economic reality test, primarily considering 2 factors. SHRM supported the new rule as a way to provide additional clarity in complex situations. The [DOL withdrew the new rule](#) officially on May 5 stating inconsistency with the FLSA and confusion caused by the departure from a long-standing precedent. A new rule is not expected any time soon.
- **Join Employer Rule:** In March 2020, a new rule took effect narrowing the definition of joint employer under the FLSA, which provided clarity to businesses about franchise and contractor relationships. The DOL has since [proposed withdrawing this rule](#), seeking public comment. SHRM provided comments opposing this decision and is following the situation for further updates.

Last year, the Department of Homeland Security (DHS) announced that [I-9 employment eligibility documents could be inspected remotely](#) due to COVID. This flexibility in the verification process was [extended through August 31](#). SHRM is advocating that the remote verification process be re-extended, and eventually made permanent. Additionally, SHRM is advocating that it be made clear when physical inspection must commence. HR professionals will require enough time to complete this task for all employees onboarded remotely since March 2020.

Finally, SHRM has submitted comments to the United States Citizenship and Immigration Services (USCIS) department as well as to DHS regarding changes to the [H1B visa processing system](#), and concerns with Employment Authorization Document ([EAD delays](#)) and [case backlogs](#), respectively.

How to Prioritize Public Policy Engagement

With so much legislation impacting workplace policy, how do you know what to prioritize when it comes to public policy engagement? SHRM believes it is important for HR professionals to take a stand and elevate their voice on matters impacting their organization and employees. To assist you with making decisions on when and how to engage policymakers, SHRM has created this 5-step decision-making tree. A full pdf version can be downloaded in the Helpful Resources section below.



BV SHRM Legislative Update – Q2 2021

5th Circuit Court Report

- [Court Says Texas Law Prohibits Sexual-Orientation Discrimination](#): Claims of sexual orientation discrimination can now be brought under the Texas Commission on Human Rights Act.
- [San Antonio Paid-Sick-Leave Ordinance Conflicts with Texas Law](#): State appeals court upholds temporary injunction; ordinance determined to violate state constitution.

In Case You Missed It

- [The American Rescue Plan Act of 2021](#): Multiple employer provisions were signed into law on **March 11** related to COBRA, the Paycheck Protection Program, employer credits for paid leave, flexible spending accounts, and employee retention credits, among other things.

Plan Ahead

AUG 23	EEO-1 Reporting Deadline Extended : The EEOC has opened its EEO-1 portal and posted reporting resources. No later than Aug. 23 this year, covered employers will need to submit 2019 and 2020 EEO-1 data.
---------------	---

Helpful Resources

- For the latest on handling COVID-19 in the workplace, visit SHRM's [Coronavirus and COVID-19](#) site.
- [Subscribe to SHRM's HR Policy Briefing](#), a bi-monthly newsletter on workplace laws and regulations.
- Join the Advocacy Team by clicking [here](#).
- Click [here](#) for a 5-step decision-making tree on prioritizing public policy engagement.
- Checkout SHRM's new [State Legislative Tracker](#) to receive real-time information about legislation affecting the world of work in your state.
- For a full list of state law reminders and developments, click [here](#).
- Click [here](#) for the 2021 SHRM Advocacy Congressional Calendar.