



# Monthly News Letter

**BV-SHRM**

September 2020

Chapter No. 0330

## 2020 Board Members

### President

Lauren Pearce, PHR,  
SHRM-CP

### President-Elect

Toni Steele, SHRM-SCP

### Treasurer

Krystal Broussard, PHR,  
SHRM-CP

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SHRM-SCP

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Retha Youell - ARM-P

### VP Membership

Angela Alston

### Past President & Business

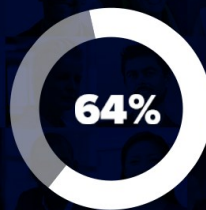
#### Seminar

Jessica Lennerton

## Managing Performance Without Reviews Presenter: Steve Sosland

Are your annual evaluations promoting communication and providing useful feedback regarding career development? The Texas Tech University System is on a journey to create a Sustainable Values-Based Culture in which the majority of team members commit to living a life of shared values and influencing others around them to do the same. As part of that culture, the evaluation process has been redesigned to allow effective and prompt feedback to further develop and enhance team member performance. One of the objectives of investing in people growth and development, is to become the employer of choice in each of the TTUHSC markets.

Steve Sosland, Chief People Officer, will discuss how to develop team member trust through quarterly coaching, and when necessary, critical conversations. In an environment of trust, supervisors can empower team members to pursue a career path that will help them achieve both personal and professional goals, and increase their influence in the organization. Learn how regular and timely coaching inspires team members to maximize their personal and professional potential.



### LEADING CRUCIAL WORKPLACE CONVERSATIONS

64% of American workers believe their managers and supervisors contribute more to workplace culture than executives and HR.

**SHRM**<sup>®</sup>

## 2020 Directors

### Certification (Co-Director)

Katherine Kleemann

### Certification (Co-Director)

Melissa Green

### College Relations

Lesly Tomaszewski

### Diversity

Bridgette Young

### Government Affairs

Michelle Reyes

### SHRM Foundation

Thom Holt

### Workforce Readiness

Kristi Soria

AFFILIATE OF



BETTER WORKPLACES  
BETTER WORLD™

## Plan Ahead

**SEPT 19** ICE [Extends Relaxed Requirements for Form I-9 to Sept. 19](#): Employers with entirely remote workforces, as a result of COVID-19, have until Sept. 19 to take advantage of relaxed document inspection requirements for Form I-9 when onboarding new hires.

**Sept 30** [VETS-4212 Filing Cycle Ends](#): VETS-4212 reporting requirements apply to all federal contractors and subcontractors with a government contract in the amount of \$150,000 or more at any point during 2019. The deadline for filing the report is Sept. 30.

**Oct 2** [Visa Filing Fees Set to Increase for Employers](#): Immigration filing fees for most case types will rise for employers of foreign national workers beginning Oct. 2.



## Career Compass Podcast

Navigating the professional world for the first time can be difficult, but Career Compass hosts Misha Adams and Kevin Abbed have got you covered: In each episode, they bring you conversations they've recorded with HR professionals on a number of career-oriented that are applicable to every stage of your career.

Check it out [HERE!](#)

## 2020 Committee Chairs

### Re-Certification (CEU)

Michelle Merritt, PHR,  
SHRM-CP

### Sponsor

Robin Hartley, SHRM-CP

### Website & Hospitality

Janice Quast, PHR,  
SHRM-CP

## Project Committees

### Welcome Program

Diana Clendenin, PHR

### Diversity Committee

JC Lagman

### HRSW Ambassadors

Darla Guerra, PHR  
Kelley Ervin

### TX-SHRM District 3 Director

Mayela Macia

### Interested in volunteering for the 2021 board?

Email us at  
[brazosvalleyshrm@gmail.com](mailto:brazosvalleyshrm@gmail.com)



## BV-SHRM has been awarded the EXCEL Platinum Award for 2019!

*Thank you to all of our members for  
making our chapter great!*

## Join the A Team!

The SHRM Advocacy Team has been developed by SHRM Government Affairs as a way to assist professionals like you in making their voices heard on public policy issues impacting the workplace. You can enroll in the program by nominating yourself as an HR Advocate, or as an Advocacy Captain if you're interested in leading other Advocates in your congressional district.

To enroll, please visit the SHRM Policy Action Center website listed below. In addition to enrolling in the A-team, the SHRM Policy Action Center will help you:

- Stay informed on HR- related federal legislative proposals that Congress is considering;
- Send timely communications to lawmaker's Washington, DC office by email;
- Read and respond to timely Calls to Actions as it relates to HR public policy issues;
- Find contact information for federal elected officials;
- Find election information and candidates for your state

A-Team members will have the added benefit of being invited to participate in special events and may be afforded continuing education/certification credits.

Learn more at [advocacy.shrm.org](http://advocacy.shrm.org) or contact Michelle Reyes, Director, Government Affairs, Brazos Valley SHRM.

## BV SHRM Legislative Update – Q3 2020

*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.*

### Congress and COVID-19

As the U.S. continues to contend with the COVID-19 pandemic, three major acts have been signed into law since March 6, 2020, including interim legislative responses to fund the depleted Paycheck Protection Program (PPP), provide additional funding for hospitals and testing, and provide more flexibility when using PPP funds and applying for loan forgiveness. Details on the first three acts can be found in the [Q2 BV SHRM Legislative Update](#). A fourth act has been under consideration since the [House passed the HEROES Act](#) on May 15; however, this next phase of response is moving more slowly due to differing priorities between Republicans and Democrats. The Senate has proposed the [Health, Economic Assistance, Liability Protection, and Schools \(HEALS\) Act](#), which includes business liability protection from COVID-19-related lawsuits, additional Paycheck Protection Program loans for certain qualifying businesses and a second round of stimulus checks. The House cancelled its traditional August recess in an attempt to reach a bill, but the Senate broke for recess, until September 8, before an agreement could be met. For additional updates on COVID-19 legislation, please click [here](#).

### SHRM Legislative and Regulatory Update

The COVID-19 pandemic has provided unique working challenges for many people and organizations, and the Supreme Court of the United States (SCOTUS), is no exception. For the first time since the 1918 Spanish Flu, SCOTUS postponed March oral arguments until April, and then held them *remotely* in May. Decisions were issued in July for the first time in 24 years. Additionally, for the first time in history, SCOTUS provided live audio of its oral arguments to the public. Recent SCOTUS decisions are summarized below with links to related resources, as available.

#### **Workplace Equity - LGBTQ Non Discrimination**

***Zarda v. Altitude Express, Inc., Bostock v. Clayton County, EEOC v. RG&GR Harris Funeral Homes, Inc.***

In the most anticipated employment decision of the year, the Supreme Court answered, affirmatively, the question of whether sexual orientation and gender identity are included in the definition of sex under Title VII of the Civil Rights Act of 1964. [SCOTUS' decision](#) made it illegal for employers to discriminate on the basis of an employee being gay, lesbian, or transgender. **TIP:** [Employers should review their policies and employee handbook](#) to ensure it complies with the Supreme Court ruling.

#### **Workplace Immigration – DACA**

***Department of Homeland Security v. Regents of the University of California***

The Supreme Court blocked the Trump administration's attempt to rescind the Deferred Action for Childhood Arrivals (DACA) program, which protects young undocumented immigrants from deportation and allows them to obtain valid work permits. [SCOTUS ruled](#) that the administration failed to provide sufficient justification, a violation of the Administrative Procedure Act (APA). DACA recipients may continue to renew membership in the program for now. **TIP:** Employers that monitor employee status for I-9 purposes should monitor the delays in adjudication of the employment authorization extensions.

#### **Workplace Equity – Equal Pay**

***Rizo v. Yovino***

In April 2020, SHRM submitted an Amicus Brief to the Supreme Court supporting a review of this case and seeking to clarify whether prior salary is “a factor other than sex” that can justify a pay disparity under the

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federal Equal Pay Act. [The request was denied](#); therefore, the circuit split on this topic remains in place. **TIP:** Employers should carefully evaluate both federal and state law when deciding whether to consider prior salary while setting pay for any employee.

### **POSTPONED: Workplace Healthcare – ERISA Pre-emption**

#### ***Rutledge v. Pharmaceutical Care Management Association***

SHRM filed an Amicus Brief with SCOTUS, as did PCMA, and cert. was approved; however, oral arguments have been postponed until October 6 due to COVID-19. [Justices will decide](#) whether an Arkansas statute, that regulates the rates charged by pharmacy benefit managers, is pre-empted by the Employee Retirement Income Security Act of 1974 (ERISA). Multistate employers rely on ERISA pre-emption to enable them to create comprehensive benefit plans under a common design that can be applied uniformly across state lines. SHRM is seeking protection for ERISA pre-emption.

### **2020 Elections**

2020 presidential, congressional, and state gubernatorial primaries are underway, with next steps focused on Democratic and Republican National Conventions. SHRM is following closely as candidates present their policy platforms to understand how they may affect workplace policy. SHRM is also watching how COVID-19 will impact the elections. In addition to changes in the primary schedule and digitally focused campaigns, voter turnout may be impacted. State officials are therefore considering expanded voting options in case COVID-19 still poses a threat come November. Expanded voting options include non-excuse absentee (mailed) ballots, excuse-required absentee ballots (such as being out of county, having an illness, or being of elderly age), and early in person voting.

To increase awareness on voting options and how workplace policy may be affected during the elections, SHRM has created the [2020 Resource Election Center](#). This one-stop-shop will be built further as the election process moves along.

**For additional COVID-19 compliance information, other legislative news, 5<sup>th</sup> circuit court decisions, and trending topics, please click [here](#) for the full BV SHRM Q3 Legislative Update.**