

# ROGUE VALLEY CHAPTER

July Issue 2010

August Program:

## **cOLOrING OUTside tHe LiNeS!™**

...Creative Thinking to Persuade and Influence

August 26, 2010 - 4-Hour Seminar  
At The Smullin Center, Medford Oregon

Approved for 4 hours of strategic recertification credit!

Registration & Continental Breakfast ....7:45 am-8:00 am

Welcome & Introduction....8:00 am-12:00 pm

Program.....8:00 am-12:00 pm

Cost Per Person.....\$55 (SHRM member)\*

\$60 (non-members)\*

\$10 (students)

\*Discounts available for additional attendees

\$40 (additional attendees)

This high-energy, participatory, humorous session has received outstanding reviews from diverse business professionals around the world, including, Northwestern Mutual, Kraft, Cox Cable, Johnson & Johnson and many others. Certified Speaking Professional, Jeff Tobe, challenges you to step outside your comfort zone in positioning yourself and your business more creatively than ever before. He provides the insight you require to give yourself the 'competitive edge' for which we all strive in the business today financial services industry!

What makes you different than anyone else out there?

ARE YOU WILLING TO COLOR OUTSIDE THE LINES?

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**If you have any ideas for articles or upcoming events to feature in the monthly chapter newsletter please email them to [clair@cardinal-services.com](mailto:clair@cardinal-services.com)**

## TESTIMONIALS

Jeff was not only humorous, but I was amazed at how well he related to our diverse audience. His energy and enthusiasm is enviable. I would not hesitate to recommend Jeff to any organization.

-Cara Simmonella  
Corporate Meeting Planner  
Nestle USA

This is the 3rd time we have had Jeff in to address our group of sales people—one of the toughest groups you will ever encounter. They have heard it all and done it all. Yet, they LOVE Jeff every time he comes because he gives them usable, street-smart “tools” that they can use to increase their business THAT DAY! (...and he does it in his usual fun, upbeat way)

-Stuart Silverman  
CEO/President  
Fusion Financial Group

You wouldn't usually associate Coloring Outside The Lines with government employees but Jeff Tobe did an amazing job of showing our people how to color outside the lines without falling off the page. He got us looking at what we do from a different perspective and gave us some useful techniques to thrive from change... not just manage it.

-Terry Cochran  
Meetings and Conferences Coordinator  
Internal Revenue Service

## TAKE TIME TO VERIFY THOSE ABSENCE DOCUMENTS

We all have those employees who seem to have more absences related to illness, and an abundance of other excuses, than the average employee. Along with FMLA concerns, OFLA, and other regulatory rules, the casual absence that typically runs one, two or three days often falls below our radar screen as HR gate-keepers.

Many of us HR professionals are stretched for time, and just file away those doctor's notes without paying much attention to them. As a result, employees can get the impression that their HR department doesn't take steps to verify that this information is accurate by contacting medical providers named on the absence excuses. However, this is a mistake and a missed opportunity to demonstrate that policy violations will be taken seriously. HR leaders should take the extra steps to verify the accuracy of the doctor's notes, especially

for those folks who have a poor attendance record.

In this day and age of advanced computer graphics, publication software and the like, it is relatively easy to forge a doctor's note and make it look authentic. I have found this out personally in my role of HR Manager in manu-

facturing organizations, as employees have become more adept at finding ways to manipulate company's lackadaisical attitudes about casual sick days, and they know that we typically don't have time to check the validity of all doctor's notes. I recommend that employers do a random check of verifying doctor's notes that they have received from employees.

During the Rogue Valley SHRM half-day legal conference in Medford

on May 27<sup>th</sup>, 2010, Portland attorney Dave Riewald of Bullard Law, advised that it is a good practice to get verification of doctor's notes and he indicated that it does not violate any HIPAA or confidentiality rules. I've also learned that doctors, as well, appreciate being notified if a patient is forging their name on a document, as they do not approve of their name being used in a fraudulent manner.

Though the employee may consider it a harmless thing, they need to recognize that document manipulation is fraud, it is against the law, and may even expose them to potential criminal prosecution. In addition, it may result in their immediate termination of employment.

The legal definition of fraud is “intentional deception made for personal gain or to damage another individual.” The crime of fraud is probably not the first thing an employee thinks of when they are creating a fake sick note, but it fits the criteria for

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civil action against the employee, even though most employers would probably just terminate the offender. After all, every employer who has a code of ethics would not want to set a precedent of allowing dishonesty and unethical behavior to go unpunished. Most companies want employees who possess integrity and who exhibit ethical behavior in their workforce.

Another documentation check that I highly recommend is bereavement leave documents. I have been on the receiving end of a forged death certificate, whereby an employee went to great lengths to alter a death certificate to meet the dates and other criteria they needed for an absence. I suspected a fraudulent document was presented to me, as it took several

weeks of repeated requests for the employee to deliver a death certificate into my hands.

For authentication, I contacted the office of Vital Records for the out-of-state county involved, and they reviewed the document and verified for me all the sections of the document that were fraudulently altered. In addition, I learned that such an unlawful act could subject the employee to criminal prosecution and jail time, if I was to pursue charges against the individual. However, my intention was not to seek retribution --- my goal was to rid the company of a bad apple.

In summary, you'll be doing yourself and your company a favor by

establishing a program of checking and authenticating documentation related to absences. I believe that just the act of letting it be known that you are not closing your eyes and just filing documents away will make you a more respected member of your management team, who is vigilant about watching the company's bottom line.

~ Patricia (Trish) Forde, MA,  
SPHR  
HR Professional  
Treasurer/Rogue Valley  
SHRM Chapter  
Past-President RV SHRM

## FINAL RULES PUBLISHED REGARDING USE OF CREDIT HISTORY—JUNE 2010

Earlier this year, the Oregon legislature passed a bill prohibiting employers from using credit histories for any employment purposes, including hiring, discharge, promotion and compensation. On June 1, BOLI published the final rules regarding the new law which is scheduled to become effective on July 1, 2010.

Many employers have raised questions about some of the exceptions under the new law. In particular, is the exception which allows use of credit history if it is "substantially job-related." The final rules define this as follows:

"An essential function of the position at issue requires access to financial information, not customarily provided in a retail transaction that is not a loan or extension of credit. Financial information customarily provided in a retail transaction includes information related to the exchange of cash, check and credit or debit cards."

OR

"The position at issue is one for which an employer is required to obtain credit history as a condition of obtaining insurance or a surety or fidelity bond."

The new law also has narrow exceptions for industries that are required by state and federal law to use credit histories for employment purposes, such as banks, credit unions, and public safety.

Oregon employers who are currently using credit checks must ensure they fit into one of the exceptions or cease the practice by July 1 of this year. If you would like to view the final rules visit:

<http://www.cascadeemployers.com/associations/5182/files/RulesSoS0052010.pdf>

-Cascade Employers Association



**BUSINESS  
JOURNAL**

## HEALTHIEST EMPLOYERS OF OREGON

### NOW ACCEPTING APPLICATIONS!

*Don't miss this opportunity*

#### Dead line August 20

<http://www.bizjournals.com/portland/nomination/5541>

\*Member companies of Oregon State Council of the Society of Human Resource Management can advertise in the Portland Business Journal at a reduced rate! Contact Susan Greening for more information [sgreening@bizjournals.com](mailto:sgreening@bizjournals.com)

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### Are you one of Oregon's Healthiest Employers?

The Portland Business Journal is pleased to announce a new and exciting publication and event; Healthiest Employers of Oregon. The goal of Healthiest Employers of Oregon is to reward companies who are demonstrating innovation and leadership in their wellness programs.

#### COMPLETE THE ASSESSMENT TODAY!

Dead line, August 20, 2010

<http://www.bizjournals.com/portland/nomination/5541>

#### SAVE THE DATE

We will unveil the results and recognize small, medium and large companies at an awards luncheon on **October 15, 2010.**

#### The Assessment:

The Portland Business Journal has contracted with an independent research organization to conduct a state-wide assessment and tabulate the findings. If you have questions about your application, you can email [support@HealthiestEmployers.com](mailto:support@HealthiestEmployers.com).



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