

# 2014 Iowa Employment, Training, Benefits & Wellness Conference

Wednesday, April 23 & Thursday, April 24  
Altoona • Prairie Meadows Conference Center

**STARTS AT 10:00 AM ON WEDNESDAY THE 23RD!**

## How to Register:



Mail completed Registration Form (see last page) & payment to:  
HR-OneSource, 5895 Hawthorn Ct., Johnston, IA 50131-1619

To register and pay by credit card, click here



FAX your completed Registration Form with payment info to: 515.327.5050



More Information: <http://bit.ly/Lw1deX>

**Only \$140 for one day, \$190 for the full conference!**

**Co-Sponsored by:**



Check In/Registration begins at 8:30 A.M.

## Special Early Bird session with a Medical Provider Panel 10:00 to 11:45 AM on Wednesday the 23rd.

This panel features:

- Ed Brown CEO of Iowa Clinic
- Dave Vellinga CEO Mercy Medical Center
- Dr. Tom Evans, Iowa Healthcare Collaborative
- Aric Sharp, VP UnityPoint
- Greg Boattenhamer, Senior Vice President, Government Relations, Iowa Hospital Association

**Medical Provider Panel** Listen to Iowa leaders from the provider community on how the Affordable Care Act is affecting them and their patients. Is a treatment and provider relationship changing with reform? What do they see on the horizon for Iowans and the delivery of healthcare in America?

## WEDNESDAY, APRIL 23 2014

### Session I – 1:00 PM – 2:15 PM

#### **Employment Law Update – JIM GILLIUM**

Employment law is a moving target and even accidental missteps by an employer often result in costly litigation. This session will cover important recent developments in employment law and an update on recent Supreme Court and eighth circuit decisions.

#### **The Top Ten Employer Unforced Errors of Employment Decision Making – TOM FOLEY**

Thomas W. Foley, a veteran employment attorney with over 25+ years of experience representing both employers and employees, will share real-life examples of common mistakes employers made that result in significant liability. Tom's presentation will focus on what he refers to as the "Top Ten Unforced Errors of Employment Decision Making." Tom will explain how these "unforced errors" can lead to lawsuits and significant exposure. More importantly, he will give you tips on how to avoid lawsuits and create a more positive workplace by reducing your unforced errors.

#### **An Iowa Update: Sexual, Racial and Other Harassment and Discrimination in Iowa – FRANCES M. HAAS**

This session will review recent legislation and court cases including issues such as domestic partners, harassment vs. Discrimination, Employer liability and developments at the Iowa Civil Rights Commission

#### **Making Corrective Action "Corrective": When & Why Discipline Works – ANDY VISSER**

Corrective action is often carefully defined with specific protocol with in employer policy. Second to getting behavior to be productive again, uniformity of corrective or disciplinary action is a primary intent of such policy and protocol. HR staff can provide strategic discipline protocol's which require effective and disciplined leadership resulting in performance improvement, a positive impact on turnover, productivity and finally the bottom line.

#### **An Overview of the Iowa Civil Rights Commission – BETH TOWNSEND**

This session will review the various laws enforced by the Iowa Civil Rights Commission, the types of Employment Discrimination complaints that are filed, who is covered by the law, prohibit practices, how a charge is processed, what information an Employer must provide the agency, potential remedies available, recordkeeping requirements and other employment issues.

#### **Year Round Reconciliation to Prepare for a Successful Year-End – SALLY THOMSON**

Year-end can be challenging, often involving long hours and many stressful days. This session will highlight the importance of year-round planning, reconciliation, review of earnings and fringe benefits, and the importance of coordinating and partnering with a year-end team to achieve success. Even if you use a service provider to issue your pay and W-2's, you need to be performing these reconciliations!

#### **Key Elements of a Private Exchange Strategy – CAROL WYCKOFF**

This session will provide some insight into the key elements of a successful private exchange strategy. This session will address:

- Current challenges for Employers and Employees
- Evolution of health care benefits environment
- Exchanges 101
- Private Exchange value proposition
- Details about the Mercer Marketplace

## Session II – 2:30 PM – 3:45 PM

### **Plaintiff vs. Defense: Attorney Views in Employment Cases – TOM FOLEY AND TOM CUNNINGHAM**

Participants will learn from Tom Foley, a Plaintiff's attorney, about what he looks for when a person comes to see him and wants to sue their employer for a violation of their rights in the course of their employment. Tom Cunningham, a defense attorney, will discuss what he advises will be needed to win the case. They will both discuss common errors employers make. Participants will also learn what documents employers need to keep, witness preparation and what common mistakes are made in employment documentation. Learn a few tricks of the trade and how to protect yourself.

### **FLSA 101 – RANDY LUTH**

Despite the 2004 revisions to the Fair Labor Standards Act, wage and hour problems continue to perplex employers in every industry. This session will cover recent FLSA rulings and interpretations. You will learn:

- Common violations
- Who can be classified as exempt, and who can't
- Various FLSA exemptions: Executive, Administrative and Professional
- What is considered hours worked

### **HR and Training Issues with the Digital Native Generation – RACHEL SPYKSMA & TODD MCDONALD**

The new generation entering the workforce, often referred to as "Digital Natives" has the potential of having the most profound impact on how businesses operate and serve customers as any generation in history. Digital Natives have never not been connected to the internet and have a significantly different approach to communication, teamwork and service. In this session, we will explore what you can do as a HR/Training professional to embrace this generation and utilize its strengths.

### **Navigating the FMLA Highway – DOUG FULTON**

This session will help you apply the basic rules of the FMLA to the endless variety of real-world situations that confront HR professionals on a daily basis. Mr. Fulton will examine how the various leave laws and policies work together, and potentially conflict. Attendees will be presented with factual scenarios drawn from real life FMLA situations and actual legal cases.

### **HR Outsourcing Makes Employment Easy for you – CHRISTY SMITH**

Outsourcing human resources (HR) responsibilities is not something new, though it has grown into a major component of many HR departments. Recent trends continue to have more outsourcing in more HR areas. This session will cover how the HR Outsourcing partnership drives organizational performance and helps companies attract and retain top talent.

### **Healthcare Reform in 2014 – STEVE FLOOD**

Now that HCR is underway, what does it mean for you as an employer as well as you as a patient? In a time when price is seemingly uncontrollable, it is necessary to lessen use in order to drive cost down.

## Session III – 4:00 PM – 5:15 PM

### **Patient Protection and Affordable Care Act Update – JESSE PATTON**

This session will provide an in-depth look at current implementation status of PPACA. Attendees will get the most updated rules that have been implemented and the current changes and delays within PPACA. Attendees will study the possible impact the current budget deficit might have on PPACA provisions. You will learn how this might impact the future components of PPACA. Attendees will walk away knowing:

- The structure of the legislation
- How subsidies within PPACA affect your plan
- Rules and how they apply to your business
- How exchanges may impact your employees
- Changes that have occurred since passage
- A look into the future and how it will change PPACA

### **FLSA in the Public Sector – MIKE STAEBELL**

The Fair Labor Standards Act has a number of separate rules and regulations that are very different in the public sector. Mr. Staebell will review some of the most troubling wage and hour problems that continue to perplex public employers. This session will cover recent FLSA rulings and interpretations in the public sector. Issues Mike will cover include:

- Compensatory Time; when it must be granted and when it can be assigned
- Use of volunteers
- Summer help
- Child Labor
- What the Courts are saying about what is considered work time

### **Documenting Discipline – TOM CUNNINGHAM**

What are the factors that you should consider when disciplining an employee and how should you document discipline? Employers often make costly mistakes in using improper reasons or considerations to discipline. Those mistakes can be compounded by not documenting what happened and why. This session will help you better understand how to deal with these troublesome issues.

### **Building an Engaged Workforce – DENISE FORNEY**

Tapping the positive energy of today's workforce and keeping employees engaged is incredibly challenging, absolutely necessary and worth every bit of the effort. The employee who is engaged will go miles to secure the success of your organization. In this session, we will explore six practical steps you can use as an HR/Training professional to promote and enable an engaged workplace.

### **NLRA Basics: NLRA Application in Right to Work States and Non-Unionized Workplaces – JENNIFER HADSALL**

This session will provide an overview of the National Labor Relations Act with a focus on how the NLRA applies in non-unionized workplaces and right-to-work states.

### **A Practical Look-Regulatory Changes and the Top Ten Employer Unemployment Best Practices and Mistakes – JAMES TIMBERLAND**

The Iowa Employment Security Law, governing legislation for the state's unemployment Insurance program, provides benefit payments to qualified individuals who are temporarily unemployed. In this session you will learn the topten Employer mistakes and best practices.

## Session I – 8:00 AM – 9:15 AM

### Employment Law Update – JIM GILLIAM

Employment law is a moving target and even accidental missteps by an employer often result in costly litigation. This session will cover important recent developments in employment law and an update on recent Supreme Court and eighth circuit decisions.

### Championing Innovation & Leading Change – ROWENA CROSBIE

Change is an obvious and undeniable fact of life. Change simply means moving forward and not standing still. The most successful leaders are those that don't run from change, but turn it into their advantage. This session will assist you to recognize change as an opportunity. During this session you will:

- Confront the most common mistakes in handling change
- Understand the role of emotions in change
- Learn useful tips for engaging others in the process

### Workplace Wellness: Different Perspectives – AMY GOULD

Have you been considering a workplace wellness program for your organization? Have you been struggling to get engagement from leadership and employees for your wellness program? Have you questioned how to strategically approach wellness within your organizational culture? Come and hear from a panel of employers about their wellness journey. They will be discussing how they got started with wellness, barriers they faced, resources they used, and how they have been strategically successful in their wellness journey. The goal of this panel discussion is to provide you perspective on how you can start, sustain or improve your workplace wellness program. Amy Gould, Wellmark Health Management Consultant, will be moderating the panel discussion.

### Iowa Public Employment Relations Act Update – ANDREW BRACKEN

The Iowa Public Employment Relations Act can be a moving target for Public Employers and even accidental missteps by an employer often result in costly litigation. This session will cover important recent developments in the Act; an update on recent Court and PERB decisions and a review of potential issues heading for litigation.

### We Just Want People to Show Up and Work. Is That so Much to Ask? – KELSEY KNOWLES

Poor attendance hurts a workplace by decreasing productivity, interrupting work flow, and depleting team morale. How you deal with attendance issues requires careful balance with the FMLA, the ADA, and scores of other state and federal laws. Kelsey Knowles is an employment lawyer who helps business navigate the evolving area of labor and employment law including employee handbooks, the discipline process, and the complex statutory and regulatory laws governing the employer-employee relationship. Learn the critical components of an attendance policy, how to implement the policy, and when and how to discipline employees while complying with the law.

### Leadership Lessons from Today's Military Leaders – BRIGADIER GENERAL DEREK HILL

Today's military leaders continue to evolve in their leadership of our armed forces. What was once thought of as the typical "command and control" is now one of collaboration, teaming and an emphasis on communication. Join Brigadier General Derek Hill as he shares leadership lessons from today's military with an emphasis on what Human Resource professionals can do to facilitate and participate in a strong leadership team.

## Session II – 9:30 AM – 10:45 AM

### Unlocking the Mysteries of Work Place Investigations – MARY FUNK

In this session, Mary Funk, shareholder at Nyemaster Goode, P.C., will walk attendees through an investigation, step-by-step, from taking the complaint and effectively interviewing witnesses to making a conclusion and taking appropriate action. She will discuss the ABC's of investigation documentation, how to minimize a company's exposure to litigation, and how to avoid the top mistakes many investigators make.

### Religious Accommodation in Your Workplace – MIKE RECK

In our increasingly diverse and religiously pluralistic workplace, conflict is bound to happen. Religion in the American workplace is becoming more difficult to navigate for the employer. What is reasonable religious accommodation? What constitutes undue hardship on the employer? May a business hire based on religion? Employment attorney Mike Reck will explain how Title VII of the Civil Rights Act of 1964 affects you. Learn the law, your rights and obligations as an employer, and the exceptions.

### Does Everyone Hold Everyone Accountable? Including Themselves? – PAM DYKSTRA

This overview of Crucial Accountability by VitalSmarts, the authors of Crucial Conversations, teaches a step-by-step process for enhancing accountability, improving performance, and ensuring execution. By learning HOW to talk about violated expectations in a way that solves problems while improving relationships, you'll improve individual, team, and organizational effectiveness. This session will give a brief overview of this 2-day workshop and participants will walk away having learned valuable and tangible skills.

### Evolving Drug Testing Issues in Iowa and the Nation – WILLIAM JUDGE

Workplace is an ever-changing legal area. Are you aware that the courts recently changed the definition of "accident" under Iowa drug testing law? Do you know the rules for drug testing in other states in which you operate? Is your Drug Testing Policies Compliant? If not, it could cost your company and you personally! Because they didn't follow state law, The United Parcel Service (UPS) recently lost nearly half a million dollars for not following the law and the supervisor in the case lost \$50,000 personally!! Let's be sure you know the rules and have compliant policies.

## **Public Employment Laws – HUGH CAIN**

Public employment laws can be a trap for the unwary. Assuming that the same laws and principles apply to both private and public employers can be a costly mistake. The impact of the constitution and specific statutory provisions that apply only to public employers make public employment laws substantially different than the laws governing private employment. This session will cover the laws that are specific to public employers.

## **Healthcare Reform in 2014 – STEVE FLOOD**

Now that HCR is underway, what does it mean for you as an employer as well as you as a patient? In a time when price is seemingly uncontrollable, it is necessary to lessen use in order to drive cost down.

### **Session III – 11:00 AM – 12:15 PM**

## **Unlocking the Mysteries of Work Place Investigations – MARY FUNK**

In this session, Mary Funk, shareholder at Nyemaster Goode, P.C., will walk attendees through an investigation, step-by-step, from taking the complaint and effectively interviewing witnesses to making a conclusion and taking appropriate action. She will discuss the ABC's of investigation documentation, how to minimize a company's exposure to litigation, and how to avoid the top mistakes many investigators make.

## **Helping Your Managers Avoid the 5 Dysfunctions of a Team – (MARCHELLE) MAX GAGE**

In his highly successful book, Patrick Lencioni discusses five dysfunctions that can describe why teams may be struggling. In this session, we will talk about specific actions HR/Training professionals can take to help their teams avoid the five dysfunctions. By being a proactive business partner, you can help your teams avoid problems before they arise.

## **Department of Labor Update – MIKE STAEBELL**

Fresh from meetings in Washington, Mike Staebell will cover new rules and regulations coming out of the Department of Labor for both the Fair Labor Standards Act (FLSA) and the Family and Medical Leave Act (FMLA). Mike will also cover the Department of Labor's new enforcement strategy, including targeted industries and issues such as independent contractors.

## **What Just Happened and Why Should You Care?**

### **~~Surviving~~ Thriving in the ACA Era – DAVE LYONS AND CLIFF GOLD**

Join CoOpportunity Health founders, Dave Lyons and Cliff Gold, for an "insiders" analysis of the changing landscape of health insurance in Iowa and Nebraska. CoOpportunity Health is Iowa's new nonprofit health insurance carrier, experiencing first-hand the dynamics of the new Marketplace (Exchange), off Marketplace migration, Medicaid expansion, and small and mid-size employer switching. Dave and Cliff will share their insights on what just happened during the inaugural open enrollment period, and what employers need to be thinking about as the impacts of the ACA become the "new normal" for purchasers, providers and payers of healthcare.

## **Evolving Drug Testing Issues in Iowa and the Nation – WILLIAM JUDGE**

Workplace is an ever-changing legal area. Are you aware that the courts recently changed the definition of "accident" under Iowa drug testing law? Do you know the rules for drug testing in other states in which you operate? Is your Drug Testing Policies Compliant? If not, it could cost your company and you personally! Because they didn't follow state law, The United Parcel Service (UPS) recently lost nearly half a million dollars for not following the law and the supervisor in the case lost \$50,000 personally!! Let's be sure you know the rules and have compliant policies.

## **Public Sector Bargaining Trends and Updates – KATHERINE BEENKEN & MIKE GALLOWAY**

The session will also focus on strategies that Employers can implement for current negotiations and future negotiations. Attendees will learn the basics for successful contract negotiations in the public sector; what arbitrators look at, the settlement trends and the difficult issues on the horizon.

### **Session IV – 1:15 PM – 2:30 PM**

## **Special Session with an Insurance Carrier Panel**

### **This panel features:**

- John Forsyth, Chairman and CEO of Wellmark
- Dave Mackel, CEO of Coventry Health Care
- Jeff Russell, President and CEO of Delta Dental of Iowa
- Dave Lyons, CEO of CoOpportunity Health

**Insurance Carrier Panel Leaders of the Iowa Insurance Industry are going to discuss the impact the Affordable Care Act is having on their operations, cost and delivery of their products. Providing you an interesting prospective on what this all means to you, the consumer!**

## **Discipline and Discharge in the Public Sector – KATHERINE BEENKEN & MIKE GALLOWAY**

New and novel claims and causes of actions in connection with employment-related claims continue to be part of the employment litigation landscape. This is especially true in the Public Sector with the Public Employment Relations Act, Veterans Preference, the Police Bill of Rights and the Teacher Termination law, just to name a few. This session will cover the various laws effecting employment in the public sector and what Employers need to know and do to avoid this litigation minefield.

## **A Crazy Little Thing Called Love – BRIAN BERRY**

Love in business? How can that work? I am here to tell you... it does. Let me share with you my experience in working for an organization that encourages a culture based in love and how that culture has impacted our bottom line and much, much more. Teamwork, Creativity, Commitment and Engagement are just a few of the by-products of a loving work environment. Come see what steps you can take to push your company or department to the next level by building loving teams.

## **From Success to Significance: HR's Role in Helping Employees Feel Significant – STUART A MACMILLAN**

Our role as leaders, coaches and HR professionals is essentially to help others do better. We don't build the business, we build people and those people in turn build the business, create legacies and move us from mere success to significance. In this session, we will discuss the differences between success and true significance as well as some key concepts to create a lasting legacy for employees and businesses.

## **The Bermuda Triangle: A discussion of the ADA, FMLA and Workers' Compensation Laws – BETH COONAN AND ANN KENDELL**

This session will address the intersection of the ADA, FMLA and Iowa Workers' Compensation laws. Using a practical approach, we will discuss complex issues facing HR professionals when dealing with injured employees.

### **FMLA 101 – RANDY LUTH**

Randy Luth, the Assistant District Director for the US Department of Labor, Wage and Hour Division in Des Moines, will present the basics of the Family Medical Leave Act. He will review the most common errors made by Employers. He will review the most common errors made by Employers and help Employees understand:

- Employer coverage and Employee eligibility
- What constitutes a serious health conditions
- Military Leave
- How to avoid actions prohibited by the law
- Common errors made by Employers

## **Session V – 2:45 PM – 4:00 PM**

### **Patient Protection and Affordable Care Act Update – JESSE PATTON**

This session will provide an in-depth look at current implementation status of PPACA. Attendees will get the most updated rules that have been implemented and the current changes and delays within PPACA. Attendees will study the possible impact the current budget deficit might have on PPACA provisions. You will learn how this might impact the future components of PPACA. Attendees will walk away knowing:

- The structure of the legislation
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## **Making Corrective Action “Corrective”: When & Why Discipline Works – ANDY VISSER**

Corrective action is often carefully defined with specific protocol with in employer policy. Second to getting behavior to be productive again, uniformity of corrective or disciplinary action is a primary intent of such policy and protocol. HR staff can provide strategic discipline protocols which require effective and disciplined leadership resulting in performance improvement, a positive impact on turnover, productivity and finally the bottom line.

## **Mental Disabilities in the Workplace: How Does an Employer Respond under the ADA? – MATTHEW BRICK**

There is a wide array of mental, psychiatric, and intellectual conditions that can potentially qualify as disabilities under the ADA. This session will answer some of the most pressing questions that Employer's face when dealing with mentally ill or chemically dependent employees. Attendees will learn:

- When a mental impairment constitutes a disability.
- How an Employer can discipline employees for poor behavior, when that behavior stems from their mental disability.
- How an Employer can maintain a safe workplace in light of risks mentally ill employees pose.
- Accommodations Employers must provide and for how long.

### **FMLA Update – MIKE STAEBELL**

This session will provide an overview of current and the new regulations for FMLA. The session will also cover intermittent and reduced leave schedules, as well as Employee and Employer rights and responsibilities. This session will address:

- Overview of New Regulations
- Military Family Leave
- Common FMLA Issues
- Common law partners

### **ADAAA, FMLA, NLRA, Retaliation and Other Obstacles in Terminations – BRENT HINDERS**

Federal and State laws are a confusing and complicated bowl of alphabet soup acronyms designed to protect workers and promote fairness in the workplace. This seminar will help employers better understand their obligations under the current law to avoid unnecessary and costly litigation. Additionally, this seminar will help employers avoid potential pitfalls when disciplining and terminating employees who may be protected by State and Federal law.

# Join Our Distinguished Faculty

**KATHERINE A. BEENKEN, ATTORNEY**, is an Associate with the law firm of Ahlers & Cooney, P.C. Katherine works primarily in the firm's education practice area. She assists clients in a variety of capacities, including counseling on personnel issues and labor relations, as well as performing contract and policy review. Katherine was born and raised in rural Iowa. She graduated from the University of Iowa College of Law with honors, and from Drake University magna cum laude. At Drake, Katherine earned a B.A. in journalism and mass communication and served as editor in chief of the campus newspaper.

**BRIAN BERRY, PHR** is the Human Resource Manager for the Palmer Group. Brian has spent the last 18 years recruiting, interviewing and hiring candidates for several local organizations. For the past 11 years, he has work for Palmer Group matching top candidates with positions for many organizations in the Des Moines area.

**ANDREW BRACKEN, ATTORNEY** with the law firm of Ahlers & Cooney, P.C. Andrew (Drew) Bracken provides representation and counsel for Iowa public school districts, area education agencies, community colleges and private colleges. Drew handles a wide range of legal issues including, but not limited to: labor and employment, student rights and discipline, collective bargaining negotiations, public records/open meetings, tort liability and claims, workers' compensation, construction contracting, contracts and business transactions, civil rights and discrimination, constitutional law, special education litigation, and policy and governance issues. After law school and prior to joining the firm, Drew served as a judicial law clerk for Chief Justice Arthur A. McGiverin, Iowa Supreme Court in 1988-1989.

**MATTHEW BRICK, ATTORNEY**, is a partner with the Des Moines law firm of Brick Gentry. His practice is in civil litigation with a focus on labor, employment and environmental matters. He represents clients in state and federal court, in arbitration and mediation, as well as before administrative agencies. Matt also advises employers on employee discipline and general employment policies, and contracts and assists employers with union-related matters, such as unfair labor practice charges and negotiating collective bargaining agreements. Matt is licensed to practice in Iowa, Nebraska, Minnesota and Washington D.C. He received a J.D. degree, with high distinction, from the University of Iowa Law School and a B.S. degree, with honors, from the University of Iowa.

**HUGH J. CAIN** is a graduate of Creighton University and the law school of the University of Washington. He was admitted to practice in 1983. He is a shareholder in the Des Moines office of Hopkins & Huebner, P.C. His practice is concentrated in employment and government practice law. He is recognized for his work in employment law by both Super Lawyers and Best Lawyers in America. He has litigated and advised clients on a myriad of employment, civil rights, and wage and hour issues. He is a frequent author and speaker on employment law and practices to

industry, civic, and bar groups. He is the past Chair of the Iowa Bar Association's Section on Labor and Employment Law and Section on Government Practice.

**ELIZABETH A. COONAN** is a member at BrownWinick assisting clients in the areas of employment, workers' compensation and business immigration law. She represents employers in various aspects of their business including workers' compensation strategy and prevention and internal policy development and enforcement. Elizabeth also counsels clients regarding discipline and termination situations and compliance with local, state and federal employment and civil rights laws and regulations. She represents clients in proceedings in front of various administrative bodies, such as the Iowa Division of Workers' Compensation and the Iowa Civil Rights Commission, as well as state and federal courts. Elizabeth also handles appeals to various agencies and courts and assists clients in dispute resolution using alternate forums. She received her B.A. in Political Science and International Studies from Miami University in Oxford, Ohio and her J.D., with honors, from Drake University.

**ROWENA CROSBIE** is a Past President of the Central Iowa Chapter of ASTD and a past Board member of the National Management Association of Iowa. She serves on the Advisory Council for Iowa State University's Center for Industrial Research and Service (CIRAS). Ro also serves on the LEAD Advisory Committee at Drake University. In 2010, Ro was appointed by the Governor of the State of Iowa to the Regional Workforce Investment Board. Ro served as an Advisory Board member of the America Reads, America Counts Program in Iowa. She is a member of the Canadian Institute of Management, the American Society of Training and Development (ASTD) and the Society of Human Resource Management (SHRM). Ro serves as the 2011-12 President of the Rotary Club of Des Moines AM and is a Past-President of the Civic Music Association. Ro has been honored as the Woman of Influence Business Owner of the Year by the Des Moines Business Record in 2009 and was named Executive of the Year by Executive Women International, Iowa Chapter, in 2004.

**TOM CUNNINGHAM, ATTORNEY**, is a shareholder in the Labor and Employment Department at Nyemaster Goode. Tom represents management of private and public sector employers, ranging from small and medium-sized businesses to publicly traded Fortune 500 companies in Iowa and throughout the Midwest. Tom has defended employers in audits conducted by the Department of Labor, EEOC, OFCCP, and Wage/Hour Division. He also assists employers in affirmative action plan design and development. In addition, Tom represents employers in the traditional labor law arena, having advised employers in union avoidance tactics and organizational campaigns.

**PAM DYKSTRA** is an Independent Trainer and Consultant in Des Moines, Iowa. On behalf of Poertner Consulting Group, she delivers Crucial Conversations and Crucial Confrontations, two VitalSmarts workshops based on the NY Times best-selling books by the

same names. Pam began her career in Learning & Development at Wells Fargo Consumer Credit Group. In 2003, she left Wells Fargo on a full time basis to focus on her family and to expand her range of services as an independent consultant. In addition to her certification to deliver Crucial Conversations and Crucial Confrontations, Pam has experience facilitating a variety of other leadership and management programs in corporate and non-profit environments. Some of those programs include time management strategies, effective communication and customer service skills, and effective coaching methods.

**STEVE FLOOD** has more than 25 years of employee benefits expertise with 20 of those years at Holmes Murphy & Associates. In this time, Holmes Murphy's corporate benefits division has grown over ten-fold and is the largest benefit consultant in the state of Iowa and one of the largest in the Midwest. Steve is an industry leader in the adoption of Consumer Driven Health Plans, as well as a pioneer in using wellness programs to improve the overall health status of employees and reduce employer costs. Steve has successfully designed and implemented wellness plans that demonstrated significant Return on Investment to employers.

**THOMAS FOLEY** joined Babich Goldman's employment litigation group in 2009, focusing his time and energy on representing individuals in employment discrimination, wage-hour, wrongful discharge, non-compete and all types of civil rights litigation. Tom continues to represent small to mid-sized companies in employment-related litigation, trade secret disputes, non-compete litigation, commercial tort claims and other commercial disputes. He graduated, with honors, from the University of Iowa School of Business in 1982 and, with high distinction, from the University of Iowa College of Law in 1985.

**DENISE FORNEY**, a senior trainer at ATW, completed her Bachelor of Fine Arts Degree in Public Relations/Communication from the University of Northern Iowa and holds a Master's of Science Degree in Adult Education/Training and Development from Drake University. She has served as adjunct instructor for Grand View University in the area of Human Resource Management. Denise is an active member of ASTD, and received the Workplace Learning Performance award for "Using Training as a Business Strategy" in 2008 and "Most Innovative Training Solution" in 2010.

**DOUG FULTON, ATTORNEY**, is a partner with the Brick Gentry law firm. His practice is devoted to corporate matters, with a focus on labor and employment issues. Doug represents employers, employees and public entities in employment-related litigation on a wide variety of statutory and common law claims, and has represented clients in state and federal court, as well as before administrative agencies. Doug graduated with honors from Drake Law School and is admitted to practice in all state and federal courts in Iowa.

**MARY FUNK** is a shareholder with Nyemaster Goode in the Litigation Department handling almost exclusively employment and labor matters. She litigates on behalf of management in state and federal courts, administrative agencies and before arbitrators

concerning employment contract disputes; sexual harassment; race, sex, age, national origin and disability discrimination; wrongful termination; Family and Medical Leave Act; Fair Labor Standards Act; non-compete agreements; and unemployment. Mary is a native of Mt. Pleasant, Iowa, and a 1995 graduate with distinction of the University of Iowa College of Law. During law school, Mary served as a Note and Comment Editor for the Iowa Law Review. She earned her Bachelor of Arts degree from Drake University, graduating magna cum laude, in 1992.

**(MARCHELLE) MAX GAGE** is a training and development professional with ATW Training. Max has been involved in the training profession for over 20 years and is a sought after presenter on topics such as leadership, management, communication skills, teambuilding and customer service.

**MICHAEL GALLOWAY** currently represents both local governmental bodies including cities, counties and school districts, and private employers in the areas of labor relations and employment law. Prior to his employment with the Firm, he was employed by the Iowa Department of Personnel as General Counsel and Division Administrator of Labor Relations and Legal Services. He was also employed as the Labor Relations Manager for Polk County, Iowa, with responsibility for all labor relations functions. While in law school, Michael clerked for the Honorable Ross Walters and practiced in the Drake University Legal Clinic. Michael was born and raised in Coon Rapids, Iowa.

**JAMES H. GILLIAM** is a partner in the law firm of Long and Gilliam, an association of sole practitioners. Jim primarily practices in labor and employment litigation and has handled a substantial number of cases involving the various theories of wrongful termination. Jim has also been selected for inclusion in the SuperLawyers® listing in the area of employment and labor law. He received his B.A. degree from the University of Iowa in 1977 and his J.D. degree, with distinction, from the University of Iowa in 1980. Jim served on active duty as a Captain in the United States Army Judge Advocate General's Corps from 1980 to 1984. Jim was admitted to the Iowa bar in 1980; and the United States District Courts, for the Northern and Southern Districts of Iowa in 1988.

**AMY M. GOULD MHA** is a Health Management Consultant with Wellmark Blue Cross & Blue Shield. Amy has provided wellness and health management consulting for over 13 years. Her role at Wellmark is to work with employer groups to create an infrastructure for successful wellness programs, improve existing programs, develop education on employee behavior change programs and evaluate program impacts on employee health and productivity. She holds a Bachelor of Science in Health Promotion from the University of Iowa and a Master's degree in Health Care Administration from Des Moines University.

**FRANCES M. HAAS** is a shareholder in Nyemaster Goode, P.C.'s Labor and Employment Department. She litigates on behalf of management in state and federal courts and administrative agencies in the following areas: discrimination, harassment, and retaliation based on race, sex, age, national origin, disability, and

veteran status; Family and Medical Leave Act; Equal Pay Act; wrongful termination; and unemployment. Fran also consults with employers on various wage and hour issues, drug-testing, employee separations, employment manuals, leave issues, and employment agreements. Fran graduated from the University of Iowa College of Law in 2004 with high distinction and was elected in the Order of the Coif. Fran clerked for Chief Judge Linda R. Reade in the United States District Court for the Northern District of Iowa.

**JENNIFER HADSALL** is the Resident Officer for the NLRB Region 18 Resident Office in Des Moines, IA. Region 18's jurisdiction covers Minnesota, North Dakota, South Dakota, Iowa, and part of Wisconsin. Jennifer has a Master of Arts degree in Human Resources and Industrial Relations from the University of Minnesota, Carlson School of Management. After graduating, Jennifer began her career with the NLRB, spending her first 7 years as a field examiner in Region 18's Minneapolis Regional Office and the last 3 years in her current position in the Des Moines Resident Office. During her career, Jennifer has investigated and processed numerous unfair labor practice cases and election petitions. In her current role, Jennifer manages the Des Moines Office, recruits and hires student coops, supervises a team of 4 field agents located in Des Moines and Minneapolis, oversees all election cases, and handles the Region's deferral program.

**BRIGADIER GENERAL DEREK HILL** joined the military in 1985 at the age of 29. He spent the first 20 years of his career as an officer and attorney in the United States Air Force Judge Advocate General Corps. He has served on Active Duty, The Air Force Reserves and the Air National Guard. In 2003, he transferred to the Iowa National Guard, where he has served as the Director of Staff and Chief of the Joint Staff. In November 2010, he was promoted to Brigadier General and assigned as the Assistant Adjutant General, Iowa Air National Guard. In December 2011, he was appointed the Deputy Adjutant General, and is primarily responsible for the Iowa Air National Guard.

**BRENT HINDERS** is a graduate of Simpson College and Drake University Law School and Drake School of Public Administration. Brent was admitted to the Bar of the State of Iowa in 2005. As an Attorney, Brent has practiced in a variety of areas of the law and with both private and government clients. Brent spent five years as an Assistant Warren County attorney and tried hundreds of cases during that time. Brent joined Hopkins and Huebner in 2011 and works primarily in government, employment, and criminal law.

**WILLIAM JUDGE, JD, LL.M.**, is an attorney from Chicago. For nearly 29 years, he has concentrated his practice on research and litigation related to substance abuse in the workplace and in our nation's schools. For 5 years (2002-2007), Bill participated in White House Office of National Drug Control Policy summits on student drug testing. In 1988, he was an invited panelist at the White House Conference for a Drug-Free America. He represented laboratories before the US Supreme Court in their 1989 decision *Skinner v Railway Labor Executives' Assoc.* Today he is co-founder of FightReady, LLC which assists employers with state drug testing compliance issues. He is a native of Clinton, Iowa.

**ANN HOLDEN KENDELL** is a member of BrownWinick and serves as Co-Chair of BrownWinick's Employment Law practice group. Ann practices primarily in the area of employment law and commercial litigation. Ann received her B.S. degree in history from Iowa State University in 1995 and her J.D. from Drake University Law School in 1998. She was admitted to the Iowa Bar, United States District Courts for the Northern and Southern Districts of Iowa and United States Eighth Circuit Court of Appeals in 1998. After graduation, Ann clerked for Iowa Supreme Court Justice David Harris until she entered private practice in August of 1999.

**KELSEY KNOWLES** is a Belin McCormick attorney practicing primarily in the areas of litigation and employment law. Kelsey's labor and employment practice focuses on helping employers navigate the constantly evolving statutory and regulatory laws governing the employer-employee relationship. Kelsey assists employers with drafting employee handbooks and policies, the discipline process, training employees and supervisors and managing both unionized and non-unionized workplaces. While the goal is always to avoid litigation when possible, Kelsey's practice also focuses on helping employers successfully resolve litigation. Kelsey has been recognized by Chambers and Partners for her employment law practice. Ms. Knowles graduated summa cum laude from Arizona State University and summa cum laude and Order of the Coif from Boston College Law School.

**RANDY LUTH** is the Assistant District Director for the US Department of Labor, Wage and Hour Division in Des Moines. The Des Moines District Office encompasses Iowa and Nebraska. Randy has been with the Wage and Hour Division for 26 years, as an investigator in Des Moines and Cedar Rapids, and in his current position. In addition to supervising a staff of 7, he regularly gives presentations to the public, and has served as a national trainer for Investigator Basic Training.

**STUART MACMILLAN** is a seasoned senior executive with over 25 years of experience in building teams and leading people. He has a deep understanding of human nature, behavior and how to get the best out of people and has spoken on this subject around the world including the USA, Canada, South America, the Caribbean and the UK. He is the Chairman and Managing Partner of Impact This Day, an organization dedicated to the Acquisition, Assessment, Organization and Motivation of Human Talent.

**TODD MCDONALD, PHR**, is President of ATW Training & Consulting. He has been in the human resource and training industry for over 20 years. He served as Executive Vice President for American Media Inc. prior to founding ATW Training & Consulting in 1999. His accomplishments include developing and delivering training programs and speeches to national and international audiences; the creation of over 500 off-the-shelf training products, and authoring two books.

**JESSE PATTON, HIA, MHP, FAHM, LUTCF, HIPAAA, EBHA.** Jesse founded and is President of Associations Marketing Group, Inc. (AMGI), in Des Moines. The AMGI team specializes in group and individual health insurance. Jesse is currently serving his

seventh term on the Iowa Small Group Reform Committee as Secretary. He is Chair of the Iowa Retail Federation, President of the Iowa Retail Foundation and is a consulting member of the Galen Institute, Center for Health Transformation and the Heritage Foundation. In 2005, he was inducted into the Iowa Insurance Hall of Fame as its youngest member.

**MIKE RECK** is a Belin McCormick lawyer who has handled a wide variety of litigation matters over more than 20 years, ranging from complex commercial litigation to employment disputes. Mike provides clients with substantial counseling in labor and employment matters. He assists clients with the full range of employee relations matters including drafting and editing employee handbooks and manuals, investigating employee allegations and complaints, representing clients before Iowa's Civil Rights Commission and the Equal Employment Opportunity Commission, and counseling on compliance with the full range of regulatory matters including the WARN Act, the Family & Medical Leave Act, the ADA, the ADEA, Title VII and the Wage Payment Collection Act. Mr. Reck has been recognized by Chambers and Partners for his employment law practice. Mr. Reck is a University of Iowa (Phi Beta Kappa) and Harvard Law (cum laude) graduate.

**CHRISTY SMITH** joined Merit Resources in 2013 and has been in the human resources field for over 20 years. She is a graduate of the Greater Des Moines Leadership Institute, a member of the 2004 40 Under 40 Class and a member of the Society for Human Resource Professionals. Christy holds a degree in Journalism with emphasis in public relations from the University of Kansas. She also received a Juris Doctorate Degree with Honors from Drake University.

**RACHEL SPYKSMA** is an Instructional Designer/Facilitator with ATW Training. She spent the first 13 years of her career in the banking/financial services industry where she developed a successful track record in customer satisfaction, program development and sales/relationship management for both business-to-customer and business-to-business environments. For ATW, she designs and facilitates workshops on topics such as management and leadership, customer service, teambuilding and communication skills.

**MIKE STAEBELL** is the District Director for the US Department of Labor, Wage and Hour Division in Des Moines. The Des Moines District Office encompasses Iowa and Nebraska. Mike has been with the Wage and Hour Division for 28 years, as an investigator in Des Moines and Waterloo, and in his current position. In addition to supervising a staff of 30, he regularly gives presentations to the public, and has served as a national trainer for Wage and Hour on the Fair Labor Standards Act, Total Quality Management, Family and Medical Leave Act, Litigation Preparation, and Investigator Basic Training.

**SALLY THOMSON, CPP**, serves on the National Speakers Bureau of the American Payroll Association and has over two decades of payroll experience. She is a long standing, active member of the APA. She also serves as chair for the ACH committee, the CPP

Certification Board, the Government Affairs Task Force Social Security Wage Reporting Redesign committee, and the Strategic Payroll Leadership Task Force for Payroll Best Practices. She has also written numerous articles for APA publications. Sally obtained her Certified Payroll Professional designation in 2001. In 2010, she was awarded an APA Meritorious Service Award

**JAMES TIMBERLAND** is an Administrative Law Judge for the State of Iowa Unemployment Insurance Appeals Bureau, Iowa Workforce Development. He earned his bachelor's, master's, and law degrees at the University of Iowa. He began his law career in private practice in Ames. He then served as the Assistant Boone County Attorney and as an Assistant State Public Defender assigned to Story County. In 2004, James became an Administrative Law Judge in the Unemployment Insurance Appeals Bureau at Iowa Workforce Development. He has heard and decided more than 9,000 unemployment insurance appeals. He serves as a judicial member on the Board of Directors for Legal Aid Society of Story County. Judge Timberland is a member of the Iowa State Bar Association and the Story County Bar Association.

**BETH TOWNSEND** is the Executive Director of the Iowa Civil Rights Commission. Beth is a graduate of Kearney State College, Kearney Nebraska and the University of Nebraska Law School. She is a member of the Nebraska and Iowa State Bar. Prior to being named as the Director of the Iowa Civil Rights Commission, Beth was in private practice in West Des Moines, IA, where she represented individuals before federal and state jurisdictions, including the United States Supreme Court, in the area of civil rights and employment law. Previously, Townsend served as a member of the Judge Advocate General, United States Air Force, where she prosecuted and defended airmen and most recently served as a military judge in her last reserve tour. She retired from the Air Force Reserve in August, 2010, as a Lieutenant Colonel after 21 years of active and reserve duty. Beth is the mother of one son and is a proud member of the Choctaw Nation.

**ANDY VISSER** is Senior Consultant and Chief Executive Officer of Connections Inc. Employee Assistance Program (EAP). Connections, founded in 1988, is an independent, brokerage style Employee Assistance Program serving a wide range of manufacturing, health-care and educational organizations. Andy has specifically developed programs promoting management level usage of the EAP referral as a behavior risk management tool. He has led the Connections team to evolve employee assistance as an integral player in optimizing productivity at work.

**CAROL WYCKOFF** is the National Ancillary Product Leader for the new private exchange offered by Mercer, the Mercer Marketplace. Carol has been in the insurance industry for 20 years working in various roles including Underwriting, Claims, Administration, and Contracts on the carrier side, and Client Service and Sales/Consulting on the broker side. She joined Mercer in 2012 and has been part of the Product Team for the Marketplace since its inception. Carol has been the past Legislative Chair for the Iowa Association of Health Underwriters and remains an active member.

# 2014 Iowa Employment Training, Benefits & Wellness Conference

Wednesday, April 23 & Thursday, April 24  
Altoona • Prairie Meadows Conference Center

1 Prairie Meadows Dr  
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## Who Should Attend:

- Business Owners
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- HR Professionals
- Trainers
- Risk Managers
- Legal Counsel
- Benefit Specialists
- New Supervisors

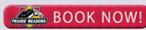


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