Department of
Human Resource Management

HR2HR

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A Bit About Debbie
- Executive Director's Message

Debbie Cragun,
Acting DHRM Executive Director

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By Debbie Cragun, Acting DHRM Executive Director

My life, as well as my role in this department, has changed dramatically in the past few weeks, subsequently making writing this article different from any other I have written. So instead of being up all night with writer's block, striving to come up with a significantly uplifting, motivating, and visionary article, I will start small and simply give you a glimpse of who Debbie Cragun is.

I grew up in Tooele, Utah. Some people find this amusing, and I have had my fair share of chemical weapon jokes. But while Tooele is not a bad place to live, it is not for me. I like living in a bigger city with more than two restaurants at your fingertips, with shopping closer than a 45 minute drive, and something more to do on the weekends than going for drives up the canyon to count deer before going to Dairy Delight for ice cream. My parents live there still, so I find my way out there every so often. I have one brother who lives in Stansbury with his family. He is our family star, since he was drafted by the Toronto Blue Jays and made it to the AAA's before throwing out his arm.

While living in Tooele I was on the high school drill team, earned the title "Tooele County Dairy Princess", and was a State Dairy Princess Attendant. I am sharing this after serious internal debate: "Should I" or "Shouldn't I?" However, I figured it would eventually come out anyway so I might as well fess up now!

After graduation, I moved to Orem, served a year at the former UVSC, and then moved to Salt Lake County where I have been ever since. I have an Associate's degree in General Studies from Salt Lake Community College, and both a Bachelor of Science degree in Business and a Master of Arts degree in Organizational Management from the University of Phoenix. I am a graduate of the Certified Public Manager® program and I have a current SPHR certification. I was awarded the DHRM Award for Leadership and the Governor's Award for Excellence in Leadership in 2008.

I have been with the State for more than 20 years. I started at the Board of Pardons as a part-time Office Technician II, and eventually moved to full-time, handling scheduling of all parole violation hearings. Next was the Department of Health's HR office as a secretary, then to Department of Human Services Child & Family Services as an HR Tech I, then on to the DHS HR office, working my way up from HR Tech II to Senior HR Analyst. In 2002, before consolidation, Larene Wyss took a chance on hiring someone from outside of DHRM, and I became the HR Specialist for Compensation & Benefits (thanks Larene!). Finally, in 2006, I was promoted to serve as an HR Director.

In the past seven years as an HR Director, I may have supervised every function except for training and workforce planning. At one point, I actually managed Recruitment, Classification, Compensation,

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What About Bob?

Consistency's Changing Landscape

By Bob Thompson, Statewide Employment Labor Relations Director

In his book, *1,001 Logical Laws*, author John Peers writes "Constants aren't". Along this vein, I would like to revisit due process consistency in disciplinary proceedings.

In the last edition of HR2HR, I focused largely on ways to alter disciplinary practices despite prior agency precedent. We learned that as long as the deviation from prior practice was supported by legitimate workplace practices and adequately communicated to employees in advance, there is little reason to worry of agency decisions being overturned.

But what if your agency wants to move forward with a certain discipline despite knowing the contemplated discipline is inconsistent with prior disciplinary decisions and the agency has not communicated a new disciplinary direction to its employees? What can the agency do in this situation?

A recent decision from the 10th Circuit Court of Appeals may provide some cover in these circumstances. While this Court of Appeals case deals with Title VII and Age Discrimination in Employment, its analysis and reasoning could be applied in a just cause disciplinary hearings.

In *Konzak vs. Wells Fargo Bank 2012 WL 3104872 (C.A. 10) (2012)* Ms. Konzak was terminated for violating bank policy, as well as for possibly violating federal statutes. After her termination, Ms. Konzak discovered that others had engaged in the same kinds of misconduct as she had and were not terminated. Ms. Konzak also discovered that an "employee had undergone progressive discipline" for similar infractions, and that a younger male employee "was not disciplined for improperly taking sale credit".

In rejecting Ms. Konzak's arguments on the consistency issue, the 10th Circuit Court of Appeals noted that neither the community bank president, nor corporate management, were ever aware that others were not terminated for engaging in the same or substantially similar misconduct. Based on these facts, the court concluded:

Bob Thompson
Statewide Employment
Labor Relations Director

> "Although Ms. Konzak proffered the names of other Wells Fargo employees she claims were similarly situated to her but were not discharged for comparable or even identical actions, the evidence does not show that the alleged transgressions of those employees were reported to the corporate HR office. Therefore, the other employees were not similarly situated to Ms. Konzak".

Consistency is an essential consideration in all disciplinary decisions. However, there are subtleties associate with consistency that should be explored in each case. Though caution is still very necessary, the Konzak case alludes that when considering consistency, it is normally decisions issued at the Executive Director level that are substantive for consistency purposes. This position has added value under a grievance and appeals procedures like ours that allows all disciplinary decisions to ultimately be decided or reviewed at the Executive Director level. Remember: "Constants aren't".

Bob Thompson serves as a liability resource for the HR team and customer agencies. Bob is available to consult and provide insight with employee grievance issues and staff training on employment law regulation and trends. Bob can be reached at 801-538-3047and bthompson@utah.gov

Fiscal Year 2014 Compensation Information

By Billie King, HR Consultant

Good News - Senate Bill 7 passed! This bill provides funding equivalent to a 1% cost of living adjustment for certain state employees and will be given as a General Increase. Exact effective date to be determined.

- Job salary ranges will not be adjusted, but employees will move up in their current range by 1%.
- Employees who are at the maximum of their salary range or in longevity will receive a one-time bonus.
- The MCA's (Market Comparability Adjustments) were not approved.
- The General Increases will be processed after all other fiscal year end actions have been entered.
- The Compensation Bulletin will be posted on the Employee Gateway under the Announcements section soon. It will contain more detailed information as well as the dates that HRE will shut down to allow for the general salary increase processing.
- Please be sure to attend the DHRM In-Service Webinar on April 10, 2013, from 8:30-9:30 a.m. where we will be providing further information and detail..

Executive Director's Message (continued)

(continued from page 1)

Benefits, and HRIS all at once. I have probably supervised many of you at some point! I have also spent these past seven years being mentored by Con Whipple to handle legislation after his retirement. His mentorship made it possible for me to get through this year's legislative session without cracking under the pressure!

On a personal note, I married Blake Cragun, a CPA specializing in tax accounting, in 2009. We currently live in West Jordan and have a beautiful two year old little boy named Kyler (AKA: Bubby). I have always loved to cook and bake, but Blake and I have turned into real "foodies" over the past few years. We watch the *Food Network* almost as much as we watch *Spongebob*, and my obscene cookbook collection continues to grow. I am also an avid reader, and my favorite books are either classic novels, such as *Crime and Punishment, (*what a friend affectionately named my "Geek Books"), or history books and biographies of prominent historical figures. Abraham Lincoln is my favorite President. I love the Boston Red Sox and the Denver Broncos. I also love demolition derbies, car racing, fairs, and parades – small-town features that will forever be a part of me. My little family also loves to camp every summer, exploring different camp sites and new places. Unlike Jeff Herring, I do not spontaneously break out into song and dance, but I do make a mean éclair!

As discussed, my instructions from the Governor's Office were: "Don't fix it if it isn't broken", and "Stay out of the newspaper". You will not see any major changes in the next few weeks. But what you will see is that I am different from Jeff in a few ways. I consider myself a "relationship builder" and an "explainer". You will likely see more of me than you saw of Jeff, and you will receive more information and explanation about the "what's" and "why's" of what we do.

So what do I need from all of you? Patience, support, and your usual hard work. I have full confidence we will get through the next few months until a permanent director is named. I know this because DHRM is full of professional, strong, awesome people who know their stuff. Just keep doing what you all do best. And remember: I am here for you.

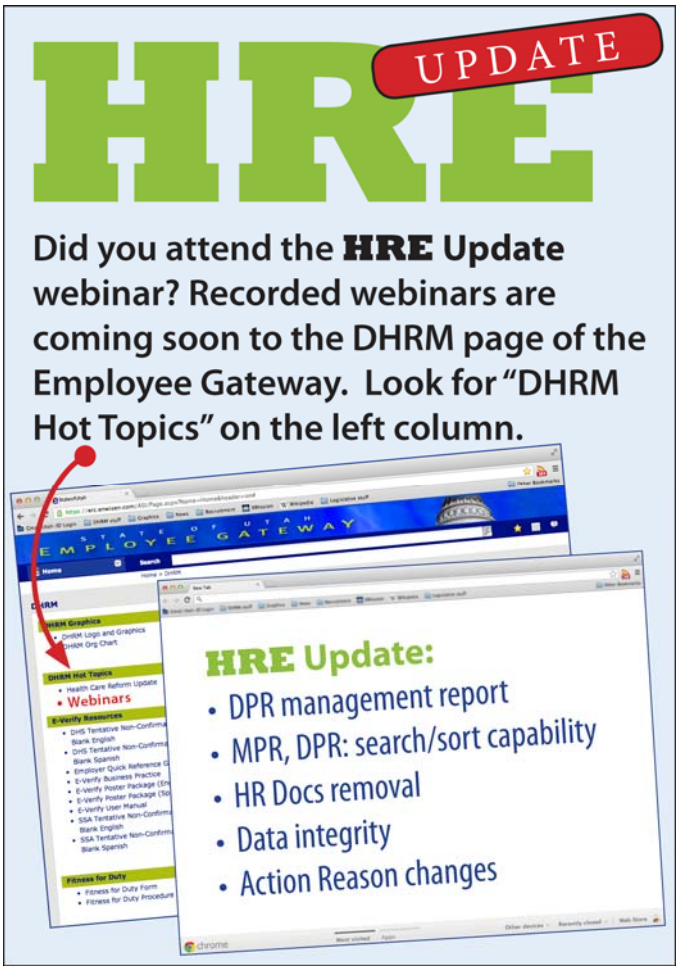
ERIC Thanks the Field Offices

The members of ERIC would like to thank the field offices for graciously allowing us to visit over the past months. We hope to be able to return the favor in the near future. It was exciting to get out in the field and see our fellow HR co-workers and customers. Not only was visiting the field offices an exciting excursion, but it also helped us to step outside the bubble and become better rounded HR professionals.

A day in the life of an ERIC employee generally involves completing section specific work. By now, the ERIC staff is comfortable with processing onboarding, payroll, VOE's, and retirements, and is settling into the customer service aspect of HR. It was very informative to learn more about what Technicians, Analysts, and Specialists do in the field.

We believe that in order to provide the highest level of customer service, we must continue to grow as individuals and as an organization. Moving forward, in order to accomplish these goals, we would be interested in more visits to the field, and if possible, having some field HR members spend time at ERIC.

ERIC Management invites you to come visit us and learn a little more about how ERIC operates within DHRM. Your supervisor should approve time spent with ERIC and coordinate the visits with ERIC Management. We would love to have anyone from the HR Field Office visit us!



Non-Cash Incentive Awards

By Caroline Updike, Executive Assistant

Be an active participant in our peer to peer non-cash incentive awards program! As was discussed in our presentation at the March 19th meeting, anyone can award anyone else points. The catalog is all new, with cool items and more variety! Just a few things to remember:

- General information, award certificates, and the non-cash catalog is available on the Employee Gateway under the DHRM tab, in the "Awards and Recognitions" section.
- Points may be awarded in recognition for exceptional effort or accomplishment beyond what is normally expected on the job, including innovative ideas, which improve and promote efficiency and productivity.
- Award certificates must be signed by the awardee's supervisor before item order is placed.
- Awardees may not redeem more than 100 points ($200 value) in one Fiscal Year.
- Award certificates, when completed and signed, may be submitted to Caroline Updike (myself), either by email, by inter-office mail, or in person.
- Orders are placed monthly, on the first Wednesday of the month.

Have fun taking advantage of this great program unique to DHRM and bring a smile to your coworkers' faces!

Utah Leadership Institute
Department of Human Resource Management

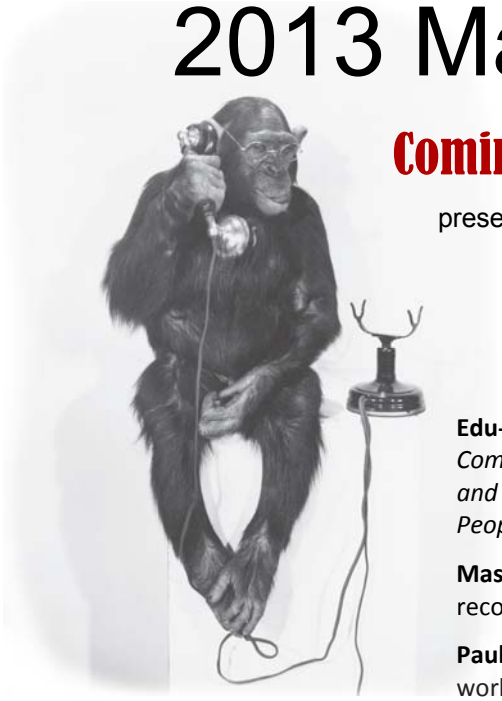
Training and consultant services are available through the Utah Leadership Institute (ULI). Agencies have access to over 20 providers who have already been approved through the State purchasing process.

Contractors can provide everything from individual coaching to workgroup facilitation to customized training workshops.

Contact us for assistance in taking advantage of these services.

For a complete list of services available visit the ULI website at http://www.dhrm.utah.gov/training/ULI

2013 Managers Conference



Coming in Clear *Communication in the Workplace*

presented by the Department of Human Resource Management, the Utah Society of Certified Public Managers, and the Division of Risk Management

Thursday, May 16, 2013, 8:30 am to 3:30 pm
Karen Gail Miller Conference Center @SLCC
9750 South 300 West, Sandy

Edu-trainer Rebecca Pace will keynote the conference with *"Communicating Under Fire & Communicating to Win-- The difference between persuading and negotiating and when and how to use each".* Her two breakout sessions will address *"Dealing with Difficult People and Situations-- skills and tactics to use when handling critical attacks".*

Master Mediator Velvet Rodriguez-Poston will conduct breakouts on the topic of how to recognize and address body language.

Paul Teynor, MD., will speak on effectively addressing drug and alcohol issues in the workplace and **David G. Ericksen, Ph.D.** will share guidance for supervising employees with mental health challenges. In the afternoon they will be joined by a panel of legal experts who will discuss complex work-related issues to assist managers in addressing substance abuse and mental health challenges without creating liability

Conference fee is **$99 for standard registration** or **$79 for USCPM members**

Click the link above to register

Risk Management
USCPM
Department of Human Resource Management

2013 Benefit Fairs

Get important information about benefit changes and updates that directly impact you. Also, learn about PEHP's new cost-saving tools that will help you pay less in out-of-pocket expenses. 2013 open enrollment runs April 11 - June 14; during this time you can make changes to your medical, dental, and vision plans. Visit representatives from these vendors to help you make the best benefits decision for you and your family:

- URS (Utah Retirement Systems)
- PEHP
  - Medical
  - Dental
  - Life Insurance
  - FLEX$
  - PEHPPlus
  - PEHP Waist Aweigh
  - PEHP Wee Care
- Regence Expressions Dental
- EyeMed – Vision plan
- OptiCare – Vision plan
- The Standard – Short-term disability insurance
- Liberty Mutual – Auto & Home Insurance
- MetLife – Auto & Home Insurance
- Hyatt Legal Plans
- UESP – Educational savings plans
- UPEA – Employee association
- UAGE - Employee association
- Blomquist Hale – Life counseling
- Mountain America Credit Union
- Security Services Federal Credit Union
- ERIC (Employee Resource Information Center)

2013 State Benefit Fair Schedule

AGENCY	ADDRESS	ROOM	DATE	TIME
Department of Health - **Salt Lake**	288 N 1460 W, Salt Lake	Room 125	15-Apr	9:00-2:00
DCFS - **Ogden**	950 E 25th Street, Ogden	Large Conf. Room	16-Apr	9:00-11:00
Workforce Services - **Clearfield**	1290 E 1450 S, Clearfield	Large Conf. Room	16-Apr	1:00-3:00
Department of Education - **Salt Lake**	250 E 500 S, Salt Lake	Board Room	17-Apr	1:00-4:00
State Office Building - **Salt Lake**	450 N State St., Salt Lake	Auditorium	22-Apr	9:00-2:00
State Courts - **Salt Lake**	450 S State St., Salt Lake	1st Floor Conf. Room	23-Apr	10:00-2:00
Development Center - **American Fork**	895 N 900 E, American Fork	Heather Building	24-Apr	10:30-2:30
Department of Corrections (Fred House)	14727 Minuteman Dr., Draper	Gymnasium	25-Apr	9:00-2:00
State Hospital - **Provo**	1300 E Center St., Provo	Gymnasium	29-Apr	9:00-2:00
UDOT - **West Valley City**	4501 S 2700 W, Salt Lake	Atrium	30-Apr	9:00-2:00
Recovery Services - **Salt Lake**	515 E 100 S, Salt Lake	9th Floor Conf. Room	1-May	12:00-3:00
DATC - **Kaysville**	550 E 300 S, Kaysville	Student Commons	2-May	1:30-3:30
Workforce Services - **Salt Lake**	140 E 300 S, Salt Lake	Room 101 N & 101 S	6-May	9:00-3:00
Ogden Regional Center - **Ogden**	2540 Washington Blvd., Ogden	Large Conf. Room	7-May	10:00-2:00
DWS - **Logan**	180 North 100 West, Logan	Large Conf. Room	8-May	10:00-12:00
Human Services/Environmental Quality	195 N 1950 W, Salt Lake	Common Area	9-May	9:00-2:00
Workforce Services - **Price**	475 W Price River Dr., Price	Large Conf. Room	13-May	10:00-12:00
Workforce Services - **Moab**	457 Kane Creek Blvd., Moab	Conf. Room	14-May	10:00-12:00
Department of Corrections - **Gunnison**	255 E 300 N, Gunnison	Large Conf. Room	15-May	9:00-12:00
UDOT - **Richfield**	210 W 800 S, Richfield	Large Conf. Room	15-May	2:00-4:00
Dixie State College - **St. George**	225 S 700 E, St. George	Eccles Fine Arts Lobby	16-May	9:00-12:00
Workforce Services - **Cedar City**	176 E 200 N ,Cedar City	Large Conf. Room	16-May	2:00-4:00
Tax Commission - **Salt Lake**	210 N 1950 W, Salt Lake	Room 1026	20-May	10:00-2:00
Natural Resources - **Salt Lake**	1594 W North Temple, Salt Lake	Auditorium	21-May	9:00-12:00

DHRM Staff Update 1/23/13 to 3/22/13

New Hires

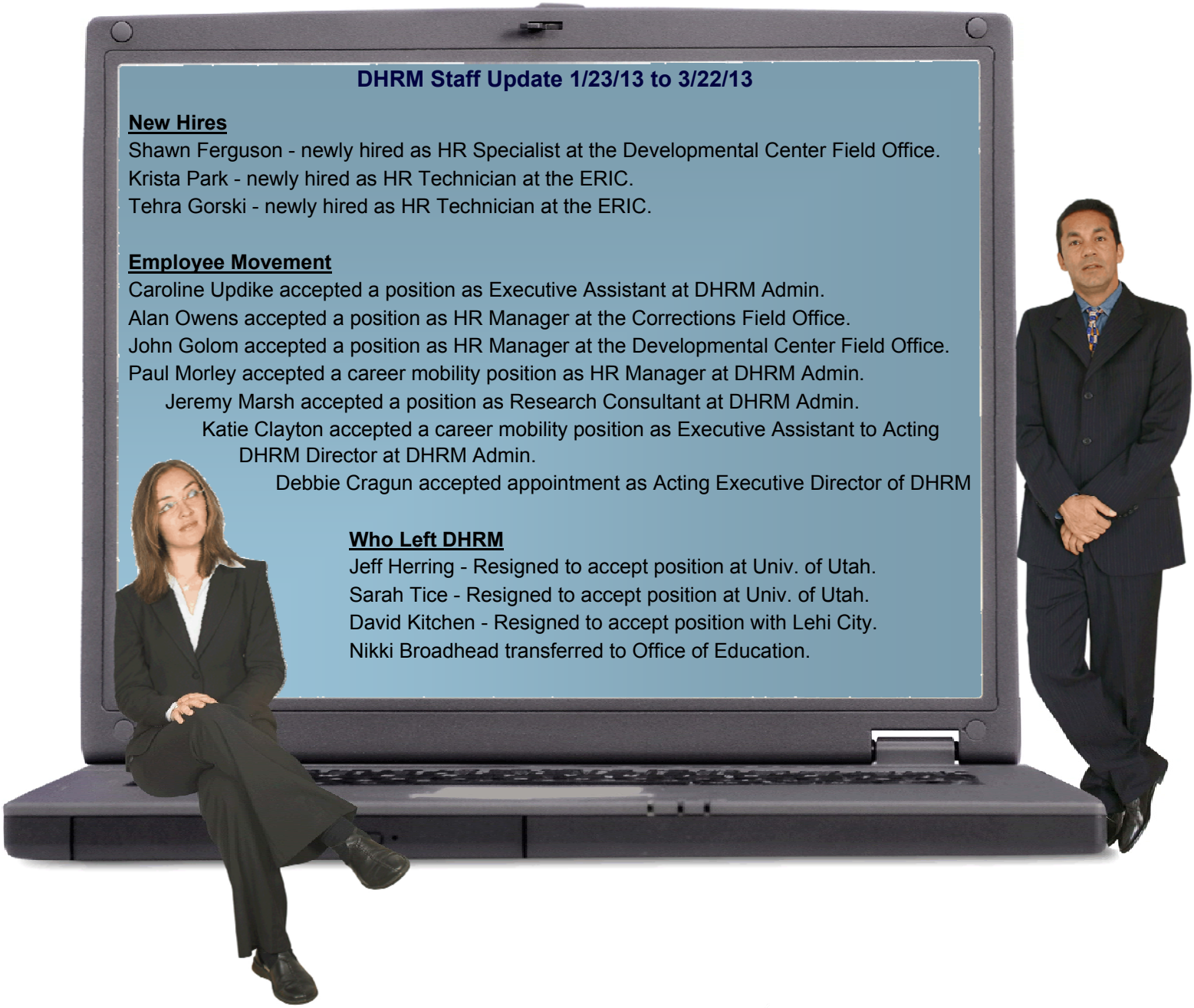
Shawn Ferguson - newly hired as HR Specialist at the Developmental Center Field Office.
Krista Park - newly hired as HR Technician at the ERIC.
Tehra Gorski - newly hired as HR Technician at the ERIC.

Employee Movement

Caroline Updike accepted a position as Executive Assistant at DHRM Admin.
Alan Owens accepted a position as HR Manager at the Corrections Field Office.
John Golom accepted a position as HR Manager at the Developmental Center Field Office.
Paul Morley accepted a career mobility position as HR Manager at DHRM Admin.
Jeremy Marsh accepted a position as Research Consultant at DHRM Admin.
Katie Clayton accepted a career mobility position as Executive Assistant to Acting DHRM Director at DHRM Admin.
Debbie Cragun accepted appointment as Acting Executive Director of DHRM

Who Left DHRM

Jeff Herring - Resigned to accept position at Univ. of Utah.
Sarah Tice - Resigned to accept position at Univ. of Utah.
David Kitchen - Resigned to accept position with Lehi City.
Nikki Broadhead transferred to Office of Education.



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