

worklife ELEVATED

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dhrm

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Human Resource Management

UTAH
LIFE ELEVATED

Meet the Director

Interview by: Brittani Mitchell, DHRM



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Francine Giani: Executive Director, Commerce

Tell us about yourself.

I am originally from Queens, New York. I came out to Utah after graduating from Hunter College with an undergraduate degree in Broadcast Communication and a minor in English. I worked for ABC television part time while I was going to school full time. I worked on two television programs as a Page; one was for "Good Morning America" and the other was for "The \$20,000 Pyramid" where I was responsible for taking care of guests before they went on air. After I graduated, I worked for ABC Corporate Public Relations. It was that year that I decided I would come out to Utah. I came out here accepting a job at KSL Television News. I worked on their assignment desk, where you assign reporters and photographers to different stories that are going on around the community that are potentially going to be on the news that night. I also produced stories for a show called "Prime Time Access." I worked at KSL for two years until I applied for a job with, then candidate, Norman Bangerter, who was running for Governor and needed a press secretary.



What do you like to do in your free time?

I enjoy spending time with my family. I have a set of twin daughters who just returned home seven months ago from Japan after serving church missions. They have been in Provo since the spring finishing their education at Brigham Young University. As a family, we enjoy camping and hiking. We have a motor home and travelled more when my daughters were in elementary school through high school. It's a little tougher to get them together for long periods of time because they are busy with school but my husband and I do weekend trips which we enjoy.

(continues)

Meet the Director (continued)

I have a mom who is 92 years old and lives in a senior apartment in Davis County. I visit her every night. My father passed away last November so I feel a great responsibility to keep track of her because I'm the only sibling here in Utah. I am also involved in Salt Lake Comic-Con. One of my work colleagues turned me onto volunteering. It's been a great event for the state of Utah. It's economic development. People come from all over the world. At this last Comic-Con, I met folks from Japan, Australia, and from around the country, which has been fun. If you're a people watcher, which I am, there is no better place to observe. The people who put on Comic Con are wonderful and I have thoroughly enjoyed my time volunteering with them.

How did you begin working for the State?

I was working for KSL television at the time, involved in a story about Welfare Square. I met someone who worked for the travel council and she knew folks involved in the Bangerter campaign for governor. She hooked me up with one of Norm Bangerter's campaign managers and I was introduced to the candidate. Next thing I knew, I was doing media for his campaign. After Norm won the race, he asked me to join his staff. The rest is history because I've had a long line of different opportunities since then and it's not exactly where I thought I would be at this point in my life, but it has been very rewarding.

What experience do you bring with you to your position?

The experience I bring is time and an understanding of what the Governor's vision is. I have worked for five governors in an appointed position, which is pretty unique in itself because most governors would make changes and bring on their own people. But, I think I have, hopefully, brought with me the reputation of being honest, ethical, and having integrity. I think that's really important. I have been asked to do hard things as a manager. The governors I have worked for have been statesmen and stateswoman, and I think I have learned from them the importance of being honest, having integrity, and doing what is right. I didn't really bring with me any particular knowledge of state government when I first came to state employment. I knew media and that was what I was hired to do. I have learned a lot from the people I have worked with over the years and I'm still learning today. I have worked with some really awesome individuals who are much smarter than I am and, hopefully, I have been a sponge and absorbed much of the things that I have been taught.

Since coming to state government, I went back to college and got a Master's Degree in Public Administration from Brigham Young University. I feel like that added to the knowledge I was getting every day. I believe you can't work in a position like mine without believing in the person who is at the top, the Governor, and my loyalty is to him. I support his mission and believe that Utah is number one in so many areas because of the things that he is doing.

Meet the Director (continued)

What do you envision for you agency's future?

The Department of Commerce is probably the main agency for licensing in the State of Utah. We license over 300,000 Utahans in every area, from the nail esthetician to the brain surgeon and everyone in between including, landscapers, electricians, plumbers, etc. I want Commerce to do more online applications. Last year we moved forward with the ability to have first time licensees apply online in every division, and that means, eliminating paper. We, depending upon the license category, have over 90% online ability now. We are also looking at reducing licensing and eliminating unnecessary or burdensome regulations for businesses and licensees. That's a project which was started years ago when Governor Herbert asked all state agencies to take a look at rules governing our licensees. We were also able to reduce numerous rules that were unnecessary. That reduction lets businesses know that "you are welcome to Utah. We want to be a state that can help enhance what you do." It increases economic development for the State of Utah, which I think is important. The Department of Commerce does not operate as a silo. We work with other agencies and businesses to do great things for the State of Utah.

Why do you enjoy working in public service?

I like helping people navigate what some might think is a hard system. Because of our online efforts, we have received awards nationally. So, I think we're doing something right. I also like solving problems. For 14 years, before I had this position, I worked as the division director in Consumer Protection, and in that role, we're helping people solve problems. I like that. In this role, as the department head, Consumer Protection is one of the Divisions, but we also have seven other divisions that help citizens solve problems, whether that problem is getting their license so they can start earning money because they just passed their exam, or it's assisting them through some business problem they've had. I feel like our role here is to help people and to make their lives a little bit easier. I always tell myself at the end of the day, if I have helped one person solve an issue, I've done a good job. The thing that is most rewarding is that I personally think that the Department of Commerce is the best department of state government. People are going to be upset at that answer, but I can honestly say the very best division directors work at the Department of Commerce. They are bright, smart, articulate, and understand why we're here and they work with fantastic employees who also have that same understanding. In my opinion, they do a great job.

What advice would you give to your fellow State of Utah employees?

Remember who you work for. We all work for the citizens and businesses in the State of Utah. We're here to help and to serve. Regardless of what it is, we all have a very important role and without each of us, I don't think it works as well. I would also tell them, no job is more important than the other. I don't care what your title is, no job is more important than the other. All of us are important, and we are lucky to work for the greatest state, which is Utah. Even though I was not born here, I have now lived here longer than where I was born. I feel like a native, and I have the greatest respect for the people, our culture, our breathtaking landscapes. I believe working in state government has been a tremendous blessing for me and my family. I am very grateful for the opportunities I have been given. 

This Veteran's Day, we wanted to take a moment to thank all of the incredible veterans who work among us. You may not know it, but many of your colleagues are former veterans of the armed forces. Please remember to thank a veteran on November 11, 2017.

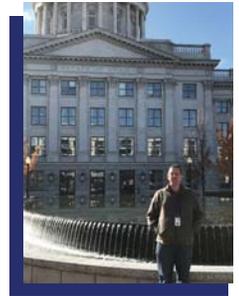
Here are a few of our very own:



Will Clark, Senior Business Analyst/Security Officer

1. Which branch of the military did you serve in? Army Reserve
2. How do you feel your service has helped you in your career? My service has helped me in many ways from critical thinking to multitasking to being disciplined with my job duties.
3. What do you enjoy most about your current job? The team I'm on first and foremost, but I also enjoy the numerous responsibilities I have. It never gets boring.

Bryan Fewell, HR Technician



1. Which branch of the military did you serve in? I served just over 20 years active duty in the Air Force. I did three tours in Iraq and one in Afghanistan. The coolest thing I got to do as a young Airman was to go to Laos as a team translator on a Joint Task Force-Full Accounting (JTF-FA) mission. Our objective was to look for American remains from the Vietnam War. We actually found six individual's remains during our 30 days there.
2. How do you feel your service has helped you in your career? Honestly, this is hard to describe because there are so many different things that helped me. If I had to choose something, I would say the Air Force taught me a strong work ethic. It is something that I bring to the table everyday when I am at the ERIC.
3. What do you enjoy most about your current job? I love this job because it keeps me busy. Even though my primary duties involve payroll, I branch out as able to do verifications of employment, records management, intake, and retirements. I always look for ways that I can help the team. The leadership here in the ERIC and DHRM in general is awesome! I love coming to work every day and bringing my "can-do" attitude with me.

Jalaine Hawkes, Sergeant, Utah Highway Patrol



1. Which branch of the military did you serve in? I served in the United States Marine Corps for four years on active duty.
2. How do you feel your service has helped you in your career? My military service was the compass that I needed in my life and it set me on a course to where I am right now. The military instilled a more specific type of discipline and attention to detail than I had previously. I met and worked beside many different types of people which helped me learn to collaborate and be a better team member with many contrasting types of people. I appreciate others' originality more now than I ever would have without military service. I loved the strong camaraderie in the USMC and I see that same sort of pride and teamwork in the Highway Patrol. It's awesome to look forward to going to work each day.
3. What do you enjoy most about your current job? I love the opportunities to help people in my current position. I work with many talented people and I appreciate learning things from them. There are a lot of different people in our communities who are on different paths and making decisions that often affect others. Helping people does not always mean giving someone a ride off the freeway or changing a tire. Helping people means treating everyone with respect and dignity, even if I have to arrest them. I have always wanted to make a difference in the world and I believe that I had that chance in the military and I am lucky enough to continue doing that in my current position. I love the agency that I work for and the people I work with.

Kim Gavin, IT Analyst III - Lead Payroll Programmer



1. Which branch of the military did you serve in? United States Air Force
2. How do you feel your service has helped you in your career? The tasks that are assigned to me are important. It may not seem like that at first, but workers do not always know the big picture.
3. What do you enjoy most about your current job? The challenges that payroll has every two weeks and working with a great group of people.



Norm Johnson, IT Manager II

1. Which branch of the military did you serve in? Army. I retired with the military after 23 years as a Lieutenant Colonel.
2. How do you feel your service has helped you in your career? The military has given me strong leadership skills to accomplish the mission. This has helped me be successful with DTS. Much of what we do in DTS we have been doing in the military for decades.
3. What do you enjoy most about your current job? The people I work with are very professional and the job is challenging.



Utah State Employees Charitable Fund

Emanuel Swedenborg, Swedish author, scientist, philosopher and theologian, once said “True charity is the desire to be useful to others with no thought of recompense.”

State employees have a unique opportunity to assist Utah charities through the annual Employees Charitable Fund Drive that continues through Nov. 3.

Employees may choose and contribute to their favorite non-profit charity from a long list of 600 organizations.

Information about the campaign with complete details can be found on the fund’s website at usecf.utah.gov.

Employees then have an option of contributing their selected amount either through an automatic payroll withdrawal, or by making a one-time cash or check contribution.

“As you scroll through the list of qualified charities, you will be surprised about the wide range of people we can help through a contribution,” said Charlie Roberts, president of the Utah State Employees Charitable Fund and Tax Commission employee.

“We can select organizations that specialize in helping children, pets, fitness, disaster relief, diseases, hunger, homelessness, victims of crime and countless others,” he said. “The list goes on and on.”

Eleven State employees, who are appointed by the Governor, volunteer their time and efforts to serve on the USECF board. The board plans the annual campaign and related activities throughout the year.

“One of the advantages of contributing to your favorite charity through USECF is the fact that there is absolutely no overhead charged to administer the program,” Roberts added.

Last year 992 employees contributed \$353,000 to 346 Utah charities. Of those employees, 127 stretched their resources and gave 1 percent of their income to their favorite charities.

“We appreciate the generosity of all the employees, but if every employee contributes just \$20, nearly one-half of a million dollars would go directly to these charitable groups,” Roberts noted.

He said Governor Herbert honors employees who contribute 1 percent or more with a small token and letter of appreciation.

Each State agency has a department coordinator who has the responsibility to inform employees of the campaign. Many departments have additional people assisting with the campaign.

At the campaign kickoff held in mid-September Utah Tax Commission Chair and former President of the Senate John L. Valentine emphasized the importance of financially contributing to non-profit organizations.

“These organizations do things that government and individuals cannot do for themselves,” Commissioner Valentine noted.

Some of those “gaps” include helping research cures for cancer and other diseases, assisting homeless people, and those who are disabled.

The opportunities range from large well-known organizations like Primary Children’s Hospital and Huntsman Cancer Institute to small community based groups focusing on special needs.

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Governor Herbert encourages employees to participate in the drive. He said, “Your decision to support agencies participating in the Charitable Fund Campaign is a personal one. I urge each of you to think carefully about your role in the life of your community. As citizens, we have an opportunity, and a responsibility to share our resources with those in need.”

The charitable fund was organized in 1955 to provide a way for state employees to contribute without being solicited by numerous agencies throughout the year.

“The clock is ticking. Any amount you contribute makes a difference in the lives of others,” Roberts said. “You can direct your questions to your agency coordinator or go to usecf.utah.gov.”

Watch the touching presentations given by Commissioner John Valentine with the Utah State Tax Commission, and Matthew Minkevitch, Executive Director of the Road Home at <https://youtu.be/padNokk9oZo>.

Please remember that the Utah State Employee Charitable Fund ends on November 3, 2017. 

Employers and State Agencies Honored for Going the Extra Mile to Hire and Retain Individuals with Disabilities

The 43rd annual Golden Key Awards were held on October 24th at the Governor’s Mansion. Local business and state agencies were recognized for their efforts to hire and retain individuals with disabilities. The awards were presented by the Utah Governor’s Committee on Employment of People with Disabilities and the Department of Workforce Services, Utah State Office of Rehabilitation.

The recipients of the Golden Key Awards were Liquid Nutra Group, CNA Training Center, Utah Transit Authority, GE Healthcare and Sidney Smith. They were nominated by their peers for their outstanding contributions to promote employment opportunities for individuals with disabilities, including veterans. Four state agencies including Department of Commerce, Department of Corrections, Department of Health and the Department of Workforce Services were recognized for their utilization of the Alternative State Application Program (ASAP).

This is the first year for the ASAP Achievement Award for state agencies. Recipients were nominated from data collected from DHRM on the utilization of ASAP. Future awards will be given to one agency with the best utilization of ASAP. Nominations for next year’s awards can be made directly by the agency with data supplied from DHRM showing ASAP utilization. If you have any questions about ASAP or how to be considered for next year’s award, please contact Sherry Saracino, HR Consultant, DHRM at ssaracino@utah.gov or Leah Lobato, Director, Governor’s Committee at leahlobato@utah.gov. 

The Wavering FLSA Guidelines

By Kimberly Diamond-Smith & Bob Thompson

In October 2016, the state of Utah Human Resources Compensation Team (Comp Team) was finalizing preparations to implement some new Fair Labor Standards Act (FLSA) regulations that were to take effect on November 19th for state employees. A central purpose of these revised FLSA regulations were to increase the standard salary level for FLSA exempt employees from \$455 to \$913 per week, or from \$11.38 per hour to \$22.83 per hour, followed by automatic updates to those salary thresholds every three years. On November 21st, the Comp Team officially implemented these new regulations. Within twenty-four hours of implementation everything changed.

On November 22, 2016, the U.S. District Court Judge Amos Mazzant granted a Motion for Preliminary Injunction (a court order prohibiting the regulation from going into effect pending resolution of a lawsuit) thereby prohibiting the Department of Labor from implementing or enforcing the Overtime Final Rule starting November 19, 2016. Thus began the Comp Team's process of undoing the changes that had just been implemented. In undoing these changes however, we chose not to reduce the pay of anyone that received a pay increase as a result of the proposed regulations .

On August 31, 2017, the Judge in this matter ruled in favor of the parties challenging the new regulations. This ruling essentially made his Preliminary Injunction permanent and effectively nullified the proposed regulations in their entirety.

So now you may be asking, "What has happened since the FLSA Rollercoaster of 2016?" To bluntly answer this question, the Department of Labor overtime salary increase rules are now essentially DEAD! The court's August 31, 2017, decision made final a number of issues.

First, the court made clear that its ruling applied to all employers, including state and local employers. Second, this decision made the injunction permanent back to November 22, 2016. Finally, the decision clarified its prior injunctive order by emphasizing that the Department of Labor in fact has the authority to consider an employee's "salary" as well as the employee's duties when determining when an employee is eligible for overtime compensation. These clarifications essentially answered all remaining issues regarding the proposed regulations.

While the proposed regulations were being considered by the courts, the current administration announced that it has dropped its defense of the proposed regulations agreeing that the salary threshold set by the former administration was set too high. To that end, the Department of Labor has requested public comment on ways to improve the overtime rules. It is expected that new regulations will be issued but with more modest increases to the existing salary threshold. [WE](#)

Winter Driving Tips From A UDOT Snow Fighter

Jake Brown has driven a lot of miles on some of Utah's snowiest, iciest roads. As a snow plow operator for the Utah Department of Transportation (UDOT), he knows the good and bad of winter driving because he's seen it and experienced it all firsthand.

"Gov. (Gary R.) Herbert likes to call us 'snow fighters,' and I guess that's probably what we are," said Brown, who oversees all of UDOT's snow plow operations in Salt Lake City's Little Cottonwood Canyon area. "But driving in snow isn't as much about fighting it as it is about finding a way to get along with it."

After years of watching Utah drivers NOT get along with "the greatest snow on earth," Brown says he has a few ideas they might want to consider, especially when it comes to driving around or near snow plows.

First, he said, if you're behind a snow plow, "stay back."

"We're not exactly following the road all the time," he said. "Sometimes we're straddling lines or pushing snow into gore areas or other places that you probably shouldn't go. So stay back – 200 to 300 feet if possible – and let us do our work. If you do that you'll be able to see the path we've plowed, and you'll be a lot safer."

Second, he said, "do not pass a plow."

"We're throwing out a lot of heavy snow," he said. "If you pass us, you're likely to get ice and rock and dirt thrown onto your windshield, which will make it really difficult for you to see. In those moments of being blinded by the junk we've thrown on your window, really tragic things can happen."

Brown's third winter driving suggestion for Utah drivers is to "watch your speed and braking on our bridge decks."

"Bridge decks freeze faster and stay icy longer than other stretches of road," he said. "This is usually where you'll encounter black ice, one of the most dangerous things to deal with on the road. Try to keep your speed and steering steady when driving on a bridge deck."

Brown also urged motorists to keep a close eye on local weather reports to be aware of the possibility of storms and severe temperatures. Then plan your driving accordingly.

"If there's a storm coming in, you may want to leave early for wherever you're going to allow yourself plenty of time to get there," he said. "You don't want to be trying to make up time while driving in snow or behind a snow plow."

And if you find yourself running late ... well, make up your mind that you're going to be late, Brown said. "It's way better to be late than to be sliding off the road because you're in such a hurry – or worse."

"There's one thing you can always count on when it comes to driving on roads while the snow plows are out there working," he concluded. "It's always safer behind the plow than in front of us. So just settle in back there. Take a deep breath and follow us at a safe distance. We'll clear the road and get you there safely. That's our job."

To be more aware of road and traffic conditions throughout the state of Utah and to be able to see where UDOT's snow plows are working during any storm, download the UDOT Traffic App. [WE](#)





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