

2016 Fall Training Institute PROGRAM



**October 18-21, 2016
Sacramento, CA**

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SCHEDULE AT A GLANCE

TUESDAY, OCTOBER 18, 2016 (Pre-Conference)

10:00 AM—5:00 PM	HR Leadership Academy—Session 3 for 2016 Cohort
12:00—6:00 PM	Early Bird Registration
1:00 PM—5:00 PM	Advanced Negotiations for the New Union Tactics (Abe Ali, Gene Huff, Tina Kannarr, Paul Loya)
6:00 PM—9:00 PM	HR Leadership Academy Graduation Dinner

WEDNESDAY, OCTOBER 19, 2016 (Day 1)

7:30 AM—8:30 AM	Breakfast and Registration
8:30 AM—10:00 AM Session 1	Keynote Speaker—John Didion, Retired Executive Vice Chancellor of Human Resources and Educational Services
10:30 AM—12:00 Session 2	THE NEW FRISK (Alan Rasmussen and Mike Crass, AALRR)
12:00—1:30 PM	Lunch Graduation for the HR Leadership Academy
1:45 PM—3:15 PM Session 3	<p><u>Topic 1</u>—Managing On-Going Intermittent Leaves & Tackling Leave Abuse (Rachel Shaw, Shaw HR Consulting, Inc.)</p> <p><u>Topic 2</u>—Signing on the Dotted Line - Best Practices in Hiring Employees (Stephanie White and Marisa Lincoln, Lozano Smith)</p> <p><u>Topic 3</u>—Understanding and Navigating Employee Leaves (Rex Randall Erickson, Erickson Law Firm APC)</p>
3:30 PM—5:00 PM Session 4	<p><u>Topic 1</u>—So you Think That you Want to be a CHRO (Cindy Vyskocil, Coast CC and Barbara Ginsberg, AALRR)</p> <p><u>Topic 2</u>—Investigations: Effective, EEO/Student Complaints (E d Saucerman, The Titan Group and Dio Shipp, Contra Costa CC)</p> <p><u>Topic 3</u>—Using the New Professional Learning Network to Advance Professional Development Learning (Michelle DuBreuil and Michelle Pilati both from PLN)</p>
5:30 PM—6:30 PM	Happy Hour—The Vine Café—Hyatt Regency Hotel

THURSDAY, OCTOBER 20, 2016 (Day 2)

7:30 AM—8:30 AM	Breakfast
8:30 AM—10:00 AM Session 1	Dealing with Injured and Difficult Employees (Bill Poland and Colleen Bjerknæs, Keenan and Associates)
10:30 AM—12:00 Session 2	<u>Topic 1</u> —Negotiations Primer (Michelle Cannon, Lozano Smith and Ryan Davis, Sierra College)

SCHEDULE AT A GLANCE (continued)

THURSDAY, OCTOBER 20, 2016 (Day 2) (continued)

10:30 AM—12:00 <i>(continued)</i>	Session 2	<p><u>Topic 2</u>—Drug and Alcohol Investigations—Intoxication and Incapacitation—What a Title IX Investigator Needs to Know (Keith Rohman and Eve Fichtner, T9 Mastered, Inc.)</p> <p><u>Topic 3</u>—New Affordable Care Act Developments and How They Impact Your CCD (Heather De Blanc, Liebert Cassidy Whitmore)</p>
12:00 AM—1:30 PM		<p><u>Lunch</u> Chancellor 's Office on EEO Best Practices (Jake Knapp and Peter Khang, Chancellor 's Office; Laura Schulkind, Liebert Cassidy Whitmore; Irma Ramos, North Orange County CCD; Sheri Wright, MiraCosta College; Sylvia Macias, Los Angeles CCD)</p>
1:45 PM—3:15 PM	Session 3	<p><u>Topic 1</u>—Proposed FLSA Regulations: Clarifying FLSA Exemptions (Kristine Kwong, Esq., Musick Peeler & Garrett, LLP/ASCIP)</p> <p><u>Topic 2</u>—Pension Reform and Tools to Keep Costs Low in Benefits (Maureen Toal, PARS; Elaine Recodia, CCLC; Michelle McKay Underwood, School Services of California)</p> <p><u>Topic 3</u>—The Role of Human Resources in Title IX Compliance (Aaron O 'Donnell and Sharon Ormond, AALRR)</p>
3:30 PM—5:00 PM	Session 4	<p><u>Topic 1</u>—Introduction to the ACHRO HR Leadership Academy (David P. Bugay, PhD, S. Orange County CCD and Laura Cyphers Benson, Shasta College)</p> <p><u>Topic 2</u>—High Stakes Litigation: Best Practices for Preparing Cases for Administrative Hearings (Warren Kinsler and Sharon Ormond, AALRR)</p> <p><u>Topic 3</u>—Best Practices for Communicating Respectfully on Campus (Sondra Solovay, Esq., Campus Answers)</p>
6:00 PM—10:00 PM		Dinner/Entertainment

FRIDAY, OCTOBER 21, 2016 (Day 3)

7:30 AM—8:30 AM		Breakfast and Raffle
9:00 AM—10:30 AM	Session 1	<p><u>Topic 1</u>—Alumni Session and Reunion for all HR Leadership Academy Graduates</p> <p><u>Topic 2</u>—Title IX - Step by Step to Compliance and Success (Laura Schulkind, Liebert Cassidy Whitmore and Lisa Winter, Santa Monica College)</p> <p><u>Topic 3</u>—Discipline Investigations—How to Serve as a Skelly Officer (Rex Randall Erickson, Erickson Law Firm APC)</p>
10:45 AM—12:00	Session 2	Legal Eagles—Town Hall with Liebert Cassidy Whitmore
12:00—2:30 PM		Training Committee Meeting and Lunch

PRE-CONFERENCE, Tuesday, October 18, 2016

10:00 AM—5:00 PM—HR Leadership Academy (*Tahoe*)—Session 3 for 2016 Cohort (*This workshop is only for those who are registered for the Academy and have attended the previous 2 sessions*)

12:00 Noon—6:00 PM - Early Bird Registration (*Foyer*)

1:00 PM—5:00 PM - Session 1 (Break 3:00 pm—3:15 pm)

“Advanced Negotiations for the New Union Tactics” (*Regency D*) Abe Ali, Vice President, HR, Mt. San Antonio College; Gene Huff, Exe. Vice Chancellor, Administrative Services, Contra Costa CCD; Paul Loya, Partner and Tina Kannarr, Senior Counsel, both from AALRR. This session is intended for potential or current team negotiators who want to sharpen their negotiation and labor relations skill sets in highly interactive work sessions. We will provide the legal background of how collective bargaining works in the California Community College system, coupled with real life application of what human resources management professionals should be facilitating in the collective bargaining process. Participants will leave this session with a better understanding of how human resources management professionals can effectively engage in the collective bargaining process using traditional or interest-based collective bargaining methods. Expert facilitators from AALRR and Community College District Human Resources will present the materials in a case scenario format requiring active participant engagement.

This Workshop offers MCLE credit

6:00 PM—9:00 PM - HR Leadership Academy Graduation Dinner

DAY 1, Wednesday, October 19, 2016

7:30 AM—8:30 AM - Registration (*Foyer*)
Breakfast (*Ballroom A, B, & C*)

8:30 AM—10:00 AM - Session 1 (*Ballroom A, B, & C*)

Keynote Speaker - John Didion - Retired Executive Vice Chancellor of Human Resources and Educational Services

“Why Human Resources is Important”, John Didion recently retired from Rancho Santiago Community College District as the Executive Vice Chancellor of Human Resources and Educational Services. He has 34 years of administrative experience in California Community Colleges. John was an active member in ACHRO and the Southern 30 region.

John has a wealth of experience in Community College Human Resources and he will be sharing with us, "Why Human Resources is Important". He will be sharing with us his thoughts and experiences on the Human Resources profession in the community colleges as well as in the context of American Business.

10:00 AM—10:30 AM - Break

DAY 1, Wednesday, October 19, 2016 (continued)

10:30 AM—12:00 - Session 2 (Ballroom A, B, & C)

“THE NEW FRISK” Alan Rasmussen and Mike Crass, both from Educational Support Services, in Affiliation with AALRR. This session reviews strategies on HOW to deliver the FRISK® message to influence employee cooperation for change. Key communication skills and evaluator behaviors to support cooperative change are explored through interactive discussion and practice.

This Workshop offers MCLE credit

12:00—1:30 PM - Lunch (Ballroom A, B, & C)
Graduation for the HR Leadership Academy

1:30 PM—1:45 PM—Break

1:45 PM—3:15 PM - Session 3

- **“Managing On-Going Intermittent Leaves & Tackling Leave Abuse” (Regency F)** Rachel Shaw, President/Principal Consultant, Shaw HR Consulting, Inc. This session is a high octane training on the complicated issues Human Resource professions tackle when managing the impact of leave on your organization in light of employee rights under the FMLA, CFRA, FEHA, and ADA. * Recommendations on how to identify when leave accommodations have not worked. * Strategies to tackle excessive leave and abuse of leave issues. * Understanding the interconnectedness between the Disability Interactive Process and FMLA/CFRA leaves. Rachel will navigate the above topic with you and leave your heads spinning and pockets full with tools and samples to take with you!
- **“Signing on the Dotted Line—Best Practices for Hiring Employees” (Regency D)** Marisa Lincoln, Partner and Stephanie White, Associate both with Lozano Smith. Ever wonder whether and to what extent you can consider an arrest or conviction in hiring an employee? Is your reference and background check sufficient to overcome claims of negligent hiring? Can you have an employee begin work before their fingerprints have cleared? This presentation will answer these and many other questions regarding the interview and hiring process for community college district employees. Attendees will learn the legal requirements and best practices for hiring employees.
- **“Understanding and Navigating Employee Leave Law” (Regency E)** Rex Randall Erickson, Principal Attorney, Erickson Law Firm A.P.C. The program will explain the different leave requirements for employees under both State and Federal Law. The program will focus on when these different leaves run consecutively and concurrently so community college districts can plan accordingly early in the process. The program will also discuss how employee leave interacts with reasonable accommodation requirements, workers compensation, and the disciplinary process.

3:15 PM—3:30 PM—Break

DAY 1, Wednesday, October 19, 2016, (continued)

3:30 PM—5:00 PM - Session 4

- **“So You Think You Want to be a CHRO” (Regency E)** Barbara Ginsberg, Partner/Attorney-at-Law, Atkinson, Andelson, Loya, Ruud & Romo and Cindy Vyskocil, Vice Chancellor, Human Resources, Coast CCD. We are back and in game show format! Test your knowledge and explore a wide variety of topics that keep every CHRO up at night! From hiring practices to accommodation, discipline, team building, leaves of absence, coaching, technology, privacy rights, investigation, and anything else we think you need to know! See if you can discern the best answer in each scenario. Learn tips and ticks, best practices, and maybe even win a prize here and there!
- **“Investigations: Effective, EEO/Student Complaints” (Regency F)** Edward Saucerman, President, the Titan Group, and Dio Ship, Associate Vice Chancellor, Contra Costa CCD. Come see how the pros do it. Learn how to dissect complaints, formulate allocations and scope, setting up interviews and which order, documenting and recording, interview techniques, and compiling your report.
- **“Using the New Professional Learning Network to Advance Professional Development Learning” (Regency D)** Michelle DuBreuil, PMP, Project Manager and Michelle Pilati, PhD, Managing Editor/Training and Outreach Coordinator, both from Professional Learning Network. The Professional Learning Network is a project of the Chancellor’s Office-led Institutional Effectiveness Partnership Initiative. This session will demonstrate how the Professional Learning Network can facilitate sharing of valuable education resources. This portal contains success stories shared by faculty, staff, and other experts from the education sector. Resources include lesson plans, rubrics, methodologies, presentations; as well as footage of conferences, best practices related to enhancing student success and outcomes. All Professional Learning Network resources are curated by subject matter experts within the CCC system, ensuring that content is both high quality and relevant. By sharing what works, faculty and staff from other institutions can build on this wealth of knowledge and lessons learned for application within their own campuses.

5:30 PM—6:30 PM - Happy Hour - *The Vine Café—Hyatt Regency*



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DAY 2, Thursday, October 20, 2016

7:30 AM—8:30 AM - Breakfast (*Ballroom A, B, & C*)

DAY 2, Thursday, October 20, 2016, (continued)

8:30 AM—10:00 AM - Session 1

“Dealing with Injured and Difficult Employees” (*Ballroom A, B, & C*) Bill Poland, SWACC JPA Manager and Colleen Bjerknes, SWACC Assistant JPA Manager, both from Keenan & Associates. When an employer is dealing with an injured or difficult employee, there are certain procedures which must be followed and responsibilities the employee and employer need to follow in order for things to proceed smoothly. At the end of the day whether it be Employment Practice Liability or Workers’ compensation the idea is to treat them quickly, far but firm, in a consistent manner, and without emotions getting in the way of the process.

10:00 AM—10:30 AM - Break

10:30 AM—12:00 - Session 2

- **“Negotiations Primer”** (*Regency D*) Ryan Davis, Vice President of Human Resources, Sierra College and Michelle Cannon, Lozano Smith. Every Human Resources administrator should have a working understanding of the collective bargaining process under the EERA (Rodda Act). This presentation will provide an overview of the entire labor negotiations process from sunshine proposals to negotiations methodologies to ratification (with an off the road detour midway to address impasse procedures and communications strategies). Along the way, notable and recent PERB decisions will be highlighted.
- **“Drug and Alcohol Investigations—Intoxication and Incapacitation—What a Title IX Investigator Needs to Know”** (*Regency E*) Keith Rohman, Senior Trainer and Eve Fichtner, Senior Trainer, both from T9 Mastered, Inc. Alcohol and drug intoxication is at the center of many, if not most, Title IX investigations, and come up in other campus investigations, as well. Investigators need a basic understanding of both the biology of intoxication, as well as how to determine whether someone is incapacitated by their use of alcohol or drugs. The training will give a basic overview of the relevant biology, including the impact on behavior, how to identify the signs of intoxication, and what questions to ask witnesses and parties about their observations. Following the discussion of intoxication, the training will cover the elements of incapacitation as set forth in the California Education Code, provide practical examples of what to look for, and identify what to ask during an investigation to help resolve this important question.
- **“New Affordable Care Act Developments and How They Impact Your CCD”** (*Regency F*) Heather DeBlanc, Partner, Liebert Cassidy Whitmore. The Affordable Care Act and its effects on community college districts are ever-changing. Our session will brief attendees on the new developments under the ACA relating to flexible benefit contributions, cafeteria plans, and cash in lieu arrangements. Employers have exposure to various types of penalties under the ACA including those relating to the employer mandate, the group health plan mandates, and reporting. We will discuss how the new ACA developments could expose your district to penalties, how the new laws impact your bargaining tables, and issues you should consider before changing your health benefit provisions. This will be an interactive PowerPoint presentation with a helpful reference checklist for audience members.

12:00-1:30 PM - Lunch (*Ballroom A, B, & C*)

“Chancellor’s Office on EEO Best Practices” Jacob Knapp, Deputy Counsel, Peter Khang, Deputy Counsel, both from the Chancellor’s Office; Laura Schulkind, Partner, Liebert Cassidy Whitmore; Sylvia Macias, District Compliance Officer, Los Angeles CCD; Irma Ramos, Vice Chancellor, HR, North Orange County CCD; Sheri Wright, HR Director, MiraCosta. As the diversity of the student population of California community colleges continues to rise, it is more important than (*continued*)

DAY 2, Thursday, October 20, 2016 (continued)

(continued from Page 4) - ever that effective EEO programs are in the place to attract and retain diverse employees in classified, faculty, and administrator ranks. Practical examples of best practices at the pre-hiring, hiring, and post-hiring stages will be provided by a panel of your peers. This information will be invaluable whether your district already has an EEO plan in place (they can always be improved) or is working furiously to put one in place that is in compliance with the updated Title 5 regulations.

1:30 PM—1:45 PM - Break

1:45 PM—3:15 PM - Session 3

- **“Proposed FLSA Regulations: Clarifying FLSA Exemptions” (Regency F)** Kristine Kwong, Esq., Partner, Musick Peeler & Garrett, LLP/ASCIP. The U.S. Department of Labor is about to issue new regulations on exempt classifications. Learn the new tests for determining when to properly classify someone as an exempt employee.
- **“Pension Reform and Tools to Keep Costs Low in Benefits” (Regency E)** Elaine Recodia, Director, Corporate Partners & Strategic Initiatives of CCLC; Michelle McKay Underwood, Director, Government Relations, School Services of California; Maureen Toal, Senior Vice President, Public Affairs, PARS. CalSTRS contribution rates will more than double through 2020, CalPERS rates are on the rise. New GASB 68 will mean pension liabilities on financial statements for the first time and greater scrutiny. CalSTRS now has greater authority to raise rates beyond 2020. These regulatory demands and rising pension and benefit costs pose challenges for collecting bargaining and Human Resources Departments. A panel of CCLC, ACCCA, PARS, representatives will talk about the new landscape and approaches and tools being used by districts to manage these costs and liabilities.

This Workshop offers MCLE credit

- **“The Role of Human Resources in Title IX Compliance” (Regency D)** Aaron O'Donnell, Partner and Sharon Ormond, Partner, both from AALRR. Employment law attorneys will provide critical information and advice on how universities and colleges and their administrators can navigate this complex area of the law, avoid violating their obligations under Title IX and the Clery Act, and create a safe learning community on campus.

This Workshop offers MCLE credit

3:15 PM—3:30 PM - Break

3:30 PM—5:00 PM—Session 4

- **“Introduction to the ACHRO HR Leadership Academy” (Regency D)** Laura Cyphers Benson, Associate Vice President, Shasta College and David P. Bugay, PhD, Vice Chancellor, HR & employee Relations, South Orange County CCD. The HR Leadership Academy develops future leaders of the community college HR organizations. The program provides intense, direct training for new chief human resource officers and others who want to learn the intricacies of community college HR work. The HR Leadership Academy includes over fifty hours of training by the State's top practitioners and attorneys who guide participants through practical, hands-on workshops on topics such as collective bargaining, investigations, HR Leadership, discipline, evaluations and more. This workshop provides an overview of HR Leadership Academy program. Come see if this is the right fit for you!

DAY 2, Thursday, October 20, 2016 (continued)

3:30 PM—5:00 PM - Session 4 (continued)

- **“High Stakes Litigation: Best Practices for Preparing Cases for Administrative Hearings” (Regency F)** Warren Kinsler, Partner, and Sharon Ormond, Partner, both from AALRR. AALRR attorneys will walk you through each step of litigation, such as analyzing the strengths of a case and whether settlement is appropriate, collecting evidence, determining whether expert witnesses are needed, preparing for a deposition, answering written interrogatories, and preparing to testify at trial.

This Workshop offers MCLE credit

- **“Best Practices for Communicating Respectfully on Campus” (Regency E)** Sondra Solovay, Esq., Vice President of Content, Campus Answers. The session will cover best practices for communicating respectfully and effectively with all parties on campus. Participants will learn best practices as well as practical strategies to improve communications with a diverse campus population. This workshop is an excellent learning opportunity for all levels of experience.

6:00 PM—10:00 PM—Cocktails, Dinner, and Entertainment

***Delta King
1000 Front St., Old Sacramento, CA 95814
in the Mark Twain Salon***

Transportation will not be provided. Event is one mile from the hotel. Taxi, Uber, or Lyft is always an alternative, if that is your preference. However, walking is encourage.



EVENT SPONSORED BY

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DAY 3, Friday, October 21, 2016

7:30 AM—8:30 AM - Breakfast and Raffle !!! (don't be late) (Ballroom A, B, & C)

8:30 AM—9:00 AM - Break

9:00 AM—10:30 AM - Session 1

- **“Alumni Session and Reunion for All HR Leadership Academy Graduates” (Regency E)**
- **“Title IX—Step by Step to Compliance and Success” (Regency F)** Laura Schulkind, Partner, Liebert Cassidy Whitmore and Lisa Winter, Compliance Administrator/Title IX Coordinator, Santa Monica CCD. Title IX compliance depends on interdisciplinary planning and hard work — and compliance isn't made easier by the change and uncertainty of this still-evolving area. This workshop is designed to provide a real-world set of strategies that meet your legal obligations within your operational realities. Based on their experience, Lisa and Laura have had drafting and implementing Title IX policies and procedures, they will provide you with a set of practical Title IX compliance strategies, based on operational realities and up to date legal guidance. This workshop will provide specifics on: Step by step actions, to apply, share, and adapt to your *(continued)*

DAY 3, Friday, October 21, 2016 (continued)

9:00 AM—10:30 AM - Session 1 (continued)

- *(continued from Page 6)* - college; How to generate successful Title IX programs and initiatives in compliance with Title IX and OCR recommendations; How to build college and community support; How Santa Monica College worked collectively on recommendations, to develop its policies and administrative regulations dedicated to Title IX.
- **“Discipline Investigations—How to Serve as a Skelly Officer” (Regency D)** Rex Randall Erickson, Principal Attorney, Erickson Law Firm A.P.C. This program will explain “Skelly Rights” - The legal requirements the District must go through prior to disciplinary action. In particular, the program will focus on training Human Resources professionals on how to serve as “Skelly Officers” in disciplinary actions. Attendees will learn how to present the documents supporting discipline at a “Skelly Hearing,” the legal standard for sustaining, modifying, or overruling the proposed discipline, the scope of the employee’s right to respond, and the employee’s right to union representation. Following the presentation, attendees will be able to serve as “Skelly Officers” in matters where they are not personally involved, train other administrators in their District, or form partnerships with neighboring Districts to serve as “Skelly Officers” for one another.

10:30 AM—10:45 AM - Break

10:45 AM—12:00 - Session 2

“Legal Eagles—Town Hall (Ballroom A, B, & C) Eileen O’Hare-Anderson, Laura Schulkind, Frances Rogers, David Urban, and Pilar Morin, all Partners from Liebert Cassidy Whitmore. Do you have questions? Well, we’ve got answers. Come get your questions answered while learning how to deal with legal issues important to your District. Community College districts deal with a number of issues on a daily basis and it’s best to be prepared. Share your questions with others who probably have the same problems, concerns and issues. This is a great opportunity to get some great legal answers—without those pesky billable hours!

This Workshop offers MCLE credit

12:00—2:30 PM - Training Committee Meeting and Lunch

Thank you for attending the 2016 ACHRO/EEO

Fall Training Institute!

ACHRO/EEO TRAINING COMMITTEE

Albarran, Charo, Napa Valley College
Ali, Abe, Mt. San Antonio College
Bainlardi, Allison, Los Angeles CCD
Beam, Linda, El Camino CCD
Best, Trinda, Victor Valley CCD
Bugay, PhD, David P., So. Orange CCCD
Burris, David, Feather River College
Carlson, Connie, College of the Redwoods
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Cortez, Ruth, ACHRO/EEO Assistant
Cyphers Benson, Laura, Shasta College
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