IS YOUR RESTAURANT OSHA COMPLIANT?
The mission of the Nebraska Restaurant Association is “To Represent, Educate and Promote the Hospitality Industry”. The purpose of this report is to share with you some of the ways we have worked to accomplish our mission in 2012.

As we approach the middle of fiscal year 2012 we are in better financial condition than in 2011. Revenue is four percent below plan but most revenue accounts are on or close to budget. Allied dues are somewhat short but June dues are still arriving and other income accounts for rent and HEF management are current but deposited after May 31. We accrued unbudgeted “Diamonds on Ice” expenses in the Taste of Nebraska account but total expenses are right on because overages in this account are offset by savings in other accounts. This is a great improvement over last year.

This year’s Taste of Nebraska Reception and Awards Dinner was a great social success. Attendance was equal to last year, the menu was excellent, the décor and entertainment well received and we had a number of outstanding nominations for the awards. Sponsorships for Taste of Nebraska and Silent Auction receipts were about equal to previous years. We appreciate the support of all of our sponsors. Special thanks to the Title Sponsors: Pepsi, Coca-Cola Refreshments USA, Lincoln Poultry, and Sysco Lincoln.

The “Taste of Nebraska” committee under the leadership of Denis Hall, with the outstanding support of Beth Haas and Brandy Nielson and the excellent menu provided by Premier Catering deserve a great deal of credit for the success of this event.

The Hospitality Education Foundation held the third annual HEF Golf Outing on June 18th, 2012, at the Players Club in Omaha. This was a successful fundraiser for the Foundation last year and an excellent opportunity to become better acquainted with our Omaha members. Michael McCarville and Heartland Payment System arranged for the use of the Players Club and Pepsi was the title sponsor for this event. Funds raised will be used to support the ProStart® Program including state and national competitions and scholarships. We expect to schedule the fourth annual HEF Golf Outing next summer at the same location.

Membership

One of our priorities is to be more proactive and aggressive in promoting the hospitality industry, Nebraska restaurants and our Association. Brandy Nielson has worked diligently to update our website and improve the quality of our publications and programs benefiting our members.

Our membership base has held strong over the past six months. Brandy has continued her efforts at growing membership by scheduling Hospitality Roundtables in various locations throughout Nebraska. By offering a free educational seminar we are hoping that non-members recognize the advantages and benefits of association membership.

Brandy has also continued to grow our website advertising and social media presence. Our website has a fresh, clean, updated look and is packed with valuable information for our members with links to other websites featuring information useful to the hospitality industry.
New Century Agency was founded in 1993 by George & Arlene Thietje. New Century specializes in restaurant insurance and currently writes over 500 restaurants throughout the Midwest.

Fishbowl
E-Marketing Solutions
Contact: Joe Gabriel
703.836.3421 x 230

Fishbowl has proven that targeted email marketing will generate more sales and increase guest frequency. Through a partnership with the Nebraska Restaurant Association and the National Restaurant Association, Fishbowl provides savings to current members.

Jackson Lewis LLP
Legal Services
Contact: Chad Richter
402.391.1991

Specializing in employment and labor laws, Jackson Lewis offers members a significant discount for legal services.

Heartland Payment Systems
Credit Card / Payroll Processing
Contact: Michael McCarville
402.551.9832

Heartland Payment Systems offers a full line of payment acceptance and payroll processing options designed specifically for association members. Local representation. Flexible, one-stop solution.

Nebraska.Statepaper.com
Online Dining Guide
402.403.1176

Nebraska.Statepaper.com is the premiere online dining guide of the Nebraska Restaurant Association. In addition to a free listing, members of the Nebraska Restaurant Association may receive additional discounts with enhanced listings and websites.

Broadcast Music Incorporated (BMI)
Music Licensing
Contact: Cleve Murphy
615.401.2877

Nebraska Restaurant Association members can save up to 20% thru BMI. BMI collects license fees on behalf of songwriters, composers and music publishers and distributes them as royalties to those members whose works have been performed.
Restaurant owners and workers will now have a faster, easier way to connect on new employment opportunities. CareerBuilder will be powering the career channel for the National Restaurant Association, the restaurant industry’s leading association representing more than 380,000 restaurant businesses. At www.restaurant.org, job seekers will gain instant access to a wide variety of restaurant and foodservice industry jobs, job search tools and career advice, and employers will be able to reach an expansive talent pool for service, management and corporate positions.

Under the two-year agreement, CareerBuilder will become the exclusive provider of recruitment and job search services for National Restaurant Association members as well as its state restaurant association members. Members are able to tap into resources from CareerBuilder’s general job board, as well as its niche site for restaurant jobs JobsOnTheMenu.com.

“Our industry prides itself in providing rewarding career opportunities for millions of individuals, and the National Restaurant Association is committed to helping our members recruit and retain great employees,” said David Gilbert, Chief Operating Officer of the National Restaurant Association. “Partnering with CareerBuilder provides restaurant employers and workers with rich content and opportunities from the largest job board in North America. This will be an important tool to drive continued growth in our industry.”

The restaurant industry is the nation’s second largest private sector employer with a workforce of 12.9 million. The industry is projected to add by 1.4 million positions, reaching 14.3 million, in the next decade, according to the National Restaurant Association. Restaurant industry job growth is also on track to outpace overall job growth for the 13th consecutive year in 2012.
Education

The education part of our mission is fulfilled by the Hospitality Education Foundation which supports the ProStart® Program and ServSafe® Training developed by the National Restaurant Association. Beth Haas is responsible for both of these programs. She serves as a resource for the teachers in the forty six high schools participating in ProStart and did an exceptional job scheduling and managing the regional and national competitions. Her goal is to expand ServSafe and ServSafe alcohol training in the state. In order to accomplish this she has established a cooperative relationship with the University of Nebraska Extension Department and uses their resources across the state to support the training program.

We are always looking for ways to expand existing service and develop more effective ways of delivering these services and our primary focus for the rest of 2012 will be to:

- Effectively represent your interests to the Nebraska Unicameral and the Nebraska Congressional Delegation.
- Continue to expand food and alcohol safety training and consulting programs.
- Aggressively promote the hospitality industry, individual restaurants and the association.
- Recruit new members.
- Maintain more frequent and effective contact with existing members throughout the state.

All of us on the staff appreciate your strong support and guidance as we navigate our way through the challenges of 2012.

Legislative Review

The National Restaurant Association PAC continues to contribute to our Nebraska federal candidates based on their position on the issues. In past election years total contributions to Nebraska candidates for the US Senate and House of Representatives have been about $36,000. Our contribution to the NRA PAC has averaged less than $700. The NRA calculates our fair share to be $4,500. I encourage you to consider contributing to this PAC so that we can support candidates with some understanding of issues important to our industry during the next election cycle. Please contact me at jpartington@nebraska-dining.org for further details regarding your contribution.

Membership in the Nebraska Restaurant Association is a “two for one deal” as it also includes membership in the National Restaurant Association. The National Restaurant Association provides the research and financial resources to support and coordinate lobbying efforts at the federal level. At the state association level we are personally acquainted with the members of our congressional delegation so we are able to meet with them on a regular basis and discuss national issues in person.

Both Associations have been working together diligently to represent the interests of the hospitality industry with particular focus on the following issues.

Federal Issues

Health Care

Health care legislation passed both the Senate and the House and was signed by the President. The Supreme Court has reviewed the law and by a five to four split vote decided that the law complied with the Constitution. It’s a complex law which we covered in detail in previous issues. The National Restaurant Association is working with regulatory agencies to modify some of the provisions most burdensome to small business and restaurants. The focus is on defining a full time employee in a way that reduces the number of people for which small businesses are required to provide health insurance, extending the time after hire before insurance is required, streamlining reports and reducing penalties. The most accurate and current source of information on this subject can be found on the National Restaurant Association Web Site, www.restaurant.org.

We continue to coordinate with the National Restaurant Association, Immigration Works USA, and the National Retail Federation to keep our congressional delegation informed of our concerns and define positions on a variety of issues of interest to our members.

State Issues

The 2012 Session of the Nebraska Unicameral has adjourned. The Nebraska legislature operates on a two year cycle. Any bills introduced in the 2011-12 session and not acted on are now officially dead. However, they could be reintroduced in the 2013-14 session. Here are some of the issues that may have an impact on your bottom line.

Occupation Taxes

Restaurants are one of the primary sales tax collectors for the state and receive a pittance for doing so. Several cities have added to this collection burden by enacting occupation taxes and adding them to restaurant meals on top of sales tax. State law requires cities to get a vote of the people to increase city sales tax. However cities were allowed to enact and raise city occupation
taxes without a vote of the people. With our support, Senator Deb Fischer introduced legislation in the 2012 session to control the expansion of occupation taxes. It passed and was signed by the Governor. Thus state law now requires a vote of the people to implement a new occupation tax. Any changes to existing occupation taxes will also need to be put to a vote of the people.

**Toys with Children’s Meals**

Senator Avery introduced legislation in the 2011 session that would have made it illegal to include a toy with a children’s meal unless the meal met strict dietary standards. Commonly called the “Happy Meal Bill”, it brought on significant media attention. We worked hard to stop the legislation and in 2011 it was killed in committee. In the 2012 session, Senator Avery originally intended to introduce the bill again. We organized a meeting so that members could explain the progress the industry is making towards more healthy meal choices. Senator Avery re-evaluated the situation and chose not to re-introduce the legislation. We commend the Senator for his approachable and open minded manner.

**Sales Tax Cost of Collection**

Collecting sales tax for the state is costly to restaurants, especially in the case of credit card sales. After credit card processing fees on the sales tax portion are deducted, Nebraska sales tax collectors annually remit in excess of eight million dollars more in sales tax than they receive. At our request, Senator Fulton introduced legislation that would have returned over five million of this to help cover the cost of collection. It was not successful this year but we will keep up the fight.

**Dram Shop**

The term “dram shop” refers to legislation that holds sellers/servers of alcohol liable for damage, injury, or death as a result of selling or serving an intoxicated person. Nebraska is one of the few remaining “non-dram shop” states. Each time someone is killed by a drunk driver, the momentum to make Nebraska a dram shop state grows. It especially grows when it is obvious that the seller served or sold to an intoxicated person and unfortunately there are a few who do. There have been numerous bills introduced over the last several legislative sessions to make Nebraska a dram shop state. To date, we have been successful in stopping all of them, including this year’s attempt.

**Immigration**

State Senator Charlie Janssen of Fremont introduced an immigration bill similar to Arizona. Arizona’s bill requires police to verify a person’s immigration status if there’s “reasonable” suspicion the person is in the U.S. illegally. The Judiciary Committee did not advance the bill to the floor of the legislature. They chose instead to initiate an interim study on the issue. Senator Coash introduced legislation that would require employers to use the E-Verify system which did not advance out of committee. We anticipate more legislation to be introduced on this issue in future sessions.

**Flavored Malt Beverages (FMBs)**

The Nebraska Supreme Court ruled that existing Nebraska law required FMBs to be taxed as liquor, not beer. This would have been a significant adverse impact on our members who also brew their own beer. We were successful in getting Nebraska law changed so FMB’s will continue to be taxed as beer.

**Prohibit the Presence of Minors**

Legislation was introduced that would have prohibited the presence of minors in facilities that hold a liquor license. We were successful in stopping it.

**Alcohol Impact Zones**

This legislation would have allowed impact zones to be established within any community that is adversely affected by public inebriation. It could have limited member’s ability to serve alcohol with a meal depending on their location. We successfully opposed this.

**Workers Compensation**

The Nebraska Restaurant Association is a supporting member of Nebraskan’s for Workers Compensation Equity and Fairness which is an employer based organization specifically focused on workers compensation issues and has successfully stopped efforts that could have resulted in higher workers’ compensation rates for business owners.

**City Issues**

**Mandatory Alcohol Server/Seller Training**

While we hesitate to get involved in City issues, we felt the City of Lincoln’s recent training and permitting requirement for all sellers and servers of alcohol required our direct involvement. We invested considerable time and effort in meeting with members of the city council, giving input to city staff, and testifying against the ordinance at city council meetings. Our aggressive efforts resulted in a delay of the vote until more industry input was received and ultimately a much more workable situation. Everyone who sells or serves alcohol in the City of Lincoln is required to obtain a city issued permit by April 1, 2013. Permits issued by April 1, 2013 will be free. Permits issued after April 1, 2013 will cost $15. Both will be good for three years. The training will be available on-line at no charge. The original ordinance was much more burdensome to restaurants. We will investigate introducing a state law that would pre-empt city required training in the 2013 session of the Nebraska Unicameral.
Until recently, the restaurant industry has always been a low-risk industry to OSHA. However, the agency is now reviewing all workers compensation claims.

We recently had an incidence where a manager splashed a surface cleaner in his eyes. After rinsing his eyes with water, he contacted his area supervisor and was informed by them to go to the nearest urgent care facility where they rinsed his eyes with saline solution and sent him back to work.

Three months after the incident, an inspector for OSHA stopped in and asked for copies of all of our Material Data Safety Sheets (MSDS). This in turn led to more questions, such as where is your Hazardous Chemical Communication Program (HCCP), Job Hazard Analysis forms and do you have rubber gloves and safety glasses or goggles on hand?

The inspector spoke to the area supervisor, the general manager and the employee involved in the incident. In speaking to the area supervisor, the inspector was very helpful in directing us to websites where we could access the information needed to develop our own HCCP and Job Hazard Analysis sheets and what we needed to include in this program.

About four weeks after the initial meeting with the inspector, we received his findings in the mail. OSHA was imposing a fine for two violations.

1. Not having a written Hazardous Chemical Communication Program in place.
2. Not having rubber gloves and safety glasses or goggles available for the staff to use.

This notice also gave us the right to appeal the fine and speak to their inspectors. During this meeting they reviewed our initial HCCP and informed us of the items we were missing.

Hazardous Chemical Communication Program
When writing your HCCP, you need to be very specific as to who is responsible for an action – such as acquiring a new MSDS sheet for a new chemical. Is it the Corporate Office, Area Supervisor, General Manager or Shift Manager?

Being overly specific is better than being too generalized.

HCCP and Job Hazard Analysis Training
As you write your HCCP, you will need to define not only who is responsible for training your staff, but how you will implement this training. In doing this, you will need to define what type of record keeping system you will use to confirm the training.

After you have written your training program, review it. Is this a feasible means of communication? Is it too involved? Overly detailed? Simple and to the point is the best.

Remember – anything you write in your HCCP for your training program MUST be included in the training. NO EXCEPTIONS!

Job Hazard Analysis Form
This form will detail how the chemical is used, what hazard you may experience using this chemical and what type of hazard protection is to be used when handling this chemical. Your MSDS sheets will list what type of protection, if any, is needed when handling this chemical.

Hazardous Chemicals
On this page, you will detail each chemical you have on hand and how it is used - full-strength or diluted? If it is diluted, what is the dilution ratio?

Getting Started
Are you feeling overwhelmed by all of this information right now? Take a few deep breaths and relax. Google and internet are your friends. We found our HCCP and Job Hazard Analysis form templates within 20 minutes of searching the web. Once you have a generic version you like, this is your base model.

Next, if you haven’t already done so, make a list of all the chemicals you use and who you purchase them from. If you don’t have a MSDS sheet for a chemical, contact the supplier for a copy. Once they are compiled, you need to note where they will be kept in your HCCP.

Do you have rubber gloves, safety glasses or goggles on hand? Do you need to have them on hand? If you need them and don’t have them, be sure to procure them soon.

Once you have all of the pieces of this “puzzle” in place, you are now ready to implement your training program.
The Importance of U.S. Immigration Laws for the Unwary Restaurant Owner

By Amy L. Peck and Melina V. Villalobos, Attorneys At Law, Jackson Lewis

Federal Law requires employers to verify the identity and work authorization of every new hire through the use of the Form I-9. Easy enough, right? Not so fast. Though only one page, there are many legal complexities engendered in this process which may result in hefty penalties for mistakes made by the unwary employer when attempting to comply with the law. This article will provide a background of the agency charged with enforcing U.S. immigration laws against employers, highlight enforcement trends as they pertain to the restaurant industry, and discuss some ways that restaurant owners can protect themselves against government penalties for Form I-9 violations.

Immigration and Customs Enforcement (ICE), the enforcement arm of the Department of Homeland Security (DHS), is charged with the duty of conducting Form I-9 inspections and other worksite enforcements (commonly known as “worksite audits”), which involve physical inspections of an employer’s work location. Fines for errors committed during the I-9 verification process range anywhere from $110-$1100 per I-9 form. Criminal prosecutions can occur if facts support it.

Enforcement statistics spanning the last three years reveal that the Obama administration has taken a much tougher stance on employers who hire illegal immigrants than any administration in decades. Enforcement agents have subjected businesses across the country to much greater scrutiny, using tactics that were almost nonexistent four years ago. Federal officials continue to announce record numbers of investigations and fines. As of July 31, 2012, ICE had announced investigations of 3,015 businesses so far this year, outpacing the 2,748 conducted in all of 2011. A careful look at the DHS’s Budget Proposal for FY2013, reveals that enforcement of U.S. immigration laws is one of the Agency’s top five priorities. Form I-9 worksite audits, as numerous as they have become over the last 4 years, are especially lucrative for the agency, strictly from an economics perspective. DHS pulled in over $10 million in fines alone for FY2011 and visited more than 2,500 worksites as part of their enforcement efforts. Yet, many employers naively continue to operate with the notion that I-9 audits conducted by ICE happen to other organizations and not their own.

The Restaurant industry is one of the nation’s largest employers of immigrants. Out of a total of about 12.7 million workers in the restaurant industry, an estimated 1.4 million — both legal and illegal immigrants — are foreign born, according to the Bureau of Labor Statistics. According to the most recent estimates from the Pew Hispanic Center, about 20 percent of the nearly 2.6 million chefs, head cooks and cooks are illegal immigrants. Among the 360,000 dishwashers, 28 percent are undocumented, according to the estimates. These statistics coupled with the economic benefits of the government targeting a $550-billion-plus industry, make the restaurant industry highly susceptible to immigration enforcement. While restaurants are not the only businesses to fall under the government’s searchlight, they appear to be one of the most targeted industries. Although early in the last decade immigration enforcement was notoriously lax, with a kind of universal wink at kitchens using undocumented employees, the rising number of investigations and the penalties being sought against restaurateurs conclude that this tide has turned.

With the complexities of immigration law, the targeting of the restaurant/hospitality industry by ICE, and the bankrupting potential of fines for immigration violations, what can an employer do to reduce its compliance risks?

1. Hire competent compliance counsel to conduct an internal I-9 audit. Although it is tempting to conduct an I-9 audit without legal assistance, the nuances and complexities are often misunderstood by HR personnel. Attempting to remediate incorrect I-9’s without training on how to do so could result in ICE suspecting document tampering, or claiming that the I-9 should be disregarded because there is no adequate forensics trail for the remediation. Legal counsel can show you how to make the corrections in a way that is legally sound.

2. Training, training, training. Government agencies now recommend that employers hire an auditing law firm to train personnel to properly fill out I-9 forms. In addition to completing I-9’s, HR can be trained to detect fraudulent documents, how to purge I-9s that are no longer necessary (thereby reducing liability), and what to do when the government comes knocking.

3. Implementing policies and procedures that pertain to I-9 compliance. The government often requests to see your policies and procedures in an I-9 audit. If you have none, this could signal a lackadaisical attitude toward this responsibility.

4. Consider E-Verify. A growing number of states now require employers to use E-Verify, a government-run online system that instantly determines the eligibility of job applicants to work in the United States. Even in states where the system is not required, more restaurants are choosing E-Verify. Government officials also recommend consulting legal counsel to assist in navigating the complexities of the E-Verify process.

The National Restaurant Association is currently lobbying Congress for changes in immigration laws, including policies that would make it easier for undocumented workers to gain legal status. Jackson Lewis will continue to follow these developments. We are also available to assist employers with immigration enforcement issues and other workplace requirements.
The 24th annual Taste of Nebraska Reception and Awards Dinner was held on Monday, April 24th at The Strategic Air & Space Museum in Ashland. More than 525 guests dined beneath the wings of some of the most striking aircrafts in Hangar B of the Museum, while enjoying an extensive buffet catered by Premier Catering.

Hillis and Company, Lincoln, portrayed the “Diamonds on Ice” theme in the decor. Centerpieces with crystals hanging from the branches and mounds of ice crystals at the bottom and shades of blue and white adorned the venue.

Mike Alesio and Tony Messineo of Valentino’s were presented the Eastern Nebraska Hospitality Award for 2011 by Governor Dave Heineman. The Greater Nebraska Hospitality Award was awarded to Judy Daniell of Ricardo’s Mexican Restaurant in Norfolk. Con Agra Foods was presented the Allied Member of the Year Award.

The 2011 Nebraska Restaurant Neighbor Awards went to Dean Rasmussen of Grandmother’s, John Gabel of Concord Hospitality, Inc., and Greg Lindberg of Shuck’s Fish House. The National Restaurant Association and founding partner American Express developed the Restaurant Neighbor Award. It is designed to raise awareness about the restaurant industry’s contributions in local communities across the country and to inspire other restaurant operators and owners to make even greater contributions in their communities.

A new award, the Employee of the Year, was added to this year’s awards program. The four finalists for Employee of the Year were Randy Alby, daVinci’s; Patty Clark, Runza; Tim Higgins, Runza; and Doug Rowe, Anthony’s Steakhouse and Lounge. Doug Rowe of Anthony’s Steakhouse and Lounge was nominated by Jennie Warren and took home the Employee of the Year award for 2012.

The Nebraska Restaurant Association would like to thank Governor Dave Heinemann and special guest, Tom Osborne, for their attendance at this year’s awards dinner and for their continued support of the hospitality industry in Nebraska. The association would also like to thank the many sponsors that made the 24th Annual Taste of Nebraska another success.
I just got back to my restaurant this morning after my weekly radio show. The entire episode was, for the second week in a row, devoted to the issue of the ammoniated lean beef trimming, a.k.a. “pink slime.” This issue has almost turned into a national crisis. Consumer advocates, meat scientists, food retailers and wholesalers, beef raisers and even government officials are in the ring. So, who’s right and who’s wrong?

The science
One of the natural issues we, as humans, deal with is a symbiotic existence with our environment and the things in it. We encounter organisms and bacteria every day of our lives and yet we still live. But sometimes, that challenge is greater than our body’s capability to overcome it. So it is with certain foodborne bacteria, namely E. coli and Salmonella. These bacteria are predominant in meats, including beef. They originate from the intestinal tract of the animal, which is an acidic environment, and that’s where they live and propagate. In an alkaline or caustic acidity environment, the harmful bacteria die.

Before ammoniation, the lean beef is separated from the fat by heating the entire mass of fat and lean. It is then subjected to centrifugal force, which separates the lean from the fat, leaving a 96% to 98% lean beef. Since most of this product is handled multiple times and primarily outside carcass trim, the lean beef trimmings are now susceptible to possible bacterial contamination. These separated lean trimmings are then subjected to a light dosage of ammonia gas, creating an alkaline or caustic acidity (pH 8.0+). Since these harmful bacteria can’t live in this alkaline environment, they die and become inactive. Now the beef trimmings are completely safe.

Since the ammoniated product is very lean, it is mixed with varying levels of ground beef to a particular fat level. The inclusion rate has generally been 10% to 15% of the final mix. Some believe the alkalinity of the lean beef trimmings lends its bacteria-reducing properties to the final mix of ground beef.

Because of this process and other procedures in ground beef manufacturing, the amount and severity of pathogen recalls over the last five years is significantly less than during the 10 previous years. There’s no doubt that this process has increased the safety of the ground beef supply and also increased the meat yields from beef carcasses. It is also considered safe for human consumption. All in all, it’s a win win. Right?

The debate
I believe there are limitations to the ammoniated lean beef trimming. Generally, the trimming product is hard to separate because of connective tissues or silver skins. This type of meat, unless it’s cooked at considerable temperatures and for a longer time, than other meats, is not very flavorful or digestible. Silver skin is digestible only after processing, which yields a flavorless meat product. So, from a palatability standpoint, the treated lean beef trimmings add nothing to increase the flavor and, in all likelihood, will diminish not only flavor but also possibly the digestibility of the total added ground beef mixture.

But if the processed lean beef trimmings are safe to consume, what’s the big deal? It’s the surprise and lack of disclosure. With disclosure of all ingredients on labels, consumers can then make their personal choices. All of us have every right to full disclosure and accountability for the food products we buy, and our restaurant customers are now expecting this same behavior from us operators. If we’re not proud of the food we serve our customers, don’t expect people to be proud about patronizing our restaurants.

In my own restaurant, I don’t buy ground beef. We grind all our steak trimmings less the hard or saturated fat trim, yielding a superior tasting burger. In fact, on our evening menu, I use fresh Wagyu beef, fully trimmed 4-week-aged chuck eye rolls that are an 8-9 grade composite on the Japanese grade system. Anyone can produce a great tasting burger without having to use pre-ground product. Grinding trimmed cuts like chuck shoulder clods and clod hearts, brisket and short ribs works very well. The rounds or flats won’t add to the flavor and will lack texture during and after cooking.

We need to be proactive, and food should be our number one priority. Food is a personal and emotional issue, and our customers have the power to make or break the restaurant industry. Consumers brought the top seven or eight grocery chains to their knees to remove the textured lean beef trimmings from their shelves and they can and will make our industry accountable and transparent for the food we prepare and serve. As operators and chefs, our food speaks volumes about our accountability and the respect we have for our customers.

Prepared with years of formal education in Animal Science, Chef Ed Sabatka worked as a cattle nutritionist and consultant for over 20 years. He began a smoked meats catering business in 1994 and in 1998 opened Uncle Ed’s Steakhouse in Grand Island, NE. Chef Sabatka has won numerous prestigious awards for his restaurant and his beef in particular, including 2009 Best Beef Restaurant by the Nebraska Beef Council.
State ProStart Winners 2012

Nebraska’s brightest culinary and hospitality management stars shined bright as they vied for the state title and the opportunity to travel to the National ProStart Invitational April 27 – 29, 2012 in Baltimore MD.

For the third year, Papillion LaVista South won the state competition with its team, El Toro Loco. Team members are Jessica Mueller, Kayle Getzchman, Gage Gauchat and Samuel Mounce. The team’s teacher is Mrs. Louise Dornbusch.

“Our students have dedicated themselves to learning as much as they can in the classroom and during internships, then applying it in this competition. It is exciting to watch them earn the opportunity to represent our state at the national invitational,” said Beth Haas, Education Director Nebraska Restaurant Association Hospitality Education Foundation. “Basic Management and culinary skills, motivation, professionalism, and teamwork are key factors of success at this competition and as the students move forward in their career and education in the restaurant and foodservice industry.”

The Nebraska ProStart Student Competition is broken into two competitions: culinary and management. Team El Toro Loco participated in the culinary competition and demonstrated their creative abilities through the preparation of a meal consisting of a starter, entrée and dessert. In the management competition teams demonstrated their knowledge of the restaurant and foodservice industry by presenting their restaurant concept to a panel of “investor” judges.

Pepsi, Lincoln Sysco, Nebraska Dry Bean Commission, Nebraska Pork Producers, and Nebraska Beef Council sponsored the Nebraska ProStart Student Competition. Hosts for our regional competitions were Region 1 – Papillion LaVista High. Region 2 – Chadron State College Family Consumer Science and Creative Dining Services. Region 3 – Southeast Community College Culinary Arts, Foodservice and Hospitality Management Department Lincoln. State Competition – University of Nebraska Lincoln Hospitality Restaurant and Tourism Management and East Campus Union.

The ProStart program, administered by the National Restaurant Association Solutions and Nebraska Restaurant Association Hospitality Education Foundation, is a two-year curriculum designed to teach high school students the management skills needed for a career in the restaurant and foodservice industry. Students also have the opportunity to participate in paid internships under industry mentors. When students meet academic standards, complete a checklist of competencies, and participate in at least 400 hours of a mentored work experience, they are awarded the ProStart National Certificate of Achievement that signifies they are well qualified to enter the industry workforce.

The National Restaurant Association Educational Foundation (NRAEF) and the Nebraska Restaurant Association Hospitality Education are not-for-profit organizations dedicated to fulfilling the educational mission of the National Restaurant Association. As the nation’s largest private sector employer, the restaurant and foodservice industry is the cornerstone of the American economy, of career-and-employment opportunities, and of local communities. Focusing on three key strategies of risk management, recruitment, and retention, the NRAEF is the premier provider of educational resources, materials, and programs, which address attracting, developing and retaining the industry’s workforce. Sales from all NRAEF products and services benefit the industry by directly supporting the National Restaurant Association Solutions educational initiatives.

For more information on the NRA Solutions and ProStart go to www.prostart.restaurant.org

Work with a payments processor that empowers you to take control of your costs. Heartland offers credit card processing, gift card marketing, payroll services, tip management and check management that help businesses like yours streamline operations and reduce expenses. Let’s work together — so you can improve your profitability.

To learn more contact Michael McCarville at Michael.McCarville@e-hps.com or visit HeartlandPaymentSystems.com.
State ProStart Winners

Individual awards
Interviewing
1st Alex Garcia
2nd Casey Craven
3rd Moran Varble
4th Nyakewen Maidute

Portfolio
1st Alex Garcia
2nd Moran Varble
3rd Casey Craven
4th Nyakewen Maidute

Knife Skill Awards
1st Jeff Schwaller
2nd Cody Darly
3rd Morgan Bath

Tapas Plating Awards
1st Cara Hauk
2nd Lauren Mertens
3rd Francisco Paneuro

Vegetable Carving
1st Jeff Schwaller

Fruit Carving Awards
1st Trina Nelson
2nd Maria Lopez

Cake Decorating Awards
1st Shelby Stone
2nd Katherine Kunding
3rd Megan McCracken

Cupcake Decorating Awards
1st Tie Crystal Stauffer
2nd Tie Tyler Svoboda
3rd Stephanie MacLellan
4th Tifani Morones
5th Diamond Tuttle

Scratch Dessert Plating Awards
1st Melissa Brehel
2nd Grace Jacobsen
3rd Jessica Castillo
4th Josiah Fischer
5th Maria Lopez

Purchased Dessert Plating Awards
1st Crystal Stauffer
2nd Jamie Miller
3rd Andrea Contreras
4th Devon DesCombez
5th Alex Hillman

Team Awards
Best of Beef Award
1st Papillion LaVista Swarley
2nd Plattsmouth
3rd Milford Hot Habanero’s
4th Lincoln Southwest
5th Kearney

Best of Pork Award
1st Roncalli
2nd Papillion LaVista South Team Giddy Up
3rd Papillion LaVista High Fire and Ice
4th Milford Girls in White
5th Omaha Career Center Laura’s Legends

Best of Dry Bean Use
1st Milford Hot Habanero’s
2nd Roncalli
3rd Plattsmouth
4th Kearney
5th Papillion LaVista High Swarley

Gingerbread Competition
1st Papillion LaVista High

Best of Chili
1st Plattsmouth
2nd Beatrice
3rd Norris

Best Food Safety and Sanitation
1st Milford Neapolitans
2nd Papillion LaVista South Giddy Up
3rd Omaha Career Center Wake N Bake
4th Roncalli
5th Papillion LaVista Swarley

Best Team Starter
1st Lincoln Southwest
2nd Omaha Career Center Laura’s Legend
3rd Papillion LaVista High Swarley
4th Kearney
5th Omaha Wake N Bake

Best Knife Skills
1st Milford Girls in White
2nd Milford Neapolitans
3rd Omaha Career Center Wake N Bake
4th Omaha Career Center Laura’s Legend
5th Papillion LaVista High Swarley

Professionalism
1st Milford Girls in White
2nd Hemingford
3rd Kearney
4th Omaha Career Center Wake N Bake
5th Omaha Career Center Laura’s Legend

Management Award
1st Papillion LaVista South El Toro Loco
2nd Plattsmouth
3rd Milford Hot Habanero’s
4th Scottsbluff
5th Milford Girls in White

Culinary Team Award
1st Papillion LaVista South Giddy Up
2nd Lincoln Southwest
3rd Roncalli
4th Papillion LaVista High Swarley
5th Omaha Career Center Team Wake N Bake

Teacher of the Year
Louise Dornbusch Papillion LaVista South
Papillion LaVista South Represented Nebraska at the National ProStart Invitational

ProStart is developing the best and brightest talent into tomorrow’s industry leaders. ProStart gives students a sense of purpose and helps them feel passionate about their own future. That passion was displayed when Papillion LaVista South represented Nebraska in the National ProStart Invitational. The opportunity to participate in the National ProStart Invitational was a life changing experience for these students.

Prior to arriving at the National ProStart Invitational the PLV South team created a restaurant from the ground up. Their restaurant concept, El Loco Toro, was a casual Spanish themed restaurant based in ProStartville. The team was judged on their portfolio, presentation, critical thinking, team work, recipe and menu development, and costing. PLV team members include Instructor Louise Dornbusch, Jessica Mueller, Kayle Getzchman, Gage Gauchet, Samuel Mounce, and Mentor Bethany Weaver.

For the culinary segment the team competed in knife skills, poultry fabrication, team work, professionalism, food safety and sanitation, menu presentation, and taste. Kayle Getzchman was not very excited – or very willing – to touch a whole chicken when the team first started learning about poultry fabrication. However, in the end Kayle received 4.9 out of 5 in poultry fabrication.

ProStart - the NRAEF’s proven, high-impact program for high school students - reaches more than 90,000 students in 1,700 high schools across 45 states, the District of Columbia, Guam, and U.S. military bases. It introduces them to the career opportunities available in the restaurant and foodservice industry, and teaches them the restaurant management and culinary arts skills needed to launch their futures. In Nebraska 48 schools and 1500 are served by ProStart

We congratulate Papillion LaVista South on their success!
An Investment That Averages 400% - 600% Return!

That sounds like the late night ads on cable get-rich-quick-infomercials. Or, maybe it sounds like your financial conscience reminding you that you really should have bought gold at $350.00. But, this is a real return on a real investment. Unfortunately, it is not going to make you rich overnight. It will keep you from losing more money than you may have imagined.

What is this money miracle? (OK, stay with me here – this is the tricky part): It is your Work Comp Safety Program!

DO NOT CUT BACK ON SAFETY!!

With the increases in food prices everyone is looking for ways to trim their budgets.

A single $10,000 claim can easily increase your work comp premium by $1,000 a year. If your profit margin is 5% (per the National Restaurant Association) that means you will need an additional $20,000 in sales to pay for the cost of the claim. If your restaurant has $1,000,000 in annual sales for a 325 day year that means you have to take the profit from 20+ days to pay for that claim. You have better things than insurance to spend your profits on!

There are also changes coming in workers’ compensation that will increase the value of your safety program. Starting in January 2013, work comp loss values will be calculated differently. The effect of these changes will force more of the cost of a claim back onto the insured. I cannot think of any industry that will be affected more by these changes than the restaurant business. We will be discussing these changes at our NRA Roundtable meetings and in our newsletters.

If you do not have a safety program or if you think your current program is not performing as well as it could, please do not hesitate to give us a call at New Century Agency: 888.424.3800. Or, send me an email at george09@usa.net.

Safety programs are not as boring or as difficult as people think they are. We can show you very time and cost effective ways to implement a simple and effective program. And, we can provide you a no obligation quote that just may save you significant money.

In Memoriam – John A. Chisholm


John A. Chisholm, age 64 years, was preceded in death by his parents, John J. and Shirley M. Chisholm. He is survived by his wife, Amy; son, Scott; daughter, Lauren; sister Carol DeWitt; brother, James C. (Dena) Chisholm; father-in-law and mother-in-law William E. and Jean M. O’Connor, Sr.; brothers-in-law: William E. O’Connor, Jr., Mike O’Connor (Marti), Tom O’Connor; sisters-in-law: Maureen Raynor (John), Kerry Bast (Joe), Kim Leonhardt (Marty), Kyle Nelson (Mike), Jennie Warren (Matt), Katie Hausman (Dan); nieces, nephews, other relatives and many friends.

Memorials are suggested to Leukemia and Lymphoma Society, Project Harmony, Sacred Heart (CUES) or Creighton Prep.
Money On The Table
By Michael McCarville, Restaurant Specialist for Heartland Payment Systems

Let’s talk SERVICE and SUPPORT. Now, most companies say they provide service and support after the sale, but many never truly define just what you will be getting.

Heartland was founded with concern that the trend in service in our industry was navigating to be exclusively telemarketing. I’m not opposed to using the telephone to communicate. In fact, I use it constantly both with voice and text messaging. However, I do believe in being there when my customers need me. And that is the same philosophy that has driven Heartland Payment Systems since our inception.

I have worked for companies that promised the world and fell far short when it came to deliver. That is why I no longer work with them. I actually found myself receiving threatening phone calls because my so-called customer service department didn’t seem to care about my customers. And that is when I started looking for a company that did care. Almost fourteen years ago, I found a young company (Heartland Card Services at the time) that had set out to prove the processing industry wrong. A company could grow and prosper by putting great customer-focused individuals on the street helping restaurateurs solve their daily problems in a face-to-face environment. Heartland has over 1,500 sales and service representatives in 50 states, all ready to provide great service and support after bringing the best business solutions to your restaurants.

We’ve evolved into the most diversified company in our industry by listening to our customers, bringing new products to their tables, and continuing to fine tune the products as customers needs evolve. Heartland Card Services became Heartland Payment Systems in 1999 when we formed the Heartland Payroll Company. We have added many other divisions in an effort to bring the best business solutions to our customers: Heartland Loyalty Marketing because it’s not just about gift cards anymore; Heartland 360 POS because the status quo in PC based POS was nickel and diming merchants to death; Freshtxt because the online reservation process and small message service options were getting way too expensive. And, as I discussed in my last column, Mobuye card processing via smart phones and iPads finally brings a fully secure form of wireless processing for backup and off-site processing.

Heartland Payment Systems offers many other great tools for your business. We offer some of the best payment processing and marketing tools for the restaurant industry. We want to be your partner because we are the best provider of solutions for your business. Solutions that will bring more money to your table. For more information, contact me at michael.mccarville@e-hps.com or call 402.551.9832 office or 402.699.1502 mobile.

Industry News

SERVSAFE Calendar

<table>
<thead>
<tr>
<th>July</th>
<th>Lincoln</th>
<th>Beth Haas</th>
<th>402.488.3999</th>
</tr>
</thead>
<tbody>
<tr>
<td>10th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23rd-24th</td>
<td>Omaha</td>
<td>Cindy Brison</td>
<td>402.444.7872</td>
</tr>
<tr>
<td>August</td>
<td>Lincoln</td>
<td>Beth Haas</td>
<td>402.488.3999</td>
</tr>
<tr>
<td>8th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>September</td>
<td>Lincoln</td>
<td>Beth Haas</td>
<td>402.488.3999</td>
</tr>
<tr>
<td>12th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18th-19th</td>
<td>Valentine</td>
<td>Jeanne Murray</td>
<td>308.762.5616</td>
</tr>
<tr>
<td>26th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>October</td>
<td>Lincoln</td>
<td>Beth Haas</td>
<td>402.488.3999</td>
</tr>
<tr>
<td>8th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15th-16th</td>
<td>Omaha</td>
<td>Cindy Brison</td>
<td>402.444.7872</td>
</tr>
<tr>
<td>29th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30th</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>November</td>
<td>Lincoln</td>
<td>Beth Haas</td>
<td>402.488.3999</td>
</tr>
<tr>
<td>12th</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Contact Beth Haas to register 402.488.3999 ext.1 or beth_haas@nebraska-dining.org

ServSafe Food Safety Quiz

Answers:
1. Time and Temperature Control for Safety food
2. 10 – 15 seconds vigorously scrubbing – for a total of 20 seconds
3. OSHA
4. Yes, it is a requirement to train each employee on the proper use and handling of each chemical in your establishment
5. 165˚ F for 15 seconds
6. 41˚ F or lower

ServSafe Alcohol Quiz

Answers:
1. When the alcohol enters your mouth
2. A state identification card is given to people who do not drive
3. No, only Nebraska State Identification Cards are allowed
4. Yes, a flashlight helps to spot fake id’s
5. Yes, the I.D. Checking guide is a great resource when checking id’s. It has every state current id for you to verify
6. Yes, a change in behavior is more revealing than the actual behavior
Calendar of Events
Find updates online at www.nebraska-dining.org

For additional information contact
Brandy Nielson at 402.488.3999, ext. 2

July 11
Regional Roundtable, Norfolk*
Ricardo’s Mexican Restaurant
2:00 PM – 4:00 PM
Agenda:
2:00 Greetings from the Nebraska Restaurant Association
2:10 Beth Haas, Hospitality Education Foundation, “OSHA Violation Update”
2:50 Jill Poole & Susan Schneider, Attorneys, Jackson Lewis, LLP, “Employee Labor Law and the New I-9 Form”
3:30 Question and Answer, Roundtable Open Discussion Time
4:00 Adjournment

July 25
Regional Roundtable, Beatrice*
Valentino’s
2:00 PM – 4:00 PM

July 28
Wings Under the Wings Competition
Strategic Air & Space Museum, Ashland
Wing Tasting NOON – 3:00 PM
Contact Beth Haas to participate
402.488.3999 ext. 1

August 13
Omaha Restaurant Association Golf Tournament
Champions Run, Omaha
Contact Jennie Warren for more information
402.493.4739

August 15
Regional Roundtable, Grand Island*
Uncle Ed’s Steakhouse
1:30 PM – 3:30 PM

September 14-23
Omaha Restaurant Week

September 17
NRA Fall Golf Outing
Hillcrest Country Club, Lincoln

October 21
Omaha Hospitality Hall of Fame Dinner
Institute of Culinary Arts
Metropolitan Community College, Omaha
5:00 PM

*All Regional Roundtable meetings are free to attend and we welcome both NRA members and non-members to join us for these educational seminars. Please email Brandy Nielson to RSVP at bnielson@nebraska-dining.org.

Welcome New Members

Restaurant Members

CHERRY HILLS EVENT CENTER
Kathy Dick
7050 North 102nd Circle
Omaha, NE 68122
www.cherryhillseventcenter.com

JILLAGIO PIZZERIA
William Thompson
6922 North 102nd Circle
Omaha, Ne 68122

Allied Members

HEARTLAND NATURAL GAS
8540 Executive Woods Drive, Ste. 200
Lincoln, NE 68512
www.heartlandnaturalgas.com

ARBOR DAY FOUNDATION
Lisa Sypal
211 North 12th Street
Lincoln, NE 68508
www.arborday.org

SAM’S CLUB
Jessica Wilborn
8600 Andermatt Drive
Lincoln, NE 68526
www.samsclub.com

Sam’s Club is announcing the grand opening of their 2nd location in Lincoln on August 29th on the corner of Nebraska 2 and S. 84th Street. Sam’s Club will be hosting an open house exclusively for all Nebraska Restaurant Association members on Sunday, November 11th. Head on out to the new Sam’s Club and enjoy refreshments and special membership offers. In addition, Nebraska Restaurant Association members are eligible for a special membership offer now thru August 29th.

Contact Jessica Wilborn at 402.488.2329 or email her at jlwilbo.s04873.us@samsclub.com for more details.
Opening doors since 1908.
Hockenbergs has been designing, installing and supporting successful foodservice operations for more than 100 years. So whether you're building new or retrofitting for a successful future, you can count on us from concept to completion.

Designer, Supplier, Simplifier
In Omaha: 7002 F Street • Tel (402) 339-8900
In Lincoln: 2135 Cornhusker Hwy. • Tel (402) 477-7800

(888) 627.7675
WWW.NEPORK.ORG
@NEPORKPRODUCERS
FACEBOOK.COM/NEPORK

SAVE THE DATE!

2012 Golf Classic
Monday, Sept. 20, 2012
at Hillcrest Country Club,
9401 E. O Street,
Lincoln, NE

Join us for the 18th Annual Nebraska Restaurant Association Golf Classic
Space is limited, so reserve yours today! Visit www.nebraska-dining.org or call (local) 402.488.3999 or 800.770.8006

Drive restaurant sales. Help end childhood hunger in America.
• Sales increases of 8% or more.
• Coupon redemption rates up to 40%.
• Employees engaged and enthusiastic.

Restaurants report these results and more when they participate in Share Our Strength's Dine Out For No Kid Hungry®, the national fundraising initiative to help end childhood hunger in America.

Registration is free and Share Our Strength makes it easy to create a fundraising promotion that also meets your business goals.

More than 16 million kids in America can't count on getting the food they need. This September, join restaurants across the U.S. in Dine Out For No Kid Hungry. Learn more and register today at DineOutForNoKidHungry.org.

“Funds raised support Share Our Strength’s No Kid Hungry® campaign to end childhood hunger in America.

NEW CENTURY AGENCY

Restaurants are our niche.
Work comp is our specialty
Over 500 restaurants insured.
Call us for a free consultation-888-424-3800.
Some things are too important to trust to just anybody.

A full-featured POS system, the hub of managing your business, is an important investment. If you’re in the market, here’s a special MICROS feature you’ll want to consider.

A significant percentage of our POS systems are still in use after 10 years on the job. Day in, day out, you can always count on the quality of our products.

And more important, trust our people to make MICROS POS work as hard as you do.

6886 S 118th St, Suite 101
Omaha NE 68137
(800) 242-8679
www.hmskc.com

K&Z DISTRIBUTING - Miller Beer
MILLER BRANDS OF OMAHA
PO Box 28289
Lincoln, Nebraska 68529
402-467-4302

Get more with 64

Proud Sponsors of the Nebraska Restaurant Association

Kansas City
16805 College Blvd.
Lenexa, KS 66219
866.371.3017 or 913.894.6161
www.usfoods.com

You focus on serving your customers.
And so do we. Recycling used cooking oil and trap grease is our business.
Darling International Inc. is America’s leading provider of rendering, recycling, and recovery solutions to the nation’s food industry. Our highly trained, professional staff is equipped with the latest technology to service your facility.

CleanStar – This Darling innovation makes the handling of used cooking oil not only safe, clean, convenient and efficient, but protective of the environment.

COR – Our Cooking Oil Removal services consistently set the industry standard for saleable, clean, and efficient removal of used cooking oil.

TORVAC – The Darling professional service that makes grease trap worry free.

Call 800-228-9085 or 402-291-8800 for your customized plan.
Hockenbergs

DESIGN
SUPPLY
SIMPLIFY

FOODSERVICE • RESTAURANT • BAR • SMALLWARES • DISPOSABLES • NEW & USED EQUIPMENT

In Omaha: 7002 ‘F’ Street • Tel (402) 339-8900 • 1-800-228-6102
In Lincoln: 2135 Cornhusker Hwy. • Tel (402) 477-7800 • 1-800-869-0414

Proud member of the Nebraska RESTAURANT ASSOCIATION