What’s Hot in 2014 culinary forecast confirms sourcing, nutrition trends

The National Restaurant Association’s annual What’s Hot culinary forecast predicts menu trends for the year ahead by surveying nearly 1,300 professional chefs – members of the American Culinary Federation (ACF) – and the results for 2014 are in.

The top restaurant menus trends for 2014 focus on local sourcing, environmental sustainability and nutrition - children’s nutrition in particular. These trends have been gaining momentum for several years, indicating that these wider themes influence the national culinary scene.

“Today’s consumers are more interested than ever in what they eat and where their food comes from, and that is reflected in our menu trends research,” said Hudson Riehle, senior vice president of the National Restaurant Association’s research and knowledge group. “True trends – as opposed to temporary fads – show the evolution of the wider shifts of our modern society over time, and focus on the provenance of various food and beverage items, unique aspects of how they are prepared and presented, as well as the dietary profiles of those meals.”

“The American Culinary Federation chefs who took part in the survey understand that sourcing locally and environmental sustainability tie in with ongoing efforts to provide more-healthful foods for everyone, especially children,” said Thomas Macrina, CEC, CCA, HGT, AAC, ACF national president. “Chefs recognize that nutrition is a vital component of the foodservice industry, and constantly revise and update recipes to reflect the concerns and desires of a diverse group of consumers who are looking for good food choices to best meet their nutrition and other needs.”

Get the full results at Restaurant.org/FoodTrends. In addition, the What’s Hot in 2014 survey found that the top five alcohol and cocktail trends will be micro-distilled/artisan spirits, locally produced beer/wine/spirits, onsite barrel-aged drinks, culinary cocktails (e.g. savory, fresh ingredients), and regional signature cocktails.
Health care reform remains the area of greatest concern for our members.

Legislative report

I attended the State Government Affairs Conference in San Antonio, TX on November 19, 2013. This conference is sponsored by the National Restaurant Association and attended by their political staff and most of the state restaurant association executives.

The agenda provided an update on the national and state political environments as well as training sessions on how we could be more effective in representing our associations. There was a lot of interest in the future of the Affordable Care Act. It was generally agreed that if the web site continued to improve and significant numbers of people were able to log on and review health care options by the end of the year, there would be no way to muster enough congressional votes in favor of repealing it to override a presidential veto.

Another emerging issue of importance to Nebraska Restaurant Association members is a proposed change to food code enforcement in Lincoln as outlined in the following discussion.

The U.S. Food and Drug Administration (FDA) develops food safety standards (which do not become Federal Law) through a large collaboration which includes representatives from local health departments, the National Restaurant Association and the Food Safety Institute. The agreed-upon considerations are called Voluntary National Retail Food Regulatory Program Standards.

Each of the fifty states conducts a review of the standards in the FDA Food Code and decides on the standards it will legislate into state law. Six states, including Nebraska, Wyoming, Louisiana, South Carolina, Arkansas and Oregon have passed legislation adopting the FDA Food Code except for the “No Bare Hand Contact of Ready-to-Eat-Foods” standard.

The Nebraska Department of Agriculture is responsible for enforcing food safety laws enacted by the Unicameral, including restaurant health inspections. In Douglas and Lancaster Counties it delegates this responsibility to the city/county health departments.

The staff of the Lincoln/Lancaster Health Department (LLCHD) would like for Lincoln to include the “No Bare Hand Contact with Ready-to-Eat Foods” standard in Lincoln city ordinances so that Lincoln is 100% compliant with the FDA Food Code before the next scheduled assessment. The LLCHD Food Advisory Committee requested the LLCHD staff prepare implementation and enforcement proposals for consideration by the committee at the next meeting in February 2014. If the committee approves the staff proposals, they will be presented to the Lincoln Lancaster County Board of Health and, if the Board approves, on to the Lincoln City Council for an ordinance vote.

If the FDA Food Code standard of “No Bare Hand Contact of Ready-to-Eat Foods” standard is adopted by Lincoln, food establishments will still...
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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.

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We’re looking at 2014. Where do you stand?
Workers’ compensation climate for 2014

It snuck up on many businesses like a thief in the night – taking hard earned dollars with it. The “it” I am talking about is the change in the split-point calculation implemented by the National Council on Compensation Insurance (NCCI) and approved by the State of Nebraska in 2013. We wrote about it last year in the Hospitality News when it was coming to the forefront, but many people did not take the time to understand “it” or “its” implications.

Because of the effect on your bottom line, it is important for you to understand some basics of this split-point calculation and determine how you can lessen its impact on you going forward. This is especially true because 2014 brings the second phase of the split-point change.

The purpose of the change in the calculation is to make those businesses experiencing the most significant claims pay a larger share of the cost of those claims. Many businesses with significant claims are easily seeing a five point or larger increase in their experience modifier. As an example, take a business with two large injuries in the last three years with an experience modifier of a 1.10 prior to the split-point change. The impact of the split-point moves their modifier up to a 1.25 in 2014. Because they now appear to be a higher risk business, their insurance company moves them into a more highly rated company at renewal. The result is a significantly increased premium.

Two lessons should be heeded from this change:

1) Be sure you are watching and understanding what is happening to your business’ experience modifier.
2) If you don’t have a safety program, now is the time to start one.

KNOW YOUR MARGINS

- Prior to 2013 any injury that your company experienced due to a work-related injury went into the formula for the calculation of your experience modifier capped at $5,000. If you had a $10,000 injury, it only impacted you to the tune of $5,000.
- Starting in 2013 the cap was moved up to $10,000. Now a $10,000 injury is impacting you at the full $10,000.
- In 2014 that cap moves up to $13,500.
- In 2015 that cap moves up to $15,000.
- Here’s the significant part of this change. Your experience modifier is calculated on the past three years of loss experience not counting the most recent full policy year. The change of the cap from $5,000 to $10,000 in 2013 means all of your claims during that three year period have been recalculated to the higher cap. The same will happen in 2014 and 2015 at the higher caps. That three-year tail is going to be troublesome if you are experiencing severe claims.
Employers should review and update their leave policies and employee leave-tracking systems accordingly.

In ruling unconstitutional the Defense of Marriage Act (DOMA) provision denying recognition of the marital status to same-sex couples under federal law, the U.S. Supreme Court expanded the population entitled to leave under the federal Family and Medical Leave Act. Employers will have to adapt their FMLA leave administration accordingly.

Court Decision
Section 3 of DOMA stated that the term “spouse” as used in any federal law or regulation “refers only to a person of the opposite sex who is a husband or a wife.” The Supreme Court held Section 3 was unconstitutional because, subject to certain Constitutional guarantees, by history and tradition, the definition and regulation of marriage has belonged exclusively to the states. The Court determined that Section 3 rejected the long-held principle that the incidents, benefits and obligations of marriage are uniform for all married couples in a state, even though they may vary from one state to the next. Thus, the Court concluded that Section 3 denied protection to same-sex marriage that certain states, such as New York, sought to accord, while effectively granting rights and benefits to heterosexual marriages in those same states in violation of basic due process and equal protection principles to which the federal government must adhere.

FMLA
The FMLA defines a “spouse” as a husband or wife. The Department of Labor’s 2009 FMLA regulations provide that a “spouse” is “a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides, including common law marriage in States where it is recognized.” (Emphasis added). Thus, in the case of same-sex marriages, the FMLA focuses not on whether the marriage is lawful in the state where the employer is located, where the employee works, or where the marriage occurred, but whether it is recognized in the state in which the employee resides. Same-sex marriages are lawful in the District of Columbia and California, Connecticut, Delaware, Iowa, Massachusetts, New Hampshire, Maine, Maryland, Minnesota, New York, Rhode Island, Vermont and Washington.

Leave may be designated as FMLA leave only for the reasons specified in the statute and its implementing regulations. Thus, if an employer designates leave as FMLA leave to care for a same-sex spouse, but the employee does not reside in a state that recognizes same-sex marriage, that leave time will not reduce that employee’s 12-week allotment.

Jackson Lewis attorneys are available to assist employers with immigration enforcement issues and other workplace requirements.

Article by:
Kenneth M. Wentz III, Attorney at Law, Jackson Lewis LLP

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Get to know the Nebraska Restaurant Association 2014 President

Brian Magee – Upstream Brewing Company

Tell us about your family.
I’ve been married to my wife Cathy for 21 years. We have four boys (Connor, Matthew, Brian Jr. and Charlie) and a Golden Retriever named Maggie. I grew up in Lincoln where my family owned a clothing business.

Describe your position with Upstream Brewing Company.
I am the President and Founder of Upstream Brewing Company. I started the business in 1996. My main business partner at the time was John Hickenlooper who had opened the first brewpub in Colorado (Wynkoop Brewing Company). John helped me put our brewpub deal together and his company was a majority owner. My operating partners and I purchased John’s interest in Upstream in 2002. By the way, John is now the Governor of Colorado.

What do you see as one of the biggest turning points in your life?
There are several but one of the biggest was working at the Cornhusker Hotel in Lincoln. The Cornhusker was for years an independent hotel and as managers we were given the opportunity to manage the business with relatively little input from the owner other than that he wanted top notch quality. It allowed management to think more entrepreneurially.

What are you most proud of?
My wife and my four boys. They are terrific human beings!

What is the most unique or interesting thing about you that most people probably don’t know?
I was actually an art major in college. I loved the creative side of things and then I found that I could use that creativity in the restaurant business.

How did you get started in the restaurant business?
My first job was working at Kings Drive In on 40th & South in Lincoln while I was in high school. I worked as a dishwasher then soda station then moved into the hot line. Then in college I worked at Spaghetti Works and the Lincoln Underground before joining the Cornhusker.

With what groups or organizations are you involved?
I’ve been involved in the Downtown Business Improvement District, Greater Omaha Convention and Visitor’s Bureau Advisory Board and of course in fund raising at my church, St. Margaret Mary.

What is your favorite movie?
I have a lot of favorites but here are two: North by Northwest and Ferris Buehler’s Day Off (can’t get much different than those two!)

If you could have dinner with one person from the past or present, who would it be?
Theodore Roosevelt or Bill Cosby. Both would be interesting on a number of levels!
The IRS will use 2014 as a year of transition and voluntary reporting.

Make a Difference

Contact your senator or their staff and let them know how important this issue is to our industry.

Senator Johanns:
Lincoln Office: 402.476.1400
Omaha: 402.758.8981
Kearney: 308.236.7602

Senator Fischer:
Lincoln: 402.441.4600
Omaha: 402.391.3411

Legislative report

There is the option to use bare hand contact of ready-to-eat foods if they have a Hazard Analysis and Critical Control Points (HACCP) plan approved by LLCHD, which identifies policies that would protect the food from contamination during preparation.

As you consider the impact of this proposed change, keep in mind that the “No Bare Hand Contact of Ready-To-Eat Food” requirement can be complied with in a variety of ways, including deli paper, tongs, spatula, single-use gloves or other utensils. Another option available that will allow bare hand contact is to establish written and practical procedures for appropriate hand washing activities. These procedures must be detailed and specific to the task being performed and approved by the local or state agency responsible for food safety during inspections.

Our Lincoln restaurants will be the first to be impacted by this change but it will be considered for inclusion in the Nebraska Food Code at the next review, probably in 2017.

Please email any concerns or comments you have regarding this to: jpartington@nebraska-dining.org.

Federal Issues

Health care: The Patient Protection and Affordable Care Act

In a major victory for employers who have been struggling to understand and figure out how to implement the 2010 health care law, the Treasury Department announced July 2 that it has delayed by a year the law’s mandate that requires “large employers” to report to the IRS whether they offered their full-time employees and their dependents health care coverage in 2014.

The IRS will use 2014 as a year of transition and voluntary reporting, and has pushed mandatory reporting for large employers and insurers to Jan. 31, 2016, to track data on health care coverage employers offered in 2015.

Since the reporting mandate is aimed at giving the IRS a tool to calculate and assess penalties against large employers that failed to offer coverage to full-time employees, the delay in the reporting requirement means large employers will not face penalties under the law for failing to offer health care coverage to their full-time employees in 2014.

The National Restaurant Association has been one of the top employer groups arguing for transition rules and more flexibility for employers as the law is implemented.

Minimum Wage

Legislation has been introduced in the House and Senate to dramatically increase the federal minimum wage. The Fair Minimum Wage Act of 2013 (S. 460, by Sen. Tom Harkin, and H.R. 1010, by Rep. George Miller) would increase the federal minimum wage from the current $7.25 to $10.10 over two years and three months—a nearly 40 percent increase—and automatically index the wage to inflation each year thereafter, regardless of economic conditions. The legislation also calls for increasing the minimum cash wage for tipped employees until it reaches 70 percent of the federal minimum wage. This means the minimum cash wage for tipped employees would triple, in stages, to $7.07.

The nation is experiencing the lowest labor participation rate in three decades. Unemployment in the U.S. remains above 7 percent. Teen unemployment is over 22 percent, with higher rates in some urban and rural areas. As businesses struggle to recover from the economic recession, dramatic, mandatory wage increases such as those proposed under the Fair Minimum Wage Act of 2013 would place yet another financial burden on business owners who are already feeling the pressures of a weak economy and additional costs and regulatory complexity associated with the Affordable Care Act. Restaurants are a critical provider of first jobs for young people across the country. A mandatory wage increase could further restrict opportunities for young and less-skilled individuals.

The National Restaurant Association urges opposition to the Minimum Wage Fairness Act (S. 1737, and similar proposals to increase the federal minimum wage).

Immigration Reform

A comprehensive immigration reform bill was passed in the Senate. The House of Representatives will be debating the issue this session. Foreign policy, debt limit and budget...
issues will be competing for time and immigration will not be taken up until these issues are resolved. Continued pressure on our representatives is necessary to move the agenda in a positive direction.

Nebraska Issues
The 2014 session of the Nebraska Unicameral convened on January 8. This is the second session of the two year legislative cycle. Along with new bills introduced this year, any bills introduced in the 2013 session and not acted on are still alive and can be acted on. The 2013 session was a “long” 90 day session. This year is a “short” 60 day session. The 60 day limit combined with the fact that four senators are running for Governor will make it a very interesting session.

Sales Tax Collection Fees
Nebraska restaurants collect and remit sales tax and receive practically nothing for this service. The cost to restaurants is significant especially on credit card sales. To understand how blatantly unfair the situation is, take a look at $100 credit card sale. In Omaha or Lincoln, that results in $7 sales tax which also goes on the credit card. After the credit card company deducts the swipe fee, an average restaurant is left with $6.86 but still remits $7 to the state. To address this, Senator Schumacher introduced LB333 at our request which would significantly increase sales tax collection fees retained by collectors and remitters of sales tax. LB333 is still alive and we are working to advance it this session.

Occupation Taxes
In the recent past, the cities of Lincoln, Omaha, Grand Island, and Norfolk have enacted occupation taxes to be collected by restaurants. State law presently requires cities to get legislative approval to increase city sales tax but allows cities to enact and raise city occupation taxes. We supported legislation to put control on future city occupation taxes by requiring most to go to a vote of the people affected but the legislation was not as limiting as we had hoped. In the 2013 session Senator Krist introduced LB474 which would put further restrictions on occupation taxes. We are supportive. The bill advanced out of committee and will be considered this session.

Immigration
In a past session, “Arizona style” legislation was introduced but did not advance out of committee. There was no immigration legislation introduced in the 2013 session but it is a hot campaign issue so we may see it this year. We have also been working to get this addressed on the federal level.

Dram Shop
Mandatory Training for Servers and Sellers of Alcohol
“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. There have been several attempts in past legislative sessions to make Nebraska a “dram shop” state. We have consistently and successfully opposed these past attempts.

Dram shop legislation was not introduced in the 2013 session but Senator Krist did introduce LB444 which would require all servers and sellers of alcohol to be trained and certified and impose a statewide system similar to that which was recently enacted by the City of Lincoln. LB444 is still alive in committee and will probably see action in this year. While we support training, we feel LB444 is too onerous. We support training with the following provisions:

• Training programs be approved by the Nebraska Liquor Control Commission.
• A “train the trainer” approach be adopted requiring managers be trained and providing resources for them to train their respective staffs.
• State approved training programs would preempt city training.
• The training programs would be accessible online and affordable.
• Training should be valid for three years and transferable from employer to employer.

Child Obesity
Senator Avery is very concerned about child obesity. In a past session, he introduced a bill that would have placed significant dietary restrictions on a child’s meal that included a toy which did not advance out of committee. In the 2013 session he introduced LB447 which would impose a sales tax on soft drinks sold in stores. While this does not directly impact restaurants, it does negatively impact some of our most supportive allied members and, as a result, we are in opposition. The bill did not advance out of committee but could see action this session.
Money on the table

By the time this hits the presses, we will be well into the New Year and hearing all of the resolutions to make a better world around us. Well, what makes a better world in the restaurant business? Growth is what comes to mind. We all want to grow our business and look for the best ways to do so. At Heartland, we are always looking for new ways to help our valued customers improve their market share.

With the rapidly changing electronic world, how do you choose what is best for you and your restaurant? First you need to review your current customer base and how you communicate with them today. Next, you need to target your future customer prospects and evaluate the best means to reach them. We know we want to keep our existing customers while pursuing new ones. I addressed this issue in my last article and spoke extensively on the many promotions available through our Heartland Loyalty Marketing. It is never too late to start tweaking your marketing plans. A Nebraska Restaurant Association member emailed me today stating she needed to start this program. It’s never too late to move in the right direction.

Another way to grow your business is to protect it. With more internet devices being used in businesses today, protecting your assets from hackers (internet terrorists) is essential. In order to stay in tune with your customers, you must offer WiFi, operate with POS, ATM, Security, Refrigeration monitoring and more. All of these requires internet connectivity. Who is going to keep an eye on this and protect your business from the internet thieves? Heartland again meets your needs with SmartLink. We not only secure your IP networks, we monitor them and back them up with 3 & 4G wireless. Yes, that’s right ... no more down time with your POS. When you lose landline connections, Heartland automatically rolls your system onto our wireless network and works with your internet provider to bring your networks back online. We may even solve the problem(s) before you even know they occurred.

As I have stated before, our research and development teams will continue to stay at the forefront meeting the needs of the restaurant industry. We want to be your partner because we are the best provider of solutions. All we need from you is a commitment! A commitment to sit down with us and review your needs and see what we can do to help you.

We take great pride in what we have to offer and derive great satisfaction in delivering solutions that bring more money to your table!
Measuring profitability to stay ahead

Controlling costs in the restaurant business is critical. The National Restaurant Association’s just-released 2013-2014 Restaurant Operations Report provides crucial data on cost of sales, gross profit, direct operating expenses and other performance measurements to help restaurateurs see how their business compares with those of a similar profile.

The report helps restaurant operators sharpen their financial performance and quickly identify cost categories where data could significantly vary from similar operations. By analyzing operating costs, restaurateurs can detect potential problems, determine how to cut costs, and become more efficient.

Based on financial and operating data from hundreds of restaurants, the Restaurant Operations Report analyzes restaurant income and expense statements to profile operations data for four restaurant profiles: three in full service, one in limited service. The categories match up with those presented in The Uniform System of Accounts for Restaurants.

It includes information on restaurant type, location, sales volume, and other measures. The report presents operating results as amounts per restaurant seat and as ratios to total sales, which are the most common bases in the industry.

Data snapshot from 2013-2014 Edition

Food and labor are the two largest general cost categories for a typical restaurant. The cost of food and beverage is about one-third of the sales dollar, while salaries and wages account for another third.

The median total sales per full-time-equivalent (FTE) employee ranged from $53,448 (in full service restaurants with an average check per person under $15) to $60,606 (average check $15 to $24.99) to $65,413 (average check $25 and over). For limited-service restaurants, median total sales per FTE employee was $68,571.

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Restaurant Members

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ProStart® educators play a vital role in building careers for students while providing a competent, motivated workforce for restaurants. The Nebraska Restaurant Association Hospitality Education Foundation (NRAHEF) is one of only 31 states that support the National Restaurant Association Education Foundation (NRAEF) Student Scholarship program by providing matching dollars for student scholarships.

NRAHEF is proud to recognize the 2013-14 scholarship winners. Reina Gayton is studying at Metropolitan Community College and Sharon Skutchan is a student at Southeast Community College. Congratulations to both students as they pursue their careers.

Nationally, 81 percent of NRAEF scholarship recipients are still studying or working in the industry. In 2012, NRAEF awarded $1.1 million in scholarships to students beginning their careers and educators developing their talents.

While eligibility requirements for scholarships vary, some awards are dependent on completion of Year 1 and Year 2 ProStart® national exams. In 2014 a NRAEF program that recognizes teachers and schools that promote Year 1 and Year 2 exams and a ProStart® Certificate Achievement is being created. Educators can review exam requirements on the NRAEF website. An anonymous donor has made an initial financial pledge to “kick off” the program.

Our students are active learners—they are involved in labs, job shadowing, internships and classroom work. In class, they are building skills and abilities as they prepare for upcoming culinary and management team competitions. Regional competitions are scheduled in Lincoln and Omaha in February with the National Competition scheduled for May 3-6 in Minneapolis.

We need mentors and judges for the competition. Contact Fayrene Hamouz at 402.582.1582. We are looking forward to seeing all of you at the competitions.
Request for Employee of the Year Nominations!

Your employees are the key to your success. Nominate one or more of your hard-working employee’s today!

Everyone has one – two if they are lucky. That one employee that goes above and beyond what is asked of them during their shift. They are dedicated to the company. They show up on time for their shift and sometimes even stay late. They are often caught smiling and helping fellow coworkers with tasks. Then you bust them for polishing extra silverware........GASP!

Do you have an employee that fits this description? If so, they deserve to be nominated for Employee of the Year. To nominate one of your employees please email the information below to Brandy Nielson (bnielson@nebraska-dining.org).

All finalists will receive a complimentary invitation to attend the Taste of Nebraska on Monday, April 28th. They will be honored in front of over 500 guests and receive a plaque recognizing their hard work and dedication to the restaurant industry.

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<td>Number of Years He/She has worked there</td>
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<td>Reasons for your nomination: Examples</td>
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<td>* Excellent customer service skills</td>
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<td>* Willing to cover additional shifts</td>
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Changes in the way your experience modifier is being calculated may have caught you off guard this year. Knowledge & risk control are your best allies in this changing environment.

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www.newcenturyinsagency.com
Membership and marketing update

It’s been a really busy and successful 2013. I celebrated my 5th year with the Nebraska Restaurant Association in August. My main focus last year was to increase our membership. I am happy to report that I had my most successful year so far and added 23 new restaurant members and 11 new allied members for a total of 34 new members in 2013.

Another focus of mine was to keep our website, www.nebraska-dining.org, updated with valuable and useful content. To reduce our marketing costs we utilize one of our endorsed providers - Fishbowl – to send alert bulletins and emails to our members. In order to communicate pertinent information we need to have your email address on file and up to date. Email communication is the most efficient means of communication we have with our membership. If you are not receiving emails from us, please send me your email address so I can add you. My email address is: bnielson@nebraska-dining.org

A favorite event of mine every year is Taste of Nebraska. We are in the very initial planning stages for the 2014 event. Mark your calendar for Monday, April 28th and get ready to experience a new location. We are working with the fine people of the Omaha Hilton – Downtown Omaha to create another spectacular event! We need additional people to be a part of the Taste of Nebraska planning committee. Please join us as we plan the biggest celebration of our industry!

A goal of mine for 2014 is to increase our advertising revenue on both our website and this magazine. To do that, we created a brand new advertising brochure to send to potential advertisers. It will be viewable on our website soon.

As part of the mission of the Nebraska Restaurant Association, “To represent, educate, and promote the hospitality industry in the state of Nebraska,” we would like to offer additional educational opportunities in the coming year. Last year we had a very informative session on I-9 compliance. The people who attended that seminar were very surprised to find that there are over 80 findable errors on each I-9 form they fill out. If you have a topic in mind for one of these sessions, please let us know.

My goals for 2014 as the Membership Director of the Nebraska Restaurant Association are simple and precise, and I am going to work hard to achieve them.

1. Continue to increase membership.
2. Increase advertising revenue.
3. Increase the overall awareness of the Nebraska Restaurant Association state-wide.

Happy New Year, and thank you for your loyal membership to the Nebraska Restaurant Association. Let’s raise our glass and toast to a great end to 2013 and to a spectacular start to 2014!
**Question #1:**
If someone accepts a job with my company but will not start work for a month, can I complete Form 1-9 when the employee accepts the job?

**Answer:**
Yes. The law requires that you complete Form 1-9 only when the person actually begins working for pay. However, you may complete the form earlier, as long as the person has been offered and has accepted the job. You may not use the Form 1-9 process to screen job applicants.

**Question #2:**
What is my responsibility concerning the authenticity of document(s) presented to me?

**Answer:**
You must examine the document(s), and if they reasonably appear to be genuine and to relate to the person presenting them, you must accept them. To do otherwise could be an unfair immigration-related employment practice. If the document(s) do not reasonably appear on their face to be genuine or to relate to the person presenting them, you must not accept them.

**Question #3:**
What should I do if an employee presents a Social Security card marked “NOT VALID FOR EMPLOYMENT,” but states that he or she is now authorized to work?

**Answer:**
You should ask the employee to provide another document to establish his or her employment authorization, since such Social Security cards do not establish this and are not acceptable documents for Form 1-9. Such an employee should go to the local SSA office with proof of his or her lawful employment status to be issued a Social Security card without employment restrictions.

**Question #4:**
May I accept a photocopy of a document presented by an employee?

**Answer:**
No. Employees must present original documents. The only exception is that an employee may present a certified copy of a birth certificate.

**Question #5:**
When I review an employee’s identity and employment authorization documents, should I make copies of them?

**Answer:**
If you participate in E-Verify and the employee presents a document used as part of Photo Matching, currently the U.S. passport and passport card, Permanent Resident Card (Form 1-551) and the Employment Authorization Document (Form 1-766), you must retain a photocopy of the documents he or she presents. Other documents may be added to Photo Matching in the future. If you do not participate in E-Verify, you are not required to make photocopies of documents. However, if you wish to make photocopies of documents other than those used in E-Verify, you must do so for all employees. Photocopies must not be used for any other purpose. Photocopying documents does not relieve you of your obligation to fully complete Section 2 of Form 1-9, nor is it an acceptable substitute for proper completion of Form 1-9 in general.

**Question #6:**
The name on the document my employee presented to me is spelled slightly different than the name she entered in Section 1 of Form 1-9, Can I accept this document?

**Answer:**
If the document contains a slight spelling variation, and the employee has a reasonable explanation for the variation, the document is acceptable as long as you are satisfied that the document otherwise reasonably appears to be genuine and to relate to him or her.

**Question #7:**
How do I correct a mistake on an employee’s Form 1-9?
Answer:
The best way to correct Form I-9 is to line through the portions of the form that contain incorrect information, then enter the correct information. Initial and date your correction. If you have previously made changes on Forms I-9 in white-out instead, USCIS recommends that you attach a note to the corrected Forms I-9 explaining what happened. Be sure to sign and date the note.

Question #8:
Can I contract with someone to complete Forms I-9 for my business?

Answer:
Yes. You can contract with another person or business to verify employees’ identities and employment authorization and to complete Forms I-9 for you. However, you are still responsible for the contractor’s actions and are liable for any violations of the employer sanctions laws.

Question #9:
Our company acquired another company, along with its employees. Are we required to complete Forms I-9 for these employees?

Answer:
Employers who have acquired another company or have merged with another company have two options:
• Option A: Treat all acquired employees as new hires and complete a new Form I-9 for each and every individual irrespective of when that employee was originally hired. Enter the effective date of acquisition or merger as the date the employee began employment in Section 2 of the new Form I-9.
• Option B: Treat acquired individuals as employees who are continuing in their uninterrupted employment status and retain the previous owner’s Forms I-9 for each acquired employee. Note that you are liable for any errors or omissions on the previously completed Forms I-9.

NOTE: Employees hired on or before November 6, 1986, who are continuing in their employment and have a reasonable expectation of employment at all times, are exempt from completing Form I-9 and cannot be verified in E-Verify.

If you determine that an employee hired on or before November 6, 1986 is not continuing in his or her employment or does not have reasonable expectation of employment at all times, the employee may be required to complete Form I-9.

If you choose to complete new Forms I-9 (Option A), in order to ensure that you do not engage in discrimination, you must do so for all of your acquired employees, without regard to actual or perceived citizenship status or national origin. Federal contractors with the FAR E-Verify clause have special rules relating to the verification of existing employees. For more information, see the E-Verify Supplemental Guide for Federal Contractors at www.uscis.gov/E-Verify.

Mergers and acquisitions can be a very complicated area of the law and determining whether or not employees are continuing in their employment with the new entity for Form I-9 purposes is often not clear. For that reason USCIS strongly recommends that any business confronted with this issue should consider retaining private legal counsel.

Question #10:
Can I be charged with discrimination if I contact Department of Homeland Security about a document presented to me that does not reasonably appear to be genuine and to relate to the person presenting it?

Answer:
No. If you are presented with documentation that does not reasonably appear to be genuine or to relate to the employee, you cannot accept that documentation. While you are not legally required to inform DHS of such situations, you may do so if you choose. However, DHS is unable to provide employment eligibility verification services other than through its E-Verify program. If you treat all employees equally and do not single out employees based on their national origin or citizenship status for closer scrutiny, you are unlikely to be found to have engaged in unlawful discrimination.
Hall of Fame Dinner Inductees 2013
Hospitality Honors

Each October the Omaha Restaurant Association and Institute of Culinary Arts at Metropolitan Community College gather together to raise money for culinary scholarships. The students, instructors and mentors work for weeks to showcase what they teach and learn every day. Approximately 6 industry leaders are inducted into the Omaha Restaurant Association Hall of Fame each year. They are chefs, owners, educators, purveyors and friends of the industry that have excelled and given back to the Omaha community. Below are the 2013 inductees.

Yano R. Caniglia
Owner – Royal Boy and Mister C’s

Yano, more widely know as Mister C, was born to Italian immigrants. Raised in Omaha, Mister C brought many “firsts” in dining to the area. With only a high school education, Mister C and his wife, Mary, built a restaurant legacy from nothing more than Depression-era style hard work and sacrifice. He was co-owner of Caniglia’s Pizzeria in the mid-40s and then opened the Royal Boy drive-in in 1953, turning it into Mister C’s full-service restaurant in 1969. In 1988, he was cited by the Nation’s Restaurant News as owning one of the leading independent restaurants with annual sales in the $6 -7 million bracket. That year, he also opened Piazza di Maria, an Italian-style outdoor garden, and formed Mister C’s Wholesale Food Division. Over his long career, he has owned multiple businesses, received numerous awards and was active in the business community.

Paul J. Dougherty (deceased)
Founder – Dougherty Brokerage Co.

Paul began his career with Ocoma Foods in 1954, first as a poultry processor, then branch manager, retail division manager and sales manager. In 1968, he founded Dougherty Brokerage Co.(DBC), the first food service only brokerage company in Nebraska, and was proud to have Ocoma Foods (acquired later by Tyson) as a client. During his leadership, the company grew into one of the leading sales agencies in the Midwest and was nationally recognized. Paul received National Broker of the Year recognition awards from Tyson, Pillsbury, Simplot, Fish King, Hillshire, Quaker, Ventura and others. In 2012, DBC became part of Advantage Waypoint, a national sales and marketing agency still owned by four of his sons.

Nicole M. Jesse
General Manager/Co-Owner – LaCasa Pizzaria

Nicole started working at the age of 14 and has worked for LaCasa Pizzaria from 1976 to today. She started managing in 1981 and became co-owner with her brother Joel and cousin Anthony Vacanti in 1985. LaCasa celebrated 60 years in business this year and has received numerous awards, including founder (their grandfather) Joe Patane induction into the Omaha Restaurant Association Hall of Fame.
They also received the Blue Enterprise Award in 2000, the Omaha Chamber’s Golden Spike Award in 2003, multiple Best of Omaha awards, Reader’s Choice awards and recognition from “Pizza Today” as a top 100 Independent.

Robert P. Mancuso
Founder and President – Mid-America Expositions Inc.

Born and raised in Omaha, Robert founded Mid-America Expositions Inc. in 1964 and has played an instrumental role in the development of sporting events, agricultural expositions and the food industry for almost 50 years. He brought together people and businesses at some of the finest presentations in the U.S. — many of which have become the largest events in the Midwest, including the Taste of Omaha— plus business and industrial shows, home and garden shows and agricultural expositions. Robert contributed many hours to the community, serving as chairman and member on several boards and committees, and has been the longest serving member in history (20+ years) on the City of Omaha Planning Board and the Douglas County Visitors Promotion Council.

Anthony O. Messineo Jr.
Owner – Valentino’s Pizza, Premier Catering
Managing Partner – Amazing Pizza Machine

Born and raised in Lincoln, Anthony started his restaurant career at Tony & Luigi’s in 1959 as a host. In 1965, he received his Bachelor’s degree in business from UNL. After managing Kings Food Host and Tony & Luigi’s, he purchased Valentino’s Pizza in 1972 and created concepts for Piece of the Pie and Tequila Junction. He purchased Premier Catering in 1999, and in 2006 he became the managing partner of Amazing Pizza Machine. In addition to winning several awards, including Restaurateur of the Year, in 1990 and 2011, his Valentino’s restaurant contributes to several children’s charities. He has served on numerous boards, including the Nebraska Restaurant Association Board of Directors.

Jeff Snow
Executive Chef/Owner – Catering Creations

Chef Jeff began cooking at such an early age he can’t remember a time he wasn’t in the kitchen or studying culinary arts. Graduating from the Culinary Institute of America in Hyde Park, N.Y., he benefited from opportunities to work and learn at many New York catering companies and restaurants. His experience brought him to the kitchens of the Peabody Hotel, Orlando, FL, Sarducci’s Restaurant, Dallas, and the French Café in Omaha. He also worked as Rosenblatt Stadium’s stand manager. In 2002, he opened Catering Creations, a three-time Best of Omaha winner, and was a finalist in the International Catersource “ACE” Award for Achievement in Catering Excellence for the Midwest Division. Chef Jeff teaches as an ad hoc culinary professor at the Institute for the Culinary Arts at Metropolitan Community College and has served as an advisory board member.

Charlie Mancuso (deceased)
Manager – Auditorium and the Stadium, Orpheum Theatre

Charlie grew up in the area’s surrounding parks, as his father worked for Omaha’s parks and recreation for 31 years. After graduating from UNO and serving in the Armed Forces, Charlie went to work for the Omaha Parks and Recreation Department as Director of Athletics in 1952. Many of the programs he initiated are still carried out today. He was responsible for bringing many major sporting events to Omaha and was instrumental in starting the All-Star World Wrestling Federation. He brought famous stars such as Elvis Presley, Frank Sinatra and Wayne Newton to the auditorium. He was recognized as Outstanding Young Man in Government in 1960 and was one of the original 12 members of UNO’s Order of the Tower. After his death in 1977, the convention center was named in his honor.
Members only exclusive webinars

Past Webinars

Changes to the 2013 Food Code
The Food and Drug Administration (FDA) has released the FDA 2013 Food Code which provides all levels of government and industry with practical, science-based guidance and manageable, enforceable provisions for mitigating known risks of foodborne illness in foodservice, retail and vending operations.

Hispanic Consumers and Adult Beverages: Insights & Opportunities
The largest and fastest-growing minority group in the U.S., Hispanics are increasingly important to restaurants. Learn the characteristics of this important demographic and its purchase and consumption behaviors regarding beer, wine, cocktails and spirits. Attendees will also hear about ways to engage Hispanics with their adult beverage programs.

Gluten Free Food Labeling
In August, the FDA released the Final Rule for Gluten Free Food Labeling. Join this webinar to learn more about what this ruling entails.

Payment Card Industry Compliance and the Restaurant of the Future
In this National Restaurant Association webinar, you’ll learn the basics of PCI compliance and a practical approach to achieving and maintaining it. The webinar will be presented by Kamran Chaudhary, Director of Compliance Technology and a Qualified Security Assessor from ANX eBusiness, and Jim Lippard, Senior Product Manager for Security Products at EarthLink Business.

Notification Tool Overview
The NRA’s Notification Tool is an online solution to help restaurateurs comply with the October 1, 2013 deadline of the new Fair Labor Standards Act (FLSA) notification requirement and keep track of the employees whom they’ve notified.

ServSafe® Allergens
Studies show 15 million Americans have food allergies. Those who deal with this life-threatening condition are often unsure which restaurants can safely accommodate them — if at all. Are you prepared to serve these guests?

Solve Your Direct Deposit Dilemma
Over the past few years employers have begun to introduce payroll cards to employees as an alternative to receiving a paper check. The benefits for employers are numerous, including reduced check cutting costs and limiting service disruptions on payday. Employees also benefit by receiving their pay immediately via direct deposit, reducing fees associated with cashing checks and, very important for some, having an opportunity to become integrated into the banking system.

Millennials and Adult Beverages: Insights & Opportunities
One of the largest generations in American history, Millennials are unique not only for their size but for many other factors, all of which influences how they approach adult beverage in restaurants.

Health Care Grassroots Webinar
To help NRA members understand how the mandate that would require employers to provide medical insurance under the Affordable Care Act change affects them, and what they can do to encourage more favorable changes. You will be educated on the NRA’s Health Care grassroots short and long-term strategies on health care advocacy.

Using Tumblr to Promote Your Restaurant Brand
Playfully irreverent, upbeat and dynamic, Tumblr can be a tricky place for a restaurant brand. Some restaurants have used the blogging service as a traditional web platform, posting menu items and hours, but others have moved beyond the established and are using the space to build a more interesting brand experience.

Keeping Commercial Deli Slicers Safe
Find out how to extend the life of your commercial deli slicer while adhering to revised food safety standards. Join us for a member-only webinar on revisions to the national standard for commercial-powered food preparation equipment.

Webinars are FREE for Members and offer information on a variety of topics. Visit http://www.restaurant.org/Events-Networking/Events/Webinars for more information on the webinars listed here.
CALENDAR OF EVENTS

Find updates online at www.nebraska-dining.org

January 22
Annual Meeting of the NRA
The Governor’s Mansion, Lincoln

February 21-22nd
Regional ProStart Competition
Metropolitan Community College, Omaha

March 3
Regional ProStart Competition
Scottsbluff

March 8
Regional ProStart Competition
Southeast Community College, Lincoln

March 20
10th Annual Food Safety Task Force Conference
Southeast Community College Main Campus, Lincoln

March 22
State ProStart Competition
University of Nebraska, Lincoln

March 25-26
CashWa Distributing Food Show
Kearney

April 28
Taste of Nebraska
The Hilton Omaha Downtown
  - Cocktail Hour and Entertainment
  - Silent and Live Auction
  - Awards presented for Restaurateur of the Year and Allied Member of the Year
  NEW LOCATION!

May 3-5
National ProStart Competition
Minneapolis, MN

More information to come.

SERVSAFE Calendar

January 15
ServSafe Classes will be held at daVinci’s, 745 South 11th Street, Lincoln, NE
All classes will start at 8 AM; Exam will begin at 4 PM. Cost $110.00 for NRA members; includes lunch.
Instructors:
Julie Albrecht, PhD is an Extension Food Specialist and Professor at University of Nebraska-Lincoln. Dr. Albrecht has taught ServSafe for over 20 years including training Nebraska Extension Educators to teach ServSafe. She has conducted applied food safety research associated with consumer and foodservice issues.

Georgia Jones, PhD is an Extension Food Specialist and Associate Professor at University of Nebraska-Lincoln. Dr. Jones worked in the food industry in quality control and production supervision. For the last 12 years, Dr. Jones teaches the Nutrition and Health Sciences food safety class for undergraduates. She works in the area of food literacy with Extension audiences.

To register for a class contact:
Ann Grasmick, 402.472.768, Email: agrasmick2@unl.edu

SERVSAFE Instructors

Beatrice
  Julie Albrecht  402.472.8884, x3717

Columbus
  Susan Hansen  402.352.3821

Fremont
  Susan Hansen  402.352.3821

Grand Island
  Cami Wells  308.385.5088

Hastings
  Cami Wells  308.385.5088

 Kearney
  Cami Wells  308.385.5088

Nebraska City
  Julie Albrecht  402.472.8884, x3717

Norfolk
  Carol Larvick  402.987.2140

Grand Island
  Cami Wells  308.385.5088

Ogallala
  Cami Wells  308.385.5088

Omaha
  Cindy Brison  402.444.7204

O’Neill
  Carol Plate  402.387.2213

Seward
  Susan Hansen  402.352.3821

Sioux City
  Carol Larvick  402.987.2140

Scottsbluff
  Julie Albrecht  402.472.8884, x3717

York
  Amy Peterson  402.747.2321
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