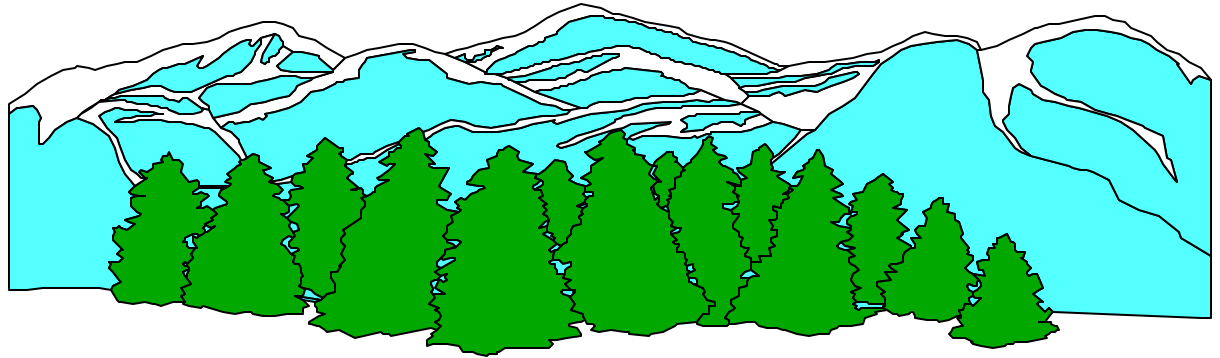


AFFILIATE OF



SOCIETY FOR
HUMAN
RESOURCE
MANAGEMENT



NEW RIVER VALLEY CHAPTER

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Greetings From The President

March 1, 2002

I want to thank Kristen Bevins and her HR Team for the hospitality during our tour of the Echostar Facility. It is apparent that I wasn't the only one who wanted to see what was inside there. Turn out was great and I am sure we should continue with the tour meetings next year. I came away with a number of best practices to consider as I am sure many of you did.

Next Month we have Andrew Monsieur, The Monsieur Group, presenting a program on "HR's Role in Employee Financial Education". This is sure to be a benefit to you and your organizations.

There are a couple of items that need announcement:

- The Virginia SHRM conference will be held in Roanoke this year, this is an excellent educational event, if you can only attend one this year this should be it. It will be at the hotel Roanoke on October 9-11. Donna Tyson (www.drtyson.com) is scheduled to appear as well as Roosevelt Thomas (www.aimd.org). The event committee is currently seeking RFP's from additional presenters for more information on this visit the Roanoke SHRM website (www.rvshrm.org).
- I am still soliciting award committee members for the HR Professional of the year 2002.
- Also, The State council will hold it's quarterly meeting in Christiansburg, May 24th (tentatively) at the Farmhouse restaurant, I am seeking volunteers / sponsors to assist in preparation for this event. If you can help or know of folks who would be interested please contact me.

Thanks and I look forward to seeing you at the March meeting.

Chuck

SHRM Names Susan Meisinger President and CEO

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For Immediate Release

(Alexandria, VA – February 22, 2002) The Society for Human Resource Management (SHRM) is proud to announce the selection of Susan R. Meisinger, SPHR, as new President & CEO of the organization. SHRM is the world's largest human resource management association, representing more than 165,000 human resource professionals in more than 70 countries.

Meisinger was unanimously chosen by the SHRM Board of Directors for the post during its Board meeting held February 21 and 22, 2002. She had held the position of Executive Vice President and Chief Operating Officer at SHRM since 1999. She served as Senior Vice President from 1997-1999 and Vice President of Government and Public Affairs from 1987-1997.

"Sue's selection as President & CEO is an extremely positive step for the Society," said Ommy Strauch, SPHR, Chair of the SHRM Board of Directors. "Given her extensive expertise in employment and human resource management issues, her experience in the federal government and the development of public policy as well as her commitment to the Society and the profession, she is the ideal leader to move this organization to its next stage. Without a doubt, she is an extraordinary talent."

Meisinger, who begins her new position on March 1st, will provide leadership to the organization as it begins to move forward on a number of new initiatives designed to enhance services to members and advance the human resource management profession.

"I am honored to have this opportunity lead this remarkable organization and position it for even greater opportunities in the future," said Meisinger. "The Society has a long tradition of accomplishment and a deep and abiding allegiance to its members, volunteer leaders and staff. I am dedicated to continuing that tradition and upholding the Society's commitment to the profession and the people who make SHRM so successful."

Prior to joining SHRM in 1987, Meisinger served as Deputy Under Secretary for the Employment Standards Administration (ESA) of the U.S. Department of Labor. As head of the agency, she was responsible for the administration of more than 90 Federal laws and regulatory initiatives affecting workers' compensation, minimum wage and overtime, and non-discrimination and affirmative action obligations of federal contractors. Meisinger also served as special legal counsel for the Associated Builders and Contractors in Washington, DC. In this role, she provided advice to contractors on wage and hour and nondiscrimination and affirmative action obligations.

Meisinger received her bachelor's degree from Mary Washington College and a law degree from the National Law Center of George Washington University. She is a member of the District of Columbia Bar Association. She has also earned certification as a Senior Professional in Human Resources through the Human Resource Certification Institute, an affiliate of SHRM.

Chapter Industrial Meeting

Be sure to mark your calendars to attend the next meeting that will be held on Tuesday, March 12, 2002, at Stone's Cafeteria in Christiansburg. This meeting is held on the second Tuesday of every month and meets at 7:00 a.m.

Board of Directors Meeting

The monthly Board meeting will be held on Wednesday, March 13, 2002, at Applebee's Restaurant. This meeting is usually held on the second Wednesday of every month at 5:00 p.m. Any Board member who cannot attend should contact Chuck Swain at 557-5384 or e-mail to cswain@kaydon.com.

Chapter Financial Activity Report

Balance as of December 31, 2001 \$2,048.14

Deposits:

1/16/02	2002 Membership Dues	3,000.00
1/16/02	National Chapter Financial Support & Wage Survey Purchase	200.00
1/16/02	Winter Social Proceeds	85.00
1/28/02	2002 Membership Dues	450.00
1/28/02	2002 Membership Dues	40.00

Withdrawals:

Check #376 1/17/02		
Stones Cafeteria – Meeting Guest	6.00	
Check #377 1/28/02		
Gates Flowers - Chuck Swain's Grandfather Condolence	40.58	

Balance as of January 31, 2002 \$5776.56

Student Chapters Update

From Mike Aamodt (maamodt@radford.edu)

Twelve members of the Radford University SHRM will be traveling to Tampa, Florida on March 1 to present papers at a national student conference. The RU students will be discussing differences between U.S. employment laws and those in such locations as Mexico, Japan, the European Union, Australia, Saudi Arabia and the United Kingdom. Over the past 10 years, RU students have presented more papers at this conference than any other university in the country. The annual NRV SHRM donation to the RU chapter helps make this trip possible.

Diversity Update

From Bridget Porterfield (bporterfield@goodwill-the-valleys.com)

Internet Sites: Employment Opportunities

www.ajb.org: access links to state sites

www.piperinfo.com: access each state's home page

www.govtjob.net: provides information on employment at the state and local government level

www.federaljobs.net: access to jobs with the Federal Government

www.infoctr.edu: access State and Federal Government jobs

www.statejobs.com: access local, State and Federal Government jobs as well as jobs in the private industry within each state

www.jan.wvu.edu: provides job accommodation information as well as employing people with disabilities

Legislative Update

What Did the Supreme Court Decide in Toyota Manufacturing v. Williams?

written by Clinton S. Morse

All of us by now have read newspaper accounts of the Supreme Court's recent decision in Toyota Motor Manufacturing v. Williams, 202 U.S. LEXIS 400 (January 8, 2002), but what did the Supreme Court really decide and what practical application does this decision have in the day-to-day operation of our businesses?

The operative facts of this case are that Toyota required Williams to work on a team responsible for regularly rotating through four different work assignments. Williams suffered from carpal tunnel syndrome and could only perform two of the four assignments and requested that Toyota accommodate her medical condition by allowing her to perform only two of the required work assignments which she claimed she could perform without difficulty. Williams claimed that Toyota refused, and when she began to be absent from work, Toyota ultimately terminated her employment, citing her poor attendance record.

Williams brought suit under the ADA claiming that she was "disabled," and that she was substantially limited in performing "manual tasks," "lifting" and "working." The District Court granted summary judgment to Toyota on the grounds that the evidence showed as a matter of law that Williams was not substantially limited in lifting, working or performing manual tasks and therefore was not protected under the ADA.

The Court of Appeals disagreed and concluded that Williams had demonstrated that she was substantially limited in performing manual tasks because her physical impairments "prevented her from doing the tasks associated with certain types of manual assembly line jobs, manual product handling jobs and manual building trade jobs (painting, plumbing, roofing, etc.) that require the gripping of tools and repetitive work with hands and arms extended at or above shoulder levels for extended periods of time." In reaching this conclusion, the Court of Appeals disregarded evidence that respondent could "tend to her personal hygiene [and] carry out personal or household chores" finding that such evidence "does not affect a determination that her impairment substantially limited her ability to perform the range of manual tasks associated with an assembly line job."

The limited question before the Supreme Court was whether the Court of Appeals had applied the proper standard for assessing whether an individual is substantially limited in performing manual tasks. The Supreme Court's entire decision turned on the Court's interpretation of "disability," which is defined by the ADA as a "physical or mental impairment that substantially limits one or more...major life activities." The Court's entire decision hinges on the plain meaning of those few words.

The Supreme Court had little trouble concluding that carpal tunnel syndrome constituted a "physical impairment," but emphasized that to establish coverage under the ADA, an employee must demonstrate that the physical impairment substantially limits a major life activity, in this case performing manual tasks.

The Court emphasized that these terms "need to be interpreted strictly to create a demanding standard for qualifying as disabled." The Court thus concluded that "substantially limits" means "considerable" or "to a large degree" and interpreted "major life activities" as "those activities that are of central importance to daily life. In order for performing manual tasks to fit into this category - a category that includes such basic abilities as walking, seeing and hearing - the manual tasks in question must be central to daily life."

Having returned to the basic building blocks of the ADA in determining the definition of "disability," the Supreme Court then concluded that in determining whether Williams was limited in performing manual tasks, the Court of Appeals had erred in focusing on the limitations she faced in performing her job. (from the written opinion)

-- The manual tasks unique to any particular job are not necessarily important parts of most people's lives. As a result, occupation-specific tasks may have only limited relevance to the manual task inquiry. In this case "repetitive work with hands and arms extended at or above shoulder levels for extended periods of time," the manual task upon which the Court of Appeals relied, is not an important part of most people's daily lives... At the same time, the Court of Appeals disregarded the very type of evidence that it should have focused upon. It treated as irrelevant "the facts that [Williams] can...tend to her personal hygiene [and] carry out personal or household chores. Yet household chores, bathing and brushing one's teeth are among the types of manual tasks of central importance to people's daily lives and should have been part of the assessment of whether respondent was substantially limited in performing manual tasks.-- (end quote)

The Supreme Court accordingly sent the case back to the Court of Appeals for further proceedings.

It is important to emphasize that the Supreme Court did not determine the proper standard for determining whether a person has shown that he or she is substantially limited in the major life activity of "working" or whether working may even be properly considered a major life activity. Thus, although Toyota has prevailed on one issue in the Supreme Court, the case goes on.

This case serves to emphasize how complicated ADA litigation can be. Resolution of a single ADA case requires resolution of whether an employee has (1) a physical or mental impairment that (2) substantially limits (3) a major life activity, and if so, whether such disabled employee is (4) qualified to perform (5) the essential functions of a job (6) with or without reasonable accommodation or whether such accommodation would constitute (7) an undue hardship. As the Toyota case emphasizes, all of this must be determined on an individual, case-by-case basis. Viewed from this perspective, the Toyota case may not have great practical impact on the day-to-day operation of our businesses.

In the end, the best approach for employers is to develop compliance strategies to keep ADA disputes out of court and to work with physically impaired employees in an interactive and accommodating fashion consistent with the efficient operation of the business.

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Board Meeting Minutes

Date: February 13, 2002

Location: Applebee's Restaurant

Attendees: Chuck Swain, Karen Edmonds, Cindy Hale, Keith Foreman, Jim Cowan, Bridgett Porterfield, Melissa Zienius and Melani Bland

- Bob Griffin stopped by briefly to announce the date and location of the Golf Outing: April 26, 2002 at Auburn Hills in Riner.
- Finalized calendar of events and meeting schedule through February of 2003.
- Discussed possibly holding a picnic for the August meeting that both members and their families could attend.
- Keith Foreman proposed new controls over the chapter's receipts and disbursements using the SHRM Guide to

Chapter Financial Management as guideline. The Board unanimously approved the controls.

Membership/Public Relations Committee Minutes

Date: February 6, 2002
Location: Blacksburg Chamber of Commerce
Attendees: Chuck Swain, Keith Foreman and Melani Bland

- List of members to contact regarding past due membership dues was divided up among committee.
- Discussed Keith Foreman's suggestions to better organize the membership duties: collection of dues, invoicing, record keeping, etc.

Articles for SHRM Newsletter

Articles for each month's newsletter are due on the last Tuesday of the previous month. For **April's** newsletter, the deadline would be **March 26, 2002**. They may be sent to the Chapter's secretary, Melani Bland, at melani.bland@na.manpower.com Melani's telephone number is 540-381-2386 and fax 381-2388.

2002 Calendar of Events & Annual Meeting Schedule

January 17, 2002 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
James Cowan, Flippin, Densmore, Morse & Jessee "Legislative Update--Compensation Discrimination"

February 21, 2002 NRV-SHRM Breakfast Meeting at EchoStar in Christiansburg, 7:30 a.m.
Tour of EchoStar Facility in Christiansburg

March 21, 2002 NRV-SHRM Breakfast Meeting at Stone's Cafeteria in Christiansburg, 7:30 a.m.
Andrew Monsieur, The Monsieur Group "HR's Role in Employee Financial Education"

****PLEASE BE SURE TO "REPLY" TO THIS E-MAIL FROM MELANI BLAND (melani.bland@na.manpower.com) BY TUESDAY, MARCH 19TH IF YOU ARE PLANNING TO ATTEND THE MARCH MEETING. PLEASE INDICATE IF YOU WILL BE HAVING BREAKFAST OR "COFFEE ONLY" AND LET US KNOW IF YOU WILL BE BRINGING ANY GUESTS. IT IS IMPORTANT THAT WE GET AN ACCURATE COUNT OF PEOPLE SO THAT FOOD AND HANDOUTS CAN BE PREPARED ACCORDINGLY. THANK YOU ****

April 18, 2002. NRV-SHRM Breakfast Meeting at Stone's Cafeteria in Christiansburg, 7:30 a.m.
Tom Winn & Allison Skinner, Woods, Rogers & Hazelgrove "Legal & Practical Considerations for Terminations"

April 26, 2002. NRV-SHRM 8TH ANNUAL CAPTAIN'S CHOICE GOLF OUTING at Auburn Hills
More information coming next month...

May 16, 2002. NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Mary Beth Nash, Gentry, Locke, Rakes & Moore "Risk Management"

June 20, 2002. NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Victor Cardwell & Agnis Chakravorty, Woods, Rogers & Hazelgrove "Trial by Fire: A "First Class" Look at Workplace Violence"

July 18, 2002. NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Todd Leeson, Flippin, Densmore, Morse & Jessee "Recent Court Cases Update"
"Certification Update"

August, 2002. NRV-SHRM PICNIC

TBA

September 19, 2002 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Mike Aamodt, Radford University “Innovations in Employee Selection”

October 17, 2002 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Tom Bagby & Bayard Harris, Woods, Rogers & Hazelgrove “Legal Developments Update. . . What’s Hot and What’s Not”

November 21, 2002 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Bobby Raynes, Personnel Research Associates “Resolving Workplace Conflicts”

December 19, 2002 NRV-SHRM WINTER SOCIAL 5:00-7:00 p.m., Farmhouse Restaurant

January 16, 2003 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
Flippen, Densmore, Morse & Jessee “Legislative Update”

February 20, 2003 NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.
TBA

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