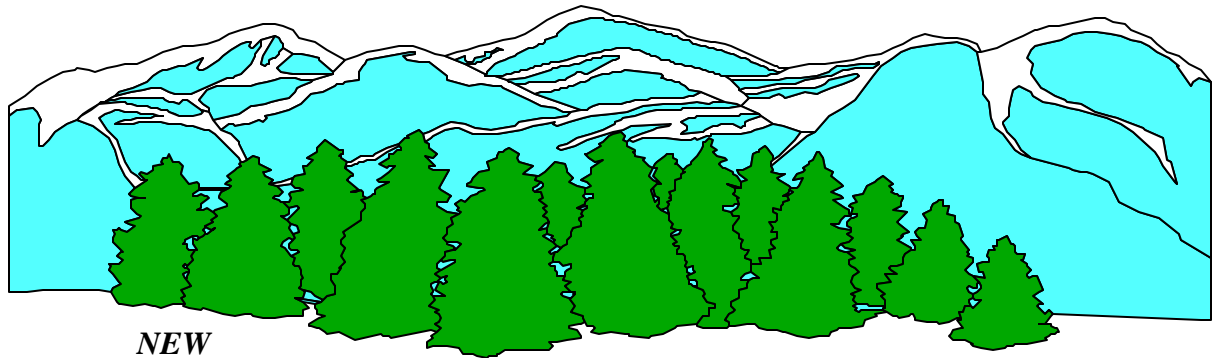


AFFILIATE OF



SOCIETY FOR
HUMAN
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MANAGEMENT



NEW

RIVER VALLEY CHAPTER

Greetings From The President

April 1, 2002

Board of Directors

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I want to thank Andrew Monsour of The Monsour Group for the interactive and informative session on the value of educating our people on money matters. It was encouraging to see so many folks attend, it is a sign that we are delivering the value to you.

For April we have Tom Winn and Allison Skinner, Woods, Rogers & Hazlegrove presenting a program on "Legal and Practical Considerations for Terminations". An area none of us like to deal with, but all of us have to be prepared to handle correctly. As always if you want a quick reference to upcoming events or recent newsletters you can access them on our web site (<http://www.nrvshrm.com/>).

There are a couple of items that need announcement:

* I have some positions still available for the "Professional of the Year" Committee please send an e-mail to me (cswain@kaydon.com) if you are interested.

* 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).

* Again, 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 (cswain@kaydon.com).

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

Chuck

Chapter Industrial Meeting

Be sure to mark your calendars to attend the next meeting that will be held on Tuesday, April 9, 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, April 10, 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 January 31, 2002 **\$5,776.56**

Deposits:

2/13/02 2002 Membership Dues	90.00
2/28/02 2002 Membership Dues	590.00

Withdrawals:

Check #378 2/13/02 Applebees – Board Meeting	71.00
Deposit slip order 2/28/02	8.00

Balance as of February 28, 2002 **\$6,377.56**

NRV-SHRM Annual Golf Outing

Mark your calendars for Friday, April 26th, this is the date of our annual Golf Outing. The event will be held at Auburn Hills Golf Club in Riner with a Shotgun Start at 1:00 p.m. We would like to invite all members to attend regardless of skill level or experience. First-time or novice golfers are welcome, this is a Captain's Choice event. There will be prizes and an after-golf Cook-out/ Social that begins at 5:30 p.m. If you can't make it for golf, you can attend the Cook-out/Social only for \$10.00 at the door. **There is a registration form attached to reserve your spot (please reply back as soon as possible).** Hope to see you all there!

The Co-Chairs for this years Golf Outing are asking for donations and volunteers. If your company can donate an item for a door prize (\$20.00 min), please contact Bob Griffin, Davis Walker or Richard Holbrook. Also, volunteers are needed to help other golfers and as necessary. Your help will be appreciated.

PHR/ SPHR Certification

The NRV Chapter of SHRM is currently looking for members who are interested in taking the certification exam in December.

We are now in the process of forming a study group that would meet to prepare for the certification exam. The chapter has study guides to share and is looking for potential members to join the study group. If you are planning to take the PHR/SPHR Certification Exam in December and would like to join this study group, please contact Lorraine Wachsman (961-2623 or lwachsma@warmhearth.org).

Diversity Update

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

The Virginia Department of Rehabilitative Services, Virginia Department for the Blind and Vision Impaired, Virginia Department for the Deaf and Hard of Hearing, and the VCU Rehabilitative Research and Training Center on Workplace Supports is offering a free seminar on Disability Awareness. The seminar will focus on ways to interview, hire, communicate and accommodate individuals with disabilities into the workplace.

Where: Roanoke Higher Education Center
108 North Jefferson St.
Roanoke, VA

When: April 18, 2002
8 am-12:30 pm

How: Admission is free, but reservations are required. Please contact Diane Williams at williadj@drs.state.va.us. Once registered, you will receive an email confirmation with parking details.

Also, the next Employer Network Meeting is scheduled for April 25 at Stone's Cafeteria in Christiansburg. Breakfast begins at 8 am with the meeting following at 8:30 am. The meeting is usually over at 10 am. Breakfast is \$6.00. Jim Cowan will present information concerning the Americans with Disabilities Act. Please bring a friend!

Legislative Update

Arbitration Agreements after EEOC v. Waffle House, Inc. - Not a Silver Bullet, but still a Good Idea

by Heather H. Polzin March, 2002

The Supreme Court's January 15 decision in EEOC v. Waffle House, Inc. is being painted by some as a hard blow to employment arbitration, but that's not exactly the case. While an arbitration agreement won't protect you from having to defend the rare lawsuit filed by the Equal Employment Opportunity Commission (EEOC), if properly drafted it can still keep disputes with employees out of court.

The Supreme Court did hold that Waffle House's mandatory arbitration agreement was not binding on the EEOC in the EEOC's Americans with Disabilities Act (ADA) lawsuit on behalf of a former Waffle House employee who had been fired after having a seizure. The employee had filed an EEOC charge but did not attempt to file suit or arbitrate with Waffle House on his own behalf.

The lower appellate court had attempted to craft a compromise between what it saw as the competing aims of the Federal Arbitration Act, which favors arbitration, and the ADA, as enforced by the EEOC. If the charging party had agreed to arbitrate his claims, the appellate court allowed the EEOC to sue for injunctive relief, but not for victim-specific relief like damages.

The Court's decision to reject this compromise resulted from its views of arbitration and the EEOC's role. The EEOC, according to earlier decisions by the Court, "does not function simply as a vehicle for conducting litigation on behalf of private parties," and is "not merely a proxy for the victims of discrimination." Without some support in the statutes or caselaw governing the EEOC to suggest that its role may be limited by private contract, the Court was not about to let the EEOC be bound by one individual's agreement to arbitrate.

Arbitration, according to the Court, springs from a contract between two parties. An agreement to arbitrate binds only those parties to the contract and no one else: "It goes without saying that a contract cannot bind a nonparty." And it affects only the forum of the dispute between the parties - how and where the dispute will be heard. Arbitration does not affect the substantive rights of the parties." So, the Court reasoned, an arbitration agreement can't possibly eliminate the right of a nonparty (the EEOC) to sue for types of relief it would otherwise have the right to pursue.

It's important to remember what the Court did not decide. The Court left as "an open question whether a settlement or arbitration judgment would affect the validity of the EEOC's claim or the character of relief the EEOC may seek." The majority hinted at how the Court would answer that question, when it wrote that an individual's conduct can limit the relief that the EEOC may obtain, and that the courts should not allow double recovery.

In reality, Waffle House will be relevant to only a tiny fraction of the employment disputes that arise every year. Statistics relied upon by the Court in its decision suggest that the EEOC pursues litigation in very few cases. In 2000, it filed suit or intervened in only one-half of one percent (402 of 79,896) charges filed. In the vast majority of employment disputes, there's still an important role for arbitration if employers have properly-drafted arbitration agreements (see our November 2001 employment brief for tips on drafting arbitration agreements).

Board Meeting Minutes

Date: March 13, 2002

Location: Applebee's Restaurant

Attendees: Chuck Swain, Karen Edmonds, Bob Griffin, Bridgett Porterfield, Bruce Jennings, Davis Walker and Melani Bland

- Planning began for the annual golf outing on April 26, 2002 to be held at Auburn Hills Golf Club in Riner. A flyer will be distributed to members at the March meeting and further announcements will be sent as the date approaches. Minimum of \$20.00 was set for door prizes. Invitations will be extended to both the Southwest Virginia and Roanoke Chapters of SHRM. The Roanoke Chapter will be limited to 5 teams.
- The calendar of events and meeting schedule for 2002 was adjusted to provide for a short presentation by Dave Darden, Montgomery Regional Hospital and Marcy Engle, SHRM Foundation. The September meeting will be an "Invite The Boss Day" event, where members will be encouraged to bring their supervisors and/or CEO's to increase awareness. A picnic/ social event for members and their families will be held in August in addition to the regular August meeting.
- Chuck has asked for volunteers/ sponsors for the Quarterly State Council Meeting to be held May 24 at the Farmhouse Restaurant in Christiansburg. Announcement will be made to membership at March meeting.

Membership/Public Relations Committee Minutes

Date: March 5, 2002

Location: Blacksburg Chamber of Commerce

Attendees: Chuck Swain, Keith Foreman, Davis Walker and Melani Bland

The Membership Committee is working diligently to complete the 2002 Member Roster and Handbook. We will have copies ready for distribution later this month.

SHRM National :165,000 and Growing!

SHRM National is sponsoring a new program through 2002 designed to reward SHRM chapters for recruiting SHRM national members and to reinforce the commitment to the human resource management profession. The Grand Prize includes a complimentary conference registration, hotel accommodations, and transportation to a SHRM sponsored Conference. Prizes

are awarded on percentage of net gain in national membership.
Online membership application is available at www.shrm.org/membermadness .

Highlights of SHRM member benefits:

SHRM Online	HR News	Member Directory
Information Center	Industry Research Reports	
HR Magazine	Discounts on Professional Development	

I look forward to seeing everyone at our next meeting.

Keith

Articles for SHRM Newsletter

Articles for each month's newsletter are due on the last Tuesday of the previous month. For the **May** newsletter, the deadline would be **April 30, 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 Monsour, The Monsour Group "HR's Role in Employee Financial Education"

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

****PLEASE BE SURE TO "REPLY" TO THIS E-MAIL FROM MELANI BLAND (melani.bland@na.manpower.com) BY TUESDAY, APRIL 16TH IF YOU ARE PLANNING TO ATTEND THE APRIL 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 26, 2002. NRV-SHRM 8TH ANNUAL CAPTAIN'S CHOICE GOLF OUTING at Auburn Hills

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 & Hazlegrove "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

Marcy Engle, SHRM Foundation

September 19, 2002. NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.

Mike Aamodt, Radford University

“Innovations in Employee Selection”

“Invite Your Manager” Day

October 17, 2002NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.

Clinton Morse, Flippin, Densmore, Morse & Jessee “Annual ‘State of the Union’ Legislative Update”

November 21, 2002NRV-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, 2003NRV-SHRM Breakfast Meeting at Stones Cafeteria in Christiansburg, 7:30 a.m.

Flippin, Densmore, Morse & Jessee

“Legislative Update”/ Installation of Officers

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

TBA

Legislative Representatives

Virginia:

Delegate James Shuler (12TH District)
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Fax (804) 786-6310
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Email: district39@sov.state.va.us

Delegate W. B. (Benny) Keister (6TH Dis.)
Room 819 General Assembly Building
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Senator Malfourd W. (Bo) Trumbo (22ND District)
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ANNUAL NRV-SHRM GOLF OUTING

RESERVATION FORM

NAME:

COMPANY:

PHONE:

E-MAIL:

_____ My company can donate an item(s) for the door prizes

Please note: \$20.00 min and items must be delivered to Bob Griffin, Davis Walker or Richard Holbrook by the next meeting on Thursday, April 18th.

_____ I plan to attend the Golf Outing on Friday, April 26th, 2002 at Auburn Hills

I will be bringing _____ guests

I will be playing golf & attending the cook-out/social _____

I will be attending the after-golf cook-out/ social ONLY _____

_____ I can volunteer to help other golfers or as needed.

** Please reply to this e-mail (melani.bland@na.manpower.com) by **Thursday, April 18th**, if you are planning to attend the Golf Outing! It is important that we get an accurate count so that food can be prepared accordingly and we will know how many teams we will have for golf. You may also e-mail or fax this form to Bob Griffin (bgriffin@tmdfrictioninc.com/ fax (540) 674-2389)*