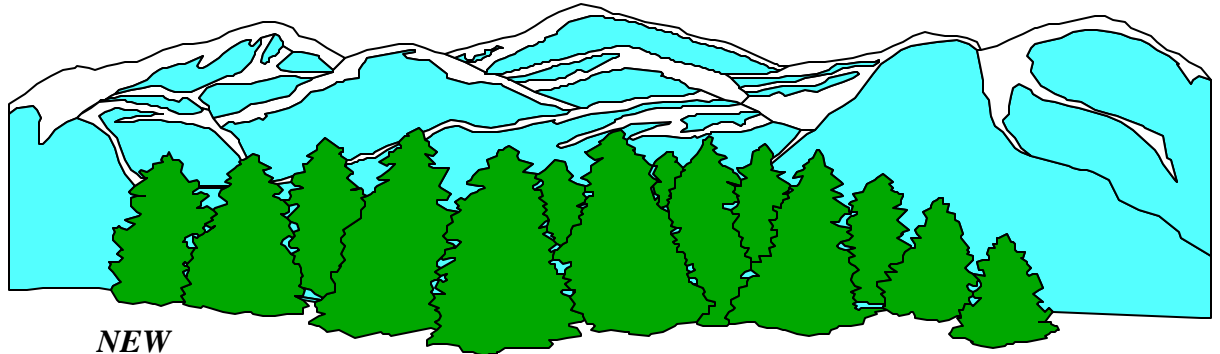


AFFILIATE OF



SOCIETY FOR
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NEW

RIVER VALLEY CHAPTER

www.nrvshrm.com

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Greetings From The President

June 1, 2003

Happy June! Summer is upon us. Time to enjoy a little bit of sun when it occasionally peaks through. It is also a time to relax and have fun. Speaking of which, an NRV-SHRM Social Committee has been formed and work is underway to put together some social and networking events for the immediate future and into next year. This Committee will be sharing plans with the Chapter as soon as details are finalized. So stay tuned!

Looking ahead and with vacation schedules in mind, I will be out of town during the July meeting time frame. Lorraine is going to host that meeting at Warm Hearth. This will give a chance for a tour as well as a change of venue. Directions will be forthcoming in the July newsletter along with other details. I appreciate Lorraine filling in and agreeing to host the meeting.

We just received word that our Chapter has received a \$1,000 Area II SHRM Foundation Certification Scholarship Award. This money will go toward supporting our Chapter certification efforts. We are very pleased to have been selected to receive this award. Congratulations to Rita Turpin, HRCI Certification Director, who prepared the application. Great job, Rita!

A special thank you to Dan Oyler with the Management Association of Western Virginia for his excellent presentation in May on FMLA and its ongoing challenges. After all this time, there are still questions that pop up as we attempt to work through the realities of this legislation.

Is there someone you know who could benefit from being a member of NRV-SHRM? Why not bring them along to our next meeting? Dr. Mike Aamodt from Radford University will be the speaker at the June 19 meeting. He will be addressing the topic of conducting criminal background checks. I look forward to seeing you there. Have a great month!

Best wishes,
Karen

ANNOUNCEMENTS:

Recruiting Employees for Hard to Fill Jobs: Do you have jobs that are difficult to fill? Have you tried running help-wanted ads with little success? If your answer is yes, come to the June breakfast meeting and learn to tap some sources you may not have thought about. Topics will include employee referrals, point of purchase ads, and the use of special populations such as ex-cons and retired workers. Plus, the program has been approved by HRCI for recertification credit!

SHRM Has a New Look —www.shrm.org

The new SHRM website is chocked full of resources for members. Other developments include a changed look and feel of HR Magazine to include more timely information, as well as a new online newsletter, HR Week, to keep us apprised of HR developments.

So...it is an excellent time to join National SHRM if you are not currently a member. You may do so at a first year reduced rate of \$145. So...check it out!

nrvshrm.com Job Data Bank

The chapter now has a new job posting area on the web site. Members may begin placing job postings immediately. The data bank can be found under the "Position Postings" link on the web site. Please use the following guidelines when submitting a posting:

Guidelines to Post Vacancies

1. All postings should be submitted by e-mail via the website to Kathy Janosko, Web Site Administrator (kathy@ali-inc.com)
2. 30 day posting limit unless notified to remove sooner.
3. We accept HR related postings only.
4. NRV-SHRM is not responsible for editing the job posting. We reserve the right to determine appropriateness. NRV-SHRM does not endorse any advertiser/submission.
5. There is no charge to members of NRV-SHRM.

Chapter Industrial Meeting

Be sure to mark your calendars to attend the next meeting that will be held on **Tuesday, June 10th** at Stone's Cafeteria in Christiansburg. This meeting is held on the second Tuesday of every month and meets at 7:00 a.m. Contact Bruce Jennings at (540) 674-7461 or bruce.Jennings@volvo.com for more information on the Industrial Meeting.

Board of Directors Meeting

The monthly Board meeting will be held on **Tuesday, June 3rd** at the Montgomery County Government Center. This meeting will begin at 5:00 p.m. Any Board member who cannot attend should contact Karen Edmonds at 394-2007 or e-mail to kedmonds@naxs.net

Chapter Financial Activity Report

Balance as of March 31, 2003 \$8,513.04

Deposits:

4/10/03 2003 Membership Dues 50.00
4/10/03 Chapter Meeting 10.00

Withdrawals:

Check #425 4/6/03
Office Max – Roster Notebooks 249.50

Check #426 4/9/03
Old Town – Printing & Copying 314.23

Check #427 4/15/03
Old Town Printing 20.41

Check #499 4/17/03
Hampton Inn – Monthly Meeting 78.56

Balance as of April 30, 2003 **\$7,910.34**

Legislative Update

(From Jim Cowan/ cowan@flippindensmore.com)

Author: Heather H. Polzin

WHEN AND HOW MUST AN EMPLOYEE GIVE NOTICE THAT HE NEEDS LEAVE UNDER THE FMLA? THE ANSWERS MAY SURPRISE YOU.

A tale of two employees.

Consider two cases involving employees suffering from depression. First, an employee is caught sleeping on the job, leaves work early and misses a meeting scheduled to discuss his recent performance problems. He tells management nothing, and tells a co-worker only that he "was not feeling well and would be out the rest of the week."

Second, an employee leaves work complaining that he is ill. He goes to a hospital that day, and provides his employer with a note from the hospital indicating that he should remain out of work for a week. Before that week is out, he provides his employer with another note from a physician. When requested, he authorizes his doctor to discuss his condition with the employer.

Both employees are fired and bring Family and Medical Leave Act (FMLA) claims. Which worker failed to give timely and adequate notice of his need for FMLA leave? Surprisingly, the second worker. The courts' surprising decisions.

The Federal Court of Appeals for the Fourth Circuit, which covers Virginia, ruled on May 7, 2003 in *Peeples v. Coastal Office Prods., Inc.* that the employee's termination did not violate the FMLA. Peeples, the employee, provided incomplete and dishonest responses to the employer's requests for information. Although he did provide two out-of-work slips from physicians, he failed to disclose that he was being treated for depression. Instead, he implied that he had a thyroid disorder. The employer remained unaware of his depression until its conversation with the employee's physician. He gave only vague responses when asked about his diagnosis and possible return date. And, on two occasions, the employer was told that the employee might not return to his job. All of this led the court to justify the employee's termination because the employer "not unreasonably determined, in good faith . . . that Peeples was not going to return to the manager's job."

Another Federal appeals court held, in *Byrne v. Avon Prods., Inc.* (May 9, 2003) that even though the employee had been sleeping on the job for ten days before his employer was told that he was "very sick," his FMLA case should be allowed to go to a jury. The court created two possible excuses for the employee's failure to give notice of his need for FMLA leave: (1) his change in behavior, from a "model employee" to someone who sleeps on the job, might be enough to notify a reasonable employer that he suffered from a serious health condition, or (2) he may have been mentally incapable of working or giving notice during the ten days that he was sleeping on the job.

What does it all mean for you? Peeples continues the Fourth Circuit's tradition of treating employers favorably. It should encourage Virginia employers to keep seeking information about the reason for, and expected length of, an employee's absence. Employees who are less-than-candid about their health condition may be terminated without violating the FMLA, although you should always consult with your attorney about such a termination. Byrne may stand for nothing more than the common-sense principle that some people are so sick that they can't give notice of their need for FMLA leave. The court seemed to have been impressed by Byrne's hallucinations and attempt to "flush his head down the toilet." On the other hand, savvy employers will remember that at least one court believes that an employee's abrupt change in behavior could serve as notice of his need for FMLA leave.

Diversity Update

(By Kate Meserve/ kmeserve@vt.edu)

Do you offer a diversity awareness program at your organization? Have you considered creating one? Because diversity is a personal and subjective experience, it is important to share those experiences with each other and gain a better understanding of how each of us perceives the world around us. Ultimately, understanding each other better will lead to more productive working relationships and a respectful work environment.

Diversity can be defined as a community of individuals, each having unique attributes based on a variety of social, physical, and cultural characteristics. Some attributes are race, class, ethnicity, religion, gender, age, sexual orientation, marital status, veteran status, disability, political affiliation, and regional and national origin.

Some tools for facilitating discussion about diversity are individual reflection, personal testimony, and case studies. Individual reflection is a relatively non-threatening way to start thinking about your personal experiences, perceptions, and prejudices. It provides a context for why you think and feel the way you do about people who are different from you. Personal testimony can provide a much needed reality check that discrimination really does still exist, and brings home how painful and destructive it is for everyone involved. Case studies offer an excellent opportunity for groups to discuss how they would react to and handle different situations relating to diversity.

If you are interested in developing a diversity awareness program for your organization, here are some resources that may be helpful:

- Reversing the Ostrich Approach to Diversity: Pulling your head out of the sand, by A. S. Tolbert, Ph.D.
- The 10 Lenses: Your Guide to Living & Working in a Multicultural World, by Mark A. Williams, and Donald O. Clifton
- The Managing Diversity Survival Guide: A Complete Collection of Checklists, Activities, and Tips, by Lee Gardenswartz, and Anita Rowe
- Diversity Activities and Training Designs, by Julie O'Mara
- Fifty Activities for Diversity Training, by Johamay Lambert, and Selma Myers
- Diversity: The ASTD Trainer's Sourcebook, by Tina Rasmussen, and Richard L. Roe
- The Diversity Toolkit: How You Can Build and Benefit from a Diverse Workforce, by William Sonnenschein, and Arthur H. Bell

- Diversophy – a learning game to increase awareness of diversity issues and gain skills for dealing with people different from themselves. Available through The Carter Group, Inc.'s website (http://www.buildingteams.com/Products/diversity_tools/diversophy.htm?source=overture)

Board Meeting Minutes

Date: May 6, 2003, 5:00 p.m.

Location: Montgomery County Government Center

Attendees: Jim Cowan, Bruce Jennings, Rita Turpin, Lorraine Wachsman, Keith Foreman, Karen Edmonds

- Karen Edmonds reported on items from the SHRM State Council meeting held in Roanoke on April 25; one of which was whether to consider Chapter incorporation. Board members discussed it as a possibility for the future.
- Karen Edmonds is working on pulling a Chapter Social Committee together. An e-mail broadcast was suggested to recruit volunteers. Karen indicated that she would pass on to Melani.
- The Board meeting date will continue on the first Tuesday of each month, 5:00 p.m., at the Government Center.
- Further discussion occurred on the HR Roundtable idea; Jim reported that a group in the Abingdon area was doing something similar. Lorraine Wachsman will explore further.
- Lorraine reported that she is making progress on lining up programs for the rest of the year and she is researching the possibility of certification/recertification credit being made available for the breakfast meeting programs.
- A suggestion had been made at the last Board meeting to consider allocating some of the Chapter's budget for an academic scholarship award. This suggestion was considered and it was decided to hold off until closer to the end of the year to see how finances hold up for the year and then further consider a small amount at that time.
- A suggestion was made that the Chapter have a list serve within which information could be shared and solicited as a group; individuals could opt in or out as they chose. This suggestion will be passed to Kathy Janosko, Web Site Administrator, and further considered at the next meeting.

Articles for SHRM Newsletter

Articles for each month's newsletter are due on the last Tuesday of the previous month. For the **July** newsletter, the deadline would be **June 24th**. They may be sent to the Chapter's secretary, Melani Bland, at emel130@yahoo.com Melani's telephone number is 540-961-1774.

2003 Calendar of Events & Annual Meeting Schedule

January 16, 2003NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg 7:30 a.m.
Flippin, Densmore, Morse & Jessee “Legislative Update”/ Installation of Officers

February 20, 2003NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Matt Hart, Literacy Volunteers “Workplace Literacy/ Certification Recognition”

March 20, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Ellen Dodson, SMIA “Long-term Care Insurance, Should It Be Part of Your Employee Benefits Package? ”

April 17, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Flippin, Densmore, Morse & Jessee “HIPAA—Down to the Wire: HIPAA Privacy Compliance”

May 15, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Dan Oyler, Management Association of Western VA “FMLA Overview”

****PLEASE BE SURE TO “REPLY” TO THIS E-MAIL FROM MELANI BLAND (emel130@yahoo.com) BY TUESDAY, JUNE 17th IF YOU ARE PLANNING TO ATTEND THE JUNE MEETING. PLEASE INDICATE 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 ****

June 19, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Dr. Mike Aamodt, Radford University “Employee Recruitment”

July 17, 2003.....NRV-SHRM Breakfast Meeting at Warm Hearth Village, Blacksburg, 7:30 a.m.
Woods, Rogers and Hazelgrove “Immigration Law Update”

August 21, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
Dan Semones, Dept. of Rehabilitative Services “Diversity Training”

September 18, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
TBA

October 16, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
TBA

November 20, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.
TBA

December, 2003.....Winter Social TBA