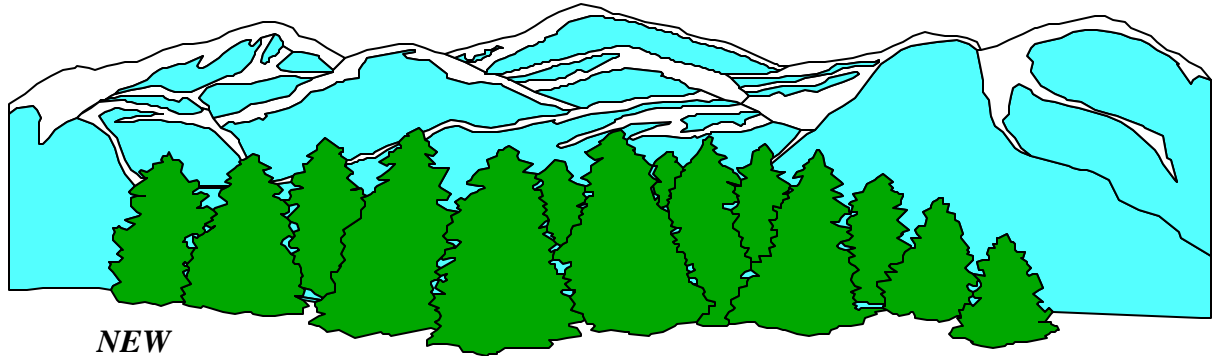


AFFILIATE OF



SOCIETY FOR
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NEW

RIVER VALLEY CHAPTER

www.nrvshrm.com

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Greetings From The President

August 5, 2003

A big thanks to Lorraine Wachsman and the Warm Hearth Village staff for their hospitality in July and to Victor Cardwell and Tom Winn with Woods, Rogers, and Hazelgrove for their excellent and engaging presentation.

If you have not already heard, Keith Foreman, our Membership Director/Treasurer, relocated to the Outer Banks area of North Carolina in July. Although this was an exciting opportunity for Keith, he will be greatly missed here. He was invaluable to our Chapter in so many ways. We all wish him well.

I am excited about the upcoming Salem Avalanche ball game opportunity on Friday, August 29, 7:00 p.m. NRV-SHRM is contributing \$5 toward the cost of each ticket to make the package very affordable. This price includes the ticket and a very nice dinner. We will be partnering with the Roanoke Valley Chapter and I appreciate their help in coordinating this event. It will be a great opportunity to have fun, bring your family, and enjoy an evening of baseball while getting to know each other better. More details follow in this newsletter about how to sign up.

Looking ahead to September, we are also planning to combine efforts with the Roanoke Chapter in conducting our annual Golf Tournament. Watch for upcoming news about this event as well. Thanks to the Social Committee for organizing both of these opportunities.

Last week, Cindy Hale, Lorraine, and I attended the quarterly SHRM State Council meeting held at Chateau Morrisette (this part of the State). Cindy did a wonderful job organizing this meeting, which was very well received by members from across the State. One exciting item to report from that meeting...the State Council is planning a State Council magazine, which would be published every six months and distributed to all Chapter members in Virginia. This magazine will keep everyone up-to-date on Virginia SHRM happenings.

I am looking forward to August's program back at our regular meeting place, Hampton Inn; Dan Semones with the Department of Rehabilitative Services will deliver a presentation on the topic of "Diversity Training."

Enjoy the rest of your summer as it is quickly slipping by! Hope to see you on August 21.

Take care,

Karen

ANNOUNCEMENTS:

SHRM BASEBALL OUTING

Here is an excellent opportunity for family fun, chapter camaraderie and networking with the Roanoke SHRM chapter.

DATE: August 29, 2003

TIME: 6:00 pm Picnic in the Park 7:05 pm Game time

PLACE: Salem Memorial Stadium Picnic area along first base line

WHAT: Salem Avalanche vs. Lynchburg Hillcats Baseball Game

- \$11.00 per person (age 9 and up) \$9.00 (age 4 to 8) FREE (age 3 and under)
- Price includes Picnic and Ticket
- Menu – Chicken Sandwiches, hot dogs, hamburgers and all the “fixins and trimins”
- Our chapter is contributing towards the purchase of your ticket(s) in the amount of \$5.00 per person

RULES: *Complete the form below indicating your participation. Please sign it bring it and your money with you to the 8/21/03 membership meeting or, if you will not be at the meeting, FAX your completed form to Davis Walker, FAX # 540 639-6103, or email him at dgwalker@usit.net

*The chapter will purchase your ticket(s) and have them available for you at the WILL CALL window when you arrive that evening

*You MUST have turned in your response form and money at the 8/21/03 membership meeting or FAXed your response to Davis by 8/21/03 to be included in the count. If faxed in, payment must be made to the Treasurer later.

*All sales are final. If you sign up, you are responsible for full payment – show or no show!

YES! I/WE ARE GOING TO ATTEND. SIGN ME UP

_____ ADULT TICKETS \$11.00 each (9 and up)

_____ YOUTH TICKETS \$9.00 each (4 to 8)

_____ KIDS TICKETS FREE (3 and under)

_____ signature _____ date

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, August 12th** 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, August 5th** 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 May 31, 2003 **\$8,162.43**

Withdrawals:

Check #4290 6/19/03

Hampton Inn – Chapter Meeting **38.11**

Balance as of June 30, 2003 **\$8,124.32**

Membership/Public Relations Committee

The New River Valley SHRM Chapter currently consists of 119 members. Of those 119 Chapter members, 63 are National SHRM members.

This will be my last duty with the NRV Chapter as I have accepted a new position with Adecco in Greenville, NC. I have thoroughly enjoyed my work with the Chapter and the Board of Directors. My only advice I would leave behind is “get involved”. The rewards I received were priceless.

Best wishes,

Keith

Membership Information Updates:

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Human Resources Specialist II
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Phone: 540-394-2615
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Legislative Update

(From Jim Cowan/ cowan@flippindensmore.com)

Supreme Court Makes It Easier To Prove Discrimination in Mixed Motive Cases

“Mixed motive” cases are those in which both illegal discrimination and legitimate nondiscriminatory reasons may have played a role in an employer’s adverse employment decision. It has just become harder for employers to win those cases. If illegal discrimination *could* be seen as a factor in an employment decision, then you as the employer have an increased risk of liability.

On June 9, 2003, the United States Supreme Court held, in *Desert Palace, Inc., v. Costa*, that Title VII does not require direct evidence of discrimination when seeking damages for discharge in mixed motive cases. Circumstantial evidence is sufficient.

Before 1991, the burden of persuasion in mixed motive cases shifted to the employer only if the plaintiff showed by direct evidence that illegal discrimination played a substantial role in the adverse employment decision. The Civil Rights Act of 1991 changed the evidentiary rules, according to this new decision.

Catherine Costa was employed as a warehouse worker and heavy equipment operator, the only woman in this job and in her local Teamsters unit. She was discharged after a physical altercation with a fellow Teamster. Both employees were disciplined because the facts surrounding the altercation were in dispute, but Costa had experienced a number of problems with management and coworkers that led to an escalating series of disciplinary sanctions. The other employee, who had a clean disciplinary record, received only a 5-day suspension.

Costa sued for sex discrimination and sexual harassment in District Court. The sexual harassment claim was dismissed, but the discrimination case was permitted to go to a jury. At trial, Costa presented evidence that she was singled out for “intense ‘stalking’” by one of her supervisors, that she received harsher discipline than men for the same conduct, that she was treated less favorably than men in the assignment of overtime, and that supervisors repeatedly “stacked” her disciplinary record and frequently used or tolerated sex-based slurs against her.

The District Court instructed the jury that, if Costa proved by a preponderance of the evidence that sex was a motivating factor in the adverse work conditions imposed on her, she was entitled to damages unless her employer proved by a

preponderance of the evidence that it would have treated her similarly had gender played no role. The employer objected unsuccessfully to this instruction, claiming that Costa needed to adduce “direct evidence” that sex was a motivating factor. The jury awarded back pay and compensatory and punitive damages.

The inescapable lesson for employers is that having a legitimate reason for an adverse employment decision is not always enough. If illegal discrimination could also be seen as a possible motive for the employer’s actions, then the jury is free to conclude that it caused the employee’s damages. Scrutiny of employment decisions is now more important than ever.

Board Meeting Minutes

Minutes - July 1, 2003, 5:00 p.m., Government Center

PRESENT: Kathy Janosko, Jim Cowan, Lorraine Wachsmann, and Karen Edmonds

- The members present discussed filling the programs for the rest of the year. Lorraine is continuing to look into the HR Roundtable idea. The group also reviewed the Achievement Plan requirements that involve programming.
 - Karen mentioned that a representative from Junior Achievement had left a message indicating that they would like to regain support from our Chapter. Contributions had been made at a time in the past and they would like to see that support begin again. The Board indicated a desire to follow up with Keith about how much was given in the past and when the donations had ceased.
 - Karen indicated that Cyndy Rupe had volunteered to assume the duties of Secretary for the rest of this year.
 - Karen indicated that the Nominating Committee would be formed in August to begin their work for next year.
- Karen gave a report from the Social Committee regarding plans for a Salem Avalanche night with the Roanoke Valley SHRM and possible combination of efforts between the two Chapters for the annual Golf Tournament in September.

Articles for SHRM Newsletter

Articles for each month’s newsletter are due on the last Tuesday of the previous month. For the **September** newsletter, the deadline would be **August 27th**. They may be sent to the Chapter’s secretary, Cyndy Rupe, at Cyndy@oakhalli.com, Cyndy’s telephone number is 540-387-0000.

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, 2003 NRV-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”

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

***Change of Venue*

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

****PLEASE BE SURE TO “REPLY” TO THIS E-MAIL FROM CYNDY RUPE (Cyndy@oakhalli.com) BY TUESDAY, AUGUST 19th IF YOU ARE PLANNING TO ATTEND THE AUGUST 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 ****

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