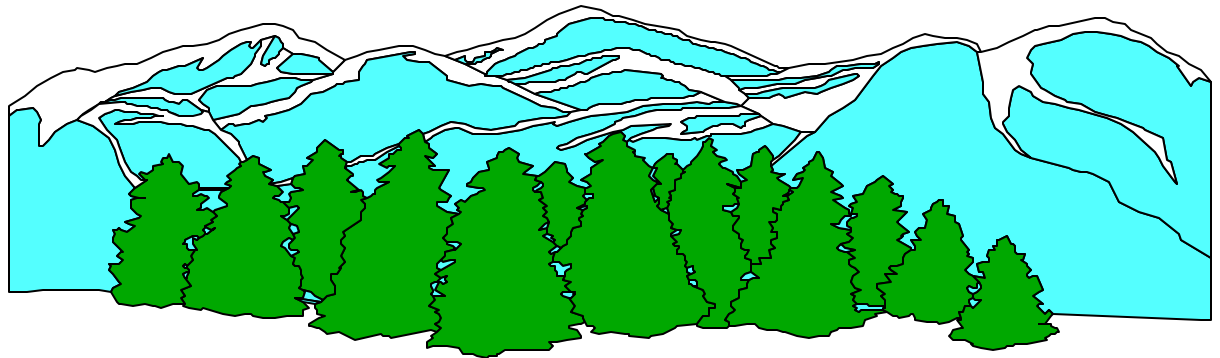


AFFILIATE OF



SOCIETY FOR  
HUMAN  
RESOURCE  
MANAGEMENT



NEW RIVER VALLEY CHAPTER

[www.nrvshrm.com](http://www.nrvshrm.com)

### Greetings From The President

November 4, 2003

#### Board of Directors

KAREN EDMONDS  
President 394-2007  
[kedmonds@naxs.net](mailto:kedmonds@naxs.net)  
LORRAINE WACHSMAN  
President-Elect 961-2326  
[lwachsm@warmhearth.org](mailto:lwachsm@warmhearth.org)  
KEITH FOREMAN  
Chapter Membership  
Director/Treasurer 951-0841  
[keith.foreman@adeconacona.com](mailto:keith.foreman@adeconacona.com)  
CYNDY RUPE  
Secretary 387-0000  
[Cyndy@oakhalli.com](mailto:Cyndy@oakhalli.com)  
KATE MESERVE  
Diversity Coordinator  
231-3733  
[kmeserve@vt.edu](mailto:kmeserve@vt.edu)  
RITA TURPIN  
HRCI Coordinator 745-9569  
[ritaturpin@citizens.coop](mailto:ritaturpin@citizens.coop)  
JAMES COWAN  
Legislative Coordinator 961-2600  
[cowan@flippindensmore.com](mailto:cowan@flippindensmore.com)  
SUSANNE ALLORE  
Member at Large 731-8023  
[sallore@nrindustries.com](mailto:sallore@nrindustries.com)  
BRUCE JENNINGS  
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CINDY HALE  
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[chale@bsi-va.com](mailto:chale@bsi-va.com)  
DAVIS WALKER  
Retiree Liaison 552-9227  
[dgwalker@usit.net](mailto:dgwalker@usit.net)  
MELISSA ZIENIUS  
SHRM Foundation Rep. 980-7233  
[melissa@hoovercolor.com](mailto:melissa@hoovercolor.com)  
MIKE AAMODT  
Student Chapter Liaison  
831-5513 [maamodt@radford.edu](mailto:maamodt@radford.edu)  
KATHY JANOSKO  
Web Site Administrator  
443-3377 [kathy@ali-inc.com](mailto:kathy@ali-inc.com)

A special thank you is extended to Andrew Jones, RU SHRM Chapter President, and Kara Hughes, Virginia Tech Chapter President, for sharing information about their chapters. Keep in mind their requests to be considered for internships. Great job, Andrew and Kara! We are also very thankful to Shelly Prochaska for visiting our chapter and presenting a wealth of information about SHRM National membership. She did an excellent job and we thank Shelly for delaying her State Conference attendance to be with us.

We will be doing a Membership Campaign this Fall through December 31. Those joining or rejoining NRV-SHRM will be good to go for 2004 and will have their name entered for a special weekend getaway drawing to be held in January. So watch for details!

Another upcoming opportunity is the HR Roundtable scheduled for November 5, 12:00 noon-1:30 p.m. at The Farmhouse Restaurant in Christiansburg. The topic will be "Legal Advice for Stress-Free Terminations." Jim Cowan with Flippin, Densmore, Morse, and Jessee will be the facilitator. The chapter is providing complimentary dessert and coffee. Bring along other managers and supervisors from your organization. This will be an opportunity to bring questions and to share "roundtable style" the many issues of concern in making these tough decisions.

Thanks to everyone who contributed to the SHRM Foundation raffle and congratulations to Cindy Hale who won the "VT tailgating bag" and to Brenda Farmer who was the winner of the "VT Snowmen." We raised \$150 for the Foundation. Thanks to Melissa Zienius for coordinating the event. Great job!

In the September issue of HR Magazine, Sue Meisinger, President of SHRM, asks the question, "When You Talk, Do People Listen?" In her message, she states, "HR professionals should inventory their skills and develop plans to fill in gaps. They should demand the same from others. All HR professionals – from the new graduate to the most seasoned specialist – can increase their organizational contributions by enhancing their personal credibility." The first step in establishing credibility is achieving results, following through on commitments made, and acting with integrity each step of the way. "Above all," she says, "establishing personal credibility takes tenacity and commitment. HR professionals who lack credibility typically are excluded from strategic activities they must accomplish to help their organizations succeed." ... Definitely some things to consider ...

I do hope you're having a great month and that you'll be able to make the November 5th HR Roundtable, as well as the upcoming December 4th Holiday Social.

Best wishes,  
*Karen*

#### ANNOUNCEMENTS:

## 'TIS THE SEASON

That's right. The Holiday Season is just around the corner. To mark this special time of the year, the New River Valley SHRM Chapter will host its annual WINTER SOCIAL on Thursday, December 4, 2003 between 5 and 7 pm at THE FARMHOUSE.

All members are encouraged to attend and bring your spouse or guest. There is no charge for this event. (An early gift from the jolly old man in the red suit!) THE FARMHOUSE has promised to have its lavish and festive outpouring of hors d'oeuvres and beverages for all who attend.

Please take a moment to RSVP. Send a quick e-mail to Davis Walker at [dwalker@usit.net](mailto:dwalker@usit.net) and let him know if you will be attending or not and if you will be bringing a guest. We hope to see everybody there to enjoy a great time welcoming in the season

### NRV SHRM Chapter Membership Dues!

It's that time of the year to renew your membership with the NRV SHRM. IF your membership dues are postmarked on or before **December 31, 2003**, your name will be put in a drawing for a **\$125 Gift Certificate to the Peaks of Otter** (good for lodging and/or restaurant)!

The Peaks of Otter Lodge and Restaurant are nestled between two of the three mountains that make up the Peaks of Otter, located at Milepost 86 on the Blue Ridge Parkway near Bedford, Virginia, and is open year round. For more information visit [www.peaksofotter.com](http://www.peaksofotter.com).

The winner will be announced at the January 2004 meeting! Don't miss the opportunity to enjoy the benefits of your membership with the NRV SHRM for another year and to be in the running for the Peaks of Otter Gift Certificate. Attached to the newsletter you will also find the 2004 Membership Application or you may go online to [www.nrvshrm.com](http://www.nrvshrm.com) and download.

### 2004 NRV SHRM OFFICERS

Officers elected to serve for 2004 are:

President	Lorraine Wachsman, PHR (Warm Hearth Village)
President-Elect	Jim Hungate (Electro-Tec Corporation)
Membership Director/ Treasurer	Melissa Moorman Cox (Adecco Employment Services)
Secretary	Teresa Harless (Town of Blacksburg)
Diversity Coordinator	Christy Porterfield (Virginia Tech)
HRCI Coordinator	Carol Dudding (First National Bank)
Industry Liaison	Bruce Jennings (Volvo Trucks)
Legislative Coordinator	Jim Cowan (Flippin, Densmore, Morse and Jessee, P.C.)
Web Site Administrator	Kathy Janosko (Advanced Logic Industries)
SHRM Foundation Coordinator	Melissa Zienius (Hoover Color Corporation)
Retiree Liaison	Davis Walker (retired)
Student Chapter Liaison	Mike Aamodt (Radford University)

Past President Karen Edmonds (Montgomery County)

Member at Large Cindy Hale (BSI Benefit Services)

CONGRATULATIONS EVERYONE! We look forward to an exciting year!

### **Membership/Public Relations Committee**

Please welcome the following new members:

Stephanie Hollandsworth  
Human Resources Assistant  
Virginia Tech Services, Inc.  
University Bookstore, Blacksburg VA 24061  
Phone: (540)231-9674 ext. 109

David Wolf  
Individual Member  
4713 Foxhall Circle  
Roanoke, VA 24012  
dgwolf@msn.com

Tracy Pollard  
Staffing Specialist  
Manpower International  
100 Arbor Drive Suite 102  
Christiansburg, VA 24073  
Phone: (540) 381-2386  
Fax: (540) 381-2388  
tracy.pollard@na.manpower.com

### **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**



## *Sexual Harassment*

*by Joseph M. Rainsbury*

It has been a wild ride for the law of sexual harassment in the United States Court of Appeals for the Fourth Circuit—the federal appeals court with jurisdiction over Virginia and neighboring states. A panel opinion last October issued a pro-employer decision that greatly limited the viability of hostile work environment claims. However, on rehearing earlier this year, the full court reversed the panel and returned the state of the law to the *status quo ante*.

The case was *Ocheltree v. Scollon Productions, Inc.*, 335 F.3d 325 (4<sup>th</sup> Cir. 2003). The plaintiff, Lisa Ocheltree, was an employee of a South Carolina firm that manufactured costumes for sports mascots and cartoon characters. The plant had two units—a sewing facility primarily employing women, and a “production” shop primarily employing men. Ms. Ocheltree worked in the production shop. At the time, she was the sole female employee there and worked alongside ten or eleven men.

The behavior of the male employees was almost unimaginably adolescent and offensive. Frequent topics of conversation between workers in the shop included oral sex, anal sex, bestiality, and pedophilia. In addition, the workers engaged in such antics as simulated sex with a mannequin.

Although much of this conduct was general in nature, some of it was aimed specifically at the plaintiff. Thus, for example, one employee serenaded her with a tune which included the lyrics: “Come to me, oh, baby come to me, your breath smells like come to me.” On another occasion, a coworker showed her a photo of pierced male genitalia—asking for her response. And the male workers frequently would engage in simulated sexual conduct with a mannequin whenever the plaintiff appeared in that area of the shop. This conduct visibly upset plaintiff, and amused the other male workers—including Ms. Ocheltree’s supervisor.

Ms. Ocheltree complained about the offensive workplace atmosphere to her co-workers and to her supervisor. These complaints did not correct the problem; if anything, the behavior of the male employees became more offensive after she registered her objection to it. After leaving the company, she brought suit in federal court for sexual harassment.

A jury found that the employer had engaged in hostile work environment sexual harassment and awarded Ms. Ocheltree \$407,280: \$7280 in compensatory damages and \$400,000 in punitive damages. Because of the small size of the employer, the district court later reduced the total damages award to \$50,000, a decision not challenged by the plaintiff.

The employer appealed the award. Its chief argument on appeal was that most of the above-described conduct was not directed at Ms. Ocheltree “because of” her gender. In a surprising two-to-one panel opinion, the Fourth Circuit agreed. The opinion emphasized two facts in the record: (1) plaintiff’s admission that the conduct was offensive to both men and women, and (2) testimony that the lewd and ribald conduct occurred even before plaintiff, or any other woman, was employed in the production shop. From this, the court concluded that the salacious conduct was not “aimed at” plaintiff “because of” her gender. As for the conduct that incontestably was directed at Ms. Ocheltree specifically, the court concluded that the incidents were too few in number, and not extreme enough in nature, to meet the “severe and pervasive” threshold established by hostile work environment jurisprudence.

In an unusual move, the twelve-judge Court of Appeals agreed to rehear the appeal *en banc* (i.e., as a full court rather than as a three-judge panel). It reversed the panel opinion and reinstated the jury verdict finding a hostile work environment. In his opinion for the court, Judge Michael (the dissenter in the panel opinion) concluded that “a reasonable jury could find that much of the sex-laden and sexist talk and conduct in the production shop was aimed at Ocheltree because of her sex—specifically, that the men

behaved as they did to make her uncomfortable and self-conscious as the only woman in the workplace. Much of the conduct, a jury could find, was particularly offensive to women and was intended to provoke Ocheltree's reaction as a woman."

The bottom line is that sexual harassment should still concern employers. Even if remarks and actions are not explicitly directed at particular persons, an environment in which employees engage in offensive conduct calculated to make members of a particular gender "uncomfortable and self-conscious" can constitute a hostile work environment. Employers should have policies in place to discourage such behavior, and should have well-publicized procedures for employees to register complaints about violations of such policies. Further, company supervisors must be trained in how to handle harassment complaints and/or inappropriate workplace conduct. Please contact us if we can assist you in preparing and administering such policies and procedures.

### **Board Meeting Minutes**

Minutes – October 7, 2003, 5:00pm, Government Center

PRESENT: Karen Edmonds, Cindy Hale, Cyndy Rupe, Kathy Janosko, Kate Meserve, Lorraine Wachsman, and Jim Cowan.

- The Golf Outing had a great turnout and received much positive feedback
- At the November meeting, Student Chapters from VT and Radford will be giving an informational update
- Membership Committee discussed a membership drive and re-did the invoice/application for membership. Brainstorming of ways to encourage membership. Possibly use the Chamber of Commerce to reach other HR professionals.
- Certification- 6 people have bought packets and are interested in sitting for the exam and having a study group. Looking for SPHR's to volunteer to lead the group
- HR Roundtable will be Nov. 5<sup>th</sup> at the Farmhouse

### **Articles for SHRM Newsletter**

Articles for each month's newsletter are due on the last Tuesday of the previous month. For the **December** newsletter, the deadline would be **November 25<sup>th</sup>**. They may be sent to the Chapter's secretary, Cyndy Rupe, at [Cyndy@oakhalli.com](mailto:Cyndy@oakhalli.com), Cyndy's telephone number is 540-387-0000.

# EMPLOYMENT LAW ROUNDTABLE

INVITE YOUR CEO OR MANAGER TO A SPECIAL EVENT SPONSORED BY  
YOUR NRV SHRM CHAPTER:

## FREE LEGAL ADVICE RE: STRESS-FREE TERMINATIONS

JOIN JIM COWAN FROM THE LAW FIRM OF FLIPPIN DENSMORE FOR A  
VALUABLE DISCUSSION ON THE LEGAL PITFALLS OF EMPLOYEE  
TERMINATIONS.

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WEDNESDAY, NOVEMBER 5  
THE FARMHOUSE RESTAURANT  
12 NOON TO 1:30 P.M.

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Order lunch from a selected menu, prices range from \$4.50 to \$9.50. NRV SHRM  
will provide complimentary coffee and dessert.

RSVP TO LORRAINE WACHSMAN  
540/961-2658 or [lwachsman@warmhearth.org](mailto:lwachsman@warmhearth.org)  
BY MONDAY NOV, 3,

If you have specific questions on terminations that you would like Jim to address, please email them to  
[lwachsman@warmhearth.org](mailto:lwachsman@warmhearth.org)

**New Membership Forms and Dues Information**

**Invoice for Annual Chapter Membership Dues  
Society for Human Resource Management  
New River Valley Chapter  
January 1, 2004 – December 31, 2004**

**Part I – Please provide the following information for the Chapter Membership Directory.**

Name/Position: \_\_\_\_\_

Name Preferred for Name Tag: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**Certification:**

\_\_\_\_\_ PHR      \_\_\_\_\_ SPHR      \_\_\_\_\_ Not Certified

Date of Last Certification \_\_\_\_\_

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**Part II – The NRV SHRM Chapter receives financial reimbursement from the National SHRM Organization for every Local Chapter Member who is also a National SHRM Member. Therefore, please provide the following information so we can ensure our records agree with the records of the National Organization.**

\_\_\_\_\_ I am not a National SHRM Member

\_\_\_\_\_ I am a National SHRM Member (Please provide the information below)

Chapter Affiliation (Chapter Name, City, State) \_\_\_\_\_

Membership Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

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**Part III – Dues must be received by December 31, 2003 to ensure you will be included in the 2004 Chapter Membership Directory. Dues are as follows:**

\_\_\_\_\_ \$40.00 Annually for National SHRM Members (A discounted rate for National SHRM

Affiliation).

\_\_\_\_\_ \$50.00 Annually for Non-National SHRM Members (Local NRV Chapter Member Only).

\_\_\_\_\_ \$10.00 Annually for Retired National or Retired Local SHRM Members.

Please make check payable to NRV SHRM and remit with this form to:

Melissa Moorman Cox  
Membership Director/Treasurer, NRV – SHRM  
c/o ADECCO  
1999 South Main Street, Suite 405  
Blacksburg, VA 24060

Questions?  
Call (540) 951-0841 or Email  
Melissa.Cox@adeccona.com

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**Part IV – Please provide comments.**

**What can NRV SHRM do for you?**

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**Please indicate in which of the following areas you would be interested in volunteering –**

\_\_\_\_\_ Membership

\_\_\_\_\_ SHRM Foundation

\_\_\_\_\_ Social Events

\_\_\_\_\_ Industrial Committee

\_\_\_\_\_ Programs

\_\_\_\_\_ Wage Survey

\_\_\_\_\_ Certification

\_\_\_\_\_ Other (Please Specify): \_\_\_\_\_

**2003 Calendar of Events & Annual Meeting Schedule**

January 16, 2003 . . . . .NRV-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”

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.  
Jackie Hudson, Economist, Virginia Employment Commission. “Labor Market Analysis”

October 15, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.  
Shelley Prochaska, SPHR, SHRM Area 2 Manager “National SHRM Update”

**\*\*PLEASE BE SURE TO “REPLY” TO THIS E-MAIL FROM CYNDY RUPE (Cyndy@oakhalli.com) BY MONDAY, NOVEMBER 17<sup>th</sup> IF YOU ARE PLANNING TO ATTEND THE NOVEMBER 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 \*\***

November 20, 2003.....NRV-SHRM Breakfast Meeting at Hampton Inn, Christiansburg, 7:30 a.m.  
Jeff Van Doren, Flippin, Densmore, Morse & Jesse, Legal “Changes in Immigration and Employment Law”

December, 2003.....Winter Social TBA