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President's Letter

Hello Everyone!

As we enter the 2nd quarter of the year The New River Valley SHRM is continuing to enjoy a surge in attendance at our membership meetings. Whether it is the program content, our speakers or the fact that each of our meetings this year has been approved for recertification credit, we welcome the increased numbers and the opportunity to continue to serve the HR Community.

April's meeting at Baker's Best in Radford was our first evening meeting and it was well received. Contemporary technology and its affect on recruitment and staffing proved to be an interesting topic. We enjoyed a presentation by Ella Brossoie from the Radford City Police Department addressing her efforts to track criminals via MySpace. Jerry Barrett provided an update of the technologies available to job seekers visiting The Virginia Employment Commission (and/or their websites). Adrienne Barnett introduced us to www.jobzcafe.com, a new site for job seekers wanting to enhance their search opportunities. A dynamic presentation by Ashley Bondurant (a VT Student Chapter member) proved to be an eye opener for HR professionals in attendance. I don't believe that most of us HR professionals (before this presentation) had a true appreciation of how or where our latest generations of job seekers pursue career opportunities. Facebook and MySpace are very much a part of their lives – and this is also where they conduct job searches. As Ashley reminded us “if you're an HR Professional and you haven't visited MySpace, you'd better get with it”. The MySpace presentation was a peek into the future of the HR profession. Or was it the future? Maybe the future is here already!

As a follow-up to April's meeting, Todd Leeson (Gentry Locke Rakes) will be providing us with a legal update on Staffing Issues at our May meeting. I'm sure we'll have some interesting questions for Todd about the legal and ethical implications of employers using MySpace to prescreen applicants. **Our next meeting will be held at the Hampton Inn, Christiansburg, Thursday, May 15th at 7:30 a.m.**

The successful involvement of our students in our SHRM Chapter has gained attention at the state level. At the April 25th State Council meeting in Leesburg, Virginia I fielded more than one query about our students efforts that include; conducting our annual Salary & Benefits Survey, conducting Certification Training each spring, creating and maintaining our website and now proving that they are effective speakers at our monthly meetings. A head's up Mike Aamodt – I provided your e-mail and phone number to several of the chapter presidents throughout the state. These chapter presidents are interested in replicating the successes we've had with student involvement.

SHRM Human Capital Leadership Awards. Nominations are being accepted for HR professionals or departments (in the public or private sector) for programs implemented since January 2007. This is an opportunity for award recipients to gain public exposure. This award will recognize excellence in four categories; Innovative Business Solution Award, Competitive Workforce Award, Strategic HR Leadership Award, and Human Capital Business Leader of the Year Award. Entries must be submitted online at www.shrm.org/leadershipawards no later than May 30, 2008.

National Volunteer Week is celebrated the week of April 27th through May 3d. Let me take this opportunity to thank everyone in the New River Valley SHRM who has volunteered their time, talent and efforts to further the HR profession. Your efforts have not gone unnoticed. Thanks for all that you do.

Best Regards,
Keith F. LaShomb

Meeting Notices

BOARD OF DIRECTORS MEETING

The monthly Board meeting will be held on Tuesday, May 6th at 7:30 a.m. at I-Hop in Christiansburg. Any Board members that cannot attend should contact Susan Graves at sgraves@duncanauto.net.

CHAPTER INDUSTRIAL MEETING

Be sure to mark your calendars to attend the next meeting that will be held on Tuesday, May 13th at IHOP in Christiansburg. IHOP is located between Ryan's and Red Lobster in Christiansburg. This meeting is held on the second Tuesday of every month and meets at 7:00 a.m. Contact Jeff Hamley at (540) 639-8971 or jeffrey.hamley@atk.com for more information on the Industrial Meeting.

Chapter Financial Report

Beginning Balance as of March 31, 2008	\$3,837.08
Ending Balance as of April 30, 2008	\$3,920.83
Scholarship Balance	\$2,816.00
Certificate of Deposit	\$2,500.00
TOTAL ASSETS	\$9,236.83

Board Meeting Minutes

April 1, 2008

Present: Lorraine Wachsman, Valarie Crabtree, Keith LaShomb, April Lucas, & Sam Camden.

- Keith LaShomb presented a scholarship application submitted by Kerri Williams. After discussion the Board approved the application.
- The Board reviewed the financial statement submitted by Karen Edmonds.
- Valerie Crabtree reported that the membership applications received this past month bring the membership number to 94.
- The Board discussed the New River Valley Employment Mobility Study. To increase awareness of the program some employers have already been contacted, and asked to distribute information.
- Keith LaShomb presented a request submitted by John Sharlow, Lube Wizard Mobile Oil Change Service. Mr. Sharlow requested authorization to advertise in the NRVSHRM Newsletter. After discussion, the Board approved Mr. Sharlow's request. (\$50 per flyer, per Newsletter).

Employers Beware! Penalties on the Rise!

by Debra J. C. Dowd and Barbara J. Bavis, Attorneys at LeClairRyan

In the current era of immigration enforcement, employers are bearing the brunt of increased government activity. Although Congress and the President have been unable to reach agreement on any meaningful comprehensive immigration reform legislation, both branches of government do seem to agree that increased enforcement efforts are long overdue. As a result, immigration specialists have recently noted a significant increase in enforcement efforts, many of which have focused on ferreting out and penalizing employers who violate immigration rules by employing people who are not eligible to work in the United States.

The Immigration and Nationality Act (INA), which is the major body of law in this area, prohibits employers from knowingly hiring or continuing to employ a person who is not eligible to work in the United States. Every employer, regardless of size, is required to verify the identity and employment eligibility of every employee hired on or after November 7, 1986. In order to confirm an employee's eligibility, an employer is required by the federal government to complete a document called the Form I-9. This form requires first that the employee attest to his or her employment eligibility, and then that the employer certify the employee's eligibility by examining certain specified documents. This verification process is the I-9 employment eligibility verification process (the I-9 Process). Enforcement of the I-9 Process has become quite a hot-button issue within the U.S. Department of Labor (DOL) and the Immigration and Customs Enforcement (ICE) agency, housed under the U.S. Department of Homeland Security (DHS), particularly in recent months.

On February 22, 2008, Attorney General Michael B. Mukasey announced significant increases to the civil fines to be imposed against employers for I-9 violations. Under the new rule, which took effect on March 27, 2008, civil fines will increase by as much as \$5,000. The current penalties were last adjusted in 1999, and the announced increases reflect a ten-year mandated adjustment for inflation.

Sanctions

Employers can be sanctioned for the following violations, which can result in penalties imposed by either the DHS *or* the Department of Justice (DOJ) (through the Executive Office for Immigration Review - the DOJ office largely responsible for adjudicating immigration cases):

Unlawful acts pertaining to the employment eligibility verification process (Form I-9), including:

- Knowing employment of unauthorized aliens
- Failure to comply with employment verification requirements

Actions constituting immigration-related unfair employment practices

- Discrimination against job applicants or employees based on nationality or citizenship status
- Refusing to accept permissible documents presented by an employee in compliance with the Form I-9 requirements

Actions relating to immigration-related document fraud

It is important to note that the relevant penalties apply per worker. Therefore, if an employer fails to comply with the employment verification requirements for ten workers, the employer would receive ten fines—one for each violation.

The penalties are not being increased uniformly. Although the inflation adjustment will be an increase of 25.35%, because the statutes use a rounding formula to determine the actual adjusted penalty, the increases for specific penalties will in fact range from 0% to approximately 45%. As of March 27, the penalty for various I-9 violations will range from a minimum of \$110 per violation to the maximum penalty of \$16,000 per violation.

What Actions Should Employers Take?

It is critical that employers maintain complete and accurate employment records to ensure full compliance with the INA. Failure to do so can result in significant penalties that will only be magnified if proper documentation has been mismanaged. Thus, every employer should periodically review its I-9 Process to ensure compliance with the current I-9 laws and regulations.

Employers also should, with the advice of counsel, develop a process for responding to any governmental inquiry, including social security no-match letters, audits and investigations.

By following a proactive Immigration Compliance Plan, and supporting it with periodic I-9 audits, an employer can significantly reduce or eliminate its exposure to these augmented penalties.

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The authors, Debra Dowd and Barbara Bavis, can be reached in LeClairRyan's Richmond office, debra.dowd@leclairryan.com or barbara.bavis@leclairryan.com,

or via phone at 804.343.4069 (Dowd) or 804.916.7168 (Bavis).

The Immigration Team at LeClairRyan assists many clients in this area with in-house training on I-9 compliance, with internal I-9 audits and by assisting with the creation of Immigration Compliance Plans that establish an employer's commitment to compliance by mandating detailed I-9 processes, training requirements, internal audit procedures, and related provisions.

SHRM FOUNDATION

Your Foundation at Work: *Employee Engagement and Commitment*

Employees who are engaged in their work and committed to their organizations give organizations crucial competitive advantages—including higher productivity and lower employee turnover. Organizations of all sizes and types have invested substantially in policies and practices that foster engagement and commitment in their workforces. A new report from the SHRM Foundation on Employee Engagement and Commitment helps you to separate fact from hype regarding engagement. Learn the specific HR practices that will help you to increase employee engagement in your own organization. Visit <http://www.shrm.org/foundation/products.asp> to download your free report.

The SHRM Foundation: *40 Years of Advancing the HR Profession*



NEW RIVER VALLEY SHRM

MEMBERSHIP MEETING

May 15, 2008

Topics: Legal Risks in the Hiring Process

**Speaker: Todd Leeson, Partner
Gentry Locke Rakes & Moore**

Todd will bring us up-to-date on the latest trends and developments regarding legal issues that arise in the hiring process. Todd will include information on the impact that emerging technologies (e.g. , blogging, social networking sites) have on employee selection decisions. Come join us for a lively presentation on a “hot” topic in employment law.

Location: Hampton Inn, Christiansburg, VA

Time: 7:30 a.m.—9:00 a.m.



APPROVED FOR RECERTIFICATION CREDIT

This program has been approved for 1 credit hour toward PHR, SPHR, and GPHR recertification through the Human Resources Certification Institute (HRCI)

2008 Calendar of Events & Annual Meeting Schedule

DATE	TOPIC	SPEAKER	LOCATION
January 17, 2008	Organizational Justice (approved for HRCI—1.0)	Dr. Mike Aamodt, Radford University	Hampton Inn—7:30 a.m. to 9:00 a.m.
February 21, 2008	Mediating Conflicts (approved for HRCI—1.0)	Bobbie Raynes, Certified Mediator	Farmhouse—11:45a.m. to 1:30 p.m.
March 20, 2008	Legal Update: Focus on Em- ployee Relations	Jim Cowan, LeClair Ryan	Hampton Inn—7:30 a.m.— 9:00 a.m.
April 17, 2008	Technology and Staffing Online Recruiting and Screening	David Cohen, DCI Consulting; Ella Greer, Radford City Po- lice; Jerry Barnett, VEC	Baker's Best—5:30 p.m. to 8:30 p.m.
May 15, 2008	Legal Update: Staffing	Todd Leeson, Gentry, Locke, Rakes	Location TBA—7:30 a.m. to 9:00 a.m.
June 19, 2008	Terrorism & Workplace Vio- lence	Todd Branscome, Radford Uni- versity or Sgt. Robert Carpen- teri, Virginia State Police	Location TBA—7:30 a.m. to 9:00 a.m.
July 17, 2008	Dealing with the Distressed Employee	Dr. Sarah Hastings, Radford University	Farmhouse—12:00 p.m. to 2:00 p.m.
August 21, 2008	Legal Update: Health & Safety	Victor Cardwell & Tom Winn,	Location TBA—7:30 a.m. to 9:00 a.m.
September 18, 2008	Ethical Dilemmas	Mary Jane Umberger, HR Alliance, LLC	Farmhouse—12:00 p.m to 2:00 p.m.
October 16, 2008	Scanning the External Environ- ment in the NRV	Aric Bopp, NRV Economic Development Alliance	Location TBA—7:30a.m to 9:00 a.m.
November 20, 2008	Legal Update: Privacy	Heather Polzin, LiClair Ryan	Location TBA—7:30 a.m. —9:00 a.m.
December 2008	Holiday Social		Farmhouse—5:30 p.m.— 7:30 p.m.
January 2009			

Inclement Weather Policy: Meetings will be cancelled if Montgomery County Schools are closed or on a two-hour delay due to inclement weather.