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President's Letter

Hello Everyone!

It looks as though we started the year off well! Our January meeting drew the largest attendance for a morning meeting in a long time. Clint Morse did his usual great job of entertaining while informing. I appreciated Clint's summary of the "common sense" approach previously taken by the courts regarding the ADA and the "lack of sense" that is found in the new Americans with Disabilities Act Amendments Act (ADAAA). With other new HR-related legislation in the works, we may see more of our employment law friends in 2009 than we anticipated.

February will be a busy month for the NRV-SHRM. The annual salary and benefit survey will be sent to members during the first week of February. Please be sure to respond to the survey so that we can maximize the usefulness of the results. Remember that NRV-SHRM members who participate in the survey will receive a copy of the results at no cost. If a member doesn't participate, the cost of the survey is \$75. Simply participating in the survey saves the money you spent on chapter dues! Speaking of dues - be sure to renew your chapter membership by sending a check to Brooke Perry. A copy of the membership form can be found on the chapter website.

One of our goals this year is to increase the efficiency of chapter operations. Toward that end, current and former board members can expect a call this month from the RU-SHRM students who will be writing job descriptions for the Board positions and a procedures manual for our chapter.

Many of you can also expect a call this month from a Board member inviting you to be a member of one of the Chapter committees. Several of you have already indicated your willingness to serve on a committee, and we are grateful for your commitment. Serving on a committee is a great way to network with other HR professionals.

February will also bring the opportunity to enhance your HR skills. NRV-SHRM is a co-sponsor of a workshop on FMLA changes that will be presented by attorneys from LeClair Ryan and Mary Jane Umberger's group (HR Alliance) will have a series of monthly half-day workshops in Wytheville on HR issues beginning February 24. More information on the FMLA workshop is included in the newsletter. Mary Jane will be happy to give you more info about the other workshops.

This month, our chapter meeting will be a lunch meeting beginning at 11:45 a.m. on February 19th at the Farmhouse Restaurant. The cost of lunch is \$15 for members and \$20 for guests. Be sure to RSVP with Brooke Perry (brooke@brightservices.net) by 5:00 p.m. on Monday, February 16. The topic for the meeting is *organizational justice* and will focus on the good things that occur when we treat employees fairly and the bad things that happen when we don't. As a bonus, attendees will receive a "justice audit checklist" that they can use to determine how well their organizations are doing. The meeting has been pre-approved for HRCI credit.

I look forward to seeing everyone at the Farmhouse.

Best Regards,
Mike Aamodt

Meeting Notices

BOARD OF DIRECTORS MEETING

The monthly Board meeting will be held on Tuesday, February 3rd at 5:15 p.m. at Warmhearth in Blacksburg. Any Board members that cannot attend should contact Sharon Williams at partners@vt.edu.

CHAPTER INDUSTRIAL MEETING

Be sure to mark your calendars to attend the next meeting that will be held on Tuesday, February 10th 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 December 31, 2008	\$ 749.07
Ending Balance as of January 31, 2009	\$ 971.35
Scholarship Balance	\$ 2,982.01
Certificate of Deposit	\$ 2,500.00
TOTAL ASSETS	\$ 6,453.36

Board Meeting Minutes

Minutes – January 13, 2009, I-Hop, Christiansburg, 7:30 a.m.

Present: Mike Aamodt, Robin Ball, Jim Cowan, Karen Edmonds, , Jeff Hamley, Brooke Perry, Melissa Vaden, Lorraine Wachsman, Darren Wagon

- Mike reported that the RU I/O students will be helping the Board with looking at/developing Board position job descriptions as well as a set of procedures. He also distributed a list of broad chapter objectives for consideration by the Board.
- Robin suggested that the Chapter conduct a survey of membership on some key issues to determine feedback.
- Karen reported on the VA-SHRM Leadership Conference which was held on January 9-10, 2009, in Charlottesville. Mike, Robin, Brooke, and Karen attended, as did Cindy Hale. The SW District also met during that time and made plans to consider a joint workshop on the impact of the economy for Human Resources professionals. This could involve the VEC and EAP perspectives; as well as community resources available to help guide employees who are being laid off.
- Brooke asked for new members could be recognized at our chapter meetings. The Board agreed to this suggestion. She also is considering a separate membership table and will check with the Hampton Inn to see if this can be done. She is also planning to put together a Membership Committee to help with some initiatives for the new year.
- Jim shared that LeClair, Ryan is putting on an FMLA session at the Inn at Virginia Tech, and NRV-SHRM could be one of the sponsors with members getting a discount. This was agreed upon by the Board.
- Jeff reported from the Industry group that most are concerned and expect that 2009 will continue to be a challenge.
- The March meeting location is to be determined. Diversity was recommended as a topic. Robin indicated that some chapters post religious holidays on their website.

- The Chapter received \$150 for members attending the State Conference.
- Mike asked Board members if they would be agreeable to making a short presentation on the benefits of being a National SHRM member at each meeting. The presentations would rotate among the Board members. Everyone present agreed to do so.
- Brooke volunteered to talk with the Virginia Tech CRC group of Human Resources representatives that has been meeting for some time regarding membership in NRV-SHRM.
- The next Board meeting will be held at Warm Hearth at 5:15 p.m. on February 3, 2009.

SHRM Foundation

Connecting Research to HR Practice brochure The SHRM Foundation has a 40-year tradition of awarding grants to fund rigorous, original research with practical implications for management practice. The SHRM Foundation has a new 12-page brochure that presents the results of four recent SHRM Foundation-funded projects in an actionable way, so HR professionals like you can apply this knowledge in your organization. Topics in the “Connecting Research to HR Practice” brochure are: *Making Virtual Teams More Effective*; *Increasing the Success Rate of New Executives*; and *Enhancing the Effectiveness of HR Practices and Stock Options*. To download a copy of the brochure free from the SHRM Foundation website, go to: [Research Highlights Brochure](#)

Legislative Update

Labor and Employment Law Audits Are a Must in 2009

Steven D. Brown of LeClairRyan

There are quite a few changes to major employment laws (FMLA regulations and ADA amendments) that took effect in January, and we expect the Obama administration to be active on a number of other labor and employment law initiatives in 2009 and 2010. Proactive employers should be reviewing a number of practices and policies in the first and second quarters of 2009. Additionally, employers should be conducting training for at least their managers on relevant topics.

We suggest that employers review the following audit checklist for compliance:

(1) Review recruitment and selection policies and procedures.

- o Do the people hiring staff know the right questions to ask in an interview? Do they know what questions *not* to ask?
- o Are background checks appropriate under the Fair Credit Reporting Act?
Are I-9 forms being properly completed? Have E-Verify issues been addressed?

• (2) Review contracts and agreements.

- o Review copies of any employment agreements or independent contractor agreements.

Review copies of any confidentiality, non-solicitation, or non-competition agreements to which key employees and contractors may be a party, either currently or from prior employment or engagements with former employers.

• (3) ADA Issues

- o Review job descriptions for compliance with the Americans with Disabilities Act and the 2009 amendments.

Review policies regarding disability discrimination and accommodation of individuals with disabilities.

• (4) Review employee personnel files.

- o Make sure that the proper documents are contained in the correct files. For example, information about an employee's medical condition should not be in the personnel file. It should be kept in a separate file under lock and key that only the HR staff can access.

Make sure that employee records are being retained for the necessary amount of time.

(5) Review required postings under federal and state law.

Depending on the number of employees an employer has, many state and federal laws require the posting of various notices throughout the workplace. For example, the 2009 amendments to the FMLA regulations mandate new postings for employers with 50 or more employees.

Some laws also require employers to publish these policies in handbooks, if the employer maintains such handbooks.

(6) Review policy and personnel manuals.

This includes, but is not limited to, policies and procedures with respect to compensation, NLRA issues, conduct and discipline, vacation and sick time, discrimination, harassment, retaliation, and equal opportunity.

An FMLA policy is necessary if the employer has 50 or more employees. If there is an employee handbook, the FMLA policy must be in the handbook.

- (7) Review wage and hour issues.

- o Do salaried employees meet the requirements under the Fair Labor Standards Act to be exempt from overtime payments?

- o Are the hourly employees being properly paid for all work?

Are there meal break deduction issues?

- (8) Review performance evaluation issues.

- o Is there a performance evaluation process in place? Is it formal or informal?

- o Is there a progressive discipline policy in place (oral warning, written warning, and final warning)?

Do managers know how to conduct and write effective performance evaluations?

- (9) Review drug and alcohol-free workplace policies.

- o This includes, but is not limited to, policies on pre-employment testing, reasonable suspicion testing, and probable cause testing.

- o Do supervisors know what to look for with respect to employees who may be using drugs or alcohol?

Do supervisors know what steps to take if an employee is suspected of violating the company's drug or alcohol policies?

- (10) Review of safety and health policies (OSHA).

- o Are safety and health issues properly addressed in the employer's policy?

- o Have employees been properly trained on relevant work rules?

Have issues related to workplace violence been considered?

- (11) Review employee benefits policies

- o Are the employer's policies in compliance with tax laws?

Are the employer's policies in compliance with ERISA?

- (12) Review verbal warning, written warning, and termination procedures and documents.

- o Do supervisors know how to properly document performance problems?

Are supervisors familiar with any progressive discipline policy that is in place?

- (13) Review Reduction-in-Force policies and procedures for compliance.

Depending on the number of employees an employer has, the employer may be subject to the federal WARN Act, or state WARN Acts.

Review discrimination, harassment, and retaliation policies and training.

- o Do supervisors know what to do if an employee makes a complaint of discrimination or harassment?

Have employees been trained on issues related to harassment, discrimination, and retaliation?

Employers that "tune up" their organizations with a labor and employment audit will be better equipped to handle the numerous changes that we are expecting in labor and employment laws over the next few years. Conducting training in 2009 will only strengthen an organization's ability to provide good management practices, and will reduce claims of unlawful discrimination, retaliation, and harassment.

Steve Brown can be reached via email at steven.brown@leclairryan.com.

NEW RIVER VALLEY SHRM

MEMBERSHIP MEETING

February 19, 2009

Topics: Organizational Justice

Speakers: Mike Aamodt, SPHR
DCI Consultants

Location: Farmhouse Restaurant
Christiansburg, VA

Time: 11:45 a.m.— 1:30 p.m.

Lunch will be served at a cost of \$15 for SHRM members and \$20 for non-members. You will need to RSVP with Brooke Perry at brooke@brightservices.net by Monday, February 16th. It is important that you RSVP so the Farmhouse can be prepared for the number of meals we will need.

APPROVED FOR RECERTIFICATION CREDIT

This program has been approved for 1 credit hour towards PHR, SPHR, and GPHR recertification through the Human Resources Certification Institute (HRCI). This program will also count toward the strategic management component of the SPHR.

