



## May 2012 Newsletter

### May Meeting

Wednesday,  
May 9th

Holiday Inn Lounge

**\$12.00**

11:30am — 1:00pm

Networking will begin at  
11:30 a.m. and the  
program will start at  
noon. We will eat from  
the buffet.

For reservations,  
contact

Amy Smith at  
[Amy.Smith@delmonte.com](mailto:Amy.Smith@delmonte.com)  
or 256-552-7470  
or fax 256-552-7429.

We want to make  
sure we have plenty  
of room for every-  
one.

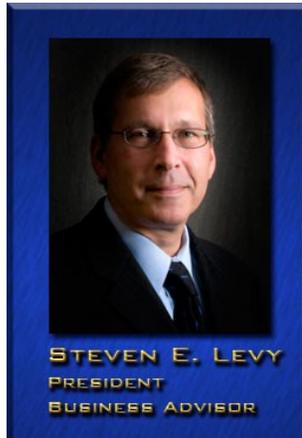
Please RSVP by noon  
Tuesday,  
May 8th.

### May Meeting Wednesday, May 9th

Our speaker:

Steven Levy from S.E.L. & Associates, LLC

Topic: **“Human Resources, the Hidden Asset\*”**  
(\*HRCI credits pending)



Steven Levy, President of S.E.L. & Associates, LLC, a business consulting company headquartered in Madison, AL. Steven has over 30 years of senior level experience managing and owning various businesses and is accredited by the Institute for Independent Business (IIB). His organization provides business wisdom for small and medium sized companies for issues involving improvement of cash flow, marketing, business development, change management and other business related needs. Steven has an MBA from Bryant College in Smithfield, RI and a BS in Industrial Technology from Lowell Technological Institute in Lowell, MA.

## Congratulations to the TVC-SHRM Chapter!!

Please note the following recent accomplishments

for the  
TVC-SHRM Chapter:

- ◆ **2011 SHRM Foundation Chapter Champion**—TVC-SHRM was identified as a 2011 SHRM Foundation Chapter Champion for their commitment to making the 2011 Annual Campaign a success.
- ◆ **2011 Silver Excel Award**—TVC-SHRM was awarded the 2011 Silver Excel Award, which recognizes outstanding achievements in chapter operations and a commitment to providing meaningful programs and services to their members. By achieving this award, TVC-SHRM is distinguished as an outstanding organization dedicated to serving the needs of their members and to the advancement of the human resource management profession.



## Legal and Legislative News

### EEOC's Arrest and Conviction Records Guidance

*(courtesy of Lehr, Middlebrooks & Vreeland, P.C.)*

The EEOC during the past several years has increased its focus on employer use of background check information, particularly arrest and conviction records. On April 25, 2012, the EEOC issued its revised Enforcement Guidance on Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964. The EEOC's original guidance was issued in 1987 and revised in 1990.

The EEOC has asserted for several years that arrest and conviction records have a discriminatory impact on African-American and Hispanic applicants. Perhaps a culmination of the EEOC's initiative occurred a month ago, with a settlement of over \$3 million with PepsiCo, where discrimination was alleged in the application process due to the use of criminal background information in selecting African-American applicants.

The EEOC's Guidance statement is in fact "guidance" for employers, not a regulation. The Guidance establishes the principles the EEOC will consider when evaluating whether an employer's use of background information violated Title VII:

- 1.) Arrest records are not considered job-related and have a discriminatory impact based upon race and national origin. Practical suggestion to employers: Although employers should not ask about arrest records, employers have the right to ask, "Do you have any criminal charges currently pending?" How the employer should use the information depends upon the job the applicant applied for and the nature of the charges.
- 2.) What is the nature of the conviction and how does it relate to the position for which the applicant applied? For example, a conviction of theft is relevant to whether an employer in a home service business hires an applicant, and it is also relevant to various positions within any employer's organization.
- 3.) How recent was the conviction and what has happened since then? If the conviction occurred sometime ago and the individual has behaved responsibly since then, then the conviction should not have the same weight compared to something more recent. Note, however, that employers may conclude some convictions, although remote, are so serious that the employer will not take a chance with the individual. For example, an employer in healthcare may conclude that an individual convicted many years ago of abuse should not be hired for a position that involves direct patient care.
- 4.) Did the employer consider an individualized assessment of the applicant, rather than a general disqualification? For example, how many offenses was the individual convicted of, how old was the individual at the time of conviction, what were the circumstances surrounding the conviction, whether rehabilitation occurred, is the individual bonded, and what kind of character references did the individual provide?

Several states have enacted statutes limiting employer use of arrest and conviction records. The EEOC Guidance recommends that employers not include on the employment application a question about convictions, but rather ask them during the course of an interview process, where job-related. Our view is that employers may continue to ask the question on the application (unless state law requires otherwise), but the real issue is what employers do with the information. Do not have a *per se* "exclusion" rule or practice based upon a conviction, but rather if the applicant answers "yes" to the question, follow up to determine what the conviction was for and when it occurred.

## How to Gain Approval to Attend the 2012 National SHRM Conference in Atlanta

(courtesy of <http://buzz.annual.shrm.org/>)

In today's economy, you have to justify every dollar you spend, including the money and time to attend the SHRM Annual Conference. You also need to stay competitive in today's market. By investing in attending the SHRM Annual Conference, you can benefit your organization by advancing and fine-tuning your skills, finding new ways to cut costs and gain important new leadership skills. If you need to gain approval for your travel and professional development costs, follow these guidelines to gain support from your supervisor.

- ◆ Step 1: Review the conference program—Determine which sessions you want to attend. Select ones that are most beneficial to you, your team and company. Each of the 200+ sessions offer learner outcomes and are easily identified by tracks. You can find solutions to your biggest challenges and identify new opportunities for growth. An added bonus: Most sessions offer recertification credits, so you can get credit towards obtaining and keeping your certification!
  - ◆ Step 2: Review the exhibitor list—The exposition hall will host more than 600 vendors exhibiting a wide range of innovative HR-related products and services. Be among the first to learn about the latest HR business solutions, discover answers to on-the-job challenges and find the tools you need to succeed. Consider the business opportunities that could develop from establishing connections with industry professionals and partners.
  - ◆ Step 3: Save money—Book your hotel room through the official SHRM Housing Block. We've done all of the work for you. You'll get a discount rate at a SHRM-inspected hotel, most of which are on the shuttle bus route, so forget about having to pay for taxis! Take advantage of receptions and exhibit hall lunches to help trim meal costs. Check with your local SHRM chapter to see if it is offering scholarships to the Annual Conference, or if you can find a roommate to share accommodations.
  - ◆ Step 4: Complete the Request Letter (available on <http://buzz.annual.shrm.org/>) and submit to your supervisor. This letter will help you demonstrate why you should attend the SHRM Annual Conference in Atlanta.
  - ◆ Step 5—Share it! Commit to a post-conference briefing for senior management and your team, where you'll highlight what you've learned from the conference. Tie what you've learned to your organization's challenges, goals and strategic plans.
- We look forward to seeing you in Atlanta!!

## Top 10 Reasons to Attend the 2012 AL SHRM Conference

10. **You deserve a day away from office politics.** Dealing with employee's day in, day out...you need some "ME TIME"!
9. **Great location.** Centrally located in a very nice facility.
8. **It's your chance to pick up the latest exhibitor "loot"!!** This year's conference includes an Exhibit Hall with exceptional service providers—from legal services and educational institutions to top-notch HR consultants and ancillary benefits experts. Come network with the people whose job it is to make your job easier!!
7. **You were told about last year's pre-conference...well this year it's even bigger with 3 sessions!** We have what is hot in HR right now...What is the NLRB up to next? How is immigration impacting HR in Alabama? And how did the tornados of last year impact the state?
6. **Everyone likes to hear two words: free food.** Your paid registration includes breakfast, lunch, and the famous afternoon dessert bar. Don't miss your afternoon sugar rush!!
5. **Retired NLRB Senior Trial Attorney.** Frank Rox, Jr. will give us his insights into the NLRB along with other experts on our panel during the pre-conference.
4. **Tight budgets have you scrambling for creative training.** For only \$129 you can participate in this year's conference.
3. **Certified Speaking Professional Jeff Tobe...find out why he is called "The Guru of Creativity".** Come and see him cOLOr OUtside the LiNeS.
2. **You will earn PHR/SPHR credits!!** If you are working on your recertification efforts, you'll have the opportunity for **20.5** hours of valuable content towards your requirements—of which **17 are STRATEGIC!**

**AND THE #1 REASON TO ATTEND THE 2011 ALABAMA SHRM STATE CONFERENCE IS:  
NETWORKING!!...It's not just for jobseekers anymore.**

Well, it never has been...but that doesn't roll off the tongue quite as nicely. There will be over 500 HR professionals in attendance at the event from around Alabama as well as area experts in recruitment, retention and rewards. Networking with other HR practitioners at this once-a-year event will be well worth the time aside from the great sessions, speakers, and attendees.

**Every aspect of the 2012 conference has been designed to give you practical information you can put to work to help your organization succeed in these challenging economic times. Don't get left behind—register today!!! This is an annual sell-out event!**

Register and pay online at [www.shrmalabama.org](http://www.shrmalabama.org) or register online, print your confirmation and mail it with your payment to:  
SHRM Alabama State Council, Inc. c/o Pam Werstler, SPHR, 101 Lenwood Rd. SW Decatur, AL 35603

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## Spring Social!

You are invited to attend the upcoming TVC-SHRM Spring social—to be held at The Brick Deli in Decatur on Thursday night, May 3rd, from 5pm-8pm.

All TVC-SHRM members are invited to attend in addition to several HR professionals in the area who are not yet a part of our chapter.

Appetizers and drinks will be served at the event. Hope to see you all there!



## Welcome New Members!!!

Please welcome the following new TVC-SHRM Members:

- ◆ **Taylor Simmons, Director of Workforce Development & Education for the Decatur/Morgan Co. Chamber of Commerce.**
- ◆ **Heather McDearmond, Senior HR Generalist at Bungee North America**
- ◆ **Katie Gress, HRIEHS Manager at Worthington Industries**
- ◆ **Libby Frisby, President/Founder of Integrated Solutions Consulting, LLC**

Please welcome these new members at our next chapter meeting.

*If you know an HR professional in the area that might be interested in joining our chapter, please RSVP that you will be bringing a guest with you to the meeting. The first meeting's meal is free for all guests, and it is a great way to introduce potential members to our group.*

## Save the Date! Upcoming Events

- **May 3rd**-TVC-SHRM Spring Social—5pm-8pm, The Brick Deli in Decatur.
- **May 4th**—Chick-fil-A Leadercast (7am-3pm at Decatur Baptist Church.)
- **May 15th & 16th**—SHRM State Conference in Birmingham
- **June 24th-27th**—2012 SHRM Annual Conference in Atlanta
- **Every 1st Wednesday**-Workforce Coalition meeting at The Chamber of Commerce (Contact Mary Ila Ward at [miw@mceda.org](mailto:miw@mceda.org) for more info)
- **Every Wednesday—12:30pm-2pm**: The Job and Career Networking Club of Decatur meets at First Baptist Church Annex in Decatur (contact Debbie Golembeck at [deb-bie@hrsolutionsunlimited.com](mailto:deb-bie@hrsolutionsunlimited.com) for more info)

**Our June meeting will be held Wednesday, June 13th at The Holiday Inn in Decatur. Brad Williams will be our speaker. Hope to see everyone there!**



**Tennessee Valley Chapter SHRM**  
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