



August Meeting

Wednesday, August 13th

Decatur Country Club

\$15.00

11:15 am — 1:00 pm

Networking will begin at 11:15 a.m. and the program will start at 11:45 am.

If you **RSVP** that you are coming and then you don't attend, you will still be charged for the meal.

If you are unsure about attending and paying for a lunch, you can always save-a spot for the salad bar.

For reservations, contact

Patti Fowler at

pfowler@alliancehrservices.com



TVC~SHRM

TENNESSEE VALLEY CHAPTER OF SHRM - ALABAMA



August Newsletter



August 13, 2014

Our Speaker:

Elizabeth Doehrig



Topic:

“How to Create A Wellness Strategic Business Strategy”

As Founder and President of North American Center for Worksite Wellness (NACW)™. Elisabeth designs and implements wellness programs for companies seeking to increase profitability and employee engagement.

She is actively involved in several professional wellness organizations, including Wellness Director for Alabama State SHRM Council and a member of the National Wellness Institute, WELCOA, International Association For Worksite Health Promotion (IAWHP) and American Society For Training & Development (ASTD). Elisabeth has numerous Wellness and Human Resources certifications—including Certified Worksite Wellness Program Manager (CWWPM), Certified Worksite Wellness Specialist (CWWS), GPHR, PHR as well as 30 Hour OSHA Training Course.

No one wants to face the situation of not being informed and not having a seat at the C Suite table with strategic planning in a company/organization. Wellness makes up three key components of a company's business strategy. These are:

1. the financial costs (the monetary costs of an unhealthy workplace, and the cost/benefit of creating a healthy workplace)
2. the organizational profile (being an employer of choice and being seen as demonstrating corporate social responsibility in the community, thus creating added value for shareholders and other stakeholders)
3. the legal case (by focusing on due diligence with respect to employees, customers and stakeholders)



Thank you to Aflac for sponsoring our August meeting!

EEO Tips: EEOC's Premature Pregnancy Discrimination Guidance

Courtesy of Lehr Middlebrooks & Vreeland, P.C.

The EEOC last issued guidance regarding the Pregnancy Discrimination Act (PDA) in 1983. The EEOC's decision to update that guidance thirty-one years later, absent any change to the PDA itself, on July 14, 2014, is curious. Perhaps it had something to do with the U.S. Supreme Court's decision two weeks earlier to hear the case of *Young v. United Parcel Service*, a PDA case centering around an employer's reserving light duty jobs for employees with workplace injuries, thereby excluding pregnant—and many non-pregnant—workers. The EEOC's Enforcement Guidance addresses the very issues the United States Supreme Court will consider.

The EEOC's Enforcement Guidance is effective immediately. It does not change the law, rather it reviews how the EEOC will interpret and enforce the law. The five commissioners voted by a 3-2 (3 Democrats in favor, 2 Republicans opposed) margin to issue the Guidance. In opposing this action, EEOC Commissioner Victoria Lipnic stated that issuing the Guidance now "potentially sets forth standards and practices for employers that may well be mooted in the very near future depending upon how [the Supreme Court] decides *Young*."

In *Young*, UPS required drivers to lift and move packages weighing up to 70 pounds. Light duty work was available to those drivers who suffered a job-related injury. Administrative jobs, referred to as "inside jobs," were available to drivers who had lost their Department of Transportation Drivers' Certification. *Young*, a delivery truck driver, became pregnant. She was told by her physician that she should not lift more than 20 pounds during the first 20 weeks of her pregnancy and not more than 10 pounds thereafter. *Young*'s manager told her that she could not work as a delivery driver with those restrictions and that she was not eligible for light duty assignments, as she did not have a job-related injury. She also was ineligible for the inside work, as there was not an issue with her Department of Transportation Certification.

The Court ruled that *Young* did not have a disability as defined by the ADA, therefore, UPS was not required to provide a reasonable accommodation. Furthermore, the Court stated that reserving "light duty" jobs as a part of the company's return to work program for job-related injuries was a neutral policy that was "pregnancy blind." The Supreme Court will consider "whether, and in what circumstances, an employer that provides work accommodations to non-pregnant employees with work limitations must provide work accommodations to pregnant employees who are similar in their ability or inability to work." Thus, the Supreme Court presumably will decide whether an employer that reserves light duty jobs for job-related injuries is required to extend light duty opportunities to pregnant employees and if so, to what extent.

In its Enforcement Guidance, the EEOC states that if light duty work is available for those employees with job-related injuries, "an employer must provide light duty for pregnant workers on the same terms that light duty is offered to employees injured on the job who are similar to the pregnant worker in their ability or inability to work." The Pregnant Workers Fairness Act, introduced in May 2013, contains specific provisions pertaining to the obligation of employers to provide reasonable accommodation for pregnancy-related work restrictions. According to the two commissioners who opposed issuing the Guidance, because that bill did not pass, the EEOC lacked statutory basis for attempting to require employers to provide light duty to pregnant employees.

The EEOC's Guidance also contains a listing of suggested best practices that employers may adopt, which the EEOC states could reduce the chance of pregnancy-related PDA and ADA violations. Some of the suggestions covered in the Best Practices section are:

1. To develop, distribute, and enforce policies and procedures to prevent discrimination because of pregnancy, childbirth, or related conditions;
2. To train managers on these policies;
3. To develop specific, job-related qualification standards in hiring;
4. To avoid direct pregnancy discrimination or indirect gender stereotyping in hiring, retention, and advancement decisions.
5. To consider applicants' or employees' work histories with a focus on work accomplishments without focusing on gaps in service that may be caused by child rearing.
6. To provide employees on pregnancy, childbirth or related medical leave the opportunities to participate in training if they choose to do so.
7. To review light duty policies and to "[e]nsure that light duty policies are structured so as to provide pregnant employees access to light duty equal to that provided to people with similar limitations on their ability to work." (the core issue in the *Young v. UPS* case).

It should be clear that EEOC's listings of Suggested Best Practices, are only suggestions, and employers are not required by law to adhere to them. Some of the suggestions are impractical, costly, and may have unintended consequences. We suggest you consult with legal counsel before implementing new policies based on this guidance.

The EEOC's Enforcement Guidance On Pregnancy and Related Issues can be found on the EEOC's website at http://www.eeoc.gov/laws/guidance/pregnancy_guidance.cfm.

Wellness Alabama

Starting Your Day The Right Way

Helpful & Healthy Breakfast Ideas

Courtesy of Kimberly Rider and Elisabeth A. Doehring

The purpose of having breakfast is to “break” your fast from a good night’s sleep. Now think about this for a minute. Breakfast helps give your metabolism the boost that it needs first thing in the day. It helps keep you from being too hungry throughout the day, and helps to manage your blood sugar levels. Sound good? Read on.

Your blood sugar reacts to the carbohydrates in your diet, which come from breads/grains, fruit, and dairy foods. You need a steady supply of glucose from these foods throughout the day in order to keep your blood sugar from dropping – which is called a Hypoglycemic Episode. When you add fiber-rich carbohydrate choices such as whole grains/whole wheat tortillas, crackers, small bagels, or pita bread with a protein source such as peanut butter, low fat cheeses, yogurt or lean meats, this combination slows the decline of your blood sugar after a meal.

Try these high quality breakfast suggestions to help you feel your best through the day!

1. Thomas Light Multigrain Muffin (100 calories, 8 grams fiber) with 1 slice of low-fat cheese or 1 Tbsp cream cheese. Add an orange or 1 cup of berries.
2. 6 oz low-fat yogurt with 2 Tbsp granola and a banana
3. Bob’s Red Mill Organic High Fiber Hot Cereal with Flaxseed (10 grams fiber) made with low-fat or skim milk topped with a handful of fresh berries
4. Fiber One Honey Nut Clusters (14 grams fiber) with low-fat or skim milk
5. One egg (cooked in a bowl in the microwave) placed on top of whole wheat bread with a slice of 2% cheese.
6. One-half of a turkey sandwich with an apple – who ever said breakfast had to rely strictly on breakfast foods!
7. Frozen banana, 2 Tbsp peanut butter, and 8 oz. low-fat milk in a blender. Drink it!
8. Go fruity – have a banana, apple, and kiwi for breakfast one day
9. Morningstar frozen veggie sausage (links or patties). These are heart healthy compared to usual breakfast sausages. Perfect on the side or on a whole wheat biscuit.
10. Look online for a whole wheat biscuit recipe that does not use shortening as an ingredient. Make a whole batch and freeze them individually. Pop in microwave for the morning rush. You can also freeze 1 egg cooked and do the same thing!

To prevent that low blood sugar feeling, aim to eat something every 2 – 2.5 hours that includes a little carbohydrate and protein or fiber.

1. 10 cherry tomatoes with 6 reduced-fat triscuits
2. Bunch of grapes with 1 oz of low-fat cheese
3. Yogurt (contains carbohydrate and protein in one!)
4. Banana with peanut butter (1 tsp)
5. ¼ cup almonds with 8 oz. low-fat milk or soymilk
6. ½ cup cottage cheese with ½ cup pineapple
7. Boiled egg with melba toast
8. Sliced cucumber (1/2) with ½ whole wheat bagel and 1 Tbsp cream cheese

With summer going strong, we tend to think more about outdoor suppers than we do breakfasts. However, breakfast is still important! Planning ahead will help insure that older children home by themselves can make better choices, and harried Moms and Dads making meals before sending children on their way to camp are not as stressed. These ideas will help ease the way to starting your day off the right way.

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Get Connected (Clickable Icons)**Save the Date! Upcoming Events**

- **August 27, 2014**
Registration Deadline for TVC-SHRM Fall Workshop
- **Wednesday, September 10, 2014**
TVC-SHRM Fall Workshop at the Garden Plaza Inn
- **Tuesday, September 23, 2014**
Diversity Awards Celebration at Ingall's Harbor Pavillion
- **Friday, November 14, 2014**
Annual Legislative Meeting (joint venture with NASHRM, Cullman SHRM) at the Jackson Center in Huntsville
- **Thursday, December 4, 2014**
Christmas Party at Vittone's (more details coming soon)
- **Every 1st Wednesday**
Workforce Coalition meeting at The Chamber of Commerce
(Contact Taylor Simmons- taylor@dcc.org for more info)

Please contact **Tiffany Weaver** at tweave@ascendmaterials.com if you have an upcoming event that you would like to add.

In lieu of our September meeting we will be hosting the Fall Workshop on Wednesday, September 10, 2014 at the Garden Plaza Inn (formerly Holiday Inn).

Hope to see everyone there!



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