

February Newsletter

February Meeting

Wednesday, February 11th

Decatur Country Club

\$15.00

11:45 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



February 11, 2015

Our Speaker:

Kristina Minyard

Topic:

“Social Media in Your Workplace”

Kristina is currently a corporate recruiter for an engineering firm in Huntsville, AL. She has over eight years' experience in HR and has a specific passion for recruiting. Kristina has recruited for a variety of settings including manufacturing, production, medical, administrative, business support systems, and engineering in the Decatur and Huntsville area. Over the years her experience has led her to opportunities where she was able to challenge status quo in the area of recruiting and explore the value of social media in the workplace. She has made it her mission to help HR professionals understand how to use social media and stop being afraid of it!

A case for the overall benefits of utilizing social media in your business goals from marketing to recruiting, employee and customer education, employee recognition, branding and community involvement. We will touch on real success stories from leading businesses on how social media has transformed employee morale, brand recognition and communications. We will wrap it all up with how you can do this for your organization in various departments without exposing your organization to legal troubles. Attendees should leave with the ability to present social media best practices to their organization from a true business partner perspective.



Thanks to Warren Averett Staffing & Recruiting & Asset Management for sponsoring our February meeting!

Electronic Records Create and Support Retaliation Claim

Courtesy of Lehr Middlebrooks & Vreeland, P.C.

Although many refer to email as electronic mail, we actually think it is properly named “evidence mail.” The recent case of *Greengrass v. Int’l Monetary Sys. Ltd.* (7th Cir. Jan. 2015) illustrates this point.

In 2007, Celia Greengrass made an internal complaint of harassment. IMS’s CEO relayed the complaint by email to the alleged harasser, with the comment, “Call me before you explode.” Greengrass quit later that year, and, in January 2008, she filed a charge with the EEOC. In July 2008, the EEOC requested additional information, and, in the course of discussing the Company’s response, IMS’s General Counsel wrote an email that included an aside remark that Greengrass was unlikely to sue individually but expressed concern that the EEOC might launch a Company-wide investigation. In January 2009, the Agency requested to interview IMS employees; in other words, the EEOC was showing the type of continued interest that could lead to a broader investigation.

IMS is a publicly-traded corporation that must make quarterly (10-Q) and annual (10-K) publicly-available filings to the SEC. One of the items these 10-Q and 10-K reports must disclose is material legal proceedings. In 2008, the Company did not judge Greengrass’ EEOC Charge to have been material. But, after the EEOC request for interviews in April 2009, the Company’s annual report included a description of Greengrass’ Charge that mentioned her by name. Greengrass was also named in the May 2009 10-Q report, and mentioned again by name in the next annual 10-K report, which reported the conciliation of the Charge.

Once this information became public, a recruiter told Greengrass that she was “unemployable.” Greengrass googled herself to confirm that searches for her name led to IMS’s disclosures that she had initiated an EEOC Charge against the Company.

As things turned out, the Greengrass claim was the first time the Company disclosed in its SEC filing the individual name to a party in a lawsuit or administrative complaint. And, after reporting the conciliation of Greengrass’ January 2008 Charge, the Company returned to its practice of not naming adverse parties in its financial reports.

So, in September 2010, Greengrass filed a second Charge and then a lawsuit for retaliation, claiming that the Company’s break with its usual practice of not including names was retaliation for the prior charge she had filed. The Company argued that Greengrass was not able to show causation because 14 months had elapsed between her January 2008 Charge and its April 2009 disclosure—the first one to mention her by name. The trial court agreed with the Company, but the Seventh Circuit Court of Appeals disagreed and remanded the case for a jury trial. The Seventh Circuit stated that another time frame was potentially at issue: the time between the EEOC’s January 2009 request for interviews and the Company’s naming Greengrass in April 2009. The Court of Appeals found the General Counsel’s July 2008 email provided evidence that IMS didn’t take the Charge too seriously at first. As for the three-to-four month lapse between the interview request and the April 2009 disclosure? The Court noted that because the April 2009 disclosure was the next report due after the interview request, they could still be viewed as consecutive events.

Oh, and the CEO’s poor choice to email Greengrass’ internal complaint directly to her alleged harasser with the advice to “call me before you explode”? Well, that was just the icing on the cake. The Seventh Circuit found that a jury could consider his and the GC’s emails as further evidence of the Company’s “disdain for the EEOC process and animus against Greengrass for filing her complaints.”

Remember: Electronic records created Greengrass’ “Google problem;” in times before search technology, it’s unlikely prospective future employers would have scanned her previous employer’s SEC filings on the off chance she’d be mentioned as a litigant. Those electronic records also made it easy for any person with an internet connection to compare how IMS treated Greengrass with how it had treated other adverse parties in its reports. Finally, emails from the top—the CEO and the GC— provided evidence of animus and the foundation for an alternate timeline that rescued Greengrass’ claim.

Do you know an HR professional in the area that is not currently a TVC-SHRM member?

Bring a prospective member to the TVC-SHRM meeting during the months of February, March or April and you will be entered to win a Free Registration for the State Conference!

All of us probably know at least one person to bring as a guest to a monthly chapter meeting that might be interested in being part of our group.

As both a membership initiative for 2015 and an incentive for our chapter members to attend the AL SHRM state conference, we will hold a drawing for all TVC-SHRM Professional members who bring a guest to the February, March or April chapter meetings for a full conference registration fee at the AL SHRM state conference in May. This conference will be held on May 13th and 14th at the Birmingham Sheraton in downtown Birmingham. This event will offer 11 HRCI recertification hours and will have a wellness theme. The conference normally sells out and is always very engaging.

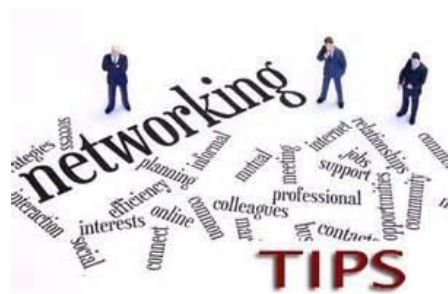
The winner of the contest will win a paid registration to the conference. If the winner decides to stay overnight in Birmingham, they will be responsible for their own travel and hotel costs.

Thank you for your help with this initiative. We hope to achieve STAR and/or SUPERSTAR status with our chapter this year.

Name Tags

We will begin ordering new name badges for TVC-SHRM members. I know several of you may have new certifications. If so, please send the information you would like on your name tag.

Please send your information to Taylor Simmons (tbs@horizonpointconsulting.com) no later than April 1.



Need Help With Your Job Search?

Come and network with a local HR representative!

Get feedback on your resume and hear the latest information on doing a successful job search in our area!

Decatur Public Library
Tuesday, February 17, 2015
5:30pm to 7:00pm

Job Networking Group of Morgan County

Empowering jobseekers through knowledge and networking! For more information, call 256.566.8479

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LAS VEGAS CONVENTION CENTER | JUNE 28 - JULY 1, 2015**Save the Date! Upcoming Events****• Tuesday, February 24, 2015****Transition Mentoring Day** at Calhoun Community College (Please contact Omar Smith to assist with this event via a donation or your time)**• February 11 & February 12 (Noon—2:00 pm & 4:30 pm—6:30 pm)****Athens State University SHRM Student Club Valentine's Bake Sale** at Sandridge Student Center**• May 19-20, 2015****2015 Alabama SHRM State Conference and Exposition** in Birmingham, AL**• June 28, 2015—July 1, 2015****SHRM 2015 Annual Conference & Exposition** at the Las Vegas Convention Center**• 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.****Our March meeting will be held on Wednesday, March 11, 2015 at the Decatur Country Club. Hope to see everyone there!****Tennessee Valley Chapter SHRM**
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