



CHAPTER NEWS

January/February 2007 Edition

This newsletter is for CIC-SHRM members only for informational purposes and not intended to render advice or judgment.



President's Message

Happy New Year, CIC-SHRM! My name is Nicole Ralph, and I am your 2007-2008 Chapter President. Following in the footsteps of our most recent leaders, Donna Rogers and Penny McCarty, provides a great challenge for me, and I hope to carry on their legacy! As we begin a new year, I would like to reflect on a few of the accomplishments that our chapter achieved in 2006. We, the volunteer board of CIC-SHRM established a resume writing and employability skills service for the community; recognized an outstanding HR Professional and HR Champion; formed a student chapter; and provided professional development opportunities and a certification study group.

This New Year is an exciting time for our chapter, and I would like to share with you a few of our "resolutions" for 2007. We, the volunteer board of CIC-SHRM, resolve to create more networking opportunities; host a Chapter Recognition Dinner; establish mentoring opportunities for chapter members; and provide access to legislators.

This is the time of year in which all of us set new goals for ourselves, such as lose weight, exercise more or become more organized. I encourage each of you to also create professional goals for yourself, such as attain your PHR or SPHR certification, earn your degree, seek out professional development opportunities or find volunteer opportunities that could enhance a skill set. CIC-SHRM can assist you with your professional goals...as a matter of fact; supporting the professional is a part of the SHRM mission! Becoming more involved with CIC-SHRM is a great opportunity for all of us! If you would like to find out more, do not hesitate to contact me at President@cic-shrm.org or check out our next Member Benefits Orientation Program on Wednesday, February 28, 2007. Look for an email soon with more details on this program!

In the meantime, don't miss the January chapter meeting presentation of "Building a Recognition Culture for the Fast Lane" presented by Mike Byam, Executive Managing Partner of Terryberry Co. This is the first of many professional development opportunities we have planned for you in 2007. **We will also be in our new location: Route 66 Hotel & Conference Center on South Fifth Street just south of Stevenson Drive.** I hope to see you all there!

Your CIC-SHRM Chapter President,

Nicole M. Ralph, PHR

CIC-SHRM Calendar

2007 Luncheon Meetings

Third Wednesday of every other month. Registration begins at 11:15 a.m., luncheon begins at 11:30 a.m. at Route 66 Hotel and Conference Center. Meetings will be held on the following dates:

- January 17
- March 21
- May 16
- July 18
- September 19
- November 21

Board Meetings

Second Wednesday of every month at 11:30 a.m. Meetings will be held as follows:

- January 10
- February 14
- March 14
- April 11
- May 9
- June 13
- July 11
- August 8
- September 12
- October 10
- November 7
- December 12

All members are welcome.

Special Events

Member Benefits Orientation Program on February 28.

A special breakfast meeting will be held on October 17 from 8:00 – 10:30.

Visit the CIC-SHRM website at www.cic-shrm.org

Board Changes in 2007

Please be aware of the following changes that will take place in January:

Nicole Ralph, President
Lindsey Perrine, Recognition Chair
Heather Dykes, College Relations Chair
Angela Tippey, PR Chair
Penny McCarty, Past President

Please join us in welcoming the new board!

Member Spotlight



Liane Joyce relocated to Springfield from the Chicago area nine years ago. She has nine years of Human Resources experience in the Hospitality Industry.

Liane has been with Johnson Development Company, LLC since its creation in 1999. Her responsibilities as the Director of Human Resources include the oversight of the HR functions for six hotel properties. Additionally, she coordinates central purchasing and inventory as well as assisting with state, federal and franchise reporting and compliance requirements.

The biggest challenge that Liane sees in the HR arena is extending the corporate vision not only to managers, but to line level employees. She also recognized the challenges of finding and retaining the right people and finding the strengths of employees (what they find enjoyable in their job). She believes that if we can place employees in positions that they

truly enjoy, we will have employees who are truly engaged in their work.

Liane believes that the future of HR will be spending more time getting to know and care about employees. She feels strongly that this is essential in retention; people need to know someone cares about them at work.

As medical costs continue to rise and employers institute measures designed to maintain a healthy workforce, she thinks we as HR Professionals need to be cautious that we are not infringing on employee rights to privacy in the workplace.

Liane is married with a 2-year-old son. She's currently studying for the CHRE (Certified Human Resource Executive) exam given by the Educational Institute of the American Hotel & Lodging Association.

Upcoming SHRM Professional Development Opportunities

Conferences

- Employment Law and Legislative Conference
March 12-14, Washington, D.C.
- SHRM Global Forum Annual Conference and Exposition
March 19-21, Los Angeles, California

SHRM e-Learning

Earn recertification credits online with SHRM e-Learning! Recently added classes include:

- 24-7-365: When Aren't You HR?
- Please Sue Me
- You Were Perfect, I Hired You, You Changed

For more information about these and other classes, visit the e-Learning website at <http://www.elearning.shrm.org/>

WE'RE MOVING IN 2007!!!

Route 66 Hotel and Conference Center
625 E. St. Joseph St.
(one block from S. 6th St. & Stevenson Drive intersection)

School Partnership

We are continuing to work with Pleasant Plains High School in planning job shadowing, career days and other workforce readiness activities. We will get more information to you as plans are formalized. If you are not already signed up for CIC-SHRM's speakers' bureau and/or would like to get involved in these activities, contact Kim Wonnell at WorkforceReadiness@cic-shrm.org

Chapter Chatter

Melina Tomaras welcomed a baby girl, Ariana, on Thanksgiving Day (how appropriate)! Although the little one arrived earlier than expected, both mom and baby are doing well. Congratulations, Melina!

Vicky Fowler started a new position as the Executive Assistant/HR Manager at the American Lung Association in November. Congratulations, Vicky!

Donna Rogers recently received SPHR recertification. Also, January 2007 marks the six-year anniversary of Rogers HR Consulting. Congratulations, Donna!

Abby Pillsbury has passed her PHR exam. She was a participant in the 2006 fall study group and took her exam on 12/15/06. She has also been promoted to HR Manager at Associated Network Partners, Inc. Congratulations, Abby!

Cheryl Davis, PHR will be the Regional Human Resources Manager for Landmark Aviation effective 1/8/2007. Congratulations, Cheryl!

Kim Wonnell is now the Director of Human Resources for Land of Lincoln Goodwill Industries, Inc. Congratulations, Kim!

New Members – Welcome!

- Kay Fischer, Certified Life Coach, The Coaching Connection

BUSINESS/EDUCATION DAY **PLANNED**

The Springfield Education Association and the Business/Education Partnership of Sangamon County (an affiliate of the Springfield Chamber of Commerce) are again co-sponsoring a day when interested business people can spend all or part of a day in a classroom. Please mark your calendar now for Tuesday, February 6, 2007 and plan to participate!

For this event, business participants are paired with teachers at various grade levels. The businessperson and the teacher together plan the time in the classroom. Participants can team teach, help the teacher with classroom activities, teach about a profession, or other activities mutually agreed upon by the participating teacher and businessperson.

The SEA and the Chamber feel that the expertise of business people can provide worthwhile educational experiences for the students, and business people can gain some insight as to what is happening in the classroom. The goal for this endeavor is to continue to strengthen the relationship between the business community and education community.

Anyone with questions or interested in participating can contact Sally Taylor, SEA President, or Denise Gibler, Administrative Assistant, at the SEA office at 787-7060 or e-mail at denise.gibler@ieanea.org.

Additional information is also available at www.cic-shrm.org. Deadline for signing up is Tuesday, January 16.



Electronic Discovery - WASHINGTON - U.S.

companies will need to keep track of all the e-mails, instant messages and other electronic documents generated by their employees thanks to new federal rules that go into effect Friday, legal experts say. The rules, approved by the Supreme Court in April, require companies and other entities involved in federal litigation to produce "electronically stored information" as part of the discovery process, when evidence is shared by both sides before a trial. The change makes it more important for companies to know what electronic information they have and where. Under the new rules, an information technology employee who routinely copies over a backup computer tape could be committing the equivalent of "virtual shredding," said Alvin F. Lindsay, a partner at Hogan & Hartson LLP and expert on technology and litigation. James Wright, director of electronic discovery at Halliburton Co., said that large companies are likely to face higher costs from organizing their data to comply with the rules. In addition to e-mail, companies will need to know about things more difficult to track, like digital photos of work sites on employee cell phones and information on removable memory cards, he said.

Both federal and state courts have increasingly been requiring the production of relevant electronic documents during discovery, but the new rules codify the practice, legal experts said. The rules also require that lawyers provide information about where their clients' electronic data is stored and how accessible it is much earlier in a lawsuit than was previously the case. There are hundreds of "e-discovery vendors" and these businesses raked in approximately \$1.6 billion in 2006, Wright said. That figure could double in 2007, he added. Another expense will likely stem from the additional time lawyers will have to spend reviewing electronic documents before turning them over to the other side. While the amount of data will be narrowed by electronic searches, some high-paid lawyers will still have to sift through casual e-mails about subjects like "office birthday parties in the pantry" in order to find information relevant to a particular case.

Martha Dawson, a partner at the Seattle-based law firm of Preston Gates & Ellis LLP who specializes in electronic discovery, said the burden of the new rules won't be that great. Companies will not have to alter how they retain their electronic documents, she said, but will have to do an "inventory of their IT system" in order to know better where the documents are. The new rules also provide better guidance on how electronic evidence is to be handled in federal litigation, including guidelines on how companies can seek exemptions from providing data that isn't "reasonably accessible," she said. This could actually reduce the burden of electronic discovery, she said.

7th Circuit: Employer must respond to notice that harassment probably exists By Maria Greco Danaher

An employee's effort at a holiday party to bring the threat of potential sexual harassment to an employer's attention may give rise to employer liability when the employer is aware of the heightened risk of such activity in the workplace, according to the 7th U.S. Circuit Court of Appeals.

The plaintiff worked as a payroll and benefits specialist in the Wisconsin Correctional Center System (WCCS), which was housed in the same complex as an all-male minimum security prison. On Dec. 28, 2001, she was raped by an inmate who had been assigned to work-duty as a janitor in the WCCS offices.

She brought a lawsuit against the Wisconsin Department of Corrections (WDC) alleging, in part, a hostile work environment under Title VII. At trial, a jury held in favor of the plaintiff. The WDC then filed a motion for judgment as a matter of law, arguing that no reasonable jury could have found any basis for employer liability.

The district court denied the motion, and the WDC appealed to the 7th Circuit, which upheld the denial. The plaintiff worked extended hours at her position at the WCCS, and often worked after 4:30 p.m., when most other employees had left for the day. The WCCS offices were off limits to inmates, other than those who had been assigned to work-duty there. Inmate Jonathan Spicer was assigned to work as a janitor in the WCCS offices. Prior to that assignment, a review of Spicer's file showed a major violation of work release rules and a denial of a parole application in 2001. In spite of these issues, Spicer was assigned to the janitorial position and had access to the WCCS offices. On Dec. 20, 2001, the plaintiff worked after 4:30 p.m. and thought she was alone in the offices. She was shocked to find that Spicer was in her area, which made her uncomfortable enough to leave the office immediately without finishing her work. Coincidentally, she went from the office to a holiday party at which she saw a number of individuals who also worked for the WDC, including the warden at the WCCS, the assistant superintendent at the prison who was in charge of work-duty assignments, and the HR director for the WCCS, who was her direct supervisor. The plaintiff explained what had just happened and the managers—who all seemed to be surprised at the incident—told her that "it would never happen again." However, no one who was present at the party took subsequent action to remove Spicer from his work-duty position or otherwise to keep him from the WCCS offices. The plaintiff returned to work the following week and, on Dec. 28, Spicer again appeared at the WCCS office while she was alone.

Legislative Report Continued

This time, he attacked and brutally raped her. At trial, the plaintiff alleged that WDC discriminated against her on the basis of her sex by failing to prevent the sexual assault. To establish Title VII liability, she had to show unwelcome sexual conduct because of her sex that was severe or pervasive enough to create a hostile environment. She also had to establish that there was a basis for employer liability.

In this case, the 7th Circuit pointed out that the WDC was aware of certain issues in Spicer's background that made him a "high risk" inmate. The court also pointed out that WDC employees were required to complete training regarding interactions between the inmates and non-security employees. The training was instituted in part because the WDC understood the increased risk that male inmates posed to female employees.

Based on that training, the court found that the WDC was aware of the potential for incidents involving inmates and female employees. That awareness, coupled with the plaintiff's report of her experience on Dec. 20 to the supervisors in charge of the workplace, was sufficient to allow a reasonable jury to find that the WDC was negligent in addressing the risk that Spicer might sexually harass the plaintiff.

Erickson v. Wis. Dept. of Corrections, 7th Cir., No. 05-4516 (Nov. 14, 2006).

Professional Pointer: The message to employers in this case is that actual notice of sexual harassment is not required for Title VII liability to occur. While WDC would not be held strictly liable for all of the actions of its inmates, it was liable because in spite of being generally aware of the possibility of such incidents occurring in its workplace, it did not respond to reasonable notice that sexual harassment might occur in this instance. While this holding may seem to expand the types of circumstances in which employers must respond to reports of perceived problems between employees, it should be viewed in the context of the severity of the incident, and in light of WDC's complete failure to take any type of action to avoid what was probably a preventable sexual assault.

Illinois minimum wage bill reaches final legislative approval.

Illinois legislation proposing to raise the minimum wage to \$7.50 effective July 1, 2007, and calling for four, annual increases to reach \$8.25 by 2010, won legislative approval November 30, passing in the Senate by a vote of 40 to 17. Senate Bill 1268 passed the state House of Representatives on November 29. In addition to the increase in 2007, the state minimum wage rate would rise to \$7.75 in July of 2008, to \$8.00 in July 2009, and to \$8.25 in 2010. The wage bill now heads to the Governor's desk for his expected signature (Illinois Government News Network, Governor's Office Press Release, November 30, 2006).

Training For Decision-Making The general rule is easy: Employers cannot consider race or color (or any other protected status) in the decision-making process. The application of the general rule is far more complicated. Managers need to receive training as to how race and color can insidiously infuse themselves into the decision-making process. The training as it relates to race and color should focus on both racial stereotyping and like-me bias. With racial stereotyping, the message should be clear and unambiguous that such bias is not only illegal but also morally wrong and inconsistent with the organization's values. There is no defense to the indefensible. With like-me bias, the message is a bit different. The EEOC acknowledges that like-me bias is a human tendency as opposed to a moral wrong.

Managers need to understand that even if it is a human tendency, unconscious like-me bias may be illegal (if it relates to EEO status), is counterproductive (you already have you and don't need another one of you) and is substantially avoidable (with conscious knowledge of it). Diverse teams may help to minimize the potential for like-me bias. Another way to minimize the potential is to train all managers to weigh favorably differences in experience, perspective, style, contacts, etc.

For example, you may want to encourage managers to ask themselves: "What does the candidate bring to the table in terms of experience, perspective, experience and/or contacts which we do not already have?" The answer may show that the candidate who is most like the hiring manager may be the least desirable (regardless of race, color or other protected status).

Of course, most decision-makers do not consciously think or expressly state, "He reminds me of me; I want to hire him." Instead, as the EEOC correctly notes in its examples in its Compliance Manual, we are more likely to hear that the successful candidate "seemed to be a better fit" or "I'm [more] comfortable with him"

Cultural fit and comfort level are red flags for the EEOC and private plaintiffs. However, this does not mean that employers never can legitimately consider cultural fit or personal comfort level, since they do not automatically equate to unlawful bias. It depends on the basis for the conclusion.

For example, assume a manager believes that someone will not be a good fit within an organization's culture. The training should encourage the manager to drill down as to why.

What did the candidate say or do that has created the concern? What skill or experience is he or she lacking, and why does this relate to the job for which he or she applied? To the extent that the manager can articulate legitimate, nondiscriminatory reasons supported by specific examples, the manager should focus on the specific examples as opposed to the problematic "cultural fit" conclusion.

Legislative Report Continued

However, in providing specific examples, managers should be careful of qualifiers that are neutral on their face but that may reflect racial stereotyping. For example, saying that a black applicant is "arrogant" may suggest racial bias just as "too aggressive" may suggest gender bias or "rigid" may reflect age bias. Again, this risk can be minimized if management drills down further. What did the candidate do that was arrogant? If it's just a feeling, it may be a racist feeling, and the conclusion should be reconsidered. On the other hand, if there are specific problematic behaviors ("He told me my questions were the wrong questions"), the conclusion may be legitimate, and the manager should focus on the specific behaviors as opposed to putting a label on them.

Professional Pointer: Allegedly discriminatory remarks made by managers will not necessarily defeat personnel decisions based on clearly documented wrongdoing by an employee. Thus, employers should not be intimidated from taking appropriate disciplinary action against employees who violate rules simply because the employee threatens litigation; legitimate, well-documented decisions serve to defeat such claims and vindicate the employer. **Do Not make Snap Decisions and Document, Document, Document!**

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PHR and SPHR Assessment Exam

HRCI is pleased to offer an online assessment exam for the PHR and SPHR certifications. Exam candidates can use this exam to help assess their knowledge level before taking the actual exam. The assessment exams were developed using actual test questions from previous exams. This exam will give candidates the opportunity to become familiar with the format of the test questions and provide an indication of preparedness for the actual exam. It is the closest assessment exam to the "real thing" on the market today, since it is the only assessment exam designed and developed by HRCI.

Candidates may register for either or both the PHR and/or the SPHR assessment exam. Each exam level has a different focus but covers the same body of knowledge. The PHR exam is more focused on the technical/operational aspects of HR where as the SPHR exam is more focused on strategic HR and policy issues. While the actual exam consists of 225 questions, each assessment exam consists of only 75 questions. However, the percentages reflected in the content outline for each functional area remains consistent for both the actual and assessment exams.

You may take either or both assessment exams, but we strongly recommend that all candidates become familiar with the ideal profile of a PHR and an SPHR candidate before selecting their assessment exam level.

<http://www.hrci.org/AssessmentExam/PHRSPHR/>

LUNCHEON MEETING NOTICE

January 17, 2007

**Route 66 Hotel and Conference Center
625 E. St. Joseph St.**

Program: "Building a Recognition Culture for the Fast Lane"

Speaker: Mike Byam, Executive Managing Partner, Terryberry Co.

***RSVP for the January 17 luncheon by Wednesday January 10**

Reservation Reminders

- ◆ We prefer registrations via rsvp.hq.com (reply to e-mailed invitation). You may also e-mail Reservations@cic-shrm.org.
- ◆ Cost for the luncheon is \$15/person. All reservations must be paid at the door unless prepaid Advantage Member. No charge for attending the meeting only (no meal).
- ◆ Guests of members are welcome to attend; guests will receive a complimentary meal only for the first meeting they attend.
- ◆ An RSVP is required in order to secure a meal for each member or guest attending. Reservations made after the deadline will not include a meal. Non-registered attendees will not be eligible for a meal but are welcome to enjoy the meeting and network with fellow members.
- ◆ Please remember to state a menu selection in your RSVP for each person you register.
- ◆ Cancellations after deadline and no shows will be invoiced.

Leadership Team

Please call us with your questions or suggestions. We want to hear from you.

President	Nicole Ralph, PHR 786-2342 President@cic-shrm.org
Past President	Penny McCarty, SPHR 545-5693 PastPresident@cic-shrm.org
Vice President	Vicky Fowler, PHR 787-5864 VicePresident@cic-shrm.org
Diversity Committee Chair	Robert Hotes, PhD, SPHR 726-6220 Diversity@cic-shrm.org
Legislative Affairs Committee Chair	Larry Small, SPHR 787-2080 Legislative@cic-shrm.org
Membership Committee Chair	Pattie Curry, PHR 245-2183 x1224 Membership@cic-shrm.org
Public Relations Committee Chair	Angela Tippey, PHR 632-3583 PublicRelations@cic-shrm.org
College Relations Committee Chair	Heather Dykes, PHR 747-2875 CollegeRelations@cic-shrm.org
Recognition Committee Chair	Lindsey Perrine 793-1005 x201 Recognition@cic-shrm.org
School to Work Committee Chair	Kim Wonnell, SPHR 757-8660, x1095 WorkforceReadiness@cic-shrm.org
Secretary	Mary Minder 789-9340 Secretary@cic-shrm.org
Treasurer	Dave Ryan 483-7272 Treasurer@cic-shrm.org

From the Treasurer...

For those of you who have attended any of the chapter meetings within the last year, you have come to know me as the mild-mannered, joke-cracking wise guy who takes your money when you show up at **CIC-SHRM** events. I will continue to be the guy who takes the money but I have been asked by the other board members to take a tougher stand on those of you who show up at luncheon events **without registering** for yourself or for a guest. For the most part I have tried to be accommodating in this situation, *but* the problem has reached epic proportions.

When we schedule an event and serve food we give the caterer a count. Typically a caterer will bring an extra 10%, so for a regular luncheon, if we are expecting 50 guests, they will bring enough food and service for 55 guests. For the last several meetings we have been going well over the 10% mark. In fact, I have taken to padding the order, and we also have a certain amount of no-shows, and *we are still running out of food!* So what is going to happen at some point is there will not be enough lunches for everyone.

Fortunately we have had enough food to go around, but some of us have been sweating bullets as guests continue to arrive. Should we not have enough food, it would really put the chapter in a bad light. So to combat this situation the board has asked me to transform from nice guy to the **LUNCH NAZI... no lunch for you!** I don't want to have to do this, so I ask all of my fellow members to please pre-register for you and your guest, and I won't have to tell you no lunch.

As long as I am discussing lunches, I would like to discuss the reservation system. I am asking all of you to use our reservation system through www.rsvphq.com. This system is much easier and takes less time for the volunteer board members. You will also find it very easy to use. I will talk about the site for a couple minutes at the next meeting. Or you are free to call me at 483-7272 or email questions to me at Treasurer@cic-shrm.org.

Thanks for your cooperation and support!

Dave Ryan
Treasurer