

The Butler/Warren County Buzz

December 3 Monthly Meeting



BWSHRM AND OHIO EMPLOYERS COUNCIL PRESENTS:

Speakers: Louis J. Manchise
Cost: \$13.00 for members, \$15.00 for non-members
Date: Thursday, November 5, 2009
Time: 7:15 AM – Registration/Networking
7:30 AM – Breakfast
8:00 AM - 9:00 AM - Presentation



Location: Wetherington Country Club

Directions: Take I-75 to Tylersville and turn west. Go to the entrance of Wetherington Homes, which is just past Shell & Encore Café, turn right and follow to the stop at corner of Country Club Lane. Turn right at stop sign and follow road to left. It takes you into Country Club parking lot.

Why One Should Consider Using Mediation to Resolve All Types of Disputes

Mediation is an effective method of Alternative Dispute Resolution that can improve your efficiency in resolving workplace disputes and help you avoid costly litigation. This will be an interactive program utilizing a whole audience role play to demonstrate the concepts, nature and value of mediation as a method of alternative dispute resolution.

Louis J. Manchise was the Director of Mediation Services with the Federal Mediation and Conciliation Service (FMCS), an independent agency of the United States Government, created in 1947. The Federal Mediation Service, FMCS, is primarily responsible for mediating labor management contract disputes in the United States. Mr. Manchise joined FMCS in 1973 after a career as a regional manager of industrial relations for a major container manufacturer.

Commissioner Manchise mediated over 1,000 contract negotiations, facilitated hundreds of labor management committees and conducted numerous training sessions designed to improve employee relations and cooperation among the representatives of employers and unions within all sectors of the U.S. economy: private, public and federal.

Lou was also one of nine Alternative Dispute Resolution (ADR) coordinators for FMCS. In this capacity, he has facilitated regulatory negotiations for the U.S. Department of Agriculture and Education, helped design and institutionalize the first ever U.S. Government mediation alternative for the general public and regulatory agencies of the Department of Labor, and implemented grievance mediation systems as an alternative to binding arbitration in many union/management relationships.

The University of California published an article co-authored by Commissioner Manchise entitled "Training Russian Mediators: The Advent of a New Era." The article is the result of an assignment in Moscow, Russia, whose purpose was to train the first cadre of national mediators, who are currently resolving labor management disputes in Russia.

Lou Manchise is currently a Lecturer of Management at Northern Kentucky University. He is a member of the Alternative Dispute Resolution Center also at Northern Kentucky University. In this capacity he serves as Vice-Chair and as a mediator for a wide spectrum of clients and disputes.

We hope you can join us on Thursday, December 3, 2009 at Wetherington Country Club. Please reserve your seat by Monday, November 30th by emailing Angela Sherrick at asherrick@generalrevenue.com or by calling 513-605-7402.

This program has been approved for (1) "General" recertification credit hour toward PHR, SPHR and GPHR recertification through the HR Certification Institute. The use of this seal is not an endorsement by the HR Certification Institute of the quality of the program. It means that this program has met the HR Certification Institute's criteria to be pre-approved for recertification credit.

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BWSHRM LOCAL MEMBERSHIP DRIVE



Once again, we want to challenge our members to participate in another year of growth by inviting a new member to join our chapter. In return for a new member application, you are invited to join us at the next breakfast meeting at no cost to you. Together, we can make it happen!

To request a membership application, please contact our Membership Advocate:

Marc Fleischauer, SPHR – Partner, Porter Wright Morris & Arthur, LLP
1 S. Main St., Suite 1600, Dayton, OH 45402
937-449-6720 or mfleischauer@porterwright.com

Or visit our website at www.ohioshrm.org/butler and click on the membership link for more information. If you are a SHRM National Member, your local dues are only \$45 per year. If you want to join our local organization only, your local dues are only \$90 per year.

We hope to see you soon!

MESSAGE FROM THE PRESIDENT

As long ago as Plato and Aristotle, the concept of a prearranged private procedure for resolving disputes between differing parties was considered a reasonable and workable alternative to going to court. George Washington famously included in his will a provision for dispute resolution.

Today, many employment disputes are settled before trial. There are several reasons to consider this approach. Going to trial is quite expensive. Even if the employer prevails in the end, it is often difficult for an employer to recoup the fees it has paid its attorney. Sometimes, even if the employer has not violated state or federal employment laws, the employer can save considerable time and money by offering the complaining employee or employees a settlement in return for the termination of the lawsuit. Also, settlement may avoid bad publicity and the lowering of employee morale that could result from protracted litigation.

Consequently, dispute resolution is incorporated widely into agreements in many fields, including commercial, securities and employment, and it has been adapted for use by many government agencies, as well as federal and state courts.

Our December speaker, Lou Manchise, brings to us a distinguished career full of experience on this subject. Please join us and see what might be in it for you and your organization.

-Linda P. Stryker, PHR
President

MEMBERS IN TRANSITION

With Thanksgiving upon us BWSHRM would like to say thank to all of our members for their partnership with BWSHRM in serving and advancing the profession. We know that 2009 has been a particularly difficult year for our members in transition, with that in mind BWSHRM meetings will now be free to members who are currently in transition. Please let us know when you rsvp if you are in transition and would like to take advantage of this special offer.





Your success is our business.

Lee Hecht Harrison can help your company assess its needs, and identify and implement the right solutions. You can rely on us to deliver superior results in three core areas:

- **Career transition**

We'll help you plan, manage and maintain productivity as you effectively transition individuals.

- **Leadership consulting**

We provide assistance identifying, assimilating, assessing and developing current and future leaders.

- **Workforce solutions**

Our qualified consultants help engage and retain employees through innovative career development solutions.

To learn more about what we can do to help your business achieve results, please contact me today.

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LEGISLATIVE NEWS YOU CAN USE

GINA

Title II of GINA - Employment Provisions: The EEOC has approved a proposed final rule to implement the employment title of the Genetic Information Nondiscrimination Act (GINA). Covered entities *will be required to post notices in conspicuous places* describing GINA's applicable provisions. The EEOC has published a notice revising its "Equal Employment Opportunity is the Law" poster to reflect changes required by the employment provisions of the GINA, which becomes **effective on Nov. 21, 2009**

Who Must Post: Employment provisions in Title II of GINA will apply to the same covered entities as [Title VII of the Civil Rights Act of 1964](#) *whether or not the employer conducts genetic testing*. The provisions will prohibit employers from discriminating against individual employees or job candidates on the basis of genetic conditions or predisposition to certain diseases *even if an employer does not conduct genetic testing*.

To receive links to the free download of the new EEOC poster and articles on this and other posting requirements, visit the SHRM [Express Request](#) service and select the key term **Posters, Federal & State** (under Employee Relations).

PANDEMIC

U.S. Rep. George Miller, D-Calif., has introduced emergency legislation ([H.R. 3991](#)) that would provide five paid sick days to workers with contagious diseases *who are told by their employers to stay home*. Under the proposal, workers would be given five **paid** sick days if their employers sent them home or advised them to stay home due to a contagious illness—such as the flu (that’s any strain of flu – not just H1N1). The bill leaves much to the employer’s discretion in supporters’ hopes of sidestepping issues that have bogged down and stalled other paid-leave proposals in Congress. The bill has the 15-employee threshold, and would expire two years after taking effect. The proposed bill will be moved to the House floor “as soon as possible.” Look for this one to pass fairly quickly with bipartisan support before Christmas ‘09.

Have questions surrounding doing business during a pandemic? You can find a comprehensive list of Q&A covering these topics on the [SHRM website](#):

- **Vacation/PTO**
- **Wage and Hour**
- **Attendance**
- **FMLA**
- **ADA**
- **Confidentiality**
- **OSHA**
- **Workers' Compensation**

Best of the holidays,
-Jackie Cordell
Legislative Advocate