



April 2015 Newsletter

# Butler/Warren County SHRM Newsletter



## President's Message

President's Message: April Newsletter

Spring is roaring in and BWSHRM is busy with our upcoming events. Each March BWSHRM partners with the Miami University Student Chapter to hold a joint session, this year is no different. The Student Chapter asked us to have a panel discussion about what it is really like to be an HR Practitioner. A few of our board members are taking up the challenge to give them an inside look to the day in the life of us as HR Professionals. We love supporting our future industry professionals!

In addition, our Past President Michelle Exerski is working with other local SHRM Chapters to host the 3rd Annual HR Collaborative Regional Conference on Wednesday, April 15th. Go to [www.hr-collaborative.org](http://www.hr-collaborative.org) to register and to get additional details on this one-day HR Conference.

Up next for SHRM, is the 2015 SHRM Divisional Case Competition and Career Summit being held in the Cincinnati Area, Friday, April 24th and Saturday, April 25th. The competition and summit consists of a two-day event where teams of two to six undergraduate or graduate students from various colleges and universities compete in both oral and written presentations. The case is created specifically for the SHRM Case Competition and can focus on any number of HR issues (i.e., Management Practices; Selection & Recruitment; Training & Development; Compensation & Benefits; Employee/Labor Relations; and Health, Safety & Security or a combination).

Teams are competing for a \$2,500 cash award and a complimentary registration for their team and advisor to attend the SHRM Annual Conference & Exposition in Las Vegas in 2015.

Volunteers Needed at the Case Competition and Career Summit! Online Volunteer Registration/Information is available here: <http://conferences.shrm.org/student-conferences/volunteer-informationregistration> Or click here Select "Central Division"

Virtual Written Judges and Oral Presentation Judges must be HR certified (information available at link above). Judges will receive one Professional Development Credit towards SHRM Certification.

Don't forget to save the dates for the 2015 Ohio HR Conference, September 16 – 18, 2015 at the Kalahari Resort, Sandusky, OH.

As always, your feedback is important to us, if you have any suggestions for topics, events, speakers, improvements, or becoming a BWSHRM Volunteer please don't hesitate to email me at [SLAcheson@metalcoaters.com](mailto:SLAcheson@metalcoaters.com).

Best Regards,

Sherrie Acheson, SHRM-CP, PHR

*Sherrie Acheson, PHR*

Sherrie Acheson



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## NLRB General Counsel Offers Guidance on Employee Handbooks

By Allen Smith

3/20/2015

Employers need not read the tea leaves anymore about what employee handbook language the National Labor Relations Board (NLRB) general counsel considers to be prohibited. NLRB General Counsel Richard Griffin Jr. put the agency's cards on the table in a March 18, 2015, report to NLRB regional directors that he said hopes "will be of assistance to labor law practitioners and human resource professionals."

The general counsel is taking "an expansive view" of language that is prohibited by the National Labor Relations Act (NLRA), according to Steven Swirsky, an attorney with Epstein Becker & Green in New York City. And much of the language hasn't been approved or disapproved by courts or the board, he added.

Nevertheless, reviewing the report should give HR professionals ideas on whether and how their policies should be changed, Swirsky added. He cautioned that employers "should not cut and paste," as different companies will have different circumstances.

Unionized and nonunion businesses alike should pay attention. Swirsky said many employers tune out news about the NLRA because they think it applies only to unionized employers. A big reason for this report is to emphasize that the law also applies to nonunion environments, he remarked.

### Confidentiality Rules

The following confidentiality rules are unlawful, and thus should not be included in any employee handbook, Griffin said:

Do not discuss "customer or employee information" outside of work, including "phone numbers and addresses."

Do not disclose proprietary or confidential information about [the employer, or] other associates (if the proprietary or confidential information relating to [the employer's] associates was obtained in violation of law or lawful company policy).

Never publish or disclose [the employer's or] another's confidential or other proprietary information.

Never publish or report on conversations that are meant to be private or internal to the employer.

The first rule has an unlawfully overbroad reference to "employee information," Griffin explained. The second is overbroad because a reasonable employee would not understand how the employer determines what constitutes a lawful company policy, according to Griffin.

As for the third rule, he said, "While an employer may clearly ban disclosure of its own confidential information, a broad reference to 'another's information,' without further clarification, as in the above rule, would reasonably be interpreted to include other employees' wages and other terms and conditions of employment" (emphasis in the original).

Employees may discuss terms and conditions of employment as a part of their protected concerted activity under the NLRA.

## NLRB General Counsel Offers Guidance on Employee Handbooks (cont'd)

Lawful confidentiality rules include:

- No unauthorized disclosure of “business secrets” or other confidential information.
- Misuse or unauthorized disclosure of confidential information not otherwise available to persons or firms outside [the employer] is cause for disciplinary action, including termination.
- Do not disclose confidential financial data, or other nonpublic proprietary company information. Do not share confidential information regarding business partners, vendors or customers.

### Employee Conduct Rules

Employee conduct rules are common in employee handbooks, but some typical language should be jettisoned, according to the general counsel. Here are conduct rules he considers to be unlawful:

- Be respectful to the company, other employees, customers, partners and competitors.
- Do not make fun of, denigrate or defame your co-workers, customers, franchisees, suppliers, the company or the company's competitors.
- Be respectful of others and the company.
- No defamatory, libelous, slanderous or discriminatory comments about the company, its customers and/or competitors, its employees, or management.

Griffin described these rules as “unlawfully overbroad since employees reasonably would construe them to ban protected criticism or protests regarding their supervisors, management or the employer in general.”

But Swirsky said the board and its general counsel have a tendency to think that the NLRA takes precedence over other laws.

Therefore, some of the report’s conclusions may be ripe for challenge.

For example, Griffin said that “Don’t pick fights online” is an unlawful conduct rule “because its broad and ambiguous language would reasonably be construed to encompass protected heated discussion among employees regarding unionization, the employer’s labor policies or the employer’s treatment of employees.”

On the other hand, if the general counsel doesn’t like this language, why pick a fight with the board?

Lawful conduct rules include:

- No rudeness or unprofessional behavior toward a customer, or anyone in contact with the company.
- Employees will not be discourteous or disrespectful to a customer or any member of the public while in the course and scope of company business.

## NLRB General Counsel Offers Guidance on Employee Handbooks

### (cont'd)

- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a manager/supervisor, co-worker, customer or vendor will result in discipline.

“Although a ban on being ‘disrespectful’ to management, by itself, would ordinarily be found to unlawfully chill Section 7 criticism of the employer, the term here is contained in a larger provision that is clearly focused on serious misconduct, like insubordination, threats and assault,” Griffin said. “Viewed in that context, we concluded that employees would not reasonably believe this rule to ban protected criticism.”

#### Other Policies

The report also includes examples of prohibited and permitted handbook rules on:

- Employee interaction with third parties.
- Use of company logos, copyrights and trademarks.
- Restrictions on photography and recording.
- Restrictions on leaving work.
- Conflicts of interest.

In addition, the report concludes with language in an employee handbook that the board approved from a settlement with Wendy’s, the fast-food chain. The report, called Report of the General Counsel Concerning Employer Rules, is available at <http://www.nlr.gov/reports-guidance/general-counsel-memos>.

Allen Smith, J.D., is the manager of workplace law content for SHRM. Follow him @SHRMlegaleditor.

## Meet the 2015 Board of Directors



### Kristi Cain—Secretary

Kristi is currently the Director of Human Resources for Avure Technologies, a global leader in the manufacture of HPP equipment for the food industry. Kristi has 20+ years in HR within various industries, such as; automotive manufacturing, capital equipment manufacturing and field services. Kristi is a graduate of The University of Tennessee with a bachelor’s degree in Psychology. Kristi has been involved with the BWSHRM chapter since 2002 having served as Secretary, President Elect and President.



## **CALL FOR VOLUNTEERS!**

- Do you like to be creative?**
- Do you like welcoming and meeting people?**
- Are you a social media guru?**
- Are you a master at planning?**
- Are you a wiz with the written word?**
- Do you love to lend a helping hand?**
- Do you seek out a better way of doing things?**

**If your answer was YES to any of these questions,  
then we are looking for YOU!**

The BWSHRM Board has Openings for the 2015 Volunteer Year. If you have an interest in developing your knowledge, skills and abilities as a professional in a small, laid-back, focused and friendly environment, where the benefits outweigh the time you spend involved, then we are the Chapter for you.

Contact Sherrie Acheson at 937.584.3305 or email at [SLAcheson@metalcoaters.com](mailto:SLAcheson@metalcoaters.com) to get details on these interesting opportunities.



**Annual Butler County Job Fair**  
**April 23, 2015; 11am to 3pm**  
**Harry T. Wilks Conference Center**  
**Miami University Hamilton Campus**

**RSVP: [vogtln@miamioh.edu](mailto:vogtln@miamioh.edu)**

*Use back of flyer to register*

Table: \$125 per employer

Lunch and drinks provided



Campus Address:  
1601 University Boulevard  
Hamilton, OH 45011

513.785.3113  
[vogtln@miamioh.edu](mailto:vogtln@miamioh.edu)

Career, Co-op & Internship Services  
[regionals.miamioh.edu/jobs](http://regionals.miamioh.edu/jobs)  
Connecting Students to Careers



# Job Fair



## 2015 ANNUAL BUTLER COUNTY JOB FAIR

Employer Registration / Invoice Form

[www.regionals.MiamiOH.edu/jobs](http://www.regionals.MiamiOH.edu/jobs)

**Date/Time:** April 23, 2015; 11:00 am to 3:00 pm

**Where:** Harry T. Wilks Conference Center, Miami University Hamilton

**Address:** 1601 University Blvd., Hamilton, OH 45011

**Set Up Time:** 9:30 am to 10:30 am

Please type or print your information below

COMPANY: \_\_\_\_\_

ADDRESS / CITY / STATE / ZIP: \_\_\_\_\_

COMPANY WEB ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

NAME / TITLE OF ATTENDING REPRESENTATIVE/S: \_\_\_\_\_

E-MAIL CONTACT: \_\_\_\_\_

TYPE OF JOB/S YOU ARE TRYING TO FILL: \_\_\_\_\_

**Registration Fee:** \$125 The fee Includes a recruiting table, lunch and drinks

**Checks:** Payable to Miami University (or) Call 513.785.3113 to pay by credit card

**Please return this form with check by April 10, 2015 to:**

Dr. Shelley Cassidy, Regional Director for Career, Co-op & Internship Services

Miami University Hamilton, 1601 University Blvd., Hamilton, OH 45011

For questions, call **513-785-3113** (or) e-mail [vogtln@miamioh.edu](mailto:vogtln@miamioh.edu)

**Check Deadline:** April 17, 2015

**Attendance Cancellation Deadline:** April 20, 2015. Checks will be returned.

For **directions** and **parking** information go to: [www.regionals.MiamiOH.edu/jobs](http://www.regionals.MiamiOH.edu/jobs)



**Save the Date: April 15, 2015**  
The HR Collaborative is pleased to announce

**Navigating the Course:  
Reaching for the Horizon**

Mark your calendar and don't miss this special local one-day HR Conference!

To Register Visit our Website:  
[www.hr-collaborative.org](http://www.hr-collaborative.org)

**Sail Date:**  
Wednesday, April 15, 2015

**Fare:**  
\$149.00

**Sail Time:**  
7:30am - 4:00pm

**NEW Boarding Location:**  
Sharonville Convention Center  
11355 Chester Road  
Sharonville, OH 45246

**Your Captain and Crew:**

**Morning Keynote: Jeff Havens, Us. vs. Them**  
**Lunch Keynote: Steve Browne, Socially Acceptable HR**

**Breakout Presenters:**

- **Carla Messer:** Reframing the Candidate Experience—Recruiting Raving Fans
- **Cassandra Faurete:** DOL & OFCCP Audits: Is your Compensation Plan Ready?
- **Donna Chrobot-Mason:** Leadership and Networks
- **Elaine Suess:** The Genius of Inquiry - The Secret to Transformation and Culture Shifts for Leaders and Teams
- **Elizabeth Borton:** Why Storytelling Should be a Key HR Competency
- **Jennifer Beck:** Creating a Culture of Wellness to Keep Your Employees Happy, Healthy & Productive at Work
- **Joe Harten:** Private Exchanges - Coming to an Employer Near You?
- **Karl R. Ulrich:** Hot Topics and Developing Trends in Employment Law: 2015 Edition
- **Kelly Mulloy Myers:** Legal Issues in Termination Decisions
- **Marcas Miles:** The Impact of Depression on the Workplace
- **Stephanie Sisak:** Maximize your Training Investment by Raising Employer Financial Awareness
- **Stephen Jones:** Finding and Growing Leaders for the Business of the Future

## HR Collaborative—Navigating the Course

All Aboard The HR Collaborative!

Don't miss the boat, [register now!](#)

**Sponsorship Opportunities:**

Contact Peter Landesman at [plandesman@customdesignbenefits.com](mailto:plandesman@customdesignbenefits.com)

**Questions:**

Contact Julie Johnson at:

*Pre-approved for:*

*6.0 SHRM Certification Credit!*

*6.0 General HRCI Credit!*

*1.0 Business HRCI Credit!*

**Members of The HR Collaborative:**

Butler/Warren SHRM  
Certified Employee Benefits Specialists  
Employers Health  
Health Action Council  
Employers Resource Association  
Global HR Association of Greater Cincinnati  
Greater Cincinnati American Society for Training & Development  
Greater Cincinnati Compensation and Benefits Assn  
Greater Cincinnati Human Resources Assn  
Employer Solutions Council - NKY  
Chamber of Commerce  
Northern Kentucky SHRM  
Miami Valley Human Resource Association, SHRM Dayton Chapter

To Register Visit our Website:  
[www.hr-collaborative.org](http://www.hr-collaborative.org)

## Know anyone interested in Sponsoring a BWSHRM Meeting?

The BWSHRM Chapter offers opportunities for sponsorship of our meetings normally held at 7:30 AM typically on the first Thursday of every month. Examples of topics for our meetings include: safety and security, recruiting, diversity, best practices, legal updates, health insurance updates and many other topics.

The cost for sponsorship is only \$100 and includes:

Your ad in the monthly *Buzz* newsletter (2 months)

Recognition at the meeting including a table for your company information or information to be placed on all tables for attendees

A 5 minute "commercial" to talk about your company's product or service at the beginning of the meeting

Free breakfast

An opportunity for you to provide a door prize giveaway and collect business cards

Meeting sponsorship is a great way to get your company's product or service out to the areas Human Resources decision makers. If you know someone who would like to sign up today, simply call Amy Therien at 513-3362-4512 at or email: amy@bwshrm.org

**Check us out on the Web!**

**<http://www.ohioshrm.org/shrmChapters/butler>**

## Welcome New Members

We would like to welcome our new members!

Rebecca Hauser—HR Business Partner, Employee Management Services

Claudia Holton—HR Generalist, Account Control Technology

## 2015 Board of Directors



### **President**

Sherrie Acheson, PHR – Continuous Improvement Systems Manager  
Metal Coaters  
2400 Yankee Rd.  
Middletown, OH 45044  
937-584-3305  
[SLAcheson@metalcoaters.com](mailto:SLAcheson@metalcoaters.com)

### **Secretary**

Kristi Cain, SPHR – Director of Human Resources  
Avure Technologies, Inc.  
513-433-2486  
[kristi.cain@avure.com](mailto:kristi.cain@avure.com)

### **Legislative Director**

Robert Shank - Attorney at Law  
Denlinger, Rosenthal & Greenberg, LPA  
425 Walnut Street, Suite 2300  
Cincinnati, Ohio 45202  
513-621-3440  
[rds@drghfirm.com](mailto:rds@drghfirm.com)

### **Membership Director**

Shawn Pierce – Talent Acquisition Director  
The Berry Company  
3100 Research Blvd. Suite 250  
Dayton, OH 45420  
937-401-0886  
[Shawn.pierce@theberrycompany.com](mailto:Shawn.pierce@theberrycompany.com)

### **Workforce Readiness Director**

Melanie Hermes – Assistant Administrator / HR Director  
Liberty Township  
6400 Princeton Road  
Liberty Township, OH 45011  
513-759-7500  
[mhermes@liberty-township.com](mailto:mhermes@liberty-township.com)

### **College Relations Director**

OPEN

### **Past President**

Michelle Ezerski – Human Resources Director  
Brookhaven Retirement Community  
937-833-1883  
[mezerski@brookhavenoh.org](mailto:mezerski@brookhavenoh.org)

### **Vice President**

Amy Therien, PHR – Director, Human Resources  
First Transit/First Vehicle Services  
600 Vine Street, Suite 1400  
Cincinnati, OH 45042  
513-362-4512  
[amy.therien@firstgroup.com](mailto:amy.therien@firstgroup.com)

### **Treasurer**

Jeff Harvey, PHR - HR Specialist  
Great Miami Valley YMCA  
105 N. Second St.  
Hamilton, OH 45011  
513-887-0001  
[jharvey@gmvymca.org](mailto:jharvey@gmvymca.org)

### **Diversity Director**

Corporate Recruiter - Kroger  
9997 Carver Road  
Blue Ash, Ohio 45242  
[craig.farrell@kroger.com](mailto:craig.farrell@kroger.com)

### **Public Relations Director**

Ann Steward– HR Generalist  
Champion  
513-580-5630  
[asteward@getchampion.com](mailto:asteward@getchampion.com)

### **SHRM Foundation Director**

Tom Mobley, SPHR  
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3294 Shoshoni Court  
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513-703-9699  
[tom@moblelyhrc.com](mailto:tom@moblelyhrc.com)

### **HRCI/SHRM Certification Director**

Angela Sherrick, SPHR – HR Manager  
GKN Aerospace  
11230 Deerfield Road  
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513-605-8118  
[Angela.Sherrick@usa.gknaerospace.com](mailto:Angela.Sherrick@usa.gknaerospace.com)