



October/November 2013 Newsletter

# Butler/Warren County SHRM The BUZZ

## President's Message



Have you considered being more involved with Butler/Warren SHRM? Are you hesitant because you already have a busy schedule? You're in luck! We may have an opportunity for you to become more involved that is flexible with your schedule needs!

We are in the midst of planning for our 2014 year and would love to have interest and involvement from our membership. If you feel you can contribute in any way (special skills, suggestions, ideas, etc.) or would like to discuss options for board positions, please reach out to me by email at [mezerski@brookhavenoh.org](mailto:mezerski@brookhavenoh.org) or by phone (937) 833-1883.

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With all of our planning, I'm getting very excited for next year! We are going back to the drawing board and reviewing ways that we can add value for our members. I can't wait to tell you all the exciting things we come up with! But, I don't want to discount the rest of 2013! We're finishing off this year strong with a couple of great presentations. In November, we have Glen Harrison with a 2 hour workshop on Leadership Development. To finish off the year in December, we have Lyndsey R. Barnett and Jamie D. Scott from GraydonHead to speak on the #1 topic that has come across our desks the most over the last few years - Affordable Care Act issues. I look forward to seeing everyone over the next two months!

Also with the end of the year comes annual membership renewal time! You can expect an invoice to be emailed to you within the next few of weeks. Please make sure we have the correct email on file for you. If you have switched jobs recently, please email me to update your information.

As always, thank you for your attendance at our meetings and your membership!

*Michelle Exercki*

**President**



**Butler/Warren Society for Human Resource Management and the  
Ohio Employer Council Present...  
Own Your Leadership**

Please join us on Thursday November 7<sup>th</sup> as Glen Harrison will discuss how to maximize the effectiveness of your leadership development, you should be able to objectively evaluate your leadership strengths and opportunities for development, develop an actionable Individual Development Plan (IDP), and execute on that plan over the long-term. The *Own Your Leadership* workshop will provide participants with a pragmatic approach and engaging tools to support your personal growth as a leader.

Glen started his journey with Sigma Assessment Systems nearly two decades ago managing a large scale employee development project for Chrysler that involved over 30,000 management and staff. Over his career, Glen has worked with a third of the Fortune 500 and with every level of Government in Canada and the United States. In the process, Glen has delivered training to over 10,000 people across 49 states, 10 provinces, 1 territory, 107 cities, and 9 countries.

**Who Should Attend:** This course is suitable for Team Leaders, Project Managers, Middle Managers, Supervisors, Executives, and anyone else responsible for managing teams or individuals.

This is a 2 hour joint meeting with the OEC and is approved for 2 HRCI general credit hours.

**Please reserve your seat by Tuesday November 5th by emailing Sherrie Acheson at [SLAcheson@metalcoaters.com](mailto:SLAcheson@metalcoaters.com) or by calling [937-584-3305](tel:937-584-3305).**

**Directions:**

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

**Know anyone interested in Sponsoring a BWSHRM Meeting?**

The BWSHRM Chapter offers opportunities for sponsorship of our meetings normally held at 7:30 AM 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 Michelle Ezerski at 937-833-1883 or email: [mezerski@brookhavenoh.org](mailto:mezerski@brookhavenoh.org)

## Diversity Today

### Dominant-target Activity

BK Milburn  
10/2/13

The other day, I was in a class on human behavior and we did an enlightening activity with a “Diversity Flower.” This is a creation by Deborah Plummer, PhD, while she was at Cleveland State University, and serves as the basic concept and inspiration for this article.

The activity helps illuminate how many of our characteristics we might take for granted, e.g., “White”, “College-educated”, etc. One of the comments from the class was that the areas in which one was not the “Dominant” (usually the majority), but were instead the “target” (intentional use of lower case), was felt very strongly.

I have created a list form of many of the characteristics, with some modifications, especially to suit local consulting engineers and a 30-year-old, foreign-born (Canada), female, etc., engineer, as an example. This can be modified for any position and any group.

CHARACTERISTIC	DOMINANT (“preferred”)	Me (person evaluating themselves)
Race	White	White
Nationality	USA	<i>Canadian</i>
Regional Experiences	Southwest Ohio only	<i>Two Canadian provinces and SW Ohio</i>
Education	College (BS in Engineering)	<i>College (MS in Engineering)</i>
Religion	Christian	<i>Jewish</i>
Gender	Male	<i>Female</i>
Age	25-40	30
Physical Ability	Fully able-bodied	<i>One leg shorter than other; otherwise fully able-bodied</i>
Health	Excellent	Excellent
Work Style	Construction Schedule driven	Construction Schedule driven
Work Hours	Full-time	Full-time
Sexual Orientation	Straight	Straight
Class	Middle	Middle

The *italicized* words are the “target” characteristics that make the person different from the group norm. How would this person’s peers treat this person at your company? How would you treat this person? How would senior management treat this person? Would you want to have these differences from the “group norm”? What about if the differences were changed around? Many different questions can be asked, to promote understanding of people’s differences, and promote tolerance.

This activity is not intended to create special recognition for any group, but rather, help increase understanding that we all have had, currently have and/or will have, our own “target” characteristics. Especially during those times, one looks for tolerance, understanding and consideration from fellow human beings. It has been part of human history to deny that to others. However, it is also part of the better side of our human history, to grant that to others.

When do you feel better – denying or giving tolerance, understanding and consideration to others?

Brenda

## **The Compensability of Psychiatric Conditions in a Workers' Compensation Claim**

By Joshua R. Lounsbury, Esq.

In June, the Supreme Court clarified when a psychiatric condition qualifies for Workers' Compensation benefits in Ohio. The Court held that a claimant must establish that his psychiatric condition was causally related to his compensable physical injuries and not simply to his involvement in an accident. *Armstrong v. John R. Jurgensen Co.*, 136 Ohio St.3d 58, 2013-Ohio-2237.

While working as a driver for the John R. Jurgensen Company, Mr. Armstrong was involved in a motor vehicle accident while operating a one-ton dump truck. While stopped at a yield sign, Mr. Armstrong observed a vehicle approaching from behind with increasing speed. Mr. Armstrong braced for a collision, afraid he was going to be seriously injured. The approaching vehicle struck the dump truck from behind, pushed it forward, and came to rest "basically underneath" the dump truck.

After the collision, Mr. Armstrong was in shock and did not know the extent of his injuries. Mr. Armstrong feared that the vehicles would catch fire. He exited the dump truck and called 911. Mr. Armstrong observed that the other driver was not moving and that blood was coming from his nose. He suspected the driver was dead. After being transported to the emergency room, Mr. Armstrong was treated for physical injuries and released. He was distressed to learn, while in the emergency room, that the other driver had, in fact, died.

Mr. Armstrong filed a workers' compensation claim that was allowed for physical injuries sustained in the collision, namely cervical strain, thoracic strain, and lumbar strain. He later requested an additional allowance for posttraumatic stress disorder ("PTSD").

PTSD was allowed by the Industrial Commission, but the employer appealed the allowance to the Common Pleas Court. At trial, expert witnesses provided conflicting testimony. Mr. Armstrong's expert testified that his physical injuries contributed to and were causal factors in the development of Mr. Armstrong's PTSD. The employer's doctor agreed that Mr. Armstrong had PTSD as a result of the accident, but he opined Mr. Armstrong's physical injuries did not cause his PTSD. The trial court held that Mr. Armstrong's PTSD was not compensable, because it did not arise from his physical injuries.

On appeal, the Ohio Supreme Court ruled that Mr. Armstrong's PTSD was not compensable. The Workers' Compensation Act excludes psychiatric conditions from compensable injuries unless they arise from a compensable physical injury or occupational disease. The Court held that a psychiatric condition is not compensable simply because it developed contemporaneously with a compensable physical injury. Rather, psychiatric conditions are compensable under the Workers' Compensation system only when an allowed physical condition causes them.

As a result of this decision, any claimant who seeks to add a psychiatric condition to his or her claim must prove that the alleged psychiatric condition arose from complications and/or symptoms of the actual physical injury suffered by the claimant. Employers should consider the implications of this case whenever an employee requests a psychiatric condition in a Workers' Compensation claim.

***Mr. Lounsbury is an attorney at Coolidge Wall Co., LPA, in Dayton. He can be reached at 937-223-8177, or by email at [lounsbury@coollaw.com](mailto:lounsbury@coollaw.com).***



*Knowledge Changes  
Everything!*

## ***DON'T HIRE AN AX MURDERER!***

**Tuesday, November 19<sup>th</sup> – 7:30 - 9:00 a.m.**

**Miami University's Voice of America Learning Center  
7847 VOA Park Drive  
West Chester**

Join us in November as Brian Thomas, from the law firm of Graydon Head, presents how to properly screen, interview, background check and select potential job candidates. Brian will discuss the legal perils and protections of these important (but often overlooked) steps in the hiring process and will examine real world examples of policies gone wrong and how you can avoid these pitfalls.

There is no cost to attend and a lite breakfast will be provided. Space is limited so register at your earliest convenience by emailing Lauren Martin at [LMartin@graydon.com](mailto:LMartin@graydon.com) no later than Tuesday, November 12, 2013. HRCI credit is pending.



**Brian Thomas**

[Bio](#)

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**Contact Amanda Massey at  
Amanda.Massey@coxinc.com, 937-225-2041.  
*Act now! Offer good through September 30, 2013.***



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*“The goal of our organization is to provide the Human Resources professional a resource to confidently navigate the issues of the day, and to assist you in making your business the most effective under the circumstances.”*  
-Angela Sherrick,  
past President

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