



September 2014 Newsletter

Butler/Warren County SHRM The BUZZ



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President's Message

Interested in becoming involved with the Butler/Warren SHRM Board of Directors?

We are currently looking for interested volunteers for our 2015 Board of Directors! We are looking for professionals that are interested in being a volunteer leader, contributing to the local HR community! Not only is it a resume builder, being on the board offers a great opportunity for learning and networking. For even more of an incentive to volunteer, BWSHRM offers \$300 professional support allowance for its directors! It can be used to attend our programs, conferences, other training, membership dues, etc. So if your organization isn't forking out the funds for your recertification credits, this might be the perfect opportunity!

Email me at mezerski@brookhavenoh.org if interested!

Michelle Ezerski

Michelle Ezerski
President





Butler/Warren Society for Human Resource Management Presents...

Section 503 of the Rehabilitation Act, and how Ohioans with Disabilities Assists in Impacting your Organization...

Please join us on Thursday, October 16th, as Cynthia Crews leads an interactive discussion regarding employing persons with disabilities and the incentives involved with this action. At the end of this interactive discussion, employers will understand how working with the OOD will affect their bottom line and provide educational opportunities for their Management staff on developing working relationships with individuals with disabilities.

On August 27, 2013 USDOL's Office of Federal Contract Compliance Programs (OFCCP) announced a Final Rule that makes changes to regulations implementing Section 503 of the Rehabilitation Act of 1973. Section 503 prohibits discrimination against individuals based on a disability by Federal contractors and subcontractors. Section 503 also requires federal contractors and subcontractors take affirmative action to recruit, train, and promote qualified individuals with disabilities.

Session Objectives:

- Educate and discuss the 7% utilization goal for individuals w/ disabilities across job group levels
- Review requirements surrounding contractors inviting applicants for jobs to "Self Identify" as an individual w/ disability in the pre-offer stage and after receiving the job offer. Requires data collection to monitor outreach and recruitment efforts
- Discuss the need for contractors to invite incumbent employees to voluntarily "Self Identify" on a regular basis, with strategies on how to do this
- How to develop quantitative measurements and comparisons for the number of IWD's who apply for jobs and the number of IWD's employer's hire and provide some strategies to identify effectiveness of hiring and selection process.
- Requirement that prime contractors include specific, mandated language in their subcontracts to alert the subcontractors as to their responsibilities as federal contractors.

Cynthia Crews works as a Business Sourcing Analyst for Opportunities for Ohioans with Disabilities. Cynthia has a Master's degree in Public Administration from Miami University and the work experience needed to succeed in this role at OOD. Prior to her role as a Business Sourcing Analyst, she served as an Employment Training Consultant and Business Services Representative for Clermont County. Her successes include increasing job leads from employers, and collaborating in program development for resume writing, mock interviewing, job searching and networking workshops. Prior to that, she was the Owner/Operator of her own successful business for 12 years, and was a Buyer at Swallen's, Inc. for two years.

We hope you can join us on Thursday, October 16, 2014 at Wetherington Country Club.

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 corner of Country Club Lane. Turn right at stop sign and follow road to left. It takes you into Country Club parking lot.

Cost is \$15.00 for members and \$20.00 for non-members.

7:30 AM – Registration and Networking

7:45 AM – Breakfast

8:00-9:00 AM – Presentation

Please reserve your seat by Tuesday, October 14th by emailing Sherrie Acheson at SLAcheson@metalcoaters.com or by calling 937-584-3305.



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 to get details on these interesting opportunities.

Diversity Today

What Works – Part II

BK Milburn

9/9/14

In my last column, I focused on what works to combat discrimination in the workplace, and provided an example. A couple more examples provide even more clarity. This column could also be entitled, "What I Took For Granted."

The first few occurred at a company in Birmingham, Alabama, and that company was very successful in many ways. In addition to financial success, it was also a good place for women to work. Because it was an Engineering and Construction firm, there were very few women, especially in the technical ranks. This was also in the mid-1980's and women's positions, as other than support to men, were still very tenuous. Women had to guard that small amount of ground they had gained because there were many ways to lose it.

A simple thing, such as the secretary expecting me to answer her phone, while she was away, was common. Fortunately, our manager was an enlightened man (with a daughter; see my last column) and was miffed, saying "I pay you too much for that!" He took it upon himself to make sure she made arrangements that are more appropriate. What I took for granted was that he did not stand idly by, only acting if I complained. He knew what was right, and did it.

Another time, one of the designers was objecting to my design (I tend to be conservative) and the senior engineer called the designer out directly, and in front of me, because it was a matter of choice. His comment was that she is the engineer and that is her choice. What I took for granted were senior people that did not subscribe to "The Old Boy Network," which still exists in so many work places of today, and is often exhibited by young men.

One of my favorites, was about a guy that was having trouble understanding, "No." (I was not always overweight and middle-aged). I thought at the time the resolution was of my making, but I realize now my supervisor could have been setting the stage, having an idea of what was happening. Somehow, I ended up in a conversation with our supervisor, this guy, and I think another person. The conversation worked its way around to matters such as people doing inappropriate things in the workplace. I managed to say, "Some people count on others not telling their supervisor, but that really is not a good plan." After that, that guy would virtually melt into the wall, to keep as much distance between me and him. Problem solved; no one was embarrassed and the company's lawyers were probably even happy, if they even knew. What I took for granted was a culturally sensitive supervisor that created a safe zone, where the message could be sent, and reinforced, while causing no hurt feelings.

I will close with an example from the first few weeks here in Cincinnati, but first the story's set-up: I had moved to California, but decided it was too far from my family, in the Southeast USA. Because of the tremendous distance, I knew it would be too difficult to find a job back east, from out there. So I decided to quit my job and move without having another job (not for the faint of heart). As I was driving across the desert, making plans in my head for what to do, my phone rang. A "head hunter" had been looking for me, because she had been asked to find me, for a project in Cincinnati. Long story shortened, the Phoenix office had a one-year project assignment for me in Cincinnati, if I wanted it. It provided most of what I needed, at the time, so I took it.

My husband-to-be was the department head in Cincinnati, and we started dating. It was considered acceptable because I reported to the Phoenix office, not Cincinnati. The point of what makes this story so important, was that Bill's supervisor came by his office, while I was talking with Bill, and told me directly, in front of Bill, "If you have a problem with him, you let me know." Simple, easy, and names the elephant in the room. What could have been a tense situation was completely deflated, and I appreciated that a lot. Now there are days that I might like to have my spouse's supervisor step in, but that is a different kind of story, to which I am sure all married people can relate.

Brenda

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Are Supervisors Personally Liable For Discrimination In Ohio?

It Depends On Who They Work For.

Whether a supervisor or manager is personally liable for acts of discrimination is a frequently asked question. The Ohio Supreme Court recently addressed this issue in *Hauser v. City of Dayton Police Department*.¹

By way of brief background, in 1999 the Ohio Supreme Court in *Genaro v. Central Transportation*² ruled that a supervisor or manager may be held jointly and severally liable with his employer for his discriminatory conduct in violation of O.R.C. Chapter 4112 (Ohio's discrimination statute). This ruling had significant ramifications. Specifically, it allows plaintiffs/employees to name a supervisor as a defendant, which creates an additional source of liability and also allows the lawsuit to stay within the state court's jurisdiction (as opposed to federal court). Title VII, the federal discrimination statute, does not impose individual liability for supervisors or managers. Neither do the discrimination statutes in many other states. The Ohio Supreme Court had the opportunity to revisit *Genaro* in *Hauser*.

The plaintiff, Hauser, sued the Dayton Police Department (DPD) and her manager, Major Davis. Hauser claimed that the defendants took employment actions against her that they did not take against male employees.³ One of the primary issues in the case was whether Davis, the manager, was personally liable. The Ohio Supreme Court found that Davis was not personally liable because an Ohio statute provides an employee of a political subdivision like the City of Dayton immunity from tort liability. However, the Court specifically declined to decide whether a similar immunity protects supervisors or managers who work for private sector employers.

Genaro is still good law after *Hauser*. However, the Ohio Supreme Court suggested that it would rule differently and immunize private sector supervisors and managers from personal liability if presented with that case: "To be sure, our reasoning in this case calls the *Genaro* majority's reasoning into question, particularly its basis for distinguishing the prevailing interpretation of Title VII."⁴

The take away for Ohio employers is that plaintiffs/employees can still hold managers and supervisors who work for employers in the private sector personally liable for discriminatory acts. However, if the Ohio Supreme Court decides a case challenging *Genaro* involving a private sector employer soon, the Court would very possibly overturn *Genaro* and eliminate personal liability for supervisors and managers for acts of discrimination.

Erin E. Alderson, Law Clerk, Denlinger, Rosenthal, and Greenberg Co., LPA

¹ *Hauser v. City of Dayton Police Dep't*, Nos. 2013-0291 and 2013-0493, 2014-Ohio-3636 2014 Ohio LEXIS 2040 (Ohio Aug. 28, 2014)

² *Genaro v. Cent. Transport, Inc.*, 84 Ohio St.3d 293 (1999).

³ *Id.* at ¶2.

⁴ *Id.* at ¶ 17.

Join us for breakfast September 30th!

The topic will be “Exploring the Importance of the Candidate Experience”



Eric Winegardner, VP of Client Adoption for Monster Worldwide will explore the emerging concepts behind the Candidate Experience. Eric will cover:

- The definition, evolution and impact on the organization beyond recruiting
- Challenge you to reflect on your own technology, processes and interactions
- Uncover the impact of negative and positive Candidate Experience on recruiting
- Show tangible examples of actions you can take to improve the candidate experience in your organization.

Please [R.S.V.P](#) by September 19th

September 30th, 8:00am - 9:30am.

Cox Media Group Ohio

Media Center

1611 S. Main St.

Dayton, OH 45409

For more information call 866-901-HIRE

R.S.V.P. TODAY. Space is limited.

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

Check us out on the Web!

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

Want to Get Involved with BWSHRM???

Have you ever thought about becoming more involved as a volunteer leader with the BWSHRM chapter, but you're not sure if you would like doing it or have the time? We may have a great opportunity for you! We are looking for members to join our membership committee. This is a great way for you to get some exposure to a leadership role without the total commitment of being a board member.

If interested or for questions, contact Amy Therien at amy@bwshrm.org

2014 Board of Directors



“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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