



West Sound Human Resource Management Association

West Sound Happenings

September 2004

*Save The
Date*

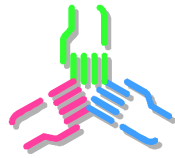
SHRMA Fall Conference

Make a note on your calendar for the (half-day) Fall Conference to be held on Wednesday, November 10, 2004.

Some possible topics may include:

- Identify Theft
- Recruiting
- Privacy Laws

Watch for more information to follow regarding topics and speakers.



President's Message

Linda Yerger, SPHR
Chapter President—2004

Together We can Do More

The theme for most of my articles has been that SHRM/WSHRMA membership should be more than a monthly meeting. WSHRMA should offer a network of skills and knowledge that can be shared across the Chapter. I often voice my concerns and other HR professionals join in the conversation about how busy we are at work. We are trying (expected) to do more with less. How do we find time to research the non-routine issues?

I know that there is likely not a union issue that Marie (The Sun) has not addressed. I know that the Kitsap Credit Union has wonderful employee appreciation/support programs. I know that each of you have something to share. Let's consider sharing our strengths across the Chapter. If you have specialties and you are willing to be available as a resource, (i.e. training, labor relations, metrics, L&I, compensation, diversity issues, etc) let us know so that we can build a resource bank to share with the membership. Together we can do more. You can contact me at lyerger@oc.ctc.edu.

**No September Luncheon
Due to the NHRMA Regional Conference**

NHRMA Annual Conference

HURRY, THERE IS STILL TIME!

to attend

NHRMA's 66th Annual Conference and Tradeshow

Monday, September, 13th –
Wednesday, September 15th, 2004

Resort Semiahmoo
Blaine, Washington

For more information go to www.nhrmaconference.org



Become A Member

Are you interested in a SHRM Membership or transferring your membership to our chapter? Please give Marie La-Marche, VP of Membership a call with any questions. 360-792-3330 or e-mail at mlamarche@thesunlink.com

AFFILIATE OF



SOCIETY FOR
HUMAN
RESOURCE
MANAGEMENT

Job Bank

There are currently no job opportunities in our Job Bank. If you would like to advertise an open position in the WSHRMA job bank, please contact Lisa Hecker at 360-779-4431 or e-mail to lisah@fredhillmaterials.com

Foundation News...HELP NEEDED

As we all know the Foundation is responsible for the education branch of SHRM. It is through this Foundation that we are able to continue to educate, research and update the information needed to maintain certification.

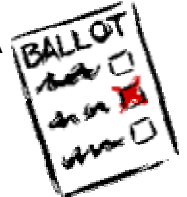
Our annual fundraiser is held at our December luncheon. In the past we have raised in excess of \$500.00 I would like to see us raise that by at least 50% this year. To do that, **I need your help.** We need item donated to auction off at our Silent Auction.

Please contact me for pick up if you would like or bring to any meeting.

Sharon Tucker, PHR
HR Manager, Kitsap Credit Union
Foundation Chair
West Sound Human Resource Association
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WSHRMA Officer Election

It is time to start thinking about the WSHRMA officers for 2005. The Board, consisting of officers, plans meetings and takes care of chapter business. It is a great way to get more involved in our organization. Board members may also qualify for scholarships to NHRMA or SHRM events. Please notify a current Board member if you are interested in running for one of the following offices:



President Elect,
VP Membership,
VP Programs,
Secretary,
Treasurer,
Legislative Reporter,
Education & Certification Advocate,
Community Liaison/Diversity Director,
Job Bank Coord./Publications Director

Study Group Starts in September

WSHRMA's next study group for the Human Resource Certification Exam will be starting September 20, 2004 and go from 6:00 PM till 8:00 PM every Monday until November 15, 2004.

The only expense with certification is associated with the exam cost and purchasing study materials including an interactive CD to study with. You may access detailed information on the HRCI exams, including cost, application process, registration deadlines, and other valuable information by visiting the website www.shrm.org/hrci. You must be a SHRM member to be eligible to participate in the WSHRMA study group.

For more information please contact: Audi Ritz, PHR at audi@kitsapdrc.org

WSHRMA Upcoming Events Calendar

- September 2004:** No meeting due to Regional Conference
- October 13, 2004:** Making Diversity Work for You
- November 2004:** Fall half-day conference. Watch the web site and your mail for details. Possible topics include Identify Theft, Recruiting, and/or Privacy Laws.
- December 8, 2004:** Annual Work/Life Awards Presentations and Holiday Celebration

Please check our website at www.wshrma.org for updated information on the above events.

July 2004 Legislative Update

By: Jenifer Lambert, SPHR—Washington State Council, Legislative Director

Washington State Update

The state legislature may be out of session, but we're neck deep in politics given that this is an election year.

Know the Score. The Washington State Council has enjoyed a strong partnership with the Association of Washington Business. AWB is pleased to announce its incumbent endorsements for the November 2 election. "These senators and representatives have a proven track record of working towards our goal of making this state a better place for business," said Gary Chandler, AWB's Vice President of Governmental Affairs. "We gladly endorse these incumbents and hope they will be back in Olympia next session." Visit www.awb.org/cgi-bin/absolutenm/templates/?a=650&z=2. Incumbent legislators who scored 80% or better on AWB's legislative scorecard (meaning they voted consistently with AWB's legislative agenda at least eighty percent of the time) earned an automatic nomination.

Get Out the Vote. Many political analysts agree this will be the most expensive and closest election by far in our nation's history. With voter registration and turnout steadily declining in our nation, elections from President to local legislators will be decided by fewer voters. Employers must make sure their associates, suppliers, family, friends and customers know what the issues are, where the various candidates stand on issues important to creating jobs, support pro-jobs and competitiveness candidates, and vote on election day. You can go to www.awb.org to register to vote and for important information about candidates and issues.

News from the "Other Washington"

Special thanks to Audrey E. Mross, Labor & Employment Attorney with Haynes and Boone, LLP in Dallas TX for contributing the following material. Audrey is the Legislative Director for the Texas State Council of SHRM. If you need assistance with a legal issue in Texas, she can be reached at 214.651.5577 or audrey.mross@haynesboone.com.

How Much Time Do I Have? - Four years, if you are suing an employer using the Civil Rights Act of 1866 (aka Section 1981 claims). The U.S. Supreme Court announced, on May 3, that the four-year federal statute of limitations (at 28 USC sec. 1658) applies to statutes enacted after 12-1-90, but that the law need not be brand new. Since the ability to use the Civil War era statute in employment cases was made possible by enactment of the Civil Rights Act of 1991, the 4-year federal SOL will apply, instead of the patchwork of state SOL's.

EEOC Limitation on ADEA - Faced with the prospect that employers might cut back on or eliminate retiree medical benefits coverage in response to the EEOC's interpretation of the ADEA, EEOC changed its tune in 2001 and put it down on paper (in a proposed regulation) on April 22, 2004. Previously, employers who reduced or cut off company

health benefits to retirees as they became eligible for Medicare faced a potential claim of age discrimination. Now, the pending reg makes clear that such changes do not violate the statute. Sam Johnson (R-Texas) was among Congressional members who urged the EEOC to move forward in promulgating the new rule. More info is available in a special section of the EEOC homepage at www.eeoc.gov.

C'Mon Back - Raytheon is the first multi-state employer to sign a "referral back" agreement with the EEOC. The program puts charges of discrimination filed with the agency on ice for 60 days, to allow the complainant and employer time to resolve the issue using the employer's internal procedures. The complainant must agree to the deferment and the employer must have an established ADR program that does not charge a fee to the complainant. If there is no written settlement, the matter goes back to the EEOC and charge processing resumes.

Beck Update - The last issue of Legal Briefs for HR described the obligation of certain federal contractors to post "Beck" notices, informing workers of their rights not to join a union or to pay agency fees for activities not involved with representation, such as union political activities. On April 19, the U.S. Supreme Court thwarted a United Auto Workers-led attempt to argue that the executive order requiring notice is preempted by the NLRA, by refusing to review a D.C. Circuit opinion rejecting the UAW's challenge.

Outsourcing Roadblock - Among the flurry of position papers on the pros and cons of outsourcing is an interesting analysis of the legality of protectionist measures. The authors point out that at least 36 states have introduced more than 100 bills to restrict outsourcing of work overseas, ranging from complete bans to various "carrot and stick" approaches. Some of these legislative fixes, however, may violate the commerce clause of the U.S. Constitution, which gives the federal government responsibility for foreign trade and commerce. Exporting the Law: A Legal Analysis of State and Federal Outsourcing Legislation, by the National Foundation for American Policy can be found at http://dev.nfap.net/researchactivities/studies/NFAPStudyExportingLaw_0404.pdf.

Whaaaaat? - NIOSH is kicking off the field study portion of a plan to accommodate noise-exposed, hearing impaired workers so that they can continue to work safely without further loss of hearing, by using various protective devices. General Motors and the UAW are participating in the study, but the results (due in 2005) may be of interest to any employer with a noisy workplace . . . and maybe parents of teenagers?

OSHA's Got a Brand New Bag - A new special assistant for motor vehicle safety will be named, to make employers aware of the benefits of employees driving safely while on company business. Even though vehicle safety is regulated by state and local law (or by other federal agencies, such as DOT for

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Is a Violence-Free Workplace in Your Forecast?

By: Larry J. Chavez, B.A., M.P.A.— Critical Incident Associates

Foremost on the mind of every executive is keeping the organization afloat in the face of vigorous and unrelenting challenges - all this while adrift in a sea of uncertainties over the economy, outside scrutiny and a multitude of internal issues. It's the internal issues, more specifically the people problems that can occasionally go awry.

Workplace violence sits on the extreme end of the scale of problems involving people. Like a stored up charge of energy, it waits for certain conditions to exist to unleash its destructive force. A single act of workplace violence exposes innocent people to unimaginable horrors, and leaves its host organization reeling in an aftermath of legal problems that can endure for years. One such incident occurred on the morning after Christmas in the year 2000.

The offices of Edgewater Technologies of Wakefield, Massachusetts were disrupted by a deafening succession of blasts from the muzzle of an AK-47 assault rifle, something employees in a high-tech firm would never expect to hear. This awesome and destructive weapon of war was in the vengeful and merciless hands of Michael McDermott, a 46-year-old software engineer. He was on a mission to punish members of Edgewater's human resource and accounting staff for a recent IRS wage garnishment that had been imposed upon him. This was a matter over which his intended victims had no control, but McDermott's perception was his reality and he viewed these innocent employees as collaborators with his federal foe. So, with each pull of the trigger, a fellow employee fell until the number tolled seven. Within minutes, those McDermott had selected for execution lay dead at or near their desks. An eerie silence followed, broken only by the occasional sound of an employee scampering to safety.

Typical of most workplace killers, McDermott did not kill any more than those he had targeted. Spent from his ordeal, he sat in the company's reception area waiting for the inevitable. Like so many other workplace killers, McDermott crossed the line into the darkness of the criminal realm never to return to the world of relative civility he had known. Life as he knew it was over. As police approached, McDermott offered no resistance.

As if things were not chaotic enough at Edgewater that morning, the powerful engine of the media rumbled to life with the singular purpose of fulfilling the demand for information by those who find workplace violence cases sensational, spectacular and, sadly, intriguing. Within an hour of McDermott's shots, millions of people were being informed of the events as they unfolded. People, many time zones away, were viewing real-time images of SWAT teams and ambulances attending to the bloody aftermath. As the sun set that day, the names "Wakefield", "Edgewater" and "McDermott" were echoed hundreds of times until they became linked, intertwined and inseparable.

As horrifying as the Wakefield incident was, there are cases on record that exceed it in terms of loss of life and sheer destructive force. But, what is most disheartening is the fact that scenes such as this have been repeated hundreds of times across the American landscape and are continuing with no end in sight.

Concern for workplace security peaked in the days following September 11, 2001. People began to fear the foreign terrorist threat – but no such attacks ever materialized in the American workplace. Workplace violence incidents, on the other hand, occurred with regularity. Since 9-11, a total of 87 fatal incidents of workplace violence have occurred resulting in the deaths of 139 people and the wounding of 95 more – not at the hands of foreign terrorists, but at the hands of people within our own ranks, those we trusted with the key to the office, the password to our computer system and the right to be among us. We hired him, we nurtured him and he turned on us. The amount of carnage suffered within this brief period alone ought to send a message to decision-makers that workplace violence can no longer be ignored. This is supported by a 2002 survey of corporate security professionals who identified workplace violence as the greatest single security threat facing organizations – above international terrorism.

Where have organizations gone wrong? As a professional violence prevention trainer, I have made some observations. There is first good news. Thankfully, the human resource profession has taken the issue seriously and has made some strides in dealing with the problem through the establishment of policy and the application of sound employee acquisition practices. As a result, many organizations are beginning to screen applicants with violence prevention in mind.

Now the bad news - it is not enough to have an anti-violence policy on the wall and an employee manual on the shelf that purports to address the problem. There is a woeful lack of violence prevention awareness where it counts the most – among first-line supervisors. These people are the eyes and ears of every organization. They see every person within their area of responsibility every single day and are more likely than anyone else to observe a potentially violent situation in its earliest stages. But they cannot do what's expected of them without proper training. According to a 1999 study conducted by the Society for Human Resource Management, only 35% of organizations train managers and supervisors to identify warning signs of violent behavior.

While basic workplace violence awareness training would suffice for employees, first-line supervisors should be provided formal instruction and the opportunity to take part in hypothetical, problem-solving scenarios. They must be trained to identify the warning signs of impending violence and to conduct basic threat assessment to support the documentation and reporting of potentially dangerous situations. They must also be trained to recognize, identify and elimi-

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Is a Violence-Free Workplace in Your Forecast? *(continued)*

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nate organizational risk factors that could lead to violence and, equally important, supervisors should be given instruction on how to defuse hostile or potentially violent employees.

Sadly, too many organizations have failed to provide workplace violence prevention training for supervisors and this has led to some tragic outcomes. There are many cases on record in which supervisors had advance knowledge of an employee's dangerous tendencies, yet failed to act to protect innocent employees. One of the most chilling examples came from a quote of a retired supervisor of a Mississippi-based U.S. defense contractor following a workplace massacre.

"When I first heard about [the shootings], he [Williams] came to my mind...he had talked about wanting to kill people saying 'I am capable of doing it.'" (Source: Associated Press and Clarion-Ledger, Jackson, Mississippi, July 8, 2003)

The supervisor was referring to Doug Williams, an employee with whom he had worked prior to retirement. Williams was responsible for the July 8, 2003 shooting of 14 co-workers, killing 6, before committing suicide. With the knowledge this supervisor possessed, it is reasonable to assume that some effort could have been made to protect innocent employees. Whether this was a case of supervisory negligence or a lack of training, lawyers of the aggrieved families will no doubt pursue the matter further.

No organization can afford to maintain a climate of negligence where lives of innocent people hang in the balance. In 1999, a jury awarded \$7.9 million dollars to the families of two men killed in a workplace violence incident in North Carolina. According to the attorney for the family, "...This man was a ticking time bomb and the management knew it, yet they did nothing to protect their employ-

ees..." (Associated Press, May 5, 1999). No executive would relish having to take the witness stand to defend such a failure.

The cost of a single fatal incident of workplace violence far exceeds the minor cost of the training that may have prevented it. Although declining budgets are often blamed for training cutbacks, a new application of an old concept in training can be employed to resolve the problem - regional training cooperatives. Used extensively by the public sector, they can also serve the private sector. These are informal alliances of regional training coordinators who pool their resources to bring quality training to a large number of organizations within a geographical area. In this manner, small organizations receive the same quality training as their larger counterparts. Coordinating such an event to address workplace violence would be an ideal leadership role for professional organizations representing the fields of human resources, risk management or safety for two important reasons: (1) they are stakeholders on the issue of organizational safety and (2) their professional affiliations cross organizational lines allowing them to interact and coordinate their efforts.

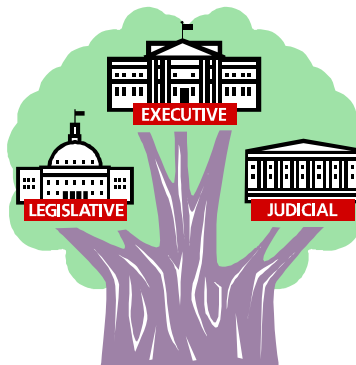
With executive emphasis on workplace violence prevention, coupled with the commitment to provide training, it is possible to establish a safe and peaceful work environment. Once achieved, employees are free to be productive, knowing that their safety is your concern. Managers and supervisors are transformed into valuable problem-solvers, part of the solution to workplace violence and not part of the problem.

A violence-free workplace is in the forecast for all who commit to it.

July 2004 Legislative Update *(continued)*

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commercial drivers), there is little or no regulation targeted to driving company cars, or employees using their own cars on company business. 22% of all worker deaths are caused by vehicle crashes and proper training and risk management may address some of the causes -- multi-tasking while behind the wheel (talk on phone, read report and apply mascara), speeding to appointments, driving unfamiliar cars (e.g., rentals) and driving on unfamiliar roads. OSHA's offerings could range from mandated safety measures to a voluntary approach with incentives . . . stay tuned.



SHRM "Write Your Member of Congress"

Looking for an idea for a letter this month? Write or call your state legislator. Let them know that you checked their legislative report card on AWB's website. Legislators with low scores can be encouraged to consider how their vote affects jobs and competitiveness in the next session. Legislators with high scores could be congratulated and thanked. If you want this letter to track on SHRM's reports, you will need to go to the SHRM website and choose the "compose your own message" option.

West Sound Human Resource
Management Association
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**Check out our
website at
www.wshrma.org**

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