

Dealing with Difficult People



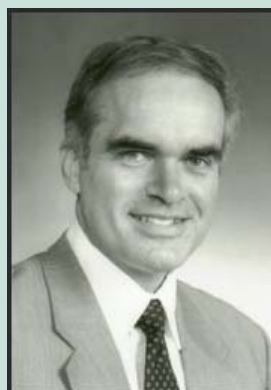
Registration starts at 5:30pm - Dinner starts at 6:00pm

The Centre Club
123 S West Shore Blvd
Tampa, FL 33609

Communicating and Dealing Effectively With Difficult and Challenging Personalities Every organization has individuals who present roadblocks and challenges to effective personal communications and to harmonious work environments. This presentation demonstrates how to effectively communicate and to deal with challenging and difficult individuals. Having tested the communications styles of more than 2,000 professionals in seven countries, Byron describes those skills vital for effective face-to-face communications while improving relations with pressure sensitive and time-stressed individuals - in both the working and non-working environment.

Bio

Speaker
Byron G. Sabol



Byron G. Sabol is an international business development, client relationship management consultant, speaker, and author.

Byron and his group pioneered marketing and business generation methodologies currently utilized by law firms in the US, the UK, and

Europe. Between 1986 and 1994, he directed the business development programming for one of the nation's premier international law firms. His consulting clients range from small boutique firms to large, multi-practice international firms. Byron's speaking engagements include audiences of all sizes located throughout the western world. Byron is author of the popular book, *Taming The Beast: Success With Difficult People* [ByeCap Press - 2007].

Byron is the recipient of the Diogenes Award presented by the University of Southern California School of Business and the Sales and Marketing Executives Association of Southern California for excellence in consumer educational programming.

Articles on client development, business generation, strategic marketing, and client relationship management authored by Mr. Sabol appear regularly in national and international marketing and management publications.

February 18th



Dealing With Difficult People

Dinner

The Centre Club



March 18th



Weathering Slow Down with No Spin Communication

Breakfast

The Centre Club

HR Tampa 2008

Volunteer of the Year Award

Every year a few of our members volunteer their time and services to HR Tampa in many ways. HR Tampa wanted to recognize them for the tremendous amount of help that each of them offers throughout the year. Four of our volunteers were nominated to receive the 2008 Volunteer of the Year Award. Amongst those who were nominated was Sue Styx – College Relations; Kim Boulahanis – Workforce Readiness; Chris Green – HR Florida Conference Liaison; and Allane Taormina – Hospitality. Kim Boulahanis was awarded the 2008 Volunteer of the Year at a luncheon that was held at Maggione's. Kim has such a passion to impact our community, as well as she was a tremendous resource to the team. Congratulations Kim!

If you are interested in volunteering your time please speak to one of the Board of Directors or you can check on the website for opportunities.



HR FLORIDA 2009 31st Annual Conference & Expo



August 16 - August 19, 2009

Rosen Shingle Creek Resort
Orlando, Florida

For more Information: www.hrflorida.org



Speaker, Russ Mohan

HR Tampa's February Sponsors & Speakers

SHRM Relaunches HR's Leading Web Site

On February 1, SHRM unveiled the SHRM Online web site. If you have not seen it, please take a few moments to visit www.shrm.org.

Tough Economic Times Could Lead to A SHRM Sponsored Intern for You

by Toni Mayros, Director of College Relations

College Relations has many new and exciting opportunities for the month of February! Opportunities that are available to both our professional and student members!

For our professional members:

- **April 18th:** Student Chapter Career Workshop: We are currently seeking speakers, sponsors and volunteers for this event. The workshop is similar to the Expo held each September, complete with break-out sessions, member panels, vendor sponsors, and resume review. The event is open to all students in the Tampa Bay Area.
- **Become a Mentor:** Shape the future of our profession by becoming a mentor! College Relations pairs a student chapter member with a professional member who can guide their protégé through the many facets of HR. Participation at a staff meeting, new hire orientation or community event are just a few ways you and your protégé can interact. A commitment of one semester to one year is asked. Please contact Sue Styx at [sstyx@hinshawlaw.com](mailto:ssstyx@hinshawlaw.com) for additional information.
- **Sponsor an SHRM paid intern:** Could you use a little extra help but don't have the funds? How about an SHRM sponsored intern? Each year, SHRM provides 8 undergraduate and 3 graduate scholarships (per region) to students wishing to pursue an internship. Our student members are eager to apply for this award but need to secure an internship before submitting their application. Please contact me at tmayros@gmail.com to find out how your organization could host an SHRM paid intern at NO COST TO YOU!!

For our student members:

- **April 18th: Career Workshop:** Looking to land a great position when you graduate? The workshop provides you the tools you need to start your job search! Workshops include, "Building Your Job Search Campaign" and "Job Searches During Economic Difficulties." We also provide resume review, interview tips/practice and an opportunity for you to speak with Bay Area business professionals during our panel Q&A session. There is no charge for Premium Members and a charge of \$25 for guests and attending members.
- **The Mentor Program:** This program offers you the opportunity to gain valuable insight and knowledge into the field of HR. Your mentor is a valuable resource to you as you prepare to enter the workforce! Contact Sue Styx at [sstyx@hinshawlaw.com](mailto:ssstyx@hinshawlaw.com) for additional information.
- **Internship Opportunities:** Membership within the student chapter offers many opportunities to you! One opportunity is our internship program. HR Tampa and SHRM understand the complexities of paying for your education today! SHRM will again this year offer scholarship money to 8 undergraduate and 3 graduate students in each region. Last year's award was \$5000 per student!! The College Relations Committee will assist you in your search for an internship. To apply please contact, Toni Mayros at tmayros@gmail.com for the application.

LEGISLATIVE UPDATE

By David Steffen

The Times They Are A Changing

As people who deal with employment issues on a daily basis, human resources professionals must now prepare to handle some significant changes that are being implemented through new regulations, laws, and even executive orders. In order to keep you updated, I have tried to provide a basic summary of a few of the most significant changes that have either taken effect in the last few weeks or will in the near future. They include changes ranging from fair pay to OSHA, family leave, employment verification, and labor laws.

Fair Pay

In what will likely be the first of many significant changes to federal employment laws, on January 29, 2009, President Obama signed into law the Lilly Ledbetter Fair Pay Act. The Act overturns Supreme Court precedent that established the statute of limitations for filing a charge of discrimination alleging unfair pay. The scope of the Act is far reaching as it amends Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, and the Rehabilitation Act of 1973 (a precursor of the ADA, which applies to federal contractors and is enforced by the U.S. Department of Labor) to provide that each of the following is an "unlawful employment practice" that triggers the time for filing a charge of discrimination with the U.S. Equal Employment Opportunity Commission:

- "When a discriminatory compensation or other practice is adopted;"
- "When an individual becomes subject to a discriminatory compensation or other practice;"
- OR "when an individual is affected by application of a discriminatory compensation or other practice, including each time wages, compensation, or other benefits is [sic] paid, result-



ing in whole or in part from such a decision or other practice."

While the Ledbetter Act does not actually change the time limit for filing a charge of discrimination under Title VII, the ADEA, and the ADA following an unlawful employment practice, it essentially creates a "perpetual" statute of limitations for unequal pay claims by defining each (lower) paycheck

as an "unlawful employment practice," the Act has the effect of giving employees a "perpetual" statute of limitations as long as they remain employed.

This part of the Ledbetter Act is a repudiation of the Supreme Court's 2007 decision in *Ledbetter v. Goodyear Tire and Rubber Co.*, which held that the charge-filing period under Title VII began when the allegedly discriminatory decision was made or communicated, not when its effects were felt.

The Ledbetter Act also provides that an aggrieved plaintiff can recover up to two years of back pay and other relief under these laws (and up to four years, in race, color, or national origin claims brought under 42 U.S.C. §1981) if discrimination that occurred during the EEOC charge-filing period is similar to discrimination that occurred outside the charge-filing period. This is an expansion of the Supreme Court's 2002 decision in *National RR Passenger Co. v. Morgan*, which held that the charge-filing period might be tolled in harassment cases under similar circumstances.

The Ledbetter Act, **which will apply retroactively to May 28, 2007 and to all claims for compensation that are pending on or after that date**, will dramatically impact the timeliness of discrimination charges, particularly those filed by current employees who are continuing to draw paychecks that might have been "affected" by a long-



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NEWLY CERTIFIED HUMAN RESOURCE PROFESSIONALS



From L to R; Tina Lauder, SPHR, Inass Riyad, SPHR, Michele Pryor, PHR, Pamela Sprigg, PHR, Lynette Holsinger, SPHR, Gladys Brewer, (Student who passed the PHR)

HRTampa proudly congratulates the following individuals who have recently earned the prestigious PHR (Professional in Human Resources) and SPHR (Senior Professional in Human Resources) certification:

Inass Riyad, SPHR
Lynette Holsinger, SPHR
Pamela Sprigg, PHR
Kristy Duffy, SPHR
Gladys Brewer, (Student who passed PHR)
Michele Pryor, PHR

The PHR/SPHR certification, awarded by the Human Resource Certification Institute (HRCI), signifies that these HR professionals are committed to personal excellence and possess the theoretical knowledge and practical experience in human resource management necessary to pass a rigorous examination demonstrating a mastery of the body of knowledge in the field.



Greetings CAEPV Members and Friends!

Corporate Alliance to End Partner Violence
by Kim Wells, Executive Director

The most significant report ever released on stalking in the US came out this week from the U.S. Department of Justice—and as we all know, stalking has a significant impact on victims at work. In addition, Philadelphia's ordinance on domestic violence leave recently went into effect, and Ireland has completed its first national survey on domestic violence.

In The News -- 3.4 Million People Stalked Each Year In Us; Stalking Has Significant Impact At Work

Stalking is more prevalent than previous studies have shown and causes victims to make significant life changes, fear for their safety, and seek help from friends and family members, according to a new study from the U.S. Justice Department's Bureau of Justice Statistics. An estimated 3.4 million persons said they were victims of stalking during a 12-month period in 2005 and 2006. About half these victims experienced at least one unwanted contact per week, 11 percent had been stalked for five or more years, and one in seven moved as a result of the stalking.

Released in January for National Stalking Awareness Month, the study finds that women are nearly three times more likely than men to be stalked, and young people age 18 to 24 experience the highest rates of stalking.

"The Stalking Victimization in the United States Special Report confirms what we in the field have long known—that stalking is pervasive, that women are at higher risk of being stalked, and that there is a dangerous intersection between stalking and more violent crimes," said Cindy Dyer, Director of the Office on Violence Against Women (OWV). "As a result of this study, OWV is even more committed to addressing the crime of stalking by providing safety to victims and holding perpetrators accountable."

Stalker Characteristics and Behaviors

While women are significantly more likely to be stalked by a male (67 percent) than a female (24 percent), men are just as likely to be stalked by another male (41 percent) than a female (43 percent).

Nearly three in four victims say they know their offender. Stalking victims most often identify the stalker as a former intimate partner (22 percent), or a friend, roommate or neighbor (16 percent). Only about one in ten victims is stalked by a stranger.

Stalking victims are most likely to receive unwanted phone calls (66 percent), be the victim of rumors (36 percent), be followed or spied on (34

percent), receive unwanted letters or email (31 percent) and have their stalkers show up at places with no reason to be there (31 percent). Approximately 60 percent of victims do not report the stalking to police.

The study defines stalking as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Individuals are considered to have been stalked if they feared for their safety or that of a family member as a result of the course of conduct, or experienced additional threatening behaviors. Individuals are classified as victims of stalking if they responded that they experienced at least one of seven types of stalking behaviors on two or more separate occasions.

Cyberstalking

Technology has become a quick and easy way for stalkers to monitor and harass their victims. More than one in four stalking victims reports that some form of cyberstalking was used against them, such as email (83 percent of all cyberstalking victims) or instant messaging (35 percent).

Electronic monitoring of some kind is used to stalk one in 13 victims. Video or digital cameras are as likely as listening devices or bugs to be used to track victims.

Workplace Impact

About 130,000 victims reported that they were fired or asked to leave their job because of the stalking.

About one in eight employed stalking victims lost time from work because of fear for their safety or because they needed to get a restraining order or testify in court. More than half these victims lost five days or more from work.

Stalking Victimization in the United States is based on the largest data collection of stalking behavior to date. Data was collected by the Supplemental Victimization Survey, a supplement to the National Crime Victimization Survey, and was sponsored by OWV. Data collection was conducted over a six-month period in 2006.

For more information go to:

<http://www.caepv.org/getinfo/articles.php> --

This link leads to the ARTICLES and ADVICE section of the CAEPV website which is full of resources and information.

Corporate
Alliance
to End Partner
Violence



It's everybody's business.

Legislative

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past discriminatory decision, including a failure to promote, an unfavorable performance evaluation or pay decision, or discriminatory “steering” into positions based on –among other characteristics –race, sex, age or disability. Nonetheless, its impact is not expected to be as great on failure-to-hire claims and claims by terminated employees because such individuals will not be receiving paychecks that “perpetually” extend the statute of limitations. However, the inclusion of “benefits” in the statutory language means that severance or other benefits that could arguably be tied to a past discriminatory practice will presumably extend the charge-filing period. Even if the employee has signed a release in exchange for the receipt of severance pay, the employee normally has the right to file a charge of discrimination although he or she may be limited to non-monetary relief.

The impact of the Ledbetter Act on ADA and Rehabilitation Act claims is particularly troubling. Those laws allow an employer, as a reasonable accommodation, to transfer a disabled employee to a lower-paying position (including a part-time position, with loss of pay and benefits) if it is not possible to accommodate the employee in his or her current, or an equivalent, position. Thus, presumably, if an employee disagrees with the employer’s accommodation decision, the employee will have the benefit of the “perpetual” statute of limitations for the duration of his or her employment.

A FEW OTHER DEVELOPMENTS

FMLA Policies

Have you updated your FMLA policy? As of January 16, 2009, the Department of Labor’s revised FMLA policies went into effect. Consequently, companies must now comply with the new regulations. This includes making sure that written policies reflect the new regulations. Therefore, if you have not done so, review the policies and adjust them as necessary.

Not So Fast –

Were you ready? As recently as Friday, January 30, 2009, employers were expected to begin using the new I-9 form on Monday, February 2, 2009. Nonetheless, at the last minute, the U.S. Citizenship and Immigration Services (USCIS) announced that it has delayed, by 60 days, the effective date for using the revised Form I-9. As of right now, employers must use the new I-9

starting on until April 3, 2009. **Please note: Employers who use the new form prior to the April 3, 2009 effective date are subject to civil monetary penalties.**

In preparation for the new I-9, here is a summary of its most important changes:

- The new form is to be used for new hires and for re-verifying current employees when re-verifying is necessary.
- All documents presented must be valid and unexpired.
- Form I-766 will be the only Employment Authorization Document accepted as a List A document.
- Foreign passports containing certain machine-readable immigrant visas have been added to the List A documents.

In order to assist with the completion of the new I-9s, the U.S. Citizenship and Immigration Services will soon update its Handbook for Employers. These updates will be posted on its website.

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Legislative

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OSHA Matters

REMINDER: 300-A Annual Summary Form Must Be Posted February 1

On February 1, employers were required to post the OSHA 300-A Annual Summary Form at each establishment or facility. This form, which totals the injuries and illnesses occurring at the establishment during the previous calendar year, must be certified by (1) an owner of a sole proprietorship or partnership, (2) an officer of a corporation, or (3) the highest ranking official working at the establishment or (4) that official's immediate supervisor. By certifying the form, the company executive is stating that he or she believes that the information on the OSHA 300-A form is "true, accurate, and complete." The Annual Summary must be posted from February 1 through April 30 "in a conspicuous place or places where notices to employees are customarily posted."

OSHA Interpretation Letter On Keeping Written Programs In An Electronic Format

OSHA has issued an interpretation letter clarifying that it is acceptable for employers to keep required written programs in an electronic-only format, as long as the program meets all other requirements of the standard. For those programs that are required to be available to employees, such as bloodborne pathogens, hazard communication and permit-required confined spaces, employers must ensure that employees know how to access the document and that there are "no barriers" to employee access.

LABOR LAW

Three New Executive Orders

On January 30, 2009, President Obama signed three Executive Orders, which will likely have significant impact on federal contractors. Nonetheless, the full scope of their potential impact is not clear and there are lingering questions about whether or not the Orders can withstand several anticipated legal challenges. However, the Executive Orders are currently the law of the land. Consequently, here is a brief summary of each one.

Notification of Employee Rights

The Executive Order entitled, "Notification of Employee Rights under Federal Labor Laws," revokes Executive Order 13201 ("Beck Notice Requirements") that was signed by President

George W. Bush. It eliminates an employer's obligation to notify employees of their rights not to join unions and creates new obligation on employers to instruct their employees of their rights under the National Labor Relations Act ("NLRA").

The new contract and posting standards require qualifying federal contractors to post a yet-to-be-released notice instructing employees of their collective bargaining rights and the protections they receive under the NLRA when exercising their right to associate, self-organize for collective bargaining purposes.

Successorship Rights

The Executive Order entitled, "Nondisplacement of Qualified Workers under Service Contracts," revokes Executive Order 13204. In doing so, it essentially reverses a previous order, issued in 2001, that eliminated an employer's obligation to offer a right of first refusal to employees who worked for a prior contractor when dealing with issues regarding successive contractors. In addition, the Order also creates new obligations for employers who obtain successor services contracts regarding the hiring of the predecessor's employees.

Essentially, the Executive Order requires non-union contractors that assume federal-service contracts to hire the employees who worked for the previous contractor rather than being able to hire individuals they believe are best qualified for the positions. This is significant because collective bargaining successorship is primarily dictated by the number of employees hired by the new contractor who worked for the unionized contractor who previously held the contract.

Federal Government Contracting

The Executive Order entitled, "Economy in Government Contracting," disallows union avoidance costs to be considered an expense. This Executive Order creates a new category of unallowable costs. It is effective immediately and as to all contracts resulting from solicitations issued on or after the effective date. Expenses resulting from any activity taken to persuade employees as to whether they should join a union or not is considered collective bargaining and cannot be reimbursed by the Federal government. These expenses include, but are not limited to, fees for legal counsel or consultants, material preparation costs, costs associated with holding meetings, (including the cost of salaries for attendees) and persuasive activity.

We would like to give special recognition to our 2009 ☐Spotlight Meeting Sponsors☐ ☐



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www.hrtampa.org

New Members

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Shaun	Androff			
John	Alexander		Common Census Inc.	Vice President
Victoria	Abraham	PHR	Advantec	HR VP Client Relations



Looking to Get Involved?

HR Tampa has many ways to help make a difference

The Diversity Committee

The Diversity Committee is responsible for spearheading the effort to diversify HR Tampa's membership and to publicize successful diversity programs in the Tampa Bay community.

For more information, please contact Deborah Dube at ddube@lazydays.com.

College Relations Committee

The College Relations Committee focuses on the future of the HR profession overseeing the Tampa Bay HR Student Chapter, the mentor and internship programs and career workshop.

For more information, contact Toni Mayros tmayros@gmail.com

SHRM Foundation Committee

The SHRM Foundation Committee members will assist in continuing the Chapter's efforts for the Foundation and their cause by determining, assisting and participating with Chapter activities to raise money for the Foundation.

For more information, contact Dana Chatelain dchatelain@scicompanies.com



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