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2009 VIRGINIA SHRM  
STATE CONFERENCE

October 4-6, 2009 Virginia Beach

<http://virginiahrmstateconference.com/>

**Registration Fees:** \$450.00 | Students \$100.00

**Be sure to note Dulles SHRM as your Home Chapter!!**

Sessions have been submitted to *HRCI* for Global, Strategic and General Credits, with a possible **17.25 credits** awarded if you also attend a pre-conference workshop.

**Sponsorships are available | Exhibitor space is available**

## Wisdom from the Goddess...

### Shhh! I'm from HR... (part 2)

**When we last left our valiant** heroine she was battling the demons of bad HR practices that created fear and panic in the hearts and minds of otherwise good future business leaders. (If you don't remember any of this – or thought it was only a bad memory – you can go to Dulles SHRM's July newsletter to read Part 1 – I'll wait...)

I'm waiting... I'm waiting... OK – so where were we? Oh yeah, trying to improve the HR profession so I don't have to accessorize my normal attire with a matching paper bag worn over my head. So this month's column will look at why breaking your employees' trust and sharing confidential information is a bad thing and really, really ticks people off. This was (for those of you with lousy memories who were too traumatized to go back and re-read last month's column) the other major gripe about people in HR – we don't know when to keep our mouths shut and not share information inappropriately.

Now, I know I am asking you to go beyond human nature – who doesn't love sharing a juicy bit of gossip with friends and family? Am I right? Of course I am! I'm the goddess. And while outing your brother for cheating on his girlfriend is not my concern (and yes, inquiring minds \*do\* want to know), sharing information inappropriately at work is just plain wrong. In fact so wrong that the government even had to get involved (what a shock, the government getting involved in company matters!) and write provisions into the HIPAA regulations to make sure that people would not share personal medical information inappropriately.

Continued on Page 3

September 2009  
GOLD Sponsor

## September Chapter Meeting



Liberty Mutual is an industry leader in group auto and home voluntary benefits with over 4800 companies nationwide offering our program.

Employees and retirees can enjoy discounts on auto and home insurance at no cost to your company.

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*Misti Mukherjee*

### A Brave New World: Emerging Trends and Issues in Employment Law Wednesday, September 16, 2009 (Dinner Meeting)

*Presented by Misti Mukherjee, Partner, Washington DC Office  
Jackson Lewis LLP*

A new Supreme Court Justice, a new Administration, new legislation, a new economy. Where do these seismic shifts leave the HR professional? Busier than ever - and more confused.

Join us for an engaging conversation about emerging trends and issues in employment law, and the practical consequences of the perfect storm: unprecedented job loss, an active administration and new legislation. How do you respond? By preparing yourself to understand how to respond to increased litigation, pro-employee legislation and judicial interpretation that may undo commonly held notions of HR practice and employment law. We will discuss the practical consequences of new laws (from the ADA to the FMLA to COBRA), recent Supreme Court precedent (and what those opinions mean for the HR practitioner), and we will share practical ideas for responding to mass layoffs, stressed employees and a surge in employment litigation. And we will conclude by re-affirming that while all these of these pieces may be moving, the constant role of HR remains more important than ever.



This program has been submitted for 1.0 recertification credit through the HR Certification Institute. For more information, visit [www.hrci.org](http://www.hrci.org).

#### *About: Misti Mukherjee*

MISTI MUKHERJEE is a Partner in the Jackson Lewis Washington, D.C. Region office. After graduating from the Honors Program at the University of Texas, Ms. Mukherjee received her Juris Doctor degree from the University of Texas Law School. Since entering private practice in 1991, Ms. Mukherjee has represented employers in a wide range of labor and employment law matters.

Ms. Mukherjee partners with her clients to develop creative and strategic solutions on a wide range of employment law issues, including employment discrimination, performance counseling, wage-hour law, discipline, termination, mass layoffs, family and medical leave, disability accommodation, defamation, COBRA, and Sarbanes-Oxley compliance. She negotiates and drafts agreements related to executive employment, equity compensation, consulting, confidentiality, restrictive covenants, and severance. She advises executive management, human resources professionals, and in-house counsel on the development, implementation, and enforcement of personnel policies and risk-management tools. Ms. Mukherjee also is a sought-after trainer of human resources professionals, executives, and line managers regarding best practices and policies, and on compliance with the ever-changing landscape of employment laws. Her clients include businesses, non-profit organizations, and trade associations.

## Wisdom from the Goddess.... (continued from Page 1)

Now you would think folks would figure that out for themselves, but some didn't, and Uncle Sam had to intervene with a legislative remedy. What must he think of us? Surely he doesn't think we are as bad as some of the "scandal" magazines or the TMZ website – but some of your employees have a different opinion. They just don't understand that sometimes we have no choice.

How many times have you had someone come in and say "I don't want you to do anything about this, or tell anyone, but I just want to make sure that someone knows "for the record"? Sound familiar? These conversations happen a lot – a troubled employee finally works up the courage to talk to someone who can help him/her with the situation, but acts in a passive aggressive way so as not to feel guilty about reporting the problem and dealing with the aftermath, including a fear of retaliation.

Yes, I can hear you now... You are defending your honor by shouting at me that HR can't keep everything confidential – there are times that we have a higher duty to the company to report what's been told to us in secret – especially when what the employee tells us is illegal or unethical (sexual harassment is one such thing that comes to mind). Sounds like a Catch 22 – someone tells you something in confidence, but you can't keep it confidential, so you take action and in doing an investigation share the information, and then person hears you violated his confidence, and thinks HR is a bunch of.... well, you know what they think.

So how can you save yourself from this no-win situation? It's easy – you don't commit to secrecy before you know what someone is going to tell you. (It's not rocket science, people.) When someone comes to me and says, "Can I share something with you but I don't want anyone else to know?" I don't automatically say yes. I tell him/her that I can't guarantee discretion until I hear what he's going to say. Most employees are a bit taken aback by that statement and need a more elaborate explanation – read on.

My legal friends would tell you that you should say "I will keep the information confidential to the extent that I am legally able." (That sounds very legal, doesn't it?) However being a goddess, and not a legal expert, I've found that doesn't quite make the point in a way that resonates with employees. My normal response is "If you are going to tell me something illegal, unethical or against company policies, I may have no choice but to act on the information, but I will keep it as confidential as I can." (Unless I know the person fairly well – then I will say "Yes, unless you are going to tell me something illegal, immoral or fattening." Always good to break the ice.) Occasionally I have to explain a bit further – for example, how poor management practices may totally suck but if the person is an equal opportunity abuser it's not illegal and therefore we can decide how to handle the issue. Most people will understand that HR has a fiduciary duty to the company if an illegal or unethical situation exists and has no choice but to act on the information.

Great – so what happens if the person doesn't want to tell you anything after you have set the limits of confidentiality? While you can't \*make\* someone talk to you, I usually say I understand his/her concerns, reiterate I will keep the information as confidential as possible and ask any others involved in any investigation to do the same, but again explain that I have a responsibility to the company to take action as appropriate. In extreme cases I gently ask the person what prompted him to visit me in the first place, suggest something must really be bothering him to seek me out, and hint that nothing will change if he doesn't talk about the issue. That usually alleviates the concern and the person, who is there to be heard, spills his guts and I get more information that I probably needed or wanted. Oh the joys of HR and too much information. I can honestly say I have never had anyone walkout with a "Nevermind" once he understood what I could and could not commit to keep to myself.

(And as you can guess, making sure you conduct a thorough, confidential investigation is key to maintaining your good name, but more on that in an upcoming month. Don't you just love these cliff hangers?!?)

Now, I know many of you reading this column are going to say "DUH!" (We HR folks are such brilliant conversationalists.) "Goddess, you're not telling me anything I didn't already know." Well, great, my job is done – but is yours? Are your managers aware that they have a responsibility to proactively report many situations about which they become aware?

Ah ha! And herein lies a problem –we know that, but they don't. When I've conducted employment law training for groups of unsuspecting managers, the fact that managers have a responsibility to report situations that they hear about or see sometimes ends up with downturned faces that refuse to meet my eye. Can we say guilty as charged? So I patiently explain their role and corporate responsibility and the fact that companies can be held liable if managers "knew or should have known" about issues such as sexual harassment or a SOX (Sarbanes Oxley) violation. (And if all else fails I find that reminding them that they can personally be sued in some situations to be very helpful – motivation through fear and intimidation works every time!)

So now you know the two pet peeves of my classmates – lack of accountability and integrity – those things that quickly turn us from an esteemed colleague into the Evil HR Director. I don't know about you, but I think it's much better to be a goddess than an evil HR director, but maybe that's just me.

Lynn M. Lorenz, SPHR, President, HR Goddess, Inc.  
Phone: 703-430-8642, Email: [HRGoddess@AOL.com](mailto:HRGoddess@AOL.com)

## 2009 PHR/ SPHR Certification Fall Study Group Sign Up Now Open – *Only a Few Spots Remain*

**Dates:** Mondays, September 14 - – December 7, 2009

**Time:** 5:45 p.m. – 8:30 p.m.

**Where:** TeqCorner, 1616 Anderson Road, McLean, Virginia 22102 (Tyson's Corner)

**Cost:** \$700 for Dulles/ NOVA SHRM members (which include the SHRM Learning System).

Here's what you can expect:

- Study and learn with other HR professionals
- The guidance of a proven and experienced facilitator
- A low-cost, effective, and dynamic 13-week session designed to cover all modules of the 2008 SHRM Learning System
- A pass rate that exceeds 60%, and higher than the national average.

*Space is limited to the first 20 individuals who register.*

To register or for more information please contact Joseph Gregory, SPHR, Dulles SHRM Certification Representative at 703-999-6530 or [jgregory@vipconsulting.com](mailto:jgregory@vipconsulting.com).



*Dulles SHRM thanks TeqCorner for providing the meeting space at no cost to our chapter. TeqCorner is located in Tyson's Corner and is designed to provide small businesses; technology companies and, start-up entrepreneurs with a "community office" approach. Website: [www.TeqCorner.com](http://www.TeqCorner.com)*

## Request for Volunteers in the Community

The **Loudoun Workforce Resource Center** (LWRC) in Leesburg, Virginia is currently looking for qualified volunteers to assist their customers by critiquing résumés. This could be done in a small group session or by one-on-one appointments.

LWRC is currently open weekdays from 9:00 am to 4:30 pm and closed Wednesday afternoons. Please contact Lyn Sebesta, Training Coordinator, Career Support Services, at 703-777-0688 or [lsebesta@loudoun.gov](mailto:lsebesta@loudoun.gov).

**Reston Interfaith** is a nonprofit organization that promotes self-sufficiency through support and advocacy for those in need of food, shelter, affordable housing, quality childcare, and other services. Together with the Fairfax County Department of Family Services and the Reston Regional Library, Reston Interfaith recently began a new initiative targeted at improving the employment prospects for homeless, unemployed and underemployed men and women in our community. Through this effort, we will increase the availability of resources and provide opportunities for skills and knowledge building that are critical to helping our clients and customers achieve their employment and professional goals. The community's involvement, especially the corporate and business sector, is critical to the initiative's success. We offer a variety of opportunities for individuals and groups to get involved both in hands-on and behind-the-scenes in assignments such as staffing the Embry Rucker Shelter computer lab, leading group workshops and providing expert advice about the skills and qualifications that our clients will need to succeed in today's job market. Contact Susan Stolpe at [Susan.Stolpe@restoninterfaith.org](mailto:Susan.Stolpe@restoninterfaith.org) or 571-323-9569 for more information and thanks in advance for your interest!

## SHRM FOUNDATION UPDATE

The SHRM Foundation has produced a valuable Executive Briefing titled, "Use and Management of Downsizing as a Corporate Strategy". It is available for free at <http://www.shrm.org/about/foundation/products/Pages/FdnExecBriefingDownsizing.aspx>

The recent economic challenges have led corporations to increase their use of downsizing to manage costs. This briefing uses a question and answer format to summarize the research on common mistakes, costs, alternatives, and best practices related to downsizing. It was written by Dr. Wayne Cascio, a noted expert on the subject and author of *Responsible Restructuring: Creative and Profitable Alternatives to Layoffs*.

Thank you for your support this year for YOUR Foundation!



The SHRM Foundation is a 501(c)(3) nonprofit affiliate of the Society for Human Resource Management (SHRM). The Foundation is a legally separate organization, and is not funded by SHRM membership dues.

The Foundation is governed by a volunteer [Board of Directors](#) from the HR profession, including academics, practitioners and representatives from SHRM.

The mission of the SHRM Foundation is to maximize the impact of the HR profession on organizational decision-making and performance by promoting innovation, education, research, and the use of research-based knowledge.

The SHRM Foundation's work includes:

**Innovative academic research grants.** The SHRM Foundation is a [leading funder](#) of HR research. In 2008, the SHRM Foundation awarded a record \$750,000 in grants to fund rigorous, original academic research with practical implications for HR management practice.

**Scholarships.** The SHRM Foundation awards \$170,000 annually in [education and certification scholarships](#) to professional and student SHRM members, and doctoral students.

**Educational resources.** The SHRM Foundation's [Effective Practice Guidelines](#) series make research findings easily accessible to HR practitioners. The Foundation has also created a series of educational [DVDs](#) for SHRM chapter programming, staff trainings, and executive education sessions.

## September Chapter Discussion Group

### "I'd rather be golfing!" – A deeper look into the concept of Work-life Balance

Thursday, September 10, 2009

There is a sick baby at home ... are you able to work remotely so you can tend to his/her needs? Scheduled to leave early on Friday to catch a flight and meet buddies in Vegas ... are you able to work an extra hour Monday – Thursday and not tap into your PTO time?

Emergency trip to the vet for a sick puppy – are you able to dial into the staff meeting?

In preparation for this discussion, please reflect on the following questions:

- How does your Employer support your after hour's passions and obligations?
- Is it a hassle tending to unexpected emergencies or making travel plans?
- What formal policies exist to support a healthy balance and what policies hinder you?
- What are best practices?

Work life balance is defined as a broad concept including prioritizing between career and ambition on one hand, compared with pleasure, leisure, family and spiritual development on the other hand. This discussion group will focus on the quest to balance work and life. For some it comes easy and for others, it is a true struggle. We will learn which programs can enhance the balance and the benefits of having a workforce that feels supported. By determining what drives an employee outside of the office, we will be able to better motivate, engage and retain them!

Stacie Evans, Recruitment & Resource Manager for Sekon, will lead our discussion around this topic. You are welcome to extend an invitation to interested colleagues. No fee is charged for attending. However, registration is required on-line, at least 24 hours in advance, via the Dulles SHRM web site ([www.dullesshrm.org](http://www.dullesshrm.org)): Events/ Discussion Groups. If you have questions, contact Janet Geib at 703-303-4427 or [discussion@dullesshrm.org](mailto:discussion@dullesshrm.org). Participation is limited to the first 25 people who sign up.

No fee is charged for attending. However, registration is required on-line, at least 24 hours in advance, via the Dulles SHRM web site ([www.dullesshrm.org](http://www.dullesshrm.org)): Career Growth/Chapter Discussion Groups. If you have questions, contact Janet Geib at 703-303-4427 or [discussion@dullesshrm.org](mailto:discussion@dullesshrm.org). Participation is limited to the first 25 people who sign up.

**Date:** Thursday September 10, 2009

**Time:** 7:30 am – 9:30 am

**Location:** Jack Kent Cooke Foundation, 44325 Woodbridge Parkway, Landsdowne, VA 20176

**Phone:** Colleen Rogan at 703-723-8000

## Discussion Group Schedule

October 1, 2009

"Performance Appraisals"

Facilitator: TBD

Location: TBD

November 5, 2009

"Working Remotely"

Facilitator: Cindy Loison

Location: Jackson Lewis, LLP

December 3, 2009

"Recognizing Achievements"

Facilitator: Paul Densley

Location: TBD

For more information, please visit:  
<http://www.dullesshrm.org/discuss.htm>

## Want to Meet Prospective Employees?

The NOVA-Annandale Career Resources & Development Center is seeking your participation as a featured employer for the 2009-2010 academic year. This unique opportunity is at **no charge**. Designated dates and times have been set aside for you to utilize the CRDC for set up and to meet one on one with students. Should you need additional information, please do not hesitate to contact Felicia D. Blakeney Career Services Specialist Office: 703-323-3729  
[fblakeney@nvcc.edu](mailto:fblakeney@nvcc.edu)

They have students interested in the following fields: Accounting, Business, Consulting, Construction, Communication-Mobile/Wireless, Education, Federal Government, Financial Services, Goods/Services, Healthcare, Hospitality/Food Services, Information Technology, Law Enforcement/Legal, Retail, Travel, and more.

**Dulles SHRM**  
PO Box 1249  
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*Your Chapter of Choice*

#### We're on the Web!

See us at:

[www.dullesshrm.org](http://www.dullesshrm.org)



## Want to Enhance Your Leadership Skills?

Dulles SHRM is currently talking with members about serving on the 2010 Board of Directors. We are also always looking for more committee members.

Benefits of volunteering: Learn or develop a new skill, be part of your HR community, sense of achievement, increase your career options, increase your network, learn leadership skills, and much more.

A Willingness to Serve form can be found on the home page, [www.dullesshrm.org](http://www.dullesshrm.org).

If you are interested in serving on the Dulles SHRM Board of Directors for 2010, or are interested in serving on a committee, please contact Linda Caporaletti Hoyt at [lcaporaletti@hdmanet.org](mailto:lcaporaletti@hdmanet.org).

## About Our Organization

The Dulles Chapter of The Society for Human Resource Management first met on January 21, 1987 and was chartered on June 24, 1987 with 61 charter members. It has grown to more than 240 members.

The Dulles Chapter is a 100 Percent Chapter where all members are required to maintain membership in the national organization. In addition to programs providing information to human resource professionals, the Dulles

Chapter is a Pinnacle Award winner and continues to be a Superior Merit Award Chapter. The Chapter also holds seminars and workshops dealing with a wide variety of current topics and issues including [certification](#).

This is *Dulles SHRM's Navigator*, the official newsletter of Dulles SHRM, the Dulles corridor's human resources professional organization. *Dulles SHRM's Navigator* is published monthly.

Tobin Seven — Media Director  
Denise Henderson, PHR — President

Deadline for the September 2009 issue is August 28, 2009.  
Email submissions to [Seven.T@tie-inc.com](mailto:Seven.T@tie-inc.com).