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April 2012

Issue 14



Chapter 0175

Dear Bryan,

We hope that you enjoy this issue of the TAHRA Newsletter. TAHRA will not host a Program Meeting or Learning Lab in April due to the Oklahoma HR State Conference and Expo. TAHRA events will return in May with Program Meeting, Supervisor Training, New Member Orientation and Learning Lab. Make plans now to attend!

President's Message

by Chris Wright, Ph.D.

See you at the 2012 OK "Art of HR" Conference...

Wow, I cannot believe it is already April. TAHRA's first quarter was filled with great program meetings, learning labs and wonderful networking opportunities. I hope all of you will be able to attend the 2012 OK HR Conference, April 25-27 in Tulsa. Christy Ptak and her conference committee have done an amazing job of bringing in outstanding speakers and SHRM leadership as well as ensuring that attendees will be able to earn plenty of general, strategic and international HRCI credits. Don't miss the opportunity to attend what, I am sure, will be the biggest and best conference yet. Also, come help us celebrate HR Appreciation Day on April 25th, the first day of the conference. See you there!



May Program Meeting

Wednesday, May 16 | 11:15am - 1:00pm |
DoubleTree Hotel at Warren Place
Members - \$20, Guests - \$30

[Register today!](#)



Legal Compliance for the HR Professional

*Presented by W. Kirk Turner
Newton, O'Connor, Turner & Ketchum*

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[State HR Conference](#)

[April 25-27, 2012](#)

[Tulsa, OK](#)



Join us on...

Kirk Turner, a regional leader in labor law and employment practices training and one of TAHRA's favorite speakers each year, will present an update on recent developments in state and federal labor and employment law. Kirk will address key court and regulatory decisions that impact the workplace and will highlight steps that can and should be taken by HR professionals to minimize the risk of liability and employment litigation. Kirk will highlight best (and worst) practices in the areas of harassment, discrimination and retaliation. This session will provide key insight into training managers, supervisors and employees on critical legal issues affecting the workplace.

There will be a 2 hour Supervisory Training presented by Kirk Turner immediately following the Program Meeting. The topic is Legal Compliance for the Supervisor and Manager and registration is separate. [Click here for more details.](#)

W. Kirk Turner is a shareholder with the Tulsa firm of Newton, O'Connor, Turner & Ketchum, P.C. He is a regional leader in employment and labor law whose experience as a trial attorney in representing management in litigation in all areas of labor and employment law allows him to provide preventive counsel and training to corporate clients. In addition, Kirk serves as a trainer and counselor in the practice areas of legal compliance, employment claim prevention, internal investigations, wrongful termination, civil rights, equal employment opportunity, wage and hour litigation, employee benefits, occupational safety and health, labor-management relations, union avoidance, immigration, unemployment, disability benefits and workers compensation. Kirk also has extensive experience in representing employers in discrimination, harassment and civil rights matters, and routinely represents management in proceedings before the National Labor Relations Board, the Equal Employment Opportunity Commission, State fair employment agencies and the Department of Labor.

LEAD The Way

By Sarah Phelps J.D., PHR - VP Leadership Development and
Vickie Hidde, College Relations Chair

As a HR Professional, you may be responsible for many things in your daily job; developing employees may be one of the areas where you expend a great deal of effort. But what development do you take for yourself or for others in Human Resources? Mentoring a student or employee new to the profession is one method of developing others as you develop yourself. This February, TAHRA members mentored area human resources students in a shadowing session. The inaugural shadowing experience was a success with 100% of participants indicating they would participate next year with TAHRA and with many participants agreeing to continue their mentoring relationship beyond the one-day session. I encourage you all to seek opportunities for mentoring others in human resources and welcome suggestions from TAHRA members for ideas to "LEAD the Way".



Comments from the Students:

"Being able to sit in on an interview and see how the process works was a great experience."

"Learning about some of the daily tasks of HR at YMCA and especially how significant HR is in a business organization reinforces my decision to pursue a career in human resources."

Comments from the Mentors:

"It was wonderful experiencing the enthusiasm of the student for the HR career path."

"Meeting with sharp and motivated students with an in-depth knowledge of human resources brightened my day."



Facebook



LinkedIn

TAHRA Partners

TAHRA Partners are regular supporters of TAHRA and helps our organization continue to develop and present quality continuing education programs, create opportunities for peer networking and enhance our overall contribution to the human resources profession.

For information on becoming a TAHRA Partner
[click here.](#)

Meet our TAHRA Partners...

BenEx
Employee Benefit Experts

TAHRA 2012 Board & Committee Chairs

Chris Wright, PhD
President

Brandon Brazeel, SPHR
President Elect

Bryan Wempen
Past President

Sally Allen, SPHR
VP Programs

Jeff Faust, PHR
VP Membership

Sarah Phelps, PHR, J.D.
VP Leadership Development

"Being able to contrast academic understanding, preconceived ideas and actual HR practices, was a learning experience for both of us."

The College Relations Committee would like to thank the following individuals and their employer for the success of our Mentoring Program.

Justice Waidner - YWCA
 Jeff Faust - Bancfirst
 Travis Jones - Career Development Partners
 Sue Whitener - Case and Associates
 Katie Lefler - Newfield Exploration
 Dixie Agostino - Switchgear Recruiting
 Mike Odon and Mark Fechter - TD Williamson
 Lisa Johnson - Part-time Pros
 Ann Ferguson - Hogan Assessments
 Sarah Phelps - Samson
 Doug Hespe - CSG-Guardian
 Lisa McLarty, Jennifer Smith and Jeff Reid - BOKF
 Kerry Hope - Addison Staffing
 Cynthia Solomon - Union Public Schools

Thank you to the College Relations Committee and Kasi McLaughlin for organizing this opportunity for TAHRA members and area human resources students!

May Learning Lab
 Thursday, May 24 |2:00pm - 4:00pm|
 Location: OSU Tulsa
 Members - \$15, Guests - \$25

ROI of Professional Development

Investing in Professional Development is sometimes considered a nonessential expense by senior management. Teri Aulph will demonstrate how participation in continued trainings are investments in the greatest assets of the organization, the employee. Using the ROI technique, Human Resource Professionals can calculate the percent of return, to the organization, over a specific period of time as a result of professional training investment. Benefits include increased productivity, cost savings, and possibly a higher rate of income generation. The lessons learned in this session can be applied to personal and professional investments, as well as coaching clients and senior management on the valuable benefits staff will gain through continued training.



Register Now!

Teri Aulph is a graduate of the University of Oklahoma and the CEO of Teri Aulph Consulting, LLC. As a speaker, author and consultant grounded in proven success in leadership development & training, talent management, organizational development, change management and operational excellence. What sets Teri apart is the journey she traveled to 'Global Vice President in a Fortune 500 company' in less than three years and the lessons she has gleaned from her experiences. Teri shares this story in her keynote speech, 'Yanked Up'. As a consultant, Teri provides cutting edge practices customized for her clients to meet their unique needs. Her primary role is to assist my clients in identifying challenges, developing an action plan and facilitating change to enhance success. Teri has held executive positions in Fortune 500 companies in the high tech and automotive industries. She is a keynote speaker on various leadership and business topics at global summits in Germany, France and the United States. Teri was, also, a featured speaker at Fortune Magazine.

W. Kirk Turner, J.D.
 VP Legislative Affairs

Jim Martin
 VP Public Relations

Barbara Ware, CRP
 VP Diversity

Heidi Hartman, SPHR
 VP Education

Donna Fletcher, PHR, CCP
 Treasurer

Diane Hewitt
 Golf Tournament Chair

Justice Waidner-Smith
 Community Relations Chair

Lisa Johnson
 Website/Technology Chair

Vicki Hidde
 College Relations Chair

Kerry Hope
 Registration Chair

Belen Burkhalter, PhD, CRC
 Workforce Readiness Chair

Michelle Lehman
 Hospitality Chair

Stanna Brazeel, SPHR
 SHRM Foundation Chair

Susan McGinnis, RHU
 Fundraising Chair

Denise Reid
 Chamber Liaison

Julie Odom
 Chapter Management
 Professional



Career Fair 2012

Belen Burkhalter Ph.D., CRC, Workforce Readiness Chair

The Workforce Readiness Committee is pleased to announce TAHRA's 2nd Diversity Career and Resource Fair will take place on October 25, 2012, 10:00 am - 3:00pm at the Wyndham Hotel in Tulsa.

TAHRA is proud to have as partners - *the Department of Rehabilitation Services, Oklahoma Employment Security Commission, and the Tulsa Area Alliance on Disabilities*. We are targeting **qualified applicants** from diverse groups that include veterans, people with disabilities, senior citizens, new graduates, displaced workers, and other job seekers from minority backgrounds. All other job seekers who are searching for new career paths are also welcome. Two career workshops are available for job seekers from 8:00-10:00.

We are seeking 35 businesses who are interested in hiring a diverse workforce to participate in this Career Fair. Registration is now open on the TAHRA website, www.tahra.org under Events. The fee for employers is \$75.00 for TAHRA members and \$150.00 for non-members. Registration fee includes an exhibit booth with a table and chairs, signage and two boxed lunches.

We appreciate Coca-Cola and the City of Tulsa as the first two companies to confirm participation in our career fair.

We are also searching for partners to help us recruit and provide resources to career participants. Partners will have a free resource table just outside the ballroom where the employer booths are located. We still have 10 resource tables available. Please call Thaddeaus Babb at 918-581-2377 if you are interested in becoming a resource partner.

The Workforce Readiness Committee consists of the following committed TAHRA members:

*Thaddeaus Babb - Department of Rehabilitation Services
Claudia Fields - St. Francis Hospital
Farrah Fulps - Kelly Services
Patty Lyons - HR Consultant
Shane Norrid - University of Phoenix
Erin Vierthaler - Cox Communications*

If you have any question about the Diversity Career and Resource Fair or Workforce Readiness Committee, please call me at 918-633-1915 or email at bcburkhalter@okdrs.gov.

NOTICE POSTING DECISION NOT FAVORABLE TO EMPLOYERS

by W. Kirk Turner, Esq., VP of Legislative Affairs

On March 2, 2012, the United States District Court for the District of Columbia ruled that the National Labor Relations Board ("NLRB") did not exceed its statutory authority by requiring employers to post its Notification of Employee Rights under the National Labor Relations Act. While the court ruled that a failure to post is not automatically an unfair labor practice and does not automatically toll the statute of limitations in unfair labor practice actions, the court opened the door for the NLRB to find, on a case-by-case basis, violations and tolling for failure to post, thus allowing the Board to accomplish by decision what it cannot do through rulemaking in *National Association of Manufacturers v. NLRB*, No. 11-1629 (ABJ) (March 2, 2012).

Factual Background

As you will recall, on August 30, 2011, the NLRB issued its Final Rule, "Notification



of Employee Rights under the National Labor Relations Act," in the Federal Register. The National Association of Manufacturers and National Right to Work Legal Defense and Education Foundation brought separate lawsuits to challenge the Rule. These actions were later consolidated. The complaints alleged that the NLRB lacked the authority to: (1) promulgate and enforce the notice posting rule under Section 6 of the National Labor Relations Act (NLRA); (2) require employers to post a notice absent the filing of a charge or petition; (3) deem the failure to post to be an unfair labor practice; and (4) toll the statute of limitations for filing an unfair labor practice charge. The complaints also alleged that the Rule violates and infringes upon employers' First Amendment rights.

Analysis

The District Court initially considered whether the Board had the authority under the NLRA to promulgate a rule that requires all employers to post a notice of employee rights. The court concluded that it "cannot find that in enacting the NLRA, Congress unambiguously intended to preclude the Board from promulgating a rule that requires employers to post a notice informing employees of their rights under the Act."

The court then determined whether the Board had the authority to promulgate Section 104.210 of the Final Rule, which states a failure to post to be an unfair labor practice under the NLRA. The court found that it did not. The court concluded that "the Board cannot make a blanket advance determination that a failure to post will always constitute an unfair labor practice," but determined that the Board could make this determination on a case-by-case basis. Thus, the court found that the Board exceeded its statutory authority under the NLRA by promulgating a rule that failure to post the required notice would automatically be considered an unfair labor practice.

The court came to a similar conclusion with regard to Section 104.214(a) of the Rule, which stops the statute of limitations from running for unfair labor practice charges arising out of the failure to post and which applies to all unfair labor practice actions against employers where the notice was not posted. The court found that the NLRA does not authorize the Board to enact a rule that permits it to automatically toll the statute of limitations in any future unfair labor practice action involving a job site where the notice was not posted. Again, however, the court opened the door for the NLRB to find that tolling is appropriate on a case-by-case basis where the notice is not posted.

Finally, the court refused to overturn the notice posting rule on First Amendment grounds.

Practical Impact

Importantly, the notice posting requirement still stands. Although the failure to post is not an automatic unfair labor practice and does not automatically toll the statute of limitations, the decision would allow those penalties to be imposed on a case-by-case basis.

Employers should carefully consider this decision in determining whether, or to what extent, it will post the Notice. Employers should also be advised that there are other legal challenges to the Notice required pending in other courts around the country, so this court decision may not be the last word on this matter.

We will, of course, notify you of any further developments in this or any other important labor and employment law issues.

Should you have any questions regarding the information contained in this article, please do not hesitate to contact Kirk Turner at (918) 587-0101, or by email at kturner@newtonoconnor.com.



Register NOW!

April 25 - 27, 2012

Renaissance Hotel and Convention Center

This program has been approved for recertification



The use of this seal is not an endorsement by the HR Certification Institute of the quality of the program. It means that this program has met the HR Certification Institute's criteria to be pre-approved for recertification credit.

credit hours toward PHR, SPHR and GPHR recertification through the HR Certification Institute. Please be sure to note the program ID number on your recertification application form. For more information about certification or recertification, please visit the HR Certification Institute website at www.hrci.org.

Overall Conference General Credits - 13.0

Total Conference Strategic Credits - 9.75

Total International Credits - 2.5

Pre-conference Six Sigma Workshop - 13.5 Strategic Credits

Don't Miss Out!

- Over 520 people have already registered
- Over 50 different speakers
- Opportunity to network with exhibitors, speakers and peers
- Quality keynotes - SHRM National Officer, TED Finalist, etc.
- Silent Auction
- Social Event - Night at the Museum (Philbrook Museum)

Connecting + Networking = Opportunity by Denise Reid, Chamber Liaison



Keeping up with all the opportunities to connect with leaders, talent, information and opportunity can be a daunting task. Our community leaders and organizers are motivated to create connections for people and business for the greater good.

Below is a sampling of community collaborations created to make a positive impact in our region.

Tulsa Area Employer Council

Spring Cleaning: Conducting a Human Resources Audit April 10, 2012
8:30 to 10:00 Doubletree Downtown Approved for HRCI Credit - no cost to attend To RSVP or questions call (918) 796-1200 or email ronald.julian@oesc.state.ok.us or kennetha.ray@oesc.state.ok.us.

Tulsa Metro Contact Center Hiring Event

April 19, 2012 | 10:00am - 2:00pm |
Tulsa Tech Lemley Campus - \$100.00 for booth space
To RSVP or questions call Kelly Beyer at (918) 492-3131 or email kelly.beyer@manpower.com.

enVision Summit

This event gives everyone in the greater Tulsa area an opportunity to share ideas about our region's quality of life and strengthening its reputation as an economic powerhouse. Bring your ideas for improving our region.

April 27, 2012 | 8:30am - 12:00pm |
Expo Square - Central Park Hall - No cost to attend
To RSVP go to www.envisionsummit.org
or for questions call (918) 585-1201.

Chick-fil-a Leadercast

May 4, 2012 | 7:30am - 4:30pm |

Multiple locations - TCC Southeast, TCC Downtown & First Baptist Owasso, to RSVP or for more information go to www.tulsaleadercast.com.

Military Hiring Event

May 15, 2012 |10:00am - 2:30pm|
Rose State College, Midwest City, OK
To RSVP or questions call (405) 733-3801 or go to www.AfterCareers.com for more information.

Tulsa Young Professional's (TYPros) Intern Series

June 7th and 29th at 5:30 and July 19th at 6:00
No cost for interns to attend, but must RSVP. For more information go to www.typros.org or email shagahzakerion@typros.org.

If you have questions or need additional assistance related to your workforce please let me know. I can be reached via email at denisereid@tulsachamber.com or via phone at (918) 560-0255.

Join TAHRA in Welcoming our Newest Members

Shayla	Grayson	Student
Jessica	Bridges	Flint Energy Services, Inc.
Robin	Durrant	Baker Hughes
Kathy	Williams	Carrera Gas Companies
Rebekah	Powell	Navistar
Richard	Bannister	Reliant
Deborah	Van Auken	Blackhawk Industrial
Melissa	Maguire	Holmes Murphy & Associates
Kari	Goins	Bank of Oklahoma



March 2012 Program Pics



Excellent turnout for March!

**Thank you to
Trak-1
Technology
for sponsoring
this program!**



Bryan Wempen, Laura Moxley, Dave Lopez, Chris Wright and Christy Ptak receiving Proclamation for HR Appreciation Day

Congratulations to the winners of the State Conference give away at the March Program, Tracy Hiscock, Community Health Connection and John Thomas, Oklahoma Benefits and Consulting, LLC!



Dave Lopez, Secretary of
Commerce and Tourism
speaks to members



Sally Allen awarding Tracy Hiscock
one of the State Conference prizes

Calendar of Events

April (No Program or Lab in April)

25 - 27 - OK HR State Conference and Expo - [The Art of HR](#)

May

16 - [New Member Orientation](#)

16 - May Program Meeting and Supervisor Training - [Legal Compliance for the HR Professional](#)
presented by Kirk Turner

16 - Manager and Supervisor Training - [Legal Compliance for the Supervisor and Manager](#)
presented by Kirk Turner

24 - May Learning Lab - [ROI of Professional Development](#) presented by Teri Aulph

Tulsa Area Human Resources Association
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(918) 344-4622

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