



Newsletter

Issue 58

October 2016

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Hello TAHRA members and friends,

I cannot believe we are already in the 4th Quarter. This is a time to think about leaves changing, pie, time with people you care about - and what we want to get accomplished the



remainder of the year. I've enclosed a picture of the Hartman - Mathewson renovation speaking of change and progress. We are living in a lot of dust and have our 5 animals in a pretty small area with us. Only 3-4 months to go and it really is an adventure.



Hartman-Mathewson Renovation

We had a great time at the networking event September 29th, and we owe a big thank you to our friends at Hogan Assessments who let us have the event on their roof-top with the backdrop of a beautiful downtown Tulsa. We are not slowing down for the remainder of the year with some stellar events planned for our members.



Kristi Spaethe, Heidi Hartman, Jill Norman, and Julie Odom

October is Diversity and Inclusion month, and our ROI summit is right around the corner. Vernā Myers will be here on October 12th at the DoubleTree Downtown. She is an amazing change agent in the Diversity and Inclusion realm - check out her [TED](#) Talk. We will have workshops prior to our lunch meeting and I promise this is an event not to be missed! We are almost sold out, and the first 250 attendees will get a swag bag and Vernā Myers' book. I encourage you to sign up today. We are the bridge builders in our organizations, and with all the divisiveness in our country as well as in our own back yard - we all need help in having difficult conversations about diversity and inclusion.

On October 27th, our Learning Lab will feature Angelyn Dale and Stephanie Gentry from Hall Estill at OSU Tulsa from 2:00 - 4:00. This lab is a partnership with our non-profit friends who have HR as part of their responsibility, as well as HR departments of one, or HR as one of your hats and focus on key areas. This will be an engaging and informing session. Our December lab will be the second session with this audience on an HR foundation topic with another speaker. I know both sessions will be packed with



actionable information and tips.

Registration has opened for the TAHRA Employment Law and Practices Seminar on November 3rd at the Renaissance Tulsa Hotel and Convention Center. This will provide attendees not only great information on how we stay out of hot water and reduce our risk - it will also provide time for you to visit with some of Tulsa's top lawyers for just the price of admission.

Don't hesitate to let us know any suggestions or recommendations you may have on how TAHRA can better serve our members.

Looking forward to seeing you all soon - Heidi
Heidi Hartman, SPHR, SHRM-SCP
TAHRA President

TAHRA 2016 Board & Committee Chairs

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Return on Inclusion Summit
Wednesday, October 12
Summit - 9:00am
Lunch and Program 11:30am
DoubleTree by Hilton Hotel Downtown
Tulsa



Presented by Vernā Myers

In October, the program committee has collaborated with the Return on Inclusion committee to bring in Harvard-trained lawyer, entrepreneur, author and cultural innovator, Vernā Myers. You do not want to miss this amazing event!

Diversity and inclusion are words often woven into most company's Values and Ethics Statements, but the real question is how to make them come alive within an organization. The 2016 Return on Inclusion Summit will provide participants an opportunity to learn how to bring diversity and inclusion to their circles of influence and empower the business community to apply inclusion principles to foster more innovation and creativity. As Oklahoma's largest professional diversity and inclusion summit, ROI invites executives, human relations professionals, and community leaders to go beyond the talk to develop robust workplace diversity strategies that align with their business objectives.

Vernā Myers is a diversity consultant, who leads the Vernā Myers Consulting Group, an organization that breaks down barriers of race, gender, ethnicity and sexual orientation in the workplace. Myers, the author of two books on inclusion, was featured on the popular Ted Talk, "How to Overcome our Biases? Walk Boldly Toward Them."

There are two options to attend this event, register for the full ROI Summit (9:00am - 2:00pm) or for the lunch keynote only (11:15am - 2:00pm).

The schedule for the full ROI Summit and Lunch Keynote is as follows:

9:00am-9:20am | Welcome and Opening
9:30am-10:30am | Choice of Workshop 1 or 2

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Quick Links

[Our Website](#)
[TAHRA Calendar](#)
[SHRM Website](#)
[HRCI Website](#)
[OKHR Website](#)

:: 918-344-4622

Check us out on:



10:30am-10:45am | Break
10:45am-11:45am | Choice of Workshop 1 or 3
11:45am-2:00pm | Luncheon and Q&A with Vernā

Workshops

1. **Race in the Workplace** (Presented in both time slots)
Presented by Mana Tahaie, YWCA Tulsa
2. **The D&I Imperative: The Business Case for Inclusion**
Presented by Denise Reid, Executive Director Mosaic and Workforce, Tulsa Regional Chamber and Justice Waidner Smith, Diversity and Inclusion Program Manager, ONEOK
* This workshop and the lunch keynote qualify for HRCI Business recertification credits.
3. **Inclusive Hiring Practices (Panel Presentation)**
Presented by
Dixie Agostino, Switchgear Recruiting
Isaac Rocha, Bama
Paul Boyett, Williams
Moderators - Harlan Ross, Williams, and Ashley Philippsen, LEAD North

**ROI Summit (Summit and Lunch) -\$40 | Non-profit,
Student, Veteran, Educators and Senior discount - \$20**

A reserved luncheon table of 10 is also available for \$450. To reserve your table, please contact Shalynne Foster at Shalynne.Foster@oneok.com.

Books are available to the first 250 people in attendance. There is limited seating for this event.

ROI Summit (Lunch and Keynote Only) - \$30 | TAHRA Member Discount -\$20 (If you have prepaid for TAHRA programs for the year, this event is included in that fee.)

Complimentary parking is available.

[Click here for more information and to register.](#)

October Learning Lab

Thursday, October 27

2:00pm - 4:00pm

OSU Tulsa North Hall

HR Compliance for Small Business and Non-Profits

Presented by Stephanie Gentry and Angelyn Dale
Hall Estill

Join us in October for an overview of HR compliance basics, with a specific focus on small businesses and nonprofits. This Learning Lab will be presented by Stephanie Gentry and Angelyn Dale, attorneys with Hall Estill, who both specialize in employment law. Their presentation will be designed to provide education on various HR compliance topics to individuals who find themselves responsible for HR issues who

may not necessarily have a significant background or training in HR or the individual who might wear many different "hats" for the organization and therefore may not have significant time and resources to devote to HR compliance matters. The focus will be to provide education about the basics and ways to avoid the most frequently-encountered pitfalls. Consider bringing team members and organizational leaders as well. Learning Labs are open to non-members and this lab would be a great opportunity to share your TAHRA experience with them.

This session will include education and the opportunity to ask questions of the speakers about the following topics:

- Hiring best practices
- Performance management during the relationship (including proper classification for contractor/employee and exempt/non-exempt)
- Discipline and terminating the employee relationship
- Volunteers

[Register now!](#)

Registration Open!
TAHRA Employment Law and Practices Seminar

Thursday, November 3rd | 7:30am - 4:30pm | Renaissance Tulsa Hotel and Convention Center
Register by October 21 to get early discount!

As human resource issues become more complicated and HR professionals have increased responsibilities, we want our members to have access to the latest information available on employment law and HR practices. This seminar will bring you a full day of informative and interactive presentations by experienced attorneys who will be speaking on a number of very important and timely human resources topics. This advanced seminar will give you the skills to handle issues such as the FSLA Final Rule, complex employee leave cases, strategies for discussing and addressing "powder keg" issues in the workplace, joint employment relationships, and other burning employment law questions that keep us up at night. Expand your HR legal knowledge -

[register today!](#)

[Click here to view full agenda.](#)

EEOC ISSUES NEW ENFORCEMENT GUIDANCE ON RETALIATION

by Rachel Crawford, J.D.
VP - Legislative Affairs



On August 29, 2016, the EEOC issued its new enforcement guidance on retaliation claims brought under the various anti-discrimination laws the Commission enforces. Observing that retaliation has grown to the largest category of claims

presented in its charges, the EEOC's latest guidance advocates expansive interpretations of law to expand retaliation protections for employees. As a reminder, the EEOC's "guidance" does not always reflect the prevalent legal environment, especially in Oklahoma. The EEOC supports its approach by relying on court decisions backing its position, while also ignoring decisions in opposition. Regardless, taking note of the EEOC's expanded view in several key areas will help protect employers from unwanted liability.

First, the guidance emphasizes the established elements of a retaliation claim: (1) protected activity: "participation" in an EEO process or "opposition" to discrimination; (2) materially adverse action taken by the employer; and (3) requisite level of causal connection between the protected activity and the materially adverse action.

Interpreting the scope of the participation clause of a "protected activity," the guidance reaffirmed its position broadly protecting EEO participation regardless of whether an individual has a reasonable, good faith belief that the underlying allegations are, or could become, unlawful conduct. This view affirmatively rejects contrary decisions from two Circuit courts holding that an individual making false claims to the EEOC is not protected under Title VII's anti-retaliation provisions. (See *Gilooly v. Mo. Dep't of Health & Senior Servs.*, 421 F.3d 734, 240 (8th Cir. 2005); *Mattson v. Caterpillar, Inc.*, 359 F.3d 885, 891 (7th Cir. 2004)).

Furthermore, the guidance emphasizes the opposition clause applies if an individual explicitly or implicitly communicates his or her belief that the matter complained of is, or could become, harassment or other discrimination. However, in order for opposition to discrimination to be considered a protected activity, the manner of opposition must be reasonable. Notwithstanding this "reasonable" standard, the guidance opens the door to a broad array of actions falling within the scope of opposition, including: complaints to someone other than the employer, complaints raised publicly, and complaining before a matter is actionable.

Finally, the guidance further expands the definition of a "materially adverse action" to include one-time incidents, such as a warning, reprimand or threat. In addition, taking (or threatening to take) a materially adverse action against a close family member would be considered a "materially adverse action." Not only would such an action expose the employer for liability to the employee, but the guidance states that the family member could also bring a claim as an aggrieved individual.

While the latest guidance may create additional burdens on employers who wish to comply with this new EEOC directive, being aware of the guidance and taking additional steps toward fostering a healthy, retaliation-free work environment is a win for both the employee and the employer. The guidance can be viewed in its entirety on the EEOC's website: https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm#_ftn127.

Rachel Crawford is a shareholder at Newton, O'Connor, Turner & Ketchum and can be reached at 918.587.0101 and rcrawford@newtonoconnor.com with employment-related questions or concerns.

Last chance - Nominate your BEST HR colleague! Nominations due Friday, October 21.

RICHARD J. MESSER EXCELLENCE IN HUMAN RESOURCES MANAGEMENT AWARD

This special award was designed to recognize outstanding leadership and achievements in the human resources field. Any current member of the Tulsa Area Human Resources Association, with the exception of the Awards Committee participants, are eligible to be nominated (self-nominations are accepted). Recipient of this prestigious award receive:

- \$500 cash donation to the charity of the recipient's choice
- A special commemorative plaque
- A special biographical sketch detailing the individual's accomplishments will appear in the TAHRA newsletter
- Announcement will also be posted on TAHRA's social media outlets

NEW PROFESSIONAL AWARD

This award is designed to recognize an outstanding new professional in your organization or in your HR network. Any TAHRA member with five years or less in the human resources field, with the exception of the Awards Committee participants, is eligible to be nominated. Self-nominations are allowed and encouraged. Recipient receives:

- \$300 cash donation to the charity of the recipient's choice
- A commemorative plaque
- A special biographical sketch detailing the individual's accomplishments will appear in the TAHRA newsletter
- Announcement will also be posted on TAHRA's social media outlets

Submit nominations to Brandon Brazeel, VP Leadership Development at Brandon.Brazeel@spxht.com.

[**Click here for the details!**](#)

Welcome to our newest members!

Jesse Hopkins	Radiator Depot	Nancy Roper	Saint Francis Hospital
Lisa Myers	Deloitte Tax LLP	Heather Webb	Deloitte Tax LLP
Heidi Jackson	ProRecruiters	Stephanie Moore	Jenks Public Schools
Rachel Savage	PennWell Corporation	Mitch Sims	Ultimate Software
Jamie Harris	Flying Tee Golf	April Inman	Anspire
Alison Scribailo	American Electric Power	Bob Thomas	Cherokee Nation

Heather Tillman	Montereau	Phyllis Spriggs	Businesses Independent Consultant
Janet Wright	Xtreme Racing and Entertainment	Shelly Robison	The Crosby Group LLC
Sheila Hawes	Trulite Glass & Aluminum Solutions	Michael Chancey	John Zink Hamworthy Combustion