



## Newsletter

### ***Letter from the President***

#### **Time for a little TAHRA chapter history lesson & BIG announcement**

by: Melissa Lockhart, SHRM-CP, SPHR  
TAHRA 2022 President



In the early 1970's a group of Tulsa Area HR executives began meeting to discuss forming a human resources professional organization. The goal of the group was to create networking opportunities and to meet periodically to discuss areas of common interests. This information group was formalized in 1972 when the Tulsa Personnel Association was formed.

The founding members of TAHRA anticipated the need for a local chapter to represent the human resources profession. Their goal was to provide continued professional development opportunities, networking and advance the interests of a transitioning profession.

Shortly after formation, and upon meeting national requirements, the Tulsa Personnel Association (TPA) was accepted as Chapter #175 of the American Society for Personnel Administration (ASPA). In 1989, ASPA changed its name to the Society for Human Resources Management (SHRM). Following SHRM's lead, TPA changed its name to the Tulsa Area Human Resources Association (TAHRA).

From its inception in 1972 to today, TAHRA has grown from less than 20 members to an average of over 500 members each year. Throughout the last five decades TAHRA has become the largest HR chapter in the state of Oklahoma and, along with a long list of volunteers who committed to serve on the board and in a committee, have worked tirelessly to provide its members the most essential and comprehensive HR resources available.

**Fifty years is a big deal, and we want to celebrate that by throwing the party of the year!**

If you have ever been a member of TAHRA (past or present) we would love for you to join us for our 50th Anniversary celebration event. Come 'Dance through

the Decades' with us as we reminisce on the past and celebrate what is to come in the future!

We will have a slideshow of past TAHRA events, so if you have any photos or items to share, please let Julie know at [admin@tahra.org](mailto:admin@tahra.org).

In addition, we would like to extend an invitation to all our past TAHRA presidents. If you know anyone on the list, please help us by sharing this information with them. For the list of all of TAHRA's past presidents, click [here](#).

Everyone is invited to join us on September 15th at River Spirit Casino Resort where we will have popular food from the different decades, music (from the '70's to today), dancing, groovy door prizes and a whole lot of fun! Come dressed in your favorite decade. This event is FREE for TAHRA members and past presidents. Small cost for non-members.

[REGISTER TODAY](#)

## August Program Meeting & Supervisor Training

Wednesday, August 17

**Program Meeting |11:15am - 1pm|**

**Supervisor Training |1:30pm - 3:30pm**

Renaissance Tulsa Hotel and Convention Center



### Employment Law Updates

*Presented by Kirk Turner*

Kirk Turner will once again provide us with a legal update for our August meeting. Kirk is the Practice Group Leader at McAfee & Taft and serves on the TAHRA Board of Directors as Vice-President of Legal and Legislative Affairs. Kirk is one of our most popular speakers each year, as he mixes an intimate knowledge of labor/employment law, Human Resources practices, and a great sense of humor in providing an educational and entertaining program meeting for our members and guests.

Immediately following the program meeting, Kirk will provide his annual Manager and Supervisor Training, which allows HR professionals and employers to bring their leaders to receive two hours of live, interactive training from one of the best trainers in the country on legal compliance, best practices, and leadership. Every private or public organization will benefit from Kirk's educational training on key components of Human Resources management and compliance.

The fee for the Manager and Supervisor Training is \$70 per person and registration is in addition to the program meeting (\$25 Members, \$40 Guests). Register six (6) or more individuals from the same company and receive the discounted rate of \$60 per person.

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[Sign Up](#)

## August Learning Lab

Thursday, August 25 |2pm - 4pm|  
OSU Tulsa North Hall - Room 153

### Changing the Game: Reducing healthcare costs and volatility through health insurance captives

*Presented by Alan Bingham, SHRM-SCP, SPHR - CHRO of Family & Children's Services in Tulsa and Stacey Hicks, SHRM-SCP - Senior Human Resources Manager with Community Action Project of Tulsa*

Captive insurance companies have become a mainstream risk management tool to reduce healthcare costs and control volatility. At our August lab, Stacey and Alan will review the mechanics of captive programs, discuss advantages to employers and employees, and provide practical examples of savings, stability, and opportunities for improved patient care. This session will provide you with insights to partner with your consultant and identify opportunities to expand on cost containment strategies for your group benefits plan.

[Register](#)



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### HRIS Meetup Group

Wednesday, August 10 |12:00pm - 1:00pm|

Mother Road Market

Join us in August to network with and learn from other HRIS professionals. Please share this meetup group with the Tulsa area HRIS professionals in your network. You do not have to be a TAHRA member to attend.

[Click here to join meetup and RSVP.](#)

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## Are you planning on getting your SHRM certification? Sign up for our SHRM Certification Review Course and get discounted materials!

We are once again offering our SHRM Certification Review Course this fall. If you are interested in attending and receiving discounted materials, please email [admin@tahra.org](mailto:admin@tahra.org).

If you would like to participate in this review course, the purchase of materials is required (unless you have previously purchased). Pricing for this course is as follows:

- TAHRA member cost for materials and course - \$700 (up to \$400 savings!)
- Non-TAHRA member cost for materials and course - \$725 and includes 2022 TAHRA membership
- Attendee (already have materials) - \$275

You can earn SHRM Professional Development Credits for attending the course.

Please email [admin@tahra.org](mailto:admin@tahra.org) if you are interested **by Friday, August 19**. Time and dates of course will be available soon.

## Terminated employee with bad attitude fails on religious discrimination claim

By: Elizabeth Bowersox, Esq.  
McAfee & Taft

A car salesman who was terminated following customer complaints of a bad attitude cannot get to a jury on his religious discrimination claim according to the Tenth Circuit Court of Appeals. The Tenth Circuit, which covers Oklahoma, affirmed the trial court's grant of summary judgment in favor of the employer in the recent opinion, *Pegler v. Doug Smith Autoplex*.

### History of bad attitude

According to the Tenth Circuit's opinion, Mr. Pegler worked as a car salesman for Doug Smith Autoplex for approximately a year. During his tenure, he received discipline ("counseling statements") for being offensive to customers, failing to meet sales objectives, and exhibiting a poor attitude toward customers. He also received three customer complaints. The final complaint came after Mr. Pegler raised his voice at a married couple taking a test drive,

saying “If you aren’t going to lease from me, then you are wasting my time!” After the husband told Mr. Pegler to calm down, Mr. Pegler allegedly replied, “No, I’m Jewish.”

After his employment was terminated, Mr. Pegler sued, alleging that his employer discriminated against him because he was not a member of The Church of Jesus Christ of Latter-Day Saints, unlike most of his co-workers. Mr. Pegler claimed that a non-Jewish co-worker had two outbursts, but was not terminated. He also claimed that his performance was not as bad as claimed. Finally, Mr. Pegler argued that the potential car buyers who made the final complaint after the test drive may have been colluding with Doug Smith Autoplex to create pretext to terminate his employment.

### **Tenth Circuit rules for employer**

Neither the trial court nor the appellate court agreed with Mr. Pegler’s theory, finding that he failed to present any evidence that his employer discriminated against him because of his religion.

The Tenth Circuit noted, first, that the comparison to a non-Jewish co-worker failed to show discrimination because the record showed that the employee in question did not have negative interactions with customers like Mr. Pegler did. The court noted that this distinction – a general poor attitude with co-workers versus a poor attitude toward customers – “is a seemingly critical distinction in the car business.”

Second, the court rejected Mr. Pegler’s own evaluation of his attitude and performance, noting that an employee’s own assessment of his or her performance is not sufficient to withstand summary judgment and get to a jury. Moreover, the court noted that the employer had consistently documented Mr. Pegler’s bad attitude and negative interactions with customers.

Finally, the court did not accept Mr. Pegler’s conspiracy theory that the customer and employer had colluded on the final complaint against him, noting that Mr. Pegler had no evidence to support this theory and relied on “mere conjecture.”

### **Best practices for employers**

Employers should feel relieved that not every claim of discrimination will make it to a jury. In this case, the employer’s practice of keeping clear documentation of performance and attitude issues set the dealership up for success on summary judgment. Employers should remember that documentation of disciplinary and coaching issues may provide evidence in a later lawsuit. On the other hand, the dealership’s mostly homogenous workforce in this case illustrates the importance of a diverse and inclusive workforce to avoid discrimination lawsuits.

## Community Connections

By: Denise Reid, Community Relations

Tulsa is filled with incredible services and resources that TAHRA members may want to explore to help with their talent recruitment and development. Below are two programs that are locally grown programs to help service business and community needs.

**New U Program** is a six-week program to get valuable tools and insights to level up your life – whether that’s a fresh personal vision, a new level to your career, or both. Each session is in the evening, 90-minutes, and it’s a cohort model of training with 15-20 other individuals. Sessions include vision casting, self-discovery, self-assessment, professional development x2, and life mapping. Check out more via their website – [www.newutulsa.com](http://www.newutulsa.com). To keep up with classes, announcement, or updates follow New U Tulsa via social media at LinkedIn, Facebook, Instagram. You can also reach out to Aaron Wigham, Founder, Lead Facilitator, and Program Director for more information via email at [aaron.whigham@intulsa.com](mailto:aaron.whigham@intulsa.com).

**inTulsa** is a local program connecting talent to employers. They specialize in the Tech sector but have widened their scope to include companies providing skilled professional level opportunities in four areas of practice, Software & Engineering, Sales & Business Development, and Operations. There are services for “Career Seekers” and “Businesses”. To learn more visit their website at [www.intulsa.com](http://www.intulsa.com).

## Welcome new members!

Paula Pinezi Capuano Goncalves  
Trisha Alexander - ChampionX  
Brooke Posey - The People Perspective  
Jen Boren - Fine Airport Parking  
Evan Jewsbury - Tulsa Community College  
Rachelle Caldwell - The Galley  
Tracy Scott - Tulsa City-County Library  
Brandy Bousquet - Matrix PDM  
Jennifer Vance - Trece Inc.  
Andrea Pemberton - Arrowhead Consulting  
Gary Best - Cherokee Federal

Tori Whaley  
Claudine Peacock - Endeavor Business Media  
Lynette Fleck - Phillips 66  
Donna Watson - Tri County Tech  
Stephanie Jones - Northeastern State University  
Luciano Hernandez - Muscogee (Creek) Nation Casinos  
Marcia Keesee - CREOKS Behavioral Health  
Christin Akers - SIGMA STRETCH FILM  
Nancy Roberts - HireCall  
Phillip Black - CREOKS Behavioral Health  
Michelle Eaton - BattleCreek Church  
Reyah Marie Kissinger - Dunamis Auto Service  
Ashley Dale - Hideaway Pizza  
Diana Denny - Philos Hospitality dba Hospitality House of Tulsa  
Laura Marcum - AMETEK MRO  
Tanner Felts - INTRUST Retirement  
Rebecca Luper - BattleCreek Church  
Gayelynn Head - S&R Compression, LLC  
Cynthia Cunha - Halstead Coaching and Consulting  
Ashleigh Taylor - Cherokee Federal

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## SHRM Foundation Fundraiser Update

In order to assist the SHRM Foundation in elevating and empowering HR as a social force, we are doing two things:

- educating you on the various programs the SHRM Foundation has to offer that could help you and/or your employer, and
- start a FUN fundraiser! **Ace of Spades**. Susan McGinnis, TAHRA SHRM Foundation Chair will be selling tickets for \$1 each at every program meeting. After the presentation, a ticket will be drawn for a *chance* to pull the **Ace of Spades** out of a deck of cards for HALF THE POT! The other half will go to SHRM Foundation. If your card is **not** the Ace of Spades, it is eliminated from the deck thus increasing the odds at next drawing.
- At our July program meeting, we collected \$67 and the ace of spades was not picked. This money will be added to the pot at the August program meeting. Be sure to bring a dollar or two and buy tickets!

To learn more about the SHRM Foundation and their initiatives for employers, scholarships for HR pros and emerging pros or if you prefer to make a donation to the SHRM Foundation directly, you can do so by clicking the image below:

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Mark your calendar!



**Wednesday, August 10** - HRIS Meet Up Group  
**Wednesday, August 17** - Program Meeting followed by Supervisor Training  
**Thursday, August 25** - Learning Lab

**Thursday, September 15** - 50th Anniversary Celebration

Thank you to those of you who completed our TAHRA Member Survey. We are reviewing the final data for updates and changes.  
 Congratulations to Lance Hendricks! He is the lucky winner of the gift card drawing.

[Calendar](#)

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