



Employer's **Leading Edge**

Volume 1, Issue 1

Strategic HR Partners

An employers membership association providing Human Resource products and services critical to companies of all sizes.

Recruit, develop and retain your company's greatest asset, **your people.**

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About Strategic HR Partners

Strategic HR Partners is a regional non-profit membership association for employers that provides a complete range of Human Resource products and services. Many services are included in the cost of membership. Additional products and services are available at affordable rates to members.

In addition to services and products delivered by SHRP, there are products and services offered to member companies by prominent national, regional and local companies who have formed an alliance with SHRP.

Member companies are represented by CEOs, Company Owners, and human resource professionals.

Strategic HR Partners offers HR products, services and consulting, including:

Human Resource Services
Providing HR consultation,

audits, policy & procedure manuals, employee handbooks, investigations, reference checking, Affirmative Action plans, OSHA safety inspections, job safety analysis, and exit interviews.

Organizational Development
Assisting employers with executive recruitment and organizational development, corporate culture assessments, cultural transformation, strategic and succession planning, as well as team and career development.

Surveys
Providing wage, salary, policy and benefit surveys, policies and procedures surveys, employee attitude surveys, customer satisfaction and cultural assessments.

Training and Development
Offering supervisory training, customized training, workshops, one-on-one training, harassment and diversity training, positive

employee relations, union avoidance, and a wealth of online courses covering every aspect of HR function. All of the training provided, including online, is certified by the Human Resource Certification Institute.

Leadership Development
Perform executive assessments, executive coaching, and team building.

Continuous Process Improvement
Specialize in Total Quality Management and Six Sigma, to bring continuous quality to the workplace.

Compensation and Benefits
Providing job descriptions, evaluations, pay and performance management, executive compensation, incentive and team-based variable compensation, benefit plan design, compensation design, administration and analysis.



Charles Little, President and Chief Executive Officer of Strategic HR Partners is a graduate of the University of South Carolina with a degree in Industrial Psychology and certified as a Senior Professional in Human Resources (SPHR). Prior to his current position, he spent 16 years at the executive level in Human Resources working in companies ranging in size from

\$100 Million to \$43 Billion in annual sales. Included in these companies were The Kroger Company and O-Cedar Brands, Inc.

His "hands on experience" at the senior level in Human Resources includes: Strategic Planning, Organizational Development, Succession Planning, Executive Recruitment, Compensation & Benefits, Training & Development, Employee Relations, Labor Relations, Performance Management, Human Resource Metrics and Continuous Improvement in consumer products, food and beverage, textiles, plastics, electronics, and pharmaceutical management

service companies.

A three time graduate of Philip Crosby's Quality College, he is a recognized expert in process improvement management, human resources and human resource measurement, having led total cultural change initiatives in 3 major companies.

An executive coach and certified Myers Briggs Personality Indicator administrator.

Member of Society for Human Resource Management (SHRM), American Society for Quality, and ASTD (American Society for Training and Development).



Kathy Delffs, Senior Vice President of Operations, is a graduate of Columbus State University holding Bachelor of Science degrees in both Business Administration and Applied Computer Science, and certifications as Senior Professional in Hu-

man Resources (SPHR) and Corporate Financial Management (CFM).

Prior to joining Strategic HR Partners, Kathy worked for 30 years in the public and private sectors in both Human Resources and Information Technology for organizations with workforces ranging in size from 160 to over 6,000 employees. Her experience includes the following industry sectors: insurance, financial services, medical, and federal government for Civilian Personnel

Fort Benning, AFLAC, W.C. Bradley, TSYS, and TIC Federal Credit Union.

Kathy's experience in Human Resources includes: Compensation and Benefits, Performance Management, Employee Relations, HRIS, Employment Law, Recruitment and Placement, Training and Development, and Strategic Planning.

She is recognized as an expert in Human Resources compliance and program development having implemented and admin-

istered major program enhancements for compensation and benefits while achieving efficiency in cost and administration. She has assisted companies in achieving compliance for EEO and ERISA and has instituted process improvements resulting in increased efficiency and improved service to employees and management. She has built close collaborative relationships with clients through openness, authenticity and fulfillment of commitments while consistently driving for results.

Employment Law Legislative Update

Are you ready for new legislation prohibiting sexual orientation discrimination and harassment? If not, you should because it is getting closer to becoming a reality. In a late-night vote on November 7, 2007, the U.S. House of Representatives passed the Employment Non-Discrimination Act of 2007 (ENDA) by a vote of 235-184. The bill now heads to the Senate where pundits forecast that it will be approved in some form. While a veto is expected from President Bush, the support in the legislature and a potential change in the White House suggest that it is just a matter of time before the ENDA is law.

As the bill emerged from the

House, three points are notable. First, as originally drafted, the ENDA also prohibited discrimination against transgender. However, in response to opposition, Rep. Barney Frank (D-Mass.) dropped the transgender protection. While the strategy worked, the transgender issue is not going away as thirteen states will have such legislation by January of 2008.

Second, similar to the Americans with Disabilities Act which prohibits discrimination against "perceived" disabilities in addition to true disabilities, the ENDA prohibits employers from discriminating against a person's "perceived" sexual orientation. Critics point to this facet as yet another oppor-

tunity for abuse in the legal system.

Third, in a last-minute concession, the ENDA provides an exemption for religious organizations (including religious schools). This exception is modeled after the exemption that religious organizations have under Title VII to discriminate based on religion. However, it is still unclear just how far the religious exception under the ENDA would stretch.

You might be surprised to learn that a bill to protect gay, lesbian, and bisexual employees was first introduced in 1975. While previous federal legislative efforts have all fallen short,

the landscape is changing quickly and we will have to wait to see how the story behind this latest push will play out in the next few months.

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"**Strategic HR Partners** has definitely filled a need in our community. Having certified Human Resource professionals on call to answer questions based on expertise and 'hands on experience' has been a 'God send' to my company.

Our Affirmative Action program that they created and the training that we received was invaluable. We are in the process of using their expertise to set up a formal performance appraisal and compensation program.

I recommend membership in Strategic HR Partners, to any company that wants to have the best when it comes to Human Resource products and services."

George E. "Tripp" Wade, III - President & CEO, Wade Linen Service and Wade Cleaners

Job Descriptions Are More Than Just a Piece of Paper

Businesses that have more than a few workers employed in several different positions need job descriptions. To be practical, a job description should not account for every task that might ever be done or try to fulfill every obscure need that could arise. Content can vary according to the nature of the business and the kinds of work done, but the following content provides a lean, practical job description for most companies:

- **Heading information:** job title, pay grade or range, department, reporting relationship (by position, not individual), designation of hours or shifts and likelihood of overtime or weekend work.
- **Summary statement of the job:** condensed responsibilities and overall description of key tasks and their purpose; relationships with customers, co-workers and others and results expected of incumbent employees.
- **Qualifications:** the education and experience necessary for entry into this job, often expressed as a two-level requirement, including minimum acceptable and desired education and experience.
- **Special demands:** any extraordinary conditions applicable to this position (i.e., heavy lifting, exposure to temperature extremes, prolonged standing, etc.).
- **Job Duties and Responsibilities:** identify tasks that com-

prise 90 to 95% of the work done in the order of time consumed (or importance) of each. When a job description considers how much of each task must be done and how well it should be done, it can directly support performance evaluations. The strongest and fairest evaluations are based on how well an employee performs duties outlined in a job description.

Job descriptions may be a hassle to write, but doing so may be the most important thing that you do for your company. Job descriptions are important for hiring, setting goals for your business, and for providing a defense between you and your employees by clarifying what you expect from them so they don't misunderstand your intentions. One of the biggest mistakes companies make in regard to job descriptions is not keeping them up to date. A job description needs to be a living document. Suggestions for writing and updating job descriptions are:

- **Keep it clear, concise and accurate.** Make sure that the tasks, duties and responsibilities in the job description mirror what the employee will actually do and reflect what you expect from the employee. To comply with ADA requirements, be sure to specify any physical, ergonomic or environmental aspects of the job.

Prioritize. The job description should not be a laundry list of necessary requirements for a position. It should reflect priorities. The first few tasks listed should be the most important and time-consuming ones, and the rest should follow from there. If you have classified the employee as exempt, ranking duties is crucial to show that the employee spends the majority of their time on work requiring independent judgment.

Allow for Flexibility. The higher the role in the organization the more important it is to indicate a freedom to act. The flexibility you give employees will motivate them to grow and contribute.

Revise as often as necessary. Know which employees are taking on new tasks and responsibilities and revisit their descriptions either annually or every six months. It is also advisable to include the employees in reviewing and re-writing their job descriptions. No one knows a job better than the person who does it every day.

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Marybeth Hopkins, PHR, Past President of Columbus, Georgia SHRM chapter, and V.P. of Administration for Alexander Electric Company, commented,

"You have already earned the membership fee we paid you by giving us critical advice on how to complete the new EEO-1 report and it's associated documentation."

Call today to enroll and receive complimentary services for your company!

Why Choose Strategic HR Partners?

- Knowledgeable, certified, local HR professionals with a combined 60 years of HR experience in diverse industries
- Cost effective resource for employers and HR professionals
- Compliance and employee relations advice
- Insight into other local employers' practices
- Vast knowledge of state and federal regulations
- Member of the National Employers' Association Group serving more than 7 million employees





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Reduce Employment Related Risks

Hire the Best Employees

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Call us Today to Protect Your Company's Greatest Asset...

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Managing Religious Accommodation Issues

A recent case from the Eleventh Circuit reminds us that navigating the minefield of religious accommodation issues can be difficult but manageable. In Morrisette-Brown v. Mobile Infirmiry Medical Center, a Seventh-Day Adventist claimed her employer did not reasonably accommodate her "deep religious convictions" which prevented her from working Friday or Saturday shifts. The employer ultimately prevailed by showing that it had a neutral rotating shift system and that it provided the employee the opportunity to swap shifts with her co-workers.

The basic framework of religious accommodation cases requires the employee to prove: 1) a genuinely held religious belief, 2) that the employer was notified of that

belief, and 3) a request for an accommodation of that belief. The burden then shifts to the employer to prove that its failure to accommodate the request was necessary because doing so would create an undue hardship.

There are three general rules to remember when faced with a request for an accommodation of an employee's religious beliefs. First, no matter how strange a particular "belief" may seem to you, courts have been extremely reticent to find an individual's religious beliefs are phony. Do not simply ignore a request because of questions about the sincerity of the belief.

Second, just saying "no" is a recipe for disaster. While the law does not mandate that you honor the employee's most

desirable accommodation, a good faith effort to accommodate is required and open dialogue is encouraged.

Third, each request for religious accommodation will turn on the specific facts. There is no one-size-fits-all answer for these situations. Sometimes even small differences in facts can lead to substantially different outcomes.

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Register for the HR Forum!

February 27, 2008

Columbus, Georgia Convention and Trade Center
8:00 am - 12:00 pm
Registration starts at 7:30 am

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Cost for program:

Member Companies - \$50 per person
SHRM Members - \$125 per person
All Others - \$200 per person

Pay by cash, credit card, or check (made payable to Strategic HR Partners).

To register or for more information:

(706) 561-2465 • (866) 561-2465 • www.strategichrpartners.com

Immigration and Nationality Act (INA)

The Immigration and Nationality Act (INA) includes provisions addressing employment eligibility, employment verification, and nondiscrimination. These provisions apply to all employers.

Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). Employers must keep each I-9 on file for at least three years, or one year after employment ends, whichever is longer. The form I-9 must be completed for each new hire within three days of employment as specified in the act. The INA protects U.S. citizens and aliens authorized to accept employment in the U.S. from discrimination in hiring or discharge on the basis of national origin and citizenship status.

Employers who fail to complete and/or retain the I-9 forms are subject to penalties. The Department of Homeland Security (DHS) enforces the INA requirements on verification of employment eligibility. The Department of Justice's (DOJ) Office of Special Counsel for Immigration Related Unfair Employment Practices enforces the anti discrimination provisions. As part of their ongoing enforcement efforts, the ESA's Wage and Hour Division and Office of Federal Contract Compliance Programs conduct inspections of the I-9 forms. They report their findings to DHS and to the DOJ where disparate treatment or

unauthorized employment is apparent. U.S. Immigration and Customs Enforcement (ICE) have stepped up efforts to combat the unlawful employment of illegal aliens in the United States over the past few years. ICE's comprehensive strategy for effective worksite enforcement is aimed at promoting national security, protecting critical infrastructure and ensuring fair labor standards. Under this new strategy, ICE is targeting unscrupulous employers of illegal aliens, seeking to initiate criminal prosecutions and cause asset forfeitures. ICE believes that the serious nature of these actions on culpable individuals will be a more sufficient deterrence to those who may not share the goal of fostering a sound and legal workforce.

The best measure of this new strategy lies in the number of arrests ICE has made for criminal violations in worksite enforcement investigations. Those arrested include a variety of persons—corporate officers, employers, managers, contractors and facilitators. These arrests also include illegal aliens charged with criminal violations. Aliens have been charged with possession and/or distribution of fraudulent documents, re-entry after deportation or entry without inspection.

Another measure of ICE's new strategy lies in the number of illegal aliens arrested on administrative immigration violations during worksite enforcement investigations. Administrative immigration arrests generally refer to illegal alien workers who are unlawfully present in the United States. Every year, the Social Security Administration (SSA) informs

thousands of employers via a "no-match" letter that certain employees' names and corresponding Social Security numbers provided on Form W-2 do not match SSA's records. Out of approximately 250 million wage reports the SSA receives each year, as many as four percent belong to employees whose names and corresponding Social Security numbers do not match SSA's records.

Through regulation, the Department of Homeland Security (DHS) is reiterating that employers remain accountable for the workers they hire and clarifying the steps employers should take to resolve mismatches identified in letters issued by SSA. The DHS regulations provide guidance that will help employers comply with legal hiring requirements by outlining specific steps they should take under immigration law when they are notified that employees' names or corresponding Social Security numbers as provided on Form W-2 do not match SSA records.

There are many reasons for a mismatch between employer and SSA records, including transcription errors and name changes due to marriage that are not reported to SSA. Employers should not assume that the mismatch is the result of any wrongdoing on the part of the employee. Moreover, an employer who takes action against an employee based on nothing more substantial than a mismatch letter may, in fact, violate the law.

The DHS regulations and the ICE letter describe with specificity what steps employers

should take upon receipt of a no-match letter: 1) verifying within 30 days that the mismatch was not the result of a record-keeping error on the employer's part; 2) requesting that the employee confirm the accuracy of employment records; 3) asking the employee to resolve the issue with SSA; 4) if these steps lead to resolution of the problem, follow instructions on the no-match letter itself to correct information with SSA, and retain a record of the verification with SSA; and 5) where the information could not be corrected, complete a new I-9 form without using the questionable Social Security number and instead using documentation presented by the employee that conforms with the I-9 document identity requirements and includes a photograph and other biographic data. Employers unable to confirm employment through these procedures risk liability for violating the law by knowingly continuing to employ unauthorized persons.

In the past, administrative fines often proved to hold little deterrence value for violators. Many employers came to view these fines as simply the "cost of doing business." Administrative fines were ignored, not paid in a timely matter or mitigated down over several years. ICE has dramatically increased the amounts of criminal fines and forfeiture over previous years of administrative fines alone.

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HR Forum

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To register or for more information:
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Immigration and Nationality Act (INA) cont.

During the three quarters of FY 2007, ICE has obtained criminal fines, restitutions, and civil judgments in WSE investigations in excess of \$30 million.

In criminal cases, ICE is often pursuing charges of harboring illegal aliens, money laundering

and/or knowingly hiring illegal aliens. Harboring illegal aliens is a felony with a potential 10-year prison sentence. Money laundering is a felony with a potential 20-year prison sentence. ICE has found these criminal sanctions to be a far greater deterrent to illegal

employment schemes than administrative sanctions.

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