



Newsletter

Chesapeake Professional Women's Network, Inc.
Building Relationships. Growing Businesses.

WELCOME ..

Volume 1 Issue 3

June 2008

to the all new
E-Newsletter!
We welcome your
input and ask that
you send any
feedback to the
editor at
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THIS MONTH'S
FOCUS IS ON...

EMPLOYMENT
PRACTICES

CPWN Member News

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The Chesapeake
Professional Women's
Network

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The CPWN Newsletter
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CPWN
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HONORABLE ANGELA M. EAVES

Judge Angela M. Eaves was born in the Republic of Panama and moved to the United States in the early 1960's. The second of four children in a military family, she was educated in the public schools in the State of Texas and graduated in 1986 from the University of Texas School of Law and the Lyndon B. Johnson School of Public Affairs in Austin, Texas. Upon obtaining her juris doctorate and master's degrees, Judge Eaves practiced law with the Dallas City Attorney's Office. After moving to Maryland in 1989, she continued her legal career in Maryland with the Legal Aid Bureau, Inc. in Harford County, and then with the Office of the Maryland Attorney General in Baltimore, Maryland.

In December 2007, Judge Eaves was appointed to the Circuit Court for Harford County, Maryland after serving seven years on the District Court of Maryland. She is the first African-American and second woman appointed to a judgeship in that county, and the first to serve in either capacity on the circuit court. Judge Eaves currently serves on several statewide judicial committees and chairs the Domestic Violence Subcommittee. Her civic work includes serving on the boards of several civic and nonprofit organizations in Harford County, including the United Way of Central Maryland Partnership, Court Appointed Special Advocates, and the Upper Chesapeake Medical Center. And, she has been honored for her volunteer activities by being selected as one of

the Associated Black Charities Living Legends for 2007, one of Fairview AME Church's Phenomenal Women of 2001, a Woman of Distinction for 2000 by the Bel Air Soroptimist International Club, and the recipient of the 1996 Attorney General's Pro Bono Award.

As part of her personal creed, Judge Eaves is committed to serving the citizens of Harford County and Maryland impartially, fairly and respectfully. To do anything less would dishonor the judiciary and the principles upon which our legal system was formed.



Sponsor: Chesapeake Publishing—Suzanne Streeter

Nearly 1 Million people living in Maryland and Delaware read Chesapeake Publishing's community newspapers every week.

You will find Chesapeake Publishing's newspapers and printing operations striving to meet the needs of readers, advertisers and printing clients from the eastern shore of the Chesapeake Bay to university towns like Newark, De.; and in traditional farm communities like Denton, Md. Chesapeake Publishing has a strong commitment to community journalism.

We publish quality community newspapers that are among the best in the nation. We provide leadership within the communities our newspapers serve, recognizing that strong communities deserve strong newspapers. We are the primary source of local information in our communities for government news, civic affairs, social events, business, sports and leisure activities. We are a positive economic force, assisting advertisers in promoting their goods and services to customers and readers.

2008 Fashion Show Update

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In other news ... our retailers are in place:

- Talbot's, Heartbeat, Priceless Moments Bridal (CPWN Member) and Pink Silhouette
- Accessories by: Two Sisters (CPWN Member) Hair and Makeup: Jordan Thomas Salon

We are in the process of printing the raffle tickets:

- Tickets are: 1 for \$1.00 and 6 for \$5.00. Prizes as follows:
- First Prize – weekend for two at The Inn at Perry Cabin in St. Michael's. Includes a two night stay in a deluxe guest room. Breakfast each morning. Three course dinner at Sherwood's Landing. Two 50 minute spa treatments and a "Record Your Memories" gourmet gift basket.
- The Second Prizes are so great we have two of them:
- Sterling Silver Amethyst Cuff Bracelet (purchased from CPWN member) and Dinner at Fogo de Chao with 6 hour limo service covering trip to and from Baltimore. Fogo de Chao is a new Brazilian restaurant.
- We will start selling raffle before the event in October at our regular monthly meetings.
- We will sell raffle tickets the evening of the event.
- Tickets for the event are on sale now. Log on to www.cpwnet.org and click on the Icon On the home page for more info on ticket sales, ad space, silent auction.

See Fashion Show Committee members for more information or contact Ann Davidson At: adavidson@key-title.com or Patty Desiderio at: pattygiftbaskets@comcast.net.

Ann Davidson and Patty Desiderio
2008 Co-Chairs Fashion Show



EVENT CHECK IN

For record keeping purposes, please remember to check in at all events, even if you have pre-paid.

Americans with Disabilities Act

Employers are required, in certain circumstances, to provide reasonable accommodations for qualified individuals with disabilities. The [Americans with Disabilities Act](#) (ADA) requires employers to provide reasonable accommodations to enable disabled persons to perform the essential functions of a job for which they are applying or in which they are working. That must be done unless it would impose an undue hardship on you.

What is a reasonable accommodation?

Generally, an employer is obligated to make a reasonable accommodation only for an employee or applicant's known or obvious disability. The ADA places the initial burden on the employee to inform you of a need for an accommodation. The employee is required only to suggest the existence of a plausible accommodation, the costs of which don't clearly exceed its benefits.

A reasonable accommodation must be examined on a case-by-case basis to determine whether it will be effective and whether it will constitute an undue hardship. You should start the accommodation process by discussing it with the disabled employee.

Accommodations can range from making existing facilities accessible to job restructuring, acquiring or modifying existing equipment, or reassignment to a vacant position. The employee with a disability must be provided with the tools and environment to enable him or her to accomplish the job.

Basic responsibilities of individuals with disabilities

An individual may use "plain English" and need not mention the ADA or use the phrase "reasonable accommodation" when re-

questing an accommodation. That doesn't mean, however, that you are required to provide the change, it is merely a first step.

Employer response to a request for reasonable accommodation

After receiving a request for a reasonable accommodation, the employer and the individual should engage in an informal process to clarify what the individual needs and to identify the appropriate reasonable accommodation.

Generally, an employer must not ask whether a reasonable accommodation is needed when an employee has not asked for one. You should initiate the reasonable accommodation interactive process, however, without being asked to if you: (1) know the employee has a disability, (2) know or have reason to know that the employee experiences workplace problems because of the disability, and (3) know, or have reason to know, that the disability prevents the employee from requesting a reasonable accommodation.

Undue hardship

You may refuse to grant an accommodation to an employee or applicant if the requested accommodation isn't reasonable or would cause an undue hardship on your business. Undue hardship refers not only to financial difficulty, but also to reasonable accommodations that are unduly extensive or disruptive or those that would fundamentally alter the nature or operation of the business.

www.hrhero.com

WHY DOCUMENT?

Good documentation is important for many reasons. One of the most important is that when supervisors and managers generate even as much as handwritten notes, they're creating potential litigation exhibits that could have significant consequences down the road. Frankly, good documentation can mean the difference between winning and losing an employment-related lawsuit.

for example, good documentation of a pattern of poor performance and discipline can establish that an employee's firing wasn't related to discrimination based on race, sex, age, religion disability, or national origin. An employer may have a much more difficult time proving that without such documentation.

Good documentation also can make employment-related claims less of a headache. For example, the Equal Employment Opportunity Commission (EEOC) and other agencies often ask employers during investigations to provide documentation of performance issues involving both the employee who filed the charge and other employees who have had similar issues. Again, the presence of such documentation may make the proceeding much easier to defend.

The absence of such documentation may prompt an agency to dig deeper, push to interview witnesses, or take other measures designed to elicit information that it expects should have been documented or find out the reasons for the absence of documentation.

Documentation also is critical because memories aren't perfect. Remembering a specific performance issue involving one of a hundred employees months or even years ago isn't easy. Moreover, because the unfortunate reality is that we live in an increasingly litigious society, an employee may deny that the performance issue ever happened and leave the employer in a "he said, she said" situation when trying to justify a personnel decision.

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CPWN MEMBER BENEFITS

Monthly meetings to network and promote your service or product.

Advertising in our online membership directory with website and e-mail links.

Varying meeting dates, times, and locations to meet your busy schedule.

Topical speakers on issues pertaining to women and business.

Opportunities for women to support and mentor each other in both business and personal aspects of our lives.

Special events & Meeting Sponsorship

A monthly newsletter with calendar of events, networking tips, member updates, and articles of interest.

Membership Dues: \$85

Meeting Sponsorship: \$100 plus door prize

Workplace Blogging

What started as online journals kept by a few people at their leisure and posted online for public viewing, have become a new way of communicating for people and businesses. Blogs (short for web log) have changed from people merely writing about their lives to focusing on specific topics that can turn personal when desired, but are intended to be more informative or gossipy than introspective or cathartic. The fact that nearly every major news outlet devotes a section of its website to the blogs of people inside and outside the organization is evidence of their functionality and significance.

Many companies have remained blog-friendly to personal blogs despite the potential for disaster they wield. Blogs can foster interoffice communication and can be a highly effective, inexpensive means of mass marketing. On the other hand, any employee with a computer can be easily distracted from work by posting personal opinions or reading blogs during company time. As a result, productivity and performance can suffer. The potential for trouble significantly increases when your office blogger -- on or off the clock -- starts posting content on the Web.

Unlike traditional print media, blogs have no external checks or balances. Angry and disgruntled employees have much to say about their employers, often factually inaccurate, and now have an audience of potentially millions of readers. They may think that writing under a pseudonym gives them anonymity, so they leave nothing to the readers' imagination while venting their workplace frustrations online. They may post comments that disparage your company, defame your company's image, harass other employees, or leak your company's trade secrets and other sensitive information.

Because blogs have the potential to reach a worldwide audience in an instant, your office blogger's antics could have an immediate and disastrous effect on your company's business. Wells Fargo, Google, Delta Air Lines, CNN, and a long list of other major companies have already fired or disciplined employees for what they said about work on blogs.

Policy decisions

If your company decides to implement a workplace blogging policy, you should consider the following:

- Limit blogging that interferes with work commitments, or prohibit blogging during work time (or other specified hours).
- Prohibit employees from disclosing any information that's confidential or proprietary to the company or any third party that has disclosed information to the company, including concepts or developments that the employees produce related to the company's business. Refer employees to your company's policy for guidance on what constitutes confidential information.
- Inform employees that the company may request that they temporarily confine their website or blog commentary to topics unrelated to the company if you believe that it's advisable or necessary to comply with securities regulations or other laws.

Caution employees that a breach of the blogging policy could result in discipline up to and including termination.



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UPCOMING EVENTS

July 8, 2008

Speaker: Judge Angela Eaves
Maryland Golf & Country Club
11:30 AM—1:30 PM
Mbrs \$20, Non Mbrs \$25

August 12, 2008

Networking Event
Open Door Café
8:00 AM—10:00 AM

rsvp at www.cpwnet.org or 410-297-9722
Deadline is Friday before the event at Noon.

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INTERVIEWING DO's & DON'T's

The potential for liability at the interview stage in the hiring process is tremendous. Under Title VII of the Civil Rights Act of 1964 and other federal and state laws, it's illegal to discriminate against applicants on the basis of race, color, sex, religion, national origin, citizenship, disability, and age. Some states have even more protected categories, such as sexual orientation and marital status.

Consequently, any question — regardless of the interviewer's intent — on any of those topics should be avoided to ensure that an inference of discrimination isn't raised when an applicant is rejected. A stray comment by the interviewer that offends an applicant can spell big trouble.

Here are some do's and don'ts for successful interviewing and avoiding legal trouble.

Interview do's

Provide training to the employees who will be conducting interviews. In addition to guidance on how to conduct interviews, employees who will be interviewing job candidates should be informed about the appropriate subjects for inquiry and topics to avoid.

Ask the same questions of all interviewees. By asking the same questions of all applicants, you can avoid a claim that any one particular individual was singled out because of a protected characteristic.

Limit questions to job-related areas. Interview questions should focus on the education, experience, and abilities of the applicant and her suitability for the position.

Maintain detailed, careful notes. Notes taken during the interview should be objective, detailed, factual, and concise. Avoid gratuitous comments unrelated to the applicant's experience and qualifications for the position. Always keep in mind that notes created during the interview process can and will be provided to the applicant if a lawsuit is filed later.

Interview don'ts

Avoid promises. An interviewer shouldn't make any promises. Simple comments about the hiring process or job security may later bind the employer.

Avoid questions or comments about an applicant's disability. Don't ask about medical conditions, past hospitalizations, past medical, psychiatric, or psychological treatment. Don't ask about prescription drugs or medications or the number of days he was sick during his previous employment. You may, however, legitimately ask about his general history of absences. You may ask whether he's able to perform the job, with or without reasonable accommodation when he has an obvious disability or when all applicants are asked the same exact question. Also, if an applicant's disability is obvious or he volunteers that he has a disability and you reasonably believe an accommodation will be needed, you may ask him if he needs a reasonable accommodation.

Avoid questions or comments about an applicant's history of workers' comp injuries. Don't ask an applicant whether she previously was injured on the job. Don't ask an applicant whether she previously filed a workers' comp claim.

Avoid questions or comments about an applicant's race, national origin, age, religion, military status, gender, marital status, physical attributes, or sexual orientation. Don't ask whether English is an applicant's first language. If fluency in a particular language is a required job responsibility, however, you may inquire about an applicant's ability to speak, read, and write the language. In addition, you should avoid questions or comments about pregnancy, family plans, number of children, and child-care arrangements.

Avoid questions or comments about an applicant's arrests. The Equal Employment Opportunity Commission (EEOC) takes the position that such inquiries have a disparate impact on minorities. If relevant to a particular position, you may investigate an applicant's criminal convictions.