



# 2018 NESD SHRM Holiday Social: Food, Fun & Games!

Join us to celebrate the festive holiday season with fun games, great networking, delicious hors d'oeuvres and our 2019 Board Elections!

**Tuesday, 12/11/2018**

**4pm—6pm**

**2nd Street Station, Watertown**

Plus, we will be announcing the HR Professional of the Year. You will not want to miss this event!

**FREE** to NESD SHRM Members  
\$20 for Non-NESD SHRM Members

To RSVP, visit <http://nesd.shrm.org> by **Friday, 12/7/2018**.

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- *Workplace Harassment*
- *Congratulations*
- *Honest HR Podcast*
- *SHRM Leaders' Summit*
- *And much more ...*



# One Year After #MeToo and 'Weinstein Effect': What's Changed?

**The October 2017 news article detailing accusations of sexual assault and harassment against movie mogul Harvey Weinstein boosted the #MeToo movement into the nation's awareness. What's different in the workplace today?**

**October 4, 2018**—A year ago Friday, *The New Yorker* expose on movie mogul Harvey Weinstein's behavior unleashed a media earthquake when several Hollywood actresses accused him publicly of sexual harassment and sexual assault. The rumblings included news of payoffs made over two decades to silence his accusers.

There was a seismic shift as more individuals offered similar tales, their accusations sending powerful people, mostly men, tumbling in disgrace from high-profile jobs. Marches such as Take Back the Workplace and social media movements like #MeToo gave voice to victims of sexual harassment, sexual abuse and predatory behavior. The news became water cooler fodder.

Even Supreme Court justice Ruth Bader Ginsburg disclosed her own experience of sexual harassment as a law student.

A majority of Americans said sexual harassment in the workplace is a serious problem, and nearly two-thirds said men who engage in this behavior usually get away with it, according to a *Washington Post* survey. HR came under fire for seeming to look the other way or ineptly handling the issue at their organizations.

## Has There Been a Sea Change?

So what—if anything—has changed since last year?

Nearly one-third of 1,034 executives said they have changed their behaviors to a moderate, great or very great extent to avoid behavior that could be perceived as sexual harassment, according to new research the Society for Human Resource Management (SHRM) released today. About one-fourth of 1,022 managers said they have changed their behaviors.

They are seeing the damage sexual harassment can create throughout an organization. Twenty-three percent attributed lowered morale and decreased engagement to sexual harassment, 18 percent said it affected productivity and 15 percent believed it created a hostile work environment. SHRM's findings are from data collected in January.

"Having a third of executives reporting changed behavior is significant," said Johnny C. Taylor, Jr., SHRM-SCP, president and CEO of SHRM. "Yet, we can't let the pendulum swing too far. Organizations must be careful not to create a culture of 'guilty until proven innocent' and we cannot tolerate other unintended consequences."

An uncertainty of what constitutes sexual harassment has made some men uncomfortable around female co-workers and wary about how to navigate changing workplace dynamics.

"One troubling trend," Taylor said, "is executives going as far as to not invite female colleagues on trips, to evening networking events or into their inner circles to avoid any situation that (*continued on next page*)

## One Year After #MeToo and 'Weinstein Effect': What's Changed? (continued from previous page)

could be perceived incorrectly, thus reducing the opportunity for women."

There also can be legal repercussions. The number of sex discrimination claims and sexual harassment complaints filed with the Equal Employment Opportunity Commission (EEOC) has risen. Among filings in fiscal year 2018, 41 included sexual harassment claims. In fiscal year 2017, sexual harassment claims accounted for 33 filings.

"Given the EEOC's limited resources and the broad range of legal claims and protected categories for which the agency is responsible, a jump of 25 percent in any one legal claim is, in most employers' view, remarkable," said Christopher DeGroff. He is an attorney at labor and employment law firm Seyfarth Shaw in Chicago.

"The dramatic increase in filings should be an eye-opener for employers," he blogged. The EEOC is increasing its enforcement activity with a particular focus on sex discrimination and sexual harassment.

"The EEOC still strongly advises employers should update, and aggressively enforce, their EEO policies. Now, more than ever, employers need to be on top of their game to avoid becoming the next target of EEOC-initiated litigation."

Whether employers have bulked up their anti-harassment training and discipline processes depends on who you ask.

Only 10 percent of 1,512 adults working in the U.S. said their organizations added more anti-sexual harassment training or resources, according to a Harris poll conducted in February and March.

But more attention has been paid to the quality of the training, with an emphasis on role-playing scenarios and different types of training for managers compared to non-managers. Training also has been mandated in some locales.

To read more of this article, google the title of it and read on about Legislative Action.

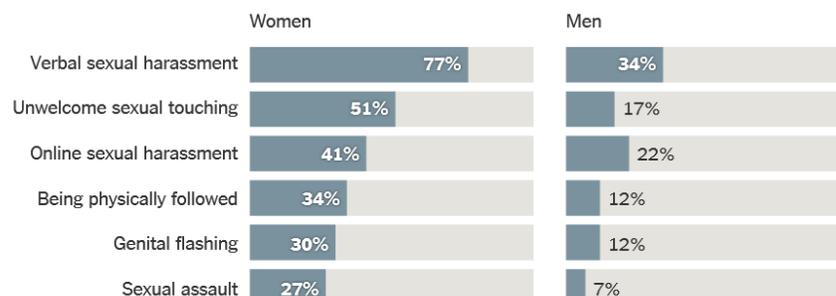
*Source: Kathy Gurchiek via SHRM.org (online article)*

## Numbers Hint at Why #MeToo Took Off: The Sheer Number Who Can Say Me Too

**February 21, 2018**—A new national online survey conducted in January seeking a comprehensive picture reported that 81 percent of women and 43 percent of men said they had experienced sexual harassment or assault over their lifetimes — higher than most other studies and polls have suggested.

### What Happened, and to Whom

Percent who say they have experienced:



To read the full article, visit The New York Times online at <https://www.nytimes.com/2018/02/21/upshot/pervasive-sexual-harassment-why-me-too-took-off-poll.html>.

*Source: Susan Chira via nytimes.com (online article)*

# EEOC Drops Hammer on Workplace Harassment

**August 10, 2018**—The U.S. Equal Employment Opportunity Commission (EEOC) filed lawsuits this week alleging workplace harassment by seven employers across the country.

Among the suits filed, five allege sexual harassment and two allege racial harassment. One of the seven suits also alleges harassment based on national origin. Five claimed retaliation against employees for reporting harassment.

The litigation involves workers at country clubs, cleaners, sports bars, airlines, health care facilities and grocery stores.

Workplace harassment makes up about one-fourth of the charges the agency has filed in recent years, according to EEOC Acting Chair Victoria A. Lipnic. Among the 80,000 to 90,000 discrimination charges the agency receives annually, almost one-third include an allegation of harassment.

*SHRM Online* has collected the following articles from its archives and other news outlets about the workplace harassment claims made against employers.

## 'Me, Too' Evidence in Sexual-Harassment Suit Is Allowed

The California appellate court reversed a jury verdict in favor of a manager because the trial court refused to admit "me, too" evidence in an employee's sexual-harassment lawsuit against a co-worker.

The evidence—that the defendant had acted inappropriately toward several female workers other than the plaintiff—was relevant, and the jury should have been allowed to consider it, the California Court of Appeal ruled.

## Employees Secretly Record Managers for Litigation

As smartphones have become common, employees are recording work conversations without employers' knowledge or permission in preparation for discrimination, sexual harassment and whistle-blower lawsuits. State and federal laws limit employers' ability to prohibit recordings, but the Trump administration has loosened federal restrictions.

"A recording of sexual harassment or a discriminatory comment can be very powerful evidence and damaging to the employer," said Jay Holland, an attorney with Joseph Greenwald & Laake in Greenbelt, Md.

## Men Account for Nearly 1 in 5 Complaints of Workplace Sexual Harassment with the EEOC

Sexual harassment is not limited to women. Many men are targeted for their gender identity or for not being sufficiently masculine, said Jennifer Berdahl, a professor at the Sauder School of Business at the University of British Columbia. She studies sexual harassment and gender stereotypes in the workplace.

In one case brought by the EEOC, a New Orleans construction company in 2014 ultimately agreed to pay \$125,000 in compensatory damages in a consent judgment ending five years of litigation, including multiple appeals, to a former ironworker. The plaintiff's attorneys said the man was targeted for not meeting the gender stereotype of a "rough ironworker."

## Boeing Employee Wins Racial harassment, Discrimination Lawsuit Against Company, Which Has 5 Lawsuits on the Way

In July, a jury found Boeing guilty of having a hostile work environment, failing to *(continued on next page)*

## ***EEOC Drops Hammer on Workplace Harassment (continued from previous page)***

prevent harassment, and being negligent in its hiring, supervision or retention of employees—and ordered the aerospace behemoth to pay the plaintiff \$350,000 in damages.

During the five-day trial in U.S. District Court in Los Angeles, the man, who is black, and a series of corroborating witnesses described a series of racist jokes levied at the 18-year Boeing employee's expense. When he told supervisors of the harassment, they did not report it or follow up on it. Boeing, according to court transcripts, never denied the allegations — but argued the plaintiff did not follow company procedures for filing complaints.

## **Sexual Harassment Claim Ordered to Proceed to Trial**

A Dollar General employee who complained that her supervisor solicited sex from her and sent her lurid text messages had a sexual harassment claim that could go to trial because a district manager did not react promptly to her complaints, the U.S. District Court for the Northern District of Mississippi held.

## **EEOC Focuses on Preventing Workplace Harassment**

Earlier this year, employment law firm Littler issued its seventh annual report on EEOC developments, analyzing the agency's activities and strategies during fiscal year 2017 and anticipating trends for the next year.

"The commission believes a concerted effort to promote holistic prevention programs, including training and outreach, will greatly deter future violations," the agency stated in its latest strategic enforcement plan.

*Source: Kathy Gurchiek via SHRM.org (online article)*



**When employees respect each other and get along in the workplace, it's amazing how productivity increases, morale increases and employees are more courteous to customers.**



# SHRM Volunteer Leaders' Summit: a trip to Washington, DC

Several members of the SoDak SHRM State Council and of South Dakota local chapters attended SHRM Volunteer Leaders' Summit in Washington, DC from November 14th—17th, 2018. The Summit consists of three days of speakers and break-out sessions, as well as Advocacy Day. Advocacy Day is a day for the SHRM Volunteer Leaders to travel to Capitol Hill to meet with the legislators from their respective states and discuss bills that will favorably affect employers and/or employees in their states. This year, those members from S.D. that attended got to meet with the offices of Senators Mike Rounds and John Thune as well as Congresswoman (and now Governor) Kristi Noem. They visited about several issues affecting the work place in S.D. and presented SHRM's positions on three proposals introduced to Congress for them to consider:

**1) Employer-Provided Education Assistance.** Section 127 of the Internal Revenue Code allows an employee to exclude from income up to \$5,250 per year in education assistance from his or her employer. This amount has not been increased in 40 years, and the cost of tuition has increased significantly since then. The federal government estimates that there are 44 million Americans with student loan debt totaling more than \$1.5 trillion. This proposal would increase the dollar limit of Section 127 and to include student loan repayment.

**2) Workforce Flexibility.** The H.R. 4219 Workflex in the 21st Century Act would amend the Employee Retirement Income Security Act (ERISA) to create a Qualified Flexible Work Arrangement (QFWA) plan allowing participating employers to follow a federal framework for paid leave, as opposed to the current conflicting patchwork of state and local laws that currently exists. This would particularly aid employers with locations in multiple states that often have differing employment laws. Employers can voluntarily opt in to the plan that also offers flexible work options to employees.

**3) Health Care.** Since the ACA (Affordable Care Act) went into effect in 2010, the average premium for health insurance on the individual market has increased over 150%. We asked for our representatives to support reforms that would strengthen and improve the employer-based health care system. We asked them not to table healthcare reform, as changes need to be made now.



NESD SHRM Attendees: Sheila Mennenga (third from left) and Laurie Gates (third from right) with Senator John Thune standing center.

*"It was a great Summit. I had the opportunity to meet other Human Resource professionals from around the country, as well as learn several tools to help our Chapter. I am grateful having the opportunity to attend." - Laurie Gates*

# CONGRATULATIONS

Please join us in congratulating Laurie Gates, MBA & SHRM-CP/PHR, as she will be our new SoDak SHRM Council Director Elect for 2019. Laurie currently serves in the role of our NESD SHRM Chapter's President Elect, and she will assume the role of President for our Chapter in 2019 as well.

Beyond the above roles, Laurie is the Administration Manager at ESCO Manufacturing, Watertown, where she has worked for 25 years. Laurie possesses a Master's Degree in Business Administration from Mount Marty College and a Bachelor's Degree in Business Administration and Management from the University of Sioux Falls. *She is a busy lady!*



——— >>> CHECK IT OUT! <<< ———

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Visit <http://www.shrm.org/honesthr> to meet Callie and hear her podcast. She rocks!

**MEET CALLIE**  
*Honest HR Host*

Callie, SHRM's newest field services director, represents SHRM in IL, IN, MI and WI. Before SHRM, Callie worked in recruiting, compensation, benefits, operations and management.

Callie strives for authenticity in all things and freely admits to singing in the car loudly!

"I'm here to get real with HR pros. We are the keepers of a lot of org secrets, and it's time to spill some HR truths."  
— Callie Zipple, SHRM-CP



### **2019 SoDak SHRM Volunteer Openings**

Our State Council SoDak SHRM is seeking volunteers for the following two-year term roles:

**Diversity Director**

**Marketing Director**

**Professional Development Director**

If you are interested in learning more about any of these roles, please contact one of the following:

Mary Drumm, SHRM-SCP/SPHR, Council Director at [mdrumm@petelian.com](mailto:mdrumm@petelian.com)

Sheila Mennenga, SHRM-SCP/SPHR, Council Director Elect at [smennenga@watertownmu.com](mailto:smennenga@watertownmu.com)

*Tell me and I forget, teach me and I may remember, involve me and I learn.* – Benjamin Franklin



The SHRM Foundation is the official 501(c)3, non-profit charity affiliate of SHRM and is a values-based organization whose mission is to champion workforce and workplace transformation. It provides research-based HR solutions for many inclusion challenges.

For 2018, the SHRM Foundation will award more than 300 scholarships for HR professionals and students. There are three main categories for SHRM Foundation scholarships:

- ▶ academic scholarships for both graduate and undergraduate programs;
- ▶ certification scholarships for HR professional looking to gain their SHRM certification at either the CP or SCP level; and
- ▶ professional development scholarships, which allows HR professionals and students to attend a SHRM conference.

In 2018, the SHRM Foundation continued its work on its current inclusion initiative: the hiring and retention of military veterans. Earlier this year, the SHRM Foundation (1) developed a partnership with PsychArmor Institute to deliver their free online trainings on veteran hiring; (2) released their latest Executive Summary publication: *The Recruitment, Hiring, Retention & Engagement of Military Veterans*; and (3) announced the inaugural winners of the Innovation Grants, their latest program to support SHRM state councils and chapters working to improve their communities and build inclusive organizations. Lastly, in November, the SHRM Foundation launched their new educational certificate program targeted to teach HR professionals and hiring managers about the best practices to support veterans in their workplace.

Visit <https://www.shrm.org/foundation> to learn more about the Foundation and its current news.



**NESD SHRM Chapter, SoDak State Council and all local S.D. SHRM  
Local Chapters are official members of 100% Giving Club!**

The 100% Giving Club annually recognizes the states with 100% giving from its SHRM State Council and all local chapters within the state. This Club signifies the collective dedication states have to advancing the mission of the SHRM Foundation.

Also, the SHRM Foundation recognized and celebrated South Dakota and the other states in the 100% Giving Club at its Volunteer Leaders' Summit November 15 -17, 2018.

Congratulations again to our NESD SHRM Chapter! Our hard work and support of the SHRM Foundation makes so much happen for the SHRM Foundation.



## LAKE AREA TECHNICAL INSTITUTE

### Student for a Day Partnership Program?

Recently, our NESD SHRM's Communication Group discussed the idea of getting HR Students involved in our local organizations, businesses and community through the idea of a Student for a Day partnership with LATI and our Chapter Members. The purpose of the partnership would be to introduce local HR Students to real-life experiences we as HR Professionals encounter on a daily basis. Then, in turn, we may be able to retain these students in our local community by building a network, or tie if you will, through relationships. Through conversations with Tom Mulholland, LATI Business Associate Department Supervisor, and Patrick Anderson, LATI Business Associate Instructor, they would be receptive to this idea of a partnership. Now, the next question is what does this look like? We would like to ask our Chapter Members for any input, suggestions or recommendations.

Here are some questions that have been asked to get your thought process started:

- ▶ Is one HR Student assigned to a one-day job-shadowing with a HR Professional?
- ▶ Do HR Students do job-shadowing once a semester? Or, is it maybe set up as a monthly session?
- ▶ Can a job-shadowing arrangement be made with multiple HR Professionals over the course of the school year?
- ▶ What type of follow-up needs to be done, such as a class presentation or report?
- ▶ Who coordinates the efforts made: NESD SHRM, individual Chapter Member, student or who?

We recognize that this partnership can be as large as we want it to be, or as small as we wish to make it. Again, the goal is increase exposure to real-life HR to prepare the next group of HR Leaders!

**Please send any input, suggestions or recommendations to one of the following Board Members: Sarah Hansen, Becky Joseph or Melanie Schroeder. Email on page 10. Thanks in advance!**



## Contact Us

**We are a network of HR Professionals. If you have a question, concern or inquiry, please reach out to one or all of us. We are here to help and teach each other!**

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### *Our last-minute tidbits and events:*

- ▶ Mount Marty College (MMC) in Watertown now offers **Business and Industry Talent Development Seminars** customized to the needs of your organization. If you are interested, please email Heidi Schooley at [heidi.schooley@mtmc.edu](mailto:heidi.schooley@mtmc.edu) or Cristina Gordon at [cristina.gordan@mtmc.edu](mailto:cristina.gordan@mtmc.edu). Or, you may call them at 605-886-6777 for more information.
- ▶ **2017 NESD SHRM Wage Survey:** copies are available to be purchased. Please contact Laurie Gates at 605-753-8215 or [lgates@escomfg.com](mailto:lgates@escomfg.com) to inquire about how to snag your copy!
- ▶ Are you looking to get **HRCI or SHRM certified** soon? Are you looking for a local study group to help you? If so, contact Tammy Davis at [tammy.davis@we-online.com](mailto:tammy.davis@we-online.com) for more information.

### HR HUMOR: only HR will fully appreciate these comics!

