

The Bulletin

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The Employers' Association
Empowering excellence.

November 2018

A monthly digest of news and information of interest to HR professionals.

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THRAC 2018

We invite you to attend **THRAC 2018** and learn from our highly experienced field guides the tools you need to navigate your own daily adventure including utilizing the power of collaboration and engagement to reshape your organization, using compensation management to recruit and retain top talent, implementing

effective methods to get the people performance you need, and much more!

WEDNESDAY PRE-CONFERENCE WORKSHOP: 1:00 – 4:00 p.m.

Local experts from Corporate Intelligence Consultants, Harbor, BGSU, USI, and The Andersons—*Workplace Tragedy: How to be Your Best When the Worst Happens*

EARLY BIRD SESSION: 7:30 – 8:30 a.m.

Steve Cady – *Reshaping the Organization's Future Through Collaboration and Engagement*
Meghan Michael – *Veteran-Friendly Workplaces*

OPENING KEYNOTE PRESENTATION: 9:00 – 10:00 a.m.

Barb Roose – *On The Ledge*

SESSION 1

10:30 – 11:30 a.m.

Mike McCartney
Become a Better Leader!

Susan Bailey
Delivering Value Through Effective Wellbeing Strategy - No Budget Necessary

Tony Fiori
Legal Issues Facing HR Professionals

Lisa Toenniges
Six Questions to Ask to Get the People Performance You Need

AFTERNOON KEYNOTE PRESENTATION: 12:30 – 1:30 p.m.

Dr. John Izzo – *The Purpose Revolution: Winning & Engaging Talent in an Age of Social Good*

SESSION 2

2:00 – 3:00 p.m.

Matt Bell
Recognizing The Needs of Employees With Substance Abuse Issues

Jen Givens and Brad Smith
Using Compensation Management as a Tool to Recruit and Retain Top Talent

Bill Beach
Mock Trial: Sexual Harassment is No Courtroom Adventure

CLOSING KEYNOTE PRESENTATION: 3:15 – 4:15 p.m.

Greg Hawks – *Navigating Workplace Rapids*

Visit TheEA.org to learn more or to register for the adventure!

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EA Team by Service Area

Corporate Team



Jack Hollister, President; ext. 204
jack.hollister@TheEA.org



Sarah Beddoes, Marketing Coordinator; ext. 207
sarah.beddoes@TheEA.org



Rebecca Byers, Bookkeeper; ext. 201
rebecca.byers@TheEA.org



Karin Roadarmel, Administrative Assistant;
ext. 200; karin.roadarmel@TheEA.org



Emily Beebe, Administrative Assistant; ext. 205
emily.beebe@TheEA.org

HR Solutions Team



Bob Bethel, SPHR, SHRM-SCP, VP of HR and
Learning Services; ext. 216; bob.bethel@TheEA.org



Sheila Eason, SPHR, SHRM-SCP, HR Consultant;
ext. 209; sheila.eason@TheEA.org



Colleen House, SHRM-SCP, HR Consultant;
ext. 222; colleen.house@TheEA.org



Kelly Beard, HR Research Assistant; ext. 221
kelly.beard@TheEA.org

Seminar Learning Team



Terry Vernier, Seminar Learning Manager;
ext. 213; terry.vernier@TheEA.org



Judi Roe, Membership & Seminar Learning Assistant;
ext. 203; judi.roe@TheEA.org

On-Site Learning and Consulting Team



Dave Tippett, PHR, Director On-Site Learning &
Consulting; ext. 206; dave.tippett@TheEA.org

Wellness Team



Kelly Noward-Knaggs, VP of Wellness; ext. 212
kelly.knaggs@TheEA.org



Megan Garris, Wellness Manager - Northern Ohio; ext. 217
megan.garris@TheEA.org



Sally Lanning, Wellness Manager - Southern Ohio; ext. 220
sally.lanning@TheEA.org



Jennifer Burrous, Wellness Consultant; ext. 211
jennifer.burrous@TheEA.org



Paige Johnston, Wellness Consultant; ext. 215
paige.johnston@TheEA.org



Brandi Williams, Wellness Consultant; ext. 214
brandi.williams@TheEA.org



Shannon Vinci, Wellness Consultant; ext. 202
shannon.vinci@TheEA.org



Hannah Davis, Wellness Consultant; ext. 224
hannah.davis@TheEA.org



Lauren Calkins, Wellness Consultant; ext. 223
lauren.calkins@TheEA.org



Ashley Washington, Wellness Assistant; ext. 219
ashley.washington@TheEA.org

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New Provision Required for Background Check Notices

By: Cheryl F. Wolff, Spengler Nathanson P.L.L.

A new addition to a notice requirement under the Fair Credit Reporting Act ("FCRA") prompts this reminder to employers of their obligations under the FCRA if they obtain criminal or other background checks on applicants or employees from an outside agency.

Employers that use such a record-checking company for employment purposes must give individuals notice, on a form separate from the employment application, that they are doing so and get the individual's written authorization.

The FCRA also requires that employers relying on such reports to deny employment or take other adverse employment action (like discipline or promotion denial or discharge) must give the individual a copy of the report being relied upon and "A Summary of Your Rights Under the Fair Credit Reporting Act" prescribed by the Federal Trade Commission before taking the adverse action.

The law then requires the employer to give the individual an adverse action notice, including:

- The name, address, and phone number of the reporting agency that supplied the report;
- A statement that the reporting agency that supplied the report did not make the decision to take the adverse action and cannot give specific reasons for it; and
- A notice of the individual's right to dispute the accuracy or completeness of any information the agency furnished, and to an additional free consumer report from the agency upon request within 60 days.

The agency doing the background check generally provides the summary of rights form and adverse action notice form to the employer. Model forms are also available on the Federal Trade Commission's website.

In May 2018, Congress approved a change to the FCRA as part of the Economic Growth, Regulatory Relief, and Consumer Protection Act. To prevent identity thieves from obtaining credit, loans, and services in someone's name without their consent, the new law requires nationwide consumer reporting agencies to allow individuals to place security freezes or fraud alerts on their credit reports. A security freeze prohibits a consumer reporting agency from releasing information in a person's credit report without that person's express authorization. A fraud alert requires a business to verify the consumer's identity before extending new credit.

Beginning in September 2018, the law mandates that whenever the FCRA requires an individual to receive the summary of the individual's rights under the FCRA, a notice regarding the individual's right to place a security freeze or fraud alert requirement on his or her credit report must be included. Although that new requirement does not seem to relate to criminal background checks, nothing excepts its application to those types of reports as well as to standard financial credit reports.

As a result, when employers give the "Summary of Your Rights Under the Fair Credit Reporting Act" form before taking adverse employment action based on a background report from an outside agency, they should assure that that form contains (or has attached) the additional security freeze and fraud alert notice now required. A model notice is available on the Bureau of Consumer Financial Protection's website at: https://files.consumerfinance.gov/f/documents/bcfc_consumer-rights-summary_2018-09.docx.

How to Create a Successful Virtual Training Strategy

By: Elearningindustry.com

Develop a detailed outline and research core content beforehand.

One of the most important aspects of a successful virtual training strategy is organization. By creating an outline you can stay on-topic and

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