

# Welcome to the Seminar



WE WILL BEGIN AT IN A FEW MINUTES



**EEOC**  
**Training Institute**  
*...Learn from the Experts*

DID YOU  
**KNOW**



# WOMEN

Like men,  
only cheaper.



Woman  
earn only  
**78%** of what  
men earn

IF YOU DON'T LIKE IT,  
HELP US RIGHT IT.

**The amount of new technical information is  
doubling every 2 years**

**2X**

**For students starting a four-year  
technical or college degree,  
this means that...**

**half of what they learn in their first  
year of study will be outdated  
by their third year of study.**

**There are about 540,000 words  
in the English language...**



**about 5X as many as**  
**during Shakespeare's time.**





More than **3,000** new books  
are published every day

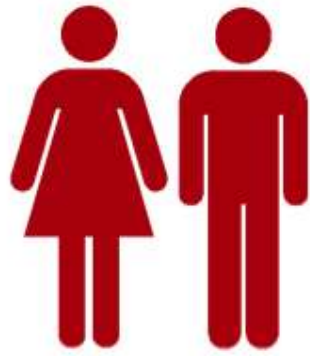


- **The unemployment rate for veterans who served on active duty in the U.S. Armed Forces at any time since September 2001--a group referred to as Gulf War-era II veterans--was 12.1 percent in 2011**



**In 2006, the world produced 161  
“exabytes” of digital information...3  
MILLION times the amount of  
information contained in ALL books  
ever written**

**Last Year (2011) – 1,200  
exabytes**



**1 out of 8 couples married  
in the U.S. last year **met online****



# There are over **1 Billion** registered users of Facebook

The image shows a screenshot of the Facebook website's login and sign-up interface. At the top left is the Facebook logo. To the right are input fields for 'Email' and 'Password', a 'Login' button, and a 'Keep me logged in' checkbox. Below the login section is a promotional message: 'Facebook helps you connect and share with the people in your life.' This is accompanied by a world map with several orange person icons connected by dashed lines, representing a social network. To the right of the map is the 'Sign Up' section, which includes the text 'It's free and always will be.' and a series of input fields for 'First Name', 'Last Name', 'Your Email', 'Re-enter Email', and 'New Password'. Below these are dropdown menus for 'I am: Select Sex', 'Birthday: Month', 'Day', and 'Year'. A small text link 'Why do I need to provide this?' is located below the birthday fields. A green 'Sign Up' button is positioned below the form. At the bottom of the sign-up section is a link: 'Create a Page for a celebrity, band or business.' The footer of the page contains a list of languages: 'English (US) Español Português (Brasil) Français (France) Deutsch Italiano العربية हिन्दी 中文(简体)'. Below the footer is the copyright notice 'Facebook © 2011 · English (US)' and a list of links: 'Mobile · Find Friends · Badges · People · Pages · About · Advertising · Developers · Careers · Privacy · Terms · Help'.

facebook

Email  Password

Keep me logged in [Forgot your password?](#)

**Facebook helps you connect and share with the people in your life.**

**Sign Up**  
It's free and always will be.

First Name:

Last Name:

Your Email:

Re-enter Email:

New Password:

I am:

Birthday:

[Why do I need to provide this?](#)

[Create a Page for a celebrity, band or business.](#)

English (US) Español Português (Brasil) Français (France) Deutsch Italiano العربية हिन्दी 中文(简体) »

Facebook © 2011 · English (US) [Mobile](#) · [Find Friends](#) · [Badges](#) · [People](#) · [Pages](#) · [About](#) · [Advertising](#) · [Developers](#) · [Careers](#) · [Privacy](#) · [Terms](#) · [Help](#)

**If Facebook were a country,  
it would be the 3<sup>rd</sup> largest in the world**

**(Between India and U.S.)**

**And this does not include  
Twitter or MySpace**

There are **87 billion**  
searches on Google every  
month

In 2006, it was **2.7 billion**



DID YOU  
**KNOW**



**During the course  
of this presentation...**

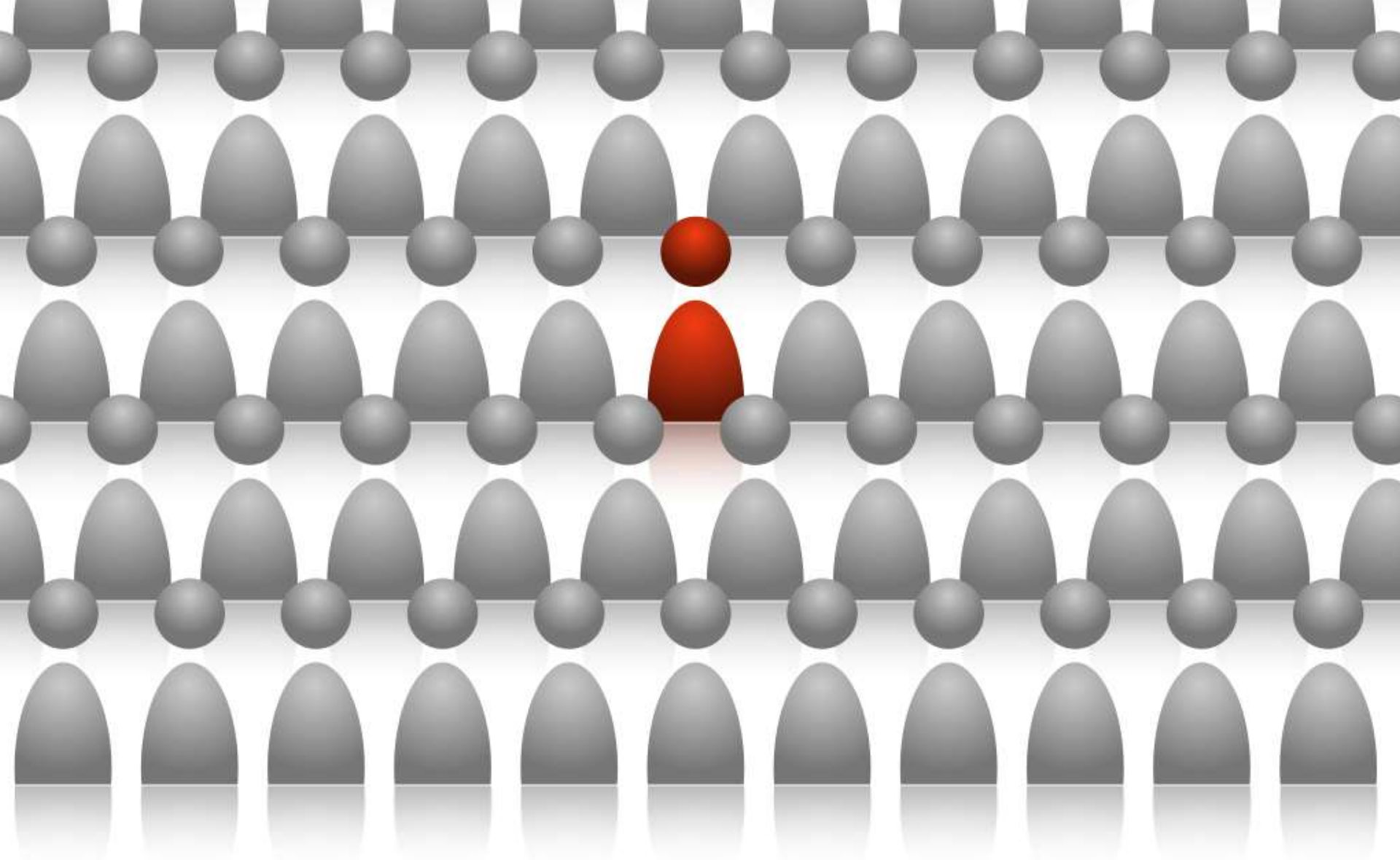


**60 babies**  
will be born in the U.S.

**244 babies**  
will be born in China

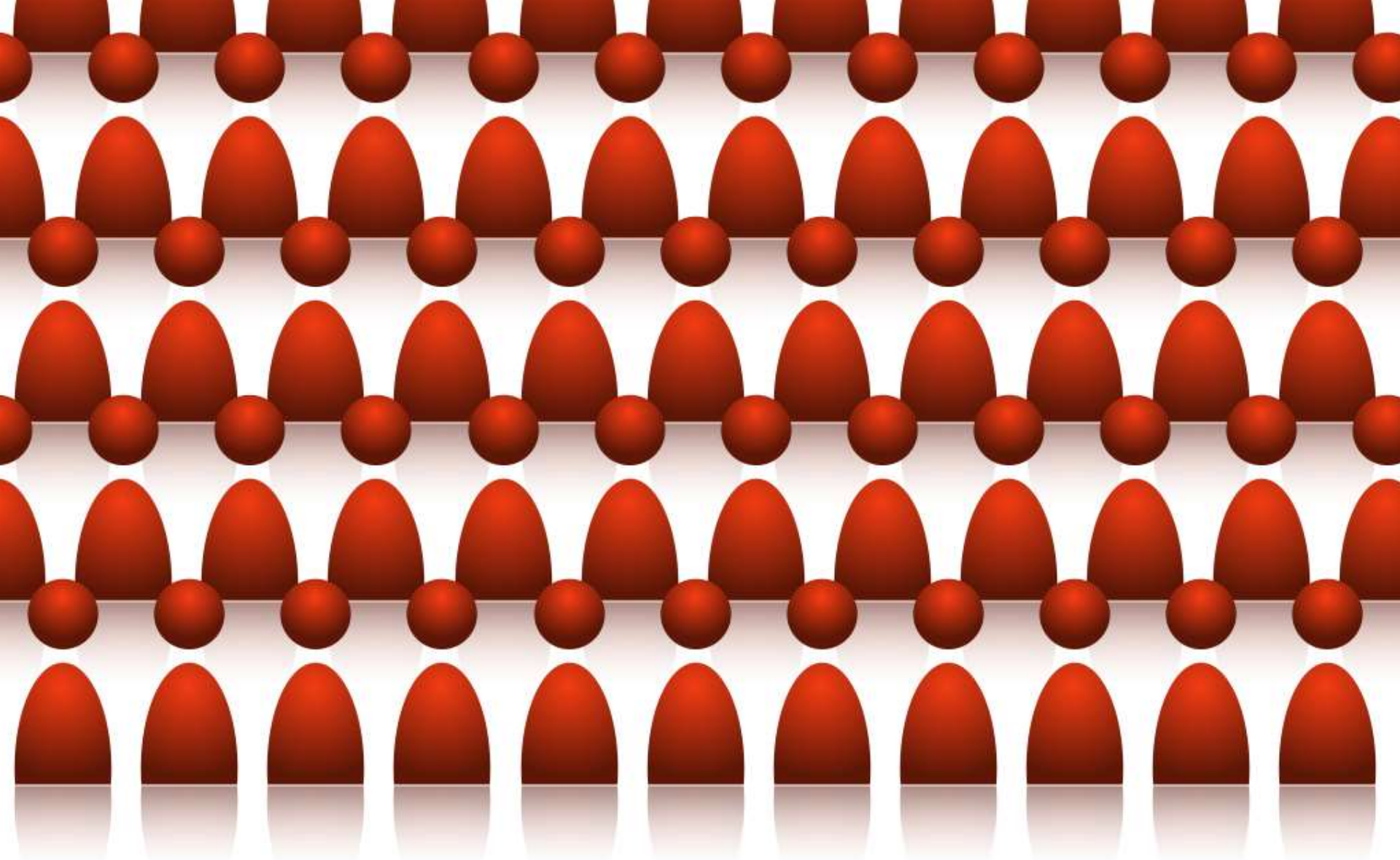
**351 babies**  
will be born in India





**If you're one in a million in China...**





**...there are 1,300 people just like you**

DID YOU  
**KNOW**





The U.S. Department of Labor estimates that  
**today's learner will have 10-14 jobs...**



*...by the age of*

**38**

**1 out of 4 workers today**  
is working for a company they have been  
employed by for less than one year

**more than 1 out of 2**  
**are working for a company they have**  
**worked for for less than five years.**



People are expected to have  
**11 different employers and jobs**  
between the ages of 22 and 65.

**...the top 10 in-demand jobs in 2010  
did not exist in 2004**

Generation X and Y make up over 50%  
of the workforce.



For the first time ever, there are 5  
generations at work at the same time.

**7** out of **10**

**organizations experienced a  
disruptive change last year**



**92%**

**of executives and business owners  
believe the challenges they  
face are more complex than 5 years ago**

...And it's not getting any better ...

**Poor strategy execution will be the**

**#1 derailer of growth**

**over the next 3 years**

Joe Bontke took this picture last week in Marble Falls, TX

*this slide show is starting to look like facebook*



**one purpose of this symposium is to  
establish effective outreach and  
partnerships**

**meet someone new**

**let's discuss best practices  
and/or barriers to effective  
recruitment and employment.**

**We are living in  
exponential times**

The image features a black background with a vibrant pink, wavy shape at the bottom. The text "We are living in exponential times" is prominently displayed in the upper left quadrant. "We are living in" is in white, and "exponential times" is in orange. The text is slanted upwards to the right.

**Today's speaker**

**Joe Bontke**

Outreach Manager  
& Ombudsman





# When Bullying becomes Harassment and Can I google Applicants?

Joe Bontke

Outreach Manager, EEOC



- **Crossing “The Line” - When bullying becomes harassment in the workplace.**
- *Employment law does not prohibit simple teasing or offhand comments; however, in order to prevent claims of national origin discrimination, employers need to train staff to avoid ethnic jokes, apply discipline consistently, regardless of national origin, and apply the same standards of hiring, promotion, and performance evaluation to everyone.*
- **Can I Google applicants? & other concerns for the HR Manager**
- *the risk of social media in the employment world is a relatively new fad and form of communication. With the popularity of social sites like Facebook and LinkedIn, employers can gain access to all sorts of information that would normally be "off limits" during an interview. Could this be creating a legal problem for employers? In this lively session EEOC's Joe Bontke will spell out the risks and offer some remedy for the new risk of social network "investigating" when an applicant has some "google issues".*

# Workplace Bullying 101

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# Harassment of a Different Kind

---

Harassment comes from the French word

***“Harasser”*** which literally means to **“sic a dog on someone”** without provocation



# Workplace Bullying Defined

---

**Repeated and unwanted actions** by an individual or group intending to intimidate, harass, degrade or offend

**Abuse or misuse of power**

Bullying *is* psychological **violence**

---

# Is Workplace Bullying covered by EEO or HR?

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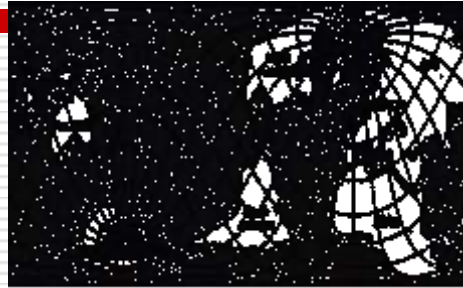
- ❑ The 3 primary avenues for workplace disputes: **HR, Union, EEO** and if you're lucky – an ADR Office
  - ❑ Unless the bullying actions specifically involve a protected basis under EEO, then it's NOT covered by EEO laws, but **does that mean that you should not address it?**
-

# Protected Federal Categories

**Race**



**National Origin**



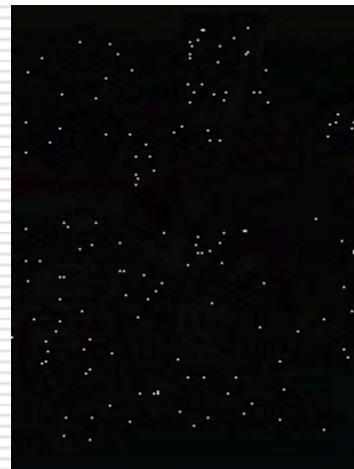
**Color**



**Genetic**



**Disability**



**Religion**



**Sex**



**Age +40**



# Bullying as EEO Discrimination

---

- A hostile work environment consists of:
    - An unwelcome act that can be **Physical or Verbal behavior**
    - Based on employee's protected status
    - That is sufficiently severe or pervasive to create a hostile, offensive or abusive work environment
-

# When can Harassment occur?

---

- Before, During or After Work**
- Breaks**
- Lunch hour**
- Work-related events outside of office, (i.e. happy hours, work conferences, dinners, holiday parties, picnics)**
- Social Media**



# Bullying & Workplace Violence

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- Factor to Consider if an Individual imposes a Direct Threat:
    - **Nature & Severity of Harm**
    - **Likelihood that Harm will Occur**
    - **Imminent Fear or Intimidation**
    - **Your Workplace Violence Policy**
-

# Offensive Behavior

---

- Remarks
  - Feelings
  - Behaviors
  - Anger
  - Resentment
  - Hurtful
  - What Pushes Your Buttons?
- 



# Workplace Examples of Bullying

---

- Being shouted at or humiliated**
- Being the target of practical jokes**
- Blame without justification**
- Exclusion or social isolation**
- Physical intimidation (proximal)**
- Excessive micro-managing**
- Purposely withholding vital information**

# Examples (cont.)

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- Setting impossible goals for subordinates to reach**
  - Blocking potential training and employment**
  - Tampering with an employee's personal belongings**
  - Removing areas of responsibility without cause**
-

# The Effect of Bullying

---

- Absenteeism
- Decreased productivity
- Manifestation of illness
- High turnover
- Increased accidents on the job
- Violence





# The Effects of Bullying...

---

- When targets believe that they have been bullied:
    - **Some will cut back on work**
    - **Some will contemplate leaving the job**
      - Only 10% do
    - **Take it out on innocent family or pets**
    - **Others will steal from the job, sabotage work, damage equipment, damage personal property of the bully or**
    - **Contemplate a violent act and carry it out**
-

# Bullying is on the Rise...

---

- According to a recent study by the national Institute for Occupational Health and Safety (NIOSH) bullying in the workplace is on the rise.
  - **24.5%** of companies surveyed indicate that bullying has taken place; **10.5%** involving bullying by external customers
  - **More women are becoming bullies**
-

# Statistics on Bullying

---



- ❑ **37%** of the workplace has been bullied
  - ❑ **72%** of bullies are bosses
  - ❑ **57%** of targets are female
  - ❑ Bullying happens four times more than illegal harassment
  - ❑ **62%** of employees ignore the problem
-

# **The Dynamics of the Situation**

---

- ☐ We are in denial**
  - ☐ We avoid the person for fear of escalation**
  - ☐ We raise the issue with coworkers hoping that they will do something about it**
  - ☐ We surround ourselves with protection from other coworkers for support and reverse bully**
  - ☐ We “check-out” at work; look for other jobs**
-

# How to Deal with Bad Behavior

---

- ❑ **Try to address the underlying cause of the behavior: I see you are very stressed. Maybe I could help if you tell me what's bothering you?**
- ❑ **If the conversation remains irrational, then know when to quit**
- ❑ **Recognize whether behavior is a pattern or mishap, conduct or performance; respond appropriately**
- ❑ **From: ~~The Civility Solution: What to Do When People are Rude~~, St Martin's Press, 2008**

# What Can You Do?

---

- Ask yourself: Are you ready to stop whatever you're doing and take action to address it?
  - Recognize that bullying is about control
  - Realize that it's not your fault
  - Keep a detailed diary and paper trail
  - Explore Resources – Internet, HR Policies, Union
  - Think about leaving division/organization
-

# What Can Managers & Supervisors Do?

---

- ❑ Create and **enforce a zero tolerance** policy
  - ❑ Address the bullying behavior **ASAP**
  - ❑ Hold an **awareness** campaign
  - ❑ If you are the bully...**stop**...seek help
  - ❑ Model effective professional behavior
  - ❑ Use Facilitation, Conflict Coaching, Mediation or design a Group Intervention/Team Building or Training Retreat
-



# The Digital Age

Welcome to the Virtual World  
of:

- **“Friends”**: Facebook & Instagram  
Mostly social, but growing business network
- **“Connections”**: LinkedIn  
- “Facebook in a suit”
- **“ Followers”**: Twitter  
- Instant messaging on steroids



The Google logo is displayed in its characteristic multi-colored font: 'G' is blue, the first 'o' is red, the second 'o' is yellow, 'g' is blue, 'l' is green, and 'e' is red. A vertical line is positioned to the left of the logo.

Google

*A look at the risks of Social Media*

**Google Search**

**I'm Feeling Lucky**

# There are over **one billion** registered users of Facebook

launched in February 2004, owned and operated by Facebook, Inc.[3] As of May 2012, Facebook has over 900 million active users, more than half of them using Facebook on a mobile device



The screenshot shows the Facebook homepage with the following elements:

- Header:** The Facebook logo is on the left. On the right, there are input fields for "Email" and "Password", a "Login" button, a checkbox for "Keep me logged in", and a link for "Forgot your password?".
- Main Content:**
  - On the left, a headline reads "Facebook helps you connect and share with the people in your life." Below it is a graphic of a world map with orange person icons and dashed lines representing connections.
  - On the right, the "Sign Up" section is titled "Sign Up" with the subtext "It's free and always will be." It contains several input fields: "First Name:", "Last Name:", "Your Email:", "Re-enter Email:", and "New Password:". Below these are dropdown menus for "I am:", "Select Sex:", "Month:", "Day:", and "Year:". A small note says "Why do I need to provide this?" and a green "Sign Up" button is at the bottom.
- Footer:** A horizontal line separates the footer from the main content. It includes a language selector: "English (US) Español Português (Brasil) Français (France) Deutsch Italiano العربية 中文(简体)". Below this are links for "Mobile", "Find Friends", "Badges", "People", "Pages", "About", "Advertising", "Developers", "Careers", "Privacy", "Terms", and "Help".

# Why employers Google ....

To ensure the best fit between the applicant and the organization

To find candidates with characteristics that will maximize work productivity and minimize costs and liability



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Training Institute  
*...Learn from the Experts*

# + Internet Never Forgets...

- Stacy Snyder
  - 1<sup>st</sup> Amendment does not cover photos
- Internet records everything and forgets nothing
- Every online photo, Facebook status update, Twitter post and blog entry by and about us can be stored forever



*Drunk'in Pirate*





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**Fairmont**  
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GRANDVILLE SQUARE, SAN FRANCISCO

**12 U.S. OPEN PROMOTION**  
4 tickets, 2-night stay, VIP access

Limited availability,  
take advantage by April 30<sup>th</sup>

*Learn more*

## Employers asking job seekers for Facebook passwords

March 21, 2012 | By Manuel Valdes and Shannon McFarland

THIS STORY APPEARED IN **The Boston Globe**

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 New
 E-mail

Print

SEATTLE - When Justin Bassett interviewed for a new job, he expected the usual questions about experience and references. So he was astonished when the interviewer asked for something else: his Facebook username and password.



Bassett, a New York City statistician, had just finished answering a few character questions when the interviewer turned to her computer to search for his Facebook page. But she couldn't see his private profile. She turned back and asked him to hand over his login information.

Bassett refused and withdrew his application, saying he didn't want to work for a company that would seek such personal information. But as the job market steadily improves, other job candidates are confronting the same question from prospective employers, and some of them cannot afford to say no.

Ads by Google

### [Which Annuities Are Best?](#)

Don't Buy Any Annuity Until You Watch This Annuity Video Re



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A TIERED PROVIDER NETWORK

**LEARN MORE**

# Google

Joe Bontke

Google Search

I'm Feeling Lucky



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*...Learn from the Experts*



Search

Joe Bontke Home



# EEOC Outreach & Education

Open Group  
108 Members 2 Photos Docs

Notifications

Search This Group

Write Post Add Photo / Video Ask Question

Write something...



**Joe Bontke**

If you or someone you know has the "know how" in developing apps here is a great opportunity The Equal Pay App Contest is aimed at encouraging private software application developers to come up with an application that people can download onto their smart phones to help them better understand the pay gap and how to avoid being a victim of the pay gap. People can learn more about the contest and the expectations for the application here: <http://equalpay.challenge.gov/>



## Equal Pay App Challenge

[equalpay.challenge.gov](http://equalpay.challenge.gov)

The National Equal Pay Task Force wants your help in building innovative tools to educate the public about the pay gap and promote equal pay for women.

Like Comment Unfollow Post Share 2 seconds ago

### UPDATED POSTS



**Joe Bontke**

the U.S. Equal Employment Opportunity Commission (EEOC), is pleased to announce the release of the agency's DRAFT Strategic Plan for fiscal years 2012-2016 for your review and comment. The draft Plan is available for review on our website at [http://www.eeoc.gov/eeoc/plan/strategic\\_plan\\_12to16\\_DRAFT.cfm](http://www.eeoc.gov/eeoc/plan/strategic_plan_12to16_DRAFT.cfm) and is being circulated for input from the general public as well. The EEOC has served as the national lead enforcer of employment anti-discrimination laws and chief promoter

### Members (108)

See All



EEOC's outreach programs provide general information about the EEOC, its mission, the employment discrimination laws enforced by EEOC and the charge/complaint process. EEOC representatives are available on a limited basis at no cost to make presentations and participate in meetings, conferences and seminars with employee and employer groups, professional associations, students, non-profit entities, community organizations and other members of the general public.

### Who else should be in this group?

+ Add Friends to Group

### Sponsored

See All

#### Friends of Larry Taylor



Proven Effective Conservative Leadership for Texas. Join my campaign now!

Like Kristina Hoesl Koncaba likes this.



**EEOC**  
Training  
...Learn from

Chat (Offline)

Search

Joe Bontke Home



Edit Profile Picture

Change Cover

Joe Bontke

Update Info Activity Log

ambudsman)
nsus College, Suffield, CT
kas
th Bontke



Friends 549



Photos 78



Map 24



Likes 133

Place Life Event

- Friends See All
- Shelia Cannon
  - Steve Perrault

Sponsored

Dorothy Parker



"It's a small apartment, I've barely enough room to lay a hat and a few friends." - - CLICK LIKE for daily quotes.

Like · 17,748 people like this.

Celebrate: 1st Amendment



Two Houston-area families will tell the stories of their successful efforts to assert their freedom to express their religious beliefs

Join · 3 people are attending.

School for Dads w/ Grant?



Fathers in Houston are going back to school with grants in 2012, would you go back if you qualified?

Now

- January
- 2011
- 2010
- 2009
- 2008
- 2007



EEO Training ...Learn f

Chat (Off)





# Joe Bontke Edit

## Chair at The Texas Governor's Committee on People with Disabilities

Houston, Texas Area | Government Administration

**Current** The Texas Governor's Committee on People with Disabilities, EEOC - U.S. Equal Employment Opportunity Commission

**Previous** Southwest ADA Center, Disability and Business Technical Assistance Center, M.D Anderson Cancer Center

**Education** Leadership Houston

Improve your profile

View

500+ connections

www.linkedin.com/in/joebontke Edit

Edit Contact Info

**NEW** Add sections to reflect achievements and experiences on your profile. [Add sections](#)

### Summary Edit

Joe Bontke is the ombudsman & outreach manager for the Houston District office of U.S. Equal Employment Opportunity Commission. Joe has been in the field of Human Resources & Civil Rights for the past 25+ years and has experience in employment law and adult education. With a Bachelor's in Philosophy and a Masters in Education, he has been a Human Resources Director, a Training Coordinator for the American Disabilities Act (ADA) Technical Assistance Center for Federal Region VI and was appointed as Assistant Professor

100% profile completeness



### Who's Viewed Your Profile?

**6** Your profile has been viewed by 6 days.

**12** You have shown up in search past 3 days.

### Joe's Activity



**Joe Bontke**

View my profile page

78

TWEETS

77

FOLLOWING

58

FOLLOWERS

Compose new Tweet...

Who to follow · Refresh · View all



**FEMA**

@fema

Follow



**Room for Debate**

@roomfordebate

Followed by The New York Times...

Follow



**nick kroll**

@nickkroll

Follow

Browse categories · Find friends

Trends · Change

#PremiumMcWrap Promoted

#uconn

#readyforlove

#ProudToBeAFanOf

#WhyBelInARelationshipIf

#unpopularopinionnight

My iMessage

Love Star

**Tweets**



**The New York Times** @nytimes

No matter what Brad Paisley does, he will always be the p made a song called "Accidental Racist" [nyti.ms/ZLQ49v](http://nyti.ms/ZLQ49v)

View summary



**Conan O'Brien** @ConanOBrien

The 1st line of Brad Paisley's "Accidental Racist" is "To th waited on me at the Starbucks down on Main". That old co cliché?

Expand



**NPR News** @nprnews

Can Yo-Yo Ma Fix The Arts? [n.pr/XqvLSt](http://n.pr/XqvLSt)

View summary



**US Dept. of Labor** @USDOL

Acting Secretary of Labor Seth D. Harris to host April 10 v DOL's fiscal year 2014 proposed budget [1.usa.gov/ZCMB](http://1.usa.gov/ZCMB)

Expand



**Jennifer Preston** @JenniferPreston

My old boss and dear friend, Bill Schmidt at Sardi's : On a [instagram.com/p/X5-bMgqp1Y/](http://instagram.com/p/X5-bMgqp1Y/)

Expand



**The New Yorker** @NewYorker

A #mighty #steed cartoon by Bruce Eric Kaplan: [nyr.kr/Zd](http://nyr.kr/Zd)

Expand



**OMG Facts** @OMGFacts




**find.ly**  
find.ly helps people get jobs.

[Go to App](#) [Cancel](#)

**ABOUT THIS APP**

Companies use find.ly to help them connect with and hire job seekers on Facebook.


Who can see posts this app makes for you on Facebook:  
[?]

 Only Me ▼

By proceeding, you agree to find.ly's [Terms of Service](#) and [Privacy Policy](#) · [Report App](#)

**THIS APP WILL REQUEST ACCESS TO:**

Includes your name, profile picture, gender, networks, user ID, list of friends, and any other information you made public

- Your basic info [?]
- Your e-mail address 
- Your profile info: description, birthday, education history, likes, location and work history
- Friends' work histories

# Twitter

- 175 million users
- Library of Congress *did you know*
  - Will be acquiring and permanently storing the entire archive of public twitter posts since 2006



twitter

# IMPORTANCE OF POLICIES

- *"Twoosh"* is a word invented to describe Twitter messages that contain exactly 140 characters.
- Our Twitter policy: *(in 140 characters)*  
Be professional, kind, discreet, authentic. Represent us well. Remember that you can't control it once you hit "update."



# + HR Statistics

- **75% of U.S. recruiters are required by their companies to do online research of candidates**
- **70% of U.S. recruiters report they have rejected candidates because of information found online**





## + PROBLEM ISSUE

**Employer will potentially have access to information such as involvement in a stakeholder group, people with disability organization, sexual preference, cultural and religious identification.**



SEARCH



Joe Bontke

October 3, 2010

On your timeline · Remove

Add a description

With Joyce Smith Bontke, Jacqueline Bontke, Jordan Bontke, Madison Rancatore, Jillian Bontke Bowman and Zach Bowman.

Tag Photo Add Location Edit

Like · Comment · Unfollow Post · Share · Edit

Brigette Bain Martin and Kim Vidor like this.



Karla Jensen McCabe Great picture.

October 3, 2010 at 3:17pm · Like



Angela English "Team Mamie" looks like a winning Team!

October 3, 2010 at 5:24pm · Like



Write a comment...



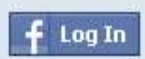


# What is your online privacy score?

Recommend 32,489 people recommend this. Be the first of your friends.

## Quick Start

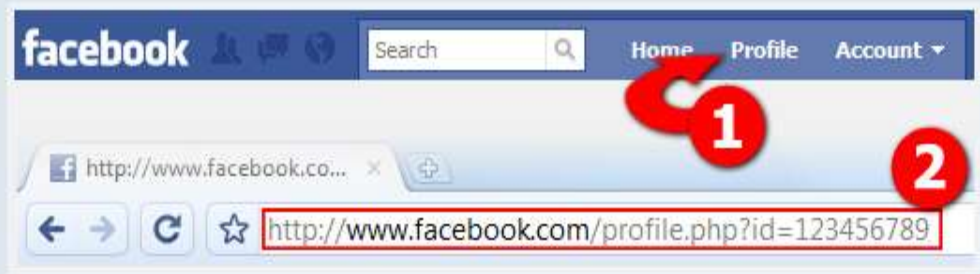
Did you ever wonder what you were really sharing with non-friends through Facebook? Click the Login button below to find out and get your online privacy score:



**We respect your privacy.** The Facebook login is solely used as a shortcut to copying your URL. We then calculate your score based only on publicly available data on your profile.

## or Advanced Start

If you are ultra-concerned about your privacy just access your privacy score via the method below, it's pretty simple. You can also just enter your Facebook ID (or URL name):



**Step 1:** Open your Facebook page ([click here](#)), then click on Profile link as shown above.

**Step 2:** Copy and paste the text inside the address bar to the box below:

**Facebook Profile URL:**

Curious about what a score page looks like?  
Take a look at Facebook CEO, [Mark Zuckerberg's score](#)



# FREE SEMINAR



19 year old

← photo

PRESENTED BY: JOE BONTKE,  
OUTREACH DIRECTOR-EEOC HOUSTON OFFICE

Using his entertaining style, Joe has educated groups throughout the country and most recently, his work at the EEOC has enabled him to empower employers and employees with the understanding they need to work effectively at their jobs. Joe's philosophy of education is - that 90% is knowing where to find the information ... when you need it.

 - 20 Most Common Mistakes by Business Owners or Managers

 - Hiring and Firing in 2012

 - Harrassment, Retaliation & Discrimination

 -Managing Generational Differences in the Workplace

 - ...and many more invaluable tools for your manager's tool-kit



 **DATE: April 19, 2012**

**TIME: 8:00am-Noon**

**PLACE: Northside Education Center**

707 Farenthold Street, El Campo TX (Next to Boys and Girls Club)

Limited Seating-



call to reserve

**(979)320-4085**

←last year

## Event Sponsors





# NLRB VIEW



Monitoring employee's social networking activity has the potential of creating a chilling effect on the employees' communications regarding the terms and conditions of their employment, in violation of the NLRA at 29 U.S.C. § 157.





# When It Becomes Illegal

- When employers base their hiring decision on an applicant's protective status
- When information discovered leads to employer's knowledge of information that would be illegal to use against an applicant in a hiring decision
  - i.e. discovering an applicant was arrested and using that to disqualify
- **Things you cannot ask in an interview are the same things employer cannot research**



# + Questions To Ask When Using Social Media...

- Is it valid?
  - Does the information predict job performance?
  - Is the information job-related?
  
- Is it legal?
  - No laws have been passed yet
  - Information posted on the internet is considered “public domain”
  - Opens organization up to “perception” of using protected information
  
- Is it worth it?



# Study: Facebook Causes One Third Of Divorces

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By Michael Allen, Mon, May 21, 2012

Facebook CEO Mark Zuckerberg got married on Saturday to his longtime girlfriend Priscilla Chan, but if the happy couple wants to stay together, they might want to consider staying off of Facebook.

According to a U.K. survey by Divorce Online, a legal services firm, more than a third of divorce filings last year contained the word "Facebook," reports *SmartMoney* magazine.

Over 80% of U.S. divorce attorneys say they've seen a rise in the number of cases using the word "social networking," according to the American Academy of Matrimonial Lawyers.

K. Jason Krafsky, who co-authored the book 'Facebook and Your Marriage,' with wife his Kelli, told *SmartMoney*: "Office romances and out-of-town trysts can take months or even years to develop. Affairs happen with a lightning speed on Facebook. It puts temptation in the path of people who would never in a million years risk having an affair."



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COLLEGE STATION - For one Texas A&M University graduate student, what happened in Vegas didn't stay in Vegas.

Justin Newman says he ran into academic trouble after The Associated Press published a photo of him in a story about a mobile medical clinic dubbed "Hangover Heaven" that aids Las Vegas tourists who drank too much alcohol the night before.

Newman's name wasn't used, but he said people in his college department recognized him sitting in the bus. He was wearing an "AGGIE Athletic Training" T-shirt.

Newman emailed the AP asking that his photo be removed. He said he was fired from his research position and lost a fall campus internship.

He faced a disciplinary hearing, but said in a follow-up email Thursday there were "no repercussions for my actions."

University spokesman Lane Stephenson says privacy laws prevent him from speaking about Newman.



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# HOT TOPIC – Interference in Union Organizing Activities or “Concerted Actions”



## Employee Rights Under the National Labor Relations Act

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The National Labor Relations Act (NLRA) guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity or to refrain from engaging in any of the above activity. Employees covered by the NLRA\* are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board (NLRB), the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

### **Under the NLRA, you have the right to:**

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees' own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your wages and benefits and other terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

### **Under the NLRA, it is illegal for your employer to:**

- Prohibit you from talking about or soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.

### **Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:**

- Threaten or coerce you in order to gain your support for the union.



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# NLRB VIEW

Monitoring employee's social networking activity has the potential of creating a chilling effect on the employees' communications regarding the terms and conditions of their employment, in violation of the NLRA at 29 U.S.C. §157.







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- *Sometimes we have to take another look at what we think we know*



# Any Questions, Comments, Concerns or Complaints

Joe Bontke  
EEOC Houston  
Outreach Manager and Ombudsman  
713 651 4994 office  
713 907 2855 cell  
[joe.bontke@eEOC.gov](mailto:joe.bontke@eEOC.gov)

or

EEOC Training Institute  
[www.eEOCtraining.eEOC.gov](http://www.eEOCtraining.eEOC.gov)



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