Welcome to the Seminar

WE WILL BEGIN AT IN A FEW MINUTES

U.S. Equal Employment Opportunity Commission

EEOC Training Institute
...Learn from the Experts
DID YOU KNOW?
Woman earn only 78% of what men earn.
The amount of new technical information is doubling every 2 years.
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half of what they learn in their first year of study will be outdated by their third year of study.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
If Facebook were a country, it would be the 3rd 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.
Poor strategy execution will be the #1 derailer of growth over the next 3 years... And it’s not getting any better...
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
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
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?

- 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

- 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.)

- 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
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
A look at the risks of Social Media
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.
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
Internet Never Forgets…

- Stacy Snyder
  - 1st 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
Employers asking job seekers for Facebook passwords

March 21, 2012 | By Manuel Valdes and Shannon McFarland

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.
EEOC Outreach & Education

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

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.

Who else should be in this group?

Sponsored

Friends of Larry Taylor

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

Like · Kristina Hoesl Koncaba likes this.
Joe Bontke
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

500+ connections

Summary

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 and Adjunct Professor at The University of Houston and Texas Southern University. Joe currently serves as the Chair of the Texas Governor's Committee on People with Disabilities and as the State Chairperson for the National Organization on Disability.
Tweets

The New York Times @nytimes
No matter what Brad Paisley does, he will always be the guy who made a song called "Accidental Racist" nyti.ms/ZLQ49v
View summary

Conan O'Brien @ConanOBrien
The first line of Brad Paisley's "Accidental Racist" is "To the sounds wasted on me at the Starbucks down on Main". That old cliche?
Expand

NPR News @nprnews
Can Yo-Yo Ma Fix The Arts? n.pr/XqVLSt
View summary

US Dept. of Labor @USDOL
Acting Secretary of Labor Seth D. Harris to host April 10 webinar DOL's fiscal year 2014 proposed budget 1.usa.gov/ZCM8
Expand

Jennifer Preston @JenniferPreston
My old boss and dear friend, Bill Schmidt at Sardi's. On a roll.
instagram.com/p/X5-bMgpq1Y/
Expand

The New Yorker @NewYorker
A #mighty #steed cartoon by Bruce Eric Kaplan: nyr.kr/ZDe6f
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FEMA
@fema
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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
#WhyBelInARelationshipIff
#unpopularopinionnight
My iMessage
Lone Star

Compose new Tweet...
find.ly helps people get jobs.

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:
[?] 

THIS APP WILL REQUEST:
- Your basic info
- Your e-mail address
- Your profile info: description, birthday, education history, likes, location and work history
- Friends' work histories

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

By proceeding, you agree to find.ly's Terms of Service and Privacy Policy · Report App
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
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
Employer will potentially have access to information such as involvement in a stakeholder group, people with disability organization, sexual preference, cultural and religious identification.
What is your online privacy score?

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.

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: https://www.facebook.com/##/ 

Curious about what a score page looks like? Take a look at Facebook CEO, Mark Zuckerberg's score.
FREE SEMINAR

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

Limited Seating - call to reserve (979)320-4085

UNIVERSITY of HOUSTON COASTAL PLAINS SMALL BUSINESS DEVELOPMENT CENTER
EL CAMPO
El Campo Foundation
Event Sponsors

19 year old
← photo
← last year
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

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.”
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.
find.ly helps people get jobs.

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

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

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

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

Employee Rights
Under the National Labor Relations Act

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.
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.
Promote yourself on the Internet.

Create and establish an online presence — look better to HR directors, loan officers and romantic prospects.

Get your own online presence easily.
Establish yourself online without the trouble and cost of learning any code, creating your own sites or paying for Web hosting.

Monitor and manage your reputation.
Keep tabs on how you look from a personal, web-based dashboard — get alerts when content about you appears on the Internet.

Track your online popularity.
Gauge your visibility and search activity — learn how many people are looking for you, how often, and from what location.

Call us toll-free today for a free consultation: 888.919.9312

Our California-based reputation experts are available 24/7 and typically answer calls in an average of 15 seconds.
Bad Reference? Resume Weak? Fired?

WE CAN HELP!

We will act as your past employer and have our operators standing by to give you that “great” reference that you need to any inquirer. Join now and you will be able to create a career with a work history and pay range as you see fit. Keep reading below to find out more!

Our Process

Step 1: Choose Your Plan. If you wish to use one of our already established companies, once you subscribe, you will be directed to our company directory with over 100 virtual firms listed to choose from and new companies are added every week!

Our Commitment

We will act as your very own human resource department and supervisor.
Allow us the pleasure in getting you that dream job

How Bad Do You Want That Job?
Unemployed? Fired? Laid off? Went on a hiatus? In today's world, employers want to see a steady work history. We've got you covered. Find out more »

Need An Apartment?
Moving without a job? Previous landlord won't provide a positive reference? A job & landlord reference is all you'll need to move in! Find out more »

Limited Professional Experience?
You know you can do the job but don't have professional experience to back it up? We'll vouch for anything that's on your resume. Find out more »

Welcome to Fake Your Job
Calling Barack Obama as:
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Mitt Romney

Disguise your Caller ID
Display a different number to protect yourself or pull a prank on a friend. It's easy to use and works on any phone!

Get Spoofing! They’ll never know it was you.

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With SpoofCard you can
Change Your Voice
Simple, Affordable Cell Phones

Cricket Communications is the affordable wireless carrier with great deals on cell phones and cell phone plans. Join millions of customers enjoying unlimited cell phone service today!

create your plan

Design your own plan and see how affordable Cricket can be. Make changes at any time before you checkout.

1. Enter Zip Code
2. Choose a phone
3. Choose a plan
4. Check out

Order today and get free shipping & web only discounts! plus no signed contracts. no credit checks. no fees.
What is truth?
Finished files are the result of years of scientific study combined with the experience of many years of experts.
Finished files are the result of years of scientific study combined with the experience of many years of experts.
Is your perception .... Sometimes your truth?

- Sometimes we have to take another look at what we think we know
Any Questions, Comments, Concerns or Complaints

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or

EEOC Training Institute
www.eeotraining.eeoc.gov