



Arizona Industry Liaison Group Affiliate

**November 2011**

# Quad A News

## **November 15, 2011 14th Annual Compliance Conference**

**In this month's Newsletter we profile  
the speakers and topics for our  
14th Annual Compliance Conference.**

**See the complete agenda on page 2.**

***Register online at [www.azquada.org](http://www.azquada.org)  
or***

**To register by check, use the  
registration form found on page 2.**

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## **December 6, 2011 Annual Members Only Holiday Roundtable**

**TIME:** 8:30-11:30 a.m.  
**LOCATION:** APS, 400 N. 5th Street, Phoenix  
**COST:** FREE for Members  
\$75 for Nonmembers  
(includes 2012 membership)

*Please RSVP by Friday, December 2 to [azquada@aol.com](mailto:azquada@aol.com)*



# 14<sup>th</sup> Annual Compliance Conference

## November 15, 2011

Desert Willow Conference Center  
4340 E. Cotton Center Blvd #100, Phoenix, AZ

7:00	<b>Registration</b>	11:00	<b>Developing an Effective OFCCP Job Listing Compliance Program</b> Rathin Sinha, President America's Job Exchange
8:00	<b>Welcoming Remarks</b> John Garza, President, Quad A Chair, Arizona Industry Liaison Group	12:00	<b>LUNCH</b>
8:05	<b>OFCCP Regulatory Update</b> Marvin Jordan, District Director and Theresa Lujan, Area Office Director OFCCP Phoenix/Las Vegas Area Office	1:15	TBA
9:00	<b>The Blueprint (Cast Studies in Effective Compliance)</b> Greta Young, Compliance Officer OFCCP Phoenix District Office	2:15	<b>EEOC Legal Update</b> Mary Jo O'Neill, EEOC Regional Attorney, Phoenix District Office
10:00	<b>BREAK</b>	3:15	<b>BREAK</b>
10:15	<b>The Spirit of Inclusion (Panel Discussion with Community Based Organizations)</b> Greg Smith, Sr. Compliance Officer and Cody Cummings, Compliance Officer OFCCP Phoenix District Office	3:30	<b>Systemic Litigation/Investigation (Panel Discussion)</b> Isa Cadle, EEOC Deputy Director Phoenix District Office  Mary Jo O'Neill, EEOC Regional Attorney, Phoenix District Office
		4:15	<b>Closing Remarks</b> John Garza, President, Quad A

**Register Online: [www.azquada.org](http://www.azquada.org)**

**If Paying by Check Use Form Below**

**\$100** Current 2011 Members  
**\$175** Nonmembers (Includes 2012 Membership)



6.0 HRCI Credits Pending

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Organization: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
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City, State & Zip: \_\_\_\_\_

**If paying by check:** Please make checks payable to Arizona Affirmative Action Association and mail together with registration form to: AAAA, P. O. Box 1848, Phoenix, AZ 85001. For further information, check our website at [www.azquada.org](http://www.azquada.org) or contact us at [azquada@aol.com](mailto:azquada@aol.com) or call Chris Weakland, 602-377-0404 or John Garza, 602-300-2023. Please advise us if you require special dietary or physical accommodations.

**Special THANKS to  
this Year's Sponsor**

**AMERICA'S  
JOB exchange®**  
Jobs For Everyone

## ***Presentations & Speakers' Profiles***

### ***OFCCP Regulatory Update***

The presentation will focus on OFCCP Director Patricia Shiu's strategies for achieving OFCCP's mission. It will also include an update on current issues and revisions to the regulations at 41 CFR 60-300 and 60-741, the proposal of a new compensation data collection process, and the Active Case Enforcement program.



**Marvin Jordan**  
**District Director**  
**OFCCP Phoenix/Las Vegas**

Prior to joining OFCCP in 2006, Mr. Jordan spent 23 years in the US Air Force, from where he retired a Major. He spent his final six years at the Pentagon, the last three of which he served as both the Director of Minority and Female Outreach Programs and Deputy Director of Military Equal Opportunity, in the Office of the Deputy Undersecretary of Defense for Equal Opportunity. His previous assignments include tours as Chief of the Headquarters Air Force Personnel Training & Resource Team (at the Pentagon), where he was responsible for programming and execution of a \$2.2B budget; Squadron Section Commander of a 273 person mission support organization; Regional Director of Recruiting for a six-state region, and Director of Military Personnel (both home and while deployed).

He holds a Master's Degree in Public

Personnel Management, a Bachelor's degree in Business & Technology Management, and two Associate's degrees. Additionally he is a graduate of the Defense Equal Opportunity Management Institute and has successfully completed numerous professional certifications and leadership training courses.

In his current capacity, Mr. Jordan has jurisdictional responsibility for the entire state of Arizona and the four southernmost counties of Nevada. He manages the Phoenix District and the Las Vegas Field Offices.



**Theresa Lujan**  
**Asst District Director**  
**OFCCP Phoenix/Las Vegas**

Theresa Lujan started her career in Federal Government service with the United States Department of Interior in 1982. In 1994, Ms. Lujan began her career in the OFCCP Phoenix District Office as a Secretary. In 1995, she was promoted to Compliance Officer and quickly became a key contributor to the Agency's program plan.

In January 2011, Ms. Lujan was promoted to Assistant District Director for the Phoenix District and Las Vegas Field Offices. Ms. Lujan oversees the daily operations and work assignments of eight Compliance Officers.

Ms. Lujan holds a B.A. degree from the College of Santa Fe in Political Science.

## ***Presentations & Speakers' Profiles***

### ***The Blueprint (Case Studies in Effective Compliance)***

OFCCP will offer an in-depth presentation on the provisions of the Uniform Guidelines on Employee Selection Procedures as codified in 41 CFR 60-3, sections 1 – 15. Specifically, the presentation will address contractor obligations to evaluate employment decisions for adverse impact, conduct validity studies where adverse impact exists, and consider alternative employment decisions to lessen adverse impact. Further, the presentation will clarify OFCCP's application of the Uniform Guidelines during compliance evaluations, complaint investigations, and in enforcement. Specifically, the presentation will address statistical interpretations in accordance with legal decisions and strategies for eliminating adverse impact in employment decisions. Following the session, attendees will be able to convey the key principles of the Uniform Guidelines, obligations of Federal contractors in properly evaluating and implementing employment decisions, statistical standards established by key court decisions, OFCCP's application of the guidelines in compliance evaluations and complaint investigations, acceptable procedure validation methods, and strategies to lessen adverse impact and prevent violations of Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; and 38 U.S.C. § 4212, as amended.



**Greta Young  
Compliance Officer  
OFCCP Phoenix District**

Greta is responsible for conducting compliance evaluations and complaint investigations of government contractors throughout Arizona and southern Nevada, providing compliance and technical assistance to contractors, and conducting community outreach and

education for OFCCP's stakeholders.

Greta joined OFCCP in 2010. Previously, Greta worked for the Department of Labor in Seattle, Washington at the Office of the Assistant Secretary for Administration and Management. Greta holds a Bachelor of Arts degree from Seattle University.

### ***REMINDER***

***Quad A Memberships Expire on Dec 31.***

### ***Time to Renew!***

For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Participating in monthly meetings builds your network of professional contacts in the areas of HR, EEOC, AA, Compensation, and other areas of interest. Membership entitles you to exclusive benefits on our website, monthly newsletters, discounts on quarterly meetings, workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall).

For more information and to join us or renew your membership for 2012, go to

***[www.azquada.org](http://www.azquada.org)***



## ***Presentations & Speakers' Profiles***

### ***The Spirit of Inclusion (Panel Discussion with Community-Based Organizations)***

OFCCP will present an unique perspective on achieving the regulatory promise of a diverse workforce through effective implementation of the Affirmative Action provisions at 41 CFR 60-2.17(c), 60-20.60-50.2(b), 60-300.44(f), and 60-741.44(f). The presentation will include testimonials from successful Employer – Community Based Organization relationships resulting in the hiring and retention of qualified employees. Following the session, attendees will be able to articulate the regulatory requirements for conducting good faith affirmative action outreach for protected demographic groups, best practices to develop and implement an effect action-oriented plan, and strategies to retain recruited employees and develop an inclusive working environment. Attendees will also gain understanding of the OFCCP evaluation process for affirmative action requirements under Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; and 38 U.S.C. § 4212, as amended.



**Gregory Smith**  
**Senior Compliance Officer**  
**OFCCP Phoenix Area Office**

Gregory is responsible for conducting compliance evaluations and complaint investigations of government contractors located in the State of Arizona and Southern Nevada, providing compliance and technical assistance to contractors, and conducting outreach and education for OFCCP's stakeholders.

Gregory joined OFCCP in 2004 in the Student Career Experience Program. Upon successful completion of the program, he transitioned to a Compliance Officer position and has demonstrated himself to be an exemplary public servant.

Gregory graduated Summa Cum Laude from Arizona State University with a Bachelor of Arts degree in English Literature and a Bachelor of Science degree in Political Science.



**Cody Cummings**  
**Compliance Officer**  
**OFCCP Phoenix Area Office**

Cody Cummings is a Compliance Officer for the Office of Federal Contract Compliance Programs' Phoenix District Office. As a Compliance Officer, Mr. Cummings is responsible for conducting compliance evaluations and complaint investigations of federal contractors located in the State of Arizona and Southern Nevada.

Prior to his employment with the Office of Federal Contract Compliance Programs, Mr. Cummings was employed as a Wildland Firefighter for over 10 years with the Bureau of Land Management.

He is a graduate of Creighton University School of Law and a member of the Utah State Bar.

## ***Presentations & Speakers' Profiles***

### ***Developing an Effective OFCCP Job Listing Compliance Program***

The presentation provides an overview of the OFCCP regulations and discusses the specific actions Federal contractors must take for proactive outreach, job listing and record keeping. It then goes into giving a comprehensive view of how America's Job Exchange (AJE) provides these services and highlights the critical elements of the AJE solution. The presentation is designed to be informative, instructional and interactive, and should be a good resource for companies considering outsourcing.

### **OFCCP Q&A**

#### ***Can a contractor meet its notice-posting obligations by posting the notice electronically rather than in physical paper format?***

The requirement in the current regulations is that the EEO notices be "post[ed] in conspicuous places, available to employees and applicants for employment." "Posting in a conspicuous place" has a well-accepted interpretation, and the requirement is usually met when a paper copy of the notice is affixed to a wall or bulletin board customarily used for workplace notices. The Department of Labor agencies with workplace poster requirements and other Federal agencies are currently studying whether electronic means could be used to satisfy notice posting obligations. At present, however, physical posting of paper notices is required.

Source: <http://www.dol.gov/ofccp/regs/compliance/faqs>



**Rathin Sinha**  
**President**  
**America's Job Exchange**

Rathin Sinha is the President of America's Job Exchange (AJE), a leading provider of Diversity Candidate Sourcing, EEO Compliance and Technology Services of Workforce Technologies. Rathin founded AJE as a continuation of America's Job Bank (AJB) using the same staff and technology after the retirement of the

US Labor Department funded AJB program.

An industry veteran, Rathin is a frequent contributor to industry conferences and publications covering a broad range of topics such as internet recruitment, on-line marketing and technology.

Earlier in his career, Rathin was credited with conceptualizing and developing the ecommerce division for Monster.com making the small business targeted business unit the largest on-line sales and customer acquisition channel in the industry. Rathin was also the business architect behind the launch of Kinkos.com, the on-line division of Kinko's (now FedEx Office), and introduced the web-based 'Print-Bind-Ship' program that revolutionized the on-line printing industry. Earlier, Rathin was a strategy consultant with the Mitchell Madison Group, a top tier strategy firm that spun out of McKinsey in the nine-ties.

Rathin received his MBA from the Anderson School of Management at UCLA, MS and M.Engg degrees from U.C. Berkeley, and his B.S. from the Indian Institute of Technology, Kharagpur.

## ***Presentations & Speakers' Profiles***

### ***EEOC Legal Update***

The EEO landscape has changed significantly in the past year, with the implementation of new laws and enforcement guidance. This year's legal update addresses those changes as well as a review of recent court decisions and their impact. Ms. O'Neill always provides AAAA with valuable insider information about the lawsuits filed and lawsuits resolved by the EEOC.



**Mary Jo O'Neill**  
**Regional Attorney**  
**EEOC**

Mary Jo O'Neill is the Regional Attorney for the Phoenix District Office of the Equal Employment Opportunity Commission which includes Arizona, Utah, New Mexico, Colorado, and Wyoming. She currently manages a legal staff of 25 employees, litigates employment discrimination cases in federal court in the five states she has re-

sponsibility for, advises her enforcement colleagues, and is a frequent trainer/speaker for the EEOC, bar associations, employer groups, and community organizations.

Ms. O'Neill graduated Phi Beta Kappa and summa cum laude from the University of Arizona with a B.A. in political science and women's studies in 1976. Following graduation cum laude from the University of Arizona law school in 1979, she clerked for an appellate judge for a year and then represented indigent Native Americans individually and in groups at the Urban Indian Law Project, first as a Reginald Heber Fellow. She is a past chair of the labor section of the Arizona State Bar Association. In 1986, Ms. O'Neill began her work at the EEOC as a trial attorney, then as a supervisory trial attorney, until she was selected as the Regional Attorney in 2002. While at the EEOC, she has been lead counsel on jury trials and has negotiated nationwide settlements, including the global settlement of the EEOC's cases filed against Wal-Mart under the Americans with Disabilities Act.

### ***EEOC Q&A***

#### ***Are all employees protected under EEOC laws?***

Not all employers are covered by the laws we enforce, and not all employees are protected. This can vary depending on the type of employer, the number of employees it has, and the type of discrimination alleged.

**For example, for businesses and some private employers** — if a complaint involves race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information, the business is covered by the laws we enforce if it has 15 or more employees who worked for the employer for at least twenty calendar weeks (in this year or last).

If a complaint involves age discrimination, the business is covered by the laws we enforce if it has 20 or more employees who worked for the company for at least twenty calendar weeks (in this year or last).

Virtually all employers are covered by the Equal Pay Act (EPA), which makes it illegal to pay different wages to men and women if they perform substantially equal work in the same workplace.

Source: [http://www.eeoc.gov/employers/coverage\\_private.cfm](http://www.eeoc.gov/employers/coverage_private.cfm)



## ***Presentations & Speakers' Profiles***

### ***Systemic Litigation/ Investigation (Panel Discussion)***

This lively and interactive panel discussion will provide you with key insider information about the development of the EEOC's systemic discrimination program, what has happened so far and what you will likely see in the future.



**Elizabeth Cadle  
Deputy Director  
EEOC Phoenix Office**

Elizabeth Cadle joined the EEOC Phoenix District Office as Deputy Director in February 2011. The Phoenix District Office has jurisdiction in Arizona, Colorado, New Mexico, Utah and Wyoming.

Ms. Cadle also serves as the Systemic Coordinator for the District as she was a key member of the Commission's Systemic Task Force which was the driving force behind the agency's focus on systemic cases.

Ms. Cadle began her career with EEOC at the Buffalo Local Office in June 1976. After holding several positions and being promoted numerous times, she became the Director of the Buffalo Local Office in October 1995. She then served as the Enforcement Manager in the New York District Office from February 2008 through February 2011.

During her tenure with the EEOC, she has investigated and managed the investigations of hundreds of cases. Under Ms. Cadle's leadership, the Buffalo Local Office was one of the largest contributors to the New York District's litigation program. She has already made a significant impact in the Phoenix District Office as Deputy Director and is dedicated to the agency's mission of a fair and inclusive workplace for all.



## Presentations & Speakers' Profiles

### ***From the Desk of...*** **USDOL**



### **US Labor Department Awards More Than \$7.6 Million to 5 States for Innovative Re-Employment Strategies**

**WASHINGTON** — The U.S. Department of Labor today awarded more than \$7.6 million in grants to five states to design and implement innovative strategies that will improve re-employment services for unemployed workers. States receiving these funds responded to a "call to innovate" around a new national vision and framework that aim to create an integrated workforce customer registration process, use real-time data for enhanced decision-making, highlight skills transferability and leverage social media tools.

"Getting America back to work is a top priority of the Department of Labor," said Secretary of Labor Hilda L. Solis. "Doing so requires more creative thinking and innovative solutions than ever before, and these grants will help states take the next steps to improve services to unemployed workers."

Idaho, Minnesota, Mississippi, New York and Oregon will use the funds to design a common "front door" to the workforce system to ensure Unemployment Insurance claimants have immediate access to re-employment services when they file claims for benefits; improve data integration and assess transferable skills to help claimants and workforce professionals make decisions; and effectively incorporate social media to connect unemployed workers with jobs. The tools and resources developed by

the states will be implemented in partnership with Local Workforce Boards and One-Stop Career Centers, and will serve as a model to improve re-employment services nationally.

These grants are awarded in partnership with the National Association of State Workforce Agencies and are funded through the Workforce Investment Act.

State	Organization	Amount
Idaho	Idaho Department of Labor	\$750,000*
Minnesota	Minnesota Department of Employment and Economic Development	\$750,000*
Mississippi	Mississippi Department of Employment Security	\$2,000,000
New York	New York Department of Labor	\$2,000,000 plus \$750,000*
Oregon	Oregon Employment Department	\$1,393,072
Total		\$7,643,072

*\* Indicates grant funds are specifically focused on the use of social media*

### **Federal Contractor Caviness Beef Packers Agrees to Pay \$600,000 to Applicants to Resolve Allegations of Hiring Discrimination**

***746 Applicants in Amarillo and  
Hereford, Texas, Affected***

**AMARILLO, TX** — The U.S. Department of Labor's Office of Federal Contract Compliance Programs today announced that federal contractor Caviness Beef Packers Ltd., doing business as Palo Duro Meat Processing Inc. in Amarillo and Caviness Packing Co. in Hereford, has agreed to a settlement resolving find-

## ***From the Desk of...*** **USDOL**



ings that the company discriminated against job applicants on the bases of race and gender by rejecting them for positions at the company's two meat processing facilities.

"The law is clear," said OFCCP Director Patricia A. Shiu. "Discrimination will not be tolerated by employers who profit from lucrative government contracts. We are committed to protecting workers from discrimination, including the hundreds of qualified white, black, Asian and female job seekers involved in this case."

OFCCP conducted scheduled compliance reviews of both plants, which found that the company had violated Executive Order 11246 by failing to meet its obligations as a federal contractor to ensure that qualified job applicants receive equal consideration for employment without regard to their sex, race, color, religion or national origin. Caviness holds contracts with the U.S. Department of Agriculture in excess of \$20 million.

Under the conciliation agreement, Amarillo-based Caviness Beef Packers will pay \$600,000 to the 746 identified class members, including back wages and interest, and extend at least 81 offers of employment as positions become available. Additionally, the company agreed to revise its selection process for production positions to avoid future violations of its equal employment opportunity obligations.

In addition to Executive Order 11246, OFCCP's legal authority exists under Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act of 1974. As amended, these three laws hold those who do business with the federal government, both contractors and subcontractors, to the fair

and reasonable standard that they not discriminate in employment on the basis of sex, race, color, religion, national origin, disability or status as a protected veteran.

*For general information, call OFCCP's toll-free helpline at 1-800-397-6251. Additional information also is available at <http://www.dol.gov/ofccp/>.*

### **EEOC Alleges Beehive Homes Harassed, Demoted, and Discharged Pregnant Managers**

***Home Owner Sought to Replace  
Employees as Soon as They Announced  
Their Pregnancies, Agency Claims***

**PHOENIX, AZ** — Beehive of Vernal, Inc., operating as BeeHive Homes, discriminated against pregnant employees by subjecting them to harassment, discriminatory treatment, demotion, and discharge, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today in federal court.

According to the EEOC's suit, filed in U.S. District Court for the District of Utah, Central Division (*EEOC v. Beehive of Vernal, Inc.*, Case No. 2:11-cv-00919-SA), at least two pregnant managers were subjected to constant harassment by the company's owner, who continually offered to hire replacements for them even when they were months from delivering their babies. The owner also subjected pregnant employees to closer scrutiny and harsher discipline, including demotion and discharge, as compared to non-pregnant employees, the agency claims.

Title VII of the Civil Rights Act of 1964, as amended, protects workers from discrimination based upon sex, including pregnancy. The statute also imposes liability on employers who create an environment so hostile that an employee is con-

## ***From the Desk of... USDOL***



structively discharged. The EEOC filed suit after first attempting to reach a voluntary settlement. The lawsuit seeks lost wages and compensatory and punitive damages for the employees, as well as appropriate injunctive relief to prevent discriminatory practices in the future.

"It's hard to believe that employers in this day and age still think it's okay to make negative assumptions about a woman's ability to work when she's pregnant," said Mary Jo O'Neill, regional attorney for the EEOC's Phoenix District Office. "To limit a woman's employment opportunities right at the time when her family is growing and she often needs to maximize her earning ability is both unlawful and unfair."

EEOC's District Director Rayford O. Irvin, added, "Too many employers engage in unlawful employment activities based on stereotypes, whether they are regarding employees' disabilities, race, or, in this case, pregnancy. All workers deserve the opportunity to be judged based on their abilities, not based on discriminatory stereotypes."

According to its website, BeeHive Homes operates two assisted living facilities in Vernal, Utah. Other BeeHive Homes franchises operate throughout the West.

The EEOC Phoenix District Office is responsible for processing charges of discrimination, administrative enforcement, and the conduct of agency litigation in Arizona, New Mexico, Colorado, Utah and Wyoming, with Area Offices in Albuquerque and Denver.

## ***From the Desk of... EEOC***



### **Hamilton Growers Sued By EEOC for Discrimination Against American Workers *Company Favored Mexican Workers Over American Workers***

**ATLANTA, GA** – Hamilton Growers, Inc., doing business as Southern Valley Fruit and Vegetable, Inc., subjected American workers to discrimination based on their national origin at its Norman Park, Ga., location, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed recently.

According to the EEOC's lawsuit, the company engaged in a pattern or practice of firing virtually all American workers while retaining workers from Mexico during the 2009 and 2010 growing seasons. The agency also alleges that the employer fired at least 16 African American workers in 2009 based on race and/or national origin when their termination was coupled with race-based comments by a management official. The lawsuit also alleges the employer provided lesser job opportunities to American workers, which resulted in their earning less pay than their Mexican counterparts, and subjected American workers to different terms and conditions of employment, including less desirable job assignments.

Title VII of the Civil Rights Act of 1964 prohibits employers from discriminating against employees on the basis of national origin and race. The EEOC filed suit (Civil Action No., 7:11-CV-00134-HL) in U.S. District Court for the Middle District of Georgia after first attempting to

## ***From the Desk of... EEOC***



reach a pre-litigation settlement through its conciliation process. The EEOC is seeking back pay and compensatory and punitive damages for 19 persons who filed charges with the agency and for other American workers harmed by the practices. The agency is also seeking injunctive relief designed to stop the discrimination and prevent it from recurring in the future.

“The EEOC has reason to believe that the practices alleged in the lawsuit are relatively common in the industry,” said Bernice Williams-Kimbrough, district director for the EEOC’s Atlanta District Office. “The EEOC is committed to protecting American workers from arbitrary firings and disparate treatment due to national origin.”

### **EEOC Sues Emmert International for Race Discrimination, Harassment and Retaliation**

***Company Subjected Employees to Racial Slurs, Retaliated Against Them for Complaining, Federal Agency Charged***

**PHOENIX, AZ** — Emmert Industrial Corp., d/b/a Emmert International, violated federal law by harassing employees and retaliating against them for opposing the harassment, among other unlawful practices, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

The suit alleges that an Emmert International project superintendent and other employees routinely subjected employees to unwelcome racial harassment,

including frequent racial slurs. These actions took place in 2009, when Emmert was working on a project to move Odd Fellows Hall, a nineteenth century building in downtown Salt Lake City. The EEOC alleges that the project superintendent harassed at least one black employee and, when the employee asked him to stop, the superintendent told him he could leave the job if he didn’t like it. The EEOC also alleges that Emmert International then isolated that employee and later did not rehire him because of his complaint and because of his race. Emmert International similarly harassed and retaliated against a white employee in an interracial marriage, according to the EEOC’s lawsuit.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits race discrimination in employment and protects employees from retaliation when they report discriminatory treatment. The EEOC filed suit (*EEOC v. Emmert Industrial d/b/a Emmert International*, Civil Action No. CIV-11-00920-CW) in the United States District Court for the District of Utah, Central Division after first attempting to reach a voluntary settlement through its conciliation process.

“After more than forty years of enforcement of the federal statute prohibiting race discrimination in employment, there is no excuse for the prevalent use of racial slurs and other discriminatory treatment in the workplace,” said Regional Attorney Mary Jo O’Neill of the EEOC’s Phoenix District Office. “Moreover, employees must know that when they complain about such treatment, they are protected by law.”

EEOC Phoenix District Director Rayford O. Irvin added, “Every employee deserves to work in an environment free from harassment. Many people believe that blatant race discrimination no longer exists, but the problem persists. The EEOC will continue its efforts to eradicate race discrimination and protect employees from unlawful retaliation.”



# 2012 Membership Application

Thank you for your continuing interest in and support of the Arizona Affirmative Action Association (Quad A). Our members include professionals in the fields of human resource management, equal employment opportunity, affirmative action, workplace diversity and other related fields. For over 35 years, Quad A has been providing its members with quality, up-to-date information through workshops, seminars and conferences. Your membership entitles you to a monthly newsletter, quarterly meetings/workshops, seminars, the Annual Conference (in April) and Compliance Conference (in the fall). Most activities are included in your membership; others are offered at a substantial discount. At only \$75 per year (Jan-Dec), membership in Quad A is a true value for the money. *(Individual memberships only; no organizational memberships at this time.)*

Goals of the Arizona Affirmative Action Association are to:

- Promote equal employment opportunity, diversity and affirmative action in the workplace.
- Promote awareness and recognition in the workplace and the community of the benefits of taking affirmative action to provide equal employment opportunities
- Share and disseminate up-to-date information on EEO, AA and diversity issues, legislation, judicial decisions, best practices and trends.
- Provide an opportunity for professionals interested in EEO, AA and diversity issues to network and communicate.

*Quad A is a nonprofit 501(c)3 organization (TIN 86-0966437).*

***Membership applications/renewals can be made  
online at [www.azquada.org](http://www.azquada.org).***

*If paying by check, please return this renewal form along with a check or credit card for \$75 made payable to Arizona Affirmative Action Association to our office at P.O. Box 1848, Phoenix, AZ 85001.*

## MEMBERSHIP APPLICATION/RENEWAL

Member Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail (for member communications only): \_\_\_\_\_

**Arizona Affirmative  
Action Association  
(aka) "Quad A"**

**P. O. Box 1848  
Phoenix, AZ 85001  
Phone: 555-555-5555  
E-fax: 602-321-6016  
E-mail: azquada@aol.com**

**We're on the Web!**  
**azquada.org**

**Board Members & Officers**

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(602) 300-2023

**Maria Sandoval, PHR, Vice President**  
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**Rebecca Rand, SPHR, Recording Secretary**  
American Express  
(602) 537-2960  
**Gail Painter, PHR**  
Apollo Group  
602-557-7586

**Marian Enriquez, CCEP, MHCS, PHR**  
The Sundt Companies, Inc.  
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**Neil Bourque, SPHR**  
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**George Thorne**  
Jobing.com  
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**Lisa Barnum**  
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**Evelyn Miller**  
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520-794-9997

**Charlene Valestin, SPHR**  
Zions Bancorporation  
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**Lida Daniel**  
Blood Systems  
(602) 414-3517

**VACANT**  
**Quad A Legal Counsel**

**Flossie Christensen, Chair**  
**Las Vegas SNILG Chapter**  
Bank of Nevada  
(702) 248-4200

**Quad A Administrator**  
**Chris Weakland, SPHR**

Legacy Partners Consulting & Coaching, LLC  
(602) 377-0404

**Membership meetings are the 3<sup>rd</sup> Tuesday  
of every month from 8:30-10:00 a.m.**

# 2011 Calendar of Events

DATE	TOPIC	HOST & LOCATION
Jan 18, 8:30-10:00	2011 Forecast & Trends in Employment	Blood Systems 4405 E. Cotton Center Suite 120 Phoenix
Feb 15, 8:30-10:00	Compliant & Effective Job Descriptions & Postings	Sundt Construction 2641 S. 40th St. Phoenix
Mar 15, 8:30-10:00	Can Your Organization Make the Grade? Passing the OFCCP/EEOC Tests	Blood Systems 4405 E. Cotton Center Suite 120 Phoenix
Apr 19, 8:00-4:00 Cost: Members \$100 Nonmembers \$150	36th Annual Conference	Desert Willow Conference Center 4340 E Cotton Center #100 Phoenix
May 17, 8:30-10:00	Medical Marijuana in the Workforce	American Express 18850 N. 56 <sup>th</sup> Street, Phoenix
June 21, 8:30-10:00	Disabled/Vets Outreach -- Good Faith is Not Enough	Sundt (Los Alamos Rm) 2620 S. 55 <sup>th</sup> Street Tempe
July 25-29	Annual National ILG Conference	New Orleans
<b>AUGUST</b>	<b>MID-SUMMER BREAK</b>	<b>MID-SUMMER BREAK</b>
Sept 20, 8:30-10:00	Best Practices: Communicating AAPs	Blood Systems 4405 E. Cotton Center Suite 120 Phoenix
Oct 11, 8:30-10:00 <b>NOTE:</b> <b>Change of Date</b>	Best Practices: Diversity – Not Why But How	Sundt (Los Alamos Rm) 2620 S. 55 <sup>th</sup> Street Tempe
Nov 15, 8:30-10:00 COST: Members \$100 Nonmembers \$175 (Includes 2012 Membership)	14th Annual Compliance Conference	Desert Willow Conference Center 4340 E Cotton Center #100 Phoenix
Dec 6, 8:30-11:30 COST: Members FREE Nonmembers \$75	Annual Members Only Holiday Roundtable	APS Conf Rm 2 South 400 N. 5th Street Phoenix