

HRCA Newsletter

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HRCA NEWSLETTER

SUMMARY &
INTRODUCTION



James Duran

The war in Iraq is well underway and we are beginning to see some signs of a turnaround in the market. If you are reading this newsletter, and unemployed, it's time to rev up your marketing engine with some of the programs that HRCA offers so you can get back to work. If employed, then this is your reminder that it's important to keep your network refreshed and that in order to stay informed, it's your responsibility to keep informed about what's going on in Human Resources and recruiting. That's what HRCA and this newsletter are all about! You can contribute to this newsletter by sending me articles or subjects to write about. Direct your articles, comments or questions to me directly at jamesd@duranhcp.com

This issue begins with another thread and companion piece to the [Greatest Problems in HR](#) that we talked about last issue. Under the category of [Recruiter's](#)

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This is important information for recruiters and HR folks to be aware of and has implications for employers, our clients and us. In the things you ought to already know department, I have a basic Offer Letter Structure document for your future

reference. If the offer letters you use don't contain these elements or you have others, please let me know so we can all be more enlightened. Most of you may already be aware that the annual HR Symposium will take place on Wednesday, May 14, 2003. You'll find a similar free HR conference here with the announce-

ment on the May 13, 2003 Free HR Star Conference in this issue. To complete this newsletter, for "A Note From the Board" we have an editorial by Merrill Martin, who has been doing a fantastic job at rejuvenating our Job Leads group activity. Tell me what you want to hear and know more about! Adios Amigos!



"Trainers use humor to point out negative behaviors in ways that teach rather than preach. Mediators tell us that the right joke, or the right moment of levity, can reduce tensions to the point that two adversaries can sit down at the table to consider the possibility of agreement.

So why does humor work? Because it shatters preconceptions at the moment when people are forming new perceptions—about their work, their spouse, or life itself. Laughter is a release; it is a moment of sheer pleasure. And in our world of tension and turmoil, the belly laugh is a physical escape valve.

Choosing the humor is another matter. We live an era of the put-down, the snide aside, the searing retort. These comments do have their place, but all too often they make us laugh at someone else's expense. Good humor, nourishing humor for example, enables us to laugh at ourselves for being human. It serves as a window into our souls."

John Baldoni has created a series of radio commentaries called *Life, Leadership, and Laughter*. These commentaries air monthly on Michigan Radio (WUOM 91.7)



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Greatest Problems in HR, Continued...

James Duran

In a recent article in this newsletter, we talked about what HR folks perceived as their greatest challenge. Following up on that thread, we have been pursuing this question with some local HR folks we know. In a recent conversation with an HR Director of a Silicon Valley company, the challenge they have has to do with maintaining morale, keeping people creative, happy and motivated in their jobs.

The problem can be reduced to its simplest terms and called a retention problem. But perhaps that's too easy an explanation for what's going on. In today's economy, employers and upper management find it easy to think that employees should be glad to have a job, that they are among the fortunate few who are employed. It's easy to have an expendable employee, throw away mentality in this economy. For that reason, when HR management says to the CEO, "we need to look at enhanced benefits, management training and team building skills programs, company sponsored events, ways to motivate and keep our employees", it's easy to underestimate

the resistance they so often encounter. Why is it then, that HR people are so often made to feel as though they are supposed to be in league with the CFO and save the company money and resources, acting as guardians of the company purse strings?

While focus has been placed on cutting costs, reducing headcount and doing more with less resources, little energy has been placed on retention or investment in human capital strategies. Morale is not being addressed. In a recent NCHRA conference, HR professionals were reminded by Jeanne Palmer that the labor shortage has not gone away. Companies are still looking for highly specific skill sets and once the temporary recession/depression dissipates that we are in the midst of in the silicon valley, we will see a large exodus of "Captive" employees as they flow from one employer to another because their needs and wishes have been ignored.

The big question really is "How do you invest in Human Capital within your company?" If the CEO has to be convinced of the need to invest in Human Capital, then you know as HR management, that you are going to have an uphill battle all the way. If they are open to solving and working on this question with you, then the question becomes more strategic, then tactical - which are the most effective types of investments you can make in your Human Capital? The tactical piece has everything to do with effective implementation of the prioritized strategic selections. Every environment is different. There is no stock answer, and perhaps there are no singular right answers. The best you can do in HR is to get executive management involved in the process of thinking of Human Capital, employees, as a strategic asset, and coming up with ways to measure and foster

creativity, happiness and motivation in the employee population.

My message is simple – the role of the HR professional is to communicate with and educate management, while staying in touch with and communicating concurrently with the individual contributors, the employees that make a company productive.

I am reminded of conversations I have had with board members of different HR & Recruiting Associations I belong to where the question of programs came up. I have seen Board Members, myself included, saying, "let's find a speaker or put together a program on _____". One of my friends, Richard Holtry, is famous for asking, "Has anybody asked the members what they want?", or "how do we know what the members want?". Too often, we are looking for quick fix solutions. An employee survey then is one approach to beginning to address this question. Some of the issues these surveys typically look at include:

- Overall satisfaction and commitment
- Organization effectiveness
- Performance management
- Supervision
- Rewards
- Communication
- Decision-making and empowerment
- Workload and resources
- Employee relations and treatment

Many people argue that the problem with surveys is that you then have to address everything people complain about, or else they lose their effectiveness. Further, HR may also have the task of securing upper management buy in, in the validity and problem resolution discussions, another formidable challenge.

Continued...

Other approaches to collecting data and communicating with employees to address the motivation problem include:

- Self created, web based surveys and polls: Participation can be designated open to all employees or specific departments.
- Retain a 3rd party to conduct a survey or analysis to determine what's on employee minds.
- Anonymous Communication Forums: Interactive email solutions that allow employees to send email to company designated execu-

tives, managers or outside consulting firms while remaining anonymous

- Executive Corner: Where company leaders have the ability to post messages about upcoming events, surveys and polls, accomplishments, recognitions, sales, partnerships, etc.
- Coffee klatches/Brown bag luncheons: Executive hold weekly/monthly informal events directly with designated employees to see what's on their minds, exchange information directly with employees.
- Focus Groups: Organize cross-disciplinary or departmental focus groups, spe-

cifically to address company issues, employee issues, etc.

- Suggestion Box: Create a suggestion box and a program to review and report on it.

Summarizing, the challenge for HR management is to get upper management to recognize the value of investing, not only in \$, in human capital, or risk losing and then ultimately replacing your most valuable asset – your employees! In order to do this, HR management must polish up their communication and education skills, and remain adept and informed on the latest techniques and tools to find out what's going on within the employee population.



Board Members	2,041,446
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CFOs	112,652
CTOs	31,188
VPs	1,342,633
Directors	3,754,569
Managers	2,220,062
Engineers	257,476
Consultants	350,936
Project Managers	110,574

I have talked to more than one recruiter who has spoken very highly of the service, and I would advise anybody particularly involved in the selection of Directors, VP's, etc. to use this as part of their recruiting tools arsenal. Eliyon is located in Cambridge, MA, but they are just as close as your web browser. Following are some responses to question I asked them.

Q Which levels of positions do you see your service being most useful for from the perspective of an external agency recruiter or an internal recruiter for an employer?

A Eliyon covers mid-management to the highest executive levels. With nearly 14 million profiles of individuals, the focus of these candidates encompass all work -- advertising to technology to zoology and everything in between.

Q How would you differentiate your service from the popular West Coast service, MicroQuest (<http://www.mqc.com/techdir.html>)

The Recruiters Tool Chest

Eliyon
James Duran

According to their web site, this is a representative list of the diversity represented by the millions of people Eliyon has already profiled:

Total number of people: **13,041,902**
Total number of companies: **941,307**

I recently had the opportunity to interview the people at Eliyon. I spoke with Martin Querzoli, Director of Public Relations and Jeremy Rothman-Shore, VP of Development. For those of you who have not heard of or used them yet, this will serve as an introduction into the service. Essentially, it's a research service that a recruiter can buy to assist in the candidate identification process. It is also a service that can be used for business development as well as compiling competitive intelligence on employers.

Continued...

A *MicroQuest is a hand-compiled list of information specific to the technology industry. Eliyon collects information on all industries, and since it is entirely automated, it is able to compile information much faster, dwarfing the MicroQuest database.*

Q Why would I want to use your service as opposed to using the services of a specialized research service or agent?

A *It is not uncommon for a complex candidate search – encompassing specific skills, experience, metro region, possible languages and more – to be accomplished in minutes through Eliyon. It is also not uncommon that outsourcers trying to duplicate the same could labor for days, even weeks, and never get an equal list of quality candidates. The ROI of Eliyon is very rapid. Additionally, Eliyon’s service can empower lower level staff to handle searches that previously would have required the attention of someone more senior, freeing up executives to focus on other business needs. Customers also use the service for their own business development, and, to expand offerings into new areas and establish additional profit centers.*

Q At what rate are you adding new names to your database? Are people involved in reviewing data before it's added to your database, or is the process entirely automated?

A *For another service to duplicate Eliyon’s data quality would require an extensive staff working around the clock – it would be too cost prohibitive. The beauty of our system is that the technology not only gathers massive volumes of information from the Internet, it reads and extracts the key data, reassembling it all into individual profiles. It is completely automated; no human editing is required, and the data is constantly being refreshed. Currently, we have nearly 14 million searchable profiles of individuals and*

companies. And each month, our database grows by close to a half million new profiles.

Q If your database is low in the type of people I am looking for, can I request you to add more if I am a subscriber?

A *Customers are encouraged to tell us about websites and online publications that have the types of candidates they want. If we don’t already have this in the list of millions of websites we crawl regularly, we can add it for them.*

Q How do you see web accessible databases evolving in the future?

A *The major hurdle to harnessing the power of the Internet was being able to extract data. Until Eliyon, you punched in some keywords and got inundated with “hits;” much of the data often being irrelevant. That meant sifting through extraordinary amounts of documentation – a process that was time-consuming and therefore costly. Eliyon cleared that hurdle through advanced natural language processing. As a leading technology analyst said after looking at Eliyon; “It is an excellent example of how new technologies are delivering real business value while building on proven practices.” However web accessible databases evolve in the future, data extraction will be critical.*

Q How frequently is the information in your database updated to reflect changes in people positions or employers?

A *Eliyon’s computers visits thousands of news sources every day looking for updates on people and where they are working. In addition, they visit company websites every three months to update themselves on the latest changes in the company management team.*

Q Today, we're beginning to see an outcry from the public regarding unauthorized sale or transfer of biographical data including resumes or contact data. How would you de-

scribe your privacy policy toward the treatment of public data that you have extracted via the Internet?

A *Eliyon’s system is geared to look for business information, not instances of a more personal nature. What’s more, we gather data only from published online sources including SEC filings, corporate Web sites, news sources, press release distribution outlets and more. Eliyon profiles match business data to the individual and company – that is our only interest and our technology is entirely focused in this pursuit.*

Q Europe seems to have broader more comprehensive privacy guidelines. Is your service audience confined only to North America or is it also used in Europe?

A *Eliyon is the largest database of information on people in business in the United States. In late spring, we will expand our service to cover Canada, and in fact, we are already gathering data from most of the 125,000 Web “.ca” sites we plan to regularly crawl. Our database is now the largest in the Northern Hemisphere and is growing rapidly. Our reason for the expansion is we see an opportunity. As an analyst recently said of the expansion; “In addition to shared commerce, many companies have offices on both sides of the border - there is a real need for a comprehensive data source. Eliyon has a large repository of relevant business data that is constantly updated and expanded...(its) technology provides uniquely qualified results that competitors will find hard to match.”*

Q Is all the data you have in your database from public sources, or do you also use private sources?

A *All of our data comes from public online sources.*

Q Do you have any plans for expanding your service offering to recruiters as opposed to sales, competitive intelligence or other business segments? If so, what other services are you planning to offer

A The information inside of Eliyon is applicable to almost any industry revolving around interacting with people. Currently, we are most actively selling Eliyon to the recruiting market. As we expand further into other markets, we may begin differentiating the services to customize to those industries.

Q What is the cost model for recruiters or companies wishing to use or subscribe to the Eliyon service?

A Eliyon is sold as a floating license. A license consists of a single username and password that can be shared by people within an organization.

Q What do you see as the greatest problem in staffing today?

A Finding people with the right skills and experience quickly and easily.

Q If you could change one thing about recruiters to make them more effective in their jobs, what would it be?

A Companies need to objectively analyze overhead. Not just employee salary but related expenses, as well as how much time is consumed in research. Whether it's Eliyon or any other tool, higher ups should also look at ROI – how quickly their investments will pay off and turn a profit. Furthermore, they need to add in what additional benefits such tools bring to the table – such as new business development – both immediately and in the future. As for recruiters themselves, it's a difficult job in a difficult time. Eliyon is pleased to be able to eliminate some of the stress and make them even more productive.

Q Lots of people seem to travel the speaking circuit for the HR and Recruiting shows such as ERE, Kennedy, EMA, SHRM, etc. I haven't seen you at any of these shows. Do you attend these shows and are you ever a speaker at them?

A Eliyon was established in 1999. We just closed our first year of active sales, signing up over 150 customers, including 26 Fortune 500s. Still, despite our rapid success, we are a young company. As such, while we have been represented at shows, we look forward to and are planning on both attending and speaking at more in the near future.

Q How has the slowdown in hiring in technology impacted your business?

A Actually, it hasn't. Eliyon has experienced widespread and immediate acceptance despite the current economic climate, technology included. Furthermore, we are well positioned to take advantage of things when this changes.

Q How large is your company? (People and revenues)

A Eliyon is a privately held company so we don't release revenue figures. However, as seen in our first year of active sales, we are growing very quickly and achieved profitability last year.

"Psychologists tell us that money is a satisfier, not a motivator... Recognition. That's why we do what we do... Recognition is critical to self-esteem. Without it, we feel undervalued, even insignificant. Money is nice, sure. But once you establish a basis of monetary rewards, without the accompanying verbal and social affirmation, the employee will quickly become disgruntled and ask for more. Eventually, more will never be enough."

John Baldoni



Integrity: New Key to Employee Selection

Jim Holley & Larry Kroh
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Historically, picking employees focused on "getting the right faces in the right places" by looking at resumes and interviewing. American businesses have always known that a good hire yielded enormous leverage, while a bad hire carried heavy costs, estimated from one to two times annual salary.

Mounting evidence of employee fraud at all levels of American business suggests that employers need to expand their employee selection process to identify candidate integrity problems before the hiring decision is made.

Consider these recent studies:

- Employee fraud costs U.S. businesses an estimated \$20 billion to \$40 billion in annual losses, or \$9 per day per employee, with the most costly abuses in organizations of fewer than 100 employees (Association of Fraud Examiners).

- Employees committed almost 80% of fraud impacting a business (two year study of fraud by KPMG).
- Employee theft has surpassed shoplifting as a percentage of total thefts, a dramatic increase in the past 10 years (2000 National Retail Security Survey).
- Nearly one-third of all business failures have been linked to employee thefts (U.S. Chamber of Commerce).
- Ten percent of the work force accounts for 95 percent of business fraud (U.S. Chamber of Commerce).

As recent Wall Street scandals have indicated, employee fraud can be found at any level of an organization. Ironically, most employers still do not address fraud in their selection process, or if they do, limit their analysis to credit and criminal checks that don't go far enough.

Many companies avoid integrity screening at executive levels, relying solely on their personal knowledge or "old boy" networks to surface candidate information.

Employee fraud can be minimized regardless of industry, company size or level of the position by adding integrity testing and background screening to the current employment

process. Both can be easily and quickly administered, scored and analyzed, often using Web-based tools, at an insignificant cost compared to the benefits received.

Integrity tests have provided a reliable predictor of candidate's future behavior on the job. In fact, the American Psychological Association and the federal government's Task Force on Technology concluded that an integrity test is the best method available to identify potential thieves among applicants.

Comprehensive background screening will reveal information that is far more accurate in predicting future behavior than standard credit or criminal background checks. Consider:

- Credit checks don't reliably predict whether a job applicant is likely to steal.
- Since criminal background checks report only convictions – and few employers prosecute employees caught stealing – the majority of applicants will go undetected by this screen.

Depending on the nature of the job, a comprehensive check could include applicant driving records, court records, character references, workers' compensation, employment verification, educational re-

ords, social security verification, and property ownership.

How should you select an integrity test and background supplier? Ask these questions:

- How long has the company been in business? Who developed their tests? Who are their clients? Can the company offer both integrity and background verification?
- Do the integrity tests have proven reliability and validity and were they tested against the general population?
- Can they be scored immediately either over the internet or through software downloaded to your computer?
- Does the background supplier offer training and or ongoing consultation?

Failure to defend against employee theft or misconduct could not only increase costs, but, in some cases, be the end of a successful business.

Jim Holley and Larry Kroh are with HPI consulting, a Human Resources consulting firm in San Jose. They can be reached at www.hpiconsulting.com. This article was originally published in the March 21, 2003 issue of the San Jose Business Journal.

"... three main components of leadership: mastery of the subject-matter, ability convincingly to articulate the particular course of action required and a fervent belief in its correctness."

Sir Ninian Stephen, Governor-General of Australia 1982-1989



San Diego February ERE Conference

James Duran

The ERE held their biannual Conference in San Diego in March of this year. Attendees numbered just over 200 people and the tradeshow was comprised of about 20 vendors, both, a far cry from the numbers seen at this same conference two years ago. Still, it was good to be amongst other recruiting professionals and to hear from the pundits and soothsayers about what is going on in the recruiting world. Speakers included: U.S. Secretary of Labor Alexis Herman who opened the conference with a prescient look at the future of the workforce. Her presentation focused on two major workforce trends that will begin to converge in 2010: an increasing scarcity of skilled workers in key professions, and an entering workforce with a huge proportion (85%, according to her figures) of historically disadvantaged workers, such as women, minorities, and immigrants. Other conference speakers included corporate practitioners, recruiting experts, and the ER Daily regulars like Lou Adler, Dr. John Sullivan, Kevin Wheeler, Ken Gaffey and Martin de'Campo. Note that three

of these guys are locals: the ever popular Dr. John Sullivan (SF), Kevin Wheeler (Fremont) and Martin de'Campo (Oakland).

Three trends concerning ATS's, Applicant Tracking Systems became clear in talking to the vendors. One of these trends is to include vendor management systems as a module or feature within the ATS's. The second trend is to incorporate some of the functionality from screening and assessment tools into the ATS's. For a third trend or feature, these systems seem to increasingly interlock with and provide a seamless or transparent interface to the Employer's Job Openings section web site or else they act as the front end for the employers web site, as an additional feature enhancement.

With respect to the vendor management piece, these systems offer functionality so that when you post a Req, if desired, you can send it out to various sub vendors at the push of a button, and further, you can track their performance and costs through various metrics, so that you can carry out a well thought out vendor management and selection process in future years. On the assessment front, for one example, DDI and Recruitsoft have partnered to offer a bundled service. According to one news release... San Francisco-based Recruitsoft, a provider of Web-based hiring management systems, has partnered with Development Dimensions International (DDI), a global human resources consulting firm specializing in selection system design and leadership development. Through the partnership, Recruitsoft and DDI clients will have improved assessment services provided by DDI, and increased accuracy through Recruitsoft's systematic

approach to recruiting and talent deployment. *"By integrating DDI's selection and assessment consulting and content expertise as well as online tools for screening, testing, assessing and applicant tracking with Recruitsoft's technology solutions, our respective clients will be able to rapidly identify top talent and expand workforce capability,"* said Bill Byham, chairman and chief executive officer of DDI. Based on my brief conversation with the Recruitsoft/DDI team at the conference, I see they have a ways to go before they provide one cohesive story to the customer, but clearly, it's coming, not only from them, but from other vendors as the recruiting and assessment people acquire broader knowledge and understanding of the other's value. I think it is safe to say that we will be seeing more of these partnerships as we see increased utilization and acceptance of screening and assessment tools. If you are looking at any ATS's for your employer or client, be sure to ask about these features and aspects if they make sense. Interestingly, the larger ATS's seem to be targeting the 2,000 employee plus size employers, and many of them do not really hit the sweet spot until the employer achieves an employee base of 5,000 plus employees along with the Req. loads that are typical with those size companies. For the third feature I have referenced, the direct/indirect interface to your employment section on your web site, all I can say is to be sure to ask about the pricing to customize the package for your employer's web site, and make sure you understand if they are the only ones who can do it or if third parties also do the customization. Watch out for a big "ouchy" on the pricing if you want to have a transparent interface.

Continued...

From another perspective, it's safe to say that if you are working at a startup, most of these systems are way overpriced for what you need, and the last thing you need is an expensive vendor management system module for an already expensive piece of software. The vendors catering to the sweet spot of startups of 5 to less than 500 employees in size were completely absent from the Expo. If you are employed with one of these smaller employers and

you are familiar with ATS's that address smaller company needs, please let me know and I will publish that information in a future issue of this newsletter.

The next conference in the ER Expo series, ER Expo 2003 East, will be held on September 24-26, 2003, at the Chicago Sheraton in downtown Chicago. Stay tuned to www.erexpo.com for more information about this and other future ERE events.

PS, Oh yeah, I forgot to mention that I also saw and spoke with the DICE people and they confirmed what Mark Twain said, "that the rumors of their death are greatly exaggerated". They went into bankruptcy and have emerged without missing a beat. From the perspective of the Rep I spoke with, that's something that the guys in New York are doing, but the people in Des Moines who make DICE work, as well as the customer base, are essentially unaffected by these financial wranglings...

HRCA Event

April 26th – Networking Seminar

The top is Networking and how to make Networking work effectively for you.

To enroll

Please send a Please send HRCA a check for \$85 to confirm your reservation for the HRCA sponsored seminar GET NETWORKED.

The date is Saturday, April 26th.

The place is Lee Hecht Harrison offices.

Remember lunch is included.

For more information on the seminar please see www.workit.com

To Register:

Send check, payable to HRCA, to:

Attn: Helen Frederick

HRCA Business Office

1650 Graff Court

San Leandro, CA 94577

Telephone - 510-553-9845



The California Minimum Wage Revisited

James Duran

In the Jan/Feb 2003 issue of the newsletter I reported on my visit to the California Industrial Wage Commission public meeting. At that meeting, one of the two primary pieces of agenda was the request to reconsider the California minimum wage, currently \$6.75/hr. The motion was defeated 3-2 at that meeting.

The motion was to increase the minimum wage to \$8 per hour within two years was again reconsidered at the February 21 meeting this year of the California IWC and once again defeated 3-2. Labor interests were very clear and articulate in supporting the request to once again reconsider the minimum wage. Employer interests were equally articulate in support of their position to maintain the status quo. IWC Chairman William Dombrowski (Employer rep), and Commissioners Douglas Bosco (Public Sector member) and Leslee Coleman (Employer rep) voted against the motion. Tim Cremins and Harold Rose, labor reps, voted for it.

California's minimum wage at \$6.75/hour currently, is the 4th highest in the nation, the Federal

minimum is \$5.15/hr. Labor interests pointed out how it is impossible for someone to survive on the minimum wage, and impossible for a minimum wage earner to purchase a home. The IWC did not disagree with this, but instead focused on the Employer arguments re: escalating costs for employers in California (higher Workers Comp costs), and that if the minimum wage is increased, employers will have to lay off more employees. Put quite simply, if the minimum wage is increased, less people will be working. In this economy, apparently this is unacceptable to the IWC.

Some of the comments and arguments shared in the meeting included:

"The vast majority of the businesses in our industry are suffering dramatically. Double-digit increases in workers' comp, energy costs, business liability insurance, health insurance are not uncommon."

"...it does seem at times to me that the attitude that's been taken on in the State of California is, if a new law or bill doesn't, a) bankrupt the business, or b) cause it to move out of state, then it must be okay, it can't be all that bad. But I'm telling you from personal experience, my humble opinion is -- and I believe it's backed up from the hundreds, if not thousands, of conversations I've had -- that these increases, if you do reconsider and the minimum wage is raised any time in the near future, I believe it's going to cost jobs and payroll to our industry. And therefore, I would respectfully ask that you deny this attempt to reconsider."

"The testimony you've heard from the Industrial Relations Department and from their economists point you to the fact that the timing of a minimum wage increase is critical

when weighing it against the potential for job losses. Your job is to try and weigh the benefits of an increase, or the desirability of an increase, against the potential loss you'll suffer, countervailing job losses."

"When you do it in a down economy, when you do it in the light of workers' comp increases, UI increases, energy cost increases, and the other things have been cited here today, you increase, necessarily, the number of jobs that will be lost. And we think your judgment to hold the current wage steady is appropriate, given those facts."

A motion to reconsider the minimum wage will come up again in November for statutory review.

"There is no such thing as being non-political. Just by making a decision to stay out of politics you are making the decision to allow others to shape politics and exert power over you. And if you are alienated from the current political system, then just by staying out of it you do nothing to change it, you simply entrench it."

Joan Kirner at
Women Into Power
Conference, Adelaide,
October 1994



INS Absorbed by Department of Homeland Security

On March 1, 2003, the Immigration and Naturalization Service (INS) was transferred to the new Department of Homeland Security (DHS). The Homeland Security Act of 2002 (Pub. L. No. 107-296), signed into law in November 2002, established the new Department of Homeland Security. A major reorganization is under way, affecting INS's 37,000 employees and the millions of people the agency serves. Its job will be done by three bureaus of the new Department of Homeland Security. The Bureau of Citizenship and Immigration Services (BCIS) will take over the INS function of adjudicating applications for immigration benefits, including visa petitions, applications to adjust or change status, and naturalization applications. While virtually no significant changes are expected in the near future, delays and confusion could result as lines of authority shift. The new Web site for the BCIS is www.immigration.gov/. The National Customer Service Call Center will continue to be available

at 1-800-375-5283. The other two agencies the INS will be broken up into include the Bureau of Immigration and Customs Enforcement, which will handle interior enforcement; and the Bureau of Customs and Border Protection, which will oversee security at the borders. Information for these latter two agencies: BCBP - Bureau of Customs and Border Protection; <http://cbp.customs.gov/> BICE - Bureau of Immigration and Customs Enforcement; Michael Garcia, acting Commissioner of INS; www.bice.immigration.gov/ See www.dhs.gov for a DHS organizational chart. The Department of Homeland Security website is functioning as of March 1, 2003.

Service Center and District Office street and P.O. box addresses will not change in the near term and the INS has indicated that for an indefinite period of time petitions and applications addressed to the INS will not be returned. As of March 1, 2003, however, correspondence should be addressed to the Department of Homeland Security. Specifically, immigration-related applications and petitions, including all correspondence sent to the five Service Centers, should be addressed to the "Bureau of Citizenship and Immigration Services/U.S. Department of Homeland Security." The Service Centers will continue to use their current names, such as the "Vermont Service Center."

Employers petitioning on behalf of employees and new hires, as well as foreign nationals applying for benefits, should continue to use the existing INS and Department of State forms. Checks for processing fees may be made payable in the near-term to either INS or to the Bureau of Citizenship and Immigration Services (BCIS).

Tom Ridge has been confirmed as the Secretary of the Department of Homeland Security. The President intends to name Eduardo Aguirre, Jr. to be the Acting Director of the Bureau of Citizenship and Immigration Services. Mr. Aguirre, a Cuban-American immigrant, is currently Vice Chairman and First Vice President of Export-Import Bank of the United States.



Grim Unemployment News

In a March SJMN article, the paper reported that the California EDD had revised its unemployment numbers based on new census data. Apparently, the numbers we reported to you last year were off by about 1% for most of the year. According to the article, 191,500 jobs have been lost since the height of the boom in 2000. At the peak in Dec 2000, 1,044,600 jobs were reported. 44,400 jobs were lost from Jan 2002 to Jan 2003 alone, almost 5% of total silicon valley employment! The revised rate was over 8% for most of last year, and 8.6% in January 2003.



Web Site(s) of the Month

Topjobsites

No, this isn't the site that TopCat likes to go to - instead, www.topjobsites.com is an Alexa based ranking of the top job sites in several categories including:

- General Job Sites
- College Sites
- Executive Sites
- Niche Sites
- Diversity Sites and International Sites

According to their own PR: "Our mission is to make your Web job search experience more productive by reviewing and ranking the top job sites in advance for you, so that you can focus your time and energy with only those sites that will work for you." In theory, this site is supposed to work for Job Seekers as well as Employers.

Topjobsites, ranks sites based on the Alexa rankings for each site. This ranking is a three month trend ranking that takes into account both reach (the number of users per million) and page views (overall number of pages accessed). They exclude sites, which may use methods to arti-

ficially inflate their traffic, or are sub-sites of larger sites

The "about us" section of the site says... "We are a privately held company and have no external investors or outside financial interests. We fund our operations by sponsorships at our site, which consist of the 120x60 graphics in the left nav bar, as well as industry standard affiliation agreements. However, the sponsorships and affiliations in no way affect the rankings at our site, which are standardized on the Alexa ranking system." Beyond this, it says nothing about the management team or who owns the site. I could not find any advertising there so I am still unclear on how they make money. Having a naturally suspicious mind, I take the information with a grain of salt, while at the same time, reaffirming my credibility in Alexa ratings, which I have found to be very reliable.



Where are They Now? Mark Wong has landed...

Some of you may recall, that late last year, Mark Wong lost his job at Bernard Hodes, a victim of the valley downsizing we have all become too familiar with. Never fear, for Mark has risen from the ashes as the Phoenix rose and has reincarnated himself with...

Harger Howe & Wong

HRCA is pleased to report that Mark Wong (formerly Sr. VP of Bernard Hodes Group) has begun

a new role as area partner for Harger Howe & Associates, a 20 year old recruitment advertising and employee communications organization recognized for personal and customized client service. He will be opening up their San Francisco Bay Area office. They provide all the capabilities of national agencies without the bureaucracy and large agency overhead costs. They are dedicated towards personalized and exceptional service regardless of the assignment or account, and this is in precise alignment with Mark's own dedication and focus on delivering custom solutions and consistent customer service excellence. Many of you know Mark for his ongoing

support of HRCA so please offer your congratulations to him. Mark's new number is 650.520.9752; e-mail: mwong@hargerhowe.com





HRCA Calendar 2003

(Send me info on important HR & Recruiting Events You do not see listed here at
jamesd@duranhcp.com)

34th Annual EMA Annual Conference & Expo

April 23-25, 2003
Las Vegas Hilton
Las Vegas, NV
(800) 283-SHRM, (703) 548-3440
FAX: (703) 535-6490
email: custsvc@shrm.org
www.shrm.org/conferences/ema/

NAER 2003 Spring Conference

National Association of Executive Recruiters, Inc.
April 24 - 26, 2003
Allerton Crowne Plaza
701 North Michigan Avenue
Chicago, Illinois
<http://www.naer.org/special.html>
312-701-0744
or e-mail: naerexsch@aol.com

Networld+InterOp

April 27 - May 2, 2003
Las Vegas Convention Center
Las Vegas, NV
www.interop.com
650-578-6900

California Staffing Professionals 8th Annual Staffing Industry Convention

May 1-3, 2003
Flamingo Hotel
Las Vegas, NV
www.cspnet.org/news.htm

The 5th Annual Human Resources Forum

May 7-10, 2003
Sailing on the "Adonia", from:
New York, NY
Richmond Events Ltd.
Tel: 212 651-8700
Fax: 212 651-8701
www.hrforum.com

48th Annual WorldatWork Conference and Exhibition

Charting a Course to Total Rewards
May 11-14, 2003
San Diego, CA
San Diego Convention Center
www.worldatwork.org/sandiego2003
480 922-2020

HR Star Conference

Free HR Conference!
May 13, 2003
South San Francisco Conference
Center
www.hrstar.com

HR Symposium 2003

May 14, 2003
Santa Clara Convention center
www.hrsymposium.com

IHRIM Strategies 2003: Changing the HR Landscape

The IHRIM 2003 Spring Conference
and Expo
May 18-21, 2003
Caesars Palace
Las Vegas, Nevada
www.ihrim.org
1-800-946-6363

40th DAC (Design Automation Conference)

June 2 to 6, 2003
Anaheim Convention Center
Anaheim, CA
(303) 530-4333
www.dac.com

SHRM 55th Annual Conference & Expo

June 22-25, 2003
Orlando, FL
(800) 283-SHRM, (703) 548-3440
FAX: (703) 535-6490**
www.shrm.org/conferences

WITI's 2003 Silicon Valley Conference

Women Leading Reinvention and
Innovation for Technology
June 25-26, 2003
New San Jose Marriott
San Jose, California
www.witi.com

HRO World, Outsourcing Conference and Expo

July 29-31, 2003
New York Hilton Hotel
New York, NY
Jim Forberg at jforberg@unicomm.org or at (203) 878-2577.
www.hroworld.com

FutureQuest 2003

International Association of
Corporate and Professional
Recruitment Fall 2003
New York City, NY
www.iacpr.org
More details coming...

PIHRA 46th Annual Conference

(largest Western Regional HR Con-
ference, a SHRM affiliate)
Sept. 17-19, 2003

Continued...

ER Expo 2003 East!

September 24-26, 2003
Chicago Sheraton, Chicago, IL
www.erexpo.com/register or
call (646) 505-0412
david@erexchange.com

**NCHRA 19th Annual
Conference & Trade Show**

September 29-30, 2003
Oakland Marriott City Center
Diane Perez O'Connor, pro-
grams2@nchra.org
Oakland, CA
415-291-1992
www.nchra.org

**6th Annual HR Technology
Conference and Exposition**

October 8-10, 2003
Pennsylvania Convention Center
Philadelphia, PA
www.hrtechconference.com

ER Expo 2003 East!

Fall, 2003
www.erexchange.com
More details coming...

**Workplace Diversity: New
Challenges/New Opportunities**

Fall, 2003
800 283-SHRM
email: shrm@shrm.org
[www.shrm.org/conferences/
diversity](http://www.shrm.org/conferences/diversity)
More details coming...

**NACCB 16th Annual
Conference and Tradeshow**

Oct. 22-25, 2003
Hyatt Regency Dallas
300 Reunion Blvd.
Dallas, TX 75207
214-651-1234
[www.naccb.org/conference/
index.html](http://www.naccb.org/conference/index.html)

HR Masters Symposium 2003

Oct. 26-29, 2003
Marriott Palm Desert Resort & Spa
Palm Desert, CA
866 888-4767 Terri Joosten
[www.thehrmasters.com/
symposium.asp](http://www.thehrmasters.com/symposium.asp)

Comdex

November 17-20, 2003
Las Vegas Convention Center
Las Vegas, NV
[http://www.key3media.com/
comdex/fall2003/](http://www.key3media.com/comdex/fall2003/)
650-578-6900

**2003 Recruiting & HR Solutions
Conference & Expo** (formerly

known as the e-Recruiting &
Staffing Conference)
By Kennedy Information Inc., a
subsidiary of the Bureau of National
Affairs Inc.

November 20-21, 2003
Jacob Javits Center
New York City, New York
www.kennedyinfo.com
800 531-0007

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ship (CCL), Colorado Springs,
Colorado
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throughout the year
January 13-17, 2003
March 10-14, 2003
June 22-26, 2003
August 11-15, 2003
October 13-17, 2003
Colorado Springs, CO
Sponsored by SHRM and CCL
Fax 336 282-3284
Email: info@leaders.ccl.org
<http://www.ccl.org/programs/>

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888 951-1000
www.littler.com
<http://employer.littler.com/>

**The Walt Disney Approach
to HR Management**

The Disney Institute
Walt Disney Resort
Lake Buena Vista, Florida
407 566-2620
www.shrm.org/seminars/

2004

**10th Human Resources
World Congress**

World Federation Personnel Man-
agement Association (WFPMA)
Singapore
TBD, 2004
www.hr2002.org
More details coming...



ID Theft, Wrongful Resume Sale & Distribution by Job Boards or Services

James Duran

This article highlights two key issues, Identity Theft and Wrongful Sale or Use of Resume and or Contact Data by Job Boards, Employers, Resume Services and other third parties. Ultimately, the problem is abuse by third parties, violating your privacy rights. Spam and telemarketing, increasingly time consuming and unregulated practices, are similar abuses.

Monster.com recently posted a warning on its web site stating that phony job listings could be used to steal personal information from job seekers and warned visitors to its Web site to be careful.

To minimize abuse, they listed some tips on how to protect your self. The tips included:

- Do not give your social security number, even if they suggest that it is for a "routine background check."
- Do not provide credit card or bank numbers, or engage in any monetary transactions.
- Do not provide any non-work related personal information (i.e. social security

number, eye color, marital status etc.) over the phone or online.

- Be cautious when dealing with contacts outside of your own country.

The warning continued with information on how to report questionable job postings or site activity as well as admonitions on contacting police and Monster if you are the victim of abuse.

CareerBuilder has almost identical warnings on its site about identity theft and privacy protection.

Pam Dixon, with the Privacy Rights Clearinghouse (www.privacyrights.org/ar/Dixon-JobPrivacyRpt.htm) wrote an extensive article on the subject of unethical resume distribution, primarily citing abuse cases involving Medzilla and HotResumes. She has joined the Privacy Rights Clearinghouse in recommending that the Federal Trade Commission (FTC) undertake a thorough investigation of the entire job search industry, online and off. Some of the issues they are looking at include:

- Deceptive data handling practices in regards to posted privacy policies.
- Poor and in many cases absent notification to consumers of data handling practices.
- Widespread industry practice of data mining and selling job seeker data, including names, email addresses, resumes, and in some cases Equal Employment data such as ethnicity and gender.
- Data security issues, including non-existent resume database access verification procedures, non-existent job validation procedures and Poor follow-through and lack of notification to job

seekers of privacy lapses and problems.

- Widespread industry practice of using copyrighted information belonging to consumers (resumes) as an integral part of making a business profit while at the same time not fully disclosing this practice.

According to Pam, it is important for all job seekers to understand that resume databases vary widely in privacy practices and controls. "Learning to choose a quality job search site and resume database with good privacy practices has become an important part of your job search if you plan to use the Internet as a job search tool."

Job seekers need to discriminate between valid job search related email and resume solicitations. Resumes have value, and job seekers must protect their resume and contact data from people and businesses who want to use it primarily to make a profit instead of primarily to help you find employment.

Despite warnings, even the most careful, conscientious sites cannot control your resume after an employer or a recruiter has downloaded it. Some steps Pam referenced that you can take to protect yourself include:

- Develop skills to discern the difference between real and faux job offers and postings.
- Before posting a resume to any database, take the time to look for and read the privacy policy of that site or service provider and query the site owner with any privacy concerns.

Continued...

- Pay particular attention to how long a site says it will keep or store your resume, checking to make sure you can delete your resume after you have posted it.
- Consider using a disposable email address, once that you can cancel if you start getting spammed.
- Omit references - When you post a resume online with your references' names and

phone numbers on it, you are giving their information away without their consent in what can be a very public forum.

Employer Implications

On the employer side the issue becomes one of protecting candidate and employee data from wrongful use or distribution.

Recently, my wife applied for a job with a large silicon valley employer. She was screened by a Contract Re-

cruiter. Later, after being released from the employer, the CR contacted my wife and indicated that since he knew she had a good background, he wanted to see if she landed a job yet and if she had heard of any contract recruiter openings.

Ostensibly, this contact had no value to the silicon valley employer where the CR was previously working and was an abuse of information by the CR. Are your practices what you want them to be?



FREE HR STAR CONFERENCE

FREE to attend if you are an HR manager from an organization with 75 or more employees. Up to 4 HR professionals may attend per company.

The theme this year is: "Doing More With Less in HR" (see topics listed at the end of this e-mail).

The San Francisco HR Star Conference takes place on May 13 at the South San Francisco Conference Center.

All topics and speakers are listed at the web site (where you may also register): <http://hrstar.com/>

For the each of the past 3 years, the Los Angeles HR Star Conference has brought together over 400 HR managers, HR directors and VPs of HR from outstanding organizations. This is the first year for this conference in the San Francisco area, and upwards of 300 HR professionals are expected to attend.

If you are a PHR or SPHR, you can earn up to 4 HRCI recertification credits from attending either of these conferences.

- Each conference features 14 different sessions on a wide variety of

timely and pertinent human resources topics.

- The keynote speaker is a 4-time Olympian, author, and consultant.
- There is a networking party in the afternoon.

Please feel free to distribute this to other HR managers at your organization as well as your peers in HR. Up to 4 people from qualified organizations may attend for FREE.

Sample topics this year include:

- Employee Leaves of Absence: How To Navigate California's Unique Rules on Disability, Family Leave, Workers' Comp and Pregnancy Leave
- Health Care Cost Management: A Strategic Look at 2003 and Beyond
- Trends in HR Careers: What's Your Strategy?
- How to Give and Receive Constructive Feedback
- The HR Executive as a Witness
- Minimizing Your Legal Exposure for Termination of Protected Employees
- Managing HR Projects Successfully
- How to Handle Difficult People

- How to Recognize and Remedy Sexual Harassment in the Workplace
- E-mail - The New Workplace Privacy Battleground
- Six Secrets to Employee Retention
- Latest Developments in Wrongful Termination Law
- Keeping Your Cool When Others Don't - How to Control Conflict, Confrontation and Emotion
- Preparing HR Communications for Your Employees with Limited English Proficiency (LEP)
- The Law of Indecent Exposure: All About the New California Labor Law That Restricts Employers from Prohibiting Their Employees from Disclosing Information about Working Conditions
- Budget and Business Planning for HR

Please email or call with any questions the sponsor of this program, following:

Braden Albert
President

HR Star Conference

216-295-1200

braden@apk.net

<http://hrstarconference.com/>



Joint Venture Silicon Valley, 2003 Index

Summary by James Duran

In January, the Joint Venture: Silicon Valley Network, www.jointventure.org, published the 2003 Index, showing progress toward year 2010 goals. The full report can be downloaded in PDF format. Highlights follow:

SV Stats

Total area: 1500 Sq. Miles

Total Population 2.3 million

Ethnic composition: 45% white (non Hispanic), 26% Asian Pac Islander, 21% Hispanic, 5% two or more races, 3% African American

Foreign Born: 34%

Adult Education: 41% hold a Bachelors' degree or better

Conclusions

- In the past decade, the regions' population had become more diverse, international and better educated
 - The trend toward diversity will continue to increase because the region's young residents are more diverse than the over 18 crowd.
 - For the 10 years time span ending in 2000, the share of the population with

a Bachelor's degree or higher increased from 32 to 41%.

- Structural economic change has occurred with a shift in industry from hardware to software, services and bio-medical
 - Total employment in Computers/Communications, Semiconductors/Semi Equipment and Defense Aerospace has declined by 4, 3 and 8% respectively from 1992 to 2001. Software employment tripled in that same time frame.
 - Biotech/Biomedical has the fastest growth rate in the silicon valley of the defined industry clusters
- Key economic indicators including total jobs, average pay and VC investment have returned to 1998 levels
 - Silicon valley lost 127k jobs, 9% of total employment, between Q1 2001 and Q2 2002 (this has gotten even worse since then)
 - Average annual pay declined 6% to \$62.5k
 - VC investment declined 42% to \$4.8 billion
- Average lease rates fell to \$1.55/sq. ft.

Job Losses

- Net jobs gained since 1992 is 344,000.
- Silicon valley lost 127k jobs between Q1 2001 and Q2 2002, following 3 years of accelerated growth.

- The greatest job losses took place during 2001, when the region lost 150,000 jobs.
- Software lost the most jobs (27,000) in the 2001-2002 time frame, while Biotech was least affected, losing only 100 jobs in the same time frame.
- Some industries that gained included: Health Services (3,800 jobs) and Finance/Insurance/Real Estate (1,000 jobs)

Gazelles

Gazelles are defined as publicly traded companies, whose revenues have grown at least 20% for each of the last 4 years, starting with at least \$1M in sales.

- The number of SV Gazelles declined from 17 to 9 from 2001 to 2002.
- This is the fewest Gazelles since 1992.
- The 2002 Gazelles include: Affymetrix, eBay, Greater Bay Bancorp, Inhale Therapeutics, Liberate, Net IQ, Sangstat Medical, Verisign and Virage Logic.

VC Investment

- Software companies attracted the largest share of VC investment (22% of \$4.8B for 2002)
- Networking Equipment: 19%
- Biotech & Medical Devices: 15%
- Telecomm: 13%
- IT Services: 10%
- Semiconductors: 9% (an increase over 5% share in 2001)



Offer Letter Structure

James Duran

Providing a written record of an employment offer is an essential piece of the hiring process. Most silicon valley companies provide written offer letters to individuals in management or executive level positions, but not necessarily the rank and file. It is a best practice, however, to provide offer letters to all new hires incorporating as many of these applicable paragraphs as possible.

The purpose of the written offer letter is to document the terms and conditions of the employment offer and to ensure each party understands and agrees to those terms. Exceptions can also be noted such as vacation time above and beyond the organization's normal accrual or authorized unpaid time off for specific dates in the future – on the employer's side however, it's best to leave these "exceptions" off the formal offer because they may open up a Pandora's box of issues. A verbal discussion concerning the offer terms should precede the letter, so that there are no surprises on either side of the table.

Typical elements of an offer letter include, but are not limited to:

Opening Paragraph

- A statement indicating confirmation of a verbal offer, or formally extending a formal written offer
- For the (named) employer
- With a proposed Job Title
- Reporting to a specific Manager (name & Title)
- Stating what the pay rate shall be (state in hourly (non-exempt) or weekly (exempt) terms, avoiding annual salary quotes which may later be interpreted to be commitments) (commission plans or details to be addressed in separate attachments if necessary)
- Expected Start date (specified by the employer or employee)
- Hours of work (specify shift, applicable shift premiums, etc.), or work schedule and
- Whether position is exempt or non-exempt (Fair Labor Standards Act - FLSA status)

Successive Paragraphs Benefits, etc.

- Stock Option grant information including, caveats, dates of grant, pricing, vesting periods, etc. (Use attachments if necessary for detail)
- Benefits overview (Use attachment summary sheet for detail)
- Relocation Information (Use attachment for summary/detail/contract, etc.)
- Auto allowance benefit/reimbursement policy if applicable
- Cell Phone policy if applicable

Disclaimers & Disclosures

- Request to complete I-9 documents on first day of employment, complete with I9 requirements
- "At-will" disclaimer language
- Pre-employment drug and/or physical examination disclaimer (e.g., "Offer is contingent upon successful completion of the pre-employment screen.") as applicable

Details & Close

- Where, when and who to meet on employee's first day.
- Congratulations and welcome
- Expiration date for the offer
- Request to endorse and sign offer with acceptance date.

If the employment offer has already been verbally extended and or accepted, consider sending orientation materials with the letter to facilitate the paperwork process at orientation and to further "close" the offer. When offers are extended with these elements, the prospective employee is less likely to be surprised by undisclosed or confusing conditions or terms, and employer interests are protected.

Seek the advice of a Qualified Attorney

Employment law is constantly changing. In the end, there is no substitute for the legal advice of a qualified employment attorney who may have additional advice, applicable to your state or local jurisdiction, on offer letters for your company.



A note from the Board...

HRCA Job Leads Group Why attend? Why network?

- To establish personal relationships. People are more likely to help you if they know you.
- Give as well as take, volunteer, pass on leads, offer advice. Networking works best when it is reciprocal.
- Know the culture of the group. At some events, particularly those focused on a culture you're not familiar with your method of networking might be considered too pushy – or not assertive enough.
- Network all the time. It's easy to approach someone if your first contact isn't asking for help finding a job.
- Be patient, not all your contacts will bear fruit now, but some may months or even years later.

Source: Mercury News article—
"Networking Challenge for Workers" Monday, March 31, 2003

I have facilitated the HRCA South Bay Job Leads Group since September 11, 2002. Based on the survey sent out at the start of our fiscal year there was a request for more networking events, and a request for employment for our members.

We have developed two networking groups:

- Emerynet in the East Bay
- HRCA South Bay Job Leads Group.

My HRCA membership began in March, 2002, and I have enjoyed the time spent participating in HRCA from attending the board meetings, working on the HRCA website, helping with the Job Leads effort and attending events. Each time I attended, I learned something new and met or re-acquainted myself with people in my field. I did not realize how much I missed the interaction with people within my function, namely Human Resources and specifically, Recruiting.

I stopped being active with HR associations when Private Industry Recruiter Association, PIRA, moved into SHRM in the early 1990s. There is value in maintaining relationships within your profession so you can share and help each other stay current and on target with your career goals. Spending all your time searching for jobs on the Internet is NOT good enough in today's job market. It has been proven that in today's market you should spend less of your time on the Internet and more of your time networking.

Not being active in a HR association was a mistake for me. This seems like a simple task to do, but not always, since it is easier to say.... "I just do not have time."

CREATE TIME. IT IS WORTH IT!

This is my second attempt to encourage HRCA members to attend our job leads meetings. The energy in these meetings helps to motivate people in their search and you learn the job search process. I have expanded my job leads understanding by participating not only in every HRCA South Bay Job Leads Group meeting, but I am now attending TVHRA, Emerynet and JobNet meetings. Our HRCA South Bay Job Leads Group has had more success than most groups based on the number of members who have found work.

Their testimonials share the common outcomes from those who get involved in job leads meetings.

Those results are:

- You learn to communicate what you want to do
- You develop more energy to network and find opportunities that match your requirements
- You re-discover your confidence
- You feel better about yourself
- It gets you out of the rut of being frustrated with the job search process

You find ways to contribute to your family, community, an association, so you stay on top of what is important in your life.

It works, come join us and let's help each other become happily employed so we can move on to other challenges.

Merrill Martin
HRCA South Bay Job Leads Group
650/367-1629
coachmemartin@aol.com