

## Experts Share Their Insights

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### Turning Up the Heat

#### Agencies Act; Will You be Ready?

**T**he National Labor Relations Board (NLRB) and Department of Labor (DOL) grabbed headlines in 2011 as they pursued several high-profile enforcement and regulatory actions. This trend will likely continue in 2012.

The National Labor Relations Act (NLRA) protects the right of employees to engage in “protected concerted activity.” When employees complain about management, wages, hours or working conditions on behalf of themselves, then the conduct may be protected. In 2011, the NLRB brought protected concerted activity into the Internet age by pursuing enforcement actions against employers who – in its view – went too far in policing employee Internet use.

Recent NLRB enforcement actions make clear that overbroad social media policies may violate the NLRA by punishing or chilling protected concerted activity. For example, an NLRB administrative law judge recently held that a non-unionized company violated the NLRA by firing five employees for making angry, profanity-laced posts on a Facebook page in response to a co-worker’s criticism of their work performance.

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### A Win on All Fronts

#### Program Seeks Jobs for Ex-offenders

**U**nemployment in Indiana has come down from its peak two years ago but, as we all know, remains at uncomfortably high levels. This makes it all the more surprising that many employers tell us they have difficulty finding qualified candidates to fill open positions.

In addition, the Governor has charged us with looking for ways to help our offenders prepare for jobs and integration into society. The Indiana Department of Workforce Development (DWD) and the Indiana Department of Correction (IDOC) are launching a pilot program to fill workplace needs and find jobs for a hand-picked group of individuals.

Each year about 20,000 offenders are released from Indiana prisons. We are not suggesting that all offenders who leave prison are employment ready. But certainly many are extremely motivated to obtain a job and lead a normal, productive life.

Unfortunately, nearly three-quarters of Indiana employers are either reluctant or outright refuse to hire ex-offenders. This creates a vicious cycle, largely locking ex-offenders out of the job market and creating significant costs to society, which are shared by all.

**Read the full story at [www.bizvoicemagazine.com](http://www.bizvoicemagazine.com) on December 6**



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### Older Generations

#### Understanding Them at Work

**M**andatory retirement has been illegal in most industries for decades, but some managers are still reluctant to hire and retain workers older than 65. Frequently, workers in this age group are characterized as inflexible, slower and reluctant to evolve with technology. But most employers find that today’s older workers challenge these stereotypes and can be real assets.

Awareness of age-related differences can empower employers to capitalize on senior workers’ positive attributes and consider making workplace adaptations for their limitations.

Sociologically, older workers are generally highly dedicated employees. They are team oriented and unlikely to leave co-workers in a bind. They are known for honoring commitments and respecting authority.

The best strategy for managing and accommodating older workers is the same as with employees of any age: Observe, identify strengths and weaknesses, and work with that person to optimize performance.

**Read the full story at [www.bizvoicemagazine.com](http://www.bizvoicemagazine.com) on December 12**