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# Newsletter

*The Independent Recruiter's Resource for Temporary and Contract Placements*

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## TFI RECEIVES NAPS ENDORSEMENT



The Board of Directors of the National Association of Personnel Services has recently endorsed TFI Resources as a trusted and recommended industry

partner. TFI provides a variety of payroll services to recruiters and staffing companies throughout the U.S. and Canada including payroll processing, payroll funding and employer of record services for temporary and contract placements. As a long time supporter of the NAPS organization and many NAPS affiliated state associations, TFI has gratefully accepted this special recognition. According to Conrad Taylor, NAPS Executive Director, "TFI has consistently been a strong supporter of NAPS and its programs. We feel very comfortable in recommending their services to any of our members who may be considering expanding their business to include temporary or contract placements."

"We appreciate TFI's continued support of our organization as TFI will be a platinum sponsor for this year's annual convention to be held in Orlando, Florida, on October 15<sup>th</sup>-18<sup>th</sup>." Anyone interested in more information on the annual conference should call the NAPS office at 860-243-0811.

## OUT AND ABOUT.....



Take a quick look at our schedule for the next several months and let us know if we are going to be in your area!

**April 3-5:** Mid-America Association of Personnel and Staffing Services Annual

Conference; Sheraton Overland Park Hotel; Overland Park, Kansas

**April 9-11:** National Personnel Associates Annual Conference; Downtown Hilton; Nashville, Tennessee

**April 24-26:** Texas Association of Personnel Consultants State Convention; Hyatt Town Lake; Austin, Texas

**May 1-3:** North Carolina Association of Staffing Professionals and South Carolina Association of Personnel Services 2008 Joint Conference; The Hilton Wilmington Riverside; Wilmington, North Carolina

**May 6-8:** Association of Canadian Search, Employment and Staffing Services Annual Conference; Toronto, Ontario

**May 8-9:** US Recruiters Annual Conference; Embassy Suites; Bloomington, Minnesota

**May 29-31:** California Staffing Professionals Annual Conference; Hilton San Diego Resort; San Diego, California

## WELCOME!



*Ariane Cox*

**Ariane** joined the TFI team in November of 2006. She is a third generation Aggie who graduated with a bachelor's degree in economics and business. Ariane comes to TFI with a background in law & financing. All this coupled with her customer service skills makes her a valuable addition to TFI.



*Lindsey Chapa*

**Lindsey** joined the accounting department in September of 2006 after moving to the Houston area from Huntsville. She graduated from Sam Houston State University with a dance degree. She tells us that she loves her job, and it shows with her hard work and dedication.



*Melinda Martin*

**Melinda** joined TFI in October of 2006 and enjoys being our IT Manager. She has been involved in information technology for over 20 years and has been a part of the staffing industry for over 12 years. Melinda has been instrumental in the planning of a co-location facility as part of a comprehensive disaster recovery plan.



*Mandy Hoot*

**Mandy** joined TFI in September of 2006. She attended Texas A&M University and is finishing her bachelor's degree in marketing at Western Governors University. She has two years prior management experience in customer relations.

## TFI TIDBITS.....

We said goodbye and good luck to a few people over the past few months. **Jamie Waldron**, a marketing assistant, and **Monika Castaneda**, our receptionist, left us to return to school. **Lindsey**



**Arno Chapa** and **Sara Stovall Greene** were recently married. **Mandy Hoot** gave birth to a baby girl in August of 2008. TFI recently completed CPR training for all employees. And, for the big news: We congratulate **Judy Collins** on the announcement of her engagement. A wedding is scheduled for April of this year! And, the really good news – Judy will continue in her role at TFI!

# Major Laws Impacting the Hiring Process

The main thrust of all employment discrimination laws is to make it illegal for employers to treat employees or applicants adversely on the basis of something about themselves that they cannot change or should not be expected to change. Such factors are called “immutable characteristics.” For example, one cannot change their race, color, gender, age or national origin. One cannot readily change their disability status and should not be expected to change their religion as a condition of getting or keeping a job. Below is a listing of some of the most important federal and Texas statutes relating to employment discrimination.



## Federal

- *Civil Rights Act of 1964, Title VII* – covers employers with at least 15 employees – protects against discrimination based upon race, color, gender, national origin and religion. This law became the basis of the EEOC.
- *Pregnancy Discrimination Act of 1978 (PDA)* – incorporated by amendment into the Title VII statute noted above, the PDA clarifies that pregnancy and related conditions are considered to be a subset of “gender” for discrimination law purposes. The law prohibits employers from treating women with pregnancy or related conditions any less favorably than other employees who have medical conditions that place a similar limitation on their ability to or availability for work.
- *Age Discrimination in Employment Act of 1967 (ADEA)* – covers employers with at least 20 employees – protects against discrimination based upon age against people who are age 40 or older.
- *Americans with Disabilities Act of 1990 (ADA)* – covers employers with at least 15 employees – protects against employer discrimination based upon disabilities, including the perception of disabilities or the association with people having disabilities.
  - *Immigration Reform and Control Act of 1986 (IRCA)* – discrimination protection provisions cover employers with at least 4 employees – protects against discrimination based upon national origin or citizenship. This law also started the I-9 process.
- *U.S. Bankruptcy Code* – Section 525 – covers all employers and prohibits discrimination based upon bankruptcy history or bankruptcy claim filing status.
- *Civil Rights Act of 1866 (42 U.S.C. §1981)* – covers all employers with at least one (1) employee or anyone who hires another person to perform any kind of work or services for pay (thus, it covers even independent contractor situations). It protects against discrimination based upon race or color (additional cautionary note: some national origin discrimination claims can be turned into race or color discrimination claims depending upon the circumstances).



## State

Every state in the United States has one or more laws prohibiting the forms of discrimination covered in the federal laws noted above. Some states add additional protected classifications such as sexual orientation, veteran status, history of filing certain types of claims and so on. For example, Texas has the following anti-discrimination statutes:

- *Texas Commission on Human Rights Act of 1983* – covers employers with at least 15 employees. This statute protects against discrimination based upon race, color, gender, national origin, religion, age and disability.
- *Texas Workers’ Compensation Act* – anti-discrimination provisions cover all employers. It protects against discrimination based upon workers’ compensation claim history – although the Texas Supreme Court has ruled that this statute applies only to employees, not to applicants. Discriminating against job applicants based upon workers’ compensation claim history will generally be viewed by the EEOC as a violation of disability discrimination laws.

Above excerpt taken from: *Especially for Texas Employers, 3<sup>rd</sup> Edition*

## JOBS HOLD STEADY IN AMERICA’S STAFFING FIRMS

Sales in the U.S. temporary and contract staffing industry reached an all-time high in 2007, according to economic survey data released by the American Staffing Association. The association estimates that temporary and contract staffing sales reached \$73.5 billion last year, a 1.6% increase over 2006 sales.



Temporary and contract employment at U.S. staffing firms remained flat over the year averaging 2.96 million workers per day in both 2006 and 2007.



“Even with last year’s growing uncertainty over the economy and increasing unemployment rate, America’s staffing companies continued a steady pace of hiring in 2007,” says ASA president and chief executive officer Richard Wahlquist. “This is good news for anyone looking for work. America’s businesses continue to look to staffing companies for work force flexibility and access to talent.”



The ASA Staffing Index, which measures temporary and contract employment on a weekly basis, was similarly flat over the same time period. The index, which is still in development, provides an earlier look at trends in the industry throughout the course of the year. Fourth quarter data show a 0.4% increase in staffing employment from the third quarter of 2007 and a 0.3% decrease from the fourth quarter of 2006. Temporary and contract staffing sales in the fourth quarter totaled \$18.7 billion, up 0.7% from the fourth quarter of 2006.