

## IN THE KNOW:

### Why Wisconsin Employers Don't "Like" Social Media

Andy Phillips & Dan Borowski

Social media can provide employers with a wealth of information about who employees and applicants "really are". However, while it may be tempting to make a review of all employee and applicant social media sites part of company protocol, Wisconsin limits how social media accounts may be accessed, by whom, and under what circumstances.

The general aim of "Wisconsin's Social Media Protection Act" is to protect individual privacy rights in personal social media accounts, such as Facebook, Twitter, and blogs, by preventing employers from requiring disclosure of information from applicants and employees that would allow employer access to an individual's personal Internet account. The law makes it illegal for an employer to:

- Request or require an employee/applicant, as a condition of employment, to disclose access information (e.g., passwords and user names) for the personal Internet account (an Internet-based account created exclusively for personal communications) of the employee/applicant or to otherwise grant access to or allow observation of that account.
- Discharge or otherwise discriminate against an employee who refused to provide access to a personal Internet account or opposed the employer's potential violation of the law, filed a complaint, testified, or assisted in an action against the employer for such a violation.
- Refuse to hire an applicant who refused to provide access to a personal Internet account.

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# Connect

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TRADE TIPS: Eric Isbister, President-GenMet, Corp.

### Filling the Gap: Manufacturing Jobs Crisis in the US

By 2025, there will be 2 million unfilled manufacturing jobs in the United States – forcing work to go elsewhere unless **WE PAY ATTENTION!**

Here's what GenMet Corp, my small 70-person metal fabrication company, is doing to change the perception of modern manufacturing and hopefully attract qualified workers. GenMet has:

- Hosted over 1,300 student tours
- Donated steel, machines, fabricated school project parts
- Taught Junior Achievement
- Participated on High School and Community College Advisory Boards
- Made presentations
- Attended Career Fairs
- Supported robotics programs.

I will do anything to get in front of students. My goals: To show students the variety of valuable careers available in manufacturing and engineering and how they can gain the skills, while in school, to be successful at these jobs. When students get excited about the opportunities, they run back to science and math classes, Project Lead the Way, and Career & Technical Education (CTE) classes with a renewed interest and commitment.

#### Getting the message out

A student tour reaches one student at a time. A teacher may bring 24 or more students in for a tour. Real excitement comes when I talk to a Guidance Counselor. Many Counselor don't understand modern manufacturing. They think it has all moved to China or it is a dirty, dumb, dangerous business of tightening lug nuts all day. Or, they visualize Lucille Ball on the chocolate assembly line.

My Holy Grail is to talk with School Board members. They decide the future of our school districts with a pen to authorize where the money is to be spent. New faculty, increasing computer facilities, bringing Project Lead the Way into the school, and improving the CTE classes which, at most schools, currently reside in a dark room behind the furnace room in the school basement filled with World War II surplus machinery.

Most often, a country, state, or area that manufactures the goods, uses them, and in turn, designs the best innovations to improve the goods. For example, Wisconsin is a leader in farm equipment design and manufacturing because we are an agriculture state.

As we all know, it is human nature to want the newest gadget. Have you ever upgraded your cell phone? Why? Will you ever do it again? What I have learned is, always invest in innovation. If we don't manufacture it, we won't innovate. And if we don't innovate... someone else will.

Wisconsin and America need our schools to provide the graduates who will become the manufacturers, engineers, and innovators for tomorrow. Manufacturers need to work with educators to make sure the coursework supports the jobs in the area.



"Hands On" Fifth graders touring GenMet had their hands "inspected" by the laser inspection machine.

A recent study by Deloitte and the Manufacturing Institute, showed that manufacturing contributes \$2.08 trillion to the economy in 2013. For every dollar invested in manufacturing, an additional \$1.40 is generated in supporting sectors of the community. This is the highest multiplier effect of any economic sector. Manufacturing supports an estimated

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## Standing the Test of Time: Family Business and Fashion

Mark Berman & Son, founded in 1981 by Mark, Kaye, and Michael Berman, is a full-service, family owned and operated clothier that has stood the test of time. We specialize in men's and women's better-branded quality clothing. Our two-story, freestanding Georgian Colonial is a perfect fit for the surrounding community.

In 2013, Mark and Kaye Berman retired. The business continues, now run by Michael and his wife, Laurie, a recovering accountant. Together, they continue the family tradition of a fun, non-commission environment. While the business community has changed, we remain very much the same.

My father has many great expressions, one being that the difference between a good year and a bad year is that you are still open! Approximately 25 specialty stores have closed in our 34 years. Even our original bank is no longer around. We are very fortunate to have a loyal following of fabulous and successful clients who make our existence possible. We do whatever it takes to make sure that each person leaves with a positive experience.

### A Look at 2015 Fashion Trends

For men, flat front trousers are very popular at the moment, although the pendulum is already swinging back toward pleats. Suits, sport jackets, and ties are trending upward. Men are definitely dressing up again.

For women, it is much more complicated. Colors become popular. Black and white is big for Spring, while burgundy and olive are on the horizon for Fall. Accessories are always on the move. Scarves and shawls are very popular now. Ponchos will be big for Fall.

Remember, the trend is not always your friend. We all have a personal style, or comfort zone, so it is important to feel good about what you are wearing. Good taste is always in style!

### Success in Business

The secret to our success is very simple. First, because we have no offices or back rooms, our staff is always on hand to greet you when you walk in. If you want or need help, we are here for you. We present a no-pressure environment and strive to make the shopping experience painless and fun. The second component is the classic 80/20 theory. I always like to say the 80% represents the cake, and that never changes. You know what to expect from our merchandise. We evolve, but do not change the product. The 20% represents the frosting. We look for the latest, most current fashions for both men and women. It may or may not be for you, but it educates you on what is happening and current in the world of fashion. In addition to all of the beautiful



### Mike Berman: The right knot.

Men (and women) bid farewell to the Windsor knot.

The four-in-hand is "in". This all-time classic of tie knots is by far the most used. It's simple and works well with almost all ties and shirt collars.

This knot is so popular, manufacturers are designing ties especially for this "hot" knot.

Of course, if you can "knot" live without your old favorite... it is still acceptable. There are no absolutes as fashion is ultimately personal.

merchandise in the store, we run a complete custom business for both men and women. From casual to corporate, we are a one-stop shopping experience.

Mark Berman & Son  
11920 N. Port Washington Road, Mequon  
262.241.8010 • bermanbasics.com

## Social Media continued...

The law, however, expressly preserves the right of employers to:

- Require access information to an electronic communications device, account, or service provided by the employer, obtained by the employee through employment or used for the employer's business.
- Discharge or discipline an employee for transferring the employer's confidential/financial information to a personal Internet account without employer's authorization.
- Conduct an investigation of alleged employment-related misconduct or violation of the law or work rules, if the employer has reasonable cause to believe that activity on the employee's personal Internet account relating to that misconduct or violation has occurred.
- An employee may be required to grant access to or allow observation of the employee's personal Internet account, but may not be required to disclose access information.
- Prohibit an employee's access to certain Internet sites while using a device, network, or other resources of the employer.
- Comply with a duty to screen applicants for employment or a duty to retain employee communications as established under state or federal laws, rules, or regulations.

- View, access, or use information available in the public domain.
- Require employees to disclose personal electronic e-mail addresses.

Employers who violate the law are subject to a \$1,000 forfeiture. Further, an employee or applicant may pursue a claim against the employer under the Wisconsin Fair Employment Act.

This is the perfect time to update recruitment, application, and employment policies. Let us know how we can help!



*Andy Phillips (left) and Dan Borowski are attorneys with von Briesen & Roper, s.c. Recently, Phillips Borowski, s.c. of Mequon, owned by Andy and Dan, joined the team at von Briesen & Roper, s.c., This new partnership will allow them to bring a wider array and more depth as well as top-notch legal services to businesses and governmental entities in Ozaukee County.*

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## Plan Ahead for Success: Lessons Learned when Starting a Business

Three years ago this past January, I started a structural engineering firm with my business partner. At the time, many people asked me if we were nervous about stepping out on our own to start a business. My answer, "I'm not worried, we have a plan." Most were startled by my cavalier response, but it was the truth. Long before we "opened the doors" we started planning, making sure that we accounted for everything that can and will happen. Reflecting back, I compiled a list of elements that I believe made a true difference in our planning, hopefully these ideas will be helpful to anyone looking to start their own business.

**You need "think time".** It only takes a second to make a baby, but it takes nine months for it to grow. Everything sounds like a great idea on the surface but when the rubber hits the road, is it really going to work? People tend to move too quickly through this stage, but it is the foundation for the rest of the plan. "Think time" is not formal, nor is it scheduled. In the car on long drives, overnight on a business trip, those nights you can't get to sleep. Spend that time thinking about your idea. Think about the good that can happen, but concentrate on the bad and how you would work around it.

**Find someone smarter than you.** If you feel you are an expert in everything, you are going to be in for a big surprise when starting your business. For instance, you have been making widgets for 10 years, you are confident that you could start a business making widgets. While confident, do you really understand it all? What about the sales and marketing of widgets? What about the competitive environment of widget sales? What about the costs involved in making the widgets? What about creating the website to sell your widgets? There are so many questions that you should be asking yourself, and answers you need to know. The person that is smarter than you will ask you the difficult questions, the ones you don't want to answer. What is your exit strategy? At what point would you need to lay-off staff? It may sound odd, but the best person for this is someone who doesn't think you will succeed. This person needs to challenge you; your family are the ones that support you.

**Find a good starting point.** You have your idea, you have found someone to bounce your idea off of, now you need to get it down on paper. Scour the Internet to find many resources to get you started. One of my favorites for putting together a business plan is SCORE ([www.score.org](http://www.score.org)). There you will find templates and tools to get you started on creating a formal business plan. When creating the plan, you are the artist, it is your canvas. An

artist knows where to place the paint to create the masterpiece in his mind. Your business plan should do the same. It is important that you be honest with yourself on the difficulties that you will encounter. Don't sugarcoat threats, show that you have thought about them and what maneuvers you will take to mitigate them.

**Understand your numbers.** Spend the time to learn and understand the numbers. Remember that person who is smarter than you? Ask for their help again.



**"I'm not worried, we have a plan."**

Justin Fisk and James Gerloff, business partners who started J3 three years ago.

Today the firm employs 23 people and opened a satellite office in Illinois.

Start with building a basic spreadsheet to calculate your performance over the next 3-5 years. Include everything and be honest with yourself. Now is the time to be pessimistic, since your numbers will naturally be optimistic. You have certain elements that are fixed, most importantly your startup capital. Most everything else is a variable at this point, play with these numbers until you are confident they reflect what the business will really look like. If you don't know an expense, ask around, you probably can get a pretty good idea by talking to other business owners. In the end you may find out that your plan doesn't work. Don't give up. Examine your plan again to find out what it will take to make it a success.

**Plan, don't hide from disaster.** Everyone from my generation remembers playing Sim City back in school. We also remember what happens when a tornado would come or a fire would break out. Would your city survive? With careful planning, your city would come out damaged and would regrow. Without proper planning you were doomed. Once the plan is written, the financials set, it is time to run some disaster scenarios. This time the disasters are not tornadoes or fire (you have factored in insurance costs, haven't you?), these are other uncontrollable elements that can damage

your business. What if the economic conditions in 2008-2009 recur? What if your largest customer decides not to pay after getting their product? What if a new product comes out that makes yours obsolete? What happens if a new coffee shop opens right next door to yours? You should test for these types of scenarios.

As every business owner can tell you, not everyday is perfection. While you may have planned for specific scenarios, you have not planned for others. The

advantage to having a good plan is that you can handle the stress and pressure calmly and know how to react in difficult situations. The same advantage exists when you have favorable situations, it allows you to react quickly without second guessing your decisions.

Be confident and hold your head up high. You're planning on doing something that most people would never attempt. Good luck.

*Justin Fisk is the Chief Executive Officer of J3 Engineering Group, a full service structural engineering firm. In three years, J3 Engineering group has grown from 2 employees and one location with headquarters in Mequon to 23 employees and a satellite office in Northbrook, Illinois.*

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### CALL TO Q&A:

At the request of **Connect** readers, forums will be organized to explore a topic, question, or emerging trend. Send your request to:

**CONNECT@itsaeasy.com**

## Filling the Gap continued...

17.4 million jobs in the United States, about one in six private-sector jobs.

U.S. Manufacturers:

- Far surpass the worker productivity of other major manufacturing economies,
- Perform two-thirds of all private-sector R&D in the nation,
- Drive more innovation than any other sector, and
- Would be the 8th largest economy in the world (if taken alone).

If asked how best to provide 1,000 jobs in their community, Americans overwhelmingly choose a manufacturing facility – yet, only 1 in 3 parents would encourage their children to pursue a career in manufacturing.

### Our Nation Faces a Crisis

Currently, there are 600,000 open manufacturing jobs in the U.S. By 2025, 2.7 million baby boomers will retire. Due to expected economic expansion, an additional 700,000 jobs will be added. Over the next decade, nearly 3.5 million manufacturing jobs will be needed.

Two million U.S. manufacturing jobs are expected to go unfilled. This alone will provide careers for our graduates which puts pressure on schools to fill the gap.

Manufacturing needs employees who are skilled, knowledgeable, and passionate. They need to be able to apply math, work well in teams, be good communicators, use a variety of tools, think systematically, and want to learn continuously. Most importantly, employees need to be proud of where they work and what they accomplish.

### It Start with Our Schools

School facilities need to be impressive and modernized to help Wisconsin become a leader in advanced manufacturing. Two of the best ways to motivate students to study math and science are through Project Lead the Way (PLTW) and Gateways to Technology in the Middle School. A major benefit spin-off from Gateways and PLTW is the number of girls staying interested in science, math, and engineering.

Do our schools have sufficient CTE classes? Do schools have access to laser cutting machines, modern welding robots, and the processes we need in our businesses to be competitive? I'm a member of the Port Washington School Advisory Board. PWHS is purchasing a second 3-D printer. Six hundred PWHS students have chosen to spend their day

in the PLTW/CTE area of the school. They have a robust Advisory Board made up of educators and industry representatives. Port High School is doing it right.

Relying on government or educators to help fill the void is unpredictable. As manufacturers, it is our responsibility to educate the educators. We must improve the perception of manufacturing to help Wisconsin retain its leadership position in our global manufacturing industry.

It is up to us...time is running out.

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### OZAUKEE COUNTY QUICK FACTS:

The County is divided into six school districts:

Cedarburg, Grafton, Mequon-Thiensville, Northern Ozaukee, Port Washington-Saukville, and Random Lake

The County is home to:  
Concordia University and  
MATC North Campus



Ozaukee County Business **CONNECT** is a quarterly publication by business owners for business owners in Ozaukee County to:

- Provide a resource to facilitate connections between the business owners and leaders of this County
- Highlight resources available in this area
- Foster the development of mutually beneficial business partnerships
- Engage the business community to work together for a common purpose
- Exchange ideas and best practices
- Develop networking opportunities for further discussion of topics readers want to explore in greater depth.

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