



The Brooks/Cole Social Work E-Communicator

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Welcome to the Brooks/Cole Social Work E-Communicator. The goal of our quarterly newsletter is to communicate with you, our valued customer. Our intent is to provide you with informative news, announcements, great ideas in teaching, and an opportunity for you to find out more about us.

Announcements

- Congratulations to the winner of our **2003 CSWE APM contest, Cynthia Christy Baker of the University of Southern Indiana**. Her 2004 APM registration fee and her 2004 CSWE membership fee is paid for by us!
- We'll be at BPD and once again happy to sponsor the famous *Shameless Blues Band!* We'll see you in Reno.
- Do you have any announcements that you would like us to include in our next edition?
Please e-mail Caroline with your announcement by 9/20/03 at caroline.concilla@wadsworth.com

Great Ideas in Teaching

We'd like to highlight and share great ideas in teaching social work... whether it's an activity, a unique lesson, or a self-created web component, we'd love to showcase your great teaching efforts. To submit a "Great Ideas in Teaching" Social Work example, please e-mail Caroline at caroline.concilla@wadsworth.com OR, if you have a text proposal in mind that reflects YOUR great teaching, please email Executive Editor, Lisa Gebo at lisa.gebo@wadsworth.com

Hot Topic

See this edition's Hot Topic on **Labor Policy for Social Workers: A brief overview** by **Amanda Barusch** (author of *Foundations of Social Policy: Social Justice, Public Programs, and the Social Work Profession*) -- located at the end of this newsletter!

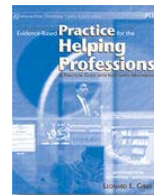
Spotlight On

The Promise of Evidence-Based Practice

Article by Leonard Gibbs, University of Wisconsin—Eau Claire

Author of *Evidence-Based Practice for the Helping Professions: A Practical Guide with Integrated Multimedia (with CD ROM) 2003*©

Brooks/Cole Publication



Evidence-based practice integrates current best evidence with our practice experience and with client values (Sackett et al., 2000, p. 1). Evidence-based practice (EBP) is not a panacea, but rather a powerful tool that can help us to better serve our clients. EBP is not a cookbook mechanistic approach, but rather a process whereby any practitioner, who wants to avoid harming clients and wants to apply effective methods and accurate assessments, can pose and answer questions about practice.

Recent advances in information technology, including rapid and efficient access to the internet and to professional databases can allow practitioners to answer specifically stated practice questions as problems arise right from the office.



Gibbs Articled Continued

For example, a probation/parole officer doing a pre-sentence investigation might ask: for adult sex offenders, which offender risk scale would most reliably and accurately predict future sex offenses? A physician might ask: for an 80 year-old man with a mild to moderate dementia and a 65% stenosis (narrowing) of his carotid artery, would carotid endarterectomy or just aspirin result in the lowest chance of stroke or death? A Durban youth counselor might ask: for South African adolescents living in a children's home who are at risk for HIV infection, which HIV/AIDS prevention approach would most effectively reduce risky sexual behaviors?

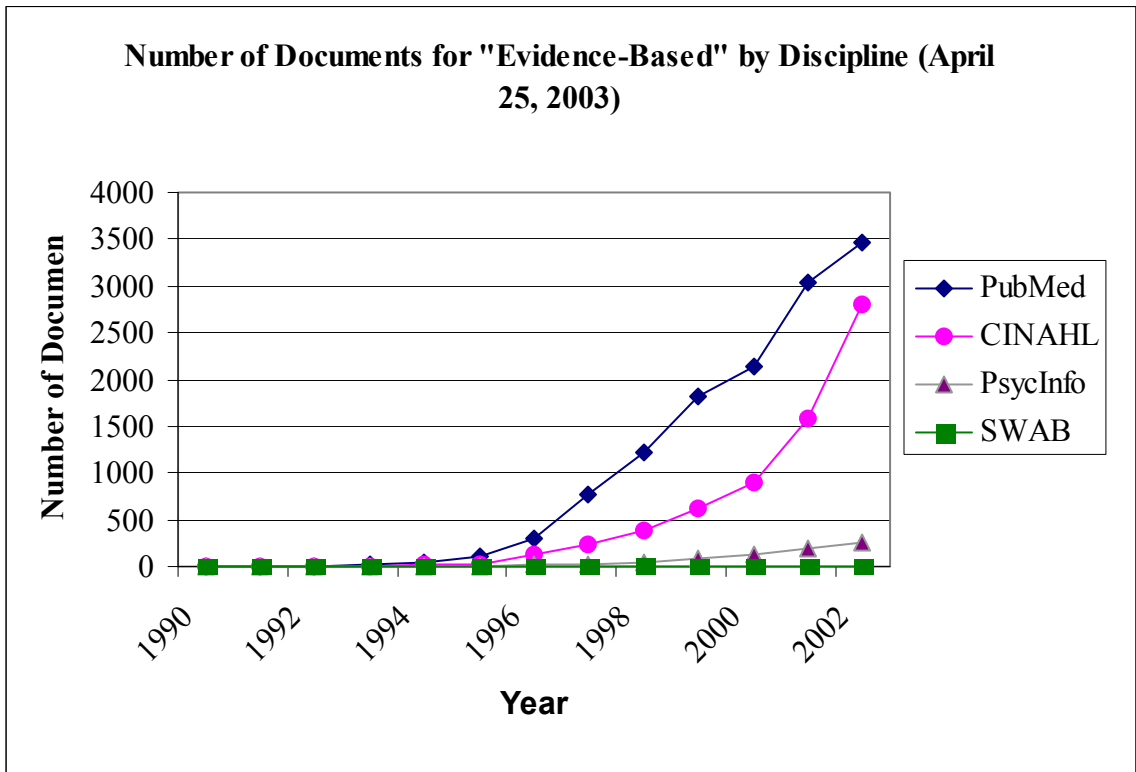
Learning how to pose such well-built questions is the first step in the EBP process. Later steps concern searching quickly and efficiently for the current best evidence, critically appraising that evidence for its implications for action, collaborating with clients to take action, and evaluating what happens. (Sackett et al., 2000, 3-4) EBP is a process, not a collection of published guidelines or standards and not a different name for what we have been doing all along. EBP and requires mastering new technologies and skills.

I have written an EBP book for the helping professions to help individual practitioners to learn the process. (Gibbs, 2003) I am using my book in my research methods course, in my fieldwork course for social work practitioners, and as a text for my interdisciplinary seminar with majors from six different helping professions. The seminar's students each solicit a question from a practitioner in their respective discipline. I hope that my book will help interdisciplinary teams to find a common ground to better serve their clients.

Please take a look at the table below that summarizes the number of documents in databases for the term "evidence-based" by year by discipline as follows: PubMed (medicine), CINAHL (nursing), PsychInfo (psychology) and SWAB (social work). This table documents trends toward EBP and why it makes sense to investigate this trend for yourself.

Gibbs, L. E. (2003). *Evidence-based practice for the helping professions*. Pacific Grove, CA: Brooks/Cole Thomson Learning.

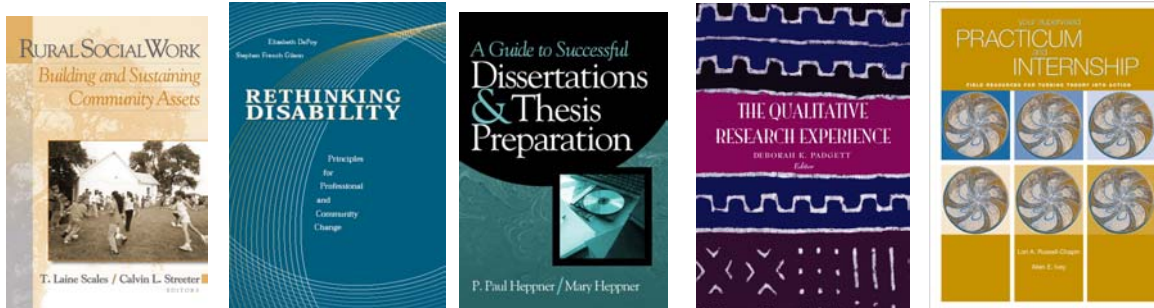
Sackett, D. L., Straus, S. E., Richardson, W. S., Rosenberg, W., & Haynes, R. B. (2000). *Evidence-based medicine*. (2nd ed.). Edinburgh: Churchill Livingstone.





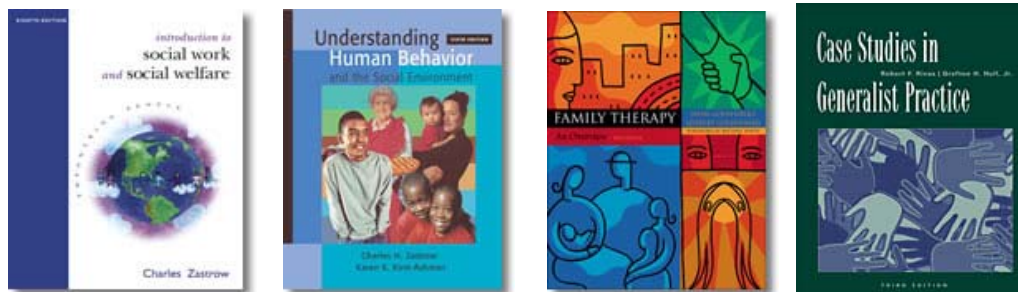
Brooks/Cole News

These 2004 FIRST EDITIONS are COMING SOON!



- *Rural Social Work: Building and Sustaining Community Assets*, Editors: **Laine Scales/Calvin Streeter**
- *Rethinking Disability: Principles for Professional and Social Change*, by **Elizabeth DePoy/Stephen Gilson**
- *Guide to Successful Dissertations & Publishing Research*, by **P. Paul Heppner/Mary Heppner**
- *The Qualitative Research Experience*, Editor: **Deborah Padgett**
- *Your Supervised Practicum & Internship: Field Resources for Turning Theory into Action*, by **Lori Russell-Chapin/Allen Ivey**

Some of our 2004 REVISIONS hot off the Presses and ready for review today!



- *Introduction to Social Work and Social Welfare: Empowering People*, 8/e by **Charles Zastrow**
- *Understanding Human Behavior and the Social Environment*, 6/e by **Charles Zastrow/Karen Kirst-Ashman**
- *Family Therapy: An Overview*, 6/e by **Irene Goldenberg/Herbert Goldenberg**
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To find out information contact your local Thomson representative or visit our Website at http://www.wadsworth.com/pubco/serv_newsedge.html

✓ New!! Coming in August – The Brooks/Cole Self-Study Resource Center (accessible from our social work home page: <http://socialwork.wadsworth.com>)

We know that preparing for accreditation or re-accreditation requires an enormous amount of time, research, and resources to complete the process. In an effort to support this process, we have created this website to help you and your program access various resources.

Disclaimer: We did not ask CSWE to endorse this site. Our intention is just to provide you with easy access to Brooks/Cole information. We believe that a number of our books reflect content consistent with EPAS, but interpretation is obviously up to each program and site visitor.

✓ Additional Resources for you

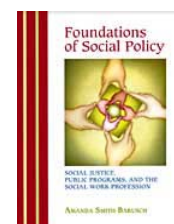
- To request **Review Copies:** http://www.thomsonlearning.com/samples/samp_order.asp
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Do you have any comments or suggestions concerning this newsletter? Would you like to submit materials? Please contact Caroline at caroline.concilla@wadsworth.com

Hot Topic

Labor Policy for Social Workers: A brief overview Brooks/Cole Title by Amanda Barusch By Amanda Barusch

Amanda Barusch is author of *Foundations of Social Policy: Social Justice, Public Programs, and the Social Work Profession* 2002©





Last month the vague sense that I should know something about labor law sharpened into a burning desire. A doctoral student stood crying in my office. Between gulps and heaves she explained that she had to withdraw from the program because her husband had been laid off by the trucking firm he had worked with for 18 years. He was given 24-hour notice, informed that his company health coverage was terminated effective immediately, and advised that his pension coverage was in doubt. Our student could no longer afford to be out of the labor force, let alone pay for tuition and supplies.

Labor policy (like most areas of US policy) involves the interaction of federal and state laws that have accumulated over decades. They reflect the thinking, not of a single mind, but of hundreds or even thousands of competing perspectives. The result is at times inconsistent, even irrational. It is also a moving target. As I write the Bush administration is proposing to change the regulations governing overtime, and a bill pending in the House of Representatives would allow businesses with blue-collar workers to reduce their pension obligations because these workers do not live as long as other Americans. So this information is current as of today, and should provide good key words for your google searches tomorrow!

A detailed consideration of labor law is clearly beyond the scope of this piece. Instead, I will attempt to distill the basics in hope, not of answering all of your questions, but of helping you determine what questions to ask. I will not address anti-discrimination statutes and laws governing employment of immigrants, focusing instead on policies that commonly apply once a person has been hired. These fit roughly into four categories: child labor laws, laws that govern conditions in the workplace, employee benefit policies, and policies that govern employee discharges.

Many aspects of employment are determined, not by laws but through the contract between employer and employee. Advocates of “free enterprise” argue that it is inappropriate for the government to intervene in these private contracts. Of course, the power differential between employee and employer is usually so great that this “contract” is less a matter of mutual agreement than of administrative fiat. The traditional role of unions is to shore up the power of employees, bringing greater clout to the bargaining table. This has improved conditions for workers in a wide range of industries.

Recent decades have seen a decline in the power of unions throughout the country. As many as 22 states are “right to work” states, which means that employees may not be required to join a union. That is, even if a majority votes in favor of union representation, individual employees may elect not to join. This limits the resources available to unions, which are nonetheless required to represent all employees in contract negotiations. Further, most states are “employment at will” states in which employers can hire and fire at will, and are not required to provide justification. Nonetheless, the right to organize and to bargain collectively is still well-established doctrine in U.S. labor policy.

Child Labor Laws

Federal laws restrict the hours and types of jobs that children may work. Some states have additional, stricter provisions. Under federal law, restricted hours apply only to children age 14 and 15. They may work from 7am to 7pm, except when school is in session. During the summer they may work until 9pm. They may work no more than: 3 hours on a school day; 18 hours in a school week; 8 hours on a non-school day; and 40 hours in a non-school week. Children 16 or older are not subject to hours restrictions, and these restrictions do not apply to farm labor.

In the United States, children under 13 may work in several positions. They may deliver newspapers, baby-sit, work as an actor or performer, work in a business solely owned or operated by their parents, and work on a farm owned or operated by their parents. Parents may not employ their children in manufacturing, mining, or any occupation declared hazardous by the Secretary of Labor. When they turn 14, children may work in: offices, grocery stores, retail stores, restaurants, movie theaters, baseball parks, amusement parks, and gas stations. They may not work in several occupations, including construction, driving, manufacturing, and any occupation declared hazardous. When they turn 16, they may work in any occupation not declared hazardous. At 18 years of age child labor laws no longer apply.



Barusch Article Continued

Laws Governing Working Conditions

Wages: *The Fair Labor Standards Act of 1938* as amended governs minimum wages, overtime pay, record-keeping requirements, and child labor. Under the act's provisions, most employees in private companies and government agencies must be paid at least \$5.15 an hour, and receive overtime of a least time and a half for hours that exceed 40 per week. There are several exemptions to these provisions. For example, farm workers on small farms are exempt from both minimum wage and overtime provisions. Children working with parental consent as farm workers are exempt from child labor provisions. Sales people, commissioned employees, and white collar employees are exempt from overtime provisions. The minimum wage for employees who receive tips is \$2.13. (Few tipped employees are aware that if their tips plus wages do not amount to \$2.13/hour the employer is required to make up the difference.)

In 1996, a "youth minimum wage" was established. Workers under the age of 20 can be paid a minimum wage of \$4.25 per hour for the first 90 days of their employment. Employers need not provide training to pay the youth minimum wage. The youth minimum wage may not be used to displace workers.

Safety: In 1970, Congress passed the Occupational Safety and Health Act to reduce workplace exposure to identified hazards, such as toxic chemicals, excessive noise, mechanical dangers, stressful heat and cold, and unsanitary conditions. The Act establishes a "general duty" for employers to eliminate recognized hazards from the workplace. It also requires employers to comply with standards and guidelines issued by the U.S. Occupational Safety and Health Administration (OSHA).

Housed in the Department of Labor, OSHA oversees enforcement in the 50 states. OSHA issues detailed standards, such as "safety and health regulations for longshoring," as well as more general guidelines, such as the recent "ergonomic guidelines for the poultry processing industry." Federal and state OSHA officials conduct thousands of workplace inspections each year. These may be triggered by employee complaints, reports from other agencies, or accident reports. All employers are required to display an OSHA poster that informs employees of their safety and health rights. These posters are available in English and Spanish. Employers are encouraged to establish cooperative relationships with OSHA by seeking consultation about safety issues and accident prevention.

Accommodation: The Americans with Disabilities Act (ADA) was enacted in 1992 to prohibit discrimination against people with disabilities. Public and private organizations are required to make "reasonable accommodation" to enable people with disabilities to perform job requirements, use transportation services, and access public venues. Accommodation might include: changes in existing facilities, restructuring jobs or modifying work schedules, acquiring devices or equipment, or providing readers or interpreters. Companies and organizations may forgo accommodation if it presents them with "undue hardship," a term that is redefined based on the company's size, budget, and operation.

Determining what constitutes a disability is not solely a technical consideration. Politics and philosophy come to bear as well. Today, individuals who are disabled by virtue of addiction to alcohol or drugs are not protected under the ADA, but those who suffer from psychiatric diagnoses are. Individuals with contagious diseases such as HIV/AIDS and tuberculosis are covered by the ADA. People whose skills are limited by a learning disability are covered, while those who lacked access to learning opportunities are not. Those experiencing stressful lives are not covered by the ADA, but those with a stress disorder that has been diagnosed by a psychiatrist are.

Since 1994, the ADA has applied to employers with 12 or more employees. Its provisions are enforced by the Department of Justice.

Family and Medical Leave: The Family and Medical Leave Act of 1993 (FMLA) applies to organizations that employ 50 or more employees. The Act requires these employers to grant eligible employees 12 weeks of unpaid leave for the birth or adoption of a child, to care for a family member with a serious medical condition, or to take medical leave for their own serious health problems. Eligible employees are those who have worked continuously for the employer for at least 12 months, and worked at least 1,250 hours for the employer during the prior 12 months. Employers can deny FMLA leave to "key" employees.



Barusch Article Continued

Employee Benefit Policies: Federal law distinguishes between two types of employee benefits: pension benefits and welfare benefits. Pension plans that qualify for favorable tax treatment are subject to “non-discrimination” rules. So an employer cannot arbitrarily provide pension coverage to his or her favorite employees. Under the Employee Retirement Income Security Act of 1974, as amended (ERISA), pension plans are also subject to “vesting” requirements. After these requirements have been met a worker has the legal right to receive a pension, even if he or she leaves the job.

Welfare benefits, such as health insurance, life insurance and disability coverage are subject to fewer restrictions. Like pension plans, these benefits are also given favorable tax treatment. (They are deductible as a “business expense.”) But employers enjoy wide discretion in determining how, when, and to whom they will be offered.

Discharge Policies

Notice: Under the WARN (The Worker Adjustment and Retraining Notification of 1988), employers of more than 100 workers must provide at least 60 days notice of plant closings and mass layoffs. Both terms are defined by the Department of Labor (see: <http://www.doleta.gov/programs/factsht/warn.htm>). WARN provisions can also apply to the sale of a business. In addition to these federal provisions, state laws bear on the nature of notice required when an employee is laid off. Federal law does not require that employees be given advance notice of individual discharge decisions.

Health Coverage: When an employee receives group health coverage the employer is required to give him/her notice regarding his/her rights under the Comprehensive Omnibus Reconciliation Act of 1985 (COBRA). COBRA requires that “qualified beneficiaries” (employees with health coverage) be provided the opportunity to purchase into the group health plan when they lose group coverage due to loss of employment, retirement, divorce, death, or employer bankruptcy. Keep in mind that bankruptcy does not necessarily mean a company will go out of business. As we saw with K-Mart, a company can use bankruptcy protection to reorganize its debt, then continue to do business. If the employer closes the company and dissolves its health care plan, COBRA protections do not apply. This applies to voluntary and involuntary departures (but not to those fired for gross misconduct), COBRA restricts the cost of coverage to 102% of the *actual* cost to the employer for people who are similarly situated; and the coverage must be identical to that provided before the “qualifying event.” Employees have up to 60 days to decide whether or not to “elect” coverage, and the first premium is due within 45 days of the election. The usual duration of coverage is 18 months, but this can be extended in a range of circumstances. (Note: in cases of divorce or legal separation, COBRA coverage may be required for as many as 36 months.) Coverage may be terminated if an employer terminates all of its group health coverage. The federal COBRA law does not apply to health plans that cover less than 20 employees, though some states extend the law to smaller employers.

Changing Jobs: The Health Insurance Portability and Accountability Act of 1996 (HIPAA) was designed to enhance the portability of health insurance. It does this by restricting the extent to which insurers can exclude “pre-existing conditions” from coverage. Under HIPAA, no insurer can deny coverage for pre-existing conditions for more than 12 months, or 18 months in some cases. Further, the insurer is required to provide “credit” for continuous health coverage prior to enrollment. So a person who is continuously covered by group health insurance in one job should not be subject to exclusion for pre-existing conditions when he or she enrolls for coverage with a second employer. HIPAA does not specify the nature or cost of the coverage that is offered. It simply protects the employee from multiple periods without coverage for on-going conditions. Other HIPAA provisions relate to the privacy of health records.

HIPAA applies to virtually all employers with at least 2 employees. It prohibits insurers from denying coverage to a group based on the health status of an individual in this group. This was seen as a way to help small companies maintain group health coverage in the event an employee or employee’s dependent developed a catastrophic health problem.

As you can see, the trucking company that threw our student’s life into disarray was in violation of several federal labor laws. The company failed to provide WARN notice. Its management threatened to deny pension coverage to a vested employee. And they did not offer COBRA coverage to laid-off employees. As it happens, it even violated some of the laws of our state.



Barusch Article Continued

Fortunately, the truckers had a union. So our student's husband did not have to fight for his rights alone. Over a period of weeks, the union's lawyers successfully negotiated for secured severance pay and COBRA benefits for the laid-off workers. These enabled our student to remain in the program, and provided a bridge for her husband to secure another job.

Of course, many employees are not represented by unions; many are not fluent in English; and many do not understand their rights. These workers are the natural focus of proactive social work intervention. By providing worker education we can empower these workers and their families, and reduce the dissolution, violence, and suffering that results from job stress and disruption. Through partnerships with unions we can help organize for better working conditions and help workers secure the rights to which they are entitled. Through, our advocacy efforts we may expand (or at least preserve) legal protections for people who work for a living. There is much rewarding work to be done in this field, with great potential for advancing the cause of social justice.