

Single Copy Seminar!!!

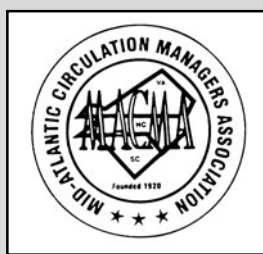


Cheryl Boyles
Winston-Salem Journal
District Manager

"Having fun as always!"

The session was held at the *Winston-Salem Journal* Plant on Friday, March 5th, in beautiful Winston-Salem. The following was the basic agenda for the day...

- Keith Petty, circulation director of the *Winston-Salem Journal*, opened the session with his remarks.
- Jennifer Davidson was the first speaker at 10:00 AM and talked about over-the-counter promotions titled, "We Need to Think Out of the Rack."
- Perry Keenan of The Keenan Group was next, discussing point-of-purchase signage.
- Debra Morris of the *Durham Herald Sun* held a Q&A session.
- Teresa Corrigan with the *Richmond Times Dispatch* focused on single copy marketing.
- Frank had some closing remarks.
- Jennifer Davidson stated that it was a great seminar, and I think everyone got a lot out of it.



Address Change . . .

Please send all address changes and corrections to Secretary-Treasurer Carol Moseley at P.O. Box 520, Roanoke Rapids, North Carolina 27872. You can call Carol at (252) 537-2505, or e-mail carolmoseley@charter.net

Deadline . . .

The next issue of your MACMA Bulletin will be mailed in June. Please forward any news about personnel changes, promotions, retirements, awards, article ideas, or other matters by May 15th. And don't forget: If you have news, I have space. bhoward@news-record.com

MACMA TRANSITIONS AND MEMBER NEWS



David Hall (left) is re-joining Expert Newsrack Services as Sales and Marketing Manager effective 3-22-04.



Frank Mastromarino (right) announced his retirement from *The Fayetteville Observer*,

effective Wednesday, March 17th. He will be attending the conference in Winston-Salem in May

to officially attend the board meeting on the 2nd and turn over the reins of the Training Committee. Frank had this to say, "MACMA is a fantastic organization, loaded with bright and innovative circulation executives. I encourage all of you to get involved as much as you possibly can, to help keep MACMA at the forefront of all circulation sectional associations...I don't plan to retire, entirely. I will continue to write a monthly column in the Circulation Idea Service and hope to do some circulation training and consulting work... maybe even a speaking assignment here or there. This business has been very good to me (40-plus years), and I really enjoy giving something back to the industry."

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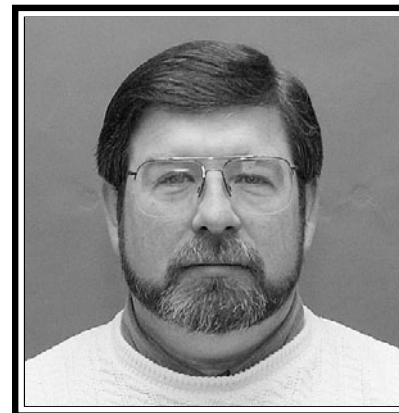
March/April 2004
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-----"TO EXCHANGE IDEAS, ASSIST EACH OTHER, GET BETTER ACQUAINTED"-----

New MACMA Website...At Your Fingertips!



Earle Woodward

The Mid-Atlantic Circulation Manager's Association is proud to announce the kickoff of our new web site, www.midatlanticcma.org. We feel like it is one of the best in the business and would love to have you visit the site and enjoy its benefits. Among other things, you'll find a complete listing of our membership, please find your name and check your listing to be sure everything is correct. If there are errors in your listing, please notify Dennis Lenart, our Roster Chairman, so that

he can make the necessary corrections. You can find Dennis at (910) 693-2488 or e-mail him at dennis@thepilot.com. You will also find a complete listing of the web sites of our member newspapers, with links to each.

Several of the things that we are most proud of are our new "Calendar of Events" and the "Association Forum." The calendar will allow us to list any upcoming event, such as the "Single Copy" and "ABC" seminars as well as our annual conference. We have tried to list other sectional events as well to help us avoid conflicts.

If you have an event that you would like to post to the calendar, please give me a call at (803) 774-1259 or e-mail me at earlew@theitem.com, and I'll be happy to include it on the calendar.

The "Association Forum" could wind up being one of the best features of all. We know that MACMA is a hotbed of knowledge, but we often don't know whom to contact for each specific problem that we have. The login is, "midat!" as is the password. After logging in, please regis-

ter and have at it. By logging on to the forum, you can post a question to the organization simply by including it under one of the categories. We hope everyone will check the forum regularly so that we will be able to provide quick responses and helpful information to each other.

Check out the "Conference Information" complete with downloadable registration form and hotel information.

Membership forms are also downloadable under the "Become a Member" button.

The key to any web site is use. We think this site is user friendly and could be a great value to our organization if we will use it to its fullest extent. You can access any of our states press associations, plus NAA, ABC, SNPA and several other groups, simply by clicking on their link on our home page. By clicking on the rotating ads from our vendors, you can access their web sites. It couldn't be easier.

We hope you will log on, explore the site and enjoy using it as much as we have enjoyed bringing it to you. See you in Winston-Salem!

"Imagination is more important than knowledge"

~ Albert Einstein

FROM THE PRESIDENT: Jim Purdon

This past year has been very productive and many great things have been accomplished, due to the efforts of so many dedicated members of MACMA. Earle Woodward and his team took on building the website from scratch. Now all members can access pertinent information regarding training, conference and hotel registration, and upcoming events. There is also an "Association Forum" that can be used to resolve circulation-related issues as needed. Betty Howard has accepted the position of bulletin Editor and has hit the ground running with a smile! Frank Mastromarino, Brett Ray and Debra Morris have all done an excellent job with our ABC, Home Delivery and Single Copy seminars. Many circulators were able to learn new ideas and meet new people in the industry, thanks to their dedication. The *Winston Salem Journal*, *The News and Record* and the *Herald Sun* are to be commended for their support in providing facilities for these seminars. Sponsors for these seminars included Expert Newsrack Services, Wilson Gregory, Schermerhorn Bros, Roggen Management, ADPRO Marketing Services, Primetime Promotions, The Keenan Group and PDI Plastics. Without our tremendous Vendor support, we couldn't be successful! If you aren't actively involved in MACMA, you can see you're missing out on a world of opportunity and knowledge. Don't forget to send in your conference registration form now to take advantage of the early bird special. If you can't find your registration packet, simply access www.midatlanticcma.org and print off all the hotel and conference forms at your convenience. Jennifer Davidson has been working diligently to insure we all have a great time at the May conference in Winston Salem. See you there!



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LEGALLY SPEAKING: Litigation News From L. Mike Zinser, MACMA General Counsel

This month's column provides an update on new overtime regulations, a case holding that showing up for work is an essential function of any job, and a case holding that an ADA plaintiff was disqualified for refusing the accommodation of a lower paying job.

1. New overtime regulations to be issued March 2004

In September 2003, President Bush threatened to veto the entire appropriations package if the bill was reported out of the Conference Committee blocking the overtime regulations. Efforts by unions to block the regulations fizzled when, under the continued threat of a veto, the federal spending bill was passed without an amendment to block the new regulations.

The final version of the new regulations should be issued by the Secretary of Labor by the end of March. These final regulations are expected to be similar to the earlier version. The regulations being replaced were written in 1938, are outdated, confusing and utilize terms no longer used in the industries referenced.

2. Out: "Going postal" In: Going to work

Mason worked as a mail carrier for the U. S. Post Office until she witnessed the "Edmond Post Office massacre." She then worked for Avaya as a "service coordinator" until she learned that an Avaya coworker threatened another Avaya employee that he would "go postal" and was compiling a "hit list." As a result, Mason became physically and emotionally unable to go to work. She requested that Avaya transfer the violent coworker to another facility or, in the alternative, that she be allowed to work from home. Avaya refused both proposals, stating, among other things, that attendance at the Avaya facility was an essential function of Mason's job. Mason never returned to her job at Avaya and eventually filed a complaint alleging that Avaya violated her rights under the Americans with Disabilities Act ("ADA").

The U. S. Court of Appeals for the 9th Circuit upheld the trial court's grant of summary judgment to Avaya. To overcome a motion for summary judgment in an ADA case, the plaintiff must show that he/she is capable of performing his/her essential job functions with or without a reasonable accommodation. In determining the essential functions of a job the court considers the employer's

judgment as to which job functions are essential.

The court reasoned: "[M]ost jobs in organizations public or private involve team work under supervision rather than solitary unsupervised work, and team work under supervision generally cannot be performed at home without a substantial reduction in the quality of the employee's performance." Showing up at work is an essential function of the job.

3. NLRB reversed, employer private property rights upheld

The U. S. Court of Appeals for the D. C. Circuit, granting WinCo's petition for review and denying enforcement of the NLRB's decision, held that union organizers had no right under California law to engage in handbilling on the privately owned parking lot of WinCo's grocery store. The court argument of the NLRB and the union that, "Any individual or group that has a dispute with the property owner is exempt from the trespass laws of California." Such a rule argued by the NLRB would be contrary to the decisions of California courts holding that abortion protesters have no right to be on the privately owned parking lots and walkways of medical clinics.

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