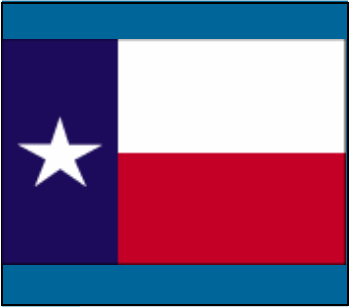


May 2004



TEXAS CIRCULATION
MANAGEMENT ASSOCIATION

TCMA Lone Star Review



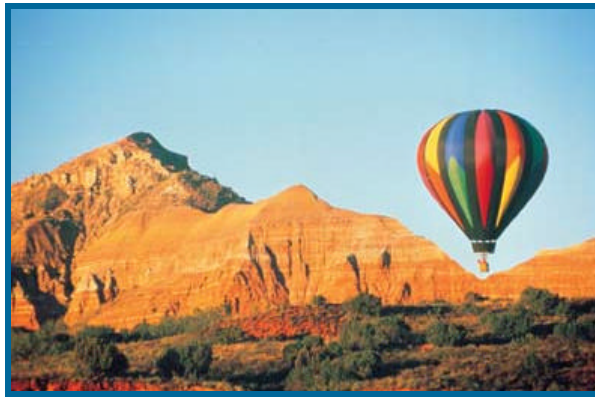
Giddy up! Ride ‘em cowboy! These were once popular words that were heard on the streets of Amarillo. But no longer! Amarillo is a modern city with all the comforts we have become accustomed to in our daily life.

Amarillo is also the site of the 90th Annual Texas Circulation Management Association’s Conference. The *Amarillo Globe-News* is sponsoring this year’s conference. They are planning some relaxation time while President **Bobby Berry** (*Texarkana Gazette*) is busy planning the program that begins on Tuesday, October 12, 2004.



Bobby has selected the keynote speaker for the opening session. **Robert Fel-lows** is an internationally recognized stage illusionist who uses the skills he has honed over twenty-five years as an entertainer to create educational presentations that are experiential and memorable.

The balance of the program will be designed from the feedback we receive from TCMA members. The Board feels it is time to liven up the conference by creating workshop sessions designed to challenge the creativeness in each of us. The TCMA Board envisions sessions that are of interest to your newspaper and topics that are relevant to you.

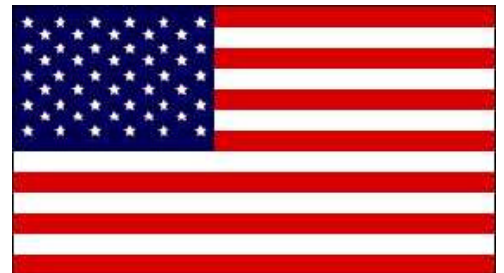


We would like your input by returning the postage paid post-card and listing the top three circulation issues or concerns you would like to see answered at the conference. **Time is of the essence.** Return your feedback card

(Continued on page 5)

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THE ZINSER LAW FIRM

TCMA Legal Counsel

Signing on to diversity costs employer \$146,269

An employee, a devout Christian, refused to sign the employer's Certificate of Understanding agreeing to abide by a diversity policy. He specifically objected to language, which stated, "Each person at AT&T Broadband is charged with the responsibility to fully recognize, respect and value the differences among all of us." He wrote a letter to HR which, in part, stated:

I believe it is wrong for any individual or organization to attempt to persuade me to fully respect and fully value any differences, which are contrary to God's word. In order for me to comply with this diversity statement in the company handbook, I would have to deny my faith; this I will not do.

Without any clarification of its policy, AT&T fired the objecting employee when he would not sign the certificate. Much of the trial testimony addressed his reluctance to value homosexuality. The U. S. District Court in Colorado ruled that AT&T violated Title VII when it failed to have the required dialogue with the plaintiff upon notice of his concern and by failing to clarify the challenged language to reasonably accommodate his religious beliefs. He was awarded \$146,269 for back pay and front pay.

The court ruled that AT&T failed to show that it could not have accommodated the employee's religious beliefs without undue hardship. A revision of the challenged language (eliminating the requirement that he "value" the differences) would have imposed no apparent hardship. Circulating a memo noting the revision to all AT&T's employees might involve some costs in photocopying and distribution, but the court considered such costs to be de minimis.

Beware of workers' comp shakedown!

A disturbing trend is creeping across the country. Insurance companies that offer workers' comp insurance are trying to force employers to cover independent contractors or the insurance company will refuse to write coverage for admitted employees. This is extortion! It is a naked revenue grab.

Most state laws make it clear that independent contractors are not covered by workers' comp laws. Recommendations are as follows: (1) refuse to cover independent contractors; (2) find a new insurance company with the understanding that you will not be forced to cover contractors; (3) activate your state press association to get involved, ala the Commissioner of Insurance.

Recently, the Missouri Press Association, by working through the Insurance Commissioner,

received an opinion letter for publishers to use with insurance companies. In California, the issue is being litigated.

Editor's note: If you would like a copy of the Missouri letter, contact Michael Zinser at 1.615.244.9700.



Conference Hotel

Amarillo, Texas

October 11-13, 2004

Texas Circulation
Management Association
TCMA Lone Star Review
May 2004

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Our Newest Members!

Al Zuffrano	Goalgetters, Inc.
Todd Gibson	Texarkana Gazette
Brenda Burr	Round Rock Leader
Bonnie Thompson	Midland Reporter-Telegram
Jan South	Mind Reporter-Telegram
Karl King	Wall Street Journal
Staci Hanlin	Baytown Sun
Sylvia Balderas	Baytown Sun
Christopher Sears	Austin American-Statesman
Eric Krauss	Austin American-Statesman
William Grafton	Austin American-Statesman
Jim Wilson	Weatherford Democrat
Jama Drake	Newsstand, Inc.
Don Whalen	Houston Chronicle
Gregg Carson	Houston Chronicle
Penelope Gravel	Daily Court Review
Glenn Green	Dallas Morning News
David Morel	Dallas Morning News

2005 Conference Site Selected

The Fort Worth Star-Telegram has offered to host the 2005 TCMA Fall Conference. The Association last met in Fort Worth in 1982. **Albert Vaughn** from the Greenville Herald-Banner presided as President.

TCMA Regional Directors

North

Charles Lawson (806) 296-1341

East Open

West Open

South Open

Central Open



Texas Roundup!

TCMA Participates at TDNA Confab

On March 23, 2004, a panel of circulation professionals from small, medium, and large newspapers participated in a forum at the annual Texas Daily Newspaper Association's annual conference in Corpus Christi, Texas. President-Elect, **Steve Jordan**, organized the discussion group consisting of **Lane Aten**, Valley Morning Star, **Mick Cohen**, Dallas Morning News, **Lorenzo Vigliante**, Bryan Eagle, **Jack Light**, Amarillo Globe-News, **Gene Haddock**, Houston Chronicle, and **Jordan** representing the Corpus Christi-Caller Times.

TCMA was invited to present a panel discussion on the best practices using third party sales, single copy sales strategies, and retention and loyalty programs. **Donnis Baggett**, TDNA President, had invited the TCMA group to make the presentation after Baggett spoke at the 2003 TCMA Spring Seminar.

Another purpose of the presentation was to allow TCMA to speak directly to publishers from around the state to share the benefits of having their circulation managers join TCMA.

Jordan presented a review of the presentation to the TCMA Board at a recent board meeting and said the visit was extremely valuable for TCMA. He also said that TDNA wanted to continue these type of presentations as the information is helpful to publishers to understand the problems facing circulators.

www.texascoma.org

Our Newest Newsletter Sponsor

TCMA is delighted to welcome our newest business card sponsor of the *Lone Star Review!* Circulation Technicians or CirTech has joined the many sponsors of your quarterly newsletter.

If you would like to be a sponsor of the *Lone Star Review* with each quarterly newsletter, contact J W Smith, Secretary/Treasurer for information. He can be reached at 713 362 7644 or by e-mail at tcma@texascma.org.

All business card ads are custom designed to match your business card.

Regional Director Openings

The TCMA Board of Directors has three openings for a Regional Director in the Central, West, East and South Region. There is a map on the TCMA Web site and a list of counties that are a part of the each Region.

Regional Directors are elected by caucuses at the annual meeting every two years. Regional Directors are responsible for increasing TCMA membership in their respective region.

If you would like to serve as a Regional Director, contact President **Bobby Perry** at 903 794 3111. Regional Directors are responsible for helping to increase TCMA membership. Attendance at Board Meetings is encouraged although not required.

Conference 2004

The *Amarillo Globe-News* will host the 2004 TCMA Fall Conference. The last time the Association met in Amarillo was in 1989.

This will be the first time since 1997 that the Association will meet outside of South Texas. We met in South Padre in 1998, San Antonio in 1999, Austin in 2000, Beaumont in 2001, Houston in 2002 and Corpus Christi in 2003.

This will be a great time for our North Texas and West Texas newspapers to attend the Conference.

The site of the conference will be the Ambassador Hotel.

2004 TCMA Golf Tournament

Associate Directors **Curtis Smith** and **Lester Mitchell** have lined up a day of golfing before the Annual TCMA Conference gets under way on Tuesday, October 12, 2004.

The 2004 TCMA Golf Tournament will be on Monday, October 11, 2004 at the Ross Rogers Golf Course in Amarillo, Texas. The entry fees will be \$65.00, same as last year, and will cover your course fee, cart fee, refreshments and prizes. Entry forms will be included with the fall conference registration materials.

2004 Spring Seminar Revisited

Second Vice President **Gary Wamsley** (Midland Reporter-Telegram) opened the Spring Seminar in Austin, Texas, May 13-14, 2004. He introduced **David Morel** (Dallas Morning News) who delivered a presentation on Subscriber Acquisition. David used the analogy that tall trees have deep roots and thus growing circulation does require time and nurturing to produce results. Other speakers at the seminar were **Jim Fetsch** (San Antonio Express-News), **Rob Rubrecht** (NAA), **Diane Rusnak**, (Audit Bureau of Circulation), **Glenn Plouse**, (Zindler Law Firm), and **Stephen Pace** (Houston Chronicle). **Charles Lawson** (Plainview Daily Herald) presided over the Hot Ideas Breakfast on Friday morning.

Sponsors of this year's seminar were **Kaspar Sho-Rack, Newsstand, Inc., RAK Systems, ProStarts, Circulation Development, Schemerhorn Bros., GP Plastics, Bellatrix Systems**, and long time Associate Member, **Rick Hivley**. Thank you for your sponsorships. These sponsors helped make the Spring Seminar possible.

TCMA Board of Directors

Lane Aten	Chairman/NAA Federation Rep.	Valley Morning Star
Bobby Perry	President	Texarkana Gazette
Steve Jordan	President-Elect	Corpus Christi-Caller Times
Jack Light	First Vice President	Amarillo Globe-News
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Charles Lawson	Regional Director (North)	Plainview Daily Herald
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(Open)	Regional Director (West)	
Curtis Smith	Associate Director	K-Jack Engineering Co., Inc.
Lester Mitchell	Associate Director	Kaspar Sho-Rack
James Smith	Secretary/Treasurer	Houston Chronicle

(Continued from page 1) Amarillo Conference

today and with the information we receive, Bobby is going to fill the balance of the conference with practical, hands-on workshops that will be worth your expense in coming to Amarillo. *If you are expecting the same old presentations, you will be disappointed.*

But if you are looking for NAA quality sessions that you actually participate in, then return your post card today, make your reservations, and come to Amarillo expecting to leave with practical ideas to help your business grow circulation in your market.

If you would like to assist with the program, you are welcomed to call **Bobby Perry** at 903 794 3111. Giddy up and ride into Amarillo in October!

Round Up Time in Amarillo

The TCMA Board of Directors voted to allow newspaper circulation managers from bordering circulation sectionals to attend the 2004 Fall Conference in Amarillo and pay the TCMA member conference rate. As a courtesy, sectional secretaries from the eleven circulation sectionals in America receive the TCMA Newsletter. If you know circulation professionals who are members of Mid West Circulation Managers Association or the Southern Circulation Managers Associations, encourage them to participate by sending an e-mail to tcma@texascma.org expressing an interest. I will add them to the 2004 Fall Conference mailing list.


If you know of North Texas Newspapers that are not a part of TCMA, send me an e-mail at tcma@texascma.org and I will invite them to join and be in Amarillo in October. - JW Smith

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