



## CURRICULUM VITAE

Pamela Fagan Hutchins, Esq., SPHR, SHRM-SCP  
Co-Founder / Shareholder / Chair

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### EDUCATION

J.D., University of Texas School of Law at Austin, 1992

B.B.A. Texas A&M University, 1989

Degree in Business Analysis with focus in Management Information Systems

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### PROFESSIONAL EXPERIENCE

#### Consulting

##### **Employment Practices Solutions, Inc.**

Houston, Texas

*Senior Consultant, in addition to Co-Founder/Shareholder/Chair*

*2006 – present*

Providing human resource consulting on a wide variety of topics but specializing in employee relations, including training, investigations, and expert work. See below, Employment Practices Solutions, for additional detail.

##### **Employment Practices Solutions, a Certified Women-Owned Business**

Southlake, Texas, *Co-Founder and Shareholder*

*Senior Consultant: 2006 – 2007*

*Chair of the Board of Directors: 2002 – present*

*President: 1995 – 2002*

Responsible for all aspects of running the company with special emphasis on training program development, networking, marketing, and recruiting. Provision of employment practices risk management services including training, employee manuals, expert witnessing, human resource and AAP audits, and investigations. Issues covered include sexual harassment, discrimination, diversity, hiring, terminations, and others.

#### Legal/Human Resources

##### **HOVENSA, L.L.C. Refinery**

St. Croix, U.S. Virgin Islands.

*Director, Human Resources*

*Director, Human Resources and Legal*

*Vice President, Human Resources and Legal*

*2002 – 2006*

Reporting to the President/COO of 10 Billion dollar private company and 2<sup>nd</sup> largest refinery in the Western Hemisphere, responsible for Staffing, Employee and Labor Relations, EEO and Affirmative Action, Ethics and Compliance, Relocation and Expatriate Housing, Compensation, Benefits, Organizational Development, Training, HR Systems, Internal Communications, Litigation Management, Risk Management, and General Advice and Counsel.

*Member of HOVENSA Leadership Team*

Member of 9-person HOVENSA Leadership Team responsible for assisting President/COO in all aspects of running the business, using a collaborative team-oriented leadership model.

*Internal Communications Officer for Incident Command*

Staff Officer reporting to Incident Commander responsible for Internal Communications in emergency situations.

**West Publishing Company**

Dallas, Texas

*Staff Attorney and Trainer*

1993 – 1995

National award winning trainer on computerized legal research tool, WESTLAW. Specialty in employment law.

**Calhoun & Stacy**

Dallas, Texas

*Associate Attorney, Litigation*

1992 – 1993

Researched the law, drafted documents, deposed witnesses, and helped try cases.

**University of Texas School of Law at Austin**

*Teaching Assistant*

1991 – 1992

Taught legal research and writing to first year law students and was responsible for coordination of program for five other teaching assistants.

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**LICENSE/CERTIFICATIONS**

Licensed attorney in the State of Texas, 1992

Senior Professional in Human Resources, 2001

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**MEMBERSHIPS**

Texas Bar Association, Member since 1992

Houston Bar Association, Member since 2007

Society for Human Resource Management, Member since 1998

HR Houston, Member 2007 – 2013

National Speakers Association, Professional Member since 1999

St. Croix Country Day School Board of Trustees Member

Trustee, 2001 – 2003

Member of Governance Committee and Capital Contributions Committee

St. Croix Human Resource Management Association  
Chairperson, 2001  
Charter Member of Chapter  
Chairperson of Certification/Education Committee

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## **PUBLICATIONS/PRESENTATIONS**

### **2015:**

Texas Association for Health Care Recruiters: Keynote Speaker, November 13, 2015, Colonel Mustard in the Conference Room With His Pants Down: Workplace Investigations

### **2014:**

Texas Society for Healthcare Human Resource Administration and Education, Austin, TX, *HR Lessons and Tales of the Weird from the Road* (November 2014)

*"Saving Grace in 60 Days: HR Lessons and Tales of Weird from the Road"*, TSHHRAE 2014 Annual Conference Keynote Speaker, University of Texas Commons Conference Center, Austin, TX (November 21, 2014)

*"FMLA Jeopardy"*, presented at the Permian Basin Society for Human Resource Management, 2014 HR Success Summit, Midland, TX (September 9, 2014)

*"Cultural Shift: Marriage Equality & Prohibition of Gender Identity & Orientation Discrimination"*, presented at The Gulf Coast Symposium on HR Issues, Houston, TX (May 15, 2014)

### **2013:**

*"ADAAA and the Interactive Process - What is a Reasonable Accommodation, Really"*, presented at the Permian Basin Society for Human Resource Management, HR Success Summit, Midland, TX (September 10, 2013)

*"Employers Hands are Tied and the NLRB is Tightening the Knot"*, presented at the HR Houston Gulf Coast Symposium on Human Resource Issues, Houston, TX (May 16, 2013)

Colonel Mustard in the Conference Room With His Pants Down: Workplace Investigations, Sisters in Crime/Cowtown Crimesolvers Chapter, Friends of the Fort Worth Library Bookstore, Feb 2013

Gulf Coast HR Symposium, HR Houston, Houston, TX, "Employers' Hands are Tied and the NLRB is Tightening the Knot" (May 2013)

September 10th, 4-5 p.m.: Reasonable Accommodation After the ADAAA, Permian Basin Society for Human Resource Management Annual Conference, Midland, TX

Labor & Employment Section, Houston Bar Association, Houston, TX, "Advanced Workplace Investigation Issues" (January 2013)

### **2012:**

*"Violence in the Workplace,"* presented to the Bellaire/Southwest Houston Rotary Club: Violence in the Workplace, Houston, TX (July 19, 2012)

Gulf Coast HR Symposium, HR Houston, Houston, TX, (May 2012)

HR Impact Awards, HR Houston, Houston, TX, "Corporate Social Responsibility: What's HR Got to Do With It?" (February 2012)

**2011:**

Gulf Coast HR Symposium 2011 Conference, Houston, TX, "Corporate Social Responsibility: What's HR Got to Do With It?" (May 2011)

Association of Women Attorneys, Houston, Texas, "What Every Lawyer Needs to Know About Workplace Investigations," (February 2011)

Challenger, Gray, Christmas Career Corner, Houston, Texas, "Ethical Issues in Workplace Investigations," (January 2011)

**2010:**

Houston Bar Association Continuing Legal Education Series, Houston, Texas, "Workplace Investigations," (December 2010)

Gulf Coast HR Symposium 2010 Conference, Houston, Texas, "Let it HRIPP! HR Impacting Public Policy: Early 2010 Legal & Legislative Briefing," (May 2010)

Montgomery County Society for Human Resource Management Speaker, "Let it HRIPP! HR Impacting Public Policy: Early 2010 Legal & Legislative Briefing," (February 2010)

**2009:**

HR Southwest Human Resources Conference and Exposition Speaker, "Assimilation and Compliance Without Loss of Identity: Challenges for the Foreign-Owned Multinational in the U.S.," (October 2009)

Southwest Human Resources Conference and Exposition Speaker, "Assimilation and Compliance Without Loss of Identity: Challenges for the Foreign-Owned Multinational in the U.S.," (October 2009)

Southeast Texas Human Resource Association, Beaumont, Texas, "Let it HRIPP! HR Impacting Public Policy: Early 2009 Legal & Legislative Briefing" (September 2009)

Gulf Coast HR Symposium 2009 Conference, Houston, Texas, "Assimilation and Compliance Without Loss of Identity: Challenges for the Foreign-Owned Multinational in the U.S.," (May 21, 2009)

SHRM® Global Conference and Exposition, Toronto, Ontario, Canada, "Assimilation and Compliance Without Loss of Identity: Challenges for the Foreign-Owned Multinational in the U.S.," (March 31, 2009)

Hutchins, "The NetPat Phenomena," [www.epspros.com](http://www.epspros.com) (March 2009)

**2008:**

Montgomery County Society for Human Resource Management Speaker, "Employer or Big Brother: Responding to Employee Blogging, IM'ing and Off-Duty Conduct that Affects Employers" (February 12, 2008)

Austin Human Resource Management Association Speaker, "Employer or Big Brother: Responding to Employee Blogging, IM'ing and Off-Duty Conduct that Affects Employers" (February 21, 2008)

Austin Bar Association Labor and Employment Section Speaker, "The More Things Change, the More They Stay the Same: New Tactics for Battling the Old Problem of Harassment in the Workplace" (March 5, 2008)

Gulf Coast Human Resources Symposium Speaker, "Employer or Big Brother: Responding to Employee Blogging, IM'ing and Off-Duty Conduct that Affects Employers" (May 14, 2008)

Gulf Coast Human Resources Symposium Speaker, "Employer or Big Brother: Responding to Employee Blogging, IM'ing and Off-Duty Conduct that Affects Employers" (May 14, 2008)

**2007:**

Bay Area Human Resource Management Association Speaker, "Employer or Big Brother: Responding to Employee Blogging, IM'ing and Off-Duty Conduct that Affects Employers" (June 7, 2007)

Hutchins, "Change Management: Putting Together a Winning Hand," webinar and CD-ROM, originally conducted September 18, 2007

Hutchins, "HR the West Indian Way: What 5 Years in the Virgin Islands Taught Me About Human Resources," [www.epexperts.com](http://www.epexperts.com) (February 2007)

**2004 and earlier:**

The HR Association of St. Croix Luncheon Speaker, "Training and Development at HOVENSA" (2004)

The HR Association of St. Croix Speaker at Annual Employment Law Seminar, "Motivating Employees" (2004)

The HR Association of St. Croix Luncheon Speaker on PHR and SPHR Certification (2004)

Fagan, "Mohammed, You Too Are My Brother," hrfree.com, hr.com, Diversity Central ([www.diversityhotwire.com](http://www.diversityhotwire.com)), East Valley Human Resource Association November 2001 Newsletter, and EmploymentSource Enewsletter (September 2001)

"A Matter of Faith", by Maria M. Perotin (Fort Worth Star Telegram, September, 2001)

Fagan, cited in United States Supreme Court Petitioner's Brief. UNITED STATES POSTAL SERVICE, Petitioner v. Maria A. GREGORY. No. 00-758. (April 27, 2001)

SHRM's 53rd Annual Conference and Expo, "Conducting Bulletproof Misconduct Investigations," San Francisco, California June 2001

Labor and Employment Section of the Texas Bar Association – Annual Meeting, "Employer Investigation Issues," Austin, Texas June 2001

TABCC, "Violence in the Workplace," Ft. Worth, Texas February 2001

TXANS, "Violence in the Workplace," Ft. Worth, Texas August 2000

17th Annual Employment Law & Legislative Update, "Protecting the Competing Rights of the Complainant, Accused, and Witnesses in an Employee Complaint Investigation," Washington, D.C., March 2000

Mid-Tex HRMA, "Background and Reference Checks," Brownwood, Texas April 1999

Fagan and Sorrells "There's No Such Thing As "Safe" Sex Harassment," Emerging Legal Issues (April, 1999)

The Executive Committee 10-1, "7 Deadly Sins That Can Cost Your Business Its Assets," Dallas, Texas March 1999

Fagan, "Employment Discrimination Class Actions: As if your employees needed another incentive to sue you!" *Horizon* (Dallas HRMA, March 1999)

Developed and was featured in *Real Solutions™: Preventing Sexual Harassment in the Workplace – Employee Sensitivity Version* and *Real Solutions™: Preventing Sexual Harassment in the Workplace – Management Issues Version* training videotapes; release date March 8, 1999

Fagan, George, Jacobs, Jones and Sorrells, *Real Solutions: Strategies and Tools to Rid the Workplace of Harassment* (Employment Practices Solutions, 1998)

Fagan and Sorrells, "There's No Such Thing as Safe Sex Harassment: Emerging Legal Trends," *EmploymentSource* (Employment Practices Solutions, August 1998) and *Tarrant County Bar Bulletin* (Tarrant County Bar Association, December 1998)

Lubbock SHRM, "It's a Hard Job But Somebody's Got to Do It: Performance Appraisals, Disciplinary Actions, Investigations, and Terminations," Lubbock, Texas November 1998

Employment Practices and Law Update, "Hiring and Retaining the Best and Brightest," Waco, Texas November 1998

HR Southwest 1998, Human Resources Conference and Exposition, "Training Strategies for the New Millenium," Ft. Worth, Texas October 1998

Michener & Larimore CLE Series, "Preventing and Correcting Harassment," Ft. Worth, Texas September 1998

Cross Timbers HRMA on "Managing Attendance Effectively," Stephenville, Texas September 1998

Travis County Labor & Employment Section, "Harassment Investigations," Austin, Texas August 1998

Women Attorneys in Tax & Probate, "7 Deadly Sins That Can Cost Your Clients Their Assets," Houston, Texas July 1998

Fagan, "Arm Your Managers For Changing Employment Laws," *EmploymentLaw Newsletter* (Small, Craig & Werkenthin, August 1998) and *Horizon* (Dallas HRMA, June 1998)

Northeast Tarrant Chamber, "7 Deadly Sins That Can Cost Your Business Its Assets," Haltom City, Texas June 1998

Affordable Housing Management Association, "7 Deadly Sins of Business That Can Cost Your Business Its Assets," Dallas, Texas May 1998

Employment Law Update for the Big Country Society for Human Resource Management in Abilene, "Sexual Harassment Sensitivity," Abilene, Texas April 1998

Featured Commentator on "Community Corner", "Sexual Harassment Trends," KLUV 98.7 FM, Dallas, Texas, March 1998

Small Craig & Werkenthin 1998 Employment Law Symposium, "The Diverse Workforce: Asset to the Employer?" Austin, Texas February 1998

Fagan, "Employment Discrimination Class Actions: As if your employees needed another incentive to sue you!" [www.eps@epexperts.com](http://www.eps@epexperts.com), November 1997

Presentation at HR Southwest 1997, Human Resources Conference and Exposition, "Training Your Managers to Excel within Organizational Change," Ft. Worth, Texas, October 1997

"Family comes first at Southlake business," by Sandra Baker, (Fort Worth Star Telegram, April 1997)

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## EXPERT WITNESS DESIGNATIONS

Baugh v. AGR F.J. Brown, Inc. and Truitt, No. 2011-29392, in the 80th Judicial District Court in and of Harris County, Texas. On behalf of Plaintiff. Settled.

Siri v. City of Dallas et al, NO. 3-10-CV-0036-M-BD, In the United States District Court, Northern District of Texas, Dallas Division. On behalf of Defendant. Dismissed.

Muric v Global Energy Services Operating LLC et al, No. DC-1095, in the 229TH Judicial District in and of Duval County, Texas. On behalf of Plaintiff. Settled.

Baros v. Owens Corning, Corp., No. 95692-D, In the 320th District Court in and for Potter County, Texas. On behalf of Plaintiff. Settled.

Lawrence v. Wal-Mart Associates, Inc., No. 2:07-cv-00126, In the United States District Court for the Northern District of Texas Amarillo Division. On Behalf of Plaintiff. Dismissed.

Davis v. Rip Griffin Truck Service Center L.P., No. 2007-549,169, In and for Lubbock County, Texas. On behalf of Plaintiff. Settled.

Blevins v. West Telemarketing Corporation and Randy A. Dill; No. 96-CI-16063; In the District Court 225<sup>th</sup> Judicial District Bexar County, Texas. On behalf of Defendant. Deposed March 1, 1999. Testified March 24, 1999. Verdict for defense. Negligent investigation (sexual harassment).

Mary Ellen Cormack v. Aspen Technology, Inc. and AspenTech, Inc.; in Probate Court Number One (1) of Harris County, Texas. On behalf of Defendant. Report submitted October 22, 1998. Adequacy of investigation. Co-designees: Amy Nickell Jacobs and Laurie R. Jones. Settled.

Tiet and Everett v. West Houston INFINITI. On behalf of Defendant. Designated October, 1998. Sexual harassment. Settled.

Johnson, Gipson, & Robinson v. Excel Telecommunications and Parker; No. 97-5224-G; in the 134<sup>th</sup> District Court of Dallas County, Texas. On behalf of Defendant. Deposed July 3, 1998. Racial harassment. Settled.

### **Consulting Expert**

First Cash, Inc. and Rick Powell; Hurst, Texas. On behalf of Plaintiff. Report submitted February 4, 1999. Settlement at mediation, undisclosed amount. Sexual harassment.