

## President's Message

Building relationships. Friendship. Professional connections. Camaraderie. Contacts. Support. Networking, networking, networking. These are just a few of the responses to a recent survey that asked members what they valued most about HRLA. Although this is just a sampling of the feedback we received, 75% of responses followed this same theme.

When I first joined the chapter, I was new in HR and didn't know anyone I could talk to about the challenges I faced or questions I had. I felt alone and unsure of myself. Through HRLA I have met dozens of people who deal with the same sort of things that I encounter on a daily basis. Now, when I run into a situation I'm not sure how to handle I have contacts I can reach out to for advice. Learning how others have handled similar situations, and learning from their experiences has been invaluable to me.

HRLA was founded with the vision of creating a resource for professional development and networking in Eastern Connecticut. Throughout the years, the chapter's leadership team has worked hard to live up to that goal. I'm thrilled by the survey results that affirm we're on the right track! Of course, we have many valuable benefits – like leadership development opportunities, affordable recertification credits, and informative programs on a wide variety of HR topics – but networking tops the list for most of us.

Our recent Employment Law Update was our best-attended event so far this year! It was wonderful to see so many new faces, and to see everyone in the room socializing

and getting to know each other. Business cards were exchanged, connections were made on LinkedIn, and it seemed like everyone was meeting someone new. This is what we're all about!

After the meeting, several people approached me to tell me how welcome they felt – as new members, and as non-members attending for the first time. I'm so proud and honored to be President of this amazing group, but the credit all belongs to the members. You are the ones who invite your friends to attend. You are the ones who work hard behind the scenes to plan our events. You are the ones who greet guests and help make everyone feel like they're part of our family. Thank you! HRLA is who it is because of each and every one of you!

As the calendar winds to a close, so too does our membership year. I invite all our current members to renew their membership for 2019. And I invite everyone who isn't a member yet to consider joining our fantastic group. This has been an amazing year for HRLA and together, we can continue to support the HR community of eastern CT through networking and educational opportunities.



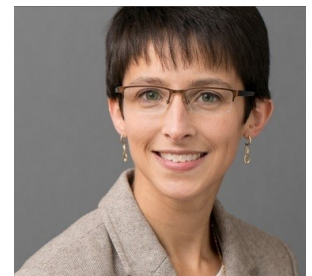
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Katie Quackenbush  
HRLA President  
President@hrlact.org



## Human Resource Leadership Association of Eastern CT



# EMPLOYMENT LAW UPDATE

HRLA is proud to bring you an evening of legislative changes, trends and information critical to your success as an HR professional.

### What You'll Learn:

- Critical 2018 workplace law changes
- What to expect for 2019
- How to ensure compliance
- Case Law impacting workplace practices
- HR Best Practices and More!

**Featured Speaker: Holly Cini , a Principal at Jackson Lewis P.C. ,** regularly defends clients in employment-related litigation, including whistleblower claims, general retaliation matters, employment discrimination and harassment claims and ADA and FMLA litigation in all forums ranging from trial courts to administrative agencies to the state and federal appellate courts.



**Thursday, October 11, 2018**

Dinner Meeting: 5:30-7:30pm

Holiday Inn, 35 Governor Winthrop Blvd, New London

**HRLA Member: \$35**

**Non-member: \$45**

**Register at: [www.hrlact.org](http://www.hrlact.org)**

### Who Should Attend:

- HR Professionals
- In-house Counsel
- Supervisors/Directors
- Business Owners

SHRM and HRCI Credit Approved



With Thanks to Our Sponsors:





## Human Resource Leadership Association



# Veterans: An Outstanding Human Resource

Thursday, November 15, 2018

7:30 a.m.—9:00 a.m.

Holiday Inn, 10 Laura Drive, Norwich, CT

### What You'll Learn:

- What it means to be a “Veteran Friendly” Employer
- Strategies for Hiring Qualified Veterans
- Best Practices for *Retaining* Veterans in the Civilian Workforce
- And more...

Register by November 10th at

**[www.hrlact.org](http://www.hrlact.org)**

\$35 HRLA Members

\$45 Non-Members

\$17.50 Students & In-Transition

**\*\*\*Hot Breakfast Included\*\*\***



### About the Speaker: Beth A. Pritchard

Mrs. Pritchard is the Executive Vice President, Chief Operating Officer leading Easter Seals Capital Region & Eastern Connecticut's Military Services, Marketing and Philanthropy functions. As a member of a multi-generational military family, she is passionate about serving our American warriors and their families. An award-winning, collaborative leader, entrepreneur, business/marketing strategist, Mrs. Pritchard is also the Founder of a private consulting firm that provides mediation, counseling and advocacy services

*With Thanks to our Sponsor:*



YOU ARE INVITED TO THE HUMAN RESOURCE  
LEADERSHIP ASSOCIATION'S

*Holiday Party  
& Annual Meeting*

ON TUESDAY, DECEMBER 4TH, 2018

5:30 PM—7:30 PM

NORWICH INN & SPA  
607 WEST THAMES ST  
NORWICH, CT 06360

REGISTER BY 11/29/2018

[WWW.HRLACT.ORG](http://WWW.HRLACT.ORG)

*Proudly sponsored by:*





**Memberships  
end on  
December  
31st**

Renew online at [www.hrlact.org](http://www.hrlact.org).

**HRLA Board  
Meetings**

Nov 14 — Conference Call

- Dec 4 — Annual Meeting (incl. Vote & Induction Ceremony)

## **Welcome to Our Newest Members:**

Laura Manfre

Carlos Figueroa

Michelle Netze

Jill Waller

Vurgen JaCrystal Alvarado

Jennifer Fournier

Tom Condrón

Travis Monroe

Jill Karrenberg

Shahanshah Manzoor

# **Welcome!**



[www.hrlact.org](http://www.hrlact.org)

[www.facebook.com/HRLAECT/](http://www.facebook.com/HRLAECT/)

[www.linkedin.com/groups/2100402](http://www.linkedin.com/groups/2100402)







## The Human Resource Leadership Association of Eastern Connecticut (HRLA) , our local SHRM

Chapter, is seeking talented, creative, and engaged individuals interested in serving on one of our Board committees. Join with one of the state's most active chapters in helping plan and execute professional development meetings, help grow our HR community, and stay abreast of current HR best practices and legal updates.

### Opportunities Include:

- \* **Greeter**—welcome those who attend monthly meetings
- \* **Social Media**—generate posts for our Facebook and LinkedIn pages
- \* **Membership Outreach**—follow up with guests who attend meetings to encourage membership
- \* **Flyers**—create promotional materials for upcoming events
- \* **Event Logistics**—coordinate event details with the venue
- \* **Sponsors**—recruit new event sponsors (includes financial incentive)
- \* **Certifications**—submit program details to HRCI and SHRM for recertification credits
- \* **Website**—update pages as needed

### Benefits of Volunteering Include:

**LEADERSHIP SKILL DEVELOPMENT**  
**HRCI AND SHRM CREDITS**  
**NETWORKING AND SUPPORT**  
**CONTRIBUTE TO THE GROWING IMPORTANCE OF THE HR PROFESSION**  
**COLLABORATION, AND COMRADERY**  
**BUILD YOUR RESUME WITH PROFESSIONAL CREDENTIALS**

Want to help but  
 don't know how?  
 HRLA members will  
 gladly train you!

To learn more, or to offer your help, contact Katie Quackenbush at

**[Volunteering@hrlact.org](mailto:Volunteering@hrlact.org)**



# Medical Marijuana in the Workplace – An Update!

**By Meredith Diette, HRLA Legislative Liaison**

As some HRLA members may recall, during last year's Employment Law Year in Review, I talked about the first court decision regarding Connecticut's Palliative Use of Marijuana Act ("PUMA"). The District Court declined to dismiss the plaintiff's case, holding that PUMA creates a private cause of action for employment discrimination and further, that PUMA's anti-discrimination provision is not preempted by federal law. With that ruling, the case continued on in litigation and, on September 5, 2018, the court issued another decision in the case, providing additional insight into this ever-evolving area of employment law.

For those who do not remember the facts, or were unable to attend the meeting last year, a brief refresher of the background of the case: The defendant-employer offered the plaintiff, Katelin Noffsinger, a job contingent on her passing a drug test. The plaintiff voluntarily informed the defendant that she was qualified under PUMA to use medical marijuana to treat her post-traumatic stress disorder (PTSD). Nonetheless, the defendant required her to take the drug test and, not surprisingly, Ms. Noffsinger failed her drug test. Based on the failed drug test, the defendant rescinded the job offer. The court denied the defendant's motion to dismiss and the litigation continued.

After completing discovery, the parties both filed motions for summary judgment...and the court granted summary judgment in favor of Ms. Noffsinger on her employment discrimination claim under PUMA. The parties agreed the defendant offered Ms. Noffsinger a job and that the defendant rescinded that offer because of a positive drug test result which stemmed from Ms. Noffsinger's use of medical marijuana pursuant to her qualifying status under PUMA.

The court rejected the defendant's position that as a federal contractor, the Drug-Free Workplace Act ("DFWA") barred it from hiring Ms. Noffsinger. The court found that the employer was not required by federal law to impose a zero-tolerance drug policy, but simply chose to do so. The court also found no federal law barring an employer from hiring Ms. Noffsinger on account of her medicinal use of marijuana outside of work, rejecting the defendant's argument that hiring Ms. Noffsinger would violate the Federal False Claims Act. Lastly, the court rejected the defendant's argument that PUMA prohibits discrimination only on the basis of one's status as an approved medical marijuana patient, but not on account of one's use of medical marijuana.

Ultimately, and importantly, although the court granted Ms. Noffsinger summary judgment, the court rejected her claim for attorney's fees and punitive damages. The court reasoned that PUMA does not expressly provide for such damages, and declined to imply punitive damages as a remedy.

Given this decision, employers should understand that PUMA protects a qualifying patient's use of medical marijuana outside working hours in the absence of being under the influence during working hours. Moreover, with PUMA in its infancy and few court decisions to provide guidance, employers should exercise caution when dealing with qualified patients under PUMA and consult an employment attorney prior to taking any adverse action.



Meredith G. Diette recently joined Berchem Moses PC as a Partner in the Labor & Employment Law Department. She advises private, non-profit and municipal clients on laws governing the employment relationship, and assists clients during collective bargaining and binding arbitration proceedings.



## Recertify Your SHRM-CP or SHRM-SCP in 2018! ***IT'S EASY!***

If you are at least one year into your recertification period and have the required 60 credits or more, you can recertify by going to your **SHRM certification portal**. *It's easy!*

If you recertify before your current three-year recertification period ends, your recertification period remains the same (it is not shortened), and the new recertification period begins as previously scheduled.



Recertification periods begin with the month following your birth month. Once your recertification application is complete and has been approved, your next three-year recertification period will begin from your existing end date.

### **Example:**

- Initial certification period: May 2016 (took exam)–July 2019 (birth month)
- Recertified: December 2018
- Next three-year recertification period: July 2019–July 2022

Credits you earn between when you recertify and the end of the current period do not apply to the next recertification period.

**Don't wait, if you have the credits, do it now!**  
**Log onto the SHRM Website for more details and directions:**

**[www.SHRMCertification.org](http://www.SHRMCertification.org)**

**Questions, contact Sandy Spencer, HRLA Certification Chairperson**  
**[Certifications@hrlact.org](mailto:Certifications@hrlact.org)**

