



SNVSHRM 2020 March Happenings

Upcoming Events

- **March 10, 2020 – SNVSHRM Diversity & Inclusion 2020**
 - Hyatt Place Las Vegas at Silverton Village
 - 8380 Dean Martin Dr
 - Las Vegas, NV 89139
 - [Register Here](#)
- **April 3, 2020 – Managing a Workforce in 2020**
 - The STRAT Hotel, Casino & Skypod
 - 2000 Las Vegas Boulevard South
 - Las Vegas, NV 89104
 - [More Information Here](#)
- **April 14, 2020 – Financial Technology is Driving New Benefits....**
 - Caltrol Inc
 - 1385 E Pama Ln #111
 - Las Vegas, NV 89119
 - [Register Here](#)
- **May 12, 2020 – I-9 Compliance**
 - United Way of Southern Nevada
 - 5830 W Flamingo Rd
 - Las Vegas, NV 89103
 - [Register Here](#)
- **June 9, 2020 – Mid-Year Legal Update**
 - United Way of Southern Nevada
 - 5830 W Flamingo Rd
 - Las Vegas, NV 89103
 - [Register Here](#)

[View our Full Calendar of Events](#)

Effective April 1, 2020 Our meeting pricing will change. We will no longer be charging separate Member/NonMember fees. Pre-registrations for all Programming Meetings will be \$25. Pay at the Door/Walk Ins fees will be \$35. For more information of why this change was made, please [Click Here](#)

Don't forget to bring your business cards to SNVSHRM meetings to participate in raffle drawings for giveaways!

Letter from the President

Hi Friends!

It is hard to believe the winds have blown in March already! Make sure you get registered for our **Diversity and Inclusion Member Program being held March 10th**. Join us at the Hyatt Place at the Silverton Village to welcome Joe Coe Head of Diversity and Inclusion for Boyd Gaming to present on this important topic!

Our Board has met since my last correspondence and are working hard to fill out the Programming Slate for 2020! If you haven't checked it out, please visit <https://snv.shrm.org/events> to view and register! Our February meeting sold out and we had some fantastic feedback on our program presented by Dave Newton on Creating a Culture of Accountability!

Collaboration with the community where an overlap of interest and ideas exist is underway. Most recently I met with Jim Andres VP of HR for the Las Vegas Metro Chamber of Commerce to begin thinking of ways to get our mutual membership working together to lift the HR community, promoting the idea of elevating our members' strategic knowledge and being recognized at the table with the "C" Suite! Watch for more to come from this initiative!

Cooperation with the State Council and Northern Nevada Chapter continues as we gear up for the September 25th State Conference here in Las Vegas at the newly renovated Palace Station. For details in real time, visit <https://nvstatecouncil.shrm.org/2020-nevada-state-conference>. Find out more about tapping into your inner HR Super Powers!

And now word from our Sponsors... No seriously, we need some words and we need some sponsors... Providing man-power, talent and dedication to a non-profit is largely borne by our dedicated volunteers. But that dedication only takes us so far. We also have to cover financial expenses for venues, refreshments, operational overhead such as hardware, software and more. In exchange for their sponsorship we take the time to allow them to provide us with information about goods and services relative to our industry and we are able to become more knowledgeable about options for our businesses. As a dues-free 100% Chapter, we will always carefully balance sponsorship time and programming time. **I thank-you in advance for promoting Chapter sponsorship whenever possible.** For all of the details simply point any potential sponsors to: <https://snv.shrm.org/sponsorship-opportunities>

Finally, thank you! Thanks for all you do each day to promote the wellbeing of your teams, our community and our profession! I welcome your direct feedback! You may contact any time! melissa.amaon.shrm@gmail.com

---Melissa

Legal Update -Coronavirus Information and FAQs

This document and the FAQs are intended to provide you with general information about the novel coronavirus, including how it is transmitted and how you can prevent infection. It does not constitute legal advice on this topic. [Read More](#)

Recommendations for COVID-19 and Upcoming Events

It's conference season!! Everyone's health and safety is our top priority and many of us are busy with upcoming events and potential travel. Here is a link to the [CDC's travel recommendations in regards to COVID-19](#). We encourage everyone to continue checking the CDC travel recommendation for areas impacted by COVID-19 and to practice the following for meetings and events:

- Rather than handshakes, opt for an elbow rub.
- Make sure to have plenty of alcohol-based hand sanitizer within easy reach throughout the meeting space and wash hands frequently.
- Get travel insurance (and make sure it covers Coronavirus events)
- Check all your existing, pending and future contracts with vendors, venues, speakers and event companies to see what impact a postponement or cancellation may have.
- Make it virtual. As an alternative to cancellation or postponement, go green with a virtual meeting. Platforms like [Zoom](#), [GoToMeeting](#), [Webex](#), [Livestream](#) and [more](#), are designed to connect with audiences around the globe.

We are excited to announce that registration for the Fall 2020 Southern Nevada SHRM Chapter Study Group is now OPEN!

The SNV SHRM Chapter Study Group price of only \$700 is the lowest of all HR Certification test preparation courses and is only available to participants in the Chapter Study Group. In order for you to have time to receive your online materials and prepare for the first session, **we will need your payment by August 31, 2020.**

If you are planning to sit for any HR certification exam, participation in our Chapter Study Group will give you the edge that will make a difference. Professionals who use the SHRM Learning System to prepare for their certification exam consistently exceed the average pass rate.

In addition to being revised around the updated 2020 SHRM BoCK (Body of Competencies and Knowledge), the 2020 SHRM Learning System includes many new features to enhance the learners' experience:

- **Competencies in Action:** engaging activities to promote and differentiate the behavioral competencies.
- **Online access to the Learning Modules:** via an embedded e-reader, accessed within the system on a computer or device when a student is logged in. *This online access is available for 18 months after the date of your purchase.*
- **Access to downloadable e-files:** for use via an e-reader device, providing disconnected access for students on the go.

Plus, we provide access to local, certified HR professionals to answer your questions.

Why Study through the Southern Nevada Chapter? If you purchase the SHRM Learning System Online with Print directly from SHRM the member price is \$850 and the non-member price is \$1,075! But,

this will not give you unlimited access to local, SHRM certified HR professionals to answer your questions and provide studying advice based upon their experience.

The first session of the Fall 2020 Chapter Study Group will meet on Wednesday, September 16, 2020 from 6-9 pm and 11 weeks thereafter. In order for you to have time to receive your online materials and prepare for the first session, **we will need your payment by August 31, 2020.** Your written materials will be delivered to you at the first session of the study group.

While your attendance at the group's sessions is not required, we provide access to local, certified HR professionals to answer your questions for no additional charge. The written materials will be delivered to you at the first session of the study group. This is an opportunity to receive the study materials at a greatly discounted price and you may self-schedule to sit for any exam at anytime you choose!

Workplace Protections Growing for Cannabis Consumers

All marijuana use is still illegal under federal law, but at least 33 states allow medical use. Eleven of those states and Washington, D.C., also allow recreational use.

Recently, some of those states have been providing greater workplace protections. For instance, a big trend that's taking shape in 2020 is limiting pre-employment marijuana screening. On Jan. 1, a Nevada law took effect barring employers from considering a pre-employment marijuana test result, and beginning May 10, a New York City law will prohibit employers from conducting pre-employment marijuana tests. Both laws have exceptions for safety-sensitive positions and jobs regulated by federal programs that require drug testing.

Here are some other state-law developments on marijuana and the workplace that employers should note. We've rounded up articles and resources from *SHRM Online* and other trusted media outlets on the news.

California Lawmaker Wants to Protect Medical Use

California Assemblyman Rob Bonta, D-Alameda, recently introduced legislation (AB 2355) that would require employers to explore reasonable accommodations for job applicants and employees who are registered medical marijuana patients. "Medical cannabis, as recommended by a doctor, should be given a similar reasonable accommodation as all prescription drugs," Bonta said.

Colorado Legislators Halt Bill with Broad Protections

Colorado Rep. Jovan Melton, D-Aurora, recently introduced HB20-1089, which would broadly protect people who partake in legal activities under Colorado law—such as consuming cannabis products for medicinal or recreational purposes—even if the activities are still illegal under federal law. "As long as you're coming to work not high or intoxicated, that's your business," he said. However, the House

Committee on Business Affairs & Labor postponed the proposal indefinitely, citing concerns about the inability to test for impairment.

New Jersey Workers' Comp Claimant Gets Cannabis Reimbursement

A New Jersey appeals court ruled that employers in the state must reimburse employees for medical cannabis following a workplace accident, despite federal prohibitions against cannabis distribution. Employers in other states that have legalized medical marijuana use but have yet to rule on the interplay between the federal Controlled Substances Act (CSA) and state law in workers' compensation disputes should also take note in case similar reimbursement requests arise.

Pennsylvania Workers Can Sue Under Medical Marijuana Law

A Pennsylvania state court held that employees who use medical marijuana in accordance with state law have the right to sue their employers under the act. "Without the availability of an implied right of action for an employee who is fired solely for being certified as a medical marijuana user, the anti-discrimination directive in [the act] would be rendered impotent," the court said. Although the court's ruling isn't binding on all other courts in Pennsylvania, employers should carefully review the law and their options before taking an adverse employment action against a registered medical marijuana patient in the state.

The Science Behind Marijuana Testing at Work

While the courts and legislators continue to grapple with marijuana's legality, the National Safety Council says more research is needed on cannabis to determine how it affects users and their ability to function when under the influence. Drug screens only show whether someone has used marijuana—not if that individual is under the influence. The amount of tetrahydrocannabinol (which is known as THC) in marijuana determines its strength, and it can have vastly different effects on users depending on their body weight, method of consumption (smoking versus edibles) and patterns of use—occasional users compared to daily users, for instance.

Focusing on Impairment

Employers should train managers and supervisors on ways to reasonably observe when someone is working under the influence. For example, testing based on reasonable suspicion could be triggered when an employee has slurred speech or is argumentative, irritable or nonresponsive.

Consider Reasonable Accommodations

If an employee or job applicant is a registered medical marijuana patient in a state that allows cannabis use to treat a disability, the employer may need to explore possible accommodations.

Should Employers Let Workers Report FMLA Absences by Text?

By [Allen Smith, J.D.](#) February 14, 2020

Employees, especially younger workers, often prefer texting and e-mailing to calling. So should employers let them text rather than call in when they're off for Family and Medical Leave Act (FMLA) reasons? In some jurisdictions, workers must be allowed this flexibility, but in many other regions, employers may prefer to enforce call-in policies.

Pros of Texting

In addition to being easy for employees, texting offers some advantages for employers as well.

For example, getting a text message or e-mail provides the employer with documentation of the reason for the absence, said Joan Casciari, an attorney with Seyfarth in Chicago. A live call, on the other hand, may result in the supervisor and the employee having different recollections of the conversation.

"Lots of supervisors and managers I work with use text messaging routinely with employees," Casciari said. "Some sick-pay laws, such as Cook County, Illinois' Earned Sick Leave Ordinance, specifically allow employees to communicate via e-mail and text messaging."

Employees may appreciate the ease and speed of reporting offered by electronic communications, said Abigail O'Connell, senior counsel with Sun Life Financial in Wellesley Hills, Mass. Reporting absences by phone can be cumbersome and time-consuming if the employee is required to follow interactive voice-response prompts and wait on hold before leaving a voice mail, she said.

"Electronic communication may be the norm at some employers, particularly where employers have reliable means of tracking and documenting electronic communications so that they can record the time the absence report was made," she added.

Preference for Call-in Policies

On the other hand, some employers prefer and require under their policies that employees call in FMLA absences, said Tamara Devitt, an attorney with Haynes and Boone in Costa Mesa, Calif.

"Primarily, it allows the employer to ask questions the employee may be able to avoid if he or she just sends an e-note," she explained.

This type of live conversation offers a number of benefits.

"Many managers are concerned about excessive absenteeism and prefer to speak with an employee about the reason for the absence in order to help prevent abuse," said Marjory Robertson, assistant vice president and senior counsel at Sun Life Financial in Wellesley Hills, Mass. "Managers also may have

questions about the expected duration of the absence or about work-related matters that will be arising on the day of the absence, and a phone call can be a more efficient way to address these issues."

Additionally, speaking with a live person ensures that the message was received. Devitt noted that sometimes electronic communications fail, such as when text messages don't go through.

It may be easier to lie in a text or e-mail rather than over the phone, added Kerry Langan, an attorney with Bond, Schoeneck & King in Syracuse, N.Y.

Plus, employees sometimes text or e-mail employers and then when the employers try to reach them to obtain medical certification or recertification, the workers don't respond.

Moreover, documenting and tracking time reporting is a challenge if the report occurs on a platform outside the employer's control, like a text to a manager's personal cellphone, O'Connell said. "The employer is going to need to access absence reporting in order to understand whether it was timely," she explained. "In addition, the employer must ensure it meets [its] responsibilities to recognize requests for FMLA and respond with the employee's rights and eligibility." If the employer doesn't have oversight of the communication platform, it may inadvertently miss FMLA notice obligations, she cautioned.

Make Any Call-in Requirements Reasonable

Employers may adopt reasonable call-in requirements and communicate them to workers, Robertson stated. "The employer also needs to recognize that there may be unusual circumstances that excuse an employee's failure to follow the prescribed call-in requirements."

That said, Devitt remarked that employers should enforce their call-in policies equally for all employees. "If an employer is going to require that employees comply with its call-in policy—and not accept any other form of communication to report absences—then the employer must ensure that its managers and supervisors are following that policy as well."

Anne-Marie Vercruysse Welch, an attorney with Clark Hill in Birmingham, Mich., said she still prefers "a centralized call-in system where the call-taker is trained to write down the exact language the employee used for the call off. I think it helps ward off FMLA misuse" if an employee knows he or she is going to have to provide the reason for an absence on a phone call, she said.

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