



## *November 2021 Newsletter*

### From the President's Perspective:

Our October Meeting was an in-person meeting at a totally new venue; The Meeting House in the Village of Williamsville. Mark Moldenhauer, Esq. from Bond, Schoeneck and King did an excellent presentation on the NYS Marijuana Regulation and Taxation Act (MRTA) and its implications regarding employer obligations and liabilities regarding Drug & Alcohol Testing (DAT) programs. Thanks to the implementation of MRTA and how it changes Section 201(b) of the NYS Labor Laws, the situation regarding what can be done if an employee tests positive for THC metabolite has changed quite a bit. In short, the ability of the employer to use just the positive result alone to take an “adverse” action (termination or lesser disciplinary action) is quite limited. Only if the employee’s job is a Federal Department of Transportation covered position (commercial truck driver, work in aviation or covered by pipeline and hazardous materials regulations) is the answer clear cut. Otherwise, you may want to discuss further actions with your favorite employment law attorney. By the way, the old supervisor observation paradigm may not apply anymore. Should have been there to hear what Mark had to say. It was not what you may have wanted to hear.

The Meeting House proved to be a decent venue; it is a restored historical church in the Village. Parking was available around the Meeting House. We had a few glitches, but nothing insurmountable. One glitch was that of no shows. Some were excusable; folks calling off sick (Thank you for doing so and we hope you get well soon!) or vehicle issues (happens in modern life). However, there were folks who ordered food and did not show. The Chapter had to cover that cost. If you could not show, why did you not let us know ([president.nfassp@gmail.com](mailto:president.nfassp@gmail.com))? We planned to break even after all costs (food, delivery, and gratuity) were added up and also provided water for Members wanted some. Please, Members, consider that our goal, as a Chapter is for Professional Development; that’s what your Chapter dues go for. We want our Members to attend to develop job skills and knowledge in a rapidly evolving environment.

Our next meeting is on the books for Monday, November 15; it will be on keeping employees safe from COVID and strategies to do so. Our presenter will be Dr. David Pawlowski, UB Environment Health and Biosafety Officer. I’m sure that Dr. Pawlowski will have much to say on this topic. Please look for the Meeting invitation.

November is one of the big Holiday months, Thanksgiving Day! It’s a day when we should pause to be thankful for what we have and remember those who are less fortunate. Please, do something to remember them somehow. Typically, it’s a day that centers around family and close friends, eating good food and enjoying good drink as well as other activities (football watching, shopping, maybe hunting); we should keep in mind that there are some people cannot participate in these happy activities. And, since we are a Safety organization, please keep the following in mind: There are such things as too many cooks in the kitchen that can cause hazards. If you chose to enjoy libations, consider a designated driver or stay where you are; there is no good reason to drive while intoxicated. If you go shopping on Black Friday, be aware of the crowd at the store; stay out of the wild stampede! Last month, I mentioned learning some first aid techniques; the Heimlich maneuver could be handy for this day. Did you do it?