



## Stay HR Savvy with HR Elements®

Welcome to the UBA Partner Firm exclusive monthly newsletter delivering insights about timely human resources and employee benefits topics.

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*Dear HR Manager,*

My direct report recently applied for a senior-level position. He was excited about the opportunity and threw himself into preparing for interviews. There were a lot of strong candidates, and one of them was selected for the position. My direct report is a talented member of our team, and I want to support his future motivation and engagement. How can I share the news in a way that shows he is still a star employee with a bright future here?

*– At a Loss for Words*

*Dear At a Loss for Words,*

News like this can be challenging to share. I am impressed that you are thinking about employee retention before it leads to a star employee leaving the organization. Your goal is to have this employee understand that there will be new opportunities for him down the road.

The key to sharing this news is to pair it with development planning to show your investment in your team member. These steps can help you link the two.

### 1. Update on candidacy.

Set up a time to speak with your team member to let him know that there was a lot of interest in the position and another candidate was selected. Be direct in your delivery.

## 2. Share feedback.

While you can't share information on other candidates, you can coach your team member on areas to develop or target in the future. This is also the time to share positive feedback from the interview!

## 3. Discuss development options.

Offer to help turn this situation into an opportunity for further development. When he is ready, partner with him to create a development plan that will both motivate him now and prepare him for the next promotion opportunity.

Your guidance and support will show this team member that he is an important part of the team in his current and future roles.

*– HR Manager*

## Workplace Culture | The Changing Landscape of Marijuana Legalization

Starting with Colorado in 2012, a growing number of states have passed legislation legalizing the use of marijuana. As of June 2022, marijuana use is legal in 18 states for recreational use and in 39 states for medicinal purposes. Employers should [review their employment drug policies](#) since this is a fast-moving target.

Consider the following questions as you determine what cannabis policy best suits your company.

Is recreational or medicinal cannabis use legal in your state?

Laws vary dramatically by state. While cannabis remains illegal at the federal level, employers must [comply with relevant state laws](#), especially when employees are spread among states. Keep in mind that some states have laws in place that protect jobs for medical marijuana patients or recreational users outside of the workplace. New Jersey and New York, for example, have laws that protect both groups.

How does this affect employee drug testing?

If your company requires drug testing, be aware that test results may be less than helpful in determining whether an employee violated your marijuana use policy. Results will show whether THC, the psychoactive agent found in cannabis, is present, but not whether the employee was under the influence on the clock because THC can stay in the body for several weeks after use. Some states have job protection laws to shield employees from discrimination for using marijuana outside of work hours. Additionally, some jurisdictions, like Philadelphia and New York, have banned pre-hire drug screening.

How do you determine what policy best supports your company?

Policies may range from zero tolerance to allowing marijuana use during work hours. Safety for your employees and the public is a key factor. Do your employees utilize machinery or put others at risk if they are under the influence? Other factors to consider are job performance, risk tolerance, workplace culture, and industry.

## Does your company have a stance on marijuana?

Employers have taken a public stance on many topics. In today's purpose-driven environment, employees want to work for companies that share their beliefs or values. Policies that mirror the company's opinions will attract employees with similar beliefs.

Legislation on this topic will continue to change. Organizations should plan to revisit this policy throughout the year.

## Diversity, Equity, and Inclusion | How to Navigate Polarizing Conversations

Polarizing topics are difficult to navigate. There are an endless number of topics that incite strong opinions, including politics, religion, gun control, and abortion laws, to name just a few. A Society for Human Resource Management (SHRM) [poll reported](#) that 56% of respondents observed an uptick in political discussions at work over the last four years. Many individuals are uncomfortable with disagreement, whether the conversation is about work projects or the world at large.

Healthy workplace debate starts with understanding how to “be present” for conversations. Here are a few [strategies](#) to prepare yourself to engage in contentious conversations.

### 1. Check your biases at the door.

Disagreement often stems from unconscious biases—assumptions, beliefs, or attitudes that may reinforce stereotypes and hinder you from understanding other points of view. Try leaving your preconceived notions at the door and engage using a beginner's mindset.

### 2. Encourage curiosity.

Frame the conversation as an exploration of a new point of view rather than a debate to sway the other party. Try using the “listening triangle” framework to pique your curiosity. The simple, three-part process includes asking questions, listening, and then restating what you heard. This is an opportunity to learn from your colleague.

### 3. Acknowledge that disagreements are vital to change.

When conducted respectfully, disagreements can lead to new ideas, result in more collaboration, and encourage psychological safety. Working through an issue with teammates increases trust and brings you closer. It encourages others to speak up when they have a concern. Healthy arguments take place in high-performing teams.

Companies can take the initiative to educate employees on ways to deal with conflict and maintain positive relationships at the same time. Employees who can [navigate polarizing topics](#) are better prepared for success in the modern workforce.

## Leadership Tip

A part of being self-aware is knowing *how* and *when* you work best. Leaders who “[actively procrastinate](#)” understand that they are motivated by the pressure of an upcoming deadline.