NEW PHRA WEBSITE
LAUNCHING WINTER 2018
Your destination for everything HR.

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PROFESSIONAL

DRESS APPROPRIATELY
APPEARANCE
(HEAD TO SHOE)
BE ENTHUSIASTIC, ENGAGING
AND ENERGETIC

ELEVATOR PITCH

FIRST IMPRESSION:
EYE CONTACT, HANDSHAKE, TONE
WHO YOU ARE,
WHAT YOU’RE LOOKING FOR,
WHY SHOULD THEY HIRE YOU

RESUME

KEEP IT TO ONE PAGE
REMOVE YOUR ADDRESS,
REFERENCES & GRADUATION YEARS
BRING SEVERAL COPIES
TO GIVE TO EMPLOYERS

PRACTICE

RESEARCH EMPLOYERS
ASK QUESTIONS (JOB SPECIFIC,
CULTURE AND ENVIRONMENT)
PREPARE ANSWERS
SOAR STORIES (SITUATION,
OBSTACLE, ACTION, RESULT)

By Kristina Conner, SPHR, SHRM-SCP and Tiffany McCartney, PHR of K&L Gates LLP
Dear PHRA Members,

Wait. I’m sorry – what do you mean this is my last Perspectives article as the PHRA President? 2018 just started! This can’t be real. I must have time traveled. Yes, that’s it.

Whether I believe it or not, 2018 is winding down to its inevitable conclusion. This year the PHRA has brought about record-breaking and phenomenal results to impact and improve the HR Community of Pittsburgh. We’ve had record-breaking membership numbers, record-breaking programming, record-breaking financial strength, record-breaking community outreach, record-breaking participation from our PHRA volunteers. All the records, people! They’re all broken. There are no more records. 

But please don’t misunderstand – we are not resting on our laurels. There’s still much to be done for 2018 while we also set the stage for 2019 to surpass all previous expectations.

Still to come this year is the Stations to Success Student Networking Event, the Employment Law Day, and of course the Rockin’ Holiday Party! In between all of that, there are still multiple learning and networking opportunities. There are programs on wellness and managing financial stress, a webinar series on population health, and don’t forget the Coffee Corner where you can meet and get to know our Board of Directors. So, we’re not putting our feet up and coasting to the end of the year. We will be continuing to run this race and end strong.

What can I say? This year has meant so much to me. If I knew then what I know now, I would do it all over again without even a question. I’ve been honored, challenged, humbled, impressed, and I’ve had my eyes opened even wider to the possibilities that can turn into reality when we rally together.

In my first Perspectives President’s Message, I talked about the vision of today being tomorrow’s reality. The amazing thing about that mentality is that it never has to stop. The PHRA leadership continues to cast vision out to create the new, innovative and revolutionary realities of tomorrow for our Pittsburgh HR Community.

I am very grateful for this year and owe many thanks to many people. Specifically, I’d like to thank the PHRA Board, Executive Committee, Committee Chairs, and Committee Volunteers. It still amazes me the amount of people who are ready and willing to give away their time and talent for the betterment of others. Thank you to our PHRA Membership at Large for creating community and providing us an opportunity to serve, support, and help drive the direction of our profession in this region. Finally, an enormous thanks goes out to Liz, Deven, and Katherine. The PHRA Staff are a group like none other.

I feel like Glinda the Good Witch floating off in a pink bubble saying good-bye (tells you a little bit about what I think of myself), but I’m not actually going anywhere. I’m ride or die, you couldn’t get rid of me that easily, PHRA! I’ll be around cheering on Janet Manuel in what I’m sure will be another banner year for the PHRA.

Kori Amos
PHRA President
Dear PHRA Members,

The Pittsburgh Human Resource Association (PHRA) was founded at the turn of the twentieth century to serve the human resource profession and provide businesses with HR guidance. One hundred and four years after that mission was first envisioned, the PHRA continues to provide superior professional development, networking opportunities, and educational resources for its members. With a vibrant membership that is 1,300 strong, the PHRA is the largest Society for Human Resources Management (SHRM) chapter in Pittsburgh and Pennsylvania.

The PHRA Staff, Executive Committee, Board of Directors, and Committee Chairs continuously put lofty goals out in front of them. Year after year, this group achieves those goals while simultaneously putting up the next goal in the hope that our membership will reap the rewards.

We have envisioned, planned, and strategized for the upcoming year with new invigoration to continue our work with you to develop and serve the HR professional, and advance the HR profession.

We are all excited for the coming year and I know we will continue in the tradition of excellence the PHRA has established.

Regards,

Liz Lamping
PHRA Executive Director
ANNOUNCING THE 2018 MICHAEL R. TONEY VOLUNTEER OF THE YEAR

KRISTINA CONNER
SHRM-SCP, SPHR

2018 AWARD RECIPIENT

Michael R. Toney Volunteer of the Year

JOIN US IN CONGRATULATING THE 2018 NOMINEES:

The Michael R. Toney Volunteer of the Year Award recognizes PHRA volunteers who are highly involved in a PHRA Committee, support the PHRA programming and events, and generally have an enthusiasm for the PHRA and its activities.

Alan Bolyard, CSCP, CCP, GRP
Social Media & Communications Committee Member

Kristina Conner, SHRM-SCP, SPHR
Board of Directors & Nominating Committee Member

Dan Cubarney
Signature Events Committee Member

Luanne Shock, SHRM-SCP, SPHR
Membership, Diversity & College Relations Committee Member
Where do you work and what do you do?
I am a Compensation Advisor with Bayer. From a high-level perspective, I primarily consult with HR Business Partners and Recruiters in the development of competitive compensation offers to acquire and optimize talent, and also work to ensure successful processing of the Merit, Short Term Incentive and Long Term Incentive payments.

How has the PHRA benefited you in your career, or personally?
The PHRA has provided me with countless educational opportunities over the years ranging from certifications to seminars and has also provided tremendous networking opportunities throughout my career. The connections I have made both personally and professionally will be cherished through my life.

What’s the best part of being a PHRA Board Member, or a particular Board initiative you want to highlight?
The PHRA offers a tremendous benefit for our student members – the Job Shadow Program (JSP). This is a program where student members are exposed to a professional human resources environment by observing first-hand an organization’s human resources function. This program allows a student to walk through a typical day with a working professional and get a sneak peek into various careers paths and positions therein. This benefit offering is really unique to the PHRA and highly valued by students.

Join Dan and other PHRA member for a morning of networking on Friday, December 21 from 7:30 a.m. to 9:00 a.m. at Starbucks in Robinson, 300 Davis Blvd., Pittsburgh, PA 15275. No online RSVP is required.
JOIN OUR
ROCKIN’ HOLIDAY PARTY!

Rockin’ HR is a high-energy idea forum designed to inform and empower anyone who is passionate about people, strategy and talent. It is a showcase of talks that might be bold, possibly harsh, and maybe even brilliant – but always Rockin’!

Thursday, December 6, 2018
5 PM to 8 PM
DoubleTree by Hilton, Downtown Pittsburgh

EVENING ROCKERS

Kori Amos
HR Manager, HRV Conformance Verification Associates, Inc.

Peter Gabriel
Leadership Consultant
Key Leadership

Mandy Haverdink
Manager, Human Resources
Allegheny County Airport Authority

Ronald Kubitz
Director, Recruiting & Human Resources, Forms Surfaces

Mariah Passarelli
Esquire, Cozen O’Connor

Jana Sharlow
Director, Human Resources
Eat'n Park

PHRA Members: $29
Includes dinner + dessert. Cash bar.

Prepare for an evening of education and entertainment as we provide highlights and key takeaways on a variety of topics, raffles and good times! Register at PittsburghHRA.org/event/Holiday18
Navigating the landscape of reasonable accommodation under the Americans with Disabilities Act ("ADA") can be particularly challenging to clients in the healthcare industry. Need to wear a wrist brace? In most jobs, that would be no problem; in an area where a company must control for infectious diseases, it’s a no-go.

Lately, another statute has come into play, making an already complicated situation even worse – the Pennsylvania Medical Marijuana Act ("MMA"). What started out in 2016 as a very limited list of eligible conditions, has ballooned to 21. Forms of available medical marijuana, dispensaries, certified physicians, and card-carrying patients are all on the rise and expected to remain so. Since all 21 MMA-approved health conditions are also ADA-qualifying disabilities, employers will not be able to escape this perilous intersection.

Here is a list of Top 5 Pitfalls for healthcare employers at the crossroads of the ADA and MMA.

1. **Vague definitions in the MMA.** Very little in the MMA is clearly and/or consistently defined, leaving employers to adopt best practices (and wait for improved regulations or relevant case law to develop). Of particular importance in the healthcare sector is coming up with a list of positions where the use of medical marijuana will endanger public health and safety.

2. **Treating medical marijuana differently.** Employers have a tendency to create and apply a separate set of rules to employees using medical marijuana. The problem with that is two-fold. First, the MMA prohibits discrimination against medical marijuana users. As such, the use of a double-standard – whereby, for instance, the use of other prescription medicine is treated differently than marijuana – automatically violates the MMA. Second, employers tend to forget that, separate and apart from the MMA, medical marijuana users’ requests for accommodation (including requests to use medical marijuana) must be analyzed under the ADA (not just the MMA).

3. **Misusing Employee Health Examinations.** Healthcare sector employers often make use of an Employee Health department, requiring employees to be examined there before returning to work. However, the reason for an employee’s absence was an ADA-qualifying disability, the use of an Employee Health examination can be problematic. There is no true “second opinion” available under the ADA. Employer-directed examinations are only available when the documentation provided by the employee’s healthcare provider is “insufficient” (a term narrowly defined by the ADA).

4. **Bad (or non-existent) job descriptions.** Arguably the most important part of the reasonable accommodation analysis under the ADA is determining what is and is not an employee’s essential job functions. Where job descriptions are one-size-fits all, vague, outdated, and/or non-existent, it is difficult (if not impossible) to make this determination. Related to pitfall 1 above, where a healthcare industry employer believes a position impacts public health/safety, it should specify this fact in the job description.

(Cont.)
5. Casual accommodating (or not). A casual accommodation happens when a supervisor permits or denies a work restriction without going through a formal ADA interactive process. This is prevalent in the healthcare sector, where supervising physicians and nurses may not feel the need to check in with HR regarding their day-to-day staffing decisions. However, this kind of casual accommodation (or not) creates significant legal risk and should be avoided.

So, what can employers do about these pitfalls? Provide training. The most efficient way to positively impact ADA and MMA compliance is through the use of employee training. Educate supervisors and Human Relations professionals about how the MMA functions, its relation to the ADA, what is required under the ADA for a reasonable accommodation (and what is not). In this regard, an ounce of prevention is worth a pound of cure!
EMPLOYMENT LAW DAY

Friday, November 30, 2018 | 8:00 a.m. to 4:30 p.m.
DoubleTree by Hilton Pittsburgh Cranberry
Investment: $179 PHRA Members | $199 Non Members
Approved for 6 PHR, SHRM-CP & SHRM-SCP Credits

ATTENDEES WILL GAIN INSIGHT ON:
1. Gain a clear understanding of the complex world of workplace legislation and court decisions that impact how you do business.
2. Learn from the “other side,” plaintiff attorneys will share insights on how they evaluate and accept cases, along with common HR/management vulnerabilities they encounter.
3. Learn how you can make a difference by educating lawmakers about HR to elevate the workplace.
4. Identify and address common pitfalls that can put your organization at risk, such as, avoiding your biggest pre and post termination legal risks, mastering pay equity, sexual harassment claims and current issues in ADA accommodations.
5. Get tools, tips and resources that help minimize your organization’s exposure to litigation.

WHO SHOULD ATTEND:
1. Senior HR Professionals who need to know what’s next in workplace law & legislation seeking to successfully position their organizations.
2. All HR professionals seeking practicable, actionable guidance on workplace management.
3. HR managers & practitioners seeking to build compliant organizations and manage risk.

WWW.PITTSBURGHHRA.ORG/EVENT/LAWDAY18
Both the Department of Labor and various courts have recently concluded that some so-called independent contractors are actually employees covered by federal and state wage and hour laws such as the Fair Labor Standards Act and the Pennsylvania Minimum Wage Act. Misclassifying these workers as independent contractors, rather than employees, can result in costly and complex lawsuits. Therefore, it is important for companies to routinely evaluate how they use, and pay for, contracted services.

Understand the specifics of the independent contractor jobs.

In considering whether a worker is an employee or independent contractor, courts consider factors such as: the degree of the company’s right to control the manner in which the work is performed; the worker’s opportunity for profit or loss depending on his managerial skill; the worker’s investment in equipment or materials required for his task, or his employment of helpers; whether the service rendered requires a special skill; the degree of permanence of the working relationship; and whether the service rendered is an integral part of the company’s business.

This means it is important to understand, in the first place, when, where and how the contractors fit into your organization in order to determine whether there is a misclassification risk. Consider, for example, whether the contractor: reports to an individual at the company, is subject to the same policies as employees, uses company tools or equipment, carries insurance, is permitted to work for other companies at the same time, or has influence over the schedule or location of work. Also, look at the company more broadly to identify whether there are company employees performing the same or similar work. The more the contractor looks like an employee based on the facts of the particular job, the higher the risk of misclassification.

Analyze third-party provider arrangements.

Often times, independent contractors come to the company by way of a third-party agency. In those situations, companies should identify whether there is a contract, such as a master service agreement, in place with the agency. Then, review these agreements to determine whether there are provisions addressing wage and hour law compliance (to ensure the agency’s pay practices are lawful) and indemnification (to protect the company if and when someone alleges those practices are not-so lawful).

It is also important to understand what, if any, agreements the agency might have the individual workers and how those agreements might impact the company. For example, consider whether the agency is party to an arbitration agreement with the individual workers. An arbitration provision is a procedural tool that may be used to eliminate class- and collective-action litigation by requiring workers to arbitrate their claims on an individual basis. If the agency has this type of agreement, review the agreement to determine whether it permits the company to take advantage of its provisions by, for example, naming the company as a third-party beneficiary.

It is also imperative that the company understands how the agency compensates its workers (i.e. on an hourly basis plus overtime, on a salary basis, and/or with bonuses), as this may differ from the way the company is ultimately invoiced.
As 2018 draws to a close, we can reflect on what has been an eventful year both locally and around the world. We have seen much in the way of social and political change and are faced daily as to how this change will affect our HR world both in business and people terms. But really folks it is the holiday season so who really wants to digest these and other distressing and nerve-wracking issues?

So, putting these thoughts aside, let us instead ponder an HR holiday wish list outlining what HR professionals (or just me) most want and need going into the year 2019. As we all know at this time of year all of our blessed employees pull all-nighters trying to figure out the best gifts that they can bestow upon their HR Managers for the holidays. They often ask themselves or others aloud “What can I give my HR Manager that scores me some points”? Or possibly what can they give us to “save their jobs” or keep them from getting fired as a result of all of the crap they have put us through this past year?

Whatever the reason here are some great holiday gift ideas that we can share freely with our valued employees! Feel free to sing these gifts out loud to the tune of that famous holiday classic with the name changed to be politically (and HR) correct.

On the first day of the holiday season my employee gave to me a great employee referral program. As we all know a great referral program is HR and Recruiting’s best friend. It makes our lives easier, helps retention, endears us to our hiring managers and greatly impacts our bottom line. Great employees refer great people and the cost is miniscule! Does your company have a referral program? Do you pay $$ for referrals? If not, you should as it is a gift that keeps on giving.

On the second day of the holiday season my employee gave to me hiring managers who are actually on the same page with HR. As we all know having hiring managers who appreciate HR and the roles that we play enable stronger recruiting and lessens the impacts caused by the day to day employee issues that arise. Setting expectations and having accountability in these relationships once again go a long way to strengthening our companies and allowing HR a stronger “seat at the table”. Ask yourself are you subservient to your hiring managers or at least on equal footing?

On the third day of the holiday season my employee gave to me a management team (company) that promotes from within. One of the biggest reasons our employees leave us is because of their perceived lack of career progression. There is nothing more enticing to candidates and employees than an employer that promotes from within and partners with employees to help grow their careers. A career progression plan is a must have this holiday season!

(Cont.)
On the fourth day of the holiday season my employee gave to me a playlist of songs consisting of the following:

- Carly Rae Jepsen— “Call Me Maybe”—I am sure that recruiters will understand this one!
- Taylor Swift— “Shake it Off”—Want we all need to do after many days in HR!
- James Brown— “I Feel Good”—How we feel after other days in HR!
- NSYNC— “Bye Bye Bye”—What we say to our ex-employees after they walk out the door!
- Beyoncé— “Irreplaceable”—How we need our bosses to view us!
- Adele— “Hello”— “Hello from the other side, I must have called a thousand times”—Another one the recruiters will get!

On the fifth day of the holiday season my employee gave to me LinkedIn Recruiter. Of course, I am not a paid salesperson for LinkedIn but I am a user and there is nothing better for sourcing, networking and hiring! Need I say more? Rid yourself of costly job posting boards and the mysterious and wasteful “pay per clicks” and utilize a resource that will more than pay for the investment. The new holiday mantra should be source/network not post and pray!

On the sixth day of the holiday season my employee gave to me a strong (and reasonably priced) HRIS system which also includes a viable ATS and performance/talent management system. Am I asking for too much?

On the seventh day of the holiday season my employee gave to me (available on Amazon) a coffee mug that states…” Nothing Surprises Me Anymore I Work In HR”.

On the eighth day of the holiday season my employee gave to me (on Etsy) a t-shirt that reads…” Human Resources (Noun) The unofficial lawyer, psychologist, event planner, teacher, career planner and detective. We can all relate to the gifts on days seven and eight for sure!

On the ninth day of the holiday season my employee gave to me a continuous feedback loop. Performance reviews are not dying but they are certainly changing. Many employers and employees are growing tired of the yearly review. Going forward utilizing ongoing corrective or positive feedback is far more desirable and constructive, thus also aiding in the longevity of the employee. Good employees are hard to find in today’s job market so by lowering the number of quality employees we lose the better off we will be.

On the tenth day of the holiday season my employee gave to me a subscription to the wine of the month club. Let us face it but we in HR love wine. We may not wish to admit it but we love to cut loose and wine helps in that scenario. Wine is also very classy as most in HR are. Pinky’s up!

(Cont.)
On the eleventh day of the holiday season my employee gave to me an office holiday party WITHOUT hangovers, harassment, inappropriate behaviors, or selfies that make it to social media. Better yet let us do away with the office holiday party as they invite much in the way of trouble. How about a nice and respectful holiday catered luncheon instead?

Speaking of parties…excellent parties…Finally, and most important on the twelfth day of the holiday season my employee gave to me a ticket to the PHRA Rockin’ Holiday Party to be held Thursday December 6, 2018 (5-8PM) at the DoubleTree by Hilton, Downtown Pittsburgh. Partake in dinner, dessert, cash bar (wine) and 6 excellent Rockin’ HR presenters. I look forward to seeing you all there as we see how much of my advice given above we can either practice or ignore!

So, what am I missing from my list? What does HR want for Christmas or more importantly what are we afraid that we will get going into 2019? I look forward to hearing of some of your gift ideas the next time that I see many of you. Please accept my sincere greetings for a great holiday season and a prosperous 2019. Before I go let me leave you with the following…

Q: How is Christmas like your job in HR?
A: HR does all of the work and a big guy in a suit gets all the credit!

Happy Holidays!
Few things are more essential to continuous improvement – and avoiding liability – than a well done employee performance evaluation. Despite this connection, many employers have trouble doing appraisals right. That is, if they bother taking the time to do them at all. Because this fundamental human resources function can mean so much, let’s review some critical do’s and don’ts for supervisors and managers doing them.

The boxes to check off

One of the most important things a supervisor needs to do in conducting a performance evaluation is to be objective, not subjective. A corollary to this is to give specific examples, and not be general. For instance, instead of documenting that “John’s professionalism is lacking,” state that “John was unprofessional when he yelled at a vendor on February 20, 2018.” In the latter instance, you haven’t left anything to ambiguity, and are protecting your records in the event you need to later discipline the employee. Don’t forget to keep your focus in the appraisal on the incidents and behavior which relate specifically to the employee’s particular job duties and responsibilities, and other work-relate metrics, like attendance, etc.

Another important point is to be sure you are measuring the employee’s progress against known requirements, goals or standards. Sometimes these will be in the prior year’s appraisal; sometimes they’ll be in the job description. Ideally, you’ll find them in both places. This provides clarity to your employees on your expectations, and should also illuminate what the consequences could be if they do not meet those expectations.

A third critical thing is to be consistent in using your evaluative criteria, whether that’s from category to category, or from one peer employee to another. One of the biggest hang-ups to doing performance appraisals well is the variation which they are subjected to, either because different managers have different standards, or because those managers aren’t given proper guidance or training on how to evaluate their subordinates. Often, this results in everyone being graded in the middle. That can be a big problem. It’s important that the high and low performers be rated accordingly, or all evaluations are undermined.

Things to avoid

Now let’s review some things to watch out for. The first is just using evaluations as a time to tell your employees what they must improve. That’s a mistake. It’s essential that supervisors take advantage of appraisals to tell their employees what they are doing well. The fact that most employees tend to dread the yearly evaluation process probably says everything about the lack of praise being handed out by managers. That doesn’t mean you have to praise an employee who doesn’t deserve it, but it does mean not to neglect the provision of praise when it is warranted.
Another no-no is using too much technical jargon. This seems straightforward enough, but many evaluations often contain language which is not direct and clear, but instead is too formal. Write in plain English and convey what you mean in words which everyone can understand. Remember: a jury may be reading your appraisal someday.

Finally, don’t miss the opportunity to use performance appraisals as a way to evaluate your managers. In other words, remember to evaluate them – at least partially – based on how they evaluate their subordinates. Train supervisors on how to conduct appraisals properly in accordance with the goals of your organization and then hold them accountable for doing it well. Many employers don’t do this, but complain about the work of the subordinates or the inconsistency of the evaluator. Help your managers grow in managing people, not just in managing the company’s performance.

**The bottom line**

If employee performance appraisals aren’t done well, it can cause all sorts of trouble for your organization. You may have lower performing workers. Your problem employees may not be identified as easily. Company goals may not be satisfied. Employees may end up unappreciated. Opportunities to build relationships are lost. And I haven’t even mentioned the fact that you also may be making it easier for an employee to succeed in litigation against you, if it were to ever come to that. Take stock of the do’s and don’ts set forth above, and you may be surprised how much benefit your organization is likely to gain.
### NEW MEMBERS

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<td>Salvatore Amendolia</td>
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<td>Carrie Armagost, SHRM-CP</td>
<td>Child Development Centers, Inc.</td>
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<td>Kristina Beatty</td>
<td>Preferred Primary Care Physicians</td>
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<td>Brittany Beggs</td>
<td>Highmark Health</td>
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<td>Caitlin Bobanick</td>
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<td>Erinn Bryan</td>
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<td>Amy Jo Bulebush</td>
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<td>Benjamin Chaffee</td>
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<td>Stephanie Coleman</td>
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<td>Kelly Dillard</td>
<td>Allegheny County Department of Human Services</td>
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<td>Thao Dinh</td>
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<td>Portia Dinkins, CCP</td>
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<td>Kristina Dostaliyeva</td>
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<td>Amanda Edgar</td>
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<td>Melinda McDermott</td>
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<td>Donna McGinnis</td>
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<tr>
<td>Anthony McKnight</td>
<td>Highmark Health</td>
</tr>
</tbody>
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Argo AI

Smrithi Mohandas  
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November 30 | Learn Employment Law Conference

December 6 | Network Rockin’ Holiday Party!

December 18 | Learn Fun Over Friction: Using Improv for Effective & Impactful Teamwork

December 20 | Learn Latest Trends in Managing PTO: USI Insurance Webinar Series

December 21 | Network Coffee Corner: Meet the Board of Directors

January 15, 2019 | Learn Banish Burnout: How to 10x Your Energy, Productivity, Confidence, and Joy with Zero Stress

April 11, 2019 | Network Engaging Pittsburgh Awards Celebration

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  President and Founder of PGHR Consulting Inc.
  and author