



Littler

ENVISION WORK



HOUSTON REGIONAL EMPLOYER | HOUSTON, TX | September 26, 2024

8:00 a.m. – 9:00 a.m.

Registration and Breakfast

9:00 a.m. – 10:00 a.m.

Buckle Up: Riding the Sea Change of Employment Law Developments in 2024

A perennial favorite at the Houston Regional Employer, this fast-paced session provides a unique opportunity to understand the latest court cases, legislative and regulatory activity, and crucial developments that will affect your workplace and responsibilities.

Speakers:

[Danielle Herring](#), [Luke MacDowall](#)

10:00 a.m. – 11:00 a.m.

Everything Old is New Again: A Wage & Hour Journey Through Time

As the nature of work continues to evolve, employers remain subject to wage and hour laws that were written on typewriters. The architects of the FLSA could never have imagined the future state of work, yet the law they enacted in 1938 continues to dictate how employers monitor and compensate their employees. We invite you to join us on a lively, theatrical journey back to the future to gain a deeper understanding of the history of our wage and hour laws and prognostications about its future.

Speakers:

[David Jordan](#), [Allison Williams](#)

11:00 a.m. – 11:15 a.m.

Break

11:15 a.m. – 12:15 p.m.

It's a Whole New World: Navigating the FMLA, ADA and PWFA

This session will take a fresh look at an employer's obligations in light of expanding protections for leave and on-the-job accommodations under the Family and Medical Leave Act, the Americans with Disabilities Act, and the Pregnant Workers Fairness Act. The discussion will cover topics such as: the expansive scope of the PWFA and the EEOC's recently released PWFA Regulations (and how employers need to be adjusting their policies and practices in response); what we've learned so far in the work-from-home debate as many employers push to get employees back onsite; charge and litigation risks regularly arising under FMLA, ADA, and PWFA; and the continually blurred lines between FMLA and ADA/PWFA, where employee needs cross over the leave/accommodation divide.

Speaker:

[Alexis Knapp](#)

12:15 p.m. – 12:45 p.m.

Lunch

12:45 p.m. – 1:30 p.m.

Engage and Retain Your Most Valued Talent

Forget the Great Resignation, many employees are quiet quitting, and employers need to quickly shift mindsets and retention skills to attract and keep highly valuable talent. In this session, we explain the latest social science, evidence-based strategies, and practical tools to help your managers become better leaders to build an engaged and loyal workforce. Topics will include:

- Fostering a productive and collegial culture that does not cross the boundaries of appropriate behavior
- Navigating difficult conversations among colleagues with differing communication styles and values
- Creating a sense of pride in your organization and in each employee's contributions
- Building good relationships by putting the right environmental variables in play

Speakers:

[Kelley Edwards](#), [Jeremy Hawpe](#)

1:30 p.m. – 1:45 p.m.

Break

1:45 p.m. – 2:30 p.m.

Breakout 5A | Supreme Impact: How Recent Arbitration Decisions Changed the Conversation About Adopting, Enforcing, and Winning at Arbitration

With the longstanding success of enforcing employment arbitration agreements before the U.S. Supreme Court, plaintiffs' counsel and their allies in Congress and state legislative houses continue to pursue numerous paths to negate the benefits of arbitration. Recently, the Supreme Court and other courts issued meaningful decisions affecting employment arbitration agreements regarding potential exemptions, the standards to be applied, and appellate rights. This presentation will explore some of the new complexities associated with drafting and enforcing arbitration agreements, including challenges to the e-signature process, mass arbitration threats, and transportation exemptions. This session will also address how to limit expenses and exposure during the arbitration process, considering these increased attacks. We will also provide real-world examples of how the arbitration process should and should not play out for employers.

Speakers:

[Joseph Wientge](#), [Nathan Prihoda](#)

Breakout 5B | Don't Just Shake It Off: Strategies for Addressing Religion in the Workplace

As employers know **All Too Well**, issues surrounding religion in the workplace are never going **Out of Style**. At least not in 2024. But is the definition of "religion" a **Blank Space**? How do employers avoid **Bad Blood** when it comes to addressing religious accommodations? We will explore recent trends and developments in the law and discuss how to **Taylor** best practices for **Swift** resolution when it comes to the intersection of work and religion.

Speakers:

[Kim Miers](#), [Drew Barber](#)

2:30 p.m. – 2:45 p.m.

Break

2:45 p.m. – 3:30 p.m.

Breakout 6A | Deal or No Deal? State of the Union on Non-Compete Agreements

We will have a practical conversation about the fast-evolving landscape relating to non-compete agreements, including the FTC's current position and guidance and interpretation from courts.

Speakers:

[Allan Neighbors](#), [Jay Buller](#)

Breakout 6B | Labor Law for All: What Every Business Needs to Know

1. "The National Labor Relations Act (NLRA) only applies to unionized employers." FALSE!
2. "Only members of a union can file unfair labor practice charges with the NLRB." FALSE!

Section 7 of the NLRA gives all employees the right to form, join, or assist a union, and engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from these activities. The Biden NLRB has issued several important decisions that impact both unionized and nonunionized employers, and unions and unrepresented employees have participated in a wide range of concerted activities, including walk-outs, strikes, or other demonstrations in 2023. In addition, the NLRB General Counsel and the DOL, EEOC, SEC, and other governmental agencies have signed formal agreements to cooperate and share information, meaning that every claim or charge with one agency could lead to additional claims and charges with the NLRB. Because of this, it is important, now more than ever, to be aware of potential claims under the NLRA. In this session, Littler's experienced labor attorneys will delve into recent labor law developments that every employment lawyer and HR professional needs to know. Topics addressed include:

- New union organizing rules, including the standard for responding to union demands for recognition
- Expansion of protected concerted activity
- Stricter scrutiny of employee handbooks
- Scope of confidentiality and nondisparagement agreements

Speaker:

[A. John Harper III](#)

3:30 p.m. – 3:45 p.m.

Break

3:45 p.m. – 4:45 p.m.

Breakout 7A | “Netflix and Chill?”

This presentation will review harassment prevention and litigation, including key cases and takeaways from the EEOC’s April 2024 Guidance on Harassment in the Workplace.

Speakers:

[Nehal Anand](#), [Katie Banks](#)

Breakout 7B | A Potpourri of Ethics Issues for In-house Counsel

In-house counsel face diverse and complex issues daily. This session will be a panel discussion focusing on cutting-edge ethics-related topics, including:

- May I Bypass Plaintiff’s Counsel?: Communicating with represented employees under Rule 4.2
- Danger Will Robinson: Key AI considerations for in-house counsel
- Taking License: Satisfying in-house counsel licensing requirements in a remote-work world

Speakers:

[Mark Jodon](#), [Kelcy Palmer](#), [Jessica Craft](#)

4:45 p.m.

Volunteer Activity and Cocktail Reception