

## Navigating a New Workplace: A Roadmap for Your Tomorrow

Thursday | October 14, 2021



## 2021 Virtual Employer Series

All sessions will be recorded and will be available On Demand following the conclusion of the event.

**9:00 a.m. – 10:00 a.m. ET**

### **Employment Law Update:**

### **A Post-Pandemic Look at Emerging Labor and Employment Law Trends**

A perennial favorite at the Ohio Employer Conference, this fast-paced, entertaining session provides a unique opportunity to quickly understand the latest court cases and crucial developments that affect your workplace. As in the past, we have assembled a terrific panel of Littler attorneys from multiple practice areas who will guide you through the maze of new developments and prepare you for the challenges ahead. Highlights include: leave and disabilities, sexual harassment, wage and hour, NLRB, discrimination, and drugs in the workplace.

**Moderator: Bonnie Kristan, Office Managing Shareholder, Cleveland, OH**

#### **The Panelists:**

**Ryan Morley, Shareholder, Cleveland, OH**

**Meredith Shoop, Shareholder, Cleveland, OH**

**Alex Frondorf, Associate, Cleveland, OH**

**Brian FitzGerald, Associate, Cleveland, OH**

**10:15 a.m. – 11:15 a.m. ET**

### **Labor Law in the Pandemic Age:**

### **Navigating Union-Related Issues During These Unprecedented Times**

This session will cover key labor law considerations during the pandemic, including an employer's duty to bargain over workplace changes, the effect of collective bargaining provisions, and considerations and best practices in these areas. In addition, we will cover how other labor law areas have been impacted by the pandemic, including union organizing campaigns, representation elections, arbitrations, and negotiations.

**Brooke Niedecken, Shareholder, Columbus, OH**

**Morena Carter, Associate, Cleveland, OH**

11:30 a.m. – 12:30 p.m. ET

## **COVID-19 – Its Impact on Employment Litigation, How Best to Prepare Your Company, and What the Future of Litigation May Hold**

The COVID-19 pandemic has had an immediate and ongoing impact on employment litigation across the country, affecting virtually every industry. Since the beginning of the pandemic, over 2,000 cases have been filed against employers, with more than 95% of those cases involving retaliation and discrimination claims. In this session, we will explore these pandemic-related litigation trends thus far, the types of claims we believe are on the horizon for 2021, and the steps employers ought to be thinking about now to prepare themselves for those claims. We will also provide predictions about how the pandemic may have changed the way the courts manage and handle litigation in the future.

**Jim Smith, Shareholder, Cleveland, OH**

**Nathan Pangrace, Special Counsel, Cleveland, OH**

**John Hofstetter, Associate, Cleveland, OH**

12:45 p.m. – 1:45 p.m. ET

## **Focusing on the “I” in IE&D: Addressing Some of 2021’s Inclusion Tensions**

As the national conversation continues to focus on equal justice, employers are motivated more than ever to prioritize building a more diverse and inclusive business environment amid an ever-developing landscape. Littler attorneys will discuss workplace diversity, equity and inclusion initiatives, and provide recommendations for balancing compliance with cutting-edge diversity initiatives as corporate America looks to create change through meaningful advancement. During this program, we will discuss:

- The legal framework applicable to diversity and inclusion initiatives
- Considerations for designing an effective, lawful diversity and inclusion program
- Interpreting and maximizing the utility of data related to these initiatives
- What employers should not do when attempting to push the IE&D needle forward

**Moderator: Eddie Chyun, Shareholder, Cleveland, OH**

**The Panelists:**

**Paul Bateman, Chief Inclusion, Equity & Diversity Officer, Shareholder, Chicago, IL**

**Alyesha Dotson, Shareholder, Seattle, WA**

**Stacia Marie Jones, Vice President, Global Head of IDEA | Lululemon Athletica**

**David Valent, Senior Counsel | Cleveland Clinic**

2:00 p.m. - 3:00 p.m. ET

### **Can't Leave This Behind:**

## **Reviewing the Fallout from a Year of Novel Leave Issues and Strategizing for the Future**

The pandemic has driven a massive change in the ways we work, including a widespread shift to remote work that was unthinkable roughly a year ago. Post-pandemic, much of the workforce is expected to continue working remotely. This shift, which allows people to work from anywhere, creates myriad employment law issues. If the employee is working in a different jurisdiction, or between jurisdictions, what are the leave and benefit requirements? What are the tax withholding requirements? How can a firm legally monitor and manage productivity and performance in a remote environment? This session will explore these and other novel issues that will arise as remote work endures.

**Amy Ryder Wentz, Shareholder, Cleveland, OH**

**Jennifer Orr, Associate, Cleveland, OH**

**Christian McFarland, Associate, Cleveland, OH**

3:15 p.m. – 4:15 p.m. ET

## **When Every Day is “Blursday” - Wage and Hour Compliance for a Remote Workforce**

Complying with the complex patchwork of wage and hour laws is difficult enough when managing a 9-to-5, Monday-to-Friday, office-based workforce. Now that millions of workers are adjusting to a more permanent remote work arrangement, wage and hour compliance is even more challenging. During this session, our panel will guide you on how to define and track “hours worked” when work-from-home employees are constantly juggling work and personal priorities throughout the day. As plaintiffs’ lawyers encourage remote workers to sue for unreimbursed home office expenses (including computers, phones, internet service, office supplies, and even a portion of utilities and rent), we will consider how to structure a reasonable expense reimbursement program. We will consider how transitioning to work-from-home may have transformed the nature of previously exempt jobs and discuss the perils of common “self-help” remedies undertaken when the employment relationship ends and home office equipment is not returned.

**Tim Anderson, Shareholder, Cleveland, OH**

**Shannon Patton, Shareholder, Cleveland, OH**

**Betsy Carter, Associate, Cleveland, OH**