

# Annual Labor & Employment Law Seminar

WHEN **REALLY** BAD THINGS HAPPEN TO **REALLY** GOOD EMPLOYERS...

## SCHEDULE

8:00 a.m. - 9:00 a.m.

### **BREAKFAST & REGISTRATION**

9:00 a.m. - 9:10 a.m.

### **When Really Bad Things Happen to Really Good Employers**

#### **Introduction**

*Robert S. Turk*

9:10 a.m. - 9:30 a.m.

### **This Can't Be Happening To Us!**

#### **Cyberattack: When All Pay And Employment Records Are Lost**

*Andrew W. McLaughlin & Douglas L. Kilby*

The “Kronos Hack” – what was it and why should I care? Because if it happens to your company, really bad things will happen to a really good HR department.

9:30 a.m. - 10:05 a.m.

### **Monster Mistakes When Hiring**

#### **Background Check Black Holes**

*Janet Goldberg McEnery*

Performing background checks, including a criminal records check, can offer protection against negligent hiring claims. We will cover 4 key issues: 1. What are background checks? 2. What should an employer do when a background check turns up something troubling? 3. What’s the EEOC’s warning about using background checks? 4. What bad things can happen to employers who don’t background check properly?

#### **TikTok Time Bombs/Social Media**

*Melanie R. Leitman*

Twitter, YouTube, Facebook, Instagram, Snapchat, Pinterest, TikTok... Social Media is so engrained into our culture that it may be tempting to check out what your potential hires are up to before you give them an offer. But beware of this “Tiking” time bomb! Knowledge is not always power and can be used against you in future discrimination lawsuits.

#### **Offer Letters And Employment Agreements**

*Robert S. Turk*

Poorly drafted offer letters or employment agreements can create costly nightmares for employers. Learn what to include (and what not to include) in your documents to make your HR life much less stressful.

# SCHEDULE

10:05 a.m. - 10:35 a.m. **Monster Mistakes at Work**

## **Where Is Waldo Our New Hire?**

*Andrew W. McLaughlin*

The remote workforce is here to stay. Are you aware of various legal pitfalls that can occur? Wage and hour considerations, adhering to state and local laws, recordkeeping and performance management, notice and posting requirements, confidentiality, home office expense and technology reimbursements, antidiscrimination laws, and more will be discussed.

## **I Need To Be An Independent Contractor**

*Janet Goldberg McEnery*

A declaration of independents and legal fireworks: the litigation exposure in the use of non-employee workers.

10:35 a.m. - 10:55 a.m. **BREAK**

10:55 a.m. - 11:20 a.m. **It's All HR's Fault**

## **It Was Just A Typo! – Mistakes In Documents**

*Melanie R. Leitman*

Missing commas, misspellings, and other typos, OH MY! This session discusses the importance of avoiding mistakes in employee documents like employment agreements, separation agreements, and employee handbooks – small mistakes could cost your company big money!

## **I Thought They Were Exempt From Overtime**

*Robert S. Turk*

Congress passed the FLSA back in 1938. Issues concerning exempt and non-exempt classification continue to confuse and haunt employers (and attorneys). Unintentional classification errors can result in liability for “big bucks.” Let’s discuss some of the most common errors that continue to cause bad things to happen to well-intentioned employers.

11:20 a.m. - 12:05 p.m. **Now For The Really Scary Stuff**

## **FMLA And ADA – Long COVID And PTSD**

*Lisa K. Berg*

“Long COVID” refers to symptoms after COVID-19 lasting weeks, months or years. COVID “long haulers” face an array of physical challenges and the invisible foe: mental health issues in the form of anxiety, depression, post-traumatic stress disorder (PTSD), and more. Employers are now fielding more requests for accommodations and dealing with increased absenteeism. We will discuss how to handle the ADA and FMLA issues involving employees with long COVID and the related mental health conditions.

# SCHEDULE

## **Your Employee Handbook Can Be Your Enemy**

*Lisa K. Berg*

Do your employees know what is expected of them? Learn our Top 10 reasons to have a good employee handbook and the policies an effective handbook must contain.

## **Mandatory Training And Florida's Stop W.O.K.E Act**

*Melanie R. Leitman*

Florida's new "Stop WOKE Act" became law on July 1, 2022. It has now been put on hold. Are employers now prohibited from requiring employees to participate in DEI training courses that promote certain concepts related to race, color, sex, and/or national origin? Are we covered by the Act? What exactly does the Act prohibit? What is the law's status, enforcement and penalties?

12:05 p.m. - 12:30 p.m.

## **The Future Is Here Now!**

### **I Metaverse And I Liked It – AI, VR And Robots**

*Robert S. Turk*

Are you working in the metaverse? (You will be.) When will artificial intelligence change HR? (It's already doing so.) Did I miss the robot apocalypse? (No, but it may be on its way.) What will the future workplace look like? (Look around, it is already here!) We will discuss new technologies and how HR needs to ready itself for a near-future workforce.

### **Our Predictions From Last Year's Update**

*Melanie R. Leitman*

A lot has changed in the year and a half since we filmed our 2-hour news segment: BREAKING THROUGH THE NOISE: Labor & Employment Issues Post-Pandemic. In case you missed it, our "younger" attorneys hosted a roundtable discussion detailing our future workforce predictions. We will update our predictions to see if they came true and forecast what the future may hold.

12:30 p.m. - 1:30 p.m.

## **LUNCH**