

28th Annual LABOR & EMPLOYMENT LAW SEMINAR

Presented by the Labor & Employment Law Group of McNees Wallace & Nurick LLC



PLAYING THE BALANCING GAME IN 2018



May 10, 2018 - Pre-Seminar Network Reception
6:00-7:30 p.m.

May 11, 2018 - Seminar
8:30 a.m. - 3:00 p.m.

HERSHEY LODGE
325 University Dr.
Hershey, PA 17033



8:00 - 8:30 a.m. – Registration

8:30 - 9:30 a.m. – Opening Session

Welcome and Introductions

And the Survey Says!

This year's Plenary session is a lively, interactive game show-style update.

9:30 - 10:00 a.m. – Break

10:00 - 11:00 a.m. – Concurrent Breakout Session #1

A. Handling Sexual Harassment in the Wake of 2017's Tidal Waves and Conducting Workplace Investigations

Presenters: Jennifer Will, Crystal Clark, and Langdon Ramsburg

This session will address the lingering questions about sexual harassment. Can there ever be a consensual relationship with a coworker? When an employee doesn't speak up for years, how do we know that prior conduct was unwelcome? Does a statute of limitations matter in the court of public opinion? What must be investigated? Who should conduct the investigation? Should we continue to explore settlement of these cases or is settlement the new admission? If we settle a frivolous claim, can we enforce the confidentiality agreement on the settlement terms?

B. Medical Marijuana and other State Law Trends

Presenters: Andrew Levy, Denise Elliott, and Mark Hipple

Are you a multistate employer? Trying to make sense of what marijuana laws and other state-specific employment legislation mean for your workplace? This is the session for you! Join us for a discussion of the "burning" topics in state employment laws - including the practical impact of medical/recreational marijuana in the workplace, changes in the minimum wage, paid sick leave, paid family leave, the expansion of legally protected classifications, equal pay efforts and much more.

C. Labor Law 101

Presenters: Brian Jackson and Adam Santucci

When does an employee have Weingarten rights? How do I preserve objections in the grievance procedure? How do I prepare for arbitration? When should I enter into a side letter? Whether you are new to a unionized workforce or a seasoned labor relations director, this back-to-basics session is for you. We're skipping the labor law case update this year and focusing on providing practical tips and tools for labor professionals.

D. Litigating Wage & Hour Claims

Presenters: Adam Long and Erica Townes

The number of wage and hour lawsuits filed nationally against employers in federal court have increased by more than 400% since 2000. Employers of all sizes are vulnerable to wage and hour lawsuits, many of which are filed by experienced plaintiffs' attorneys on behalf of whole classes of employees. Employers who think about these issues only after being served with a lawsuit are usually too late to avoid potentially significant liability. In this session, we will discuss how wage and hour lawsuits are litigated and cover the most significant compliance areas that employers should review and address before ever being served with a lawsuit.

11:00 - 11:30 a.m. – Break/Networking

11:30 a.m. - 12:30 p.m. – Concurrent Breakout Session #2

A. Protecting Your Ass(ets)!

Presenters: Alan Boynton and Andrew Levy

This session is all about minimizing risks! Steps you can take to help your company prevent a new employee with a smart phone from misusing your intellectual property and poaching your customers. What you should do if a competitor sends YOU a cease and desist letter (with a threat of injunction) because you hired someone who "forgot" to mention their 2-year noncompete.

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B. Multi-Generational Workplace Issues – Teaching Old Dogs New Tricks and Training the New Pups

Presenters: Jennifer Will, Erica Townes, and Claudia Williams of The Human Zone

Ok, we've been talking about Millennials for years. That means they are not going away. In this panel discussion, featuring Claudia Williams of The Human Zone, we will offer practical tips for knowledge exchange, building cohesion and fostering strong mentoring relationships at your workplace.

C. HR 101 – Back to Basics

Presenters: Shaun Henry and Micah Saul

Whether you are new to the profession or you are training the next crop of Generalists, this employment law overview is for you! We will walk you through the entire employment cycle, from pre-hire checklists to the vital documentation necessary to support a legal challenge to a termination decision.

12:30 - 2:00 p.m. – Complimentary Lunch/Networking

2:00 - 3:00 p.m. – Concurrent Breakout Session #3

A. Who Wants to Fire a Malingeringer

Presenters: The McNees Players

Game show contestants will attempt to answer the questions that confound HR professionals: how to deal with hypochondriacs, moonlighters, even people who drive unreliable hybrids and their reasons for not making it to work. Phoning a friend and polling the audience permitted.

B. Handling Sexual Harassment in the Wake of 2017's Tidal Waves and Conducting Workplace Investigations

Repeated from Breakout Session #1

Presenters: Jennifer Will, Crystal Clark, and Langdon Ramsburg

C. Hot Topics in Employee Benefits

Presenters: Eric Athey and Stephen Kern

After a year of legislative efforts to repeal Obamacare, where should employers be focusing their attention in the Benefits arena in 2018 and beyond? This session will focus on current compliance issues and recommended best practices.

D. Winning Your Workers' Compensation Case – Achieving the (Not So) Impossible!

Presenters: Denise Elliott and Micah Saul

Sure, an ounce of prevention is worth a pound of cure, but when you can't prevent the filing of a workers' compensation claim, is all hope lost? Maybe not! From the dos and don'ts of accident investigations to tips for crafting creative litigation strategies, our attorneys will arm you with the top five tools you need to improve your chances of victory.

Online Registration

All registrations can be done online at <https://mwn.mycustomevent.com>.

Registration Fees

Early Registration through March 30 — \$99.00 per person

March 31 - May 10 — \$149.00 per person

May 11 (At the Door) — \$229.00 per person

If you have any questions, please contact Karen Swaringen at 717.237.5430 or kswaringen@mcneeslaw.com.

For guests requiring overnight accommodations, please contact the Hershey Lodge directly at 717-533-2171; room rate \$199/night. You must reserve your room by April 6, 2018.