

# You're Invited

## Ogletree Deakins

# 20TH ANNUAL TEXAS LABOR AND EMPLOYMENT LAW UPDATE



## November 8, 2024

An informative and educational seminar to address the latest labor and employment law topics impacting employers

presented by

**THE TEXAS OFFICES**  
of OGLETREE DEAKINS



### LOCATION

Omni Barton Creek Resort & Spa  
8212 Barton Club Drive  
Austin, TX 78735  
(512) 329-4000



### DATE AND TIME

Friday, November 8, 2024  
9:30 a.m. – 5:00 p.m. Program  
(Registration and breakfast will begin at 9:00 a.m.)

### HOTEL RESERVATIONS

Please use this [link](#) to make your reservation at the Omni Barton Creek Resort & Spa for the reduced rate of \$379 per night (plus taxes and fees). The room block closes on October 7.



### COST

\$150 per person (if registered before October 8)  
\$175 per person (if registered on or after October 8)  
(A breakfast and lunch are included.)



### REGISTRATION

Register [here](#) or email [TexasRSVP@ogletree.com](mailto:TexasRSVP@ogletree.com).  
Contact Dea McCart with any questions at  
(512) 344-4717.

We have submitted this program to the HR Certification Institute and SHRM for review. This program has been approved for 5.75 hours of Texas CLE credit.



### TEXAS TAILGATE AND WATCH PARTY

Stay the night and join us on the LBJ Lawn for Texas vs. Florida.

Date: Saturday, November 9, 2024  
Time: 9:00 a.m.

# AGENDA

9:00 – 9:20 a.m. **REGISTRATION AND BREAKFAST**

9:20 – 9:30 a.m. **OPENING AND WELCOME**

9:30 – 10:30 a.m. **CHAT WITH JUDGE EDWARD C. PRADO**

*Moderated by:* Charles A. Gonzalez (San Antonio)

10:30 – 10:45 a.m. **BREAK**

10:45 – 11:30 a.m. **WHAT THE EEOC'S NEW HARASSMENT GUIDANCE MEANS FOR YOUR WORKPLACE**

The U.S. Equal Employment Opportunity Commission (EEOC) has issued new guidance on workplace harassment for the first time in 25 years, including some 70 detailed examples of unlawful harassment. These changes update and expand prior concepts of harassment in some areas and replace previous guidance in others. Join us for a deep dive into what the key changes mean for your workplace compliance and investigation efforts.

*Presenters:* Erika L. Leonard (Austin) and Derek T. Rollins (Austin)

11:30 a.m. – 12:15 p.m. **IT'S NOT US, IT'S YOU: DEALING WITH CHALLENGING EMPLOYEES IN THE WORKPLACE**

Dealing with difficult employees who constantly complain or influence others to complain can be a real challenge in the workplace. Successfully addressing these situations while avoiding claims of retaliation can be even more challenging. Join this session for practical pointers on handling sensitive or uncomfortable conversations with problem employees, creating effective and contemporaneous documentation, and navigating legally complex employee situations.

*Presenters:* Stephen J. Quezada (Houston) and Andrew T. Turner (Dallas)

12:15 – 1:15 p.m. **NETWORKING LUNCH: "LUNCH WITH THE LAWYERS"**

1:15 – 2:15 p.m. **TRICKY LEAVE AND ACCOMMODATION REQUESTS: KEY SCENARIOS TO SHOW THE WAY**

Leaves of absence and accommodation requests under the Family and Medical Leave Act, Americans with Disabilities Act, and Pregnant Workers Fairness Act continue to tick upward, and this trend is likely to continue. With this increase comes a wider variety of requests, especially with regard to accommodations. Test your knowledge and enhance your skills in this game-style presentation as the speakers quiz the audience and discuss challenging accommodation scenarios based on real-world scenarios and other uncommon and puzzling situations.

*Presenters:* Jana S. Baker (Dallas) and Tiffany Stacy (San Antonio)

2:15 – 3:00 p.m.

### **GOVERNMENT ACTION UPDATE: WAGE AND HOUR, NON-COMPETES, AND IMMIGRATION**

Lawmakers and government agencies continue to increase their efforts to regulate the workforce. The U.S. Department of Labor recently increased the salary threshold for white-collar exemptions under the Fair Labor Standards Act and issued a new independent contractor rule that revises the standard for determining whether a worker is an employee or an independent contractor. In addition, the government's assault on non-compete agreements continues. However, the Federal Trade Commission's (FTC) non-compete ban was dealt a blow in August when the U.S. District Court for the Northern District of Texas found the FTC rule unlawful, effectively preventing the FTC from enforcing its rule nationwide. In other news, U.S. Citizenship and Immigration Services completed a highly anticipated second round of the annual H-1B registration lottery. The White House also unveiled initiatives aimed at providing a quicker path to work authorization for Deferred Action for Childhood Arrivals (DACA) recipients and other undocumented individuals. In this session, the speakers will discuss what these agency actions mean for your organization now.

*Presenters:* Adam T. Dougherty (Dallas), Jamey E. Petri (Austin), Sean C. Urich (Dallas), and Victoria L. Vish (Dallas)

3:00 – 3:15 p.m.

### **BREAK**

3:15 – 4:00 p.m.

### **NATURE OR NURTURE: MANAGING GENERATIONS IN THE WORKPLACE**

As more baby boomers retire and younger employees enter the workforce, organizations are experiencing more generational diversity than ever before. This session will explore how to manage employee behavior, address generational differences, and handle issues that arise when different styles clash.

*Presenters:* Carolyn A. Russell (Houston) and Ryan J. Swink (Houston)

4:00 – 5:00 p.m.

### **WORKPLACE INVESTIGATIONS: ARE YOU READY TO INVESTIGATE IN THE NEW AGE OF EMPLOYEE COMPLAINTS?**

Investigations of work-related issues have become both more frequent and more critical in recent years. In this interactive session, the speakers will discuss emerging trends in workplace investigations, including remote working environments and AI/deepfakes. They will also use hypothetical scenarios to illustrate common mistakes made during investigations.

*Presenters:* Kristin Snyder Higgins (Dallas) and Eva W. Turner (Dallas)