

MARCH 11, 2020 YOU'RE INVITED

Ogletree
Deakins

The Philadelphia office of
OGLETREE DEAKINS

presents an
EMPLOYMENT LAW BRIEFING

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

LOCATION

Pyramid Club
1735 Market Street
52nd Floor
Philadelphia, PA 19103
(215) 567-6510

DATE AND TIME

Wednesday, March 11, 2020
8:30 a.m. – 11:30 a.m.
(Registration and breakfast will begin at 8:00 a.m.)

COST

Complimentary for clients and friends of the firm
\$300 per person for all others
(Breakfast and program materials are included.)

PARKING

Discounted parking for the briefing is available
at the following locations:

Sonesta Hotel
1800 Market Street
Philadelphia, PA 19103
Valet – \$17.00 per day

1700 Market Street Garage
1700 Market Street
Philadelphia, PA 19103
Self-Park – \$15.00 per day

REGISTRATION

Register online at www.ogletree.com or contact Wendy Fallen
at (215) 995-2800 or wendy.fallen@ogletree.com.

We have submitted this program to the HR Certification Institute and SHRM for review and are
applying for Pennsylvania and New Jersey CLE credit. If you need financial aid to attend this
briefing, please click [here](#).

AGENDA

- 8:00 – 8:30 a.m. **REGISTRATION AND BREAKFAST**
- 8:30 – 8:40 a.m. **WELCOME AND INTRODUCTIONS**
Donald D. Gamburg, *Managing Shareholder*
- 8:40 – 8:55 a.m. **TRUMP NLRB STARTING TO TURN THE SHIP**
The end of the decade was eventful for the National Labor Relations Board (NLRB). The Board finalized a rule reversing problematic provisions contained in the 2014 “ambush” election regulations and issued a number of other extremely important decisions. This session will share insights into the new “ambush” rules and other rulings, and discuss developments we are likely to see in 2020 taking us into the next decade.
Presenter: Donald D. Gamburg
- 8:55 – 9:05 a.m. **STATE FAMILY-FOCUSED REFORMS: PAID TIME OFF LAWS AND PREDICTIVE SCHEDULING**
Many jurisdictions have recently passed new state and local laws that provide employees with more flexibility with taking paid time off (PTO) and requiring more predictability with their schedules. In this session, we will discuss what PTO policies employers in Pennsylvania are required to have, who is considered a covered employer, and the requirements under Philadelphia’s newly effective Fair Workweek Employment Standards Ordinance.
Presenter: Vik C. Jaitly
- 9:05 – 9:15 a.m. **WAGE AND HOUR UPDATE**
2019 was an eventful year in wage and hour law at the federal, state, and local levels. This session will address some of the most impactful developments, of which all employers should be aware. It will also provide practical takeaways for employers to ensure they are in compliance with the law.
Presenter: Joshua A. Brand
- 9:15 – 9:25 a.m. **EQUAL PAY IS HERE TO STAY**
Pay equity has become an increasingly hot topic. Numerous states have updated their equal pay laws and adopted salary history inquiry bans. This session provides an update on recent legislative developments and litigation regarding pay equity.
Presenter: Rachel C. Stone
- 9:25 – 9:40 a.m. **DAZED AND CONFUSED: RECENT DEVELOPMENTS IN CANNABIS LAW**
Dazed and confused by new laws governing medical marijuana, recreational marijuana, hemp, and CBD? You’re not alone. During this session, we will cover recent legislation, takeaways from recent court decisions affecting employers, and best practices.
Presenters: Jessica M. Bocchinfuso and Meghan A. Mills
- 9:40 – 9:55 a.m. **THE CHANGING LANDSCAPE ON WHO IS AN “INDEPENDENT CONTRACTOR”**
Independent contractors have long been a part of the American workforce. However, in recent years, the independent contractor model has come under attack. In the past year alone, we have seen significant new laws, proposed legislation, and court decisions, of which businesses that utilize independent contractors should be aware. In this session, we will touch upon the latest developments, offer practical tips, and discuss what is on the horizon for 2020 and beyond.
Presenters: Ryan T. Warden and Dean J. Shauger

WEDNESDAY, MARCH 11, 2020

9:55 – 10:15 a.m.

BREAK

10:15 – 10:25 a.m.

AGE DISCRIMINATION IN SOCIAL MEDIA JOB POSTINGS

The proliferation of job postings on social media sites has been evolving over the last several years. Social media hiring practices, however, have caused unintended consequences in relation to the Age Discrimination in Employment Act (ADEA). Can a company target a certain demographic on Facebook by utilizing targeting tools and algorithms? Does recruiting on social media platforms discriminate against older applicants? In this session, our speakers will discuss the best practices for social media job postings and the interplay with the ADEA.

Presenters: Paul Lancaster Adams and Brandon R. Sher

10:25 – 10:40 a.m.

TELECOMMUTING: WHERE IS EVERYONE TODAY?

Technology has made telecommuting possible, but remote work arrangements are not without risk. This session will address areas of potential liability for employers and provide guidance on how to reap the benefit from remote work arrangements while minimizing exposure.

Presenter: Clark Whitney

10:40 – 10:55 a.m.

THE CHANGING STATE, AND POSSIBLY FEDERAL, LANDSCAPE ON THE USE OF RESTRICTIVE COVENANTS

Noncompetition and trade secrets litigation has exploded in the last 10 years. State and federal laws are evolving and adapting to this increase with new legislation addressing important issues. This session will track the growth of state laws and federal regulation—and case law—as well as detail how employers can and should respond. Our speakers will also cover reasonable steps for HR managers and in-house counsel to avoid liability and maximize profits.

Presenters: Daniel P. O'Meara and Brian R. Ellixson

10:55 – 11:05 a.m.

SEXUAL HARASSMENT AND OTHER TRAINING: STAYING AHEAD OF LEGISLATIVE REQUIREMENTS

In recent years, a number of states have implemented or expanded requirements to train employees on sexual harassment and other discrimination and harassment issues. This session is aimed at helping organizations with employees in multiple states identify training requirements and stay ahead of the changes in the law.

Presenter: Jacqueline R. Barrett

11:05 – 11:15 a.m.

A YEAR OF SIGNIFICANT CHANGES FOR NEW JERSEY EMPLOYERS

New Jersey's legislature has been busy at work cementing the Garden State's place as one of the most employee-friendly states in the country. During this session, the presenters will address recent developments in the state and provide tips that any employer with New Jersey employees will want to know.

Presenters: Janice G. Dubler and Katheryn (Kate) Eisenmann

11:15 – 11:30 a.m.

DIVERSITY AND INCLUSION HOT TOPICS

Diversity and inclusion (D&I) is an increasing area of focus in law and workplace policy. This session will highlight recent LGBTQ+ rights cases, hair discrimination laws, and the hottest topics in D&I workplace implementation.

Presenter: Kimya S.P. Johnson

11:30 a.m.

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