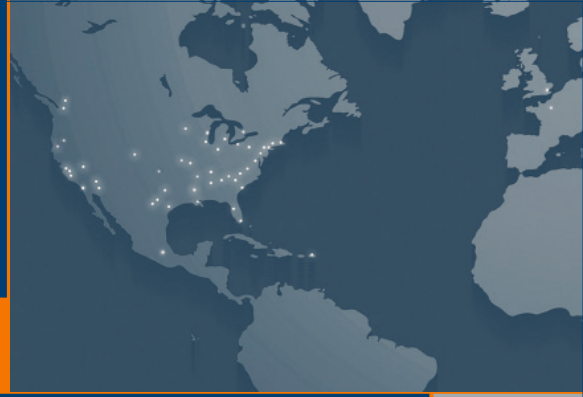




Ogletree
Deakins



INDIANAPOLIS

The Indianapolis office of
OGLETREE DEAKINS

presents
**MANAGING A WORKFORCE
IN 2020**

**You're
Invited**

September 12, 2019

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

LOCATION

502 East Event Centre
502 East Carmel Drive
Carmel, IN 46032
(317) 843-1234

New location!

DATE AND TIME

Thursday, September 12, 2019
8:30 a.m. – 4:00 p.m.
(Registration and breakfast will begin at 7:30 a.m.)

COST

Complimentary
(Breakfast, lunch, and program materials are included.)

REGISTRATION

Register online at www.ogletree.com or contact Amanda Satterthwaite at
(317) 916-2582 or amanda.satterthwaite@ogletree.com.

We have submitted this program to the HR Certification Institute and SHRM for review and
are applying for Indiana CLE credit.

AGENDA

7:30 – 8:30 a.m. **CONTINENTAL BREAKFAST AND REGISTRATION**

8:30 – 8:45 a.m. **WELCOME AND OPENING REMARKS**

Presenter: Charles B. Baldwin

8:45 – 9:25 a.m. **EXCUSE THE INTRUSION**

Short informative sessions on the following topics:

Indiana's Legalization of CBD Oil and Its Impact on the Workplace

Presenter: Lucy B. Bednarek

California Employment Law Update

Presenter: Betsy Johnson

High and Dry: Marijuana and Immigration

Presenter: Whitney Brownlow

OFCCP: The Little Engine That Could (Cause You Some Headaches)

Presenter: Lauren B. Hicks

Can I Have Five Minutes, Please?

Presenter: Barry C. Paige

The Employee Handbook: A Good Read?

Presenter: Katherine G. Erdel

State Paid and Medical Leave Laws: What You Need to Know

Presenter: Stephanie A. Smithey

EEOC Highlights and Trends Update

Presenter: Kevin E. Roberts

9:25 – 10:30 a.m. **PAY BY THE RULES: PRACTICAL TAKEAWAYS FROM RECENT LEGISLATION AND LITIGATION ON PAY EQUITY**

Equal pay continues to be a key topic for employers—with no signs of slowing down. From new state pay equity legislation to the EEOC's focus on pay discrimination to recent court rulings, employers need to stay up to date in this important area. This session will address the latest developments on pay equity, focusing on practical takeaways from litigation on topics such as comparable jobs, pay discrepancy justifications, affirmative defenses, and more.

Presenters: Bonnie L. Martin and Theresa R. Parish

10:30 – 10:45 a.m. **BREAK**

10:45 – 11:40 a.m. **TO TEST OR NOT TO TEST: THAT IS BUT ONE OF THE QUESTIONS**

Employers today have to consider many legal and practical issues when making decisions about employee drug testing. What types of testing are appropriate for your workforce (e.g., pre-employment, random, post-accident, and/or reasonable suspicion)? What drugs should your company be testing for? What about employee privacy issues? How should you treat employees who test positive for drugs? We will discuss the answers to these and other questions during this informative session.

Presenters: Kenneth B. Siepman and Candace S. Walker

11:40 a.m. – 1:00 p.m. **SPECIAL LUNCH PRESENTATION**
DIVERSITY AND INCLUSION: A NOT SO SCARY TOPIC

Recent studies indicate that most Americans pride themselves on being open-minded and fair. These studies also suggest that most of us do not intentionally disrespect each other, nor do we enjoy being perceived as sexist or racist. Yet many people report not knowing how to behave in such a manner as to avoid these labels. This upbeat and unscary presentation will address the route toward an inclusive work environment.

Presenter: Dennis A. Davis, Ph.D.

1:00 – 1:45 p.m.

BREAKOUT SESSION SERIES ONE—CHOOSE ONE OF THE FOLLOWING:

THE MIND WORKS IN MYSTERIOUS WAYS: USING THE PRINCIPLES OF BEHAVIORAL PSYCHOLOGY TO CREATE A POSITIVE, UNION-FREE WORKPLACE

As unions struggle to increase membership around the country, they have refocused their efforts on organizing employees. Waiting to create the appropriate work environment until you have an inkling of union organizing is too late, not just because lawyers say so, but because our minds work against employers that wait too long to provide the proper work environment. In this session, we will explore tips for creating an engaging work environment as part of a positive employee relations program to remain union-free and make your company the kind of place where people want to work. The practical advice is grounded in the scientific principles of behavioral psychology and economics. This interactive session will challenge your preconceived notions about choice and force you to examine the way you communicate with employees.

Presenter: Matthew J. Kelley

A LOOK BACK: IMMIGRATION UNDER THE TRUMP ADMINISTRATION

Employers have faced unprecedented levels of scrutiny in all aspects of immigration during the Trump administration. After the issuance of several executive orders, a major escalation in worksite enforcement, increased border security, heightened scrutiny of visa usage, and directives calling for reform of several employment-based visa programs, employers have experienced a significant impact to their businesses. This session will review the major changes in immigration policy and enforcement that have unfolded since the Trump administration took office, provide an update on the status of ongoing court challenges and key legislative proposals, and discuss the steps employers should consider to keep their businesses ahead of the curve.

Presenter: Whitney Brownlow

“YOU’VE GOT TO BE KIDDING!”: CALIFORNIA EMPLOYMENT LAW UPDATE

As we near the end of Governor Gavin Newsom’s first year in office, it should come as no surprise that the California legislature is going out of its way to prove that California marches to the beat of a different drummer than the folks in Washington, D.C. There are numerous new bills that target the workplace. Some of these bills may have a significant impact on your business. These potential new laws and recent court decisions are changing the ways companies address issues such as arbitration agreements, “hairstyle” discrimination, family and medical leave, paid sick leave, independent contractor status, and much more. So fasten your seat belts; it’s going to be a bumpy ride for employers in 2020! This session will prepare you for the turbulence ahead.

Presenter: Betsy Johnson

1:45 – 2:00 p.m.

BREAK

2:00 – 2:45 p.m.

BREAKOUT SESSION SERIES TWO—CHOOSE ONE OF THE FOLLOWING:

WHAT TO EXPECT (WHEN YOU ARE EXPECTING AN AUDIT) AND OTHER OFCCP UPDATES

OFCCP began publishing its corporate scheduling announcement list (CSAL) during the Trump administration, so businesses now have more time than ever to prepare. But with the constant changes at OFCCP and its aggressive enforcement agenda, contractors need to be thoroughly prepared for an audit. In this session, we will discuss how best to prepare for the various types of audits OFCCP conducts. Other areas of focus will be OFCCP updates, audit and enforcement trends, and compensation (pay equity) trends. Finally, we will address how OFCCP might use the EEO-1 Component 2 reports.

Presenter: Lauren B. Hicks

EMPLOYEE BENEFITS EVOLUTION: THE LATEST CHANGES AND TRENDS

In this session, we will cover recent developments impacting employer retirement plans and health and welfare plans, including regulatory changes, court decisions, and legislative proposals. Your HR and benefits team will learn about changes to the administration of 401(k) hardship withdrawals, changes to wellness plan rules, new uses for health reimbursement arrangements, and lawsuits impacting pension and health plans. We will also address recent ACA enforcement initiatives and proposed legislative changes to retirement plans.

Presenters: Stephanie A. Smithey and Catherine R. Reese

EMPLOYMENT ARBITRATION AGREEMENTS: NEW STRATEGIES AFTER THE SUPREME COURT'S DECISION

With the Supreme Court's recent ruling on employment arbitration, now is a good time for employers to evaluate whether to use arbitration. What are the pros and cons of employment arbitration? Is it right for your business? How should a new arbitration program be rolled out to current employees? What should an arbitration program include? Join us for a session that will address these questions and more to help attendees develop and enforce a state-of-the-art arbitration program.

Presenter: Christopher C. Murray

2:45 – 3:00 p.m.

BREAK

3:00 – 4:00 p.m.

THIS COULD HAPPEN TO YOU: REAL-LIFE FMLA IN ACTION

It's one thing to know what the FMLA requires, but how does it play out in real life? How do you respond to the employee with migraines who is regularly tardy? Or to the employee who changes his story on why he wants medical leave? What about the employee who fails to provide advance notice of a prescheduled surgery? We will address some of the nuances of the FMLA using examples from real-life scenarios.

Presenters: Amanda C. Couture and Susan H. Jackson

4:00 p.m.

CLOSING REMARKS AND PRIZE DRAWING