

You're Invited

Ogletree Deakins

MANAGING A WORKFORCE IN 2025



October 2, 2024

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

presented by Ogletree Deakins'

INDIANAPOLIS OFFICE



LOCATION

Ritz Charles
12156 North Meridian Street
Carmel, IN 46032
(317) 846-9158

New location!



DATE AND TIME

Wednesday, October 2, 2024
8:30 a.m. – 3:15 p.m.
(Registration and breakfast will begin at 7:30 a.m.)



COST

Complimentary



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. We are also applying for Indiana CLE credit.

Timely topics will include a deeper dive into:

- NLRB decisions affecting all employers
- Workplace investigation strategy
- Employment data monitoring
- Protecting company assets and trade secrets
- Navigating the FMLA

Don't miss our short "Excuse the Intrusion" sessions, which will cover:

- 401(k) eligibility rules
- EEOC hot topics
- PWFA regulations
- Criminal background checks
- Marijuana scheduling update
- Expectations of appearance and dress in the workplace

AGENDA

7:30 – 8:30 a.m.

REGISTRATION AND CONTINENTAL BREAKFAST

8:30 – 8:45 a.m.

WELCOME AND OPENING REMARKS

Presenter: Bonnie L. Martin

8:45 – 9:25 a.m.

HEADLINE NEWS: RECENT DEVELOPMENTS AFFECTING EMPLOYERS

The workplace and its legal landscape are ever-changing. This session will provide an overview of the latest labor and employment headlines and developments, and their potential impact on your organization.

Presenters: Christopher C. Murray and Cheyna H. Galloway

9:25 – 10:05 a.m.

WE DON'T HAVE A UNION. WE DON'T HAVE TO WORRY ABOUT THE NLRB, RIGHT?: KEY NLRB DECISIONS IMPACTING EMPLOYERS

In the past four years, the National Labor Relations Board (NLRB) has issued decisions and initiated litigation that significantly impacts all employers. In this interactive session, the speakers will highlight recent developments in the following areas: the definition of protected, concerted activity; non-competes; settlement agreements; litigation holds; and handbook rules. The speakers will also discuss the status of federal litigation, initiated by employers, to curtail the NLRB's overreaching activity.

Presenters: Matthew J. Kelley and Anthony J. Simonton

10:05 – 10:20 a.m.

BREAK

10:20 – 11:00 a.m.

GETTING TO THE TRUTH OF WORKPLACE INVESTIGATIONS

Workplace investigations have become more frequent and critical in recent years—and it is important to get them right. One of the key aspects of any investigation is to create an environment where witnesses are comfortable with providing honest, complete answers. This session will cover asking effective questions, dealing with reluctant witnesses, obtaining relevant evidence, assessing credibility, and arriving at a legally defensible decision.

Presenter: Scott James Preston

11:00 – 11:30 a.m.

EXCUSE THE INTRUSION

Join us for short and informative sessions on the following topics:

“ON WEDNESDAYS, WE WEAR PINK”: A BRIEF DISCUSSION OF EXPECTATIONS OF APPEARANCE AND DRESS IN THE WORKPLACE

We all express ourselves through our appearance and personal style. This session will explore how expectations of employees' appearances may affect employees differently and offer tips on how to avoid claims of discrimination based on appearance and dress.

Presenter: Ellen Pactor

EEOC ROUNDUP: A BRIEF OVERVIEW OF HOT TOPICS AT THE EEOC

This session will cover the latest developments at the U.S. Equal Employment Opportunity Commission (EEOC) that employers should be aware of, including the agency's areas of focus, policy and personnel updates, and trends and statistics related to EEOC charges and litigation.

Presenter: Katie S. Bayt

NEW(ER) RULES FOR NEW KIDS

Building on last year's presentation, this session will cover the final regulations under the Pregnant Workers Fairness Act.

Presenter: Caitlin S. Schroeder

11:30 a.m. – 12:30 p.m.

LUNCH AND SPECIAL PRESENTATION

MAKING “DIFFICULT COMMUNICATIONS” LESS DIFFICULT: BEST PRACTICES AND STRATEGIES FOR SUCCESS

This presentation will explore the five barriers to healthy communication, offering strategies to address each one. It will also identify the most common communication mistakes made by employers, provide tips for individuals to improve their communication skills, and delve into de-escalation techniques. The learning objectives include:

- Recognizing barriers to healthy communication and learning how to overcome them
- Understanding the three keys to effective communication
- Learning six tips for de-escalating difficult people and challenging situations

Presenter: Luther Wright, Jr.

12:30 – 1:10 p.m.

MONITORING EMPLOYMENT DATA FOR LEGAL RISKS

This session will explore critical considerations for automated systems and artificial intelligence, with a focus on identifying and mitigating bias. Learn how to effectively audit hiring systems and internal data systems practices to protect records and minimize risks. The session will also cover recent developments in the U.S. Department of Labor’s approach to these issues in audits, highlighting the heightened scrutiny for covered employers.

Presenter: Lauren B. Hicks

1:10 – 1:50 p.m.

PROTECTING COMPANY ASSETS AND INVENTIONS: THE EVOLVING LANDSCAPE OF NON-COMPETES, TRADE SECRETS, AND INTELLECTUAL PROPERTY

Federal and state laws regarding non-compete agreements are in a state of flux, making trade secret protection even more important. Employers also recognize that protecting their intellectual property, such as inventions, copyrights, and trademarks created by employees, is a paramount concern. This session will address the latest on the Federal Trade Commission’s proposed non-compete ban, provide an update on trade secrets, and offer best practices for handling employee involvement with intellectual property.

Presenter: John A. Drake

1:50 – 2:05 p.m.

BREAK

2:05 – 2:35 p.m.

EXCUSE THE INTRUSION

Join us for short and informative sessions on the following topics:

TRICK OR TREAT: HANDLING EMPLOYMENT DECISIONS BASED ON CRIMINAL HISTORY RECORDS AND BACKGROUND CHECK RESULTS

In this session, attendees will engage in scenarios utilizing key legal considerations and best practices for mitigating risk when making employment decisions based on criminal history records and background check results.

Presenter: Kate E. Trinkle

DEVELOPMENTS AT THE DOJ: THE LATEST ON MARIJUANA RESCHEDULING

This session will provide some quick hits (no pun intended) on the status of the U.S. Department of Justice’s (DOJ) proposed reclassification of marijuana from a Schedule I to a Schedule III controlled substance.

Presenter: Christina M. Kamelhair

LONG-TERM, PART-TIME EMPLOYEE RULES: RESOLVING CONTRADICTIONS

This session will provide insight into how 401(k) eligibility rules are impacted by employee classification, service requirements, and recent long-term, part-time employee rules.

Presenter: Elizabeth W. O’Gara

2:35 – 3:15 p.m.

FUN WITH THE FMLA!

The Family and Medical Leave Act (FMLA) continues to pose challenges for employers seeking to comply with its numerous provisions and regulations. Test your knowledge and improve your skills in this interactive presentation, where the speakers will quiz the audience and discuss challenging FMLA concepts and factual scenarios.

Presenters: Steven F. Pockrass and Kenneth B. Siepman

3:15 p.m.

CLOSING REMARKS AND PRIZE DRAWING