

You're Invited

Ogletree  
Deakins

# MANAGING A WORKFORCE IN 2026



August 7, 2025

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

presented by Ogletree Deakins'

**CLEVELAND**  
OFFICE



## LOCATION

Corporate College East Conference Center  
4400 Richmond Road  
Warrensville Heights, OH 44128  
(216) 987-2800



## DATE AND TIME

Thursday, August 7, 2025  
Noon – 12:45 p.m. Early bird sessions  
1:00 – 4:50 p.m. Program  
4:50 – 5:45 p.m. Cocktail reception  
(Registration will begin at 11:45 a.m.)



## COST

Complimentary



## REGISTRATION

Register online at [www.ogletree.com](http://www.ogletree.com) or contact  
Monica O'Connor at (216) 274-6919 or  
[CLERSVP@ogletree.com](mailto:CLERSVP@ogletree.com).

We will submit this program to the HR Certification Institute and SHRM for review. This program has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 3.75 hours of CLE credit.

# AGENDA

11:45 a.m. – 1:00 p.m.

## REGISTRATION AND NETWORKING

Noon – 12:45 p.m.

## EARLY BIRD SESSIONS—CHOOSE BETWEEN THE FOLLOWING:

### THE BUSINESS OF EMPLOYEE ENGAGEMENT

This insightful and engaging presentation will focus on the business benefits of fostering a sense of belonging for employees within an organization. The speakers will examine financial data, relevant statistics, and employee retention strategies. They will also explore how other departments can support and collaborate with their People & Culture/HR departments to promote employee engagement and emphasize the importance of considering employee value propositions.

*Presenters:* Andrea V. Arnold, Anthony Dick, and Andrew S. Haring

### POTENTIAL PITFALLS OF PITIFUL PERFORMANCE MANAGEMENT

Often, a manager may provide a glowing performance evaluation to an employee, only to fire that same employee weeks or months later due to poor performance. This can include performance issues that existed prior to the evaluation but were not addressed at that time. In many cases, the termination may be justified, but the employee later retains counsel and uses the performance evaluation to argue that the manager's stated reason for termination is merely a pretext for unlawful discrimination. In court, the conflicting facts can make it challenging for the employer to prevail on summary judgment. It can also be difficult for a jury to understand how an employee who met or exceeded the employer's expectations just a few weeks earlier is now being let go for poor performance. This interactive session will examine several problematic performance reviews and their implications in litigation, as well as provide strategies for more effectively documenting performance deficiencies to avoid potential legal issues.

*Presenter:* Komlavi Atsou

1:00 – 1:45 p.m.

### MENTAL HEALTH MATTERS

Mental well-being and mental health issues continue to permeate the workplace. Employers are often confronted with challenging situations involving employees with mental health conditions, and the best approach is not always obvious. In this session, the speakers will explore some of the most common mental health challenges employers see, like anxiety, depression, and addictive behaviors, as well as challenges such as introversion and discrimination concerns. The panel will discuss strategies for fostering a professional and emotionally supportive work environment, while effectively managing Americans with Disabilities Act accommodation requests and other potential legal issues.

*Presenters:* Amanda T. Quan

Michelle R. Arendt, *Chief Employment and Labor Counsel*, Case Western Reserve University

Cedric K. Johns, *Director of Employee and Labor Relations*, Cleveland Public Library System

1:45 – 1:55 p.m.

## BREAK

1:55 – 2:40 p.m.

## BREAKOUT SESSION SERIES ONE—CHOOSE BETWEEN THE FOLLOWING:

### THE ATTORNEY-CLIENT PRIVILEGE AND WORKPLACE INVESTIGATIONS

Investigations in the workplace often involve attorneys, both in-house and/or outside counsel, who can serve as investigators or advisors. But when does their involvement make the investigation or certain aspects of it protected by the attorney-client privilege, and to which communications does the privilege attach? When might employers want to invoke or waive this privilege? Join this session for a discussion of the Model Rules of Professional Conduct and an overview of the attorney-client privilege in relation to workplace investigations.

*Presenters:* Lauren C. Tompkins-Payton and Bethany S. Wagner

### **WORKPLACE VIOLENCE PREVENTION: COMPLIANCE AND SOLUTIONS FOR EVERY WORKFORCE**

Workplace violence is a growing concern across the country, as highlighted by numerous recent tragic incidents reported in the news. The varying laws—some mandating specific violence prevention measures and others restricting employers’ ability to ban guns in the workplace—can make it challenging to adopt a sensible, systematic approach. The speakers will discuss federal and Ohio laws, workplace violence prevention legislation on the horizon, and current enforcement trends.

*Presenters:* Scott W. Gedeon  
Howie Eberts, *VP Expert Witness*, SCR Safety Solutions

2:40 – 3:10 p.m.

### **SNACK BREAK**

3:10 – 3:55 p.m.

### **BREAKOUT SESSION SERIES TWO—CHOOSE BETWEEN THE FOLLOWING:**

#### **HACKED, ATTACKED, AND BACKED AGAINST THE WALL**

Cyberattacks are becoming increasingly sophisticated and continue to impact businesses of all sizes and industries. Join us for an informative discussion on effective policies and practices for safeguarding your organization against cyberattacks, efficiently managing data incidents, and complying with legal obligations following a data breach. The speakers will provide actionable strategies to enhance cybersecurity measures, mitigate risks, and minimize potential damages or business disruptions.

*Presenters:* Rebecca J. Bennett, Jeffrey D. Coren, and Jeffrey J. Moyle

#### **LESSONS LEARNED FROM NEW UNION ORGANIZING TACTICS**

For the past several years, conversations about political and social issues have increasingly dominated newsfeeds and social media. It is no surprise that these conversations, which are often heated and divisive, have made their way into the workplace. As a result, it has become more and more challenging for employers to balance their employees’ rights of self-expression with the need to maintain a safe and civil workplace. Learn about the legal issues at play, including the limits of free speech, claims of protected concerted activity, and retaliation, as well as examples of compliant policies and how to put them into action.

*Presenter:* Brittany N. Brantley

3:55 – 4:05 p.m.

### **BREAK**

4:05 – 4:50 p.m.

#### **DON’T GET SCHOOLED: AVOIDING INADVERTENT ADEA LIABILITY FOR CAMPUS AND EARLY CAREER RECRUITING**

As older workers stay in or re-enter the workforce, employers might want to review their recruiting and hiring practices to ensure they do not unintentionally exclude older candidates. Unfounded assumptions and inaccurate stereotypes about aging, as well as phrases in job postings like “recent graduates,” can lead to significant legal exposure under the Age Discrimination in Employment Act (ADEA) and related state laws. Plaintiffs’ attorneys are increasingly targeting these practices in sweeping class and collective actions. The speakers will highlight recent high-profile cases that reveal the hidden legal risks in recruiting, so attendees can advise their HR teams accordingly.

*Presenters:* John Gerak and Samuel H. Ottinger

4:50 – 5:45 p.m.

### **COCKTAIL RECEPTION**