

Presented by Ogletree Deakins'

PHILADELPHIA OFFICE

You're invited to an informative and educational briefing to address the latest labor and employment law topics impacting employers.



DATE

Thursday, September 21, 2023



TIME

8:30 – 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.)



LOCATION

Pyramid Club

1735 Market Street

52nd Floor

Philadelphia, PA 19103

(215) 567-6510



PARKING

Parking for the briefing is available at the following locations:

1700 Market Street

Sonesta Hotel

1800 Market Street

Philadelphia, PA 19103



REGISTRATION

Register online at www.ogletree.com, or contact Diane Waninger at (215) 995-2836 or diane.waninger@ogletree.com. To request an accommodation for a disability, please email accessibility@ogletree.com as soon as possible.

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

- 8:00 – 8:30 a.m. **REGISTRATION AND BREAKFAST**
- 8:30 – 8:35 a.m. **WELCOME**
Presenter: Donald D. Gamburg
- 8:35 – 9:35 a.m. **THE SUPREME COURT'S AFFIRMATIVE ACTION ADMISSIONS RULING—
RAMIFICATIONS FOR ALL EMPLOYERS**
The Supreme Court of the United States' ruling on the use of affirmative action in college admissions has major ramifications beyond the higher education setting and has already impacted employers with diversity, equity, and inclusion (DEI) programs, federal contractor obligations, and environmental, social, and governance (ESG) practices. This session will examine the case and provide guidance on actions employers should take to ensure their DEI practices are successful and compliant under federal and state laws. This session also will cover the backlash from the decision and examine increases in allegations that such programming is unlawful.
Presenter: T. Scott Kelly
- 9:35 – 10:20 a.m. **THE SUPREME COURT'S ENLIGHTENMENT: KEY TAKEAWAYS FROM GROFF AND ITS
IMPACT ON RELIGIOUS ACCOMMODATIONS**
In *Groff v. DeJoy*, the Supreme Court clarified the burden employers must show under Title VII of the Civil Rights Act of 1964 before they are relieved of the obligation to accommodate employees' religious accommodation requests. This ruling significantly alters the "de minimis" standard for evaluating whether an accommodation would constitute an undue hardship. And, more and more, accommodation requests involve employees who seek exemption from workplace policies in the name of religion. The speakers will provide key takeaways for employers and tips for analyzing religious accommodation requests going forward.
Presenters: Wayne E. Pinkstone and Emily P. W. Santoro
- 10:20 – 10:35 a.m. **BREAK**
- 10:35 – 11:30 a.m. **THE HANDBOOK PENDULUM SWINGS BACK**
The National Labor Relations Board (NLRB) has given increased scrutiny to employer rules and policies in non-union workplaces. The agency often finds that certain policies (even if never enforced) violate the National Labor Relations Act. This session will provide attendees with the tools they need to review their policies on matters ranging from disciplinary decisions to social media usage for compliance with the NLRB's aggressive interpretation of federal labor law. The speakers also will discuss best practices for revising handbooks to reduce risk.
Presenters: Donald D. Gamburg and Immon Shafiei
- 11:30 a.m. **ADJOURN**