

Presented by Ogletree Deakins'

NASHVILLE OFFICE

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



DATE

Tuesday, October 17, 2023



TIME

8:30 – 11:45 a.m.

(Registration and breakfast will begin at 8:00 a.m.)



COST

Complimentary



LOCATION

Hilton Nashville Downtown
121 Fourth Avenue South
Nashville, TN 37201
(615) 674-6522



REGISTRATION

Register online at www.ogletree.com, or contact Michele Scott at (615) 687-2226 or michele.scott@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 Tennessee CLE credit.

AGENDA

8:00 – 8:30 a.m.

REGISTRATION AND BREAKFAST

8:30 – 9:15 a.m.

IT'S COMPLICATED . . . UNDERSTANDING DATA PRIVACY, AI, AND CYBERSECURITY IN THE CURRENT WORKPLACE ENVIRONMENT

In today's rapidly evolving digital landscape, employers face unprecedented challenges and opportunities in complying with data privacy obligations, employee monitoring, and ensuring workplace security. The large numbers of remote workers, widespread collection of biometric data, and artificial intelligence (AI) usage have led to a myriad of privacy concerns with a sometimes confusing patchwork of overlapping state and federal laws. Additionally, data breaches have become more frequent and costly, making it even more essential for employers to understand data privacy laws and regulations. This presentation will provide a high-level overview of data privacy issues for employers and offer best practices on how to manage the corresponding risks.

Presenter: Benjamin W. Perry

9:15 – 10:00 a.m.

RELIGIOUS ACCOMMODATIONS IN THE WORKPLACE AFTER THE SUPREME COURT'S RULING IN *GROFF*: WHAT YOU NEED TO KNOW

In *Groff v. DeJoy*, the Supreme Court of the United States addressed the burden employers have under Title VII of the Civil Rights Act to show that a requested religious accommodation is an undue burden on the employer. The Supreme Court's unanimous ruling in *Groff* dramatically changes the "de minimis" standard previously applied and will require employers to rethink their processes for religious accommodations. This presentation will provide key takeaways for employers and tips for properly analyzing religious accommodation requests.

Presenters: El Shon Richmond and Jill Novak Dalrymple

10:00 – 10:15 a.m.

BREAK

10:15 – 11:00 a.m.

IT'S TIME TO UPDATE YOUR EMPLOYEE HANDBOOK AND RELATED POLICIES—HERE'S WHY . . .

Over the past several years, we have seen significant changes in the law on a national and state level, including the National Labor Relations Board's recent decision in *Stericycle, Inc.* Whether you are making sure that sexual orientation and transgender status are addressed as "protected classes" in your company's policies or just updating your organization's handbook to include required state or local content, there are likely several changes that need to be made to your employee handbook and related policies. This presentation will provide attendees with the thought processes they need to review their policies for compliance with federal and state law in both unionized and non-union workplaces. This presentation will also provide best practices for conducting handbook reviews.

Presenters: William S. Rutchow and Susan M. Gorey

11:00 – 11:45 a.m.

AFFIRMATIVE ACTION AND DEI AFTER THE SUPREME COURT'S RULING: SOME THINGS TO THINK ABOUT BUT DON'T OVERTHINK IT

The Supreme Court's ruling on the use of affirmative action in college admissions in the *Students for Fair Admissions* case has potential implications beyond the higher education setting. This presentation will provide guidance on actions employers should consider to ensure their policies governing affirmative action and diversity, equity, and inclusion (DEI) are successful and compliant under both federal and state laws. In addition, this presentation will answer some of the most common questions arising from the Supreme Court's decision and address questions from attendees.

Presenters: Luther Wright, Jr. and Benjamin P. Lemly