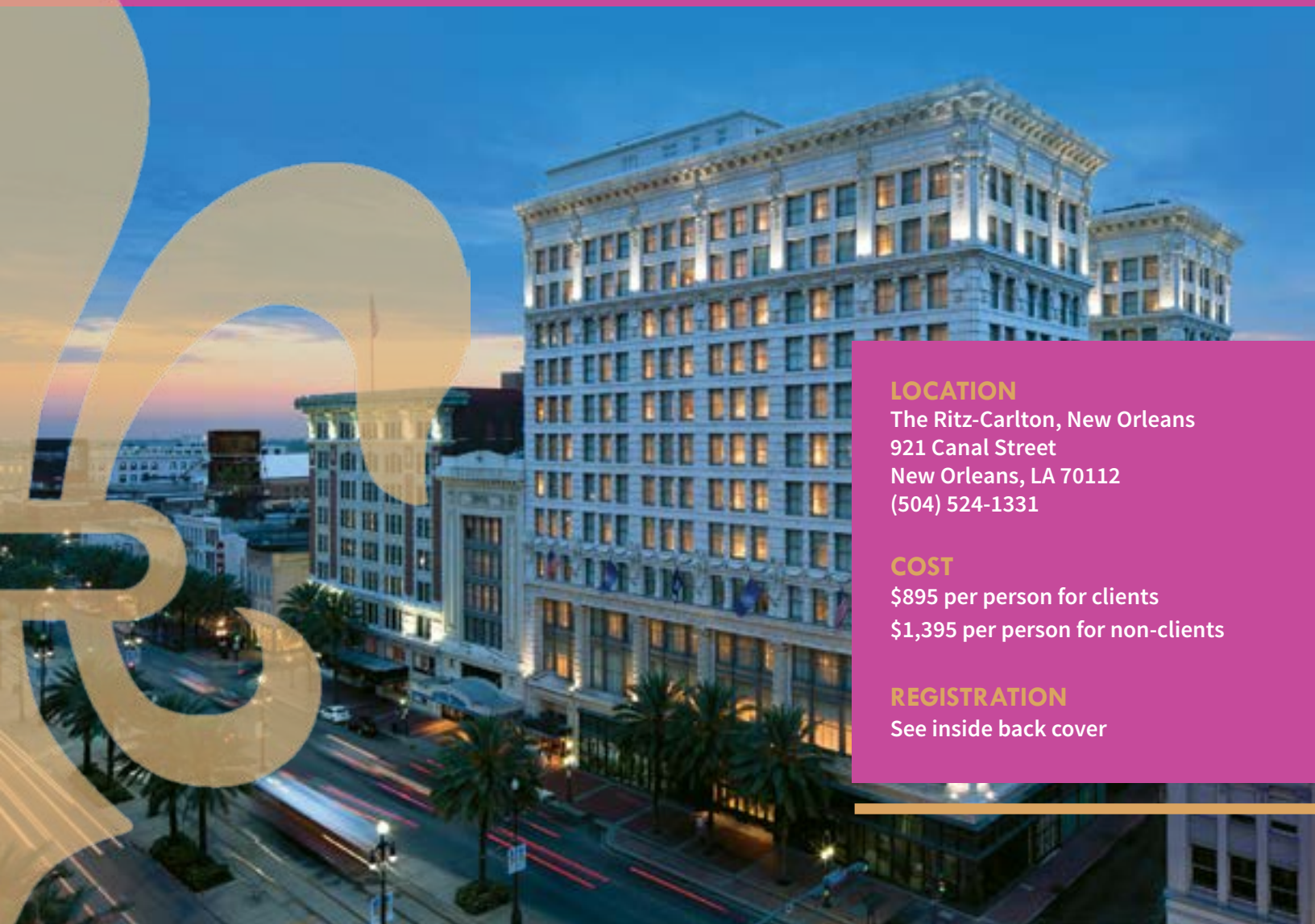
Ogletree Deakins | CORPORATE LABOR AND EMPLOYMENT COUNSEL EXCLUSIVE®

Join us for an intensive and interactive seminar focused on labor and employment law issues facing today's in-house counsel.

# THE RITZ-CARLTON NEW ORLEANS

## NOVEMBER | 13-16 | 2019



**LOCATION**
The Ritz-Carlton, New Orleans
921 Canal Street
New Orleans, LA 70112
(504) 524-1331

**COST**
$895 per person for clients
$1,395 per person for non-clients

**REGISTRATION**
See inside back cover

Ogletree Deakins Welcomes You to Our SEVENTH Annual

## CORPORATE LABOR AND EMPLOYMENT COUNSEL EXCLUSIVE SEMINAR

Ogletree Deakins | CORPORATE LABOR AND EMPLOYMENT COUNSEL EXCLUSIVE®

# WELCOME TO THE BIG EASY!

We are pleased to welcome everyone to New Orleans! With the historic French Quarter as a backdrop, The Ritz-Carlton, New Orleans provides an inviting venue for this year's program.

## WEDNESDAY | 11 | 13 | 2019

**6:30 – 9:00 p.m.**

### RECEPTION AND DINNER

**Ritz Courtyard and Library Lounge**

Join us for a relaxing start to the program with refreshments and dinner in the beautiful Ritz-Carlton courtyard, featuring delicious New Orleans cuisine and authentic Cajun music.

**8:00 – 8:45 a.m.**

**Registration and Breakfast**

**8:45 – 9:00 a.m.**

**Opening and Welcome—A Primer on New Orleans Culture and Lingo**
James M. McGrew (Atlanta) • Monique Gougisha Doucette (New Orleans)

**9:00 – 9:50 a.m.**

**20/20 Vision—A Look Ahead to 2020 and the Top Challenges for In-House Counsel**
Next year looks to be another busy year for labor and employment in-house counsel. In this session, we will peek ahead and identify 10 key issues to keep an eye on in 2020, from continued immigration enforcement to new overtime rules to whether Title VII of the Civil Rights Act protects sexual orientation. We'll take a glimpse into key statistics, trends, and developments for 2020—and, most important, how they impact your business.

*Moderator:* Bernard J. (Bud) Bobber (Milwaukee)

*Speakers:* Joseph T. Clees (Phoenix) • Katessa Charles Davis (Los Angeles) • Lara C. de Leon (San Antonio/Orange County)
Simone R.D. Francis (St. Thomas/New York City) • John Gerak (Cleveland)
Greg Guidry (Lafayette/New Orleans) • Bonnie Puckett (Atlanta) • Austin E. Smith (Denver) • Caroline Tang (Austin)

**9:50 – 10:30 a.m.**

**Innovations in Hiring: Neurodiverse Individuals, "Snaplications," and More**
Hiring employees continues to be a top priority and challenge for many employers, with heavy competition for talented employees. Some employers have made innovative moves to attract underemployed—but potentially highly effective—workers, including persons with autism and other neurodiverse individuals. Other employers have developed creative programs to attract older workers and former employees, or are focusing on mobile apps or even doing away with drug testing to entice applicants. Join this session to learn about cutting-edge approaches to bolster hiring efforts, while supporting an inclusive workforce.

*Moderator:* James M. McGrew (Atlanta)

*Speakers:* Elizabeth M. Ebanks (Richmond) • Anthony Pacilio, *Vice President, Autism at Work*, JPMorgan Chase & Co.
Liz S. Washko (Nashville)

**10:30 – 10:45 a.m.**

**Break**

**10:45 – 11:45 a.m.**

## BREAKOUT SESSIONS—SERIES 1

**1. Investigation Insights: Round 1—Starting Investigatory Interviews**
The goal of workplace investigations is to get to the truth, and careful planning and good interview techniques can help reach that goal. Professionals conducting interviews, however, may skip simple but important steps at the outset that can help maximize the effectiveness of the interview. This session will examine practical tips and considerations when planning for and beginning an investigatory interview.

*Speakers:* Deborah Hesford DosSantos, *Deputy General Counsel*, Beth Israel Lahey Health
Rodney A. Harrison (St. Louis) • Rachel Reingold Mandel (Boston/Stamford)

**2. If You "Leave" Me Now: Auditing Accommodation and Leave Policies and Practices**
In-house counsel face a constant challenge keeping up with federal, state, and—increasingly—local leaves of absence and reasonable accommodation developments. As part of that process, employers must continually review and revise leave policies and practices as laws change and evolve. In this session, our panelists will offer insights for auditing leaves and accommodations practices and policies, best practices for multi-state policy compliance, and tips on how to identify trouble spots.

*Speakers:* Tina M. Bengs (Chicago/Indianapolis/Valparaiso) • William E. Grob (Tampa)
Kim S. Magyar, *Associate General Counsel-Labor and Employment*, McLane Company, Inc.

**3. LGBTQIA+ Update: The Latest Developments**
A growing number of states have passed laws prohibiting discrimination on the basis of sexual orientation and gender identity. Federal circuits are split on whether Title VII of the Civil Rights Act prohibits sexual orientation discrimination, and the Supreme Court of the United States is finally set to address the issue. Some of the best-intentioned employers and employees struggle with how to comply with the varied laws and ordinances. This session will cover strategies for creating and maintaining an inclusive workforce and will provide an update on legal developments in this area.

*Speakers:* Ki'Jhana R. Friday, *Vice President & Associate General Counsel*, U.S. Anesthesia Partners
Kelly S. Hughes (Charlotte) • Adam T. Pankratz (Seattle)

**4. The Roller-Coaster Ride of Wage and Hour Developments**
This year has been another busy one for the U.S. Department of Labor in terms of new proposals. Practitioners have had to "work overtime" to keep up with the many new developments, including the new overtime regulations, joint employment issues, proposed regular rate requirements, and several new opinion letters. In addition, significant state and local law changes such as minimum wage increases and tip credits are scheduled to take effect on January 1, 2020. Our speakers will cover the top issues of which in-house counsel should be aware in 2020 and what employers can do now to prepare.

*Speakers:* Cynthia A. Bremer (Minneapolis) • Robert R. Roginson (Los Angeles)

**5. Social Media Detox: Rights and Responsibilities in the Oversharing Era**
Studies indicate that more than two-thirds of all U.S. employees are active on social media—and that 30 percent of employers have made a discharge decision based on employee misuse of the Internet. Employers must be cognizant of the legal implications related to workplace decisions when social media is involved. This session will cover when to use information garnered from social media to make proper workplace decisions, how to address harassment allegations, and claims of protected concerted activity under the National Labor Relations Act. The panel will use scenarios and discuss best practices for responding appropriately in order to minimize legal exposure.

*Speakers:* Rebecca J. Bennett (Cleveland) • C. Thomas Davis (Nashville) • John T. Merrell (Greenville)

**11:45 a.m. – 1:15 p.m.**

**LOUISIANA LAGNIAPPE! LUNCH AND COOKING DEMONSTRATION**

People in New Orleans are always talking about the next meal. Join us for a little lagniappe (Louisiana French for "something extra") during lunch as Chris Lynch, chef de cuisine of the world-famous Commander's Palace in New Orleans, cooks up a demonstration for attendees while we enjoy local fare.

Lagniappe!

**1:15 – 2:15 p.m.**

## BREAKOUT SESSIONS—SERIES 2

1. **Investigation Insights: Round 2—Concluding Investigatory Interviews**
   Properly wrapping up an employee interview during an investigation is critical, as leaving loose ends or wiggle room can potentially undermine the effectiveness of the investigation and the employer's conclusions. Join this session for a discussion of strategies for effectively concluding the workplace investigatory interview—which can be vital to getting all the facts required to make sound decisions.
   *Speakers:* Ashley Prickett Cuttino (Greenville) • Reginald Johnson, *SVP NA Field Human Resources & Chief Diversity Officer*, Signet Jewelers Ltd. • Stephen Shore (Toronto)

2. **Healing and Hope: Recognizing and Responding to Emotional Health Issues** *(One hour of CLE specialty credit for Professionalism, Substance Abuse, Addiction Issues, Elimination of Bias, or Mental Illness Awareness may be available)*
   As a follow-up to last year's popular "BAD (Burnout, Addiction, and Depression) Is Not Good for Your Legal Department," this year's session will further examine how in-house counsel can identify mental health issues and appropriately respond and assist when they or others in their organization are struggling with chronic or episodic depression, anxiety, addiction, or other related issues. Our panel will discuss how to recognize symptoms, seek help, and provide support—including one attorney's personal story of discovery, treatment, and recovery.
   *Speakers:* Dennis A. Davis, Ph.D. (Torrance) • Kelly S. Hughes (Charlotte) • Stephanie A. Smithey (Indianapolis)

3. **Seismic Shifts in California Employment Law—Avoid the Legal Earthquake**
   California continues to be the epicenter for groundbreaking laws that provide additional obligations for employers. This session will provide an update on the latest employment law developments from the Golden State, from mandatory female director representation on corporate boards and changing lactation accommodation requirements to restrictions on criminal history inquiries and expanded sexual harassment training obligations.
   *Speakers:* Betsy Johnson (Los Angeles) • Christopher W. Olmsted (San Diego)

4. **From Term Sheet to Close: The Life Cycle of an M&A Transaction**
   Whether a company is the buyer or the seller in an M&A transaction, there are many issues that in-house counsel need to consider to ensure the company is properly navigating the deal. Join this session for a discussion of top issues that arise during a transaction, from pre-transaction compliance steps to due diligence considerations to effective integration techniques. Our speakers will focus on the key ways in-house counsel can identify major issues, raise them to the appropriate parties, and still get the deal closed.
   *Speakers:* Carson G. Burnham (Boston) • Todd C. Duffield (Atlanta) • Bradley French, *Vice President of Legal, Deputy General Counsel*, Universal Forest Products, Inc. • Ruth Anne Collins Michels (Atlanta)

5. **Scans, Surveillance, and Scams—Top Privacy Developments**
   In-house counsel are constantly balancing the privacy interests of their companies and employees—and at the same time that technology makes it easier to collect data, recent court rulings and legislation expanding privacy rights are leading to increased litigation. Join this session for an update on the latest privacy developments, including the use of biometrics and technology-driven hiring tools, physical and electronic surveillance, data protection laws, and more. Our speakers will cover key risks, and how to avoid legal liability.
   *Speakers:* Thomas E. Deer (Chicago/Indianapolis) • Cécile Martin (Paris)
   Danielle Vanderzanden (Boston/Portland (ME))

**2:15 – 2:30 p.m.**

**Break**

**2:30 – 3:30 p.m.**

## BREAKOUT SESSIONS—SERIES 3

1. **Investigation Insights: Round 3—Government Investigations**
   Government investigations and audits in the labor and employment arena can take many different forms—from OSHA investigations following a workplace fatality to full wage and hour investigations, ICE investigations, and more. Join our panel to learn the legal rights employers have when faced with a federal or state investigation, steps to properly respond and avoid liability, how to protect against overzealous tactics, and strategies for effective resolution.
   *Speakers:* Tracy A. Miller (Phoenix) • Bernhard Mueller (Columbia) • Shontell Powell (Atlanta)
   David S. Rosner (Washington, D.C.)

2. **Beam Me Up, Scotty: Legal Issues When Employees Telecommute**
   Technology has made telecommuting possible, but remote work arrangements are not without risk. This session will address areas of potential liability for employers, including compliance with wage and hour laws, privacy and data security concerns—and even workplace safety issues. There are also ADA and Title VII implications, including whether working from home is a reasonable accommodation and whether telecommuting is offered only to certain categories of employees. Join our panel for a look at these and other issues and learn how to reap the benefit from remote work arrangements while minimizing exposure.
   *Speakers:* Michael H. Cramer (Chicago) • Ashley Herd, *SVP of People & Legal*, Modern Luxury
   Thomas M. McInerney (San Francisco)

3. **Termination at the Top: The Unique Challenges of C-Suite Terminations**
   The termination of corporate executives and high-level managers presents difficult challenges for in-house counsel. The decision to dismiss sometimes comes after an investigation of misconduct, while other times it follows a change in leadership or strategic direction. This session will address the many factors that can go into making a decision to terminate an executive; the complex legal and ethical issues surrounding the decision; separation pay issues under Sections 409A and 457(f) of the Internal Revenue Code; and the most effective ways to implement the decision to achieve the best outcome in a fraught situation.
   *Speakers:* Margaret H. Campbell (Atlanta) • Tamika A. Frimpong, *Vice President & Assistant General Counsel,* BorgWarner
   John A. Morrison (Atlanta/New York City)

4. **Equal Pay Is Here to Stay: Lessons From the Latest Litigation**
   Pay equity litigation is on the rise—so what lessons can in-house counsel learn from these cases? This session will cover recent equal pay litigation trends, including successful defenses, legislation and litigation related to the use of prior salary to justify salary differences, global developments in pay equity, and the increase in equal pay class actions. Our speakers will also address steps employers can take to improve hiring and compensation practices, as well as how to handle pay discrepancies.
   *Speakers:* Mark H. Burak (Boston) • Shafeeqa W. Giarratani (Austin) • Daniella McGuigan (London)

5. **Salt in the Wound: Workplace Injuries, Investigations, and Intertwining Laws**
   When an employee claims to have suffered a work-related injury or illness, the employer should—and often is obligated to—investigate. Additionally, a host of statutes are often in play, including federal and state workplace safety and health laws, the FMLA, the ADA, similar state statutes, and workers' compensation laws. Properly handling the intersection of these laws, and myriad rights and obligations for both the employer and employee, is challenging. Join this session for a discussion of strategies for investigation and risk mitigation.
   *Speakers:* J. Carin Burford (Birmingham) • Eric E. Hobbs (Milwaukee)

**3:30 – 3:45 p.m.**

**Break**

**3:45 – 4:45 p.m.**

**Map Madness: State and Local Law Compliance**
The wave of varied state and local employment laws continues to swell, as state legislatures and local governing bodies pass laws to fill a perceived void of federal legislation. The result is a patchwork of state and local laws with which in-house counsel must keep pace. Using maps as a reference, this session will guide attendees through key state and local differences.
*Moderator:* Jana S. Baker (Dallas)
*Speakers:* Margaret Carroll Alli (Detroit (Metro)) • Lisa Khoury Leszynski, *Senior Vice President and Senior Counsel*, KeyBank National Association • Charles E. McDonald, III (Greenville) • Michael D. Mitchell (Houston/Miami)

**4:45 p.m.**

**Closing Remarks**

**5:30 – 9:00 p.m.**

**FRENCH QUARTER FESTIVITIES!**
After a full day of programming, join us for a fun New Orleans-style second-line parade into the French Quarter for a reception featuring Joe Simon's Jazz Band, followed by a French- and Creole-inspired dinner at the historic Broussard's restaurant (circa 1920). This will be a true New Orleans experience you won't want to miss!

# FRIDAY | 11 | 15 | 2019

**7:30 – 8:30 a.m.**

**Breakfast**

**8:30 – 8:45 a.m.**

**Opening Remarks**
C. Matthew Keen (Raleigh)

**8:45 – 9:30 a.m.**

**In-House Counsel's Important Role in the Age of Artificial Intelligence**
Artificial intelligence (AI) is increasingly being used by businesses, sometimes altering jobs and career paths, including those in the legal department. The potential impact on in-house counsel (including predictions of a reduction in the need for counsel) requires an understanding of the threats and opportunities that AI presents. Join us for an interactive session about the future of AI and how in-house counsel can be an important part of the dialogue shaping how businesses use technological, as well as human, resources.

*Moderator:* Simon J. McMenemy (London)
*Speakers:* Rosamund Browne, *Senior Counsel, EMEA Employment Law Lead & UK Compliance Officer*, Infosys Limited
Nick Clements, *Director, Legal*, Lyft • Carolyn A. Knox (San Francisco)

**9:30 – 10:00 a.m.**

**When the Comfort Parrot Starts Cursing: ADA Accommodation Quandaries**
Many employers (and businesses) are seeing a dramatic increase in requests for once-unusual accommodations under the ADA—including a wide array of service and emotional support animals. Join us for a session that will cover complex and cutting-edge ADA issues, including best practices for handling both employee and customer requests for service and emotional support animals. Our speakers will also cover other accommodation requests that sometimes catch in-house counsel by surprise and explain how best to navigate them.

*Moderator:* Michael M. Shetterly (Greenville)
*Speakers:* James M. Paul (St. Louis) • Nonnie L. Shivers (Phoenix)

**10:00 – 10:15 a.m.**

**Break**

**10:15 – 11:15 a.m.**

## BREAKOUT SESSIONS—SERIES 4

### 1. Investigation Insights: Round 4—Global Investigations

Workplace investigations are challenging as is—each one potentially riddled with its own twists and turns. Yet when an investigation crosses borders, the challenges can multiply. Investigators must not only get to the truth, but also navigate conflicting cultural norms and values, language barriers, differing local laws, and more. This session will cover the unique cross-border investigation conundrums that may arise, and how in-house counsel can ensure the investigation is both legally sound and culturally appropriate.

*Speakers:* François Millet (Paris) • Diana J. Nehro (New York City/Boston)
Douglas Neu, *Group Vice President, Law*, Travelport • Pietro Straulino-Rodriguez (Mexico City)

### 2. Weed Out Disability Claims in Drug Testing

In-house counsel sometimes grapple with disability discrimination claims based on drug testing policies and practices. Medical marijuana laws—many of which require patients to have a verifiable disability—vary from state to state, making the risk of taking adverse employment action based on a failed drug test hazier than ever. Understanding and abiding by the legal protections regarding prescription drug use and addiction can challenge even the most seasoned in-house counsel. This session will provide best practices in this evolving—and sometimes contradictory—area of law.

*Speakers:* Michael K. Clarkson (Boston) • Rayna H. Jones (Phoenix)

### 3. All About Arbitration: Strategic Considerations and Key Developments

The Supreme Court of the United States ruled in 2018 that class action waivers in arbitration agreements are enforceable. On the other hand, several states have passed anti-arbitration and anti-confidentiality statutes, and a circuit court split has arisen on the key issue of third-party discovery. This session will address these and other developments, along with how they impact the strategic decision of whether to utilize arbitration agreements. The panel will also offer guidance based on recent experience with employment arbitration, and will provide an update on trends and tactics from the plaintiffs' bar.

*Speakers:* Elizabeth A. Falcone (Portland (OR)) • John G. Harrison (Nashville/Dallas)
Shannon Walpole, *Senior Counsel, Employment*, 24 Hour Fitness USA, Inc.

**4. OFCCP Enforcement—Check Your Assumptions at the Door**

The Office of Federal Contract Compliance Programs (OFCCP) continues to advance an aggressive enforcement agenda targeting covered federal contractors and subcontractors. While OFCCP continues to focus on hiring and compensation discrimination, the agency has also turned its attention to disability compliance and veterans' rights, and has proposed significant changes to the information it will seek in an audit. This session will examine recent and proposed changes to compliance obligations; discuss what to expect in audits, including how to deal with burdensome data requests; and provide best practices for defending and avoiding claims.

*Speakers:* T. Scott Kelly (Birmingham) • Keith McMurdy, *Legal Counsel*, Bloomberg L.P. • Leigh M. Nason (Columbia)

**5. Protecting Trade Secrets and Confidential Information in Today's Global Electronic Environment**

The old adage "knowledge is power" certainly rings true in the business world, where secret processes, confidential designs, and even a good customer list can give a business a vital commercial edge over its rivals. So what policies and procedures should employers consider to protect that information, especially in the digital age, when information is transferable anywhere in the world with the click of a button? This session will discuss best practices and tips for protecting trade secrets and confidential information and will provide examples to validate them to the company's decision-makers. We will also discuss how to maximize the chances of enforcing contractual provisions globally.

*Speakers:* Roger James (London) • Sharon P. Margello (Morristown)
David E. Metz, *Senior Counsel – Employment Law*, Walgreen Co. • Tobias E. Schlueter (Chicago)

**11:15 – 11:30 a.m.** **Break**

**11:30 – 12:30 p.m.**

## BREAKOUT SESSIONS—SERIES 5

**1. Investigation Insights: Round 5—Ethical Considerations** *(One hour of CLE ethics credit may be available)*

Workplace investigations present a plethora of ethical challenges for lawyers overseeing or conducting them. This session will focus on attorney-client privilege and social media concerns, plus various principles under the Rules of Professional Conduct, including conflicts of interest (Rule 1.7), truthfulness obligations (Rule 4.1), dealing with witnesses who may or may not be represented by counsel (Rule 4.2), and the lawyer as a witness (Rule 3.7).

*Speakers:* Paul Lancaster Adams (Philadelphia) • James Hanlon, *General Counsel & Company Secretary*, IKEA USA
Mark N. Mallery (New Orleans)

**2. Full Disclosure: The Latest Litany of Laws on Sexual Harassment**

From bans on mandatory arbitration of sexual harassment claims to mandatory disclosure of sexual harassment settlements to new training requirements, the next wave in the #MeToo movement appears to be a crop of state and local laws aimed at further combating sexual harassment in the workplace. These laws are being passed at a rapid pace, and they often result in new requirements and procedures for employers when handling harassment claims. Join this session for an update on the latest legislation and strategies for avoiding, managing, and resolving these claims in light of the new laws.

*Speakers:* Gregory J. Hare (Atlanta) • Danielle Ochs (San Francisco) • Kerri S. Reisdorff (Kansas City)

**3. Seeing the Big Picture in Big Cases: Data Analytics in Class Actions**

Class actions often come with severe potential consequences for employers. One way in-house counsel can assess exposure to class actions and respond to lawsuits is by using data analytics. From simplifying discovery and determining jurisdictional advantages to finding relevant cases and estimating damages, the strategic evaluation of data can help in-house counsel make well-reasoned decisions to limit class action liability. In this session, our speakers will provide best practices and offer innovative approaches to data analytics in class actions.

*Speakers:* Margaret Santen Hanrahan (Atlanta/Charlotte) • Evan R. Moses (Los Angeles)

**4. Finding a Win-Win: Religious Accommodation Requests in the Workplace**

The Equal Employment Opportunity Commission (EEOC) has filed a number of high-profile lawsuits and issued aggressive cause findings against employers for alleged failure to accommodate employees' religious beliefs. The presence of third-party religious advocacy organizations that seek to protect the rights of their members has also fueled litigation. This session will provide an overview of recent developments in this area, cover strategies for balancing employers' interests with those of their employees, and impart strategies for defending against EEOC demands and litigation.

*Speakers:* Deena Bailey, *Senior Lawyer*, Cargill Meat Solutions • Ruthie L. Goodboe (Detroit (Metro)/Pittsburgh)
Chris R. Pace (Kansas City)

**5. Business Immigration in Uncertain and Changing Times**

The Trump administration has made significant changes in the immigration system through the use of executive orders and policy changes. Sweeping changes are resulting in much uncertainty in the hiring and retention of foreign talent. Join us to discuss the current state of business immigration and what we can expect in the months ahead as well as strategies for dealing with the shifting landscape.

*Speakers:* David Comeaux, *Chief Counsel – Employment Law*, McKesson Corporation
Lee Gibbs Depret-Bixio (Columbia) • Stephen H. Smalley (Raleigh)

**12:30 – 1:45 p.m.**

**NETWORKING LUNCH**

Join us for a relaxing lunch to connect with colleagues and share experiences and ideas.

Joie de vivre

**1:45 – 2:00 p.m.**

**Break**

**2:00 – 3:00 p.m.**

## BREAKOUT SESSIONS—SERIES 6 (The Replay Sessions)

**During Breakout Series 6, we will repeat the following sessions from Breakout Series 1-5:**

1. **The Investigations Series: Pulling It All Together**
   In our investigations breakout series, we discussed starting and concluding investigations, dealing with global and government investigations, and key ethical considerations. In this "replay" session, we will pull together some of the top points and insights from the prior sessions for a fuller picture of the investigations process.
   *Speakers:* Stacy M. Bunck (Kansas City) • Gregg M. Lemley (St. Louis) • Amy M. Pocklington (Richmond)

2. **If You "Leave" Me Now: Auditing Accommodation and Leave Policies and Practices**
   In-house counsel face a constant challenge keeping up with federal, state, and—increasingly—local leaves of absence and reasonable accommodation developments. As part of that process, employers must continually review and revise leave policies and practices as laws change and evolve. In this session, our panelists will offer insights for auditing leaves and accommodations practices and policies, best practices for multi-state policy compliance, and tips on how to identify trouble spots.
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   Kim S. Magyar, *Associate General Counsel-Labor and Employment*, McLane Company, Inc.

3. **The Roller-Coaster Ride of Wage and Hour Developments**
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   *Speakers:* Cynthia A. Bremer (Minneapolis) • Robert R. Roginson (Los Angeles)

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   As a follow-up to last year's popular "BAD (Burnout, Addiction, and Depression) Is Not Good for Your Legal Department," this year's session will further examine how in-house counsel can identify mental health issues and appropriately respond and assist when they or others in their organization are struggling with chronic or episodic depression, anxiety, addiction, or other related issues. Our panel will discuss how to recognize symptoms, seek help, and provide support—including one attorney's personal story of discovery, treatment, and recovery.
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5. **Full Disclosure: The Latest Litany of Laws on Sexual Harassment**
   From bans on mandatory arbitration of sexual harassment claims to mandatory disclosure of sexual harassment settlements to new training requirements, the next wave in the #MeToo movement appears to be a crop of state and local laws aimed at further combating sexual harassment in the workplace. These laws are being passed at a rapid pace, and they often result in new requirements and procedures for employers when handling harassment claims. Join this session for an update on the latest legislation and strategies for avoiding, managing, and resolving these claims in light of the new laws.
   *Speakers:* Gregory J. Hare (Atlanta) • Danielle Ochs (San Francisco) • Kerri S. Reisdorff (Kansas City)

**3:00 – 3:15 p.m.**

**Break**

**3:15 – 4:00 p.m.**

**Enough Is Enough! When the Right to a Leave of Absence Finally Has Been Exhausted**

How much is too much? An employee's right to a leave of absence can sometimes seem never-ending, with family and medical leave, workers' compensation, reasonable accommodation, and state and local leave laws all imposing leave obligations. However, courts agree that at some point employers have the right to end a leave of absence. In this session, we will review complex leave scenarios based on current court trends and provide practical guidance as to when and how employers can appropriately bring leaves of absence to a close.

*Moderator:* Penny C. Wofford (Greenville)
*Speakers:* Jennifer L. Colvin (Chicago) • Bryant S. McFall (Dallas)
Brent Houk, *Employment Litigation Counsel*, United Parcel Service, Inc.

**4:00 – 4:45 p.m.**

**Pop Quiz—Corporate Labor and Employment Law Exclusive Style**

Before concluding the day, test your knowledge of topics covered during our seminar with a fun, informative, and fast-moving session covering challenging labor and employment law scenarios and issues!

*Moderator:* Joseph L. Beachboard (Torrance)
*Speakers:* Rodolfo R. (Fito) Agraz (Dallas/Raleigh) • Melissa A. Bailey (Washington, D.C.)
Dr. Ulrike Conradi (Berlin) • M. Kimberly Hodges (Memphis/Jackson)
Christopher E. Moore (New Orleans/Houston) • Jimmy F. Robinson, Jr. (Richmond)
Charles L. Thompson, IV (San Francisco) • Vince M. Verde (Orange County)

**4:45 p.m.**

**Special Drawing and Closing Remarks**

**5:00 – 7:00 p.m.**

**Reception—*Laissez Les Bons Temps Rouler***

Let the good times roll! Join us for our week-ending reception in the hotel's French Quarter Bar, followed by hosted dinners at many of New Orleans' top restaurants.

Laissez Les Bons Temps Rouler!

**8:00 – 9:00 a.m.** **Breakfast**

**9:00 – 10:00 a.m.**

**BEIGNETS AND *BELTWAY BUZZ***

What a couple of years it has been in Washington, D.C.: investigations, executive orders, and loads of acrimony and gridlock. Join our Washington "insider" as he gives his unique, bipartisan, and often humorous take on what has been happening in the Capitol, as well as what we can expect during the last year of President Trump's current term. He will even give his prognostications on the upcoming 2020 presidential and congressional elections.

*Speaker:* **James J. Plunkett** (Washington, D.C.)
former *Director of Labor Law Policy*, U.S. Chamber of Commerce

**10:00 – 10:15 a.m.** **Break**

**10:15 – 11:15 a.m.** BREAKOUT SESSIONS—SERIES 7

1. **Ethics Update: Who's the Client?** *(One hour of CLE ethics credit may be available)*
   In-house counsel's job is to represent the company, but sometimes the question of who is the client can get a bit muddled. Join us for a discussion of the ethical rules regarding dealing with unrepresented—and represented—employees, responding to requests for legal advice from company executives or their families, and more. Our speakers, including a former in-house counsel, will cover several of the Model Rules of Professional Conduct, including Rules 1.7, 1.13, and 4.2.
   *Speakers:* S. Rae Gross (Detroit (Metro)) • Frank L. Tobin (San Diego)

2. **Advanced Training for Today's Workplace**
   Corporate counsel are often responsible for reviewing and/or conducting management training—and ensuring that it is in compliance with legal requirements. But how do they keep the training engaging, instructive, and innovative? In this session, attorneys from Ogletree Deakins Learning Solutions will discuss creative, interactive training—polling, role playing, videos, webcasts, and more—for 2020 and beyond, including "must do" training topics.
   *Speakers:* Jacqueline R. Barrett (Philadelphia) • Timothy A. Garnett (St. Louis)

3. **Success Through Innovation and Knowledge Management**
   The ability to achieve legal department goals is rooted in our collective knowledge, experience, and ability to innovate. As the world's legal landscape evolves and companies face new business challenges, we must adapt and develop new strategies to answer the call. Join us for a look at innovative knowledge management and technology tools that can help deliver the quality, consistency, and efficiency that your legal department needs to succeed.
   *Speakers:* Charles B. Baldwin (Indianapolis) • Lance Lucey (Phoenix)

4. **Management Blind Spots: Getting Accurate Information About Your Workforce**
   Information that in-house counsel receive about their workforce—who is happy, who is not, which facilities may unionize, and which have excellent employee relations—may suffer from faulty supervisor assumptions. In order to have an accurate view of the workforce, in-house counsel need to ensure that business management teams correctly interpret information and truly understand behaviors that lead to union organizing or to positive employee relations. Join us for a session on mental shortcuts that can mislead your management team and how to avoid those pitfalls.
   *Speakers:* Jennifer G. Betts (Pittsburgh) • Matthew J. Kelley (Indianapolis)

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## REGISTRATION

Online: www.ogletree.com/our-programs
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## COST

$895 per person for clients
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## HOTEL RESERVATIONS

Hotel reservations at The Ritz-Carlton, New Orleans can be made by calling (800) 826-8987. To receive the Ogletree Deakins rate of $269 per night, please provide the group code "WGPWGPA" and the dates of the conference by October 23, 2019.

NOTE: Your credit card will be charged a minimum deposit of one night's room and tax at the time of reservation.

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## CLE

Up to 16.50 credit hours (including 2.00 ethics and 1.00 professionalism, substance abuse, addiction issues, elimination of bias, or mental illness awareness, depending on jurisdiction) for 60-minute jurisdictions, and 19.50 credit hours (including 2.40 ethics and 1.00 professionalism, substance abuse, addiction issues, elimination of bias, or mental illness awareness, depending on jurisdiction) for 50-minute jurisdictions will be requested for this program. Please note Alabama CLE credit is not available. Please email any CLE-related questions to cle@ogletree.com.

This program qualifies for both experienced and newly admitted attorneys. New York attorneys who need financial aid to attend may view the policy here: https://tinyurl.com/clefinancialaid.

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