

Ogletree Deakins is one of the largest labor and employment law firms representing management in all types of employmentrelated legal matters.

We have 53 offices across the United States and in Europe, Canada, and Mexico, including an office in Austin, Texas.

www.ogletree.com

Ogletree WORKPLACE
Deakins STRATEGIES



Welcome From Our Managing Shareholder

I am pleased to invite you to Ogletree Deakins' 2020 Workplace Strategies seminar, which will be held May 13–16, in Austin, Texas. I sincerely hope you can join us for our outstanding annual employment law seminar for senior-level human resources professionals and in-house counsel.

This brochure includes a detailed agenda for the seminar and the special events associated with it. As the brochure shows, we have another great program in store for 2020—with over 70 sessions and 175 speakers (including special guest speakers).

We are once again giving back to the community through our support of a local nonprofit organization. This year, we are proud and excited to support the Andy Roddick Foundation, an Austin-based nonprofit organization that offers after-school and summer activities designed to expand opportunities for disadvantaged children to learn, thrive, and succeed. You will hear more about the Andy Roddick Foundation during our Homer Deakins Service Award presentation on Friday, May 15.

Workplace Strategies 2020 will be held at the JW Marriott Austin, which is located in the heart of downtown Austin. Registrations are rapidly filling up, and we expect the program to sell out quickly—so please make plans to join us soon.

Over the last three decades, this seminar and its associated events have allowed us to consistently provide our clients and friends with the latest information, trends, and strategies affecting the employer community. We will continue that important tradition this May in Austin—and we look forward to having you with us.

Sincerely,

C. Matthew Keen, Managing Shareholder, Ogletree Deakins

Chords Multer Eag

10:00 a.m.

Registration Opens

Noon – 1:30 p.m.

LUNCH AND SPECIAL PRESENTATION: How Far Women Have Come in 100 Years

Victoria DeFrancesco Soto, Assistant Dean for Civic Engagement, The University of Texas at Austin, **Lyndon B. Johnson School of Public Affairs**

The 19th Amendment granted women the right to vote in 1920—one hundred years ago. Over the past century, women have come a long way both at the ballot box and in the workforce—but not all the way. Employers are a key part of the equation, as many are addressing pay equity, flexible work arrangements, and more, to diminish the remaining gender disparities in our society. Join our keynote welcome speaker, Victoria DeFrancesco Soto, as she discusses the paths women have taken—and where we are headed.

Welcome by: Kerri S. Reisdorff (Kansas City) Introduction by: Charles A. Gonzalez (San Antonio)

(Sponsored by Ogletree Deakins Women's Initiative (ODWIN))

1:30 - 2:00 p.m.

Break

2:00 - 5:00 p.m.

PRE-CONFERENCE IMMERSION SESSIONS

1. Conducting Workplace Investigations Like Sherlock Holmes

Ascertaining the truth—the goal of every workplace investigation—is often much easier said than done. This immersion session will cover best practices, key strategies, and common pitfalls in conducting workplace investigations, including effective interview techniques, tactics for gathering facts, and tips for reporting findings to management and following up with key players. Learn from real-world scenarios that will prepare you to conduct your next investigation like a pro.

Moderator: Amy M. Pocklington (Richmond)

Speakers: Patrick M. Collins (New York City) • Joni L. Gaudes, Vice President and General Counsel,

ASICS America Corporation • Christian J. Keeney (Orange County)

2. Don't "Leave" Your Policies Behind: Accommodation and Leave Best Practices

From PSL to FMLA, the alphabet soup of leave-related acronyms continues to challenge employers, especially given the increasing number of laws regarding leaves of absence and reasonable accommodation at the federal, state, and local levels. To keep up, employers must continually ensure that their leave policies and practices are compliant as the laws evolve. Join this session for a practical update on the latest leave-related developments, tips for auditing your policies on leaves and accommodations, and best practices for multistate compliance.

Moderator: Michael M. Shetterly (Greenville)

James M. Barrett (Portland (OR)) • Tina M. Bengs (Chicago/Indianapolis) Speakers:

Charles L. Thompson, IV (San Francisco)

3. Your Dispute Is Headed to Trial—Now What?

Settlement negotiations have failed and summary judgment has been denied—and now the case must be tried. What should you expect? Because so few cases go to trial, many HR and legal professionals do not have extensive experience with how trials unfold and how juries react to certain facts. In this interactive session, participants will engage in a mock employment trial—from hearing the facts of the dispute to seeing key documentary evidence to deliberating and reaching a verdict. The session will conclude with a discussion highlighting the key takeaways.

Moderator: Vince M. Verde (Orange County)

Cara F. Barrick (San Francisco) • Gary D. Eisenstat (Dallas)

Simone R.D. Francis (St. Thomas/New York City) • Dan R. Gallipeau, Ph.D., President,

Dispute Dynamics, Inc. • Hal A. Shillingstad (Minneapolis)





4. Exasperating Employees: Discipline and Discharge Workshop

Terminating the employment of underperforming workers is an essential tool for an organization to ensure it has the best people in the right positions. Yet, a botched termination can be a gateway to litigation if not properly planned and implemented. In this presentation, attendees will learn practical tips for disciplining and discharging employees the right way.

Moderator: Adam T. Dougherty (Dallas)

Speakers: Tracie L. Childs (San Diego) • Katherine Dudley Helms (Columbia) • Phillip A. Kilgore (Greenville)

Sean C. Urich (Dallas)

5. Tried and True: Management Training in a New Era

Employees expect more from management training in 2020—from innovative and engaging training techniques to compliance with an ever-growing number of state laws requiring mandatory training on topics such as harassment. In this session, attorneys from Ogletree Deakins Learning Solutions™ will discuss creative, interactive training methods for 2020 and beyond, including a review of the latest state and local laws related to mandatory training.

Moderator: Timothy A. Garnett (St. Louis)

Speakers: John C. Artz (Pittsburgh) • Jacqueline R. Barrett (Philadelphia) • Stephen J. Quezada (Houston)

6. Overtime Overload (and More): Recent Wage and Hour Developments

Wage and hour developments continue to weigh heavily on employers—from federal changes such as the new overtime rules to a spate of state and local laws related to minimum wage and predictive scheduling. Compliance with these varying requirements can mean an overhaul of existing models and practices, and may create challenges for employers managing workforces in multiple jurisdictions. This session will provide tools and resources for creating and implementing compliant policies, as well as offer guidance for handling investigations and responding to enforcement charges.

Moderator: Diane M. Saunders (Boston)

Speakers: Elizabeth A. Falcone (Portland (OR)) • Tibor Nagy Jr. (Tucson/Phoenix)

Alfred B. Robinson, Jr. (Washington, D.C.)

6:00 p.m.

CHARITY RECEPTION: KEEP AUSTIN WEIRD

Join us for a special evening celebrating the uniqueness of Austin while keeping it weird. By attending, you will be supporting the Andy Roddick Foundation, an Austin-based nonprofit organization that offers after-school and summer activities designed to expand the opportunities for disadvantaged children to learn, thrive, and succeed.



THURSDAY 05/14/20

7:00 – 8:30 a.m. Registration and Breakfast

7:30 – 8:15 a.m. Pre-Conference Special Briefings

Topics, which will address the very latest labor and employment law developments, will be announced

approximately two weeks prior to the program.

8:30 – 8:45 a.m. Welcome to Austin!

C. Matthew Keen, Managing Shareholder (Raleigh) • Shafeeqa W. Giarratani (Austin)

8:45 – 9:00 a.m. Workplace Strategies 2020—Everything You Need to Know

Joseph L. Beachboard, *Program Moderator* (Torrance)

9:00 – 9:45 a.m. "Headline News"—Key Developments Impacting Employers

It's the start of a new decade—and employers seem to have more on their plates than ever before, with pay equity developments, labor updates, immigration uncertainty, global changes, and trendsetting state statutes, to name just a few. Join our panelists for a summary of the latest developments—and the ways

they are impacting employers!

Moderator: Joseph L. Beachboard (Torrance)

Speakers: Hugh A. Christie (Toronto) • C. Thomas Davis (Nashville) • Anthony J. DeCristoforo (Sacramento)

Elizabeth M. Ebanks (Richmond) • Michael Oliver Eckard (Charleston/Atlanta)
Roger James (London) • Anne E. Larson (Chicago) • Jacquelyn P. Maroney (Austin)
Charles E. McDonald, III (Greenville) • Michael D. Mitchell (Houston/Miami)
James J. Murphy (Washington, D.C.) • James J. Plunkett (Washington, D.C.)
Stephanie A. Smithey (Indianapolis) • Elizabeth M. Soveranez (Phoenix)

9:45 - 10:15 a.m.

KEYNOTE POLICYMAKER PERSPECTIVE: Eye on the EEOC Janet Dhillon, Chair, U.S. Equal Employment Opportunity Commission



Join our keynote speaker, EEOC Chair Janet Dhillon, as she offers valuable insights on the latest updates from the federal agency and highlights key areas of interest for employers. You won't want to miss an inside look into this key agency for employers.

Introduction by: Paul Lancaster Adams (Philadelphia)

10:15 – 10:45 a.m. Harassment Today: Where Change Has (and Has Not) Happened

While "he said, she said" has turned into "he said, she said and she said and she said" as a result of the #MeToo movement, the law regarding proving a harassment (or retaliation) claim has stayed the same. But that doesn't mean litigation-related issues haven't changed. Our panel will discuss the most significant developments in harassment and retaliation claims and prevention, from "Weinstein clauses" to new laws limiting nondisclosure agreements to shifts in corporate culture. The speakers will also examine the impact of increased media attention, Hollywood harassment trials, best-selling books, and Oscar-nominated movies.

Moderator: Peter O. Hughes (Morristown)

Speakers: Margaret H. Campbell (Atlanta) • Eva W. Turner (Dallas) • Leslie E. Wallis (Los Angeles)

10:45 – 11:15 a.m. Break

11:15 a.m. - Noon BREAKOUT SESSIONS—SERIES 1

1. Smoke Signals: Managing Marijuana Issues in the Workplace

Marijuana-related litigation is on the rise, and state legislation on medical and recreational marijuana is rapidly expanding. The huge increase in CBD products and vaping has added to the tangled drug-testing web. This interactive workshop will provide an update on recent developments by walking attendees through several factual scenarios and offering guidance and best practices on statutory compliance, disability discrimination and accommodation issues, workplace safety concerns, and business-centric solutions.

Moderator: Michael K. Clarkson (Boston)

Speakers: Patricia A. Matias (Orange County) • M. Tae Phillips (Birmingham)



2. California Crash Course: Employment Law Compliance Peculiarities in the Golden State

Keeping up with changes in California employment law can seem like a full-time job. Join this session for an overview of some of the most important differences between California's employment laws and those of other states, including variations in wage and hour laws; leave of absence administration and entitlement; the duty to provide reasonable accommodations; EEO and anti-harassment policies; and training requirements. California-based and non-California-based employers alike will gain critical information that will allow them to recognize employment issues affecting their California workforces.

Moderator: Douglas J. Farmer (San Francisco)

Speakers: Betsy Johnson (Los Angeles) • Christopher W. Olmsted (San Diego)

3. From B(oomers) to X, Y, and Z: Managing Legal and Cultural Trends in the Workplace

Employment laws, the workforce, and the workplace are constantly changing. Meanwhile, employers are constantly seeking to mitigate legal risk while pursuing proactive strategies to recruit and retain talent. This session will explore a number of factors that are influencing and impacting today's workplace, including bringing together multiple generations with differing expectations and outlooks, identifying emerging trends concerning contractor/freelancer relationships, addressing the impact of the gig economy and gig mentality on the traditional workforce, and dealing with the impact of new technologies in the workplace.

Moderator: Frank Birchfield (New York City)

Speaker: William E. Grob (Tampa) • Lisa C. Hamasaki (San Francisco)

4. The End of "Ambush"? What Has—And Has Not—Slowed Down With "Quickie" Union Elections

The NLRB recently revised—and reversed—important provisions contained in its 2014 "ambush" election regulations. These modifications are critical for employers responding to—and employees making decisions about—union election petitions. Join us for a session featuring insights into emerging organizing trends, the new rules, and how these changes might impact employer strategies regarding union campaigns. Our speakers will highlight key aspects of the new rules, including changes in pre-election hearings, statements of position, post-hearing briefs, election timing, voter lists, and more.

Moderator: Rodolfo R. Agraz (Dallas/Raleigh)

Speakers: Daniel Adlong, Senior Director Labor Relations, Sysco • Maria Anastas (Los Angeles)

David Rittof, President and CEO, Modern Management, Inc.

5. Litigation Wish List: What Your Employment Counsel Is Hoping to See in Your Documentation

From employment applications and offer letters to performance documentation and termination notices—and everything in between—employment lawyers and HR professionals agree that good documentation is critical when it comes to minimizing litigation risk. This session will discuss best strategies for systematically improving the quality of documentation to maximize legal compliance and minimize risk. We will look at five case studies in which proper documentation would have made the difference between a good case and a bad case—or winning and losing.

Moderator: Burton D. Garland, Jr. (St. Louis)

Speakers: Victor F. Albert (Oklahoma City) • Caren Skversky Marlowe (Tampa)

6. You Can Handle the Truth: Tips and Techniques for Investigation Interviews

Careful planning and preparation, good interviewing, and properly wrapping up an investigation are all critical steps that can help workplace investigators get to the truth. In this session, our speakers will walk attendees through important tips, considerations, and pitfalls that can help employers maximize the effectiveness of their investigatory interviews, and confidently share the results and/or make disciplinary decisions.

Moderator: Ashley Prickett Cuttino (Greenville)

Speakers: Blake Barnes, Senior Counsel, Employment Litigation, Microsoft • Neil V. McKittrick (Boston)

7. One for All, and All for One: Crafting Unified Policies for Multistate Compliance

For multistate employers, keeping up with the swell of state and local employment laws continues to be immensely challenging, and keeping policies and practices compliant across state lines is becoming more and more difficult. In this session, our speakers will cover the latest trends in state and local legislation, as well as whether employers should consider adopting one unified policy or individual state policies. Attendees will leave with practical knowledge for multistate compliance as well as a series of color-coded maps covering various state laws, from marijuana to minimum wage to background checks.

Moderator: Marc L. Zaken (Stamford)

Speakers: Jana S. Baker (Dallas) • William L. Duda (Columbia)

8. Depo Download: Prepping for the Toughest Employment Law Deposition Questions

It's no secret that an unprepared or uncooperative witness can derail an employment case. This presentation will look at some of the most common—and most challenging—deposition questions faced by managers and HR personnel, and outline strategies for preparing for and answering them to minimize risk.

Moderator: Bruce G. Hearey (Cleveland)

Speakers: Michael H. Bell (Denver/Dallas) • Katherine G. Rigby (Boston)





Noon - 1:30 p.m.

LUNCH AND KEYNOTE ADDRESS: Preparing for the Uncertain Political Road Ahead



Michael Steele, Former Republican National Committee Chair and MSNBC Political Analyst

As a frequent political commentator at MSNBC and former Republican National Committee Chair, Michael Steele is relied upon for his keen insights on the top issues of the current election season—from the policies that resonate with voters to the fight for battleground states to the politics driving the race for the White House. An expert on political strategy, fundraising, PACs, and election reform, Steele will share his views on the increasingly polarizing 2020 presidential election and its potential impact on the employer community.

Introduction by: John Gerak (Cleveland)

1:30 - 1:45 p.m.

Break

1:45 - 2:30 p.m.

BREAKOUT SESSIONS-SERIES 2

1. "My Favorite Mistake"—Perspectives From the Plaintiffs' Bar

Back by popular demand, this session will provide a close-up look at how successful plaintiffs' attorneys view workplace litigation. A panel of well-known Austin plaintiffs' employment lawyers will explain what they look for in the cases they choose to pursue, describe common mistakes employers make, and share tips on how to avoid being their next target. Bring your questions!

Moderator: Derek T. Rollins (Austin)

Speakers: Emily Frost, Frost Domel PLLC • John F. Melton, The Melton Law Firm

Kell A. Simon, Law Offices of Kell A. Simon

2. All About Accommodations: Emerging Issues Under the ADA and Similar Laws

The EEOC and courts are increasingly focusing their analysis of disability bias claims on how employers satisfy their obligation to provide reasonable accommodations. And, with ADA claims officially surpassing race discrimination claims in 2018 (based on the number of charges filed with the EEOC), the need to understand emerging accommodation issues is essential for legal compliance. In this session, our speakers will cover cutting-edge accommodation issues and strategies for navigating them.

Moderator: Michael J. Sexton (Orange County)

Speakers: Lucas J. Asper (Greenville) • Nonnie L. Shivers (Phoenix)

3. Where Zero Tolerance Fails in Creating Respectful Global Workplaces

For decades, many multinational companies have used the term "zero tolerance" to convey a strong anti-harassment stance. However, in light of recent events and the increase in reports and investigations of harassment, is this concept actually undermining the ultimate goal of maintaining a respectful workplace? In a global context, language barriers, cultural norms, and country-specific legal restrictions can complicate the zero tolerance concept. Join us to revisit this term in the policy and investigation context. Our speakers will highlight unintended consequences, identify risks when used internationally, and explore alternative solutions.

Moderator: Carolyn A. Knox (San Francisco)

Speakers: Bonnie Puckett (Atlanta) • Rachel Roy, Director and Assistant General Counsel, Employment—

Americas Lead, VMware • Stephen Shore (Toronto)



4. What's the Verdict? How Jurors' Views of Employment Litigation Can Help Employers Make Better Decisions

Why should employers go through an actual (and arduous) jury trial in order to learn what processes they must improve? This presentation, which synthesizes years of lessons learned from jury trial employment cases, will allow employers to benefit from 20/20 hindsight. For example, juries often perceive flaws in HR processes and decision-making that employers did not see coming. The speakers will impart important takeaways to help employers make better decisions and stop potential lawsuits in their tracks.

Moderator: Spencer C. Skeen (San Diego)

Speakers: Rebecca J. Bennett (Cleveland) • Keith E. Kopplin (Milwaukee)

5. Title III Update: Website Accessibility, Gift Cards, Service Animals, and More

In 2019, the number of lawsuits filed in federal courts involving website and app accessibility soared. Other issues at the forefront include the use of service animals and a recent spate of lawsuits related to whether gift cards without braille violate Title III of the ADA. Businesses can expect to see more claims and more creative theories of recovery in 2020. This session will provide insight into the legal theories behind the claims, litigation trends, and how to defend and prevent these lawsuits.

Moderator: David Raizman (Los Angeles)

Speakers: Caroline Larsen (Phoenix) • Amber L. Roller (Los Angeles)

6. Punch and Counterpunch: Mass Arbitrations, State Laws, and Class Action Waivers

Since the Supreme Court's *Epic Systems* decision, employers have adopted arbitration agreements and class action waivers in record numbers. Class action advocates have responded with tactics such as the coordinated filing of large numbers of individual claims, the passage of anti-arbitration statutes in California and other states, and lobbying for federal legislation to limit arbitration. This session will review the status of recently passed and proposed anti-arbitration legislation, strategies for responding to mass arbitrations, recommended changes to existing arbitration agreements, and other suggestions for dealing with these new challenges.

Moderator: John G. Harrison (Nashville/Dallas)

Speakers: Christopher C. Murray (Indianapolis) • Jennifer L. Santa Maria (San Diego)

7. Innovation and Inclusion—Scoring Success With Both

Diversity and inclusion (D&I) drives innovation and is central to the success of the modern workplace. This session will cover the creation, implementation, and management of D&I programs, including conducting thorough analyses of diversity data and identifying meaningful metrics and benchmarks. Our panel will also discuss the importance of D&I training for boards, managers, and employees, how to tackle EEO policy and practice development, and litigation avoidance.

Moderator: Jimmy F. Robinson, Jr. (Richmond)

Speakers: Kimya S.P. Johnson (Philadelphia) • Suzanne L. Martin (Las Vegas)

8. What the Hack? Keeping Your Company Safe and Compliant in a Cloud-Based World

Protecting your business from cybersecurity-related liability remains a top priority, but with everything seemingly only a click away, what are the best ways to do so? This session will review the current status of data privacy laws, from the California Consumer Privacy Act and various state statutes to other privacy laws around the world. Our speakers will also cover the top ways to protect data in a world where companies routinely use artificial intelligence, biometric information, and other types of confidential personnel information to comply with wage and hour laws, pay equity obligations, leave statutes, and other EEO mandates.

Moderator: Grant D. Petersen (Tampa)

Speaker: Simon J. McMenemy (London) • Danielle Vanderzanden (Boston/Portland (ME))

2:30 – 2:45 p.m. Room Change





2:45 - 3:30 p.m.

BREAKOUT SESSIONS-SERIES 3

1. Join the Fray: Joint-Employer Status in Flux

Different laws define "joint employer," and—ironically, for something about joining different entities—they do not always work well together. Finding a path through the maze is important. These differing definitions may leave employers on the hook for unpaid wages, unexpected collective bargaining obligations, unanticipated misclassification problems, contingent labor challenges, and litigation woes. Join us for a session that will cover recent updates to the joint-employer rules issued by the DOL, EEOC, and NLRB, along with guidance for executing a joint-employer strategy that makes sense.

Moderator: Bryant S. McFall (Dallas)

Speakers: James J. Murphy (Washington, D.C.) • James J. Plunkett (Washington, D.C.)

Elizabeth M. Soveranez (Phoenix)

2. Recruiting for Physically Demanding Jobs: The Benefits and Pitfalls of Physical Abilities Tests

When screening applicants for physically demanding jobs, employers are eager to use physical abilities tests (PATs) to determine who has the requisite physical skills and to reduce workplace injuries. However, multimillion-dollar PAT-related settlements suggest that these tests continue to face legal challenges. This session will explore the various types of PATs, the guidelines for validating and implementing them, and steps to defend their continued use.

Moderator: James C. Pennington (Birmingham)

Speakers: Sam R. Fulkerson (Oklahoma City) • Sarah Smith Kuehnel (Tampa/St. Louis)

3. Keeping (Trade) Secrets in an Increasingly Connected World

Social media can be both friend and foe to employers—and the law is just beginning to catch up to the fast-paced world of technology. Because employers are increasingly using social media in hiring, during employment, and even post-employment, it is more important than ever that they understand the potential risks that social media presents to their confidential and proprietary information and trade secrets. During this session, we will explore these issues in detail and discuss the latest U.S. and global developments under the National Labor Relations Act, the Defend Trade Secrets Act, and case law.

Moderator: John T. Merrell (Greenville)

Speakers: Michael Comartin (Toronto) • Sharon P. Margello (Morristown)

4. Your Seat at the Table: The Employment Law Issues of Most Concern to Your CEO and Board of Directors

A key role for any board of directors is to provide strategic oversight of the company's brand reputation and its stability. This interactive session will focus on top labor and employment issues that, if not proactively addressed, can quickly erode even a strong brand. Attendees will have the opportunity to benchmark and share ideas to help develop approaches, messaging, and solutions.

Moderator: Christopher E. Moore (New Orleans)

Speakers: Patrick F. Clark (Atlanta) • Penny C. Wofford (Greenville)

5. Risk and Right-Sizing: How to Keep Everything From Going Wrong

Recent years of economic growth may have eliminated the need for many HR professionals and in-house counsel to deal with reductions-in-force (RIFs). However, recent developments suggest companies may soon be facing a downturn that could necessitate restructuring and headcount reductions. Our panel will focus on maintaining objectivity in selection criteria, compliance with the WARN Act and its state equivalents, preparation of separation agreements, potential alternatives to RIFs, and appropriate messaging to employees.

Moderator: David J.B. Froiland (Milwaukee)

Speakers: Ruth Anne Collins Michels (Atlanta) • Stephen R. Woods (Greenville)



6. Hold On to Your Hard Hat—OSHA, Workplace Violence, and Workplace Injuries

Our panel of experienced workplace safety professionals will cover the myriad issues that can arise with workplace injuries, illnesses, and violence—from obligations under the OSH Act and other state plans to workers' compensation and associated leaves of absence to drug testing and emergency response. This interactive session will involve attendees in decision-making based on hypothetical scenarios. Hot topics will include citations for failure to report, workplace violence, drug testing and legalized marijuana, and heat stress.

Moderator: Phillip B. Russell (Tampa)

Speakers: Kevin D. Bland (Orange County) • Dee Anna D. Hays (Tampa)

7. Benefits Boot Camp: Everything You Need to Know

Specifically designed for those who don't focus primarily on benefits or who need a refresher, this session will take a deep dive into key employee benefits issues as well as the top risk areas. Topics will include retirement plans, health and welfare plans, and executive and deferred compensation.

Moderator: Stephanie A. Smithey (Indianapolis)

Speakers: Eric D. Penkert (Greenville) • Timothy G. Verrall (Houston)

5 8. Mark That Privileged? Understanding and Applying the Attorney-Client Privilege

This presentation will address the unique attorney-client privilege issues that arise in the context of in-house legal departments. Courts closely scrutinize the assertion of privilege by corporate counsel and have set a high bar for maintaining privileged communications. Our panel will share best practices for maintaining the attorney-client privilege, with particular emphasis on the use of third-party independent contractors in the corporate environment.

Moderator: Erika L. Leonard (Austin)

Speakers: A. Craig Cleland (Atlanta) • Tevis Marshall (Richmond)

3:30 – 3:45 p.m. Break

3:45 – 4:15 p.m. The "Techplace" of Today and the Future: Looking Ahead to Avoid Falling Behind

Every workplace is a "techplace." This creates myriad issues, from the use of technology in hiring to artificial intelligence to an increase in gig workers. Perhaps most fundamentally, how "work" is defined and the skills that the workforce needs are rapidly evolving. In addition to identifying trends and changes on the horizon, this session will provide practical insights on the key labor and employment issues that HR and legal leaders must understand to seize the opportunities that the future of work presents—while staying legally compliant.

Moderator: Grant D. Petersen (Tampa)

Speakers: Jennifer G. Betts (Pittsburgh) • Ashley Hileman, Senior Attorney, Argo AI • Danielle Ochs (San Francisco)

4:15 – 4:45 p.m. Live HR!

Inspired by the hit television show *Live PD*, this session will guide attendees through several challenging HR scenarios from around the country—"live"! Our commentators will review what went right—and wrong—in these scenarios, and share tips and best practices for handling common HR issues such as investigations, discrimination, leaves of absence, and more.

Moderator: Wade M. Fricke (Cleveland)

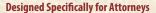
Speakers: Melissa A. Bailey (Washington, D.C.) • Anthony L. Martin (Las Vegas)

4:45 – 5:00 p.m. Closing Remarks and First Prize Drawing

5:00 – 7:00 p.m. IT'S HAPPY HOUR—AUSTIN STYLE!

Join us for a lively Austin-style reception after a full day of informative presentations. You will enjoy local cuisine in a fun atmosphere sure to jump-start your night on the town.







7:00 – 8:30 a.m. E

Breakfast

7:30 - 8:15 a.m.

"EARLY BIRD" SESSIONS

1. Texas Tune-Up: Tips to Keep Your Workplace Running Smoothly

Just as a tune-up for your car can help avoid costly repairs in the future, a tune-up for your Texas workplace policies may help avoid disruptions and costly litigation. This session will provide tips for effective handbook review and an update on recent developments affecting employers in Texas. Topics will include wage and hour requirements and the trend toward enacting state and local laws governing leaves of absence and accommodation. Join this session to learn how routine maintenance can help your workplace run smoothly and keep the warning light from coming on.

Moderator: Bruce A. Griggs (Austin)

Speakers: Merritt B. Chastain, III (Houston) • Lawrence D. Smith (San Antonio)

2. Parenting Plus: Pregnancy, Lactation, Adoption, and Leaves

From parental leave to lactation accommodation, employers are now considering more options for new parents and parents-to-be. And with more states broadening protections for pregnant employees and nursing mothers, now is the time for employers to assess their policies to ensure that they appropriately address accommodation and leave situations involving both parents and parents-to-be. This session will explore the latest laws and trends, with an eye on recent litigation under Title VII, the Equal Pay Act, and the Pregnancy Discrimination Act.

Moderator: Carolyn A. Russell (Houston)

Speakers: Katherine A. Manuel (Chicago) • Robert M. Shea (Boston)

3. All In: What Poker, Game Theory, and Behavioral Economics Can Teach Us About Negotiation and Litigation Strategies

Litigation and negotiation strategies are often compared to those used in chess, but poker is a far more apt analogy. Deceptively simple on its face, poker utilizes concepts drawn from game theory and behavioral economics such as range analysis, risk aversion, and the identification of tells. All of these are directly applicable to strategy in both the courtroom and the boardroom. This session will provide insights drawn from the world of poker that can be put into practice for better-negotiated outcomes.

Moderator: Andrew E. Tanick (Minneapolis)

Speakers: Michael L. Matula (Kansas City) • Robert R. Niccolini (Washington, D.C.)

4. OFCCP Past and Future: Distilling the Developments of 2019 and What's to Come in 2020

The Office of Federal Contract Compliance Programs (OFCCP) was successful in obtaining several multimillion-dollar pay and hiring settlements during the last fiscal year. Further, the agency continues to roll out new initiatives, including an emphasis on focused compliance reviews of disability, veterans, and promotion efforts. This annual recap of "all things OFCCP" will explore the significance of OFCCP's settlements and compliance review methodology, as well as the agency's continued commitment to transparency, certainty, efficiency, and recognition.

Moderator: Margaret S. Lopez (Washington, D.C.)

Speaker: T. Scott Kelly (Birmingham) • James A. Patton, Jr. (Birmingham)

5. Discrimination and Compliant Policies in a Changing World

Recent state laws such as those banning discrimination based on hairstyle highlight the need for employers to consider reviewing and updating antidiscrimination and grooming/appearance policies in their employee handbooks. In this session, our panel will cover the latest nondiscrimination provisions as well as the growing movement to align culturally inclusive practices with legal protections.

Moderator: Timothy C. Kamin (Milwaukee)

Speakers: Deepa N. Subramanian (Atlanta) • Aaron Warshaw (New York City)

6. Unpacking USERRA: Leave and Reinstatement Issues for Uniformed Service Members

Complying with USERRA is both immensely important and challenging—from managing often lengthy leaves of absence to handling return-to-work issues. In addition, military veterans may introduce both physical and emotional disabilities into the workplace. This session will address employees' and employers' rights and obligations under USERRA, and explore scenarios to demonstrate how USERRA applies in a broad variety of situations.

Moderator: Matthew K. Johnson (Greenville)

Speakers: D. Michael Henthorne (Columbia) • Gretchen M. Lehman (Tampa)



7. Defusing M&A Landmines: Adding Value to HR Due Diligence, Integration, and Harmonizing Workforces in Global Transactions

Join our panel for a discussion of how to best address employment transfers, asset deals, TUPE transactions, and legal restrictions when adding a global workforce to an existing organization. This session will focus on practical steps for identifying material issues early on and developing solutions to enable a new workforce to hit the ground running on day one.

Moderator: Carson G. Burnham (Boston)

Speakers: Kevin J. Kinney (Milwaukee) • Nicolas Peixoto (Paris)

8. PEOs, Staffing, and Secondment: Increasing Business Efficiencies While Mitigating Risk

Before utilizing professional employer organizations (PEOs) or other staffing and secondment arrangements, it is critical that employers determine whether one of these relationships would benefit their organizations. In this session, our speakers will analyze the pros and cons and provide action items to help employers find the right business fit, facilitate positive economic efficiencies, determine the specific items of import for the business culture, and identify liability risk tolerance.

Moderator: Todd J. Kaiser (Indianapolis)

Speakers: Tracy A. Miller (Phoenix) • Jennifer Monrose Moore (Tampa)

8:30 - 8:45 a.m.

DAY TWO CONFERENCE KICKOFF

Homer L. Deakins, Jr., Chairman Emeritus (Atlanta)

8:45 - 9:00 a.m.

PRESENTATION OF THE HOMER DEAKINS SERVICE AWARD

Recipient: Andy Esparza, Board Member, Andy Roddick Foundation





9:00 - 9:30 a.m.



KEYNOTE POLICYMAKER PERSPECTIVE: NLRB News to Know

John F. Ring, Chair, National Labor Relations Board

The NLRB remains very active under the current administration and has recently issued a number of significant decisions that will affect many employers. During his keynote presentation, Chair John F. Ring will provide an update from the Board, discuss recent cases, and share his perspectives on other key developments.

Introduction by: Brian E. Hayes (Washington, D.C.)

Interviewed by: Ruthie L. Goodboe (Pittsburgh/Detroit (Metro))

9:30 - 10:15 a.m.

Panel Discussion: The Rise of Employee Activism

The U.S. workplace has experienced a noticeable increase in employee activism. Usually, this conduct takes the classic form of a union-directed strike over wages and benefits. However, we may have glimpsed the future, as white-collar workers have staged mass walkouts or engaged in petitioning, with the goal of impacting the company's position on social issues. Is this collective activity something to fear, or does it provide insight into issues of employee concern that employers can address openly? This session will explore rising employee activism and how to manage that conduct proactively, positively, and lawfully.

Moderator: Margaret Carroll Alli (Detroit (Metro))

Speakers: Bernard J. Bobber (Milwaukee) • Mark G. Kisicki (Phoenix) • Amie E. Nolan-Needham,

Assistant General Counsel Labor Relations and Employment, General Motors Company

Robyn Ruderman, Director, Corporate Counsel, Labor and Employment, Starbucks Coffee Company

10:15 – 10:45 a.m. Break

10:45 – 11:30 a.m.

BREAKOUT SESSIONS-SERIES 4

1. The Conversation Continues: Q&A With the NLRB Chair

The discussion with NLRB Chair John F. Ring will continue in a smaller setting. Gain further insight into what is happening at the Board—and what changes may come—in this informative session. Our panel will also shed light on how the Board is reacting to—and spurring—some of the rapid changes occurring in the labor landscape. Bring your questions!

Moderator: Jacqueline M. Damm (Portland (OR))

Speakers: Brian E. Hayes (Washington, D.C.) • John F. Ring, Chair, National Labor Relations Board

2. From Pay to Z: Keeping Pace With the Evolution of Pay Equity in the Workplace

From class action lawsuits to federal and state legislation banning salary history inquiries, it's clear that pay equity remains top of mind for employers. But what are the latest issues, and how can companies stay ahead of the curve in order to retain talent and develop engaged, high-performing workforces? This session will focus on handling internal complaints such as how to investigate, what to share with the complainant, and how to remediate without creating liability; using best practices regarding pay practices and procedures; conducting pay audits; and communicating changes to employees.

Moderator: Chris R. Pace (Kansas City)

Speakers: Brooke Johnson, SVP, General Counsel, Ivanti • Sarah J. Platt (Milwaukee)

Liz S. Washko (Nashville)

3. The Classification Conundrums Continue: Keeping Up With Independent Contractor Developments

This session will update attendees on recent significant developments related to independent contractors, including state laws related to independent contractor classification and the favorable developments at the DOL and NLRB. Our speakers will also discuss lessons learned from litigation and investigations, as well as provide an outline of best practices that companies can use to have the best shot at defending their models.

Moderator: Greg Guidry (Lafayette/New Orleans)

Speakers: Margaret Santen Hanrahan (Charlotte/Atlanta) • Kevin P. Hishta (Atlanta)

4. Getting It Right With Global Mobility

Having the appropriate talent at the right place is essential to the success of a global company. Managing a successful global mobility assignment requires developing a comprehensive strategy and limiting the potential liability exposure arising from having employees spread around the globe. This session will discuss best practices for structuring the employment relationship, as well as issues regarding immigration, tax and employee benefits, assignment/employment terminations, and executive compensation.

Moderator: Diana J. Nehro (New York City/Boston)

Speakers: Dr. Ulrike Conradi (Berlin) • Michael K. Mahoney (Morristown) • Bernhard Mueller (Columbia)

5. Hot Topics in Diversity and Inclusion

Courts, lawmakers, and organizations all across the country are passing laws and implementing policies to ensure a more diverse and inclusive workplace. This session will highlight new laws, including hair discrimination laws and LGBTQ-focused cases pending before the Supreme Court of the United States, as well as discuss strategies regarding diverse recruiting and affinity groups. Our speakers will also provide practical guidance on implementing legally compliant policies to support the ever-evolving legal landscape.

Moderator: Shafeeqa W. Giarratani (Austin)

Speakers: Adam T. Pankratz (Seattle) • Ellen Toth (Cleveland)



6. What a Tangled Web They Weave: Managing Active Wage and Hour Collective Action Litigation

There are many "side effects" of FLSA collective action litigation that employers may not anticipate until it happens to them. In this engaging and practical panel discussion, seasoned practitioners will address best practices for timing versus staging big changes and anticipating the litigation effects; how to address workplace misconduct or noncompliance that comes to light during litigation; and the aftermath of a misclassification suit when employees seem to prefer the (pre-litigation) status quo to the (post-litigation) alternatives, or when reclassification is impossible.

Moderator: Robert R. Roginson (Los Angeles)

Speakers: Alexander M. Chemers (Los Angeles) • Colleen G. DeRosa (Chicago)

7. Identifying and Managing Employees With Substance Abuse Issues

Identifying employees with substance abuse issues before they hurt themselves or others and then determining how to handle them are two of the most vexing tasks employers face today. Walking the minefield of drug testing (and now marijuana) laws, avoiding liability for failing to maintain a safe workplace, dealing with prescription drug use under the ADA, mitigating workers' compensation liability for alcohol and other drug-related work injuries, managing leaves of absence by abusers, and figuring out whether, when, and how to accommodate them can confound even the most seasoned HR professionals. This presentation will help attendees anticipate and address these and other conundrums.

Moderator: Eric E. Hobbs (Milwaukee)

Speakers: Rayna H. Jones (Phoenix) • Shontell Powell (Atlanta)

8. (Un)separation of Church and the Conference Room: From Accommodation to Embracing Religious Diversity in the Workplace

While most Americans hold some form of religious belief, most employers have gone to great lengths to eradicate any hint of religion from the office out of fear that an employee will be offended by an offhand remark or a seemingly harmless holiday party. This session will equip employers to tackle the issue of religion head on through a review of the latest legal developments on discrimination and accommodation, as well as recommended policies, procedures, and best practices for avoiding liability. This session will also review the unique (and lawful) approach of a growing number of employers that are openly embracing religion as part of their missions.

Moderator: Gregory J. Hare (Atlanta)

Speakers: Christopher J. Meister (Phoenix) • Tiffany Cox Stacy (San Antonio)

11:30 – 11:45 a.m. Room Change

11:45 a.m. – 12:30 p.m. **BREAKOUT SESSIONS—SERIES 5**

1. Maintaining Core Values in Times of Crisis

Employers spend thousands of dollars and hours developing core values that guide their companies. So, why, in times of crisis, do they sometimes forget those values and make decisions contrary to them? This session will present a unique case study on how an institution turned a \$500 termination decision into a million-dollar problem, and will explore how to get top-to-bottom buy-in of value-based decision making in your organization.

Moderator: Leah S. Freed (Phoenix)

Speakers: Charles E. Engeman (St. Thomas) • Scott James Preston (Indianapolis)

2. New Challenges After #MeToo: Navigating Workplace Gender Sensitivity Issues

Social science suggests that some men are now afraid of being unfairly accused of engaging in inappropriate behavior, especially with the common use of "zero-tolerance" workplace policies. As a result, some workplaces may experience a #MeToo backlash of sorts—such as not hiring attractive young women and not engaging in mentoring relationships with women. These behaviors can be detrimental to the goal of gender equality in the workplace. In this interactive session, our speakers will address how employers can effectively address the behaviors that resulted in the #MeToo movement while also creating gender harmony in the workplace.

Moderator: Hardy R. Murphy (Los Angeles)

Speakers: Mark H. Burak (Boston/Portland (ME)) • Trina Ricketts (Kansas City)

3. Labor Landscape Shake-Up: What the New Rulings Mean for Employers

A lot has changed in the world of labor, with a series of far-reaching decisions from the NLRB and new legislation. This session will cover it all—from dues checkoff changes after the expiration of a collective bargaining agreement to confidentiality during investigations to new limits on employees' ability to use their employers' email systems to the impact of the USMCA. Join us to learn about the latest rulings affecting the workplace, including the status of joint-employer liability and profane language as protected concerted activity, and useful information about what we might expect in the near future.

Moderator: Thomas M. Stanek (Phoenix)

Speakers: Patrice Baker, VP, Associate General Counsel, Flagstar Bank

Ursula A. Kienbaum (Portland (OR)) • Pietro Straulino-Rodriguez (Mexico City)

4. Ogletree On Call: Helping Employers Solve Their Workplace Woes

Do you love advice columns? Do you ever wish you could anonymously ask your labor and employment counsel a question about a challenging issue in your company? Here's your chance! Back by popular demand, this entertaining and educational session will allow attendees to pose questions in advance, and our panel will provide their insights on these topics, from the weird to the complex.

Moderator: Jennifer L. Colvin (Chicago)

Speakers: Jennifer S. Rusie (Nashville) • Roger G. Trim (Denver)

5. Managing Employees After the Whistle Blows—And Recognizing the Claim in the First Place

You are gearing up to administer a seemingly routine performance improvement plan or termination when the employee in question unexpectedly makes a whistleblower complaint. What should you do now? Using hypothetical scenarios, this session will explore where to go from here, including recognizing a whistleblower claim, deciding who investigates and how, making a record, responding to the claim, and whether, when, and how you can move forward.

Moderator: William S. Rutchow (Nashville)

Speakers: Judith Caliman, Senior Counsel – Employment Litigation, FCA US LLC

Donald D. Gamburg (Philadelphia) • S. Rae Gross (Detroit (Metro))



6. Ensuring Compliance in an Era of Interagency Cooperation: The Intersection of Immigration and Employment Law

In today's challenging immigration enforcement environment, it is more important than ever that employers understand the intersection of immigration and employment law—and how to align their business strategies with the changing regulations and enforcement activities by federal government agencies. This session will cover common employment scenarios that implicate immigration issues—from onboarding to sponsorship—and how employers can manage them appropriately and avoid risk.

Moderator: Thomas E. Deer (Chicago/Indianapolis)

Speakers: Rose Jennings, Director – Employment Law and Corporate Ethics, AMD

Jennifer Shapiro, Executive Director and Assistant General Counsel, JPMorgan Chase

Caroline Tang (Austin)

7. Using Our Eyes and Ears: Recognizing Potential Workplace Violence

In most workplaces, employees are told, "If you see something, say something." While this is a great slogan, do your employees know what behaviors should be reported? This session will detail the risk factors and warning signs of violence that you and your employees need to know, as well as steps to take if those warning signs are present.

Moderator: Brandon M. Shelton (Charlotte/Indianapolis)

Speakers: J. Carin Burford (Birmingham) • Luther Wright, Jr. (Nashville)

8. Hurdles, Roadblocks, and Deal-Breakers: Understanding the Impact of Compensation and Benefits on Business Transactions

Benefits and executive compensation issues can create significant challenges that impact the economic and human relations aspects of any business transaction. Whether you are a potential buyer or a potential seller, it is important to understand how to identify, evaluate, and resolve these challenges. Our speakers will share steps for preparing for a future transaction, questions to ask when assessing a business opportunity, and strategies for navigating benefits and compensation issues that threaten to disrupt a deal.

Moderator: Catherine R. Reese (Indianapolis)

Speakers: John A. Morrison (Atlanta/New York City) • Jason A. Rothman (Cleveland)

12:30 – 12:45 p.m. BREAK

12:45 – 1:30 p.m. "LUNCH WITH THE LAWYERS"

1:30 – 2:00 p.m. Pardon the Interruption!—Workplace Strategies Style

With so many sessions to choose from, you can't attend them all. So we've asked speakers from the most popular sessions to provide highlights and key takeaways from their programs—all while on a shot clock. This presentation is guaranteed to be fast-paced, fun, and interesting!

Moderator: Joseph T. Clees (Phoenix)

2:00 – 2:30 p.m.

FINDING COMMON GROUND: Civility as the Key to Workplace Harmony

Daryl Davis, Race Relations Expert, Author, Actor, and Musician

Increasing inclusiveness (and addressing other issues of diversity) is a critical focus area for employers in 2020. But to achieve workplace civility, we must recognize that missed opportunities for dialogue result in lost opportunities to minimize conflict. Daryl Davis—author, actor, and musician—has taken a unique and inspiring path to improve race relations by communicating with those with whom we differ and establishing a common ground among adversaries. Join this insightful and thought-provoking session for lessons on how to embrace diversity and promote civility by gaining perspective and knowledge of others' views and beliefs.

Introduction by: Dennis A. Davis, Ph.D. (Torrance)

2:30 – 2:45 p.m. Main Conference Closing and Grand Prize Drawing



3:15 - 4:45 p.m.

POST-CONFERENCE SPECIAL SESSIONS

1. Top 10 Employment Policies Every Company Should Consider

Sound employment policies are critically important for any business—from preserving at-will employment status to protecting the company in the event of litigation. This session will cover 10 of the most important policies every employer should consider, including EEO and anti-retaliation, violence awareness and prevention, social media, use of employer equipment and communications, drug and alcohol use, and more.

Moderator: Gregg M. Lemley (St. Louis)

Stacy M. Bunck (Kansas City) • Janice G. Dubler (Philadelphia) Speakers:

Laurence A. Shapero (Seattle)

2. Protecting Your Company From Onboarding to Offboarding: Best Practices in a **Global Marketplace**

Losing a key employee—one who knows business secrets and has cultivated many customer relationships—to a competitor can cause substantial damage to a business. In this session, our speakers will examine steps businesses can take to protect themselves, both at the start and end of employment. This session will also consider the international ramifications when enforcement is required against a former employee who is no longer in the United States.

Moderator: Tobias E. Schlueter (Chicago)

Patrick M. Curran, Jr. (Boston) • Lucie Guimond (Montréal) Speakers:

Christine Bestor Townsend (Milwaukee/Chicago)

3. "Reel" Ethics for In-House Counsel (Ethics CLE credit may be available)

Join this always-popular session for an entertaining look at challenging ethical situations through film and television. Topics will include representing organizational clients, avoiding conflicts of interest, and protecting privilege. Attendees will apply the principles they view on film to learn how to tackle these ethical dilemmas in the real world.

Moderator: Michael R. Buchanan (Dallas)

Johnnie A. James (Los Angeles) • Frank L. Tobin (San Diego) Speakers:



4. Modernizing Your Immigration Processes: A Customized Approach to I-9 Compliance

Because of the automation and mobilization of business, companies are facing the challenge of keeping up with workforce trends while staying compliant with immigration laws. Each employer is different, and certain modern methods might not apply. Similarly, government agencies are still heavily paper-based, and they conduct investigations and interviews in person. This session will cover best practices for assessing and using E-Verify and I-9 software, avoiding pitfalls when onboarding remote employees, automated compliance posting and recordkeeping, and more.

Moderator: Lisa Stephanian Burton (Boston)

Speakers: Ceridwen J. Koski (Denver) • Stephen H. Smalley (Raleigh)

5. HR Toolbox: The Fast Track to Growing an Employment Law-Savvy HR Professional

The scenario goes like this: As a senior HR leader, you have identified a high-potential junior HR team member. Unfortunately, you may have too much on your plate or an insufficient mix of tasks to keep junior team members engaged or even to retain them. This session will provide experienced HR professionals with the tools and knowledge they need to develop that junior team member into a well-rounded HR professional. Our speakers will cover some of the key employment law topics that are essential for sophisticated HR professionals and provide specific examples of ways to develop and mentor rising stars.

Moderator: Christopher P. Hammon (Miami)

Speakers: Patti-Ann Audia, Corporate Counsel, Aisin Holdings of America, Inc.

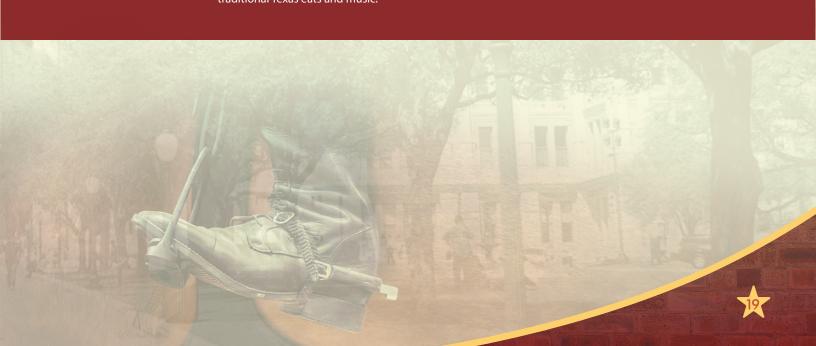
Bonnie L. Martin (Indianapolis)

5:00 - 7:00 p.m.

BOOTS AND BBQ—TEXAS-STYLE RECEPTION (Sponsored by Ogletree Deakins Compliance Solutions)

Wrap up the week with a special reception featuring traditional Texas eats and music!





SATURDAY MORNING WILL BE DEDICATED TO PRINCIPLES OF WELLNESS, FROM A BUSINESS, PROFESSIONAL, AND PERSONAL STANDPOINT.

Breakfast (featuring an assortment of healthy options to start your day off right)

PERSONAL WELLNESS

For those interested in beginning the day with a few minutes of self-care, we will offer several 20-minute sessions. The sessions will include the following:

- Mindfulness for Beginners **Breathing Techniques**
- **Advanced Mindfulness** Tips for Decreasing Stress in Your Personal and Professional Life

8:30 - 9:30 a.m.

7:30 - 8:30 a.m.

8:00 - 8:20 a.m.

WELLNESS: Healthy Practices Are Good Business

Chuck Gillespie, Executive Director/CEO, National Wellness Institute

Wellness is not just about making employees feel better; studies suggest that workplaces with a culture of supporting worker wellness actually outperform other organizations. Specifically, wellness-friendly employers have more satisfied and engaged employees, which translates into a better retention rate, fewer sick days taken, a more productive workforce, and a measurable impact on the bottom line. So wellness is not just good for your employees, it's good for business. This lively and engaging presentation will explore the many benefits of wellness and self-care, and provide a road map for implementing a successful program in your workplace or improving your current program.

Introduction by: Andre' B. Caldwell (Oklahoma City)

9:30 - 9:45 a.m.

Break

9:45 - 11:00 a.m.

SATURDAY MORNING SESSIONS

Wellness, Burnout, and the Workplace—The Legal Side
Causes of action are increasingly being pursued based upon work affecting employee well-being. In Europe, depression, anxiety, burnout, and "bore-out" are widely considered occupational health hazards for which employers are held liable. In Japan, the phenomenon of karoshi (being worked to death) has led employees to seek damages against their employers for failing to provide a safe and proper working environment. The World Health Organization recently updated its definition of "burnout" to describe it as an "occupational phenomenon." Join us as we identify practical tips for reducing employers' legal risks related to emerging employment law theories.

M. Kimberly Hodges (Memphis/Jackson) • Michael D. Thomas (Los Angeles) Speakers:

2. Resilient Lawyers Do Things Differently—Why That's Good for Your Legal Department (Ethics or other specialty CLE credit may available)

Being able to adapt to an environment that is constantly changing, such as the practice of law, requires a capacity for growth under stress and the ability to think flexibly—in other words, to be resilient. Many companies now recognize resilience as an important leadership characteristic, one that adds value to legal departments while increasing ethical behavior. This session will address methods for developing resilience, and for linking resilience with the ethical behavior required of lawyers.

Speakers: Maria Greco Danaher (Pittsburgh) • Kelly S. Hughes (Charlotte) Dawn Ross, Associate General Counsel, RAND Corporation

3. Better Together (Again): New Tips for Honing Harmonious Relations Between Legal and HR Join us for a new iteration of last year's popular session about forging a strong working bond between HR professionals and in-house counsel. This year's workshop will focus on ways HR and legal can better align so that as they focus on their own unique challenges, they never inadvertently undermine each other and instead contribute to meeting each other's goals. Attendees will learn tips for understanding, communicating effectively, and working together to reduce risk and improve the workplace.

Speakers: Natalie N. Turner (Atlanta) • Timothy A. Wolfe (Chicago)

4. So Long, Five-Day Workweek? The Latest on Alternative Work Schedules, Remote Workers, and More More and more employers are offering their employees flexible working arrangements such as remote work and four-day workweeks. While these arrangements can raise a host of employment law issues, many employers have found that they can also lead to greater productivity, higher employee satisfaction, and increased retention. Join this session to learn more about the benefits of flexwork and for an update on other trends that may combat burnout and give your company a competitive advantage, including holding fewer, shorter, and smaller meetings, and using collaborative chat channels.

Natalie M. Stevens (Cleveland) • John G. Stretton (Stamford) Speakers:



Our Special Guest Speakers



Daryl Davis
Race Relations Expert, Author,
Actor, and Musician



Victoria DeFrancesco Soto
Assistant Dean for Civic Engagement
The University of Texas at Austin
Lyndon B. Johnson School of Public Affairs



Janet Dhillon
Chair
U.S. Equal Employment Opportunity
Commission



Michael Steele Former Republican National Committee Chair and MSNBC Political Analyst



Chuck Gillespie
Executive Director/CEO
National Wellness Institute



John F. Ring *Chair*National Labor Relations Board

Daniel Adlong Senior Director Labor Relations Sysco

Patti-Ann Audia Corporate Counsel Aisin Holdings of America, Inc.

Patrice Baker VP, Associate General Counsel Flagstar Bank

Blake Barnes Senior Counsel, Employment Litigation Microsoft

Judith Caliman
Senior Counsel – Employment Litigation
FCA US LLC

Emily Frost Frost Domel PLLC

Dan R. Gallipeau, Ph.D. *President*Dispute Dynamics, Inc.

Joni L. Gaudes Vice President and General Counsel ASICS America Corporation

Ashley Hileman Senior Attorney Argo Al

Rose Jennings Director – Employment Law and Corporate Ethics AMD Brooke Johnson SVP, General Counsel Ivanti

John F. Melton The Melton Law Firm

Amie E. Nolan-Needham
Assistant General Counsel Labor Relations and Employment
General Motors Company

David RittofPresident and CEO

Modern Management, Inc.

Dawn RossAssociate General Counsel
RAND Corporation

Rachel Roy
Director and Assistant General Counsel,
Employment—Americas Lead
VMware

Robyn Ruderman
Director, Corporate Counsel, Labor and Employment
Starbucks Coffee Company

Jennifer Shapiro *Executive Director and Assistant General Counsel*JPMorgan Chase

Kell A. Simon Law Offices of Kell A. Simon

PROGRAM HIGHLIGHTS



ANDY RODDICK FOUNDATION

The Andy Roddick Foundation is an Austin-based nonprofit organization that offers after-school and summer activities designed to expand opportunities for young people to learn, thrive, and succeed. These award-winning programs engage children in underserved communities with high quality and enriching experiences in literacy, STEM, art, and sports in the after-school hours and during the summer, times when statistics show children are most at risk of falling behind.

Wednesday, May 13, 2020 Charity Reception: Keep Austin Weird

Join us for a special evening celebrating the uniqueness of Austin while keeping it weird. By attending, you will be supporting the Andy Roddick Foundation, an Austin-based nonprofit organization that offers after-school and summer activities designed to expand opportunities for disadvantaged children to learn, thrive, and succeed.



Thursday, May 14, 2020 It's Happy Hour—Austin Style!

Join us for a lively Austin-style reception after a full day of informative presentations. You will enjoy local cuisine in a fun atmosphere sure to jump-start your night on the town.

Friday, May 15, 2020 Homer Deakins Service Award

Each year, Ogletree Deakins presents the Homer Deakins Service Award to recognize a person or group of people who, through selflessness and courageous action, have dedicated themselves to helping and inspiring others, demonstrating the true spirit of giving. In 2020, this award will be presented to Andy Esparza for his work on behalf of Central Texas children through the Andy Roddick Foundation, which provides disadvantaged students with educational and stimulating after-school and summer programs focused on closing the educational achievement gap. Andy has served as a founding director, advocate, and driving force as the foundation has grown to become a national leader in essential out-of-school programming. Our 2020 Homer Deakins Service Award recipient will be honored in a presentation on Friday morning.



Friday, May 15, 2020 Boots and BBQ—Texas-Style Reception

(Sponsored by Ogletree Deakins Compliance Solutions)

Wrap up the week with a special reception featuring traditional Texas eats and music!



Ogletree Deakins Compliance Solutions COMPLIANCE MEETS CONVENIENCE



DETAILED REGISTRATION INFORMATION

Dates

May 13-16, 2020

Pre-Conference Immersion Sessions (May 13) Post-Conference Saturday Sessions (May 16)

Location

JW Marriott Austin 110 East 2nd Street Austin, TX 78701 512-474-4777 (General inquiries) 888-236-2427 (Reservations)

Cost

\$995 per person for clients of the firm \$1,495 per person for all others

(includes breakfasts, lunches, pre- and postconference activities, receptions, and extensive program materials)

Group Rates

Contact us for information regarding special group rates.

Please let us know if you require any special meals, services, or accommodations.

Hotel Reservations

Hotel reservations can be made by calling the JW Marriott Austin directly at 888-236-2427 and requesting the Ogletree Deakins Workplace Strategies seminar rate of \$279 per night. You can also use the JW Marriott Austin's reservation portal link. The hotel block is limited, so please make your reservations as soon as possible. A credit card is required to guarantee each reservation. The special room rate is guaranteed until April 20, 2020, or until the room block is sold out (whichever occurs first).

Cancellation Policy

Cancellations received at least one week prior to the seminar are subject to a \$50 handling fee. Cancellations made fewer than five working days prior to the seminar are not refundable; however, you may send a substitute.

CLE Information

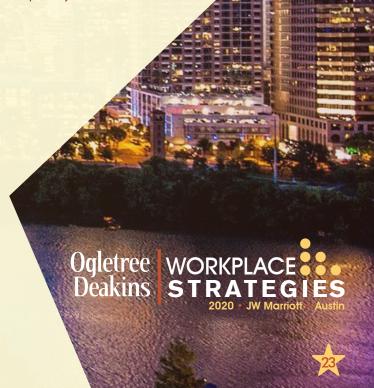
Continuing legal education (CLE) is anticipated for this program. Please note that Alabama CLE credit is not available for this program. Please email any CLE-related questions to cle@ogletree.com. This program qualifies for both experienced and newly admitted attorneys. Attorneys who need financial aid to attend may view the policy here: https://tinyurl.com/clefinancialaid.

NOTE: This program is exclusively designed for management representatives of employers. The provider retains the right to deny the registration of others at its discretion.

TO REGISTER







OUR 53 OFFICES

Atlanta

Austin

Berlin

Birmingham

Boston

Charleston

-Charlotte

Chicago

Cleveland

Columbia

Dallas

Denver

Detroit (Metro)

Greenville

Houston

Indianapolis

Kansas City

Las Vegas

London

Los Angeles

Memphis

Mexico City

Miami

Milwaukee

Minneapolis

Montréal

Morristown

Nashville

New Orleans

New York City

Oklahoma City

Orange County

Paris

Philadelphia

Phoenix

Pittsburgh

Portland (ME)

Portland (OR)

Raleigh

Richmond

Sacramento

San Antonio

San Diego

San Francisco

Seattle

St. Louis

St. Thomas

Stamford

Tampa

Toronto

Torrance

Tucson

Washington, D.C.

www.oaletree.com

