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EMPLOYMENT LAW AUTHORITY

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THE EVOLVING DEFINITION OF SEX(UAL ORIENTATION) UNDER TITLE VII

by Nonnie L. Shivers (Phoenix)

On April 4, 2017, the Seventh Circuit Court of Appeals issued its highly anticipated decision in *Hively v. Ivy Tech Community College of Indiana*, making the Seventh Circuit the first federal appellate court to find that sexual orientation is encompassed in Title VII of the Civil Right Act of 1964's definition of "sex." *Hively* affects the lay of the land for future sexual orientation cases, and likely sets the stage for a resolution of the question plaguing courts and agencies (as well as employers): does Title VII's prohibition on discrimination because of sex prohibit sexual orientation discrimination?

Title VII's Protections

Title VII establishes that "it shall be an unlawful employment practice for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's . . . sex." Discrimination because of an individual's sex encompasses biological sex. Nothing in Title VII's legislative history indicates that Title VII's drafters or implementers envisioned including sexuality, gender identity, and gender expression in the definition of sex. However, Title VII has long been interpreted to encompass things other than simply biological sex, including gender stereotyping and same-sex harassment. With the U.S. Supreme Court's decisions in *U.S. v. Windsor* in 2013 (finding the Defense of Marriage Act unconstitutional) and *Obergefell v. Hodges* in 2015 (finding a fundamental right to marry for same-sex couples), the question of whether Title VII protects sexual orientation is being asked by agencies and courts more and more often.

Protections Pre-*Hively*

Since 2013, the U.S. Equal Employment Opportunity Commission (EEOC) has included eradicating discrimination against lesbian, gay, bisexual, and transgender (LGBT) employees as part of its articulated strategic enforcement priorities. The EEOC's FY 2013-2016 and its new FY 2017-2021 Strategic Enforcement Plans both identify the emerging and developing issue of "protecting lesbians, gays, bisexuals and transgender (LGBT) people from discrimination based on sex" as part of its priorities. Like the EEOC, a small, but growing number of district courts have also taken issue with the logic of concluding that sexual orientation discrimination is not sex discrimination under Title VII. As just one example, the U.S. District Court for the District of Connecticut recently found that "straightforward statutory interpretation and logic dictate that sexual orientation cannot be extricated from sex; the two are necessarily intertwined in a manner that, when viewed under the Title VII paradigm set forth by the Supreme Court, place sexual orientation within the penumbra of sex discrimination."

SEXUAL ORIENTATION UNDER TITLE VII *(continued on page 4)*

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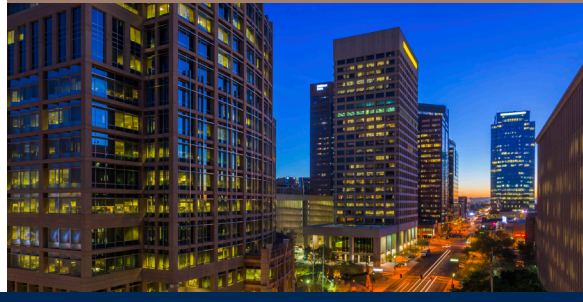
OGLETREE DEAKINS LISTED AMONG 2017 BTI BRAND ELITE

Ogletree Deakins was ranked as the number 22 law firm in the *2017 BTI Brand Elite*, which lists the 28 law firms that have built the most powerful brands through superior client service. BTI Consulting Group is a leading provider of client feedback research to legal and professional services firms. To compile the list, BTI researchers conducted more than 630 in-depth interviews with corporate counsel and legal decision makers at the world's largest organizations.



STATE AND INTERNATIONAL ROUND-UP

Arizona

The Industrial Commission of Arizona recently issued a Notice of Proposed Rulemaking containing the Commission's much-anticipated draft regulations on Arizona's new paid sick time law, which goes into effect on July 1, 2017. A copy of the draft regulations can be found on the Arizona Secretary of State's website.

California

The Division of Labor Standards Enforcement (DLSE) recently published an updated FAQ addressing whether certain employer attendance policies run afoul of the antidiscrimination and antiretaliation provisions found in state and local paid sick leave laws. According to the DLSE, "an employer [generally] may not discipline an employee for using accrued paid sick leave."

Colorado

On April 13, Governor John Hickenlooper signed the Wage Theft Transparency Act into law, which is effective immediately. The Act makes "wage theft" violations in Colorado, including nonpayment of wages or overtime compensation, public record and subject to records requests under the Colorado Open Records Act.

Illinois

The Cook County Commission on Human Rights has issued its final regulations for the Cook County Earned Sick Leave Ordinance. The Cook County ordinance was passed on October 5, 2016, and will take effect on July 1, 2017. The final regulations, which contain substantial changes from the draft regulations, can be found on the Cook County government website.

Indiana

On April 27, Governor Eric Holcomb signed into law Senate Bill 312, which prohibits local governments from adopting "ban the box" ordinances in Indiana. SB 312 prohibits political subdivisions (including counties, municipalities, and townships) from enacting ordinances that interfere with an employer's ability to obtain or use criminal history information during the hiring process to the extent allowed by state or federal law.

Louisiana

A Louisiana appellate court recently held that an employee may sue her employer for negligence for injuries sustained on the job when the injuries resulted from a dispute that began outside of work. According to the court, the worker's negligence claim was not barred by the exclusive remedy provision of the Workers' Compensation Act. *Carr v. Sanderson Farms, Inc.*, No. 2016 CA 1064 (February 17, 2017).

Mexico

As provided by the Mexican Federal Constitution and the Federal Labor Law (FLL), employees are entitled to receive profit participation on their employer's profits every fiscal year. Ten percent of the company's taxable profit (PTU) must be distributed among the employees in order to comply with this legally mandated obligation. Employers have until May 30 of each calendar year to comply with payment of their PTU obligation towards their employees.

Missouri

The Missouri House of Representatives recently passed Senate Bill 43, which significantly modifies the Missouri Human Rights Act and codifies and limits workplace "whistleblower" liability. Newly-elected Governor Eric Greitens is expected to sign the legislation. If signed, the new law would be effective August 28, 2017.

New York

On April 21, the Second Circuit Court of Appeals found that an employee's expletive-laden Facebook post cursing out his boss—and his boss's mother, too—was within the "outer bounds" of "protected concerted activity" under the National Labor Relations Act. The court acknowledged that the New York server's Facebook post was vulgar and inappropriate, but found that it did not cross the line so as to lose protection. *NLRB v. Pier Sixty LLC,* No. 15-1841 (April 21, 2017).

Pennsylvania

The Chamber of Commerce for Greater Philadelphia recently filed suit in federal court, seeking to block Philadelphia's recently-enacted wage equity ordinance. The ordinance, which prohibits employers from inquiring about prospective employees' wage histories, was set to go into effect on May 23, 2017.

South Carolina

Governor Henry McMaster recently signed a law that prevents political subdivisions in South Carolina from requiring private employers to provide employee benefits such as paid sick leave, paid vacation, and paid holidays. Senate Bill 218, effective April 5, 2017, added South Carolina Code of Laws Section 41-1-25, which states a political subdivision may not "establish, mandate, or otherwise require an employee benefit" regarding private employers.

Wisconsin

The Wisconsin Court of Appeals recently affirmed a decision holding that a call center employee with bipolar disorder proved that he was discharged "because of" his disability. According to the court, if an employee is discharged because of conduct that was a direct result of his or her disability, the discharge is, "in legal effect, because of that disability." *Wisconsin Bell, Inc. v. Labor and Industry Review Commission*, No. 2016AP355 (March 28, 2017).

EYE ON D.C.: A Q&A WITH SENIOR GOVERNMENT RELATIONS COUNSEL JIM PLUNKETT

by Lowell Sachs (Raleigh)

Jim Plunkett joined Ogletree Deakins in March of 2017 as Senior Government Relations Counsel. He also co-chairs the firm's Governmental Affairs Practice Group and is a Principal in Ogletree Governmental Affairs, Inc. (OGA), a subsidiary of Ogletree Deakins that assists clients in addressing regulatory and legislative changes emanating from Washington, D.C. Previously, Jim served as the Director for Labor Law Policy at the U.S. Chamber of Commerce, where he was responsible for advocating pro-business workplace policies before Congress, the executive branch, and independent federal agencies. In the aftermath of a headline-making presidential election in 2016, Jim shares his thoughts on key labor and employment issues to watch for and why companies should pay attention to policy developments in Washington, D.C.

Lowell Sachs: Why is it important for companies to pay attention to D.C. policy developments?

Jim Plunkett: Well, as the saying goes, "If you're not at the table, you are on the menu." More seriously, because there is so much uncertainty in D.C. these days, it is more important than ever that employers pay attention to what is happening in the labor and employment policy space. Almost any day in D.C. a policy maker could decide to introduce a proposed regulation or legislation which, if finalized, could have a dramatic impact on employers' bottom lines. In this hyper-competitive economy, knowing when these changes may occur—and perhaps even advocating for or preventing such changes, depending on their impact—can give savvy companies that extra advantage over competitors.

LS: You are a Principal of Ogletree Governmental Affairs, Inc. (OGA). What does OGA do?

JP: While companies and business professionals may have a good sense of what they need as far as a legal and policy environment to be successful, many have a relative scarcity of time, resources, or sometimes just experience to actively pursue it. Anyone who has ever come out on the losing end of a policy battle can tell you it is not an enviable position to be in, and it can often have serious business implications. This is really where governmental practices like OGA come in.

Companies can benefit from the experience of D.C. "insiders" who can keep them apprised of policy proposals and help them craft proactive strategies for engagement whether they are playing offense or defense. For those looking to gain better insight into the policy arena to help them navigate the changes and pronouncements coming out of D.C., governmental practices can assist companies in understanding not just what the law is, but *why* it is that way, where it may be going, and how it may matter to their particular business and what can potentially be done about it.

LS: How is the landscape different for employers under the Trump administration?

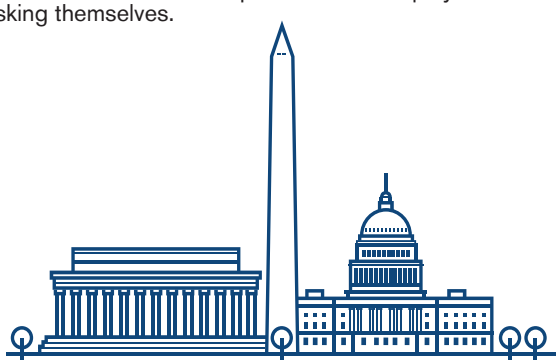
JP: A bit of unpredictability is inevitable with a new administration, but there seems to be much more uncertainty this time around. While there has been some activity in the labor and employment policy areas during the first few months under President Trump, many in the business community are still wondering what the Trump administration's positions will be with respect to current labor and employment policy matters.

LS: What are some of the substantive issues employers should be tracking?

JP: Listing them all would take up the entirety of this article, but the changes to the overtime regulations are a good place to start. The changes are currently enjoined by a federal court, but that decision was appealed by the outgoing administration. Employers are wondering what will happen with the litigation—will this Department of Labor (DOL) maintain or drop the appeal? Will the new DOL offer its own proposal to change the overtime regulations? If so, what will the new salary threshold be? How does that impact particular industries and particular employers? I also think the issue of equal pay—and how it unfolds locally, in Congress, and with the EEOC's new compensation reporting requirements—will be interesting to watch in 2017.

LS: What's the next development for employers to keep an eye on?

JP: In D.C., the expression is "personnel is policy," so I think agency appointments are the important development to watch. Obviously, Alexander Acosta is the new Secretary of Labor. But who will run the DOL's Wage & Hour Division and Office of Federal Contract Compliance Programs? What about the Occupational Safety and Health Administration? And what will be the priority of issues for the individuals who are in charge of these offices? The National Labor Relations Board (NLRB) is another important agency to watch. Philip Miscimarra was recently named Chairman of the NLRB, but two vacancies remain on the Board and when filled, Republicans on the Board will enjoy a 3-2 majority. How will such a Board respond to issues like joint employer, ambush elections regulations, "micro" bargaining units, and other issues? These are questions that employers are likely asking themselves.



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SEXUAL ORIENTATION UNDER TITLE VII

(continued from page 1)

Hively Breaks New Ground

The facts underlying the *Hively* decision are straightforward. Hively, an out lesbian, taught as an adjunct professor at Ivy Tech Community College. After nine years on the job, she applied for six full-time positions over the following five years but did not receive any of the positions she sought. Hively attributed Ivy Tech's failure to hire her for those positions to her sexual orientation and sued Ivy Tech for sexual orientation discrimination under Title VII. Notably, she did not allege that she had been subjected to gender stereotyping. Ivy Tech moved to dismiss Hively's complaint for failure to state a claim, arguing that sexual orientation is not a protected class under Title VII. The district court granted Ivy Tech's motion to dismiss.

A three-judge panel of the Seventh Circuit initially affirmed dismissal of Hively's claim. The Seventh Circuit then granted a rare *en banc* (full court) hearing of the matter and subsequently reversed the district court's decision dismissing Hively's suit. The Seventh Circuit's holding is very simple: sexual orientation discrimination *is* discrimination on the basis of sex under Title VII. Based on Hively's allegation that she did not obtain the positions she sought due to her sexual orientation, Ivy Tech "is disadvantaging her *because she is a woman*." The Seventh Circuit reached this decision based on three cases (and their progeny) decided by the Supreme Court of the United States: *Oncale* (same-sex harassment), *Loving* (associational discrimination), and *Obergefell* (fundamental right to marry).

First, the Seventh Circuit looked to *Oncale*, in which the Supreme Court addressed the issue of whether Title VII covers same-sex sexual harassment (e.g., male-on-male harassment). The Supreme Court in *Oncale* recognized that male-on-male sexual harassment was not the principal evil with which Congress was concerned when it enacted Title VII. The Supreme Court held, however, that it was a reasonably comparable evil that Title VII clearly prohibited. The Seventh Circuit deployed this reasoning to show that Congress may not have anticipated a particular application of Title VII, such as same-sex harassment or sexual orientation discrimination, but that does not stand in the way of interpreting Title VII in that manner.

Second, the Seventh Circuit looked to *Loving* and its progeny (including LGBT-related cases such as *Lawrence v. Texas* dealing with Texas's sodomy law) to apply an associational discrimination analysis to support its holding, i.e., an employer discriminating against a female employee marrying another woman is associational discrimination on the basis of sex in violation of Title VII.

Finally, the Seventh Circuit looked to the Supreme Court's recent LGBT decisions in *Windsor* and *Obergefell* for support for its decision. The Seventh Circuit noted that bizarre results could ensue if the law were to protect an individual's right to "be married on a Saturday," but then allow that an employee be "fired on Monday for just that act."

Hively's Future Legal Impact

No petition for certiorari is being filed with the U.S. Supreme Court in *Hively*. For employers doing business in Indiana (where no LGBT protections previously existed), Illinois, and Wisconsin, *Hively* is the law of the land. This means that adverse actions taken on the basis of sexual orientation are unlawfully taken on the basis of sex. Employers nationally should continue to note the legal requirements applicable to them under federal, state, county, and local law and comply accordingly in policies, procedures, and practices.

Hively creates a circuit split with the Eleventh Circuit. A few weeks before *Hively*, a divided Eleventh Circuit held that Title VII does not protect against sexual orientation discrimination, relying on a 1979 Fifth Circuit decision. *Hively* may inspire more circuit courts to hear the issue *en banc* since all but a few have precedent on the books holding that sexual orientation is not covered under Title VII's definition of "sex." Case in point, mere weeks after *Hively*, a three-judge panel of the Second Circuit rejected a gay employee's request that the Second Circuit overturn circuit precedent on which the trial court relied when it tossed his sexual orientation claim under Title VII. The three-judge panel told the employee that Second Circuit precedent excluding sexual orientation from sex under Title VII tied their hands, and lamented that reconsideration of that binding interpretation could only be done by all of the Second Circuit's judges sitting *en banc*. The request of the employee, whose estate has already said it will seek full review by the Second Circuit, comes on the heels of another request to the Second Circuit to reconsider the same question after a three-judge panel affirmed dismissal of a gay executive's Title VII sexual orientation claim on April 30.

A decision by the Second Circuit sitting *en banc* may deepen the circuit split, as would other circuit courts adopting the reasoning or result in *Hively*. Nevertheless, the circuit split already exists between the Eleventh and Second Circuits now. Since a circuit split can only be resolved by the Supreme Court, it seems inevitable the high court will take up the issue of whether sexual orientation discrimination is prohibited under Title VII without being tethered to a gender stereotyping or same-sex harassment cause of action. The recent election and current composition of the Court with Justice Gorsuch's recent appointment, as well as the future composition of the Court, may play a pivotal role in how the legal issue is ultimately decided. Of course, the reintroduction of the Equality Act of 2017 by Congressman David N. Cicilline and U.S. Senator Jeff Merkley on May 2, 2017, could put the question to rest once and for all if the legislation gains traction despite past failures during the bill's previous introductions.

While the EEOC remains focused on LGBT protections for now and more courts may rely on *Hively* to read Title VII as prohibiting sexual orientation discrimination under Title VII's definition of sex, this strategic initiative and court interpretation of Title VII could be limited by religious freedom laws and orders. During his campaign, President Trump confirmed he would support the First Amendment Defense Act, which would serve to prevent the federal government from taking adverse action against employers that discriminate based on sexual orientation. So far, the Trump administration has not repealed LGBT protections for employees of federal contractors. However, at least one draft executive order on religious freedom has been leaked and the rumor mill is swirling that the Trump administration stands poised to sign an executive order in the near future.

WORKPLACE STRATEGIES CATCHES A WAVE IN SAN DIEGO

Ogletree Deakins' annual labor and employment law seminar, Workplace Strategies, was held in San Diego in early May and provided attendees with a remarkable amount of information to take back to their workplaces. This year's program was attended by more than 1,000 guests and speakers.

There were many highlights at the program including: insights on what the new Supreme Court justice means for the business community by noted legal scholar Erwin Chemerinsky; a "Policymaker Perspective" presentation by newly-appointed NLRB Chair Philip Miscimarra; a discussion on effectively managing crises by veteran reputation-management professional Judy Smith (who also inspired the hit TV show *Scandal*); strategies for transforming adversity into an advantage by Domenika Lynch, President and CEO of the Congressional Hispanic Caucus Institute; and the return of our popular "TED"-style talks on embracing diversity in divisive times.

The program also provided attendees with a social and networking experience from dinner and fireworks on the USS Midway on Wednesday evening to a festive Cinco de Mayo celebration overlooking the marina on Friday night.

Workplace Strategies has a history of giving back to the local community. This year, Ogletree Deakins donated $40,000 to Father Joe's Villages, a San Diego-based organization that supports thousands of military veterans and homeless children and adults in the San Diego community. Deacon Jim Vargas accepted the Homer Deakins Service Award on the behalf of Father Joe.

Workplace Strategies moderator Joe Beachboard announced that the 2018 program will be held at the Arizona Biltmore from May 9-12 and predicted that the program will again sell out. To guarantee your spot, visit www.ogletree.com.

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TECH CORNER

MAKE ROOM, ALEXA – CARA CAN ANALYZE CITATIONS

Artificial intelligence (AI) is not replacing lawyers anytime soon—but when a lawyer writes a legal brief, AI innovation can make analyzing the citations in that brief faster and more efficient. Casetext, a legal research company, has created a tool called CARA (short for Case Analysis Research Assistant) that can help attorneys find potential omissions in their briefs quickly and efficiently. Attorneys drag-and-drop their legal briefs into CARA for citation assistance. CARA then identifies citations in the brief and compares them to its database of cases and briefs that cite the same authorities. The software then quickly returns additional cases that the brief had not cited but that are frequently cited in conjunction with the authorities that the brief cites. Casetext recently expanded CARA with Brief Finder, allowing the software to find relevant briefs. Ogletree Deakins was the first labor and employment firm to obtain CARA for use by its attorneys.

TOP 10

THE ADA AND FMLA: TOP 10 ISSUES THAT EMPLOYERS SHOULD KNOW

by Michael M. Shetterly (Greenville)

From expanding accommodation requests to intermittent leave, employers continue to face challenging issues related to the Americans with Disabilities Act (ADA) and Family and Medical Leave Act (FMLA). Michael Shetterly—managing shareholder of the firm's Greenville office and architect of the firm's proprietary leave of absence software system, *FMLAEdge*—examines 10 of the most challenging issues under the ADA and FMLA.

1 What types of accommodations are available to employees under the FMLA?

Technically, the FMLA does not provide accommodations; rather, it provides job-protected leave. According to the FMLA, an employee should either be working at 100 percent capacity or on leave (assuming he or she has a qualifying condition).

2 What types of accommodations are provided under the ADA?

The ADA provides three types of accommodations: (1) in-job accommodations that will allow an employee to perform all essential functions of his or her job; (2) leave, if it will help return the employee to full employment; and (3) a vacant position search—which is the accommodation of last resort. Employers should offer eligible employees these accommodations in this order.

3 Does the ADA allow an employee to work at home as an accommodation, even if the company has a rule against it?

Unless a workplace rule is necessary to an employee fully performing his or her specific job, the ADA may require forgiveness of the rule as an accommodation. It is not a defense to a request for an accommodation to say, "we do not permit that." To defend against such an accommodation, the employer would have to prove that providing the accommodation would result in the employee not fully performing one or more essential functions of his or her job.

4 Is light duty available under the FMLA and ADA?

The FMLA does not provide for light duty. Under the FMLA, an employee should be performing all essential functions of his or her job or should be on leave. Similarly, in the run of cases, the ADA does not provide for light duty because light duty is, essentially, the removal of an essential function of a job. The ADA may require light duty, however, if the employer regularly provides light duty to nondisabled persons (outside of a workers' compensation context) or if the employer has light duty positions that it previously created and that are idle (unfilled) at the time a person needs an accommodation.

5 When it comes to leave, do both the ADA and FMLA offer job protection?

Yes. The FMLA provides job protected leave, which requires restoration to the same position and benefits that the employee would have had but for taking the leave. Similarly, the ADA provides job-protected leave. Essentially, an employer must hold the employee's position for him or her while on FMLA or ADA leave.

6 How much leave does the ADA provide?

It depends. Any amount of leave should at least be considered if there is medical information suggesting it will work (meaning it will result in the employee returning to full duty). An employer must ask whether the leave an employee currently seeks: (1) will be effective in returning him or her to the position; (2) is reasonable under the circumstances; and (3) will result in a hardship to the company.

7 How should an employer handle healthcare benefits when a person is on ADA leave?

When an employee is on ADA leave, healthcare benefits are determined by the employee's status under the applicable benefit plan. Unlike the FMLA, the ADA has no provision guaranteeing the maintenance of healthcare benefits.

8 What are the major differences between the ADA and FMLA?

Except for a few isolated instances, the FMLA automatically grants leave to any employee that is eligible and needs leave because of a qualifying condition. Generally, whether the leave will be effective, or the amount of hardship the employer will suffer, is irrelevant. Conversely, the ADA grants leave only if it will be effective in returning the employee to full employment, and only if granting it will not result in a hardship on the employer.

9 Should employers ask for a doctor's note under the FMLA and ADA?

First, employers must consider why they may want a doctor's note. Is it to prove the employee needs the leave, or is it to prove the employee can return to work? If it is the latter, consider the return-to-work rules covered in the answer to question 10.

If the employer seeks a doctor's note as evidence of the need for leave, then, under the FMLA, the employer may seek proof from the healthcare provider when the employee first seeks leave for the qualifying condition and again when a new FMLA year occurs.

Under the ADA, an employer can ask for medical proof any time: (1) the employee is requesting an accommodation or some benefit from the employer, or (2) the employer has an objective basis to believe the employee cannot perform an essential function of his or her job because of an impairment.

10 What are the rules on returning to work under the ADA and FMLA?

Under the FMLA, an employer may request a return-to-work certification only if the employee had been out for his or her own condition and then only one time per FMLA year, unless the employee has a safety-sensitive job (in which case, the employer may ask for a certification if the employer has not asked for one within the past 30 days). Under the ADA, the employer must have an objective basis to believe the employee cannot perform an essential function of the job because of an impairment in order to lawfully ask for a return-to-work certification.

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SPOTLIGHT ON OGLETREE DEAKINS' NEW OFFICE IN OKLAHOMA CITY

Earlier this year, Ogletree Deakins opened its 51st office in Oklahoma City, Oklahoma—a city known for exceptionally friendly people and the Oklahoma City Thunder basketball team. Led by shareholders Sam Fulkerson and Vic Albert, the office has already experienced rapid growth with the addition of four lawyers. Below we highlight some interesting facts about the "Big Friendly" and Oklahoma employment law.

- Ogletree Deakins is the first Am Law 100 firm to have an office in Oklahoma City—or the state of Oklahoma.
- Oklahoma City is the largest city in Oklahoma. It is also one of only two state capitals that contains the state name as part of the city name (Indianapolis is the other one).
- Oklahoma City is home to some interesting firsts: The first ever parking meter was installed in the city in 1935, and the first ever shopping cart was invented and used in Oklahoma City in 1937.
- The Oklahoma Anti-Discrimination Act (OADA) prohibits discrimination, retaliation, and harassment in employment on the basis of race, color, national origin, religion, sex, physical or mental disability, age (40 years and older), and genetic information. Fulkerson was one of the principal authors responsible for making major revisions to the OADA several years ago.
- Oklahoma has no state laws concerning sick leave for either public or private sector employees, leaving employers to provide such leave as they deem appropriate. Legislation passed in 2014 prohibits municipalities and political subdivisions of the state from independently establishing a minimum number of paid or unpaid sick leave days, although such entities may adopt leave policies for their own employees as fringe benefits.
- Combined, our team of attorneys in Oklahoma City have first-chaired to verdict over 120 jury trials in federal and state courts.

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June 7	**Webinar**	Arizona's Paid Sick Leave Law: New Regulations, Insights, and Implementation Tips
June 8	Phoenix, AZ	Reel Ethics
June 13	**Webinar**	Get Ready: The Chicago and Cook County Paid Sick Leave Laws Take Effect on July 1
June 14	**Webinar**	Preparing for the Massachusetts Equal Pay Law, Part I
June 15	**Webinar**	Pay Equity: A European Perspective
June 16	Biloxi, MS	Workplace Investigations Seminar
June 16	St. Louis, MO	Reel Ethics
June 20	**Webinar**	Taking Stock: Immigration Under the Trump Administration Six Months In
June 20	Somers, WI	2017 Updates on the Lifecycle of the Employment Relationship
June 21	Las Vegas, NV	Stay Connected: A Legislative Update
June 22	**Webinar**	The Countdown Begins: Complying with the EU General Data Protection Regulation

July 2017

July 10	Stillwater, MN	Beer, Wine, and Spirits, Part II: Strategies for Reducing Risk When Dealing with Sensitive, Uncomfortable, and Awkward Situations with Employees
July 11	Tampa, FL	OD Works! Give Back My Clients and Trade Secrets . . . and That Stapler!

September 2017

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September 14-15	Kohler, WI	Managing a Workforce in 2018
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September 28	St. Louis, MO	Managing a Workforce in 2018
September 29	Tampa, FL	Managing a Workforce in 2018

October 2017

October 19	Birmingham, MI	Employment Law Briefing
October 19	Sacramento, CA	Managing a Workforce in 2018
October 20	Austin, TX	15th Annual Labor and Employment Law Update
October 24	La Jolla, CA	Managing a Workforce in 2018
October 25	Costa Mesa, CA	Managing a Workforce in 2018
October 25-27	Dallas, TX	Workplace Safety Symposium
October 26	Los Angeles, CA	Managing a Workforce in 2018
October 26	San Francisco, CA	Managing a Workforce in 2018