



Littler

ENVISION WORK



TRI-STATE REGIONAL EMPLOYER | NEW YORK, NY | September 19, 2024

8:00 a.m. – 8:45 a.m.

Registration and Breakfast

8:45 a.m. – 9:45 a.m.

Conducting Lawful Investigations in the Modern Workplace

Conducting lawful workplace investigations remains a critical piece of an employer's compliance obligations. The shift to virtual video conferencing provides an opportunity for many employers to expand an investigator's efficiency, but also poses challenges regarding effective interviewing and information-gathering techniques. The panelists will discuss how to implement effective investigative techniques for the emerging paradigm while maintaining a foundation for solid internal workplace investigations that achieve compliance and improve organizational culture. This program will provide a unique interactive approach that gives participants an opportunity to get hands-on experience with some of the finer points of responding to allegations of workplace misconduct. Participants will also receive feedback from colleagues and experienced Littler attorney-facilitators regarding investigation and response strategies that address current workplace challenges.

9:45 a.m. – 10:00 a.m.

Break

10:00 a.m. – 11:00 a.m.

What Leaves Employees Expect When They Are Expecting: Navigating Leave of Absence and Accommodation Requests in New York For Pregnant Employees and New Parents

During this session, employers will learn best practices for handling real-life scenarios with a focus on the EEOC's final regulations to implement the Pregnant Workers Fairness Act. Employers will also learn about New York's newest changes to its lactation leave law, learn about New York's forthcoming paid prenatal personal leave obligations, and receive a refresher on the application of the Family and Medical Leave Act and the New York Paid Family Leave Benefits Law to employees' requests for leave.

11:00 a.m. – 12:00 p.m.

Pay Transparency Proliferation: Getting the Most Bang for Your Buck When Complying with These Laws in New York and Around the Globe

Pay transparency legislation continues to proliferate, requiring employers to adopt compliance strategies on a domestic and global level. Join us in this session to learn about the latest trends in pay transparency in New York, New Jersey, Connecticut and beyond, including a survey of laws in the U.S. and globally. The session will also discuss compliance strategies, including the pros and cons of attempting cross-jurisdictional compliance, and how pay transparency laws are affecting corporate culture. We will also discuss agency enforcement initiatives and litigation trends.

12:15 p.m. – 1:30 p.m.

Keynote Lunch: Emerging Issues in Employment Discrimination and Harassment Law

This fast-paced lunchtime panel will review emerging issues in litigating and preventing workplace harassment and discrimination claims. We'll cover:

- New federal guidance from the Supreme Court and the EEOC concerning employment discrimination, harassment and retaliation claims
- The current parameters for inclusion, equity and diversity programs
- Evolving restrictions on arbitration agreements, confidentiality agreements and settlement agreements
- Key considerations for hybrid workforces, multistate and multinational employers
- The special challenges of politics in the workplace in an election year

1:30 p.m. – 2:30 p.m.

Modern Labor Law: What Every Business Needs to Know

There is nothing 'traditional' about today's labor law landscape. Employers are experiencing a once-in-a-generation transformation in labor and employee relations. Shifts in social/political issues, new technologies creating a more connected workforce, and evolving employee behaviors and expectations, coupled with unprecedented changes in the interpretation and enforcement of the National Labor Relations Act require employers to ensure they understand their labor risks.

In this session, Littler's experienced labor attorneys will delve into recent labor law developments that every employment lawyer (or HR professional, etc.) needs to know. Topics to be addressed include:

- Employee engagement and labor readiness plans
- New union organizing rules, including the standard for responding to union demands for recognition
- Expansion of protected concerted activity
- Stricter scrutiny of employee handbooks
- Scope of confidentiality and nondisparagement agreements
- The attack on noncompetes
- Recent NLRB challenges in federal court

2:30 p.m. – 3:30 p.m.

Are Restrictive Covenants Still Enforceable?

Restrictive covenants have long been an important tool for companies looking to protect their employee base, competitive position, and confidential information. Those agreements are currently under an unprecedented level of scrutiny and attack from state legislatures, the Federal Trade Commission (FTC), and the National Labor Relations Board (NLRB). In this session, we will discuss the potentially upcoming FTC rule banning noncompetes, the status of litigation challenging that rule, the NLRB's increased hostility toward noncompetes, changing state laws on noncompetes, and what companies can do to prepare for changes in the law and continue to protect their competitive advantage, relationships, assets, and information.

3:30 p.m. – 3:45 p.m.

Break

3:45 p.m. – 4:45 p.m.

What's New with Wage and Hour Law

2024 has seen many changes in wage/hour compliance. Join us for an energetic and fast paced discussion that provides a unique opportunity to understand the latest court cases, legislative and regulatory activity, and crucial developments in Wage and Hour law that will affect your workplace and your responsibilities with respect to paying your employees properly. We will discuss issues such as overtime, exemptions, recent trends in wage and hour lawsuits, Department of Labor enforcement activities, and likely changes on the horizon with respect to minimum wage obligations. We have assembled a terrific panel of Littler attorneys who will guide you through the maze of new developments and prepare you for the challenges ahead.