



2023 Kansas City Regional Employer Conference

Tuesday, October 10 | Overland Park, KS

8:30 a.m. – 9:00 a.m.

Registration and Breakfast

9:00 a.m. – 9:30 a.m.

Implications of Recent Supreme Court Cases

On June 29 and 30, the Supreme Court issued three decisions that will likely have significant impact on workforces – from accommodating religious beliefs to the potential for turning away customers based on personal beliefs to affirmative action. This panel will review these recent Supreme Court developments and provide suggestions for compliance and avoiding potential pitfalls.

9:30 a.m. – 9:45 a.m.

Break

9:45 a.m. – 10:45 a.m.

What’s Old Is New Again: The Boomer Boom and Age Discrimination in the Workplace

According to a recent survey by AARP, 80% of older workers report they have experienced or observed incidents of age discrimination. At the same time, the U.S. Bureau of Labor Statistics reports that the number of older workers staying in the workplace is expected to grow exponentially by the end of the decade. These statistics point to the possibility of a coming “perfect” litigation storm—rapid growth in the number of older workers remaining in the workforce and a widely held belief that employers discriminate against older workers. The EEOC also alleges that despite decades of research finding that age does not predict ability or performance, employers continue to fall back on precisely the ageist stereotypes the ADEA was enacted to prohibit. This panel will examine the latest data and litigation trends to provide employers with what can be done to minimize risk and increase compliance.

10:45 a.m. – 11:00 a.m.

Break

11:00 a.m. – 12:00 p.m.

Accommodation Aftershocks: How the Pandemic Has Reshaped Workplace Disability Accommodations

During 2022, most U.S. businesses steadily ramped up their return-to-office efforts, reasoning that the pandemic had largely ended and that it was time to “live with COVID” and “return to normal.” However, the return to the physical workplace has often proceeded in fits and starts, marked by the emergence of new COVID variants and other respiratory viruses, the prevalence of “long COVID,” growing numbers of employee requests for workplace accommodations based on both physical and mental health conditions, and proliferating state and local requirements. In a nutshell, what we have “returned” to feels very different from what we left. This session will review how COVID-19 has reshaped disability accommodation practices, including evolving assumptions about the reasonableness of proposed accommodations and the emerging case law in this area.

12:00 p.m. – 12:45 p.m.

Lunch

12:45 p.m. – 1:45 p.m.

Marijuana, Opioids, and Wine All Day – Managing in an Era of Legalization, Abuse, and Remote Work

Changing marijuana laws, the ongoing opioid epidemic, and reduced oversight of remote workforces have employers worried their employees may be working while impaired – and feeling unsure about what they can do about it. More than 100,000 Americans have died of overdoses in each of the last two years, and the U.S. Surgeon General has suggested employers stock medications to reverse opioid overdoses at the workplace. A few jurisdictions now protect workers engaged in the recreational use of marijuana from adverse job actions, regardless of job duties.

In this session, we will discuss:

- How changing marijuana laws impact the workplace
- How to identify and respond to employee substance abuse and impairment in a legally defensible way
- How to develop programs to recognize and respond to these evolving issues
- How to minimize the risk to your operations when employees bring drug and alcohol issues to work

1:45 p.m. – 2:00 p.m.

Break

2:00 p.m. – 2:30 p.m.

Show Me the Evidence: Document Preservation in Investigations

What and whose data do you really need to collect and preserve when doing an internal investigation? We'll talk about the issues that can arise and what data sources you should be preserving when you perform an employee investigation, so you have the documents you need without having to keep everything.

2:30 p.m. – 2:45 p.m.

Break

2:45 p.m. – 3:45 p.m.

Employment Law Update

A perennial favorite at the firm's Executive Employer Conference, now brought to the Kansas City Regional Employer, is a fast-paced, highly entertaining session that provides a unique opportunity to understand the latest court cases, legislative and regulatory activity and crucial developments that will affect your workplace and your responsibilities. As in the past, 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.