The 3rd Annual Littler AI Summit

The New Frontier –
Legal Strategies for AI Decision-Making

September 23 – 24, 2024 | Washington, DC

LITTLER
AI
SUMMIT

SEPTEMBER 23, 2024

6:30 pm – 8:30 pm   **Welcome Reception**

SEPTEMBER 24, 2024

7:00 am – 8:00 am   **Registration & Breakfast**

8:00 am – 8:20 am   **Welcoming Remarks**

Speakers
- Corinn Jackson, Principal | Seattle, WA
- Erin Webber, President & Managing Director | Denver, CO

8:20 am – 9:20 am   **Effective Leaders Make Holistic AI Decisions**

With AI permeating every aspect of the modern workplace, business leaders don't have the luxury of making AI adoption decisions in a vacuum. Instead, research shows that successful leaders apply a holistic framework that balances competing and rapidly evolving priorities to ensure their organizations thrive and outcompete. Drawing from recent IBM analyses and practical experience, this session will examine how C-suites should approach AI-related decision-making, the key AI issues they must address and the hard truths that must be reconciled.

Speakers
- Josh Kirkpatrick, Shareholder | Denver, CO
- Jennifer Kirkwood, Partner, IBM Corporation
- Niloy Ray, Shareholder | Minneapolis, MN
- Britney Torres, Shareholder | Sacramento, CA

9:20 am – 9:35 am   **What's Next: Integrated AI**

Speakers
- Michelle Clark, Shareholder | Fresno, CA
- Michael McGuire, Chief Compliance Officer | Minneapolis, MN
- Bill Simmons, Shareholder | Philadelphia, PA

9:35 am – 9:50 am   **Break**

9:50 am – 10:50 am   **U.S. AI Regulations Reflect Several Unifying Themes**

Managing AI use in employment is no longer a matter of accounting for narrowly focused laws in a handful of jurisdictions. In 2024, the twin forces of state-level lawmaking and federal-level agency coordination have sufficiently solidified the regulatory landscape to allow an organization-wide plan for consistent AI risk assessment. This panel will get you started down that path, exploring the newest AI-affecting employment laws across the nation and distilling common requirements and expectations to help you control AI risk as your teams leverage the newest AI tools and technologies.

Speakers
- Chris Gokturk, Executive Director – Federal Compliance & Reporting | Tysons Corner, VA
- Markus Hartmann, General Counsel, Car Wash Partners, Inc.
- Bradford Kelley, Shareholder | Washington, DC
- Chandler Morse, Director of U.S. Public Policy, Workday, Inc.

10:50 am – 11:05 am   **What's Next: AI & Legal Ethics**

Speakers
- Michelle Clark, Shareholder | Fresno, CA
- Michael McGuire, Chief Compliance Officer | Minneapolis, MN
- Bill Simmons, Shareholder | Philadelphia, PA

11:05 am – 12:05 pm   **Lunch Session: A View of the Hill**

An informal conversation discussing the intersection of theory, practice, and policy in AI's future, from the perspective of science, organizational psychology, and the law.

Speakers
- Eric Dunleavy, Vice President of Employment and Litigation Services, DCI Consulting Group, Inc.
- Patrick Hall, Teaching Assistant Professor of Decision Sciences, The George Washington University
- Jim Paretti, Shareholder | Washington, DC

This session is not eligible for CLE, HRCI or SHRM credit.

12:05 pm – 12:20 pm   **Break**

12:20pm – 12:35 pm   **What's Next: AI & Inclusion, Equity, & Diversity**

Speaker
- Alyesha Asghar, Shareholder | Seattle, WA

12:45 pm – 1:45 pm   **Breakout Session A**
Global Data Protection Regulations Focus on AI

More than 130 countries – 70% of the world – now have enacted comprehensive data protection laws. Many of these laws directly or indirectly regulate employers' use of AI tools to make employment decisions, as well as employers' use of applicants' and employees' personal information to train AI models. At the same time, an increasing number of jurisdictions outside the U.S., led by the European Union, are moving to regulate the development and deployment of AI tools directly. This panel will delve into the practical implications of this global web of AI and data protection regulation for U.S. multinationals seeking to deploy AI tools across their global workforce. It also will provide workable strategies to mitigate related regulatory, litigation and employee relations risk.

Speakers
- Jan-Ove Becker, Partner | Hamburg, Germany
- Mike Childers, Corporate Counsel, Amazon
- Phil Gordon, Shareholder | Denver, CO
- Rachel Sisco, Senior Corporate Counsel, Cisco Systems, Inc.

12:45 pm – 1:45 pm   **Breakout Session B**
The Intersection Between AI and Labor: A Discussion on Labor Implications of AI Regulation

AI is a labor issue. The increase in use of AI tools has broad implications for the workplace as AI tools are used for improving efficiency, monitoring, safety, and more. This panel will discuss how recent legislation and regulations affect the use of AI tools and whether those tools implicate labor issues and the NLRA. Is the implementation of AI tools at a workplace a mandatory subject of bargaining? How does a business implement AI monitoring tools without violating the NLRA? Are state rules preempted by the NLRA? This panels focuses on multiple labor implications, both practical and legal, that arise from AI use.

Speakers
- Marvin Kaplan, Board Member, National Labor Relations Board
- Marko Mrkonich, Shareholder | Minneapolis, MN
- Joy Rosenquist, Of Counsel | Sacramento, CA

1:45 pm – 2:00 pm   **Break**

2:00 pm – 2:15 pm   **What's Next: How Not to Use AI**

Speakers
- Deborah Margolis, Senior Associate | London
- Kellen Shearin, Associate | Charlotte, SC

2:15 pm – 3:15 pm   Mitigation Is the Key to Litigation

While AI represents a game-changing value proposition for businesses, enforcement authorities and the plaintiffs' bar alike are increasingly focused on the perceived risk of employment-focused AI tools. This session will highlight current and anticipated litigation trends, discuss how employers can preemptively lay the groundwork to mitigate potential future claims of AI-driven employment liability, and examine recommended practices for organizations to approach and litigate discrimination and other AI-driven employment claims.

Speakers
- Eric Dunleavy, Vice President of Employment and Litigation Services, DCI Consulting Group, Inc.
- Patrick Hall, Teaching Assistant Professor of Decision Sciences, The George Washington University
- Andrea Lucas, Commissioner, U.S. Equal Employment Opportunity Commission
- Alice Wang, Shareholder | San Francisco, CA

3:15 pm – 3:25 pm   Closing Remarks

Speakers
- Bradford Kelley, Shareholder | Washington, DC
- Niloy Ray, Shareholder | Minneapolis, MN
- Britney Torres, Shareholder | Sacramento, CA