

## The Outlook Ahead: Equipping You to Navigate a New Workplace

Tuesday | October 26, 2021



## 2021 Employer Series

**8:30 a.m. – 9:00 a.m. CT**

**Registration and Breakfast**

**9:00 a.m. – 10:00 a.m. CT**

**Employment Law Update: A Post-Pandemic Look at Emerging Labor and Employment Trends**

A perennial favorite at the Houston Employer Conference, this fast-paced, entertaining session provides a unique opportunity to quickly understand the latest court cases and crucial developments that affect your workplace as a Texas employer.

**10:00 a.m. – 11:00 a.m. CT**

**Emerging COVID-19 Issues Today: Vaccine and Masking Mandates, Employee Compliance Incentives, and More**

During this session, we will outline the most pressing COVID-19 issues facing employers today. Topics will include the latest updates on local, state and federal guidance and legislation on vaccine mandates, as well as current trends and best practices on employee incentive programs for safety and vaccine compliance. This session will also touch on the most current considerations on privacy issues associated with the virus and the vaccine, and compensation considerations associated with testing and vaccines.

**11:00 a.m. – 11:15 a.m. CT**

**Break**

11:15 a.m. – 12:15 p.m. CT

## FMLA and ADA: Before, During and After a Global Pandemic

Employers continue to navigate a complex maze of leave and accommodation obligations, some of which have been tested—and heightened—during the COVID-19 pandemic. This session will explore some of the most common challenges employers are facing as the boundaries continue to be pushed on the topics of employee leaves of absence under the FMLA and workplace accommodations under the ADA.

12:15 p.m. – 12:45 p.m. CT

## Lunch

12:45 p.m. – 1:30 p.m. CT

## COVID-19 – Its Impact on Employment Litigation, How Best to Prepare Your Company, and What the Future of Litigation May Hold

The COVID-19 pandemic has had an immediate and ongoing impact on employment litigation across the country, affecting virtually every industry. In this session, we will explore these pandemic-related litigation trends thus far, the types of claims we believe are on the horizon for 2021 and beyond, and the steps employers should be thinking about now to prepare themselves for those claims.

1:30 p.m. – 1:45 p.m. CT

## Break

1:45 p.m. – 2:30 p.m. CT

## Breakout Sessions A and B

### Session A: Employee Investigations During the Pandemic

Conducting an internal investigation can be tricky even in the best of circumstances, but add a pandemic, remote employees, and virtual meetings, and investigations became even more challenging. This entertaining and informative session will discuss the impact of Texas's new sexual harassment law, EEOC guidance on investigations, and tools for conducting effective investigation interviews. With video clips from real life interviews, you'll get to decide who's telling the truth!

### Session B: Can You Keep a Secret? Protecting Your Company's Confidential Information In a Changing World

Now more than ever, with employees outside a controlled office environment, protecting your company's valuable confidential information is a challenge. But in addition to the practical and logistical challenges that have arisen due to the rise of remote work, there are cultural and legal changes taking place that may make it more difficult to protect your company's most valuable assets. We will discuss these cultural and legal changes, including a spate of new laws surrounding covenants not to compete, the impact those changes are having, and what you should be doing to protect your business.

2:30 p.m. – 2:45 p.m. CT

## Break

2:45 p.m. – 3:30 p.m. CT

### Breakout Sessions C and D

#### **Session C: Labor Law in the Pandemic Age: Navigating Union-Related Issues During These Unprecedented Times**

This session will cover key labor law considerations during the pandemic, including an employer's duty to bargain over workplace changes, the effect of collective bargaining provisions, and considerations and best practices in these areas. In addition, we will cover how other labor law areas have been impacted by the pandemic, including union organizing campaigns, representation elections, arbitrations, and negotiations.

#### **Session D: When Every Day is "Blursday" – Wage and Hour Compliance for a Remote Workforce**

Complying with the complex patchwork of wage and hour laws is difficult enough when managing a 9-to-5, Monday-to-Friday, office-based workforce. Now that millions of workers are adjusting to a more permanent remote work arrangement, wage and hour compliance is even more challenging. During this session, our panel will guide you on how to define and track "hours worked" when work-from-home employees are constantly juggling work and personal priorities throughout the day.

3:30 p.m. – 3:45 p.m.

### Break

3:45 p.m. – 4:30 p.m.

### Breakout Sessions E and F

#### **Session E: Focusing on the "I" in IE&D: Addressing Some of 2021's Inclusion Tensions**

As the national conversation continues to focus on equal justice, employers are motivated more than ever to prioritize building a more diverse and inclusive business environment amid an ever-developing landscape. The panelists will discuss workplace inclusion, equity and diversity (IE&D) initiatives, and provide recommendations for balancing compliance as corporate America looks to create change through meaningful advancement.

#### **Session F: Ethical Issues in Employment Law – from Hiring to Severance**

Lawyers who work with employment issues face a number of common ethical issues. These include concerns about lawyers serving as investigators but needing to serve as a witness, representing the company and potential individual defendant supervisors, contacts with former employees, inadvertent disclosure of trade secrets and other confidential company information, the scope of privilege in counseling on employment issues, and similar issues. This program will address these common concerns and provide valued ethics credit.

4:30 p.m.

### Cocktail Reception