



Littler

# ENVISION WORK



## MID-ATLANTIC REGIONAL EMPLOYER | WASHINGTON, DC | June 21, 2024

8:00 a.m. – 9:00 a.m.

### Registration and Breakfast

9:00 a.m. – 10:15 a.m.

### 2024 Employment Law Update

A perennial favorite at the firm’s Executive Employer Conference, now brought to the Mid-Atlantic 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.

#### Speakers:

[Michael McIntosh](#), [Joshua Waxman](#)

10:15 a.m. – 10:30 a.m.

### Break

10:30 a.m. – 11:30 a.m.

### Labor Law for Employment Lawyers: What Every Business Needs to Know

True or false?

1. “The National Labor Relations Act (NLRA) only applies to unionized employers.” FALSE!
2. “Only members of a union can file unfair labor practice charges with the NLRB.” FALSE!

Section 7 of the NLRA gives all employees the right to form, join, or assist a union, and engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from these activities. The Biden NLRB has issued several important decisions that impact both unionized and nonunionized employers, and unions and unrepresented employees have participated in a wide range of concerted activities, including walk-outs, strikes, or other demonstrations in 2023. In addition, the NLRB General Counsel and the DOL, EEOC, SEC, and other governmental agencies have signed formal agreements to cooperate and share information, meaning that every claim or charge with one agency could lead to additional claims and charges with the NLRB. Because of this, it is important, now more than ever, to be aware of potential claims under the NLRA. 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 addressed include:

- 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

**Speakers:**

[Kimberly Duplechain](#), [Ashton Hupman](#), [Thomas Lucas](#), [Laura Spector](#)

**11:30 a.m. – 11:45 a.m.**

**Break**

**11:45 a.m. – 12:45 p.m.**

**What Does the Biden Administration’s “Whole-of-Government” Approach Mean for Employers and Workers?**

As a candidate in 2020, President Biden stated he would be the most pro-union president in history. To meet this pledge, he has employed a “whole-of-government” approach that has mobilized the entire apparatus of the federal government. From the Department of Labor to the National Labor Relations Board, Federal Trade Commission, Department of Justice, and beyond, the Biden administration has left no stone unturned when looking for ways to advance the president’s agenda through a coordinated federal effort. Panelists will discuss and analyze how this effort has led to an emboldened labor movement, how federal agencies have formed formal and informal partnerships to advance policy goals, individual agency actions such as rulemakings and enforcement strategies, pending legal challenges, and what to expect leading up to the 2024 presidential election.

**Speakers:**

[Maury Baskin](#), [Emily Carapella](#), [Shannon Meade](#), [James Paretti](#)

**12:45 p.m. – 1:45 p.m.**

**Lunch**

**1:45 p.m. – 2:45 p.m.**

**Discrimination Law Update**

Employment laws covering Title VII adverse action standards, religious accommodation obligations, the Pregnant Workers Fairness Act (PWFA), diversity policies, remote work issues, and the use of artificial intelligence (AI) in the workplace all have seen significant changes in the last year. In this session, Littler’s experienced employment discrimination attorneys will delve into recent EEO law developments that every employment lawyer or HR professional needs to know.

Topics addressed include:

- Adverse action standards after *Muldrow*
- Inclusion, diversity, and equity policies and programs
- Religious accommodation obligations post-*Groff*
- PWFA law and regulations
- Remote workforce issues
- AI in the workplace

**Speakers:**

[Alison N. Davis](#), [Nancy Delogu](#), [Bradford Kelley](#), [James Paretti](#), [Anna Sheridan](#)

2:45 p.m. – 3:00 p.m.

### Break

3:00 p.m. – 4:00 p.m.

### MD, DC, VA Hot Topic Roundup

Becoming or continuing as an employer in this geographic area is more complex than ever as all three (3) jurisdictions continue to enact new employment laws. In this hot topics session, you will be armed with the knowledge that all DMV businesses need for compliance in these challenging areas of the law.

#### Speakers:

[S. Libby Henninger](#), [Bethany Ingle](#), [Steven Kaplan](#), [Rosa Goodman](#)

4:00 p.m.

### Cocktail Reception