

The Outlook Ahead: How to Navigate a New Workplace

Thursday | September 9, 2021



2021 Virtual Employer Series

All sessions will be recorded and will be available On Demand following the conclusion of the event.

9:00 a.m. – 10:00 a.m. ET

The Wandering Worker: Maintaining Compliance as Workplaces Disaggregate

The pandemic has driven a massive change in the ways we work, including a widespread shift to remote work that was unthinkable roughly a year ago. Post-pandemic, much of the workforce is expected to continue working remotely. This shift, which allows people to work from anywhere, creates myriad employment law issues. If the employee is working in a different jurisdiction, or between jurisdictions, what are the leave and benefit requirements? What are the tax withholding requirements? How can a firm legally monitor and manage productivity and performance in a remote environment? This session will explore these and other novel issues that will arise as remote work endures.

Michael McIntosh, Office Managing Shareholder, Tysons Corner, VA

Joshua Waxman, Office Managing Shareholder, Washington, DC

Patricia Donkor, Associate, Washington, DC

10:15 a.m. – 11:15 a.m. ET

WPI Labor and Employment Outlook

Upon taking office, President Biden's administration began immediately implementing portions of their labor and employment law agenda. Join Littler's Workplace Policy Institute (WPI) discussion of the new legislative and regulatory landscape and what we might expect to see in the months and years to come. Our panel will focus on several critical topics, including:

- The PRO Act and a Biden National Labor Relations Board
- Likely changes to the independent contractor and joint employment standards
- A refocused Office of Federal Contract Compliance Programs
- The Fight for 15 and other wage and hour issues
- What to expect from the EEOC
- The future of paid leave
- OSHA COVID ETS and related workplace safety issues

Maury Baskin, Shareholder, Washington, DC

Bradford Hammock, Shareholder, Tysons Corner, VA

James Paretti, Shareholder, Washington, DC

11:30 a.m. – 12:30 p.m. ET

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

An employee comes to a manager and indicates that there was a post from a coworker on social media that the employee found offensive. Between the time of the report and the following day, the employee organized approximately 15 employees to show up to work the next day wearing face masks with a specific message written on the masks. The employees demand to meet with the company's chief executive officer because they want to start a new employee resource group to create a safe space for employees to discuss issues and to drive systemic change with the company. The employees also want the company to engage in an IE&D survey and demand that the company posts the results on its website. In the meantime, individuals from this same group also posted several times on social media. In their posts, they specifically identified the coworker who initially posted the allegedly offensive message by name and residential address.

They also are demanding that the company takes decisive action against the coworker. Regardless of the size of the company, there is a high probability that at least one of these issues either occurred or is bubbling under the surface. While COVID-19 will hopefully one day soon be a memory, the diversity, equity, and inclusion tensions will remain. Especially as more employees are intending to or are in the process of returning in-person to the workplace after being apart for over a year, there is bound to be some conflict as employee populations finally emerge from their bubbles. This year's distinguished presenters will address this wide of array of inclusion challenges and tensions in an effort to aid your organizations and employees with rising to meet these challenges and create even greater diversity, more inclusivity, and overall harmony.

Alison Davis, Shareholder, Washington, DC

Joseph Greener, Associate, Washington, DC

Brandon Mita, Associate, Washington, DC

12:45 p.m. – 1:45 p.m. ET

MD, DC, VA Hot Topic Roundup

Being an employer in this geographic area has become increasingly more complex as all three (3) jurisdictions continue to enact new employment laws, most recently Virginia, which has enacted a series of employee-friendly legislation that has redefined the employment landscape. These emerging legal requirements bring different employer obligations and mandates which make compliance complex. In this hot topics session, you will be armed with the knowledge that all businesses operating in the DMV need for compliance with these challenging areas of the law.

Libby Henninger, Shareholder, Washington, DC

Steven Kaplan, Shareholder, Washington, DC

Meredith Schramm-Strosser, Associate, Washington, DC

2:00 p.m. – 3:00 p.m. ET

Vaccines and Returning to Work: How the Pandemic is Changing ADA Workplace Accommodations

The pandemic forced us to rethink notions of how work is accomplished – and that experience will have a lasting impact on how workplace accommodations are viewed. How will courts and agencies, which shared the same sheltering experience, now view accommodations such as telework, worksite equipment, job restructuring and even assistance animals? Experienced panelists will vet the new possibilities and challenges for employers and provide strategies and insights into these often-complicated issues.

Bethany Ingle, Shareholder, Tysons Corner, VA

Lindsay Neinast, Shareholder, Washington, DC