

## The Journey Ahead: Navigating the Future of Work

Wednesday | October 6, 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. MT**

### **Equal Pay Transparency Rules Revamp Job Postings and Promotion Processes**

Colorado's Equal Pay for Equal Work Act went live on January 1, subjecting all employers with even one employee in Colorado to onerous, first-in-the-nation requirements to include salary range and benefits in job postings, and to notify Colorado employees of all promotional opportunities company-wide. This session will discuss how Colorado employers have dealt with these requirements, how the state has approached enforcement of the law, and the disconnect between the vision behind the requirements and their actual effect on the job market. The panel will also discuss their predictions for the future of this law and employer strategies for compliance.

**Jennifer Harpole, Shareholder, Denver, CO**

**Joshua Kirkpatrick, Shareholder, Denver, CO**

**10:00 a.m. – 10:15 a.m. MT**

**Break**

10:15 a.m. – 11:15 a.m. MT

### Privacy Hot Topics for Colorado Employers

This session will cover two hot areas of concern for Colorado employers. First, the panel will discuss privacy risks to employers when handling vaccination information and key steps to reduce those risks. Second, with the passage of the Colorado Data Privacy Act, data protection laws have come to Colorado. Panelists will cover the integral role that HR professionals play in complying with Colorado's new protections for consumer data, as well as those of the very similar Virginia Consumer Data Protection Act. Crucial to Colorado businesses with employees who reside in California or the European Union, the new California Privacy Rights Act and the European Union's new data transfer requirements will apply to HR data, as well as consumer data. The panel will examine how these developments impact Colorado businesses and steps employers must take to comply.

Philip Gordon, Shareholder, Denver, CO

Zoe Argento, Shareholder, Denver, CO

11:15 a.m. – 11:30 a.m. MT

### Break

11:30 a.m. – 12:30 p.m. MT

### 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. Since the beginning of the pandemic, over 2,000 cases have been filed against employers, with more than 95% of those cases involving retaliation and discrimination claims. 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 the steps employers ought to be thinking about now to prepare themselves for those claims. We will also provide predictions about how the pandemic may have changed the way the courts manage and handle litigation in the future.

Michelle Gomez, Shareholder, Denver, CO

Danielle Van Katwyk, Associate, Denver, CO

12:30 p.m. – 12:45 p.m. MT

### Break

12:45 p.m. – 1:45 p.m. MT

### **No Way Back: The Future of Work in 2021 and Beyond**

The COVID-19 pandemic caused a seismic shift in workplaces in 2020 and continues to dominate headlines in 2021. But behind the imposing figure of COVID-19 lies the shadow of a more subtle, but more permanent, change: an irreversible workplace culture shift in the concerns, priorities and preferences of employees. Remote work is now the norm. Job openings remain unfilled in a difficult labor market. Diversity, equity and inclusion initiatives are a must. Presidential support for labor organizing is at an all-time high. Restrictive covenants and limits on unfair competition are at an all-time low. How are employers – still reeling from 2020 – meeting these new cultural challenges in 2021? We will address each of these shifts in culture, offer practical solutions for the savvy employer struggling to stay competitive in today's labor market and help employers meet the challenges of 2021 and beyond.

**Danielle Kitson, Shareholder, Denver, CO**

**Steve Baumann, Associate, Denver, CO**

2:00 p.m. – 3:00 p.m. MT

### **The New Normal: Considerations for Returning to the Worksite in the Continuing Time of COVID-19**

While COVID-19-related stay-at-home restrictions have been easing, new state and local requirements make clear that what businesses are "returning to" will look very different from what they left. Employers in every industry must consider when, whether and how to make that return safely.

Littler's David Gartenberg, Joshua Abromovitz, and Surbhi Garg discuss how to:

- Interpret reopening guidance from federal, state and local sources.
- Develop compliant and sustainable workplace safety plans.
- Handle mandatory vaccination considerations.
- Keep up with changing federal, state and local leave of absence and accommodation requirements.
- Reassess workforce strategies and structures for the balance of 2021 and beyond.

**David Gartenberg, Shareholder, Denver, CO**

**Joshua Abromovitz, Associate, Denver, CO**

**Surbhi Garg, Associate, Denver, CO**

3:00 p.m. – 3:15 p.m. MT

### **Break**

3:15 p.m. – 4:15 p.m. MT

## **A Collision of Accommodations: ADA, FMLA and Vaccine/Mask Mandates**

Employers are making decisions about the best ways to keep their employees safe as a return to the workplace is underway. But as employers implement new vaccine and mask mandates, how do they know the best way to react when employees request accommodations and exemptions to these mandates under the Americans with Disabilities Act? In this webinar, we will tackle the most common and difficult leave and accommodation scenarios that employers have encountered as new mandates are put in place and also provide practical suggestions on how employers can address these situations. Topics will include handling requests for accommodations such as exemptions from mask and vaccine mandates, telework, leaves of absence and job restructuring.

**Laurie Rust, Shareholder, Denver, CO**

**Carolyn Theis, Associate, Denver, CO**

**Kelsey VanOverloop, Associate, Denver, CO**