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EMPLOYER

## Fueled by Ingenuity, Inspired by You: Your Challenges, Our Solutions

2019 Miami Employer Conference  
October 24 | Aventura, FL



8:30 a.m. – 9:00 a.m.	Registration and Breakfast
9:00 a.m. – 9:10 a.m.	Welcome
9:10 a.m. – 10:10 a.m.	<b>The Push and Pull of Workplace Technology: Anticipating and Minimizing Risks While Reaping the Benefits of the Latest Advances</b>  As wearables, biometric devices, smartphones and GPS trackers become ubiquitous in the workplace, employers are faced with the difficult task of regulating all of this tech. The challenge of protecting confidential business information from the threat of round the clock access by employees, deciding whether to monitor employees' use of this technology, and navigating the maze of compliance obligations and privacy laws is enough to make employers dizzy. To further complicate things, employers with multistate operations face the task of ensuring that they are reimbursing some of their employees for all "necessary" business uses of non-company owned technology.  In this session you will untangle the web of laws around these burgeoning issues, and receive practical tips for how best to protect your workplace and ensure legal compliance.
10:10 a.m. – 10:30 a.m.	Break
10:30 a.m. – 11:30 a.m.	<b>Responding to Workplace Violence: What Would You Do?</b>  Rarely a week goes by without at least one headline about an act of violence or threat of workplace violence. Would you know how to react if the unthinkable occurred in your workplace? Do you have plans in place to respond? What preemptive steps can you take to enhance employee safety? Do you provide any information or training to your employees?
10:10 a.m. – 10:30 a.m.	Break
11:40 a.m. – 12:40 p.m.	<b>Session A: Session A: Emerging Accessibility Issues Under Title III of the ADA</b>  Congress passed Title III of the Americans with Disabilities Act (ADA) to ensure that individuals with disabilities can fully enjoy the facilities, goods and services of business that are open to the public. While many people believe that Title III only applies to things like accessible parking spaces, access ramps, and public restrooms, an increasing number of claims are being brought involving other alleged barriers to access such as the right to bring service animals into a business and assertions that companies' websites and mobile apps are not sufficiently accessible to individuals with disabilities. In this session, we will discuss emerging trends in litigation under Title III and ways your business can ensure that it is accessible to individuals with disabilities.  <b>Session B: Gender Identity: A Look at Unique Issues Concerning Transgender Employees</b>  Now more than ever, employers must provide an inclusive environment to all employees. In the United States, federal, state and local legislatures and courts have endorsed increasingly greater protections based upon "gender identity or expression," (i.e., protection against discrimination of "transgender" employees). As a result, employers must grapple with how best to accommodate transitioning employees (that is, how to accommodate employees who wish to present a gender different than that assigned at birth, how to address multiuse gender-specific restrooms, locker rooms and changing rooms and other similar issues).  This discussion will review the legal requirements and obligations of employers. Components of this presentation will include an overview of gender identity terms/classifications and discussion points on how to approach various gender identity issues in the workplace. Finally, the discussion will review tips for avoiding discriminatory behaviors and facilitating inclusiveness in the workplace by employers.
12:40 p.m. – 1:15 p.m.	Lunch



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1:15 p.m. – 2:15 p.m.	<b>Employment and Labor Law Update: A Look at Recent Florida and Miami/Dade Case Law and Immigration Updates Under the Current Administration</b>  This lunchtime session provides a unique opportunity to understand the latest Florida- and Miami/Dade-specific court cases, legislative and regulatory activity and crucial developments affecting your workplace and your responsibilities this year.  We will also hear from Littler's Global Mobility and Immigration Practice Group Chair, Jorge Lopez, on the Trump Administration's recent employment changes to federal immigration law and the proactive measures employers should take to avoid potentially hefty monetary penalties as enforcement continues.
2:15 p.m. – 2:30 p.m.	<b>Break</b>
2:30 p.m. – 3:30 p.m.	<b>Happy Paper Trails: Creating Effective FMLA and ADA Policies, Templates and Practices that Won't Go Off the (Legal) Rails</b>  Most employers have encountered situations where a leave or accommodation policy provision, practice or form has complicated their efforts at legal compliance or even led to liability. This in-depth practical session will highlight real-world examples of employer missteps as well as cutting-edge solutions that can enable more efficient paths to the correct leave and accommodation answers. This review of practice and policy approaches will consider handbook language that can discourage FMLA leave abuse; how to ensure that leave, accommodation and disability benefit decisions do not work at cross purposes; and how best to tackle repeated requests to extend ADA leave. An examination of form and template issues will address over broad medical inquiries and demands for medical records releases, the limits of the DOL's model FMLA certification forms, the many ways in which rote interactive process templates can lead to ADA liability, and creative approaches to FMLA recertification and second opinion letters. Attendees at this session will leave armed with sample language that can be put into practice and high-level drafting strategies applicable to unique fact situations.
3:30 p.m.	<b>Closing</b>