

# Choose a total of six sessions.



## Labor Law Issues in the Gig Economy

Mobile technology has spawned new business models where digital companies connect customers with independent service providers on a per-job basis. Government agencies, unions and plaintiffs' attorneys challenging these new companies argue that their independent contractors are actually employees, and their tech-centered employers are trying to find a low-cost solution to minimize employment liability and union organizing. Traditional businesses are looking for how to expand their business to include some of the characteristics of this new mobile tech economy in their 9-to-5 workplace. It's safe to say that any organization utilizing gig-economy services may be exposed to new challenges as the regulations around these new business structures evolve. Our session will focus on how traditional businesses can leverage these legal developments to stay on the cutting edge of their industry.



## Gender Issues in the Workplace: Pay, Harassment and Equality

This session explores trends in the workplace and recent developments in the law in the context of pay equity and harassment issues. As a result of both federal and state legislation focused on gender-based inequality both in treatment and effect, employers must assess whether their compensation policies and practices are vulnerable to claims based on wage gaps between men and women. In addition, acknowledging the headline issue of high-profile harassment claims and the burgeoning #metoo movement, this session also focuses on best practices for addressing sexual harassment and discrimination issues in the workplace.



## NLRB on the Precipice

For eight years, employers had to contend with the Obama Board's attempts to expand its influence in unionized and non-unionized environments. From social media to confidentiality provisions, and from micro-units to reduced deferral to arbitration, the Board flexed its muscles in many ways. Now, with the NLRB under the control of the Trump administration, we examine where employers have seen, or are likely to see, a return to pre-2009 standards.



## Workplace Safety in the Age of Terrorism

September 11, 2001, marked the dawn of a new world for all of us. For employers, the events of that horrendous day and incidents of workplace violence occurring over the ensuing 16 years have served as a reminder of the need to protect workers from potential coordinated and lone-wolf attacks. With the dramatic recent increase in workplace attacks, harassment, and fear imposed by external forces as well as co-employee actions, every employer needs to have an action plan and defense to meet its duty of care to its employees and others in the employment environment. In this session, we will discuss steps your company can take to better address external and internal threats.



## Accurately Predicting Union Activity

Union organizing across the nation is alive and well. And with the current state of favorable NLRB procedures expected to influence organizing at least for the next year, the strength of unionization will continue. With the increasing use of electronic and internet tactics to evade employer detection, and utilization of sophisticated investigatory programs to infiltrate the workplace, the traditional means of union avoidance need to be retooled to meet the changing environment. In this session, we will discuss the building blocks to develop an accurate predictive model to thwart union organizing. This model is based on specific data points and variables to determine vulnerability. We will review these best-in-class practices and effective methods to keep the union from knocking on your door.



## Tax and Healthcare Reforms: Using Benefit Plans to Efficiently Compensate Employees

One of the most attractive aspects of providing employees with pension, health and other types of benefits is the special federal tax treatment such benefits receive. Pending federal tax reform initiatives, if enacted, would fundamentally change the way many benefits would be taxed, both for employers and employees. This session will review pending and proposed federal tax and health care reform changes that could prompt employers to rethink plans and programs they currently have or are considering.

Tailor your six-session itinerary to what's most important to you. Having a hard time choosing among the important topics? Consider bringing multiple attendees from your organization.



## Collective Bargaining Contract Academy

Those of us that handle collective bargaining agreements know the great feeling when the CBA is executed and ratified. However, that is just the start of the process for implementation of the new contract. And human nature is for managers to revert back to how things used to be, despite the favorable terms that may have been achieved through hard bargaining. So, after each CBA negotiation, whether it be a first contract or a successor agreement, there is a need to ensure how the CBA is to be interpreted going forward. The treatment of past practices under prior agreements, as well as strategic measures to follow the new CBA's terms and conditions, are crucial for reaping the rewards of the current management-labor realities. There are specific methods to make this most effective, and this session will discuss how we conduct a Contract Academy to do so.



## Employment Law Issues for Government Contractors

Above and beyond the myriad labor and employment laws and regulations with which all employers must grapple, government contractors have separate and even more onerous and burdensome compliance obligations. From affirmative action requirements to prevailing wage provisos to a host of even more esoteric procurement requirements, government contractors face never-ending and daily challenges. The Draconian spectre of suspension and debarment looms for non-compliance. This session discusses the landscape that government contractors presently face and how it may evolve as the Trump administration continues to take shape.



## Business Immigration: Stranger Things Are Happening

With the Trump administration demonstrating a commitment to restricting all forms of immigration, U.S. employers are facing unprecedented resistance and threats to their businesses and employees. This session will take stock of the first year of the new administration and look at what new challenges can be expected in business immigration in 2018 and beyond, including increasingly restrictive adjudications of visas and green cards; greater scrutiny of global business travel; heightened worksite enforcement from multiple agencies; and proposed changes to the H-1B visa and other programs.



## Wage and Hour Update: An Enforcement and Regulatory Sea Change or More of the Same?

Continued uncertainty over the status of FLSA overtime regulations combined with unceasing collective and class action litigation brought by plaintiff's counsel has kept federal and state wage and hour law front and center for employers in all industries. With the U.S. Department of Labor in transition, navigating the current regulatory and enforcement terrain remains problematic. Even experienced and savvy human resources, legal and payroll professionals can stumble over complex and often unintuitive wage and hour principles. Virulent remedies for noncompliance, including liquidated damages and civil money penalties, remain as traps for even well-intentioned employers. This session will provide a thorough discussion of the current and likely future state of play and will examine today's thorniest wage and hour issues.



## Card Check Neutrality Agreements

For the past several years, unions have sought to organize employees by intentionally avoiding the preferred NLRB elections process. They do this by attempting to convince employers to permit recognition through a voluntary card check protocol. Sometimes this procedure is embedded in existing collective bargaining agreements to bind future operations. Sometimes it is used as a means to avoid union interference with company growth or development plans. It is also used as a pressure tactic to impede obtaining government approvals and permits. The strategic planning when confronted with CCNAs, as well as negotiations of such agreements and the understanding that neutrality obligations do not necessarily lead to compulsory unionization, will be the focus of this session.



## Trade Secret Protections from Disgruntled Employees

Given the explosion in information technology, the potential for departing, disgruntled and disloyal employees to misappropriate confidential and proprietary information has never been greater. In this session, we will discuss proactive legal and practical measures your company can take to minimize and remedy the damage that employees with a thumb drive, cellphone and evil intent can inflict.