

The Journey Ahead: Navigating the Future of Work

Tuesday | October 12, 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. PT

The Impact of COVID-19 on Employment Litigation: Employers' Perspectives

The COVID-19 pandemic has forced employers to quickly adjust and re-adjust to address the realities of running a business during COVID-19. This seminar will discuss recent trends in employment litigation related to COVID-19, the types of claims we believe are on the horizon for 2022 and the steps employers ought to be thinking about now to prepare themselves for those claims. The seminar will conclude with a panel of employers discussing frequent issues, concerns, lessons learned and a vision for the future.

Kristy Peters, Shareholder, Phoenix, AZ

Amanda Breemes, Associate, Phoenix, AZ

Guest Panelist: Cyrus Martinez, Associate General Counsel | Banner Health

Guest Panelist: Sherida Colvin, Senior Vice President of Associate Engagement & In-House Counsel | Alliance Residential

10:00 a.m. – 10:15 a.m. PT

Break

10:15 a.m. – 11:15 a.m. PT

Return to Work: Vaccines

Employers have been pursuing a safe return to work in the best way they know how since the COVID-19 pandemic began. This has required constant diligence and inordinate amounts of time to keep up with ever-evolving guidance from federal, state and local authorities, while also keeping an ever-present eye on various human resources and employee relations issues. Perhaps nothing has mobilized opinions on these challenges more than vaccines.

In this virtual program, we will explore some of the most common workplace challenges associated with the vaccine, including mandates versus soft mandates, wage and hour implications, incentives, proof of vaccination, confidentiality, and related employment law issues. We will discuss CDC, OSHA, EEOC, DOL and other guidance about vaccines and return to work. We will address some common myths and misinformation circulating about employee and employer rights. Due to the importance of these topics and amount of information to cover, our colleagues will present on ADA accommodations in a separate session.

Josh Waltman, Associate, Phoenix, AZ

Sarah Watt, Associate, Phoenix, AZ

11:15 a.m. – 11:30 a.m. PT

Break

11:30 a.m. – 12:30 p.m. PT

Return 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? Panelists will discuss the new possibilities and challenges for employers and provide strategies and insights into these often-complicated issues.

Andrea Lovell, Shareholder, Phoenix, AZ

Sarah O’Keefe, Associate, Phoenix, AZ

12:30 p.m. – 12:45 p.m. PT

Break

12:45 p.m. – 1:45 p.m. PT

The Changing Labor Law Landscape: What to Expect from the Biden NLRB General Counsel and Board

Upon taking office, President Biden's administration began immediately implementing portions of their labor law agenda. Join our discussion of the new legislative and regulatory landscape and what we expect to see in the remainder of 2021 and onward.

We will focus on several critical topics, including:

- Prospects for the PRO Act and other legislative efforts to promote collective bargaining
- Efforts by the Biden National Labor Relations Board to implement elements of the PRO Act through rule making and caselaw developments
- Changes to independent contractor and joint employment standards that are likely to affect your business
- The future of employee handbooks
- And other hot topics

Fred Miner, Shareholder, Phoenix, AZ

Yijee Jeong, Associate, Phoenix, AZ

2:00 p.m. – 3:00 p.m. PT

The Road Map for Navigating Workplace Violence Issues in Arizona

The recent COVID-19 pandemic has presented new challenges and stresses for all worksite employees, which are manifesting in rising incidents of workplace violence. Employers are now finding themselves grappling with increased workplace violence issues as their workforces move back to the office or remain working from home. Employer questions are rising regarding what measures they should take – or are legally obligated to take - to keep employees safe from harm in the workplace. Under the Federal Occupational Safety and Health Act (OSHA) all employees have a general duty to provide a safe workplace for employees.

Join Littler Shareholder Shawn Oller and Associate Shaylon Lovell as they discuss steps that Arizona employers can take to reduce and mitigate workplace violence including:

- What policies and practices should employers have in place to increase awareness, recognition and reporting of actual or potential incidents of workplace violence?
- What are some warning signs of workplace violence?
- How do employers assess the risk and deploy measures that are proportionate?
- How and when should employers seek an Arizona Injunction Against Workplace Violence?
- Should employers be conducting active shooter training?

Shawn Oller, Office Managing Shareholder, Phoenix, AZ

Shaylon Lovell, Associate, Phoenix, AZ

3:00 p.m. – 3:15 p.m. PT

Break

3:15 p.m. – 4:15 p.m. PT

Developments in Arizona Marijuana Law

In this session, we will discuss developments in Arizona marijuana law, including the Arizona Medical Marijuana Act and the Safe and Smart Arizona Act (Proposition 207). We will examine challenges and practical considerations for employers as they navigate this new and evolving issue.

Steve Biddle, Shareholder, Phoenix, AZ

Kim Shappley, Associate, Phoenix, AZ

Melissa Shingles, Associate, Phoenix, AZ

Guest Panelist: Cory Walker, Senior Counsel, Labor and Employment | Harvest Health & Recreation