

Employment Law Program

Virtual | June 2, 5 & 6, 2023



Please note the program is tentative and subject to change

Last Updated: 04/18/23

Friday, June 2, 2023

| TIME (Eastern) | TITLE | DESCRIPTION | SPEAKER(S) |
|--------------------|---|--|-----------------|
| 12:00PM to 12:55PM | Informal Networking Lunch | Spend an hour discussing employment law issues over an informal networking lunch (or breakfast) via Zoom. | |
| 1:00PM to 2:00PM | Great Expectations: The Pregnant Workers Fairness Act (PWFA) and The Providing Urgent Maternal Protections for Nursing Mothers (the PUMP Act) | The Pregnant Workers Fairness Act is a new law that was passed December 29, 2022, requiring a covered employer to provide reasonable accommodations to a workers' known limitations due to pregnancy, childbirth or related medical conditions, unless to do so will cause an undue hardship. The PUMP Act, in contrast, modifies the 2010 Breaktime for Nursing mothers Act by extending its protections to most exempt employees, clarifies that employees should be paid for such time, if not relieved of all duties and provides for an individual cause of action for monetary damages, if the employer fails to comply. The presentation will cover the applications of these statutes, the interplay between these statutes and the ADA, as well as the PDA, and affirmative steps covered municipal employers should take in advance of the six-month interval between the effective date of the PWFA and the anticipated EEOC regulations. | Robin Cross |
| 2:15PM to 3:15PM | Navigating the Legal Complexities of Employees with Substance Abuse Issues | This presentation will discuss how employers should approach the issues that arise with current and former employees with substance abuse issues. The goal of this presentation is to provide public sector employees, particularly local governments, guidance on navigating through the ADA, FMLA and any fitness for duty issues involving employees who have a history of substance abuse. Additional topics such as controlled substance and alcohol testing of employees and the utilization of employer sponsored employee assistance programs. | Deidra Sullivan |

Monday, June 5, 2023

| TIME (Eastern) | TITLE | DESCRIPTION | SPEAKER(S) |
|------------------|--|--|-------------|
| 1:00PM to 2:00PM | How to Personally Combat Implicit Bias | This presentation will discuss what implicit bias is and why it's important for government lawyers to be concerned about their implicit biases. The presentation will provide tips on how to combat your own implicit biases and those you see expressed by others. | Tara Kelly |
| 2:15PM to 3:15PM | Defending Your Municipality Against Harassment and Sexual Harassment Claims. | This session will give a general overview of what is harassment/sexual harassment and the general defenses on behalf of municipalities. It will also cover various strategies in defending against harassment/sexual harassment claims while providing specific case examples. Finally, this session will touch on how to investigate and document harassment/sexual harassment allegations. | Jenna Adams |

Tuesday, June 6, 2023

| TIME (Eastern) | TITLE | DESCRIPTION | SPEAKER(S) |
|------------------|---|---|-------------------|
| 1:00PM to 2:00PM | The EEOC's 2023-2027 Strategic Enforcement Plan: Implications for Your Municipality | Every four years, the EEOC—who has enforcement jurisdiction over the Americans with Disabilities Act, the Equal Pay Act of 1963, and Title VII of the Civil Rights Act, among others—adopts a plan setting forth the agency's specific goals for their enforcement authority, including what priority issues will receive the focus of Commissioner Charges and directed investigations. The EEOC's latest Strategic Enforcement Plan (SEP) makes clear that the Agency intends to continue to be at the forefront of emerging and developing issues, including implicit bias in the use of AI technologies for recruitment and hiring, discrimination influenced by local, national or global events, systemic harassment, and discrimination associated with the COVID-19 pandemic and other threats to public health. Join us to learn more about the new SEP and ensure your municipality has the appropriate policies and procedures in place. | Anne Milligan |
| 2:15PM to 3:15PM | Diversity, Equity and Inclusion as Fundamental Principles | Our ability to address community issues such as economic and health disparities, sustainability, systemic racism, and lack of access to affordable housing and infrastructure, among others, requires input from various perspectives. Attracting and hiring a diverse workforce is critical to being able to provide well-rounded solutions to community issues, but is only a piece of the puzzle. Best practices also include creating an environment where diversity, equity, and inclusion are fundamental principles as well as top priorities. This discussion will include the legal support necessary for government employment policies that support internal and external DEI efforts. | Jeannine Williams |