



IMLA 2026 Employment Law Program

Virtual
May 27 -28, 2026

Wednesday – May 27, 2026

Time	Session	Speaker(s)
12:00 PM – 12:50 PM Eastern	Welcome Lunch Spend time discussing Employment Law issues over an informal networking lunch (or breakfast) via Zoom.	
1:00 PM – 2:00 PM Eastern	First Amendment & Employee Speech This session focuses on managing employee speech rights in the public workplace, particularly in the era of social media and heightened political engagement. It walks participants through the basics of the Pickering, Connick, and Garcetti frameworks and shows how courts have balanced employee speech against governmental interests in recent years. The session also addresses off-duty conduct, political activity, whistleblowing, and media relations, and provides guidance on drafting and enforcing policies that withstand constitutional scrutiny in the age of social media.	Marjorie Cohen
2:30 PM – 3:30 PM Eastern	The 365 Day Evolution of Interpretations of Equal Opportunity Law A whirlwind of executive orders, federal agency interpretations, state statutes, and attorney general opinions have passed affecting the state of equal opportunity in employment. This session will highlight the numerous changes in interpretations of long standing equal opportunity laws over the past year. We will also discuss best practices for municipal lawyers providing legal advice to policy makers regarding such changes.	Jeannine Williams
4:00 PM – 5:00 PM Eastern	Litigation & Risk Management This session focuses on preventing, managing, and defending employment-related litigation against municipalities. Topics include Section 1983 employment claims, qualified immunity, discrimination and retaliation lawsuits, and class or collective actions. The program provides guidance on early case assessment, settlement authority, insurance coverage issues, and strategies to minimize attorneys' fees exposure.	Elizabeth Provencio

Thursday – May 28, 2026

Time	Session	Speaker(s)
12:00 PM – 1:00 PM Eastern	Public Sector Discipline and Due Process This session examines the constitutional and statutory protections that apply to public employees facing discipline or termination. It would cover when an employee has a protected property interest in continued employment, the requirements of pre- and post-termination hearings under <i>Loudermill</i> , and how civil service systems and collective bargaining agreements affect disciplinary procedures. The session emphasizes best practices for documentation, progressive discipline, and notice, and would address common mistakes that lead to due process violations and costly litigation.	Rebecca Hayward

<p>1:30 PM – 2:30 PM Eastern</p>	<p>No Tax on Tips OBBB Update § 70202 of the One Big Beautiful Bill Act (OBBB) allows non-exempt hourly employees under the FLSA to take a federal income tax deduction for the total amount of “qualified overtime compensation” received. This session will address the employer issue of determining what is “qualified overtime compensation” and its calculation, including calculating qualified overtime for fire protection or law enforcement employees working alternative work periods under an FLSA Section 7 election.</p>	<p>Robin Cross</p>
<p>3:00 PM – 4:00 PM Eastern</p>	<p>Evolving Standards for Employer Liability The Sixth Circuit likely created another circuit split related to employer liability for third-party harassment in its <i>Bivens v. Zep, Inc.</i> decision. Departing from EEOC guidance and other circuits that use a negligence standard, the court held that an employer is liable for harassment of an employee by a client or customer only if the employer intended for the harassment to occur or was substantially certain that it would occur. This decision drastically raises the bar for plaintiffs in Kentucky, Michigan, Ohio, and Tennessee. This session will examine the emerging circuit split and provide tips for avoiding liability regardless of your location.</p>	<p>Josh Skinner</p>

Last Updated: 04/21/26. Please note the agenda is tentative and subject to change.