

## The Journey Ahead: Navigating the Future of Work

Wednesday | October 20, 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. CT

### The 2021 Littler Report

Littler has always been ahead of the curve in recognizing trends, predicting results and providing practical, proactive advice in the world of labor and employment law. The 2021 Littler Report will explore the changes dramatically impacting our workplaces and influencing how HR and employment law professionals address their job responsibilities today and in the coming years. Join us as we continue our tradition of providing attendees with the tools to handle today's challenges and guidance on preparing for future changes in the laws and the very nature of our workplace.

Marko Mrkonich, Shareholder, Minneapolis

Claire Deason, Shareholder, Minneapolis

Kurt Erickson, Shareholder, Minneapolis

David Goldstein, Shareholder, Minneapolis

10:15 a.m. – 11:15 a.m. CT

### Ask Your Littler Attorney

The lawyers of Littler's Minneapolis and Milwaukee offices are ready to share their insights and answer your questions. How can you best tackle changes in labor and employment law in 2021? In this virtual program, the presenters will discuss what's on your mind and answer your most urgent labor and employment law questions. Please submit your questions upon registering, or bring your questions with you to the webinar. All questions welcome!

Karen Charlson, Shareholder, Minneapolis

Holly Robbins, Shareholder, Minneapolis

Michael Yellin, Associate, Milwaukee

**11:30 a.m. – 12:30 p.m. CT | Option 1**

## **What to Expect from the Biden NLRB General Counsel and Board**

With recent changes in the NLRB General Counsel's (GC) Office, a new Democratic board chair, and a Democratic majority board, we have experienced several pro-labor actions from the GC Office, and more are anticipated. Join us to discuss the latest in federal labor law decisions and GC initiatives, and further consider what is on the horizon for the remainder of 2021 and 2022 with the Biden Board and GC.

**Doug Christensen, Shareholder, Minneapolis**  
**Noah Lipschultz, Shareholder, Minneapolis**  
**Adam Tuzzo, Associate, Milwaukee**

**11:30 a.m. – 12:30 p.m. CT | Option 2**

## **When Every Day is "Blursday" - Wage and Hour Compliance for a Remote Workforce**

Complying with the complex patchwork of wage and hour laws is difficult enough when managing a 9-to-5, Monday-to-Friday, office-based workforce. Now that millions of workers are adjusting to a more permanent remote work arrangement, wage and hour compliance is even more challenging. During this session, our panel will guide you on how to define and track "hours worked" when work-from-home employees are constantly juggling work and personal priorities throughout the day. As plaintiffs' lawyers encourage remote workers to sue for unreimbursed home office expenses (including computers, phones, internet service, office supplies, and even a portion of utilities and rent), we will consider how to structure a reasonable expense reimbursement program. We will consider how transitioning to work-from-home may have transformed the nature of previously exempt jobs and discuss the perils of common "self-help" remedies undertaken when the employment relationship ends and home office equipment is not returned.

**Claire Deason, Shareholder, Minneapolis**  
**John Lassetter, Shareholder, Minneapolis**  
**Grant Goerke, Associate, Minneapolis**

**12:45 p.m. - 1:45 p.m. CT | Option 1**

## **Unfair Competition and the Value of Enforceable Restrictive Covenants in the Age of COVID-19 Mobility**

With the many other challenges presented by the COVID-19 pandemic, employers are experiencing a rise in employee mobility. Protecting business goodwill and company trade secrets is increasingly important. This session will provide an update on restrictive covenant enforcement, drafting tips and practical guidance for protecting trade secrets in a remote workplace.

**Kerry Middleton, Shareholder, Minneapolis**  
**Jeremy Sosna, Shareholder, Minneapolis**  
**Lauren Clements, Associate, Minneapolis**

**12:45 p.m. - 1:45 p.m. CT | Option 2**

## **Independent Contractors and Joint Employers: Continuing Legal Risks and Solutions**

Independent contractor and joint employment law impacts much of the U. S. workforce. With aggressive penalties for employers who misclassify workers to save costs and avoid taxes, the DOL, the NLRB, other agencies and plaintiffs' lawyers are turning their attention to independent contractor relationships. Agencies and plaintiffs are likewise working to expand the definition of joint employer to include more and more companies with even less involvement in employees' work. In this seminar, we will discuss the dangers, new developments impacting these areas of the law, and how to navigate the complex and confusing legal landscape.

**Michael Gotzler, Shareholder, Madison**  
**Jacqueline Kalk, Shareholder, Minneapolis**  
**Ben Sandahl, Associate, Minneapolis**

**2:00 p.m. - 3:00 p.m. CT**

## **COVID-19: Its Impact on Employment Litigation, How Best to Prepare Your Company, and What the Future of Litigation May Hold**

The COVID-19 pandemic has had an immediate and ongoing impact on employment litigation across the country, affecting virtually every industry. Since the beginning of the pandemic, over 2,000 cases have been filed against employers, with more than 95% of those cases involving retaliation and discrimination claims. In this session, we will explore these pandemic-related litigation trends thus far, the types of claims we believe are on the horizon for 2021, and the steps employers ought to be thinking about now to prepare themselves for those claims. We will also provide predictions about how the pandemic may have changed the way the courts manage and handle litigation in the future.

**Jacqueline Mrachek, Shareholder, Minneapolis**

**Kate Mrkonich Wilson, Shareholder, Minneapolis**

**Emily McNee, Associate, Minneapolis**