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OCTOBER 27-29 NBALES2022

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LABOR & EMPLOYMENT SECTION'S
ANNUAL CONFERENCE

Program Book



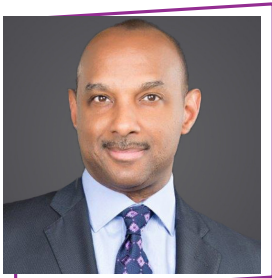
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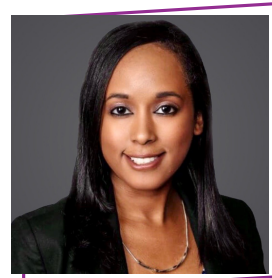
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LETTER FROM THE CHAIR NBA LABOR AND EMPLOYMENT SECTION



October 27, 2022

My Fellow Colleagues,

Welcome to Philadelphia and the National Bar Association's Labor & Employment Section ("NBALES") Annual Conference!

I am incredibly excited that our event has finally returned after being shut down during the pandemic. Our Executive Committee decided to come back stronger than ever. For the first time, we have expanded our programming by offering a record number of CLE's and holding our program in conjunction with the National organization's annual Wiley Branton Symposium. As you look through the program overview, you will see the broad range of topics within the labor and employment arena. In addition to increased substantive programming featuring excellent speakers, we will also have multiple networking receptions and a fabulous closing dinner to allow you to mingle with colleagues from across the country. I am confident this is going to be our best conference to date.

I want to give special thanks and recognition to our incredibly hardworking and talented NBALES 2022 Executive Committee. The Executive Committee, comprised of extraordinary Section members representing different affiliations, has worked tirelessly to make this year's conference the most impressive conference we have ever attempted. Their commitment to service our membership by providing opportunities for our members to display their incredible collective talent is consistent with our guiding purpose of being of service. I am incredibly grateful to work with such a talented group and hope each of you has an opportunity to meet your section leadership team.

Looking forward to seeing all of you soon!

KEVIN D. REESE
Chair, NBALES

CONFERENCE AGENDA

Thursday, October 27, 2022

8:45 AM

Introductory Comments

8:50 AM – 9:55 AM

Diversity, Equity, and Inclusion in Employment: How to Attain Goals, While Limiting Litigation Risks

The panel will discuss employers continuing efforts at tackling issues of diversity and inclusion with policies and initiatives designed to create opportunities. The panel will also discuss some do's and don'ts when it comes to creating an inclusive and equitable working environment, while also limiting litigation risks.

Panelists: LaToi D. Mayo, (Shareholder, Littler)
Jana Simon, (Chief Diversity, Equity and Inclusion Officer, Wiggin & Dana LLP)
Cecelia Tyree, (Senior Employment Counsel at Lyft, Inc.)
Charlene A. Barker, (Shareholder, Buchanan Ingersoll & Rooney PC)
April Madison-Ramsey, (Senior University Counsel, Stanford University)

10:00 AM – 10:55 AM

The New Business Models: More Remote Work Brings More Significant Physical and Cybersecurity Issues

What do you need to be aware of as the US response to COVID-19 shifts to remote/hybrid employment. How will you and your firm keep your telecommuting secure and your clients protected?

Moderator: Erin Johnson, (Associate, Fox Rothschild)
Panelists: Tanya Blocker, (Assistant General Counsel, National Grid)
Theodora Lee, (Shareholder, Littler)
Caleb Green, (Associate, Dickinson Wright)

11:00 AM - 12:00 PM

“Equal Pay for Equal Work”: Pay Equity Trends In Employment Litigation

Pay equity continues to be a hot topic in the employment space. This panel will give attendees an overview of federal and state equal pay laws, including who they protect and what they require. Topics will also include salary history bans, pay scale disclosure requirements and systemic equal pay risks.

Moderator: Christopher Patrick, Jackson Lewis, (Principal, Jackson Lewis)
Panelists: Keji Ayorinde, (Associate General Counsel Labor & Employment, Meta)
Maya Jumper, (Associate, Roche, Freedman LLP)
Sharde Skakan, (Associate, Seyfarth Shaw)

12:00 PM - 1:15 PM

Lunch Break

1:20 PM - 2:30 PM

Hot Topics in Wage and Hour Litigation:

This panel will discuss the wage and hour and compliance concerns attorneys have seen evolve since the heart of the pandemic and the changes we can expect from the U.S. Department of Labor's (DOL) Wage and Hour Division (WHD) in 2022. Stay current on these potential changes and uncover tips and tricks for remaining in compliance with the Fair Labor Standards Act (FLSA) and California Wage and Hour Law. The panel will also discuss employer considerations for updating affected employment policies and practices.

Moderator: Iriel Jones, (Associate, Fisher Phillips)

Panelists: Michael D. Thomas, (Principal, Jackson Lewis)
Sabine Jean, (Associate, Outten Golden)
Andrew Cook, (Principal Consultant, DCI Consulting)

2:35 PM - 3:40 PM

Accommodating and Supporting Neurodiversity & Mental Health Disabilities in the Workplace

There are a rising number of disability discrimination charges being filed based on neurodiverse and mental health conditions. The EEOC is keenly aware of this trend and has issued statements to ensure employers are affording individuals suffering from these types of disabilities the same non-discrimination and reasonable accommodation protections that are provided to other disabled employees. This panel will provide insight on how to best support and accommodate these disabilities as well as limit the risks of discrimination claims.

Moderator: Tim Reed, (Shareholder, Ogletree)

Panelists: Henry Ford, Jr, (Assistant General Counsel, Aramark)
Cecelia Tyree, (Senior Employment Counsel at Lyft)
Rachel Ulrich, (Partner, Ford Harrison)

3:45 PM - 4:50 PM

The Secret to My Success - Business Development Secrets from Elite Partners.

After an unprecedented year in which the pace of business slowed, lawyers had to reinvent the way to generate business. Learn from elite partners' groundbreaking perspectives of networking and business generation and consider a "new" normal in the legal practice. This panel will help you develop strategic growth concepts to help increase profitability, sharpen focus and prioritize, attract high-value clients, and build a great team. This panel will discuss rainmakers' secret to success and best practices to achieve growth within your practice.

Moderator: Jessica Thomas, (Associate, Ogletree)

Panelists: Gerald Pauling, (Partner, Seyfarth Shaw)
Karol Corbin Walker, (Partner, Kaufman, Dolowich & Voluck)

6:00 PM

In-House Networking Reception

CONFERENCE AGENDA



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Friday, October 28, 2022

9:00 AM – 10:00 AM General Counsel Panel

Get insight from this panel of senior legal department leaders on navigating the in house corporate ladder. They will discuss how to position yourself for elevation, successful strategies and pitfalls to avoid. They will also discuss the challenges of their position and provide insight on things they “wish they had known” as an outside counsel prior to becoming a legal department leader.

Moderator: Kevin Reese, (Principal, Jackson Lewis)

Panelists: James McPhail, (General Counsel, Bronco Wine Company)
Julie Rottenburgh, (Executive Vice President, General Counsel at Visa)
Stephani Lewis, (General Counsel, Chief Diversity Officer, Corporate Secretary, at IKEA)
Carlos Brown, (Executive Vice President, General Counsel at Dominion Energy)
Eddie Clopton, (Associate General Counsel, Labor & Employment, Verizon)

10:05 AM – 11:00 AM Prioritizing and Managing Mental Health in the Workplace

The CDC projects that in any given year, 1 in 5 employed adults in the U.S. experiences a mental health issue. Feelings of isolation and disconnection have been exacerbated during the COVID-19 pandemic. This panel will focus on how mental health issues affect our ability to perform at home and in the workplace and what we can do about it. Our panel of experts will share valuable insights about managing mental health and share ways to help us better understanding of the causes and symptoms of mental illness.

Panelists: Terrance Evans, (Partner, Duane Morris)
Michael D. Thomas, (Principal, Jackson Lewis)
Heather Horn, (Associate, Seyfarth Shaw)
Dr. Ariane Thomas, (Licensed Clinical Psychologist)

11:05 AM – 12:00 PM Using Artificial Intelligence in Hiring and Recruiting and the Associated Risks: The Future is Here

Employers and third-party recruiting services are more frequently using artificial intelligence and algorithmic decision-making tools in hiring, promoting, and in their DE&I efforts. This panel will discuss AI tools in general and their associated benefits. However, this panel will also the recent increased focus on these tools by regulators and legislatures including the EEOC, OFCCP, New York City and Washington DC, and the risks associated with their usage.

Panelists: Angelina Evans, (Senior Counsel, Seyfarth Shaw)
Rachel See, (Senior Counsel for AI and Algorithmic Bias, EEOC)
Janea Hawkins, (Senior Associate, Jackson Lewis)
Michael Wilson, (Shareholder, Ogletree)
Corinn Jackson, (Principal, Littler)

12:00 PM - 1:30 PM Lunch Break

1:45 PM - 2:45 PM

ADR topic: “Recent Trends Related to Arbitration Clauses in Employment Agreements”

During this session our panelists will discuss recent trends and changes regarding the enforceability of arbitration agreements in the employment context including: mandatory arbitration/class waiver agreements as a condition of employment and attendant costs; the recently passed bill amending FAA known as “Ending Forced Arbitration of Sexual Assault and Sexual Harassment Acts”; the U.S. Supreme Court’s decision that individual claims under California’s PAGA can be compelled to arbitration under the FAA; and the implications of the Court’s decision in *Southwest Airlines Co. v. Saxon*, that persons loading cargo onto planes for Southwest are transportation workers engaged in interstate commerce within the meaning of Section of the FAA and therefore exempt from compelled arbitration.

Moderator: Dean Burrell, (Principal, Burrell Dispute Resolution)

Panelists: Chauniqua Young, (Partner, Outten & Golden)
Tracey Wallace, (Principal, Jackson Lewis)
Paul Garrison, (Mediator, Law Offices of Paul Garrison)
Carl Turpin, (Arbitrator and Mediator, ADR Services, Inc.)

2:55 PM - 3:55 PM

Successfully Navigating the Law Firm Minefield

Private law firms, whether big or small, can be daunting to a associates. This panel of private law firm partners will provide guidance on how best to position yourself for leadership and success in private practice including a discussion of the shifting level of skills that are needed to be successful as you get closer to partnership.

Moderator: Jo Gbujama, (Associate, Littler)

Panelists: Ephraim Pierre, (Partner, Seyfarth Shaw)
Kimberly Dobson, (Shareholder, Littler)
Ryan Chapoteau, (Principal, Jackson Lewis)

6:00 PM

**Joint Labor and Employment and
Wiley Branton Symposium Reception**
(Sponsored by Duane Morris)

CONFERENCE AGENDA



Saturday, October 29, 2022

9:00 AM – 10:15 AM **Examining Employment Disputes in a COVID-19 World: Emerging Issues, Trends and Best Practices for Resolution**

As the world continues to grapple with the effects of the COVID-19 pandemic, employment-related claims are on the rise. Join panelists to discuss emerging issues and recent trends in employment matters. Topics will include trends in wrongful termination, discrimination, domestic violence accommodations, ADA accommodation issues, and workplace PPE guidelines. You will also learn best practices and trending employment issues occurring post pandemic.

Panelists: Joanne St. Louis, (Director of Diversity Outreach, JAMS)
Chambord Benton-Hayes, (Principal, Benton Employment Law)
Jeanine Conley Daves, (Shareholder, Littler)
Michael Lewis, (Mediator and Arbitrator, JAMS)
Tamika Hardy, (Partner, Rivkin Radler)

10:30 AM – 11:30 AM **Trade Secrets and Non-compete Covenants in the New Employment Environment: Recent Trends and Developments**

With increasing demand for talented labor in a tight market, attorneys--both in-house and outside counsel--face different challenges in protecting trade secret and confidential information while avoiding unnecessary litigation cost, expense, and noncompete pitfalls.

Panelists: Brittany Dobbins, (Principal, Brittney Dobbins Law Offices)
Gray Mateo-Harris, (Partner, Fox Rothschild)
Adrienne Conrad, (Principal, Jackson Lewis)
Malcolm Ingram, (Associate, Greenburg Traurig)

7:00 PM **Dinner - Venue TBD**

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Our attorneys are proud champions of the **2022 Labor and Employment Section Annual Conference**. We look forward to engaging with you, and hope to see you at our panels.



Kevin D. Reese
Principal, San Francisco

Chair, NBA Labor & Employment Section;
NBA-CLS Executive Committee



Christopher T. Patrick
Principal, Denver

Moderator

Equal Pay for Equal Work:
Pay Equity Trends In
Employment Litigation



Ryan C. Chapoteau
Principal, New York City

Speaker

Successfully
Navigating the Law
Firm Minefield



Adrienne L. Conrad
Principal, San Diego

Speaker

Trade Secrets and Non-
compete Covenants in
the New Employment
Environment: Recent
Trends and Developments



Janea J. Hawkins
Associate, Washington, D.C.

Speaker

Using Artificial Intelligence
in Hiring and Recruiting and
the Associated Risks: The
Future is Here



Michael D. Thomas
Principal, Orange County

Speaker

Hot Topics in Wage &
Hour Litigation

Prioritizing and
Managing Mental Health
in the Workplace



Tracey R. Wallace
Principal, Dallas

Speaker

ADR Topic: Recent
Trends Related to
Arbitration Clauses
in Employment
Agreements



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We look forward to seeing you at our reception in honor of NBA
President Lonita K. Baker on Friday, October 28, 2022 at our offices.

Duane Morris manages its diversity, equity and inclusion program with the objective of utilizing the best talent worldwide in solving legal problems. The firm recruits a diverse pool of lawyers and staff that collectively possess an awareness of cutting-edge 21st century issues—legal, social and economic—for which clients require solutions.

For more information, please contact:

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