



2023 Midwest Regional Employer Conference

Thursday, November 9 | Minneapolis, MN

7:30 a.m. – 8:30 a.m.

Registration and Breakfast

8:30 a.m. – 9:45 a.m.

The Littler Report

The landscape of work continues to extend out to new horizons. The upheaval of a global pandemic may be receding into the background, but we continue to see economic uncertainty and the pandemic’s impact, dramatic legal change, and a multi-dimensional increase in expectations for employers. At Littler, we are clear-eyed and forward-looking in the face of this churn and change, sharpening our focus on the important work you do to make work a place where people and purpose can thrive.

This year’s session will offer insight into the legal and social trends that are creating uncertainty, urgency and, yes, opportunity in the world of work—from union organizing to reductions in force, pay transparency, ESG, generative AI and the continuing endeavor to foster inclusion, equity, and diversity. We will explore, together, what it means to re-work our perspectives and strategies, reconnect employees with their work and workplace, refocus on our shared purpose, and redefine the tools and strategies that will take us into the future.

Speakers:
Marko Mrkonich, Shareholder - Minneapolis

9:45 a.m. – 10:00 a.m.

Break

10:00 a.m. – 11:00 a.m.

Breakout 2A | Marijuana, Opioids, and Wine All Day – Managing in an Era of Legalization, Abuse, and Remote Work

Changing marijuana laws, the ongoing opioid epidemic, and reduced oversight of remote workforces have employers worried their employees may be working while impaired – and feeling unsure about what they can do about it. More than 100,000 Americans have died of overdoses in each of the last two years, and the U.S. Surgeon General has suggested employers stock medications to reverse opioid overdoses at the workplace. A few jurisdictions now protect workers engaged in the recreational use of marijuana from adverse job actions, regardless of job duties.

In this session, we will discuss:

- How Minnesota’s new marijuana law and those in other states impact the workplace
- How to identify and respond to employee substance abuse and impairment in a legally defensible way
- How to develop programs to recognize and respond to these evolving issues
- How to minimize the risk to your operations when employees bring drug and alcohol issues to work

Speaker:
Thomas Revnew, Shareholder - Minneapolis

Breakout 2B | Minnesota's Recent Noncompete Ban and Strategies for Business Protection Without Noncompetes

Minnesota has joined California, North Dakota, and Oklahoma as one of only four states to entirely outlaw noncompete agreements. Noncompetes are also under attack at the federal level by the FTC and DOL. This leaves Minnesota employers without an important tool for protecting their trade secrets and other intellectual property. This session will include an update regarding Minnesota's statutory ban and a discussion of how Minnesota courts may view other restrictive covenants in the wake of the ban. It will also include a discussion of strategies for protecting trade secrets, intellectual property, customer relationships, and goodwill in a post-noncompete world.

Speakers:

Kerry Middleton, Shareholder - Minneapolis
Lauren Clements, Associate - Minneapolis
Lehoan (Hahn) Pham, Associate - Minneapolis

11:00 a.m. – 11:15 a.m.

Break

11:15 a.m. – 12:15 p.m.

Breakout 3A | Land of 10,000 Employment Laws: Sick and Safe Time, Paid Family and Medical Leave, and Lactation Accommodations in Minnesota

The Minnesota Legislature was busy in 2023, giving employment counsel and Human Resources personnel a lot to do going into 2024 and beyond. Join us for an informative overview of Minnesota's new laws regarding Earned Sick and Safe Time law, Paid Family and Medical Leave, and Lactation Accommodations. Attorneys Holly Robbins and Emily McNee will explore the top things employers need to know about these new laws – what do they have to do and when. Topics discussed include:

- Overview of the new laws and consequences for failing to comply
- How the new laws impact employers and their employees
- Best practices for implementing and administering ESST policies
- Preparing your organization for paid family leave
- How to comply with new lactation accommodation requirements
- Question and answer session

Speakers:

Holly Robbins, Shareholder - Minneapolis
Emily McNee, Shareholder - Minneapolis
Claire Welch, Associate - Minneapolis

Breakout 3B | Inclusion, Equity & Diversity 2.0 – A Panoramic View and Update of IE&D's Hot Issues

From “Me Too” and #BLM to Anti-Woke legislation, the Inclusion, Equity & Diversity space is continually in flux. In this session, Littler attorneys will share their top five insights on developments raising continuous challenges for the employer community, including evolving issues relating to pay equity and pay transparency, Artificial Intelligence, data analytics, ESG reporting, affirmative action, and IE&D focused litigation as well as ongoing initiatives and related systemic investigations by the EEOC.

Speakers:

David Goldstein, Shareholder - Minneapolis
Jacqueline Mrachek, Shareholder - Minneapolis

12:15 p.m. – 1:45 p.m.

Keynote Lunch | Conducting Lawful Investigations in the Evolving Workplace

This lunch session will address strategies for conducting effective investigations in our changing workplace. We will highlight the expanding scope of workplace investigations and demonstrate how the changing nature of the remote workplace has impacted today's investigations.

Speakers:

Kate Mrkonich Wilson, Shareholder - Minneapolis

Jennifer Youpa, Shareholder - Dallas
Holly Robbins, Shareholder - Minneapolis

1:45 p.m. – 2:00 p.m.

Break

2:00 p.m. – 3:00 p.m.

Breakout 5A | Dramatic Changes to the Labor Law Landscape

Things look a lot different than they did a year ago. Since our conference in November 2022, the National Labor Relations Board has issued numerous decisions upending decades of precedent and redefining employer obligations under the National Labor Relations Act. This session will walk through the major changes that all employers need to be aware of in order to assess and mitigate labor law risks in this brave new world.

Speakers:

Noah Lipschultz, Shareholder - Minneapolis
Tom Revnew, Shareholder - Minneapolis
Jeff Dilger, Associate - Minneapolis
Alice Kirkland, Associate - Minneapolis

Breakout 5B | Wage & Hour for Today, Tomorrow, and Beyond

In this social media inspired presentation about the coming generation's workplace problems, we will look to the future as we explore the expected wage/hour topics that your companies will face in the next decade, and how your early look into this future will allow you to predict and prepare for the wage/hour problems of this new world.

Speakers:

Claire Deason, Shareholder - Minneapolis
John Lassetter, Shareholder - Minneapolis

3:00 p.m. – 3:15 p.m.

Break

3:15 p.m. – 4:15 p.m.

Breakout 6A | 2023 Minnesota Update – What's New and What's Coming!

Minnesota has seen its fair share of changes in the law during 2023. Please join us for an informative discussion of these developments and what it all means for employer practices and operations. Presenters will review the laws passed in 2023 regarding: Earned Sick and Safety Time, the ban on noncompetes, the legalization of recreational marijuana, the expansion of nursing mothers, lactating employees and pregnancy accommodations, the strengthening of protections against discrimination based on race and gender identity, and addition of new worker safety requirements. Discussion will also cover laws that will take effect in 2025 – a state administered retirement program for private sector employees; and 2026 - a family and medical benefit insurance program.

Speakers:

Kurt Erickson, Shareholder - Minneapolis
Stephanie Sarantopoulos, Program Director, Littler onDemand - Minneapolis

Breakout 6B | It's the Little Things: A Focus on In-House Ethics Fundamentals

In-house counsel focus on a myriad of significant issues but can't ignore the fundamentals. The anticipated topics include:

1. The use of generative AI by lawyers
2. Your supervisory responsibilities
3. Protecting the privilege
4. Inter-corporate conflicts of interest

Speakers:

George Wood, Shareholder - Minneapolis
Michael McGuire, Shareholder | Chief Compliance Officer - Minneapolis

4:15 p.m.

Cocktail Reception