

# KUTAKROCK

PRESENTS

## **THE FUTURE IS NOW**

CUTTING EDGE EMPLOYMENT LAW ISSUES

### *Employment Seminar*

THE 12TH ANNUAL EMPLOYMENT LAW SEMINAR

**Join us for our 12th Annual Employment Law Seminar.**

Kutak Rock's Employment Law Group proudly presents its annual Employment Law Seminar. This year's seminar will discuss cutting edge employment law issues and provide effective and forward-thinking strategies for attracting and retaining workers in today's workplace as well as navigating the challenges associated with the paradigm shift away from the traditional workplace. The seminar will feature a guest speaker, Chris Aupperle, who will discuss well-being issues impacting the present-day employee.

Cost: \$50, No charge for Kutak Rock clients and previous attendees.

**November 7<sup>th</sup> | 8:30 AM - 3:45 PM**

**Scott Conference Center**

6450 Pine Street, Omaha, Nebraska 68106

**5 CLE Credits (1 Ethics) in NE and IA approved. 5 HRCI Credits pending.**

Learn more or RSVP by October 31 at [kutakrock.com/EmploymentLaw2019](http://kutakrock.com/EmploymentLaw2019)

More info: [EmploymentLawSeminar@kutakrock.com](mailto:EmploymentLawSeminar@kutakrock.com)

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## Employment Seminar

**NOVEMBER 7** SCOTT CONFERENCE CENTER  
kutakrock.com/EmploymentLaw2019

**KUTAKROCK**

### Agenda

8:30 AM - 9:00 AM **Registration**

9:00 AM - 10:00 AM **Emerging Workplace Issues – Part One: Wage & Hour Trends and Transgender Employees | presented by Gigi O’Hara and Kasey Cappellano**

Gigi O’Hara will discuss current wage and hour trends and developments affecting an employer’s management of the modern workforce, including classification issues for workers in the gig economy. Kasey Cappellano will provide an overview of best practices relating to transgender employees, including terminology, anti-discrimination protections, and management and accommodation of transitioning employees.

10:00 AM - 10:20 AM **Break**

10:20 AM - 11:35 AM **Emerging Workplace Issues – Part Two: State Law Updates, Innovative Perks, and Associated Risks | presented by Meaghan Gandy, Kate Jones, Ryan Calley, and Marcia Washkuhn**

Meaghan Gandy will explore developments involving parental leave and pay equity, and emerging state law trends, including paid family leave and sick leave. Kate Jones will discuss innovative leave perks to boost recruitment and maintain employee satisfaction, including unlimited paid time off and sabbaticals. Ryan Calley will discuss best practices and the legal pros and cons of using real-time evaluations and “stay interviews” to attract and keep employees. Marcia Washkuhn will examine the risks and benefits of corporate use of ephemeral messaging (e.g., Slack, Hipchat, Wickr) and how to protect your company’s confidential information and customer goodwill with the ever-growing use of such apps, other social media platforms, like LinkedIn, and text messaging.

11:35 AM - 12:15 PM **Lunch**

12:15 PM - 1:15 PM **The 2019 Workplace – Employee Well-Being Considerations | presented by Chris Aupperle**

Chris Aupperle’s presentation will focus on employee well-being challenges that arise from the modern workplace. He will examine how an increased use of technology, a 24/7 connection to work, flexible work schedules and remote working influence employee well-being. The program will review warning signs of employee struggles with mental health and substance use, how to encourage employees to seek help, and strategies to promote a help-seeking culture in the workplace.

1:15 PM - 1:30 PM **Break**

1:30 PM - 2:45 PM **The Telecommuting Checklist: Issues to Consider for Employees Working Occasionally or Entirely Outside the Traditional Office Space | presented by Clete Samson, Kate Jones, Ryan Calley, and Marcia Washkuhn**

Clete Samson will decipher onboarding challenges for employees working remotely, including compliance with immigration requirements and workplace posting obligations. Kate Jones will untangle the employer’s struggle in maintaining data security while preserving a telecommuting employee’s flexibility and productivity. Ryan Calley will reveal the importance of formalizing permanent and temporary telework and telecommuting arrangements to maximize employee satisfaction and minimize risks to the employer. Marcia Washkuhn will canvass recent cases involving employee requests to telecommute as a reasonable ADA accommodation.

2:45 PM - 3:00 PM **Break**

3:00 PM - 3:30 PM **Employee Benefits Update | presented by Brian Bartels**

Brian Bartels will highlight changes affecting employee benefit plans and identify steps employers should take to help ensure their plans remain compliant. Topics will include state health insurance “individual mandates,” co-pay accumulator guidance, and new health reimbursement arrangement rules.

3:30 PM - 3:45 PM **Raffle Drawing**

### Presenters



**Marcia Washkuhn**, head of Kutak Rock’s Employment Group, dedicates her practice to representing employers. She represents them in employment law actions across the country and in various forums, including administrative agencies, arbitration tribunals and state and federal courts. She further drafts or reviews employment policies and agreements, conducts workplace investigations and provides advice and counseling on nearly every aspect of employment law.



**Gigi O’Hara**, partner and head of the firm’s national Wage and Hour Defense Group, regularly defends clients in FLSA litigation and wage and hour class actions across the United States. She has also received favorable verdicts for clients in trial and arbitration on various employment matters. She routinely counsels clients on preventative measures and practical, business-oriented remedies. She has served as Chair of the NSBA Labor Relations & Employment Law Section since 2017.



**Kate Jones** concentrates her litigation and appellate practice on employment law matters. She represents employers in all aspects of the employer-employee relationship, including defending employers against discrimination, harassment, retaliation, wrongful discharge, and breach of contract claims under state and federal law.



**Kasey Cappellano** has significant experience litigating matters asserted under federal and state antidiscrimination laws, with an excellent track record in obtaining summary judgment. She also handles cases involving noncompete agreements, corporate raiding, misappropriation of trade secrets and breaches of fiduciary duties by employees, officers or directors.



**Clete Samson** focuses his practice in immigration law, worksite compliance, employment law, and litigation. For nearly a decade he served as a federal trial attorney for the U.S. Department of Homeland Security. He helps clients develop effective strategies that mitigate compliance risk and assists in defense against DOL- and DHS-led government audits and investigations.



**Meaghan Gandy** focuses her practice on employment litigation. She represents employers in all stages of employment litigation and provides day-to-day counsel on a wide variety of employment issues. She defends employers against discrimination, harassment, retaliation and wrongful discharge claims under state and federal law.



**Ryan Calley** represents employers in all stages of employment litigation, defending employers against discrimination, harassment, retaliation and wrongful discharge claims under state and federal law. He also advises clients on day-to-day issues such as employee discipline, pregnancy accommodation issues, and application of the ADA and FMLA.



**P. Brian Bartels** is a corporate partner who advises employers on employee benefit issues, such as group health plans, wellness programs and ACA, HIPAA and ERISA compliance. Mr. Bartels drafts and negotiates administrative services agreements and business associate agreements for employee benefit plans.

**Guest Speaker - Chris Aupperle** is the Director of the Nebraska Lawyers Assistance Program (NLAP), which provides outreach and assistance to lawyers, judges and law students who may be affected by stress, mental health or cognitive or substance use disorders. Chris began volunteering on the NLAP Committee in 2001, served as chair of the NLAP Committee and was appointed as the Director of NLAP in May of 2017.