

STEARNS WEAVER MILLER

28th ANNUAL LABOR & EMPLOYMENT LAW SEMINAR



FRIDAY, APRIL 27, 2018

8:00am-4:00pm

JW Marriott Marquis Miami
255 Biscayne Blvd. Way, Miami, FL 33131

SCHEDULE

8:00-9:00am

CONTINENTAL BREAKFAST & REGISTRATION

9:00-10:00am

You Don't Know What You Don't Know About the ADA

Lisa K. Berg

Twenty-eight years after its passage, the law on the Americans with Disabilities Act continues to evolve. In this session, we will discuss the latest developments in disability law and practical strategies for ensuring compliance in the workplace.

10:00-10:55am

15 Ways to Ensure You Have the Perfect Lousy Supervisor

Robert S. Turk

Hiring a good supervisor is easy. Finding a grade-A lousy supervisor takes much more effort. Join us for this tongue-in-cheek presentation to discuss a number of tried and true ways to identify the traits of truly horrible managers and the consequences to your organization. This presentation will include best practices for hiring the right manager and parting ways with the wrong one.

10:55-11:10am

BREAK

11:10am-12:00pm

BREAKOUT SESSION A:

Investigating Harassment Complaints Post Weinstein - Are You Prepared?

Janet Goldberg McEnery & Bayardo E. Alemán

Sexual harassment is not limited to celebrities, politicians and media personalities. With the spotlight on sexual harassment in the workplace, the impact of the #MeToo movement and the recent changes to the tax code, employers more than ever must be ready to identify and manage these issues and plan for prevention. Join us for an interactive discussion on ways to avoid sexual harassment complaints, how best to investigate and manage complaints when they arise, and practical tips for protecting your business and brand.

BREAKOUT SESSION B:

Substance Over Forms: FMLA and I-9

Kara S. Nickel & Joanne M. Schiffer

The FMLA and I-9 forms seem straightforward and user-friendly, so what could possibly go wrong? Quite a bit. The forms are a potential legal minefield with serious consequences if not properly maintained. We will provide guidance on how to avoid traps on the I-9 Employment Eligibility Verification form and the FMLA's Notice, Designation and Certification forms.

12:00-1:15pm

LUNCH

1:15-2:05pm

All Rise! Decisions that are Changing the Way You Do Business

Ingrid H. Ponce & Giselle G. Madrigal

Employment claims continue to dominate our legal landscape at all levels, and are changing the way you do business. Come learn what *NOT* to do as we discuss the latest court cases and legal developments affecting your workforce.

SCHEDULE

2:05-2:20pm

BREAK

2:20-3:10pm

BREAKOUT SESSION A:

LGBTQ: The Issues, the Law, the Reality, and the Decisions Florida Employers Must Make

Andrew L. Rodman & Eric S. Roth

Anti-discrimination policies, bathroom access, leave rights and workplace dress code. LGBTQ rights are among the rapidly evolving issues that face employers and society as a whole. While the U.S. Supreme Court and Congress have not yet addressed LGBTQ rights under Title VII, many state and local governments have done so. We will discuss the current state of the law at the federal, state, and local levels, analyze issues facing Florida employers, and identify HR best practices.

BREAKOUT SESSION B:

Nose Out of Joint? What's the Law on Joint Employer Status?

Rene F. Ruiz & Laura Fariñas

The NLRB recently overturned the Obama administration's much criticized broad definition of "joint employer." Courts are struggling to determine who is an employee in the gig economy. What is a joint employer and who is an independent contractor? Is there a tipping point? We will discuss the various laws that affect the joint employer relationship with staffing companies, independent contractors and franchisees.

3:10-4:00pm

BREAKOUT SESSION A:

From a 1990 Wheelchair to the 2018 Website: The ADA & Technology-Related Accommodations

Glenn M. Rissman & Elitsa V. Yotkova

More than 25 years after the implementation of the ADA, it is raining bots and dogs. The new crop of ADA accommodation claims may not be on your radar – the accessibility of your website/intranet for job applicants and current employees, information and job application kiosks relying solely on touch screens, dogs and other animals in the workplace, and office furniture. We will guide you through the new breed of ADA accommodations.

BREAKOUT SESSION B:

Another ERISA Fiduciary Duty? Protecting Your Benefit Plan's Confidential Information

Sharon Quinn Dixon, Carol L. Myers & Andrew W. McLaughlin

Benefit plans often fall outside the scope of cybersecurity planning. They shouldn't. These plans maintain and share sensitive employee data and asset information across multiple unrelated vendors. This session will explore the duties of benefit plan fiduciaries to implement cybersecurity risk management measures and the importance of applying those measures to specific plans and their vendors. We will review vendor due diligence selection and monitoring criteria focusing on cybersecurity and vendor service agreement requirements.