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Tackle Today's Hot Topics

Be prepared for evolving COVID-19 issues and a postpandemic workplace. Get expert advice from 46 speakers who dig deep and share multiple perspectives: plaintiff and defense lawyers, in-house and outside counsel, government representatives, and more. There's something for everyone, whether you're a lawyer or HR professional.

CAN'T-MISS UPDATE SESSIONS

Get up-to-the-minute information on state and federal regulatory changes and fraud and abuse developments. Better serve your clients with keen insights from trusted Michigan practitioners.

Federal Updates

Get practical takeaways regarding the ADA, EEOC, FMLA, and FLSA. Each federal update session features both a plaintiff and defense lawyer—top Michigan practitioners you know and trust.



Brian E. Koncius

Bogas & Koncius PC, Bingham Farms

Brian, a partner in the firm, has 20+ years of experience and is a past chair of the SBM's Labor and Employment Law Section. He brings you up to speed on the FMLA.



Megan P. Norris

Miller Canfield PLC, Detroit

Megan, a principal with the firm, is a Top Ten Super Lawyer in Michigan. She shares must-know developments regarding the Americans with Disabilities Act.

HR Updates

Get your questions answered during our interactive, livestreamed HR "Year in Review." Vote on how you would handle workplace situations, then get the experts' perspectives.

Technology Updates

Remember your first Zoom? Now that remote work is here to stay in some capacity, Adam Forman's ever-popular "Evolving e-Workplace Update" is more helpful than ever. Get insights on the latest software and the next generation of tools you can't afford to ignore.

MULTIPLE PERSPECTIVES ON COVID-19 AND THE WORKPLACE

The pandemic hit this practice area particularly hard. You need to help clients get their workplaces in order. Get expert points of view on the trickiest COVID-19 issues, including:

Remote Litigation

Succeed in a Zoom world. Hear straight from a judge and an experienced employment lawyer on best practices for remote trials, hearings, mediations, arbitrations, and more.

Returning to Work

Guide employers toward a successful transition back to the workplace. Tackle complicated situations regarding reluctant employees, accrued leave time, and financial constraints.

The Explosion of Accommodations

Help employers navigate the new and confusing array of medical-related accommodation requests. Properly evaluate requests related to everything from masks to vaccines.

Workplace Investigations

Deliver a satisfactory outcome, even while conducting an investigation electronically. Gain new strategies for uncovering facts and organizing information.

The Postpandemic Workplace

What will the work environment look like going forward? Learn how to address performance issues as employees reintegrate. Get the latest on policies related to remote work, time off, and more.

Featured Speakers



Hon. Anthony P. Patti

U.S. District Court, Eastern District
of Michigan, *Detroit*



Gloria A. Hage

University of Michigan Office of the Vice President
and General Counsel, *Ann Arbor*



Antoinette S. Porter

The DTE Energy Company, *Detroit*

Your Registration Is All-Access

This year we're bringing Michigan's labor and employment law community to you! Your all-access registration gives you everything. Get all livestreamed sessions. Plus all on-demand sessions, which include recorded livestreams.

Experts from Across Michigan and Beyond	46 Speakers	Starting April 15, 2021
All Livestreamed Content	9 Sessions	Live via Zoom on April 15-16 & June 4, 2021
All On-Demand Content	21 Sessions	Available May 20, 2021*
Electronic Materials <i>Individual access to video recordings, written materials, and PowerPoints</i>	3-Year Access	Available May 20, 2021
Discounts**	✓	www.icle.org/labor

*Includes 9 recorded livestreams.

**Special deals for section members, ICLE Partners, new lawyers, 4+ from the same firm, and more.

Hear from Experts Like These—LIVE!

Nine livestreamed sessions include critical updates on the ADA, EEOC, FMLA, and FLSA; our always popular “Evolving e-Workplace Update”; and the interactive HR “Year in Review.” Get your questions answered in real time from experts such as:



Dennis A. Davis

Ogletree Deakins, *Torrance, CA*

Dennis is a nationally recognized expert on workplace violence prevention, conflict resolution, and more. He shares strategies for helping employees with tough conversations that can arise at work.



Susan Hartmus Hiser

Fisher & Phillips LLP, *Bingham Farms*

Susan, a managing partner in the firm, has 30 years of experience practicing on behalf of private and public sector employers. She weighs in on the latest FMLA developments.

Agenda

CLE: 16.5 | HRCI Credit: Call ICLE | SHRM Credit: Up to 16.5

LIVESTREAMS

NOTE: Livestreams also available on demand.

Hard Conversations Can Ease Difficult Times

(Livestream 04/15/21, 9:00am–10:00am)

“Hush. We are not allowed to discuss THAT issue at work.” This is what many of us are told when we have opinions or questions about real-world matters, because some topics are “too threatening” or “too difficult.” Let’s rethink our strategies for workplace conversations. Gain timely advice on why many employees find it essential to have discussions with work colleagues, what employees want to discuss at work, and the guidance they should receive on how to have difficult conversations.

Dennis A. Davis, Ogletree Deakins, *Torrance, CA*

Americans with Disabilities Act Update

(Livestream 04/15/21, 10:15am–11:00am)

Megan P. Norris, Miller Canfield PLC, *Detroit*; Angela L. Walker, Blanchard & Walker PLLC, *Ann Arbor*

Family and Medical Leave Act Update

(Livestream 04/15/21, 11:15am–12:00pm)

Susan Hartmus Hiser, Fisher & Phillips LLP, *Bingham Farms*; Brian E. Koncius, Bogas & Koncius PC, *Bingham Farms*

Roundtable Discussion: Thriving in an Upside-Down World

(Livestream 04/15/21, 12:15pm–1:00pm)

Video chat with executive coaches and leaders in marketing, human resources, labor law, and employment law to learn how to help people and organizations succeed during the pandemic. Share your experiences, meet new contacts, and network with your colleagues. Get new ideas and strategies to help you and your career thrive in these unprecedented times.

Daniel J. Clinton, Dan Clinton Consulting, *Farmington Hills*; Jennifer Mercier, JMC Leadership, *Lake Orion*; Nancy L. Newman, Newman Hawkins Legal Search, *Farmington Hills*; John F. Reed, Rain BDM, *Bloomfield Hills*; Tad T. Roumayah, Sommers Schwartz PC, *Southfield*; Daniel D. Swanson, Sommers Schwartz PC, *Southfield*

The Evolving e-Workplace Update

Fast-paced and fun, Adam is back to round up an unprecedented year’s worth of developments in technology and the workplace. From the latest software and devices, to breakneck automation developments to the next generation of video conferencing platforms and communication tools, gain insight into the emerging challenges faced by employer and employee alike. Plus, learn how recent statutes, regulations,

court decisions, and administrative agency activities will shape the e-workplace post-pandemic.

Adam S. Forman, Epstein Becker & Green PC, *Southfield*

Equal Employment Opportunity Update

(Livestream 04/16/21, 10:00am–10:45am)

Maria Fracassa Dwyer, Clark Hill PLC, *Detroit*; Heidi T. Sharp, The Sharp Firm PLLC, *Clinton Township*

Fair Labor Standards Act Update

(Livestream 04/16/21, 11:00am–11:45am)

Robert A. Boonin, Dykema, *Ann Arbor*; Jesse L. Young, Kreis Enderle Hudgins & Borsos PC, *Kalamazoo*

The Year in Review for Human Resources Professionals

(Livestream 04/16/21, 12:00pm–1:00pm)

This annual update uses real case studies and audience voting on how to manage common risk factors, to show how the newest court decisions may impact your human resources department. Get expert insight and analysis from top experts. Bring your questions and get them answered!

James F. Hermon, Dykema, *Detroit*; Jennifer L. Lord, Pitt McGehee Palmer Bonanni & Rivers, *Royal Oak*; Sarah S. Prescott, Salvatore Prescott Porter & Porter PLLC, *Northville*; Daniel L. Villaire, Jr., Howard & Howard Attorneys PLLC, *Royal Oak*

Hot Topics Discussion and Town Hall Q&A

(Livestream 06/04/21, 12:00pm–1:00pm)

Select faculty members lead an interactive discussion of new developments, statewide and local trends, and up-to-the-minute practice strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Michelle P. Crockett (moderator), Miller Canfield PLC, *Detroit*

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Agenda

SESSION DURATIONS: Each runs 30-60 minutes on average.

ON-DEMAND SESSIONS

Welcome and Section Activity Update

John R. Runyan, Chair, Labor & Employment Law Section of the State Bar of Michigan, Nickelhoff & Widick PLLC, *Detroit*

Employment/Labor Track

NLRB and MERC: The Year in Review

As the effects of COVID-19 reverberate across the economy, collective bargaining agreements will expire and negotiations must account for the changing American workforce. Social justice has newfound importance in negotiations too. Review the past year's key cases and explore how these cases and a new administration in Washington will change the labor law landscape in both union and non-represented employment settings.

Colleen J. Carol, National Labor Relations Board, *Grand Rapids*;
Mark H. Cousens, *Southfield*; Holly Georgell, General Motors, *Detroit*

The Road Map to Successful Union Arbitrations

Arbitrating labor disputes often presents a unique set of challenges. Most CBAs contain express language outlining how grievances and arbitrations are handled, including calling for little or no pre-hearing discovery, fewer motions, and more evidence presentable at hearings. Avoid common mistakes when handling arbitrations involving union employees and gain best practices and advice for successful presentation at an arbitration hearing.

Earlene R. Baggett-Hayes, The Law & Mediation Center PLLC, *Pontiac*;
Shawndrica Simmons, Simmons Legal dba the LawChic, *Pontiac*

Internal and External Implications of Religious Liberty in the Workplace: An In-Depth Discussion

The EEOC is focused on religious accommodation and what constitutes "religion" is expanding. Religious accommodation issues are also more complicated than ever with an increasingly diverse workforce. Employers must balance business interests with employee requests for religious accommodation and various types of religious expression amongst coworkers. We will review real-life examples and caselaw for creative solutions to deal with religious issues affecting your clients.

Tiffany A. Buckley-Norwood, Jackson Lewis PC, *Southfield*; Maurice G. Jenkins, Jackson Lewis PC, *Southfield*

Litigating Employment Cases in a Remote World

As the legal profession adapts to COVID-19, videoconference hearings and depositions are becoming commonplace. Remote trials have proven feasible, and mediations and arbitrations are providing a fast, cost-effective mechanism to resolve disputes entirely online. It's the evolution of advocacy. Gain best practices for success in a Zoom litigation from an experienced magistrate judge and an employment lawyer who have seen it all since the pandemic began.

Terry W. Bonnette, Nemeth Law PC, *Detroit*; Hon. Anthony P. Patti, U.S. District Court, Eastern District of Michigan, *Detroit*

Changing Workplace Track

Returning to Work: Dealing with Reluctant Employees and Safety Issues

COVID-19 has led to business closings, layoffs, terminations, leaves, budgetary reductions, and the transition to remote working arrangements. Returning and reintegrating employees can be complicated by the employee's willingness to return, accrued leave time, accommodation requests, financial constraints, and changing needs of the employer. Gain the insights you need to help employers plan for a successful return-to-work transition post-COVID.

Douglas W. Crim, Douglas W. Crim PLC, *Haslett*; Thomas L. Kent, University of Michigan Office of the Vice President and General Counsel, *Ann Arbor*; Antoinette S. Porter, The DTE Energy Company, *Detroit*

The Spectrum of Accommodations Due to the COVID-19 Pandemic

Since March 2020, the world of workplace accommodations has exploded. COVID-19 has presented a new wave of employment-related medical accommodations that no longer resemble the accommodation requests of the past. Learn about the new scope of medical accommodations and how to evaluate requests relating to working from home, masks, vaccines, leaves of absence, childcare, and more.

Jaclyn R. Giffen, Littler Mendelson PLC, *Detroit*; Sarah Lee Simmons, Yanfeng Automotive Interior Systems, *Novi*

Reimagining the Workplace After COVID-19: The Future is Now

Explore what work looks like during and after the transition to a post-COVID-19 environment. Two experts cover policies and best practices relating to remote work, time away from work, addressing performance issues, and other key issues related to the ongoing impact of the pandemic on employees

and teams as they reintegrate and adjust to a workplace that will—and will not—be the same as when they left.

Gloria A. Hage, University of Michigan Office of the Vice President and General Counsel, *Ann Arbor*; Christina K. McDonald, Dickinson Wright PLLC, *Grand Rapids*

The 2021 Glass Ceiling and How to Legally Break It

Grasp the specific issues facing women and people of color in today's workplace as they try to break the proverbial "glass ceiling." Learn about intentional, specific, legal steps employers can take to ensure that all human capital areas work in concert, such that ceilings are inevitably shattered, and the workplace becomes increasingly diverse, inclusive, and equitable. Gain best practices and recommended strategies for law firms, in-house legal departments, and corporations.

Michelle P. Crockett, Miller Canfield PLC, *Detroit*

Human Resources Professionals Track

Navigating Employment Immigration: The Next Four Years

For the last four years, U.S. Immigration has been in the spotlight with never-before-seen Presidential Proclamations, Executive Orders, and a long-lasting ripple effect on U.S. employers and their foreign workers. What can employers expect under the new administration? Tune in to hear how employers can navigate through the complex web of immigration and for the latest updates on the rapidly changing landscape of employment immigration.

Suzanne K. Sukkar, Dickinson Wright PLLC, *Ann Arbor*

Investigations in the Remote Workforce: Tactics, Tips, and Tribulations

Gain new strategies for workplace investigations, including ways to adapt in-person investigatory methods to meetings,

interviews, and documentation completed electronically. Learn best practices for using investigations to uncover the facts, organize information in a usable way, effectively document investigatory findings, increase employee morale, and use mindful communication during the investigatory process to deliver a satisfactory outcome.

Margaret Carroll Alli, Ogletree Deakins, *Birmingham*; Linda G. Burwell, National Investigation Counsel PLLC, *Pleasant Ridge*

Workplace Policies Refresh: Employee Education as a Preventative Measure

Understand how to prepare to audit processes and implement change based on required and recommended training. Grasp the purposes and benefits of employee training. Explore mandated versus recommended training considering federal, state, and local law requirements, as well as industry standards and best practices. Gain the tools necessary to tailor training for your employees, managers, and executives, plus get best practices for documenting employee training.

James M. Reid IV, Dinsmore & Shohl LLP, *Troy*

The Gig Economy, Independent Contractors, and an Evolving Legal Landscape

As the "gig" sector of the U.S. workforce grows, lawsuits and regulatory action have increased, too. Explore the challenges of advising employers on proper "classification" of workers, the legal and regulatory risks, plus the implications for benefits programs, unemployment insurance, and wage protections. Experts provide insights into the enforcement guidance of the current state and federal leadership and how the pandemic is changing how we look at (and treat) gig economy workers.

David M. Blanchard, Blanchard & Walker PLLC, *Ann Arbor*; Connie M. Cessante, Clark Hill PLC, *Detroit*

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B. Institute Registration | Pick One

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C. Materials Format | Pick One

- ☐ FREE Electronic Materials
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D. Livestreamed Sessions | 04/15-16/21 + 06/04/21

- ☐ Hard Conversations Can Ease Difficult Times
(04/15/21, 9:00am-10:00am)
☐ Americans with Disabilities Act Update
(04/15/21, 10:15am-11:00am)
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☐ The Year in Review for Human Resources Professionals
(04/16/21, 12:00pm-1:00pm)
☐ Hot Topics Discussion and Town Hall Q&A
(06/04/21, 12:00pm-1:00pm)

These sessions will also be recorded and available on demand.

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This program has been submitted for general recertification credit hours toward aPHR, PHR, PHRca, SPHR, GPHR, PHRI, SPHRI recertification through HR Certification Institute (HRCI). If approved, you will receive the program ID number on-site.

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