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Tackle Today's Hot Topics

Hear up-to-date, expert analyses on critical topics such as multistate workforces, activism and protected speech, workplace investigations, and unconscious bias. Get comprehensive updates on ADA, EEOC, FMLA, and FLSA, plus the latest on collective bargaining issues. With 36 speakers covering these hot issues—and more—this event helps you make sense of today's workplace so your clients and companies stay one step ahead.

Ideal for Lawyers and HR Professionals

Featured Speakers



Luther Wright, Jr.
Ogletree Deakins,
Nashville, TN

Confronting Bias in Divisive Times

Luther Wright is back by popular demand! As he says, “All of us have bias, and all of us need to work on it.” He delivers an important and interactive session with awareness exercises that will help you better understand how to communicate cross-culturally. Learn how to “scrub” unconscious bias from your decision-making, on everything from evaluating talent to assessing risk. Avoid misunderstandings.



Christina K. McDonald
Dickinson Wright PLLC,
Grand Rapids

Managing a Multistate Workforce

Managing employees located in other states—or even other countries—raises a host of tough issues, from varying tax laws to on-site injuries. Avoid pitfalls and gain best practices for navigating this relatively new way of working that seems here to stay.



Chelsea Jenkins
Kellogg Company,
Chicago, IL

Managing Workplace Activism

Get multiple perspectives from experienced in-house counsel and a director of cultural and inclusive marketing. Take away practical advice on how to handle employee opinions on political and non-workplace topics. Learn to protect free speech—as well as the company's interests. Navigate the muddy waters of social media.

Can't-Miss Update Sessions

Federal Updates

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

Featured Speakers



Terry W. Bonnette
Nemeth Law PC, *Detroit*



Jennifer Lossia McManus
Fagan McManus PC, *Royal Oak*

Terry is no stranger to the institute and has been described by past attendees as “engaging” and “concise.” Jennifer has more than 21 years of experience and works exclusively in employment-related disputes. Together they tackle the all-important FMLA update session.

HR Updates

Solve real-life scenarios in our two-part “Human Resources Challenges.” These sessions use real case studies and give you an opportunity to vote on how you would handle workplace situations, then get the experts’ perspectives.

Technology Update

Don’t miss Adam Forman’s ever-popular “Evolving e-Workplace Update.” Avoid unintended consequences and get ahead of the curve on everything from hiring algorithms to deepfakes.

Hot Topic

Attacking and Defending Workplace Investigations

Walk through an actual investigation and learn how to attack and defend it at trial or in discovery. Get tips on best practices and how to maintain a positive culture. Our experts even use a familiar sitcom to demonstrate various scenarios you may encounter—and how to handle them.



Susan Hartmus Hiser
Fisher & Phillips LLP, *Birmingham*



Brian E. Koncius
Bogas & Koncius PC, *Bingham Farms*

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LAW SECTION

Agenda

CLE: 8.5 HRCI: Pending SHRM: 8 LEVEL: Basic/Intermediate/Advanced

8:00am Registration, Continental Breakfast, and Vendor Showcase (Both Days)

THURSDAY, APRIL 13, 2023

9:00am Welcome and Section Activity Update

9:15am How to Approach Difficult Conversations

10:05am Managing Workplace Activism

10:55am Networking Break

11:10am Confronting Bias in Divisive Times: The Impact on the Practice of Law and Human Resources

12:00pm Networking Lunch On-Site (All Attendees)

12:00pm Lunch Roundtable Event (Preregistration Required—Limit 60)

Legal Updates Track

1:15pm What's Happening with the Americans with Disabilities Act (ADA)

2:10pm What's Happening with the Family and Medical Leave Act (FMLA)

3:00pm Networking Break

3:15pm What's Happening with the Fair Labor Standards Act (FLSA)

4:10pm What's Happening with Equal Employment Opportunity (EEO)

Human Resources Professionals Track

Core Legal Concepts for the HR Professional

Human Resources Challenges Today: Part 1

Networking Break

Human Resources Challenges Today: Part 2

Hiring and Firing in the Age of Artificial Intelligence

5:00pm Networking Reception

FRIDAY, APRIL 14, 2023

Employment Track*

9:00am Attacking and Defending Workplace Investigations

10:00am Emerging Issues in Employment Law

Labor Track*

Labor Law 101

Practical Magic: Navigating the NLRB Charge and Petition Processes

Human Resources Professionals Track*

Personnel File Pitfalls

Managing a Multistate Workforce

10:50am Networking Break

11:05am The Evolving e-Workplace Update

*MP3 download for each session in the track will be available to all registrants after the seminar.

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FREE BONUS GUIDE

Updated for 2023, every registrant gets a free *Legal Resource Guide*. Use it for quick and easy reference throughout the year.

Tracks

Plenary Sessions

9:00am/Thursday

Welcome and Section Activity Update

Hear from the current chairperson of the Labor & Employment Law Section of the State Bar of Michigan.

Heidi T. Sharp, The Sharp Firm PLLC, *Clinton Township*

9:15am/Thursday

How to Approach Difficult Conversations

They are called difficult conversations for a reason. The longer the delay, the more difficult the conversation becomes and the higher the likelihood a small challenge becomes a large one. This session will teach supervisors, new lawyers, and others how to constructively deliver a message that may be difficult for others to receive. Outcomes are improved performance and morale, increased transparency, and risk avoidance.

Kristine Dunn, DTE Energy, *Detroit*; Gloria A. Hage, University of Michigan Office of the Vice President and General Counsel, *Ann Arbor*; Antoinette S. Porter, DT Midstream Inc., *Detroit*

10:05am/Thursday

Managing Workplace Activism

Employees are increasingly emboldened to speak out on political and non-workplace topics both at the job and away from work, including on social media. Meanwhile companies are trying to navigate maintaining a culture of inclusiveness while policing inappropriate employee conduct and recognizing the court of public opinion. Hear from those in the trenches and gain expert advice and practical perspectives on balancing the various interests while complying with the law.

Maurice G. Jenkins (moderator), Jackson Lewis PC, *Southfield*; Tiffany A. Buckley-Norwood, Trinity Health, *Livonia*; Chelsea Jenkins, Kellogg Company, *Chicago, IL*

10:55am/Thursday

Networking Break

11:10am/Thursday

Confronting Bias in Divisive Times: The Impact on the Practice of Law and Human Resources

Back by popular demand, Luther Wright leads an interactive and thoughtful discussion regarding unconscious bias and its impact on decision making. You will learn the true definition of bias, including how and why it is formed, how it impacts

our evaluations of talent, and how it impacts cross-cultural communication. Engage in awareness exercises that will help you identify your own unconscious biases and learn ways to overcome them, including 10 Tips to Turn Around Bias.

Luther Wright, Jr., Ogletree Deakins, *Nashville, TN*

12:00pm/Thursday

Networking Lunch On-Site (All Attendees)

12:00pm/Thursday

Lunch Roundtable Event (Preregistration

Required—Limit 60)

Sit down with leaders in marketing, human resources, labor law, and employment law to learn how they rose to the top of their fields. Share your experiences, meet new contacts, and network with your colleagues. Get new ideas and strategies for individual career marketing and career advancement opportunities.

Daniel J. Clinton, Dan Clinton Consulting, *Farmington Hills*; Jennifer Mercier, JMC Leadership, *Lake Orion*; Jenna Sheena, Sommers Schwartz PC, *Southfield*; Daniel D. Swanson, Sommers Schwartz PC, *Southfield*

Moderators



Thursday Human Resources Professionals Track

Lori Keen Adamcheski

Delta Dental of Michigan, Ohio, and Indiana, *Okemos*



Labor Track

Keith J. Brodie

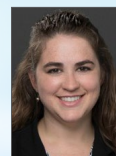
Barnes & Thornburg LLP, *Grand Rapids*



Employment Track

Michelle P. Crockett

Miller Canfield PLC, *Detroit*



Friday Human Resources Professionals Track

Christina K. McDonald

Dickinson Wright PLLC, *Grand Rapids*



Legal Updates Track & Plenary Session

Heidi T. Sharp

The Sharp Firm PLLC, *Clinton Township*

Tracks

11:05am/Friday

The Evolving e-Workplace Update

Not a day goes by without a new “breakthrough” technology creating unintended workplace consequences. From software to workplace automation to artificial intelligence, technology continues to present new challenges to employers, employees, and those who represent both. Join Adam’s fast-paced and entertaining presentation as he rounds up the latest developments in workplace technology, including the way that statutes, regulations, court decisions, and administrative agencies continue to shape the e-workplace.

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

Legal Updates Track

1:15pm/Thursday

What’s Happening with the Americans with Disabilities Act (ADA)

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

2:10pm/Thursday

What’s Happening with the Family and Medical Leave Act (FMLA)

Terry W. Bonnette, Nemeth Law PC, *Detroit*; Jennifer Lossia McManus, Fagan McManus PC, *Royal Oak*

3:15pm/Thursday

What’s Happening with the Fair Labor Standards Act (FLSA)

Robert A. Boonin, Dykema, *Ann Arbor*; Jesse L. Young, Sommers Schwartz PC, *Southfield*

4:10pm/Thursday

What’s Happening with Equal Employment Opportunity (EEO)

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

Human Resources Professionals Track

1:15pm/Thursday

Core Legal Concepts for the HR Professional

The work of an HR professional is governed by various labor and employment laws. Whether you’re a rookie or a battle-

tested veteran in the HR world, this session will provide you with a practical discussion from the perspective of an in-house labor and employment counsel about key legal concepts that all HR professionals need to know when identifying issues, detecting potential employment law landmines, and minimizing exposure to legal risks.

Lori Keen Adamcheski, Delta Dental of Michigan, Ohio, and Indiana, *Okemos*

2:10pm/Thursday

Human Resources Challenges Today: Part 1

Back to address all of today’s challenges, this practical review uses real case studies and audience voting on how to manage common risk factors, all in order to show how the newest court decisions, legislation, and rules may impact your human resources department. Get 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*; Herbert A. Sanders, The Sanders Law Firm PC, *Detroit*; Daniel L. Villaire, Jr., Ogletree Deakins, *Birmingham*

3:15pm/Thursday

Human Resources Challenges Today: Part 2

Back to address all of today’s challenges, this practical review uses real case studies and audience voting on how to manage common risk factors, all in order to show how the newest court decisions, legislation, and rules may impact your human resources department. Get 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*; Herbert A. Sanders, The Sanders Law Firm PC, *Detroit*; Daniel L. Villaire, Jr., Ogletree Deakins, *Birmingham*

4:10pm/Thursday

Hiring and Firing in the Age of Artificial Intelligence

The use of tools powered by algorithms to assist in identifying candidates has become prolific. While the trend has been on the rise for the better part of a decade, it has drawn the attention of regulators at the EEOC, at the state-level, and globally. In addition, the ability to capture and analyze data has led to the proliferation of tools to aid in evaluating human performance. Explore the legal risks and the evolving regulatory environment for these powerful tools.

Michael A. Chichester, Jr., Littler Mendelson, PC, *Detroit*; Cary S. McGehee, Pitt McGehee Palmer Bonanni & Rivers, *Royal Oak*

9:00am/Friday

Personnel File Pitfalls

Gain a better understanding of how to comply with the sometimes-befuddling Bullard-Plawecki Employee Right to Know Act where too much or too little information can have consequences for employers. We will dispel the myth that personnel file compliance is a low-risk endeavor and discuss how compliance failure can lead to privacy issues, business torts, and potential arbitration waiver.

Noah S. Hurwitz, Hurwitz Law PLLC, *Ann Arbor*; James M. Reid, IV, Dinsmore & Shohl LLP, *Ann Arbor*

10:00am/Friday

Managing a Multistate Workforce

Managing remote and in-person employees in multiple states can lead to a quagmire of legal and practical HR issues. Remove stress and uncertainty relative to managing workers across state lines. Address common multistate issues, learn the pitfalls to watch for and best practices for managing a global workforce.

Christina K. McDonald, Dickinson Wright PLLC, *Grand Rapids*; Melissa M. Savoy, TI Fluid Systems, *Auburn Hills*

Employment Track

9:00am/Friday

Attacking and Defending Workplace Investigations

Workplace investigations are becoming increasingly prevalent as a way of managing disputes, maintaining a positive workplace culture, and as a defense to litigation. Join our experts in an interactive discussion as they walk you through an actual investigation, show how to attack and defend the investigation at trial or in discovery, and provide tips on best practices for the next investigation you face. You may even encounter some old “Friends” along the way!

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

10:00am/Friday

Emerging Issues in Employment Law

Whether it's abortion, DEI, or happenings at the Department of Labor, gain expert analysis on all the latest developments within employment law at the time of the institute. The panel will tackle late-breaking changes so you are up to date on

what's new and what's on the horizon.

Michelle P. Crockett, Miller Canfield PLC, *Detroit*; Jeffrey S. Kopp, Foley & Lardner LLP, *Detroit*; Tad T. Roumayah, Sommers Schwartz PC, *Southfield*

Labor Track

9:00am/Friday

Labor Law 101

Traditional labor law is grabbing the headlines: union organizing is up, the NLRB has an aggressive new agenda, labor lawyers are at a premium, and none of it seems to be going away anytime soon. Get a lively and informative introduction to traditional labor law. We will focus on NLRA basics, including protected concerted activity, union organizing, unfair labor practices, and bargaining obligations—interspersed with hypotheticals and key NLRB updates.

Keith J. Brodie, Barnes & Thornburg LLP, *Grand Rapids*

10:00am/Friday

Practical Magic: Navigating the NLRB Charge and Petition Processes

Representation case rules! Position statement due dates! Sworn affidavits! COVID protocols! Gain practical tips for navigating the NLRB unfair labor practice and representation case processes. Get answers to common questions and discuss best practices for working with the NLRB as a Charged Party, Charging Party, or third party neutral.

Elizabeth K. Kerwin, National Labor Relations Board, *Detroit*

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Labor & Employment Law Institute

APRIL 13-14, 2023

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Prices guaranteed until 04/14/23. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. ²Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. ³Limit one print handbook purchase per registrant. Print handbooks are nonrefundable after the event cancellation date. **Complete Seminar Policies:** www.icle.org/info/seminarpolicies. **Cancellation Policy:** For a full refund, notify ICLE by 03/30/23. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 04/06/23. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar.

Accommodations: A block of rooms has been reserved at Saint John's Resort in Plymouth under group code IC041223A for 04/12-13/23. Visit www.icle.org/labor/hotel or call 734-414-0600 and mention ICLE's Labor & Employment Law Institute to reserve a room. Reservations must be made by 03/23/23. Registrants are responsible for their own hotel expenses. (Please note that Saint John's Resort was formerly The Inn at St. John's.)

C. Networking Event | Optional

- ☐ FREE Lunch Roundtable Event 04/13/23
(Preregistration Required—Limit 60)

D. Materials Format for Institute Registrants | Pick One

- ☐ FREE Electronic Materials
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E. Can't Attend the Institute?

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