

# SEMINAR



**GRAND RAPIDS** 

THURSDAY, SEPTEMBER 26, 2019

**DEVOS PLACE** 

**KALAMAZOO** 

TUESDAY,
OCTOBER 1, 2019
RADISSON PLAZA HOTEL



#### **SEMINAR INFORMATION**

#### ABOUT THE SEMINAR

The world of business is evolving rapidly. Laws, regulations, policies and workplace issues are changing how organizations handle and manage employment and labor fields in their daily operations. No matter an organization's size or industry, the employment and labor team at Miller Johnson can help you handle the confusing regulations and requirements surrounding employees and workplace issues.

We invite you to attend our annual seminar that focuses on issues and situations employers deal with on a daily basis. Engage with attorneys at breakout sessions relevant to you, earn HRCl and SHRM continuing education credits and network with your peers.

#### **2019 Employment Law Seminar:**

- Grand Rapids: Thursday, September 26
- Kalamazoo: Tuesday, October 1

# **5 OF ATTENDING:**



#### **TOPICS**

- Relevant
- Timely



#### **ATTORNEYS**

- Fun and engaging
- Trusted counselors



#### **EDUCATION CREDITS**

- 4 credit hours
- HRCI and SHRM



#### **NETWORKING** W/ OTHER ATTENDEES FROM

- Variety of industries
- Wide geographic areas



#### CONVENIENCE

- Free to clients
- Centrally located

## **AGENDA**

7:30 to 8:00 am Registration & Breakfast 8:00 to 9:00 am Welcome & General Session

9:00 to 9:10 am Break

9:10 to 10:10 am Breakout Session 1

10:10 to 10:20 am Break

10:20 to 11:20 am Breakout Session 2

11:20 to 11:30 am Break

11:30 am to 12:30 pm Breakout Session 3

#### WHO SHOULD ATTEND

The Miller Johnson Employment Law Seminar is designed for human resources professionals, in-house counsel and business executives of any current client\* and prospective clients.

#### **FEE**

Miller Johnson Clients: No Charge \*
Prospective Clients: \$150

\*For purposes of this seminar, a client is defined as an organization that has paid Miller Johnson for legal services in the past two years.

#### **INCLUDED WITH YOUR REGISTRATION**

Program materials and continental breakfast are included. Program materials are provided online in advance.

#### **REGISTER ONLINE**

To register for the seminar, visit: www.millerjohnson.com/events/

# SEMINAR DETAILS



#### **DATES**

**GRAND RAPIDS** 

Thursday, September 26

**KALAMAZOO** 

Tuesday, October 1





Complete your registration online, at these links:

#### **GRAND RAPIDS**

www.millerjohnson.com/events/Seminar2019-GR/

#### **KALAMAZOO**

www.millerjohnson.com/events/Seminar2019-KZ/

**Deadline: Thursday, September 19** 

Deadline: Tuesday, September 24



At registration, you have the opportunitiy to submit a question for each breakout session topic you register for.

In each breakout session, we'll respond to your submitted questions.

Please note, we cannot guarantee questions submitted after September 12 being addressed.



# **CONTINUING EDUCATION**

This seminar has been approved for continuing education hours through the HR Certification Institute and the Society for Human Resources Management.

Only those in attendance will receive certification documentation.



This seminar has been approved for **4.0 general continuing** education
hours through the
HR Certification Institute (HRCI).



This program is valid for **4.0 Professional Development Credits** (PDCs) for the SHRM-CP<sup>SM</sup>
or SHRM-SCP<sup>SM</sup>.



# **ADDITIONAL INFORMATION**



#### **PRESENTATION MATERIALS**

To support sustainable business practices, the seminar presentation materials are provided electronically a week in advance of the seminar. You will not receive hard copies at the seminar, so you are encouraged to download the materials on your own prior to arriving because WiFi is only available at the Kalamazoo seminar.



#### **DEVOS PLACE**

303 Monroe Ave NW Grand Rapids, MI 49503

#### **DIRECTIONS**

Located downtown Grand Rapids, DeVos Place is easily accessible from US-131, I-96 and I-196.

#### **PARKING**

Parking is on your own and will not be validated.

#### **DEVOS PLACE**

Park directly under DeVos Place in the parking ramp. Entrance is off of Michigan St. near the Michigan St. and Monroe Ave. intersection.

#### **ADDITIONAL PARKING**

Parking is also available across the street on Monroe in the Fifth Third Center Parking Garage or the Government Center Ramp located next to the Calder Plaza Building.



#### **RADISSON PLAZA HOTEL**

100 West Michigan Avenue Kalamazoo, MI 49007

#### **DIRECTIONS**

Located downtown Kalamazoo at the West Michigan Avenue and North Rose Street intersection.

#### PARKING HOTEL RAMP

The Radisson Plaza Hotel Parking Ramp is across the street with access from Rose St. or Church St. For your convenience, the parking ramp and hotel are connected via an enclosed skywalk on Level 3 of the parking ramp.

#### **VALIDATION**

Parking will be validated for those who park in the hotel ramp. At exit, the gates will be lifted for easy exit.



#### **A SOCIAL SEMINAR**

We share updates on social media.

#### **FOLLOW US**

Follow us on Twitter at

@MillerJohnson

Follow us on LinkedIn at **Miller Johnson**'s company page.

#### **OFFICIAL HASHTAG**

Use the official seminar hashtag: **#MJSeminar2019** 



#### **SEMINAR QUESTIONS**

For seminar questions, contact Amy Sgro by emailing: sgroa@millerjohnson.com.

# **BREAKOUT SESSION 1**

9:10 TO 10:10 AM





(select one session from page 6 to attend)

# **GROUP HEALTH PLANS UPDATE \***

#### \* also offered in breakout session 2, session #5

The Trump administration has been busy issuing new regulations to ease the ACA's administrative burdens on employer-sponsored group health plans.





PRESENTING ATTORNEYS:

Many of these regulations have been delayed due to legal challenges in courts Mary Bauman & Tripp VanderWal throughout the U.S., including the constitutionality of the entire ACA. Meanwhile, enactment of no-fault auto reform in Michigan may impact group health plans that cover Michigan residents. This session will provide an overview of these various legal challenges, new regulations and no-fault auto reform, and offer suggestions on what employers should consider with respect to their group health plans.



#### **LEGAL ISSUES WITH** REMOTE OFFICE WORKERS

Is physical presence 'at work' becoming outdated? It's not always legally adequate to insist that employees be onsite just so the boss can see them work - banning telecommuting may not always constitute "undue hardship" under ADA. The dwindling American office is evolving to temporary and





Cathy Tracey & Matt O'Rourke

co-shared spaces, working from home and technology communications. How does that jive with OSHA, workers' compensation, NLRA/union drives, wage/hour control, productivity management and employee engagement and advancement? Our attorneys will help you keep up with a rapidly changing workplace.



#### NAVIGATING THE LURE OF FREE/CHEAP LABOR \*

#### \* also offered in breakout session 2, session #6

"Gig" workers, independent contractors, interns, temp agency workers, joint employers and volunteers - oh my! If you're going to go this route, learn when you can and how to do so legally in light of the Department of





Rebecca Strauss & Dan Schipper

Labor's rules of engagement. Under the Trump administration it's an evolving outlook on using non-employee workers and avoiding some types of labor costs.



#### RIDING A FAVORABLE WAVE FOR EMPLOYERS ON THE UNION FRONT

Employee Handbook policies? Reasonable employer rules (and sanity) may prevail after all. Union organizers soliciting on your property? NLRB now says employers may have the right to kick them out of otherwise public premises. Will workers using company email for union organizing purposes be the next domino to fall? And what about unions demonstrating with 'Scabby the Rat'? Hear our presenters run through





Keith Eastland & Patrick Edsenga

the pendulum shift largely in favor of employer interests under a Republican-driven NLRB.

# **BREAKOUT SESSION 2**

10:20 TO 11:20 AM

(select one session from page 7 to attend)

#### PRESENTING ATTORNEYS:



#### **GROUP HEALTH PLANS UPDATE \***

#### \* repeat of session #1 from breakout session 1

The Trump administration has been busy issuing new regulations to ease the ACA's administrative burdens on employer-sponsored group health plans.





Many of these regulations have been delayed due to legal challenges in courts Mary Bauman & Tripp VanderWal throughout the U.S., including the constitutionality of the entire ACA. Meanwhile, enactment of no-fault reform in Michigan may impact group health plans that cover Michigan residents. This session will provide an overview of these various legal challenges, new regulations and no-fault reform, and offer suggestions on what employers should consider with respect to their group health plans.



#### NAVIGATING THE LURE OF FREE/CHEAP LABOR \*

#### \* repeat of session #3 from breakout session 1

"Gig" workers, independent contractors, interns, temp agency workers, joint employers and volunteers - oh my! If you're going to go this route, learn when you can and how to do so legally in light of the Department of





Rebecca Strauss & Dan Schipper

Labor's rules of engagement. Under the Trump administration it's an evolving outlook on using non-employee workers and avoiding some types of labor costs.



#### EEO-1 REPORTING OF PAY & HOURS WORKED

It's past the 11th hour for filing your EEO-1 Report – for the 2nd time this year. Still have questions about tracking, measuring, formatting and reporting 2018 aggregate earnings and hours worked on the EEO-1 Component 2? Come to this session and find out how to assemble the data and finish off this soon to Gary Chamberlin & Kelley Stoppels be annual exercise.







### **DISABILITY ACCOMMODATION:** PRINCIPLES EVERY HR MANAGER **NEEDS TO MASTER \***

\* also offered in breakout session 3, session #12

How much leave time off is enough, and when is it too much? Is a '100% healed' rule before an employee can







Sandy Andre, Jeff Fraser (GR) & Sarah Willey (KZ)

return to work legal? Maximum length of leave rules (such as one year and done) - OK or not? Can you limit your accommodating of an employee's physical restrictions to only work-related injuries, but not off-the-job conditions? Come hear about these and many more myths and truisms in the confusing world of ADA compliance.

# **BREAKOUT SESSION 3**

11:30 AM TO 12:30 PM





(select one session from page 8 to attend)

#### PRESENTING ATTORNEYS:



#### PENSION/RETIREMENT PLANS UPDATE

In this session we'll cover legislative developments affecting tax-qualified retirement plans, including the bipartisan SECURE Act that passed the House of Representatives on May 23, 2019 and the companion Retirement Enhancement Savings Act (RESA) currently moving through the Senate. Other





Frank Berrodin & Jeff Gray

topics include recent regulatory announcements and changes to the IRS's procedures for correcting errors in plan administration. We'll also summarize recent litigation involving "infrastructure fees," fund selection, and "stock drop" claims.



#### **IMMIGRATION OPTIONS FOR TALENT** ACQUISITION

What are the most common employment-based legal categories for hiring/ utilizing foreign workers in this era of hard-to-fill jobs? Do you know the differences between H-1B, H-2B, O-1, L-1, TN, J-1 and how your company may be able to use these tools? We'll cover the procedure, timing and green card lottery aspects of the permanent residency application process.





Mike Stroster (GR) & John Koryto (KZ)



#### DOES ONLINE = LANDMINE WHEN **SLEUTHING CANDIDATES?**

Technology has opened a Pandora's Box of opportunity for learning about candidates you want to hire, but it has also created a minefield of legal risks. This session will discuss how to navigate "ban the box" and criminal record history; job references; using social media as your background checker when screening and selecting (Facebook, LinkedIn, Glassdoor); salary





Mary Tabin & Kevin Battle

history bans; and the patchwork of compliance for both Michigan and multi-state employers.



### DISABILITY ACCOMMODATION: PRINCIPLES EVERY HR MANAGER **NEEDS TO MASTER \***

\* repeat of session #8 from breakout session 2

How much leave time off is enough, and when is it too much? Is a '100% healed' rule before an employee can







Sandy Andre, Jeff Fraser (GR) & Sarah Willey (KZ)

return to work legal? Maximum length of leave rules (such as one year and done) - OK or not? Can you limit your accommodating of an employee's physical restrictions to only work-related injuries, but not off-the-job conditions? Come hear about these and many more myths and truisms in the confusing world of ADA compliance.

# **WELCOME & GENERAL SESSION**

# 8:00 TO 9:00 AM

It's often said that the only constant in life is change. That adage certainly holds true in the employment realm. Employers are reeling to keep up with new state laws and local ordinances. And although we have not seen significant change to federal employment laws, the interpretation of those laws, and regulations enforcing those laws, have likewise been in flux.

We will update you on the latest changes, including paid medical leave, recreational marijuana, sexual orientation and gender identity, protected concerted activity, and white collar exemptions. We will also discuss compliance challenges in the midst of a talent shortage in a strong economy. And if history is any guide, we can expect more change between now and our seminar. So stay tuned for late breaking coverage!

# OWER-PACKED AND ORMATIVE SESSION.

#### **Presenting Attorneys**

Nate Plantinga (GR) & Sarah Willey (KZ)













millerjohnson.com



#### **Grand Rapids**

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