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JOHNSON  
Attorneys



EMPLOYMENT LAW  
**SEMINAR**  
ON-SITE AGENDA

2024

KALAMAZOO  
10.22

+

RECORDINGS  
11.5-19



# THANK YOU FOR ATTENDING THIS YEAR'S SEMINAR.

## **Welcome!**

Thank you for attending this year's Employment Law Seminar in Kalamazoo at the Radisson Plaza Hotel. Today, we will focus on issues and situations employers deal with on a daily basis.

## **Check-In**

Upon arrival, please check-in at the registration table outside Arcadia Ballroom on the first floor for your seminar packet containing your seminar lanyard, name badge and breakout session agenda.

## **Help Desk**

If you have any questions during the seminar, please visit the Help Desk near registration outside the Arcadia Ballroom.



## AGENDA

|                      |                             |
|----------------------|-----------------------------|
| 7:30 to 8:00 am      | Registration and Breakfast  |
| 8:00 to 9:00 am      | Welcome and 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          |

# IMPORTANT INFORMATION

## PPT SLIDES



To support sustainable business practices, the seminar presentation materials are provided to you electronically in advance of the seminar. You will not receive hard copies at the seminar, so you are encouraged to download the materials in advance. To access, the session PowerPoints and speaker information on our website: <https://bit.ly/Seminar2024PPTs-KZ>

## BREAK SNACKS & NETWORKING



Enjoy networking time and snacks during your break. Snacks will be available starting at 10:10 am between breakout session 1 and breakout session 2. They will be located on the lower level in the **Prairies 4** room.

## WIFI



### Complimentary Access

Complimentary WiFi is available at the Radisson Plaza Hotel.

### LOGIN:

Employment Law Seminar

### PASSWORD:

MJSeminar2024

## QUESTIONS



For seminar questions, contact Amy Sgro by emailing: [sgroa@millerjohnson.com](mailto:sgroa@millerjohnson.com).

# INCLUDED WITH REGISTRATION

## RECORDINGS INCLUDED

Following the seminar, registrants will receive access to ALL general session and breakout session presentation on-demand recordings. If you are unable to attend the live, in-person event(s), you are welcome to register for the on-demand recordings to gain access to ALL presentations to watch when your schedule permits.



**For additional info, please refer to page 15 of this brochure.**



# ADDITIONAL INFORMATION

## CEUs

*Only those in attendance will receive certification documentation.*



**HRCI:** The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.

**SHRM:** This program is valid for **4.0** Professional Development Credits (PDCs) for the SHRM-CP or SHRM-SCP.



*For more information, please visit [HRCI.org](http://HRCI.org) and [SHRM.org](http://SHRM.org).*



## A SOCIAL SEMINAR

We share updates on social media.

### FOLLOW US

on **Twitter/X** at @MillerJohnson

on **LinkedIn** at Miller Johnson's company page

on **Facebook** at MillerJohnsonLawfirm

### OFFICIAL HASHTAG

Use the official seminar hashtag:

**#MJSeminar2024**



KALAMAZOO

KZ

10/22



## LOCATION

### 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 the entrance, please take a ticket and bring with you to receive a parking validation sticker at registration.

**NEW**



**General Session** (8:00 to 9:00 am)  
*Arcadia Ballroom*

**Breakout Session 1** (9:10 to 10:10 am)

- 1** What to Expect When Your Employee Is, Has Recently Been, Or Might Be Expecting, *Glens 3*
- 2** Coast-to-Coast Compliance for Multi-State Employers, *Prairies 6*
- 3** Check Yourself: A Critical Review of FLSA Salary and Exemption Requirements, *Prairies 5*
- 4** Civility's Dead: Profanity, Insubordination, & Unprofessional Speech As Protected Activity, *Glens 1-2*

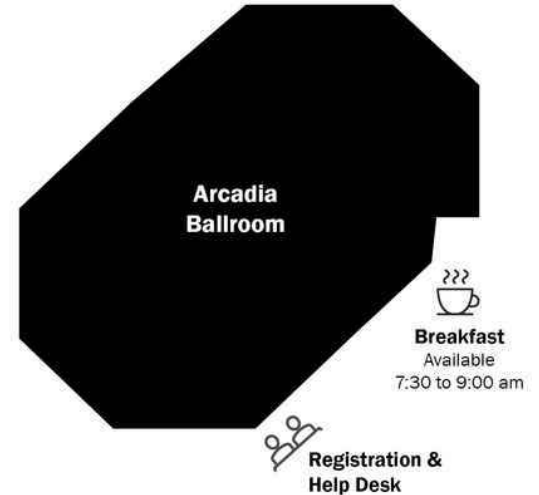
**Breakout Session 2** (10:20 to 11:20 am)

- 5** Top Ten Common Mistakes in Internal Investigations, *Prairies 5*
- 6** Race, Religion, and Rickety Rules: The U.S. Supreme Court and Employment Law, *Glens 3*
- 7** What's New With The ADA?, *Prairies 6*
- 8** Earned Sick Time Act: You've Got Questions, We've Got Answers., *Glens 1-2*

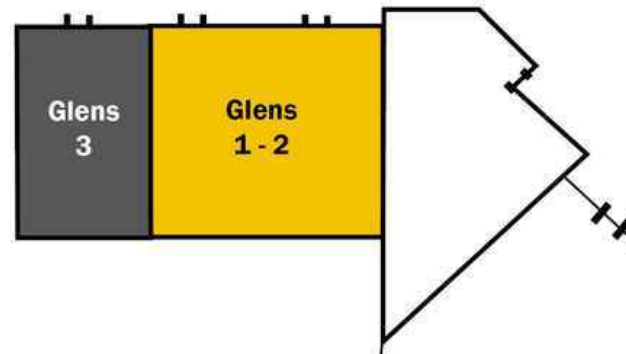
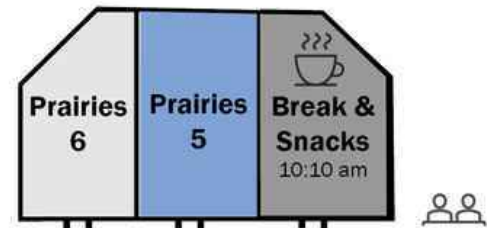
**Breakout Session 3** (11:30 am to 12:30 pm)

- 9** Calling All HR Managers! Recruit & Retain Talent Through Immigration Strategies, *Prairies 6*
- 10** ERISA Fiduciary Duties (Do We Have Your Attention? If Not, A Lawsuit Will), *Glens 3*
- 11** Ready, Set, Hire!, *Glens 1-2*
- 12** Labor Law Update: The Latest Developments in the Changing World of Unions and Union Organizing, *Prairies 5*

**LOBBY LEVEL**  
GENERAL SESSION



**LOWER LEVEL**  
BREAKOUT SESSIONS



# WELCOME & GENERAL SESSION

**8:00 TO 9:00 AM**

*ARCADIA BALLROOM*



**Presenting Attorney(s):**  
*Leigh Schultz and Sarah Willey*

**Leigh Schultz** and **Sarah Willey** will present a power-packed and informative 60-minute session to learn about the last year's legal updates and key developments for the betterment of your organization.

This year, they'll cover the ESTA, NLRB, FTC, FLSA, PWFA, PUMP Act and more!

**BREAK**

**9:00 TO 9:10 AM**



# BREAKOUT SESSION 1

**9:10 TO 10:10 AM**

*(select one topic from pages 9 to 10 to attend)*



Sandy Andre and Leigh Schultz will provide employers with a guide to navigating the complex legal landscape that arises when employee is pregnant or has a medical condition related to pregnancy or childbirth.

This breakout session will address the requirements and interplay between the Pregnant Workers Fairness Act, Family Medical Leave Act, Americans with Disabilities Act, and Pregnancy Discrimination Act.

## **1. WHAT TO EXPECT WHEN YOUR EMPLOYEE IS, HAS RECENTLY BEEN, OR MIGHT BE EXPECTING**

**Presenting Attorneys:** *Sandy Andre and Leigh Schultz*

*Glens 3*



“Why do you have to go and make things so complicated?” Avril Lavigne probably wasn't talking about a “complicated” patchwork of U.S. state employment laws. But we will!

Join Matt O'Rourke and Adam Walker as they highlight the types of state laws that create the most heartburn and potential liability for employers who cross state lines. We'll run the gamut—from job posting, through termination, and beyond. You'll walk away with the tools you need to identify the most important problem areas for multi-state employers and when you need to call for legal backup.

## **2. COAST-TO-COAST COMPLIANCE FOR MULTI-STATE EMPLOYERS**

**Presenting Attorneys:** *Matt O'Rourke and Adam Walker*

*Prairies 6*

# BREAKOUT SESSION 1

**9:10 TO 10:10 AM**

*(select one topic from pages 9 to 10 to attend)*



Join Marcus Campbell and Sydney Shaw for an insightful presentation as they delve into a few of the intricacies of the Fair Labor Standards Act (FLSA). Attendees will learn about the latest updates to minimum salary thresholds, the criteria for classifying employees as exempt or non-exempt and practical strategies for managing exemptions and other wage and hour issues in the workplace. Whether you're new to employment law or looking to refresh your knowledge, this presentation will equip you with the essential information to navigate these complex areas confidently.

## **3. CHECK YOURSELF: A CRITICAL REVIEW OF FLSA SALARY AND EXEMPTION REQUIREMENTS**

**Presenting Attorneys:** *Marcus Campbell and Sydney Shaw*

*Prairies 5*



You've established clear work rules, including a no-profanity policy with termination as the penalty. One Friday, a supervisor orders two employees to work overtime. An employee responds with f\*\*\* you, expressing frustration about the overtime. The incident is documented and there is a witness. In a non-union facility, this seems straightforward termination for HR.

However, Saniya Khare and Josh Leadford will discuss how the NLRB might protect the employee's outburst under federal law. They will also cover best practices for employer policies, disciplinary actions, and for balancing free speech with protected concerted activity, social media and acceptable limitations on employee conduct.

## **4. CIVILITY'S DEAD: PROFANITY, INSUBORDINATION, AND UNPROFESSIONAL SPEECH AS PROTECTED ACTIVITY**

**Presenting Attorneys:** *Saniya Khare and Josh Leadford*

*Glens 1-2*

# BREAKOUT SESSION 2

**10:20 TO 11:20 AM**

*(select one topic from pages 11 to 12 to attend)*



Join Mary Tabin, Dick Hillary and Andrew Goetz as they delve into the top ten most frequent pitfalls that companies encounter during internal investigations, providing practical guidance on how to identify and avoid those pitfalls. HR professionals will gain valuable insight on best practices for ensuring that their investigations are thorough, compliant, and effective. By learning to navigate these common challenges, employers will be better equipped to handle sensitive issues, maintain workplace integrity, conduct thorough fact-finding, minimize litigation and regulatory risk, and foster a fair and transparent organizational culture. This presentation promises to be an essential resource for anyone involved in conducting or managing internal workplace investigations.

## **5. TOP TEN COMMON MISTAKES IN INTERNAL INVESTIGATIONS**

**Presenting Attorneys:** *Mary Tabin, Dick Hillary and Andrew Goetz*

*Prairies 5*



The United States Supreme Court has issued several significant decisions affecting employers in the last year. Please join Kelley Stoppels and Brett Swearingen for a discussion on how these recent decisions from the highest court in the land may affect you and your workplace. We'll also discuss some significant cases to watch in the coming months and make predictions about issues we believe will be heading to the Court in the near future.

## **6. RACE, RELIGION, AND RICKETY RULES: THE U.S. SUPREME COURT AND EMPLOYMENT LAW**

**Presenting Attorneys:** *Kelley Stoppels and Brett Swearingen*

*Glens 3*

# BREAKOUT SESSION 2

**10:20 TO 11:20 AM**

*(select one topic from pages 11 to 12 to attend)*



Join Breanne Gilliam and Rebecca Strauss for an essential legal update on the evolving landscape of disabilities and accommodations. Work-from-home as a reasonable accommodation post-COVID; whether an employee is “qualified” if they can only work from home; repeated requests for leave extensions; and the avalanche of regulations and lawsuits regarding accessibility of websites.

## **7. WHAT’S NEW WITH THE ADA?**

**Presenting Attorneys:** *Breanne Gilliam and Rebecca Strauss*

*Prairies 6*



The Earned Sick Time Act will become effective on February 21, 2025. You’ve probably (hopefully) started to get ready for the changes and you have plenty of questions.

This interactive session with Rich Cherry and Mike Stroster will answer all of those questions, including what the law requires, the chances the legislature intervenes, how to communicate to your employees, and specific changes to your existing policies. Come ready to ask all of your burning questions and leave confident that you have the tools you need to implement these changes seamlessly.

## **8. EARNED SICK TIME ACT: YOU’VE GOT QUESTIONS, WE’VE GOT ANSWERS.**

**Presenting Attorneys:** *Rich Cherry and Mike Stroster*

*Glens 1-2*



# BREAKOUT SESSION 3

**11:30 AM TO 12:30 PM**

*(select one topic from pages 13 to 14 to attend)*



Immigration options exist for talent acquisition. Learn about how you can recruit, retain and hire foreign nationals into your workforce through many immigration strategies.

In this session, immigration attorneys Lee Ryder Koffend and Ewelina Sawicka discuss hiring opportunities for international students at U.S. universities including international medical graduates needing waivers; permanent residency planning; and recruiting talent already here on visas.

## **9. CALLING ALL HR MANAGERS! RECRUIT & RETAIN TALENT THROUGH IMMIGRATION STRATEGIES**

**Presenting Attorneys:** *Lee Ryder Koffend & Ewelina Sawicka*

*Prairies 6*



Honestly, ERISA fiduciary duties are a snore. But creative plaintiff attorneys have found a way to use this boring topic against ERISA plans and their sponsors. You may be familiar with the plethora of lawsuits against plans and plan sponsors of defined contribution retirement plans. Maybe you have even been a defendant in one? With plaintiff attorneys seemingly running out of retirement plans to sue, they are beginning to focus on group health plans. Jeff Gray and Tripp VanderWal will explore how these issues impact both retirement and health plans, and discuss notable lawsuits and preventive measures employers can take.

## **10. ERISA FIDUCIARY DUTIES (DO WE HAVE YOUR ATTENTION? IF NOT, A LAWSUIT WILL)**

**Presenting Attorneys:** *Jeff Gray and Tripp VanderWal*

*Glens 3*



# BREAKOUT SESSION 3

**11:30 AM TO 12:30 PM**

*(select one topic from pages 13 to 14 to attend)*



In this breakout, Kevin Battle and Bridget McConville will present on the best practices in employment applications, immigration in hiring, and employee handbooks.

**11. READY, SET, HIRE!**

**Presenting Attorneys:** *Kevin Battle and Bridget McConville*

*Glens 1-2*



The rules surrounding union organizing have changed significantly in the past year to make it much easier for unions to represent employees, sometimes without an election or even despite an election.

Join Keith Eastland and Patrick Edsenga to discuss the latest trends in the world of unions and union organizing and the practical steps you can take to navigate this new environment.

**12. LABOR LAW UPDATE: THE LATEST DEVELOPMENTS IN THE CHANGING WORLD OF UNIONS AND UNION ORGANIZING**

**Presenting Attorneys:** *Keith Eastland and Patrick Edsenga*

*Prairies 5*

# ON-DEMAND RECORDINGS

Starting Tuesday, November 5 and over the course of three weeks, we'll provide the recordings from all presentations offered at our live in-person seminars in Kalamazoo and Grand Rapids.

Since you are registered for our live in-person event, you will gain access to ALL recordings and material over the weeks by email.

## CONTINUING EDUCATION CREDITS



**HRCI:** The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.



**SHRM:** Each recording is valid for 1.0 Professional Development Credits (PDCs) for the SHRM-CP or SHRM-SCP.

### Recordings Available

You will be able to access the on-demand recordings through December 31, 2024.



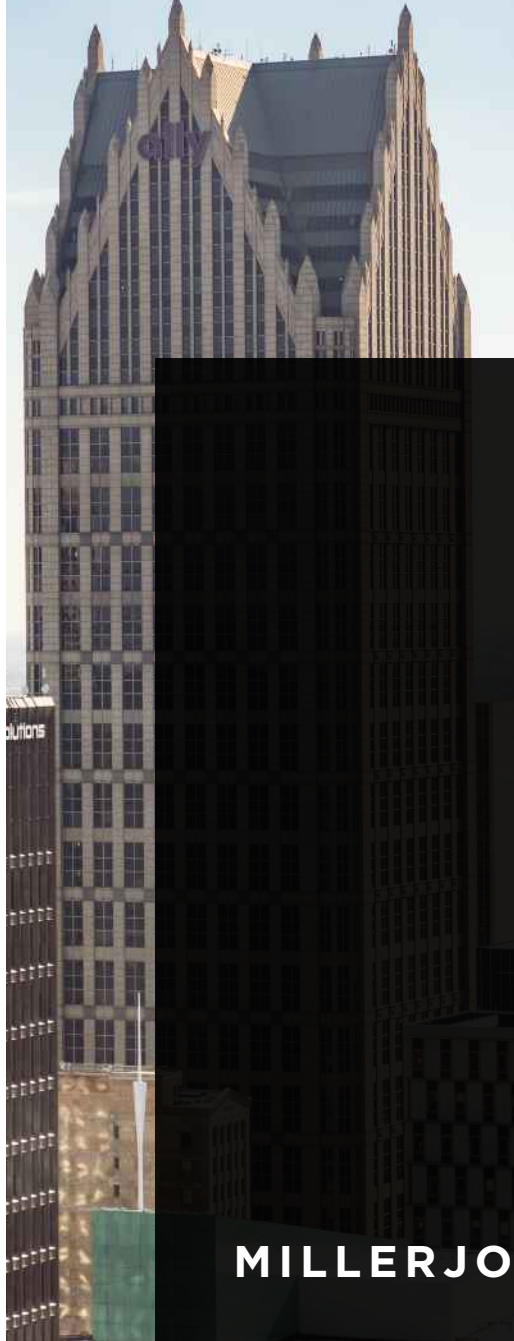
**GENERAL SESSION +  
BREAKOUT SESSION 1**  
5 TOTAL HOURS



**BREAKOUT SESSION 2**  
4 TOTAL HOURS



**BREAKOUT SESSION 3**  
4 TOTAL HOURS



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