

General Info

In 2023, regulatory changes and trends in labor and employment law continue to create obstacles for employers, both here in Florida and across the country. For more than 40 years, Constangy, Brooks, Smith & Prophete, LLP's Jacksonville office has presented its annual Labor & Employment Law Workshop—an interactive program aimed at helping human resource professionals, corporate counsel, supervisors and managers, and business owners tackle the challenges presented by this dynamic and constantly changing legal space.

As always, Constangy's team of attorneys will speak on a wide range of important topics impacting the labor and employment arena today. Beyond the scheduled presentations, however, the event also presents a cost-effective opportunity for attendees to ask questions and seek practical advice from subject-matter experts regarding issues they face on a daily basis, no matter how general or specific. Participants in previous years' programs have told us that this is the most valuable seminar they attend all year.

Register now and join us on August 9th for Constangy's 2023 Labor & Employment Law Workshop!

Location

Ponte Vedra Inn & Club, located at 200 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082.

Registration

Please register at: www.constangy.com/events-493. The cost for this full day program is \$250 per attendee, which includes parking and a copy of a seminar manual filled with reference materials specific to each of the various presentations offered. Continental breakfast, lunch, and access to a cocktail reception held after the event are also included in the cost of admission.

Cancellation Policy

Written cancellations that arrive at least one week prior to the event will be refunded.

Accommodations

Space may be available at the Ponte Vedra Inn & Club, located at 200 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082, (866) 748-8083; or the Hilton Garden Inn, located at 45 Tournament Players Club Blvd., Ponte Vedra Beach, FL 32082, (904) 280-1661.

Continuing Education Credit

This program has been submitted for CLE accreditation and is approved for 6 hours of HRCI and SHRM credit.

Agenda

8:00–9:00 a.m. | Registration and Continental Breakfast

9:00–9:10 a.m. | Greeting and Workshop Introduction

9:10–10:10 a.m. | This Just In: Recent Developments | Damon Kitchen

In this portion of the Workshop, we will address recent developments in labor and employment law that have occurred since last year's event. We will explore recent legislative enactments, executive orders, and agency rulings impacting labor and employment law, as well as recent decisions issued by the United States Supreme Court, and other courts on both a federal and state level, that have impacted employers and businesses.

10:15–11:15 a.m. | First Breakout Session

Benefits Spotlight: Updates in Employee Benefits | Dana Thrasher

Employee benefits are often in the spotlight, whether in terms of employers facing compliance challenges, or employee recruitment and retention issues. During this session, we will focus on recent developments in the employee benefits realm, challenging compliance issues, and best practices for employers.

A Wage and Hour Star is Born | Jason Friedman

What's changing in the world of wage and hour law? What types of wage and hour lawsuits are being filed every day? And most importantly, what can you do to keep your company out of the crosshairs? This year's wage and hour presentation will give you the tools to be the wage and hour compliance star of your company, with a focus on identifying potential problem areas many companies miss, and preemptive actions that can be taken to minimize potential exposure.

That's a Wrap: OFCCP's New Audit Letter | Cara Crotty

The Office of Federal Contract Compliance Programs ("OFCCP") has proposed significant changes to the Scheduling Letter and Itemized Listing documents that initiate a compliance evaluation of a federal contractor. The proposed changes would significantly increase the information and data such contractors would be required to submit at the earliest stage of a compliance evaluation. Despite this substantial expansion, the OFCCP does not propose to allow contractors more than the current 30 days to respond after compliance evaluations are initiated. Join us to review these potential changes and discuss strategies for preparing your organization before it finds itself on stage at the OFCCP.

The Playbill: Employment Handbooks, Including Weapons in the Workplace | Gary Wheeler

Is it time to revise or revamp your organization's employee handbook or other workplace policies? Are you unsure of where and how to start? Not to worry. This session will cover planning the handbook revision process, identifying the most critical policies, and allowing flexibility for future modifications. We will also cover whether you must, can, or should have policies addressing weapons in the workplace.

11:15–11:30 a.m. | Coffee Break

11:30–12:30 p.m. | Second Breakout Session

Reclaiming the Director's Chair: Protected, Concerted Activity and the NLRA | Jonathan Martin

The National Labor Relations Act can protect employees in both unionized and non-unionized workplaces who engage in protected, concerted activity. Such conduct can, at times, be disruptive and problematic for employers. In this session, we will define protected, concerted activity and explore the ways in which employers can attempt to maintain order in their workforces by setting and enforcing behavioral expectations for their employees.

Home Theater: Remote Work Issues | Jadie Mims

With the increasing prevalence of "work from home" arrangements in our post-COVID world, employers have been forced to adjust not only to the remote work needs of their current employees, but also to the expectations of prospective applicants in the workforce at large. In this session, we will discuss the legal implications of these arrangements, best practices for allowing remote work, and associated policy considerations.

The Classics: Employment Law Best Practices | Meg Zabijaka

Some acts stand the test of time, while others need a reboot. This session covers best practices employers can follow to comply with the numerous employment laws and regulations and put themselves in the best position to defend employment law claims.

Hiring for International Stars | Penni Bradshaw

From directors and producers to A-List stars, learn how to recruit and keep top international talent. Employers are increasingly finding that some of the most talented/highly-skilled candidates are foreign workers—often those who have come to the U.S. to pursue advanced degrees. This session will explore issues related to hiring and retaining the best foreign team members, from OPT work cards to H-1B work visas to green card sponsorships. We'll end with an update on I-9 compliance issues and other immigration-related challenges for today's employers.

12:30–1:30 p.m. | Lunch

1:30–2:30 p.m. | Skit

2:40–3:40 p.m. | Third Breakout Session

Dazed and Confused... About How to Treat Cannabis in the Workplace | Keya Denner

Despite its status as a Schedule I drug under federal law, an increasing number of states have either enacted, or are in the process of considering, legislation permitting the manufacture, distribution and use of cannabis for medical and/or recreational purposes. While Florida currently permits its use only medicinally, the overarching national trend makes it clear that employers both large and small must be prepared to adapt to a workforce that will almost assuredly be using cannabis in greater numbers in the years to come. In this session, we will discuss just a few of the most prevalent topics in this growing area of employment law, to include pre-employment inquiries regarding cannabis-related offenses; policies on drug testing and drugs in the workplace; and workplace protections for employees who use cannabis outside of work.

FMLA Plot Twists and Turns: Understanding and Managing Employee Leave under the FMLA | Meg Zabijaka

Managing leave under the FMLA, and addressing potential leave abuse, often involves confusing and convoluted plot twists. In this session, we will review the FMLA basics and also delve into the more action-packed FMLA issues that employers often face.

Benefits Spotlight: Updates in Employee Benefits (Repeat Session) | Dana Thrasher

Employee benefits are often in the spotlight, whether in terms of employers facing compliance challenges, or employee recruitment and retention issues. During this session, we will focus on recent developments in the employee benefits realm, challenging compliance issues, and best practices for employers.

Live Action Update: Public Sector Considerations | Colin Thakkar

Public sector employers in Florida face numerous employment law issues that are not shared by employers in the private sector, such as Veteran's Preference requirements, the Public Records Act, the Florida Sunshine Law, and constitutional limitations on the ability to control employee conduct. In this session, we will discuss recent developments in these and other areas of employment law that uniquely impact public sector employers.

3:40–3:55 p.m. | Snack Break

3:55–4:55 p.m. | Fourth Breakout Session

May the Odds Be Ever in Your Favor: Best Practices for Disciplining and Discharging Employees | **Jesse Bannon**

There's no one-size-fits-all way for HR professionals and managers to handle disciplining and discharging employees. Instead, the approach taken will vary based on several factors, including the type of business, the employer's policies, and the particular issues involved, to name a few. Fortunately, there are some dos, don'ts, and other best practices employers can use to increase their odds of either correcting performance and behavioral issues or successfully severing ties with an employee, while minimizing the risk of subsequent litigation.

A Wage and Hour Star is Born (Repeat Session) | Jason Friedman

What's changing in the world of wage and hour law? What types of wage and hour lawsuits are being filed every day? And most importantly, what can you do to keep your company out of the crosshairs? This year's wage and hour presentation will give you the tools to be the wage and hour compliance star of your company, with a focus on identifying potential problem areas many companies miss, and preemptive actions that can be taken to minimize potential exposure.

Customized Catering for the Cast: ADA and Reasonable Accommodation | Gary Wheeler

Workplace accommodations are more of an art than a science. But that does not mean you won't have critics or can't get it wrong. Challenges posed by ADA and reasonable accommodation requirements involve an in-depth understanding of risks and responsibilities, which this session will explore.

Production Break: The Ins and Outs of Paid and Protected Leave | Damon Kitchen & Joey Mackey

While the requirements of paid and protected leave in Florida are certainly less imposing than those in other parts of the country, it is still crucial for local employers, both public and private, to maintain a level of understanding, which can help to avoid penalties and potential litigation stemming from violations of the same. In this session, we will survey the legal requirements of leave from employment under state and federal law, and discuss the related rights and obligations of employees and employers alike.

4:55–6:00 p.m. | Cocktail Reception

**Agenda subject to change.*