

C L I E N T

COACH AIRFARE AND (1) NIGHT LODGING
PAID BY USLAW NETWORK

USLAW NETWORK EMPLOYMENT & LABOR LAW EXCHANGE

IN COOPERATION WITH
THE DATA PRIVACY & SECURITY
PRACTICE GROUP



APRIL 30 - MAY 1, 2018
GRAND HYATT DFW
DALLAS, TEXAS



Register online at
<http://web.uslaw.org/2018-employment-exchange/>

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ABOUT THE 2018 USLAW NETWORK EMPLOYMENT & LABOR LAW EXCHANGE

TRACK TOPICS TO INCLUDE:

- What's Reasonable When Employers Are Asked to Provide Accommodations Under the ADA or PDA?
- Assessing Witness Credibility in Investigations: He Said, She Said, Now What?
- To Pee or Not to Pee: Workplace Dynamics and the Opioid Epidemic
- Onboarding and Departing Employee Protocols
- Employer's Responsibility for Safety of Employees in the Workplace
- Pitfalls of Social Media in the Workplace
- Pay Equity Laws: Is This a Growing Trend?
- Weakest (Security) Link: Why Employees Need to Know and Follow Cybersecurity Policies and Procedures
- Retina Scans, Fingerprints, and Facial Recognition, Oh My: New and "Old" Cyber Headaches

The 2018 USLAW NETWORK Employment & Labor Law Exchange is a two-day, interactive event that focuses on areas of concern for employers, especially with respect to current trends in culture and the law. The Exchange, which promotes discussion and sharing of best practices in lieu of traditional talking heads and PowerPoints, has been designed for all employers -- from those involved in human resources to in-house counsel and other managers who deal with employment law issues on a regular basis.

This program will be driven by seasoned USLAW attorneys and industry leaders and experts who will guide you through a tailored program covering nine separate topics. The 2018 Exchange will be supported by the USLAW Data Privacy & Security Practice Group who will offer additional perspective on cyber, IT and social media issues.

The schedule of events has been designed to maximum educational time while minimizing time out of the office. The host hotel, the Grand Hyatt DFW, is centrally located and literally steps from your plane. Attendees can arrive the morning of April 30 and stay one night, departing the afternoon of May 1.

Please join us at the 2018 USLAW Employment & Labor Law Exchange for this highly unique program.

CLE AND CE ACCREDITATION

USLAW NETWORK will be offering national CLE credit for attorneys and CE credit for TX and FL adjusters (reciprocal with some other states). All states are currently pending. We have partnered with CEU Institute as our CE/CLE provider to manage all credits: www.ceuinstitute.net. Should you have questions, please contact accreditation@ceuinstitute.net.

USLAW CORPORATE PARTNERS





SCHEDULE OF EVENTS

MONDAY • April 30, 2018

11:00 A.M. - 6:00 P.M.
Registration

11:30 A.M. - 12:30 P.M.
Lunch for All USLAW Member
Attorneys and Corporate Partners

12:00 P.M. - 3:00 P.M.
**USLAW EMPLOYMENT & LABOR
LAW ANNUAL BUSINESS MEETING**
(USLAW Member Attorneys and
Corporate Partners Only)

3:00 P.M. - 6:00 P.M.
DAY ONE - EXCHANGE SESSIONS
(All Attendees Including Client
Guests)

6:30 P.M.
Departure to TopGolf

7:00 P.M. - 9:00 P.M.
Evening at TopGolf

TUESDAY • May 1, 2018

7:00 A.M. - 8:00 A.M.
Breakfast

8:00 A.M. - 1:00 P.M.
DAY TWO - EXCHANGE SESSIONS
(All Attendees Including Client
Guests)

12:30 P.M. - 1:00 P.M.
Lunch for All Attendees

1:00 P.M.
Close of Program and Departures

SESSION TOPICS



Planning Committee

Julie A. Proscia
SmithAmundsen
Chicago, IL

Elizabeth R. Sharrock
Pierce Couch Hendrickson
Baysinger & Green, L.L.P.
Oklahoma City, OK

Lisa A. Zaccardelli
Hinckley Allen & Snyder LLP
Hartford, CT

WHAT'S REASONABLE WHEN EMPLOYERS ARE ASKED TO PROVIDE ACCOMMODATIONS UNDER THE ADA OR PDA?

Employers must be aware of, and train managers about, the legal obligations that may impact decisions about treatment of qualified employees with disabilities under the Americans with Disabilities Act and Pregnancy Discrimination Act. Employers must be prepared to provide effective, reasonable accommodations for employees with disabilities. In this session, employers and counsel will discuss the interactive process for providing reasonable accommodations, which may run the gamut of modified work schedules, to assistive technology and personal assistance services.

ASSESSING WITNESS CREDIBILITY IN INVESTIGATIONS: *He Said, She Said, Now What?*

One of the biggest challenges in conducting workplace investigations is the lack of independent witness observations. In a digital world it is unlikely an employer will be truly faced with investigating one person's word against another's without any other corroborating evidence. Instead of being frustrated when faced with a "he said, she said situation," attendees will learn and discuss the tools needed to discover evidence, assess the credibility of the accused and the accuser, and make an informed determination.

TO PEE OR NOT TO PEE: *Workplace Dynamics and the Opioid Epidemic*

Employers are overwhelmed by the effects of opioid medication (both legally prescribed and unlawfully obtained) on the workforce. As the opioid epidemic becomes more publicized and blame for the epidemic focuses more on drug manufacturers and less on addicts, this facilitated and engaging discussion delves into issues employers find themselves facing with increasing frequency. Is your workplace prepared to navigate the impact of the opioid epidemic? Are your policies tailored to address the epidemic? Should employers change their approach to drug testing? Does your testing provider utilize proper drug screening panels to ensure your workforce is safe? What can employers do to help fight the opioid epidemic and its impact on employee behavior? These questions and more will be discussed in this session.

ONBOARDING AND DEPARTING EMPLOYEE PROTOCOLS

Your company's employment-related policies/procedures and contracts are key lines of defense when it comes to protecting documents and information, including but not limited to trade secrets that provide the business with a competitive advantage. Is your company doing all that it can to protect itself from theft or misappropriation of its valuable corporate assets? Protection of confidential, proprietary and trade secret documents and information from theft and misappropriation by employees has long been established under common law, but your company should be aware of the protections provided by and the elements necessary to assert and prove a claim(s) and seek relief under, inter alia, the Uniform Trade Secrets Act, The Economic Espionage Act of 1996, the Counterfeit Access Device and Computer Fraud and Abuse Act of 1984 and The Defend Trade Secrets Act of 2016. Speakers will discuss trends, interesting developments and significant issues related to the applicable laws, as well as provide useful pointers and lessons to assist your company in evaluating and potentially improving its current policies/procedures and contracts.

SESSION TOPICS

EMPLOYER'S RESPONSIBILITY FOR SAFETY OF EMPLOYEES IN THE WORKPLACE

With the media's coverage of shooting violence, cases are being filed against employers claiming they were negligent by failing to take the appropriate precautions to protect their employees. We will discuss the expectations for an employer to protect its employees from both a legal perspective and from a jury perspective. That is, when some tragic event does occur, what are jurors' expectations? Do they believe, in hindsight, the employer should have done more? What is expected of an employer when it is put on notice that there could be a domestic issue with an employee or if there is a disgruntled employee after a firing? Being prepared and getting ahead of these issues will be important considerations for all employers given each employer's workplace environment. We will be sharing real-world examples with you and encourage you to bring your workplace stories/issues so we can discuss the legal and practical considerations for each example.

PITFALLS OF SOCIAL MEDIA IN THE WORKPLACE

Snap Chat? Instagram? Facebook? Yelp? So many choices for companies to utilize social media platforms. Yet companies face significant challenges in balancing the use of social media networks for their business to improve their brand and share information while managing the risks of employees who use these platforms for their own personal purposes. During this session, we will discuss the risks and rewards of social media in the workplace.

PAY EQUITY LAWS: IS THIS A GROWING TREND?

Since 2016, new laws in California, New York, Maryland and Massachusetts have fundamentally altered how equal pay claims are analyzed. Some 60 bills in various state legislatures on pay equity put employers' compensation practices at the forefront. Companies are well advised to take a close look at the practices, review job descriptions and conduct with compensation analysis. This session will center on pay equity discussions, how you navigate these laws, and the impact of these laws when hiring and retaining employees.

WEAKEST (SECURITY) LINK

Why Employees Need to Know and Follow Cybersecurity Policies and Procedures

An employer's greatest data or cybersecurity threat is not some anonymous outsider – it's the person in the cubicle next to you. In fact, employee noncompliance with data privacy policies and procedures poses the biggest threat to the integrity of any employer's digital assets. And, even when employers actively monitor employee compliance with cybersecurity protocols, they run the risk of employees crying foul for supposed age discrimination because those nearing retirement – and not the 20-something set – may be more prone to violate the procedures in place. Using real world examples, participants will learn best practices for effective employee training that also accounts for diverging knowledge of digital systems throughout the modern workforce.

RETINA SCANS, FINGERPRINTS, AND FACIAL RECOGNITION, OH MY

New and "Old" Cyber Headaches

For some, clocking-in-and-out has made way for fingerprint access to a workspace. However, as employers implement cutting-edge security systems or sophisticated ways to register compensable time worked, additional steps must be taken to ensure that an employee's highly sensitive, personal data is appropriately protected. Even then, existing or looming responsibilities may exist for companies to make disclosures about the collection and storage of biometric data. While this cutting-edge data collection creates new anxiety for an employer, ensuring your supply chain of vendors and third-party consultants have adequate security protections in place should continue to keep you up at night. Presenters will discuss the risks of new and improved technologies, as well as strategies for identifying and securing data access points as personal information continues to flow in and out of the organization.



Topgolf

DALLAS



Anyone can play Topgolf, whether you are a greens warrior or never touched a club! Join your USLAW friends and colleagues as we take over the main floor of Topgolf Dallas. Dine in a private room behind our reserved bays for three hours of addictive point-scoring games that take you well beyond the normal rules of golf.

If you haven't yet been to Topgolf, this is the night to experience the hype for yourself!

Ground Transportation is provided from the Grand Hyatt DFW to Topgolf at 6:30 P.M.
Casual attire suggested.

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HOTEL



2018 USLAW NETWORK **Employment & Labor Law Exchange**

LOCATION

Grand Hyatt DFW is located within the airport complex (Terminal D), eliminating the need for outside transportation.

ABOUT THE HOTEL

Enjoy your time at Grand Hyatt DFW, one of the most modern hotels in the Dallas-Fort Worth region just minutes from the heart of Grapevine, Texas. Located inside Dallas Fort Worth Airport at Terminal D, this contemporary hotel delivers attentive service to ensure you feel like a valued guest throughout your stay. Rest easy in luxurious guestrooms, while attending the USLAW Employment & Labor Law Exchange.



WHY USLAW

In today's global marketplace, legal needs often transcend geographic boundaries. To operate globally, you need to have an edge locally. This requires an in-depth understanding of local cultures, economies, laws, governments, trends and business climates. This kind of edge not only enhances your competitive position, but also allows you to anticipate – and even influence – changes in the market, and to react quickly and effectively.

Clients with these types of complex needs turn to USLAW NETWORK (USLAW) member firms to represent them in the courtroom and the boardroom, next door and across the United States and around the world. USLAW member firms are some of the most highly respected law firms in their respective jurisdictions. Each member firm is admitted only after substantial due diligence and is rigorously reviewed to ensure they meet USLAW quality service standards.

The collective expertise of USLAW member firms is impressive. National and international law firms, while they may have scores of offices, do not have access to the depth of the legal resources available through USLAW. As well, our lawyers know and respect each other. Through friendship, networking and resource-sharing, USLAW attorneys develop the type of cooperation and client-focused service that corporations demand of their legal counsel.

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ABOUT THE EMPLOYMENT & LABOR LAW PRACTICE GROUP

With increasing litigation and governmental involvement, the rapidly evolving workplace requires a pragmatic approach, innovative solutions, and thoughtful attention to prevent issues from arising and solve them when they do. The USLAW NETWORK Employment & Labor Law Group provides top-quality, effective, and cost-efficient legal services to private and public sector employers facing a broad spectrum of labor and employment issues.

Members of the USLAW Employment & Labor Practice Group focus on supplying real-world tailored solutions to labor and employment issues. They work collaboratively with our clients' in-house legal and human resources professionals to ward off potential challenges with carefully planned policy formation, implementation and training.

Why Choose USLAW Employment & Labor Law Firms?

With highly qualified and experienced employment & labor attorneys located throughout the country, group members are uniquely positioned to offer cutting edge legal services in a cost-effective manner. The Group's nationwide presence and expertise permits us to respond expeditiously to clients wherever and whenever our members are needed. Through the group's extensive collective experience representing both private and public sector clients, member attorneys have gained a deep understanding of our clients' needs and goals in dealing with employees and labor unions.

While our members must conform to the highest standards of excellence and integrity, it is our personalized attention to our clients that sets USLAW apart. The group's wealth of experience in a wide variety of industries and with employers ranging from small "mom and pops" to Fortune 100 companies allows them to better counsel clients on the day-to-day problems they encounter.

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Why Choose USLAW Employment & Labor Law Firms? (continued)

By working together, USLAW firms' employment & labor law practice groups offer our clients all of the benefits of national representation without compromising our commitment to providing outstanding and timely service. Through our outreach efforts, including national seminars and local training opportunities, the members aim not only to offer premiere, cost-effective, legal representation, but also to continue to develop and strengthen relationships with our industry partners, allowing our members to better serve the business community.

Group members believe their clients are best served through preventive measures such as careful policy drafting and effective training. To that end, we are often on-site with employers, identifying ways to strengthen personnel policies and providing innovative solutions to workplace challenges. In addition, we provide training to supervisors and managers on a wide array of topics, including: sexual harassment, unlawful discrimination, workplace investigations, and violence in the workplace.

Even with the most careful planning, employers cannot entirely avoid litigation. Group members have extensive experience in all phases of litigation – from administrative agency proceedings to litigation in state and federal courts throughout the country. Member attorneys are keenly aware of the potential pitfalls in administrative investigations and regularly assist employers in responding to Department of Labor, EEOC, NLRB, OFCCP and OSHA audits and investigations at the federal, state and local levels. Should litigation arise, USLAW clients are well-positioned by having all of the benefits of a large national practice with attorneys familiar with the local rules, judges and trends for nearly every jurisdiction.

Areas of Practice

Our group members handle the full spectrum of employment and labor issues, including:

- Administrative Law Agency/Tribunal Matters
- Affirmative Action – Executive Order 11246
- Age Discrimination in Employment Act
- Alternative Dispute Resolution
- Americans with Disabilities Act
- Civil Rights §1983 Claims
- Class Action Defense
- COBRA
- Collective Bargaining
- Discrimination Claims – Title VII
- Drug and Alcohol Testing
- Employee Benefits
- Employment Contracts
- Employment Practices Liability Insurance
- Equal Pay Act
- ERISA
- Fair Labor Standards Act
- Family and Medical Leave Act
- Handbooks and Personnel Policies
- Immigration
- National Labor Relations Act
- Non-Competition Agreements
- Occupational Safety and Health Act
- Older Workers Benefits Protection Act
- Retaliation Claims
- Unemployment
- WARN Act
- Workers' Compensation
- Workplace Violence
- Wrongful Discharge

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ABOUT THE DATA PRIVACY & SECURITY PRACTICE GROUP

The USLAW NETWORK Data Privacy & Security Practice Group includes lawyers with years of experience in wide-ranging practice areas, including but not limited to cyber, healthcare, retail, technology litigation, professional liability, white collar, employment, class action, risk management, crisis management and counseling. They serve a diverse client base that includes Fortune 500 corporations to privately held firms affected by cybercrime. USLAW member attorneys also counsel leading companies in matters involving the Computer Fraud and Abuse Act, the Stored Communications Act and HIPAA.

Why Choose USLAW Data Privacy & Security Law Firms?

The importance of protecting personal, financial, health and other identifying information is at an all-time high and the risks and breaches seem to mount on a daily basis. Attorneys in the USLAW NETWORK Data Privacy & Security Practice Group are knowledgeable in the various privacy and cyber rules, regulations and laws governing jurisdictions across the United States and around the world. They can identify the data protection laws applicable to your business and develop protective plans to enable you to comply with these laws and minimize your risk of a data breach.

If you do business you depend upon electronic data, whether it is customer data or your own trade secrets or other intellectual property. Data destruction or theft can be devastating and the liability for breach of third-party data, like credit card data, can be extreme. And, it's not just the electronic filing systems that are at risk. Whether you store data on internal servers, remote servers or in the cloud, or in hard copy forms in a storage unit, there are inherent risks and effective safeguards that can be taken to protect data.

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Why Choose USLAW Data Privacy & Security Law Firms? (continued)

Attorneys in the Data Privacy & Security Practice Group lead their clients through implementation of data protection plans and preparation of incident response plans, which can include advice regarding forensics, security, public relations and insurance. They are experienced leaders in handling data breach investigations and forensic analysis to learn from incidents and respond to government inquiry or private action claims. And they do all of this with established and proven cost-effective strategies.

Areas of Practice

Our group members handle the full spectrum of cyber issues, including:

- ADA Employee Health Care Information Confidentiality
- Breach Notification
- Breach of Confidentiality
- Breach of Contract
- Cloud Computing
- Class Action Lawsuits
- Compliance
- Computer Fraud and Abuse Litigation
- Computer Security
- Confidential Information Agreements
- Constitutional Privacy Issues
- COPPA
- Cybersecurity
- Data Breach Notification Laws (State and Federal)
- Data Breaches and Incident Response
- Data Brokers
- Data Protection
- Data Security
- Directors and Officers Liability
- E-Government Act
- Fair Credit Reporting Act
- Federal Privacy and Security Legislation
- FERPA
- Financial Privacy
- Hacking
- HIPAA/HITECH Compliance
- HIPAA and Related Common Law Claim Litigation
- Identity Theft
- Information Governance
- Information Security
- International/Cross-Borders Privacy Law
- Invasion of Privacy
- Litigation
- Medical Privacy
- Mobile Privacy
- Online Data Tracking
- Online Privacy
- Payment Card Industry
- PCI/DSS
- Polygraph Protection Act
- Privacy
- Privacy Litigation
- Privacy Policy Development
- Regulatory Enforcement Actions
- Risk Assessments
- Securities Litigation
- Security Policy Development
- Social Media
- State Reference Check Laws
- Student Data Privacy
- Trade Secret Misappropriation Litigation
- Workforce Training
- Workplace Privacy

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REGISTRATION

Complete the information below
and email, fax or mail to USLAW.

EMPLOYMENT & LABOR LAW EXCHANGE
APRIL 30 - MAY 1, 2018 • GRAND HYATT DFW • DALLAS, TX

Mail registration form to:

Jennifer Randall
USLAW NETWORK
Employment & Labor
Law Exchange
3111 N University Drive
Suite 400
Coral Springs, FL 33065

Fax registration form to:

(800) 231-9110

Email registration information to:

jennifer@uslaw.org

Register online at:

<http://web.uslaw.org/2018-employment-exchange/>

**FOR QUESTIONS,
PLEASE CALL
(800) 231-9110
EXT. 3**

**REGISTRATION
DEADLINE:
MONDAY
APRIL 23, 2018**

FULL NAME (E.G., JOSEPH A. SMITH)

NICKNAME ON BADGE

TITLE

COMPANY NAME

ADDRESS

CITY, STATE, COUNTRY, ZIP

PHONE

FAX

EMAIL

CONTINUING LEGAL EDUCATION (CLE) LIST YOUR STATE AND BAR NUMBER

CONTINUING EDUCATION (CE) FOR INSURANCE ADJUSTORS LIST YOUR STATE AND LICENSE NUMBER

YES I WILL ATTEND THE EVENING EVENT AT TOPGOLF DALLAS ON MONDAY, APRIL 30, 2018



Register online at <http://web.uslaw.org/2018-employment-exchange/>