



Inside Counsel Conference 2021

Event

Virtual

3.02.21 — 3.04.21

12:00 PM — 5:30 PM EDT

Navigating The Changing Employment Equation

#FPICC2021 is going virtual!

Join us March 2-4, 2021, for our virtual Inside Counsel Conference. As in years past, we will be bringing together the nation's top workplace law practitioners, and business and government leaders, to discuss trends, changes, and the future of labor and employment law.

Detailed Agenda

TUESDAY, MARCH 2

12pm – 1pm EST: A Dose of Relief: Takeaways from Employers' Initial Rollout of the COVID-19 Vaccine

While the COVID-19 vaccine offers employers another tool in maintaining a safe workplace during the pandemic, the battle is far from over. In a panel format, attorneys from our Healthcare Industry Practice Group and our Vaccine Subcommittee will discuss challenges and tips based on healthcare employers' experiences in introducing the COVID-19 vaccine to their workplaces. Drawing on scenarios that arose during initial vaccine rollouts, we will discuss practical issues that all employers should consider in preparing for the increasing availability of the vaccine.

- Phil Bauknight, Vaccine Subcommittee Leader, Fisher Phillips (New Jersey)
- Kevin Troutman, Chair, Vaccine Subcommittee & Co-Chair, Healthcare Industry Practice Group, Fisher Phillips (Houston)
- Keitha Wright, Vice President, Employment and Litigation, CHRISTUS Health

1pm – 2pm EST: A Match Made in Heaven: Employee Activism and President Biden's National Labor Relations Board

For two years leading up to the pandemic, the number of employees engaged in major work stoppages totaled six times any yearly amount for the preceding decade. And with a new presidential administration that is sure to be friendly to labor organizations and decidedly more pro-employee

administration that is sure to be friendly to labor organizations and decidedly more pro-employee than the preceding administration, the environment is ripe to continue this employee activism. With a panel of inside counsel and our co-chair of the Fisher Phillips' Labor Relations Group, we will analyze the NLRB's cases likely to be changed under a Biden Board and how such decisions will impact both unionized and non-unionized employers. Be prepared to take back to your management team recommended policy/rule changes and early plans to brace for workplace work stoppages.

- Todd Lyon, Co-Chair, Labor Relations Practice Group, Fisher Phillips (Portland)
- Danielle Garcia, Senior Legal Counsel, Labor Relations Waste Management
- April Weaver, Senior Counsel, Kaiser Foundation Hospitals / Health Plan

2pm to 2:15pm EST: Break

2:15pm – 3:15pm EST: KEYNOTE - Reimagining the Workplace

Never before has it been so urgent to understand how today's forces are shaping tomorrow's workplace. As seismic shifts continue to change America's world of work in unprecedented ways, leaders must adapt to the rapidly evolving workplace using creative solutions for recruiting, managing, and retaining a skilled workforce. Join SHRM president Johnny Taylor and Fisher Phillips Partner and Author of *FLEX: A Leader's Guide to Staying Nimble and Mastering Transformative Change in the American Workplace*, Rick Grimaldi, for a real-world discussion about harnessing the power of change to increase employee satisfaction, reduce risk and secure long-term success in the marketplace.

- Rick Grimaldi, Author of "Flex" and Chair of Government Relations Practice Group, Fisher Phillips (Philadelphia)
- Johnny Taylor, President and CEO, SHRM

3:15pm – 4:15pm EST: Privacy and Cybersecurity in a Remote Work Environment

2020 has brought unprecedented changes to the manner in which employees work. It has required extraordinary, and fast-moving, changes by employers to adapt to remote work arrangements and provide employees with flexible work arrangements that differ significantly from those that existed prior to the pandemic. In an eye-opening recent survey, 85% of Chief Information Security Officers said they sacrificed cybersecurity to quickly enable remote work. These changes have come at the same time that cybercriminals have sought to exploit the vulnerabilities in employers' computer networks and remote work systems and have successfully infiltrated numerous networks, creating headaches for employers that were already facing increased pressures due to the economic hardships of the pandemic. This program will explore the privacy issues faced by employers who have experienced an increase in remote work arrangements during the pandemic and offer practical solutions to address these challenges.

- Risa Boerner (CIPP/US), Chair, Data Security and Workplace Privacy Practice Group, Fisher Phillips (Philadelphia)
- Danielle Urban (CIPP/E), Data Security and Workplace Privacy Practice Group, Fisher Phillips (Denver)

4:15pm to 4:30pm EST: Break

4:30pm to 5:30pm EST: Connections with Colleagues: Virtual Interactivity Opportunity #1

We know the truth. Although we try to offer interesting and informative content in our Inside Counsel Conference sessions, we always hear the same thing from our attendees: the part they find the most rewarding is the informal time they get to spend with other inside counsel from across the country. While we can't gather in person this year, we are going to replicate that same dynamic in a virtual setting. During this first structured hour, we'll set up opportunities for you to brainstorm with your peers, hear what's on their minds, and make new connections. The cocktails are optional – and we'll look forward to 2022 when we can (fingers crossed) gather together in person once again.

WEDNESDAY, MARCH 3

12pm – 1pm EST: Lessons in Leadership from the Pandemic: Leading a Changing Workplace

The COVID-19 pandemic took the world by storm. Under unprecedented circumstances, employers were forced to make decisions that may impact their workforce for years. Skilled leadership took center stage during these tumultuous times. Great leaders thrived. Others failed. Led by the leader of the firm's COVID-19 Taskforce, this session will explore best leadership practices from the pandemic and what employers can glean from this time to lead a workplace forever changed.

- Travis Vance, Co-Chair, Workplace Safety and Catastrophe Management Practice Group, Fisher Phillips (Charlotte)
- Sherica Bryan, Assistant Vice President, Associate General Counsel, Employment & Compliance, Del Monte Fresh Produce Company
- Santiago "Jimmy" Alaniz, Chief Legal Officer, Packers Sanitation Services, Inc.

1pm – 2pm EST: Balancing the Equation: Solutions for Supporting Female Employees During the Pandemic – and Beyond

The burdens of the pandemic have unquestionably impacted everyone's work lives. But women, particularly working mothers and women of color, have experienced some of the most impactful adversities. The "shecession" has resulted in a mass exodus of women in the workforce with the number of women in the workplace dropping to levels not seen since 1988. This panel will discuss practical strategies for employers to support female employees during the pandemic and beyond; planning for a post-pandemic world in relation to gender and minority equity, including pay equity and diversity and inclusion challenges: implementing action plans and programs to curb the

and diversity and inclusion challenges, implementing action plans and programs to ease the economic and societal impact on women; and supporting women returning to the workforce after COVID-19. Attendees will walk away with solutions to implement in their organization to recognize and address unconscious bias, recruit and retain female employees, and nurture a culture in which women have equal opportunity to achieve their potential over the long term.

- Emily Litzinger, Fisher Phillips (Louisville)
- Lisa McGlynn, Fisher Phillips (Tampa)
- Candice Pinares-Baez, Director of Business Affairs – Employment & Litigation, Hard Rock International
- Carolyn Tandy, Diversity and Inclusion Director, Texas Roadhouse

2pm to 2:15pm EST: Break

2:15pm – 3:15pm EST: Look to California for a Preview of the Future of Work

California provides employers with unique and complex labor and employment laws in the wage-hour, fair employment, workplace safety and leave contexts. The COVID-19 pandemic has demonstrated that employers not only must focus on state laws and regulations, but also on city and county regulations as well. With its diverse and robust economy, the future of work in California will not simply be telecommuters providing administrative functions. Instead, hospitality, retail, healthcare, gig economy, auto dealership, construction and critical infrastructure industries will require employees to return to worksites to provide direct service to customers. With assistance from in-house counsel from these industries, this presentation will focus on the future of work in California, the current legal trends across the state, new and expanding areas of risk, and a forecast of where the future of work will lead us. Even if you don't have operations in the state, this session is worth attending because you'll get a glimpse of what the future of work might look like in your state.

- Lonnie Giamela, Fisher Phillips (Los Angeles)
- Todd Scherwin, Regional Managing Partner, Fisher Phillips (Los Angeles)
- Ashley Coleman, Assistant General Counsel – Litigation & Employment, Chipotle
- Sean Kundu, Vice President of Corporate Development, San Francisco 49ers; General Counsel and Executive Vice President, VenueNext

3:15pm – 4:15pm EST: How to Win at Wage and Hour: Bonus Tips on FLSA Litigation and DOL Investigations

Despite being in the midst of a pandemic, wage and hour litigation continues to rise – and will no doubt continue to grow more costly in the coming year. With a new administration likely to increase DOL enforcement efforts, employers must be prepared to defend pay practices in front of administrative agencies as well as in the courts. Join partners from the Fisher Phillips Wage and Hour Law Practice Group as they provide a brief update on some wage and hour case law and

hour Law Practice Group as they provide a brief update on some wage and hour case law and regulatory highlights from 2020 as well as provide some best practices for employers to follow if and when they are investigated by the Wage and Hour Division or state counterparts.

- [Michelle Anderson](#), Fisher Phillips (New Orleans)
- [Matt Simpson](#), Fisher Phillips (Atlanta)

4:15pm to 4:30pm EST: Break

4:30pm to 5:30pm EST: Connections with Colleagues: Virtual Interactivity Opportunity #2

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THURSDAY, MARCH 4

12pm – 1pm EST: Tracking the Spread: An Examination of COVID-19 Workplace Litigation

Transitioning to work from home, FFCRA leave, reasonable accommodations, furloughing and laying off workers, ensuring the health and safety of the workforce—employers have faced a slew of legal landmines due to the COVID-19 pandemic. As employers grapple with balancing concerns for employees' health and safety while continuing to run a business in an uncertain climate, employers have been forced to make difficult decisions, that unsurprisingly have been met with a wave of lawsuits. Employee lawsuits arising out of the pandemic have shown no sign of stopping, and will probably be with us for years to come, even after the virus dies away. We'll breakdown the types of COVID-related employment litigation being filed, discuss strategies for your business to avoid liability, and demonstrate how you can leverage our COVID-19 Employment Litigation Tracker to uncover actionable insights.

- [Melissa Camire](#), Fisher Phillips (New York)
- Jennifer Mendez, Director of Knowledge Management Innovation, Fisher Phillips

1pm – 2pm EST: The Future of Law: A.I. and Data Analytics

The future of law is upon us, and it's amazing. In this eye-opening session, moderated by Fisher Phillips' Chief Knowledge and Innovation Officer, you will hear from leaders in the Legal A.I. and legal data analytics space. You will learn how A.I. and data analytics is changing the landscape for attorneys, and then see what it actually looks like in practice. Watch a robot figure out what's likely to happen in court by analyzing your fact pattern, the caselaw, and the jurisdiction. Watch a

summary judgment brief write itself. And watch data analytics uncover hidden patterns in litigation that lawyers can use to their advantage in evaluating and pricing cases.

- Evan Shenkman, Chief Knowledge and Innovation Officer, Fisher Phillips
- Benjamin Alarie, Founder of Blue J Legal
- Thomas Suh, Founder of LegalMation
- Anand Upadhye, VP of Casetext

2pm to 2:15pm EST: Break

2:15pm – 3:15pm EST: KEYNOTE - A Conversation with Commissioner Keith Sonderling, U.S. Equal Employment Opportunity Commission (EEOC)

Join us for an informative and enlightening chat with EEOC Commissioner Keith Sonderling. You'll hear comments from the Commissioner on some of the day's most timely topics, including the agency's position on employment litigation, compliance and enforcement, agency dynamics, his priorities, and the future of the EEOC. We'll reserve plenty of time for a candid Q&A session. This could be the most important session of the conference – you won't want to miss it.

- Keith Sonderling, Commissioner, Equal Employment Opportunity Commission
- Greg Grisham, Fisher Phillips (Memphis)

3:15pm – 4:15pm EST: Money Manners: Using Compensation Initiatives to Achieve Pay Equity and Further Diversity Goals and Objectives

Racial justice and gender equality are the top priorities for many organizations and corporate counsel are frequently asked to lead the company's efforts. Compensation can be a powerful tool to advance those initiatives and Job Grades/Salary Bands can provide value structure. We will explore how a pay equity analysis can assist a company in identifying opportunity gaps (such as where lower paying positions are predominantly occupied by persons of color) in addition to pay equality. We'll discuss the role of unconscious bias and the benefits of training and advancement programs designed to advance diversity goals. Finally, we will explore the risks and challenges in embarking on the creation of a comprehensive compensation plan to advance an organization's diversity objectives, including whether a company should disclose its compensation study.

- Kathie Caminiti, Co-Chair, Wage and Hour Law Practice Group, Fisher Phillips (New Jersey)
- Cheryl Pinarchick, Co-Chair, Pay Equity Practice Group, Fisher Phillips (Boston)
- Mario Springer, Vice President and General Counsel, Justworks
- Paul White, Partner, Resolution Economics

4:15pm to 4:30pm EST: Break

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4:30pm to 5:30pm EST: The Ethics Equation: Top 10 Ethical Challenges Facing In-House Counsel

This session will address the unique ethical challenges facing in-house attorneys. We'll address issues ranging from attorney-client communications challenges to complexities of serving as business adviser and legal counselor on business transactions. In addition to reviewing various ABA Model rules, we'll discuss practical approaches to promote ethical compliance and effective legal department management.

- Ray Perez, Fisher Phillips (Columbus)
- Michael Donaldson, EVP, GC & Secretary of EOG Resources, Inc.
- Catherine McEvilly, SVP, GC & Chief Compliance Officer of American Honda Motor, Inc.

ON-DEMAND SESSIONS

Collective Bargaining During the Pandemic

Whether you're an essential business trying to safely operate or a non-essential business struggling to keep the lights on, the COVID-19 pandemic has raised a number of hurdles for unionized employers. Join us for a labor relations program on how to bargain in good faith during this period of ongoing uncertainty. Attendees will learn how to respond to and manage high expectations while maintaining essential management rights. Further, attendees will leave with proactive suggestions on updating past practices and improving layoff and recall provisions before being faced with the full economic fallout of the post-COVID-19 economy.

- Todd Lyon, Co-Chair, Labor Relations Practice Group, Fisher Phillips (Portland)
- Sarah Moore, Fisher Phillips (Cleveland)

We Need a Hero! Veteran Talent + Skill Development Programs = Improved Diversity Metrics

This is a "how to" panel discussion focused on the value of hiring veterans when adding to an organization's diverse workforce. Our panelists will discuss common attributes likely to be found in military servicemembers, including grit, attention to detail, a mission-oriented mindset, a continuous improvement discipline, and leadership skills. We will cover the talent acquisition programs available to your organization that will help you place service members in positions where they are likely to excel. Our panelists will also discuss whether veterans need a college degree to be successful and will explain alternatives to consider in lieu of a college degree, such as last-mile training.

- Jay Glunt, Fisher Phillips (Pittsburgh)
- Charmain Bogue, Executive Director – Education Service, Veterans Benefits Administration
- Eric Eversole, President, Hiring Our Heroes (U.S. Chamber Foundation)
- Benjamin Mathews, General Counsel and Corporate Secretary, SkillStorm

Connecting the Dots: The Intersection of Immigration and Employment Law – and the Road Ahead

For decades, employers have grappled with both employment law concerns and immigration issues, often at the same time. Whether it is managing authorization to work issues at the time of hire, or H-1B Visas at the time of termination, these two areas of the law are inextricably linked. But those connections are often overlooked, leading companies to unwittingly create legal risk for themselves. This program will explore employment scenarios that highlight the intersection of immigration and employment law, as well as how these issues arise with cross border employment, and what to expect under the Biden administration. Experts in the fields will interact and discuss the best practices for various hypothetical scenarios involving among others: discrimination; immigration-related hiring policies; co-employment issues; payback, expat and non-compete agreements; wage and hour concerns and I-9 audits and compliance.

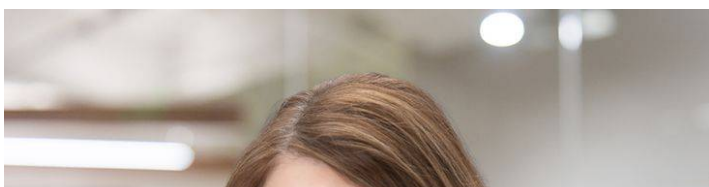
- [David Jones](#), Fisher Phillips (Memphis)
- [Danielle Moore](#), Fisher Phillips (San Diego)
- Grissel Seijo, Counsel, Employment Law and Diversity and Inclusion Officer, Restaurant Brands International US Services, LLC

Speaking of Viral...Preparing for a Social Media Crisis Before an Employee Stirs One Up – And Responding When They Do

Is it just us, or has lockdown-fueled boredom, prolonged civil unrest, and the growing number of content-sharing platforms created a social media powder keg of sorts? Using real-life examples of doxing, brigading, bad behavior airing live, and employer reactions that backfired, our lawyers and a crisis communication professional will show why the company social media policy shouldn't be just another unread page in the handbook. Rather, it's one of several tools in a larger readiness toolbox that can help your organization be well-prepared when a social media crisis strikes. Attendees will learn how internal policies, training, and reporting systems complement external monitoring and communication planning — and when the inevitable happens, whether and how to respond.

- [George Reeves](#), Fisher Phillips (Columbia)
- [Erica Wilson](#), Fisher Phillips (Pittsburgh)
- Anne Linaberger, Vice President, C4CS

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Trending

COVID-19/Vaccine Resource Center