

2018

Spring Conference

Current Events in Employment Law & Legislation

Session descriptions & schedule

7:00 am Sponsor set-up
7:30 am Attendee Registration for full-day and AM-only; Breakfast

Note: During breaks, please connect with and thank our sponsors!

8:15 am

OPENING GENERAL SESSION:

Handbook Modifications All Employers Should Make Handbooks. Love `em? Hate `em? It depends? Whatever your response is, handbooks remain an important document all organizations should have and endeavor to update regularly. This short talk will go over some of the recent changes to employee handbooks that we recommend employers make in light of recent law changes and case decisions. Speaker: Emily Tichenor. Also, Bechtel & Santo will have a big announcement during this section.

9:00 am

MEGA SESSION:

Legal & Legislative Update. Laws, regulations, court cases, etc. that impact the human resources field don't just come up yearly or monthly; they come up every day. Our ever changing field demands that employers stay abreast of all the changes. So, this session will provide attendees with an update on recent changes to Colorado and federal law and recent employment decisions by Colorado courts and the United States Supreme Court. Speaker: Michael Santo.

10:45 am

CONCURRENT SESSION A:

Reasonable Accommodations in the Workplace: It's Not Just For Disabilities Anymore. Generally, when an organization discusses "reasonable accommodations" with an employee, the focus is only on the Americans with Disabilities Act. That is sooooo 2011. Today, organizations need to consider not just reasonable accommodation under the ADA, but also under the ever-expanding world of religious accommodation and pregnancy accommodation circumstances. And, not to forget our old friend the ADA, this year, courts and the EEOC issued a number of decisions, pronouncements, etc. that drastically altered the field in this area as well. In this session, we will provide attendees with information regarding all the possible accommodations organizations must consider. Speaker: Alicia Severn.

CONCURRENT SESSION B:

The Elephant in the Room: The Fair Labor Standards Act. Wage and hour lawsuits are on the rise. The number of wage and hour filings in federal courts rose by almost 400% from 2001 to 2016. Equally scary is that seemingly minor violations can turn into a huge liability for organizations. As an example, Hilton Reservations Worldwide just settled a wage-and-hour claim for more than \$715,000. Wonder what the claim was? It concerned employees who said that they weren't properly compensated for the time spent booting up their computers. Now, more than ever, employers need to remain vigilant in complying with every aspect of state and federal compensation laws. So, this seminar will discuss policies and practices organizations should implement to reduce potential liability to protect against those claims. Finally, this session will focus on day-to-day wage issues for both small and large organizations. The topics we will cover include rest and lunch breaks, issues caused by paid-leave policies, telecommuting policies, "on-call" time, training, and travel time. Speaker: Michael Santo.

11:30 am Attendee Registration for ½ Day afternoon/evening
Lunch

12:45 pm

Ask a Lawyer. If you've got a question, this is your chance to ask it! WCHRA will accept questions before and during the seminar for our panel of attorneys from Bechtel & Santo.

1:30 pm

AFTERNOON CONCURRENT SESSION A:

How to Master Internal Workplace Investigations. Imagine: one sunny afternoon, an employee visits you in your office and says her coworker just "sexually harassed" her and has been creating a "hostile work environment." As you think about what to do with this information, another employee walks into your office and says he heard another employee make a joke about African Americans. You know you should do something, but where do you begin? In this session, we will discuss when you need to conduct an internal workplace investigation, what a workplace investigation should include, pitfalls to avoid in conducting an investigation, and how to successfully conclude an investigation. Speaker: Alicia Severn.

AFTERNOON CONCURRENT SESSION B:

Session B. Retaliation for the Exercise of Legal Rights/ Whistleblowing Claims. Do you know what the number one basis of discrimination in charges filed with the Equal Employment Opportunity Commission is? Sexual harassment? Not even close. Violation of the ADA? Closer, but certainly not #1. It's retaliation. In fact, almost 50% of the charges filed with the EEOC in 2016 concerned a retaliation claim. This seminar will discuss how employers can protect themselves from these ever-increasing retaliation claims from employees, and how human resources professionals can train supervisors to avoid potential claims. Presenter: Michael Santo.

3:00 pm

CLOSING GENERAL SESSION:

Harassment in the Era of #metoo. It seems that sexual harassment issues have been at the forefront of news in the media and in human resources news for quite some time, and with good reason: in June 2016, the EEOC released a report that stated between 25% and 85% “of women report having experienced sexual harassment in the workplace.” So, in this session, we will discuss how to handle sexual harassment—and other types of protected-status complaints—when organizations receive them, including the changing landscape of sexual harassment complaints, such as the use of emojis as a device for harassment. This session will give human resources practitioners the tools they need to respond to complaints received in the workplace. Presenter: Alicia Severn.

4:30 pm Registration opens for **BONUS** session (begins at 5:30 pm)

4:45 pm

Networking & management training session presented by Marti Montoya, Triad EAP

Disruption to Design: Managing Bullying Behavior

- There's more to the label: Looking at the sum of many parts and what's behind the behavior
- The different faces of bullying, workplace rankings, and when the behavior is covert
- Developing a framework for managing patterns of harmful interpersonal behavior
- The winning combination of insight, effective communication, and the right organizational interventions

