

**NEW DEVELOPMENTS IN LABOR & EMPLOYMENT LAW  
OCTOBER 30, 2013**

The Hartford Club  
46 Prospect Street  
Hartford, CT

8:00-8:30 a.m. – Registration and Continental Breakfast

8:30-9:00 a.m. – Welcome and Introduction by Joshua Hawks-Ladds

9:00-9:45 a.m. – **The Department of Labor’s “Misclassification Initiative” – the Current Legal Trends and How Employers Can Protect Themselves**

The U.S. Department of Labor’s “Misclassification Initiative,” launched in 2011, has resulted in cooperation between the DOL and the Internal Revenue Service (IRS) on ferreting out misclassification of employees. Under this agreement, the agencies collaborate and share information to reduce the incidence of misclassification of employees. This initiative, as well as the Connecticut DOL’s parallel program, has created significant legal exposure for employers. Learn what you can do to prepare for a DOL investigation of your business.

*Speakers: Jonathan Orleans, Rachel Ginsburg*

9:45-10:05 a.m. – **The Impact of Legalized Medical Marijuana on Connecticut Employers**

An update on state regulations and how legalized medical marijuana will impact labor and employment matters.

*Speaker: Andrew Glassman*

10:05-10:15 a.m. – Coffee Break

10:15-11:05 a.m. – **Health Care Reform: Checklist on What Employers Need to Know Now**

Despite the highly-publicized delay in implementation of one provision of the Affordable Care Act, there are many other provisions that are taking effect and must be tackled. In other words, it is full steam ahead on health care reform. Are you ready? What are you missing? What is left to be done? This presentation will provide human resources and office personnel with a checklist of tasks that must be accomplished to get into compliance, and tips for doing so.

*Speakers: Sharon Freilich, George Kasper*

11:05-11:55 a.m.– **2013 Key Developments in the Legislature and Courts**

In the closing days of its 2012-2013 term, the U.S. Supreme Court issued two important decisions that will impact sexual harassment and retaliation cases going forward. What do these decisions mean for employers? In this session, we'll discuss *Vance v. Ball State University*, which articulated a new definition of supervisor; and *University of Southwestern Texas Medical Center v. Nassar*, which declared a new standard for proving causation in retaliation cases. We will also discuss other federal and state cases, including two important Connecticut decisions and several new laws enacted by the Connecticut General Assembly, of which employers must be aware, including changes to the state's minimum wage laws and Personnel Files Act.

*Speakers: Joshua Hawks-Ladds, Mark Sommaruga*

12:00-1:15 p.m. – Lunch and Keynote Speaker – *Dennis Murphy, Deputy Commissioner, Department of Labor*

1:20-1:55 p.m. – **Pre-employment Tips: EEOC Guidance, Employee Screening**

With employers doing more hiring, how they go about hiring employees is now under attack from state and federal agencies as well as state legislatures. In this session, we'll discuss the EEOC guidance concerning reliance on criminal conviction records in making hiring decisions, the applicability of the Fair Credit Reporting Act, use of the Internet and social media to investigate potential employees, and new state rules that prohibit employers from "shoulder surfing" and related issues.

*Speakers: Michael McKeon, Megan Carannante*

1:55-2:30 p.m. – **Social Media, The NLRB and the Erosion of Employment-At-Will**

The National Labor Relations Board has moved to front and center in the debate about social media policies and other workplace rules and procedures. And the Board is no longer focusing only on unionized employers. Increasingly, non-union companies are facing the government's wrath as well. This session will address:

- Social Media and The NLRB's Latest Pronouncements
- Confidentiality Provisions for Investigations and Other Recent NLRB Guidance
- The Agency's views on At-Will Disclaimers

*Speakers: Michael LaVelle, Zachary Schurin*

2:30-2:55 p.m. – **Quick Topic: Update on Immigration Laws**

Immigration reform has been a key issue in this year's Congress. Come hear the very latest on immigration reform and the practical implications for employers.

*Speaker: Adam Mocchiolo*