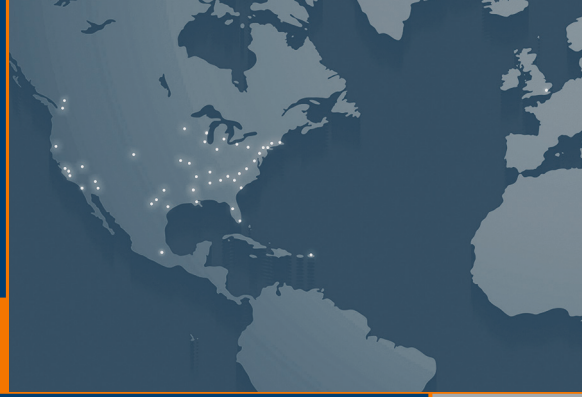




Ogletree  
Deakins



NEVADA

The Nevada offices of  
**OGLETREE DEAKINS**

present  
**MANAGING A WORKFORCE  
IN 2020 (10TH ANNIVERSARY!)**

An informative and educational seminar to  
address the latest labor and employment  
law topics impacting Nevada employers

**You're  
Invited**

**April 3, 2020**

### **LOCATION**

The STRAT Hotel, Casino & SkyPod  
2000 Las Vegas Boulevard South  
Las Vegas, NV 89104  
(702) 380-7777

### **DATE AND TIME**

Friday, April 3, 2020  
7:15 a.m. – 8:15 a.m. Early Bird Session  
8:30 a.m. – 4:30 p.m. Program  
(Registration and breakfast will begin at 7:00 a.m.)

### **COST**

\$99.00 per person (if registered by February 15, 2020)  
\$129.00 per person (if registered on or after February 16, 2020)  
(A breakfast, lunch, and program materials are included.)

### **REGISTRATION**

Register online at [www.ogletree.com](http://www.ogletree.com) or contact Monica Gonzalez at  
(702) 369-6800 or [monica.gonzalez@ogletree.com](mailto:monica.gonzalez@ogletree.com).

We have submitted this program to the HR Certification Institute and SHRM for review and are applying for Nevada CLE credit. Attendees will be responsible for CLE submission and any costs associated with receiving CLE credit.



# AGENDA

7:00 – 8:15 a.m.

## REGISTRATION AND BREAKFAST

7:15 – 8:15 a.m.

(Ethics CLE credit is anticipated.)

## EARLY BIRD SESSION: “WHAT DID YOU JUST SAY TO ME?”—HOW TO NAVIGATE DIFFICULT WORKPLACE CONVERSATIONS

During this interactive presentation, learn how to manage difficult conversations and what ethical rules apply to communications with clients, colleagues, counsel, and courts.

*Presenters:* Anthony L. Martin (Las Vegas) and Leslie E. Wallis (Los Angeles)

8:30 – 8:45 a.m.

## OPENING AND WELCOME

*Presenter:* Anthony L. Martin (Las Vegas)

8:45 – 9:30 a.m.

## MIND OVER MATTER: PART ONE—MINDFULNESS, WELL-BEING, AND THE WORKPLACE

The pressure to be more efficient can wear down employees and actually reduce their productivity. Workplace technology can encourage more (but not necessarily better) communication, which may result in more stress. Many employers have turned to mindfulness programs to combat these issues. Mindfulness can produce physical changes in the body that can reduce stress and anxiety. It can also improve communication and increase creativity in the workplace. Join us for a session covering the latest research in this area and best practices for mindfulness programs at work.

*Presenter:* Leslie E. Wallis (Los Angeles)

9:30 – 9:50 a.m.

## BREAK/ROOM CHANGE

### BREAKOUT SESSION SERIES ONE—CHOOSE ONE OF THE FOLLOWING:

9:50 – 10:45 a.m.

## POLICIES, HANDBOOKS, AND LABOR PRACTICES THAT WORK

Drafting even the most commonsensical of workplace policies was often difficult under the rules established by the NLRB under the Obama administration. The Board’s *Boeing* decision in 2017 established a more user-friendly standard, and General Counsel Peter B. Robb subsequently issued several guidance memoranda that helped immensely. During this session, we will review the latest guidance and the pitfalls to be mindful of, based on recent rulings, which will help you draft lawful policies and handbook language designed to work for your business needs and your employees.

*Presenters:* Anthony L. Martin (Las Vegas) and Erica J. Chee (Las Vegas)

9:50 – 10:45 a.m.

## NAVIGATING NEVADA’S MARIJUANA LAWS

The proliferation of medical and recreational marijuana laws in Nevada continues to raise issues for employers seeking to maintain drug-free workplaces. What are the limits on pre-employment drug screening for Nevada employers? How can employers determine whether there is reasonable suspicion to drug test an employee? Do employers have to engage in the interactive process with medical marijuana users? In this session, we will dig deep to answer attendees’ pressing questions about the lawful use of marijuana and the workplace.

*Presenter:* Suzanne L. Martin (Las Vegas)

10:45 – 11:05 a.m.

## BREAK/ROOM CHANGE

### BREAKOUT SESSION SERIES TWO—CHOOSE ONE OF THE FOLLOWING:

11:05 – 11:50 a.m.

## INVESTIGATION INSIGHTS: ROUND 1—STARTING INVESTIGATORY INTERVIEWS

The goal of workplace investigations is to get to the truth, and careful planning and good interview techniques can help reach that goal. Those tasked with conducting interviews, however, may skip simple but important steps at the outset that can help maximize the effectiveness of the interview. This session will examine practical tips and considerations when planning for and beginning an investigatory interview.

*Presenter:* Molly M. Rezac (Reno)

# FRIDAY, APRIL 3, 2020

11:05 – 11:50 a.m.

## **BEAM ME UP, SCOTTY: LEGAL ISSUES WHEN EMPLOYEES TELECOMMUTE**

Technology has made telecommuting possible, but remote work arrangements are not without risk. This session will address areas of potential liability for employers, including compliance with wage and hour laws, privacy and data security concerns, and even workplace safety issues. There are also ADA and Title VII implications, including whether working from home is a reasonable accommodation and whether telecommuting is offered only to certain categories of employees. Join us for a look at these and other issues, and learn how to reap the benefits from remote work arrangements while minimizing your exposure to liability.

*Presenters:* Anthony L. Martin (Las Vegas) and Amy L. Howard (Las Vegas)

11:50 a.m. – 12:20 p.m. **LUNCH**

12:20 – 1:00 p.m.

## **MIND OVER MATTER: PART TWO—MINDFULNESS IS BETTER THAN CHOCOLATE!**

This session will continue the discussion of mindfulness programs and practices introduced in Part 1. We will address not only how to be good at the mechanics of our jobs, but also how to be healthy, effective leaders. How do we balance performing at a high level with taking care of ourselves and our employees? This interactive session will examine how we currently engage in our professional and personal lives and focus on educating our employees on well-being issues. This session will also suggest ways to break destructive habits and outline incremental steps to change how we interact with each other. We may even include a mindful eating practice!

*Presenter:* Leslie E. Wallis (Los Angeles)

1:00 – 1:20 p.m.

## **BREAK/ROOM CHANGE**

### **BREAKOUT SESSION SERIES THREE—CHOOSE ONE OF THE FOLLOWING:**

1:20 – 2:20 p.m.

## **INVESTIGATION INSIGHTS: ROUND 2—CONDUCTING INVESTIGATORY INTERVIEWS**

Properly wrapping up an employee interview during an investigation is critical, as leaving loose ends or wiggle room can potentially undermine the effectiveness of the investigation and the employer's conclusions. Join this session for a discussion of how to gather the facts required to make sound decisions.

*Presenter:* Molly M. Rezac (Reno)

1:20 – 2:20 p.m.

## **CHANGES IN DISCRIMINATION AND HARASSMENT LAWSUITS IN NEVADA**

Last year, the Nevada legislature passed Senate Bill 177 (SB 177), greatly expanding the remedies available under Nevada's antidiscrimination statute. SB 177 also changed the Nevada Equal Rights Commission's administrative process. This session will discuss the ways in which these changes have already impacted employers, the claims alleged by plaintiffs, and the future of discrimination litigation in Nevada.

*Presenters:* Erica J. Chee (Las Vegas) and Dana B. Salmonson (Las Vegas)

2:20 – 2:30 p.m.

## **BREAK/ROOM CHANGE**

### **BREAKOUT SESSION SERIES FOUR—CHOOSE ONE OF THE FOLLOWING:**

2:30 – 3:10 p.m.

## **BACK TO THE FUTURE! MANAGING EMPLOYEE LEAVES OF ABSENCE**

Coordinating and managing employee leave rights under the FMLA, ADA, USERRA, and state paid leave laws present unique challenges for employers. This session will examine the many nuances of managing employee leave, including ramping down, transfer of duties, and return-to-work considerations.

*Presenters:* Jill Garcia (Las Vegas) and Amy L. Howard (Las Vegas)

2:30 – 3:10 p.m.

**SOCIAL MEDIA DETOX: RIGHTS AND RESPONSIBILITIES IN THE OVERSHARING ERA**

Studies indicate that more than two-thirds of U.S. employees are active on social media—and that 30 percent of employers have made a discharge decision based on employee misuse of the Internet. Employers must be cognizant of the legal implications related to workplace decisions when social media is involved. This session will cover when to use information garnered from social media to make proper workplace decisions, how to address harassment allegations, and how to handle claims of protected concerted activity under the National Labor Relations Act.

*Presenter:* Erica J. Chee (Las Vegas)

3:10 – 3:30 p.m.

**BREAK/ROOM CHANGE**

3:30 – 4:00 p.m.

**NEVADA'S NEW COMPENSATION LAWS AND THEIR IMPACT ON EMPLOYERS**

Exempt or nonexempt, daily overtime, weekly overtime, minimum wage—wage and hour issues are constantly on the minds of employers, especially considering the recent changes in Nevada law. This session will examine the recent developments in Nevada wage and hour law and provide a review of the idiosyncrasies employers should be aware of when doing business in Nevada.

*Presenters:* Jill Garcia (Las Vegas) and Dana B. Salmonson (Las Vegas)

4:00 – 4:30 p.m.

**CLOSING SESSION AND PRIZE DRAWING**

**PARDON THE INTERRUPTION! HIGHLIGHTS FROM MANAGING A WORKFORCE 2020 AND OTHER HAPPENINGS**

We've hosted a number of sessions during this seminar and, unfortunately, you can't attend them all. So we've asked our speakers to provide highlights from their sessions, as well as address any related topics that we did not cover—all while on a shot clock. This presentation is guaranteed to be fast-paced, fun, and interesting!

*Presenters:* Anthony L. Martin (Las Vegas) and Dana B. Salmonson (Las Vegas)