

Employment Law Institute

FOULSTON
ATTORNEYS AT LAW

20
23

EVERY
THURSDAY
IN APRIL

Block your calendars and join us every Thursday in April for the **2023 Employment Law Institute** – a series of timely and relevant updates on the latest employment law information you need to know. For over 30 years, the annual Employment Law Institute has brought together human resource professionals, business owners, executives, and managers in a wide range of industries across this region to learn about the latest legal developments, best practices, and strategies to make their organizations legally compliant and employers of choice. This year we are excited to present a virtual and hybrid format, **featuring an interactive employment law case mock trial** where you will be the juror, see how the trial process works, and determine how your HR decisions may play out in a courtroom setting. You won't want to miss it – register now!

Thursday, April 6 (virtual) 11:30 AM - 1:30 PM CT

EMPLOYMENT LAW UPDATE:

NEW COURT RULINGS AND LEGISLATION EMPLOYERS NEED TO KNOW ABOUT



Boyd Byers + Tara Eberline

With COVID-related issues no longer dominating the legal landscape, courts and lawmakers are back to “business as usual.” This comprehensive update will cover significant new court rulings and legislative activity employers need to know about to remain legally compliant and implement best practices.

AGENCY ROUNDUP: WHAT'S NEW AND WHAT'S ON THE HORIZON FROM THE EEOC, DOL, AND NLRB



Don Berner + Forrest Rhodes, Jr.

Halfway into the Biden administration, the executive branch agencies that govern the span of employment laws are aggressively implementing the administration's philosophies and goals. In this session, we'll dive into what the agencies have been doing in the areas of discrimination law, labor law, wage and hour, employee safety, and others, where we see these agencies going in the next two years, and how all this may affect your organization.

Thursday, April 13 (virtual) 11:30 AM - 1:30 PM CT

MENTAL ILLNESS IN THE WORKPLACE: STAYING COMPLIANT WITH THE ADA AND FMLA

Teresa Shulda + Maria Drouhard

Employees with emotional and psychiatric impairments can be among the most difficult challenges facing HR professionals and managers. In this session, you'll learn how to recognize the warning signs of conditions that are often hidden from plain sight or are still stigmatized. We'll discuss interesting real-life workplace scenarios and how to remain compliant with the ADA and FMLA when dealing with these situations.



EMPLOYEE BENEFITS UPDATE: SECURE ACT 2.0 AND OTHER DEVELOPMENTS

Don Berner + Doug Hanisch

This session will cover some of the high points of Secure 2.0 to prepare you for the various changes coming in future years. There are also a variety of other housekeeping issues we will touch on to help you keep your benefit programs in compliance in 2023.



REGISTER AT www.foulston.com/employmentlawinstitute

STIFF COMPETITION: AN UPDATE ON THE LAW OF NON-COMPETE AGREEMENTS, INCLUDING THE FTC'S PROPOSED BAN

Holly Dyer + Morgan Geffre

Non-compete law continues to evolve, but the FTC's proposed rule banning non-compete agreements and voiding those currently in place may bring drastic changes. In this session, we'll provide an update on current non-compete law, examine the FTC's proposed rule and its possible fate, and discuss strategies employers can implement now to best protect themselves in an uncertain future.



Thursday, April 20 (virtual) 11:30 AM - 1:30 PM CT

PAYROLL PERILS



Tara Eberline + Charles McClellan

This session offers guidance on managing employee compensation and payroll issues without stepping on tax law, state wage payment law, or federal wage-and-hour law landmines. We'll examine some common misunderstandings and often-overlooked traps for the unwary to help you pay your employees correctly now, so you don't have to pay the price for non-compliance later.

CONGRATULATIONS, YOU'VE BEEN SUED: ANATOMY OF AN EMPLOYMENT LAWSUIT



Forrest Rhodes, Jr. + Teresa Shulda

Do you know what to expect when an employee files an EEOC charge or lawsuit against your company? This session will detail the process from the administrative complaint phase all the way through litigation and trial. We'll talk about the kind of evidence that works for and against your organization, which witnesses are considered "key," and how lawyers work with their clients to develop an overall defense strategy. This session will be excellent preparation for the mock trial session the following week, and, more importantly, could help your organization think about ways to avoid litigation altogether.

Thursday, April 27 (option to attend live or virtual) 1:30 - 3:45 PM CT

EMPLOYEE VS. EMPLOYER: AN EMPLOYMENT LAW CASE MOCK TRIAL

Presented by The Foulston Players

HR professionals and other business leaders are called upon to make difficult decisions that are legally compliant. Occasionally, however, personnel decisions can lead to lawsuits that may go to trial where a jury will scrutinize your actions. This mock trial – where you will sit as a "juror" in judgment of a case – allows you to see how the trial process works and view how an employer's actions can be seen from a different perspective.

In the first hour, the employee's lawyers and employer's lawyers will present their cases to you, in abbreviated form, as they would to an actual jury. This will include opening statements, witness examinations, and closing arguments.

In the second hour, the judge will give you jury instructions and a verdict form. Those attending live will break into small groups, select a foreperson, deliberate, and reach a verdict. Each foreperson will announce the verdict and brief reasons for it. Virtual attendees will cast their votes and share their thoughts in a chat format. A panel of lawyers will then discuss the case, the jury verdicts, and takeaways.

This session includes the option to attend virtually or in person. Limited seating is available to participate in the deliberation discussion in person in Wichita (at WSU Tech's NCAT Auditorium) or in Kansas City (at our office in Lighton Tower). Please indicate in your registration how you will attend.

NOTE: This session is scheduled at a different time of day than the earlier sessions in the series.



The verdict is yours. See how your HR decisions may play out in a courtroom setting.

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