

Wednesday, June 9, 2021

2:00 P.M. – 4:00 P.M. VIRTUAL SESSIONS

(All times noted are in Central Time)

2:00 P.M. – 2:05 P.M. INTRODUCTORY REMARKS

Tamara Nelson

Chair, ALFA International Labor & Employment Practice Group

MERRICK, HOFSTEDT & LINDSEY, P.S.
Seattle, Washington

Joel Hlavaty

Program Chair, ALFA International 2021 Labor & Employment Practice Group

FRANTZ WARD, LLP
Cleveland, Ohio

2:05 P.M. – 3:00 P.M.

COVID IMMUNITY FOR BUSINESSES – IS IT REAL?

Since the pandemic began, a number of states have passed so-called COVID immunity legislation to shield businesses from lawsuits by employees, customers, and members of the public. This panel will explore these laws, how they differ, and what they actually accomplish. We will also discuss how the immunity legislation interacts with legislation designed to protect employees.

Sarah Lamar

Moderator

HUNTER MACLEAN
Savannah, Georgia

Bruce Gelting

General Counsel

RENTOKIL NORTH AMERICA, INC.
Wyomissing, Pennsylvania

Ben Gross

Chief People Officer & General Counsel

BACKCOUNTRY
Park City, Utah

Courtney Nichols

PLUNKETT COONEY

Bloomfield Hills, Michigan

3:00 P.M. – 3:05 P.M.

BREAK

3:05 P.M. – 3:55 P.M.

YOUR HOT EMPLOYMENT ISSUES BRAINSTORMING STYLE

An open discussion of the hottest of HOT employment topics.

Join us for a fun, interactive, and a fact-pattern based session that could not be made up--as these things happen only in real life. We are sure you know what we mean. Do you need input in a safe environment on a unique employment issue? Bring it to us anonymously in advance of the session. The panel will facilitate a discussion of hot employment topics. Small groups will be prompted for a discussion of topics ranging from religious discrimination/accommodation requests, COVID-19 employment related issues, medical marijuana employment issues, sexual harassment investigations, and whatever issue du jour you have encountered.

Denise Baker-Seal

Moderator

BROWN & JAMES, P.C.
Belleville, Illinois

Rick Holcomb

Deputy General Counsel

CONTINENTAL TIRE THE AMERICAS, LLC
Fort Mill, South Carolina

Candace Bankovich

*Sr. Executive Directory People Strategy
& General Counsel*

MUNCIE POWER PRODUCTS, INC.
Muncie, Indiana

Janelle Kilies

LEWIS WAGNER
Indianapolis, Indiana

3:55 P.M. – 4:00 P.M.

DAY ONE WRAP-UP & THANK YOU

Tamara Nelson

*Chair, ALFA International Labor &
Employment Practice Group*

MERRICK, HOFSTEDT & LINDSEY, P.S.
Seattle, Washington

Thursday, June 10, 2021

4:00 P.M. – 6:30 P.M. VIRTUAL SESSIONS

(All times noted are in Central Time)

4:00 P.M. – 5:00 P.M. ALPHABET SOUP: FMLA/ADA/WC/OSHA

We'll talk about employer compliance with these various employment related acts – how they overlap, contradict and reinforce each other. We'll discuss how the purpose of each act informs the intent and application. This will be an interactive session in which your real-life questions and scenarios will be discussed.

Dawn Raynor

YOUNG MOORE & HENDERSON
Raleigh, North Carolina

Becky O'Leary

Manager Compliance
KIEWIT CORPORATION
Omaha, Nebraska

Melissa Woitalewicz

*Workers' Compensation Claims
Manager*
KIEWIT CORPORATION
Omaha, Nebraska

5:00 P.M. – 5:10 P.M.

BREAK

5:10 P.M. – 6:30 P.M.

COCKTAIL MIXOLOGY CLASS

Get ready to Zoom, shake, and sip! Join us for this hands on, interactive class and learn how to make three classic and seasonal cocktails.

**In order to receive the customized experiential box, please register by May 26, 2021.*

Friday, June 11, 2021**10:00 A.M. – 12:00 P.M. VIRTUAL SESSIONS**

(All times noted are in Central Time)

10:00 A.M. – 10:55 A.M. THERE'S NO PLACE LIKE HOME: TELEWORK AND COMPENSATION ISSUES DURING AND AFTER THE PANDEMIC

This panel will discuss the evolving issues surrounding teleworking and compensation issues during the COVID-19 pandemic and beyond. As employers adapt to a changing workforce, there are many legal pitfalls that can get in the way of a successful transition. From updates in the law to best practices, this panel will cover what you need to know to manage the risks of an increasingly remote workforce.

Cate Huff
Moderator

GENTRY LOCKE
Roanoke, Virginia

Sarah Johnson
Vice President, Associate General Counsel
NORDSTROM, INC.
Seattle, Washington

Caren Ries
Associate Counsel & Assistant Secretary
CHAMPION HOME BUILDERS, INC.
Troy, Michigan

Melanie Cheairs
LORANCE THOMPSON, P.C.
Houston, Texas

10:55 A.M. – 11:00 A.M. BREAK**11:00 A.M. – 11:55 A.M. THE CHANGING LANDSCAPE OF CONTRACT WORKERS AND JOINT EMPLOYMENT RELATIONSHIPS**

Businesses face uncertainty as state and federal laws governing joint employment and contract workers continue to change. The changes are largely driven by shifts in politics and more changes are expected as we move through 2021. This panel will discuss the most recent trends and offer insights and strategies to navigate the changing landscape.

Brian Quisenberry
Moderator
CLEMENT RIVERS, LLP
Charleston, South Carolina

Kelly M. Hoffman
NORMAN, HANSON & DETROY, LLC
Portland, Maine

Robert Bertram
General Counsel
OLLIE'S BARGAIN OUTLET, INC.
Harrisburg, Pennsylvania

11:55 A.M. – 12:00 P.M. LABOR & EMPLOYMENT WEEK WRAP-UP & THANK YOU**Joel Hlavaty***Program Chair, ALFA International 2021**Labor & Employment Practice Group*

FRANTZ WARD, LLP

Cleveland, Ohio

Presenters:

DENISE BAKER-SEAL is a partner in the Belleville, Illinois ALFA International law firm of Brown & James, P.C., where she serves as Co-Chair of the Firm's Employment Law Group. Ms. Baker-Seal has experience representing employers in state and federal courts, the EEOC, and state and local administrative agencies. Ms. Baker-Seal's practice includes representing clients with respect to claims under Title VII, the Age Discrimination in Employment Act, Americans with Disabilities Act, and the Family and Medical Leave Act, as well as breach of contract and tort claims. Ms. Baker-Seal serves as an arbitrator in the mandatory arbitration programs in St. Clair and Madison Counties. She currently serves on the Executive Committee of the Illinois Defense Counsel. A farmer's daughter, Ms. Baker-Seal applies her farming work ethic to the practice of law and the diligent representation of her clients. A graduate of Millikin University and Northeastern University School of Law, Ms. Baker-Seal is admitted to the bars of Illinois and Missouri and all federal courts in Illinois.

CANDACE BANKOVICH recently became Sr. Executive Director People Strategy & General Counsel for Muncie Power Products. Prior to joining Muncie Power, Candace was Chair of Lewis Wagner's Labor & Employment Department. She has 25 years of experience in the employment law arena, working in-house and as outside counsel.

ROBERT BERTRAM is the General Counsel for Ollie's Bargain Outlet, Inc. ("Ollie's"). In that capacity, he is responsible for overseeing the diverse range of legal, and many business affairs involving the company. Based in Harrisburg, Pennsylvania, Ollie's is one of America's largest retailers of closeouts and excess inventory. Ollie's has more than 365 "semi-lovely" warehouse style stores, currently located in 25 states, offer and sell a broad variety of merchandise to an intensely loyal, and growing customer base. Prior to joining Ollie's in 2014, Rob was an attorney in the corporate department of ALFA International member firm, McNeese, Wallace & Nurick, LLC, in Harrisburg, PA, where he represented both growth and well established companies. Rob attended the Pennsylvania State University ("Penn State"), attaining a degree in economics, and received his JD from The Dickinson School of Law. Rob mentors undergraduate students at Penn State.

MELANIE R. CHEAIRS is a shareholder with ALFA International member firm, Lorance Thompson P.C., in Houston, Texas. Her litigation and trial practice focuses on the hospitality and transportation industries where she represents a broad array of regional and national hotel and restaurant chains and transportation companies in their liability and employment matters. Melanie was recently awarded the prestigious ALFA International Nate Fishbach Attorney of the Year Award for outstanding service to ALFA International. She served a three-year term on the ALFA International Board of Directors from 2013–2016. She is a Chair Emeritus of the Hospitality & Retail Practice Group. Melanie currently serves ALFA International as the Chair of the ALFA International Marketing Committee. Melanie is also active on the Steering Committees of both the Transportation and Women's Initiative Practice Groups and participates in the National Association of Professional Women. Melanie is a frequent author and speaker on matters of importance to her industry clients. Melanie received her Juris Doctor in 1989 from South Texas College of Law- Houston. She is a Fellow with the Texas Bar Foundation. Melanie received her undergraduate degree from Texas A&M University, where she was an All-American Swimmer and was chosen to

the Southwest Conference Women's All-Decade Team. As an avid Aggie, she served on the Board of Directors of the Texas A&M Women Former Student's Network and was WFSN President in 2012. Melanie currently serves as president of the Advisory Board of Youth For Christ- Houston, on the National Board of United Methodist Action Reach-Out Mission by Youth-(UM ARMY), and as the director for Kingwood United Methodist Church, UM ARMY Youth Camp.

BRUCE GELTING has served as General Counsel of Rentokil North America since March, 2012, with responsibility for the United States, Canada, Mexico, the Caribbean and Central America. Prior to joining Rentokil, Bruce worked as a litigator and employment law specialist with several Philadelphia-area law firms, and then as General Counsel for the largest American-owned security guard company. He is a graduate of Penn State University and Villanova University Law School, and served as a United States Army Infantry officer before becoming an attorney. Rentokil, the world's largest pest control company, also provides services to commercial and residential customers in the areas of lawn care, hygiene, interior plantscaping, brand protection auditing, lake and water management and specialty chemical distribution.

BENJAMIN GROSS is Chief People Officer and General Counsel at Backcountry.com, LLC, a global direct-to-consumer outdoor outfitter, headquartered in Park City, Utah. Ben had previously been the General Counsel and CHRO at rue21, where he lived through the entire retail lifecycle: publicly-traded, private-equity LBO, Chapter 11, and creditor-ownership post emergence. Ben is a graduate of the University of Florida College of Law and Penn State University.

JOEL HLAVATY is one of the founding partners of Frantz Ward LLP, the ALFA International member firm in Cleveland, Ohio, and is a member of its Management Committee. Mr. Hlavaty focuses his practice on the representation of management in all phases of labor relations and employment litigation, and regularly appears in federal and state courts and administrative agencies of all jurisdictions on claims arising under federal and state labor and employment laws. Joel graduated from John Carroll University with honors with a double major in philosophy and psychology and a minor in mathematics, and he received his law degree with honors from the University of Akron. Prior to entering private practice, he served as law clerk to the Honorable Alice M. Batchelder on the U.S. Bankruptcy Court and U.S. District Court for the Northern District of Ohio. Mr. Hlavaty focuses his practice on the representation of management in all phases of labor relations and employment litigation. Joel routinely advises employers on all aspects of their relationships with employees, as well as with respect to matters concerning litigation prevention and human resources management, and he regularly defends them in federal and state courts of all jurisdictions on claims arising under the various federal and state labor and employment laws. He additionally represents employers with respect to complaints and charges filed with the EEOC and OCRC, NLRB and SERB, and with OSHA and the DOL, as well as with health care and ERISA issues and complaints, and collective bargaining issues and strike disputes. Joel is also a frequent presenter at seminars and management training programs on a wide variety of topics. Joel is a member of the Ohio Bar Association and Cleveland Metropolitan Bar Association and is the past Chair of the Labor & Employment Law Section of the Cleveland Bar Association. In 2010 and continuing, Joel was named one of Ohio's Super Lawyers and is listed in U.S. News Best Lawyers in Cleveland.

KELLY M. HOFFMAN is a partner in the Portland, Maine ALFA International member firm of Norman, Hanson & DeTroy, LLC. Her practice focuses on litigation, including insurance defense and subrogation, employment and discrimination matters, professional liability defense, and Title IX employment and disciplinary matters. Since 2013, she has been listed in New England Super Lawyers as a Rising Star. Since 2018, she has been recognized by "Best Lawyers in America" for her work in Labor and Employment Litigation as well as Professional Malpractice Defense Law. She frequently acts as a continuing legal education presenter on both a national and state level, lecturing on employment law concerns of individuals, businesses, and counsel; evidentiary issues and challenges facing businesses and counsel during workplace investigations; and ethical dilemmas presented in litigation.

RICK HOLCOMB is the Deputy General Counsel at Continental Automotive and Tire, an automotive supplier, headquartered in Fort Mill, SC and Auburn Hills, MI. Rick has been with Continental for over 26 years. As Deputy General Counsel, Rick is responsible for managing employment, labor, environmental, OSHA and employee benefits issues. Rick is a graduate of Georgia State College of Law and Augusta University.

CATHERINE J. HUFF is a Partner in the Roanoke, Virginia ALFA International law firm of Gentry Locke. Her practice focuses on labor and employment, professional liability and workers' compensation. She also advises businesses in the restaurant and hospitality industry on employment matters. Cate has tried a number of cases in both state and federal trial courts and has extensive experience with motions practice. Cate regularly speaks and conducts training on a variety of employment and workers' compensation issues in and outside of Virginia. She received her bachelor's degree from Virginia Tech and her J.D. from Liberty University.

SARAH JOHNSON is Vice President, Associate General Counsel at Nordstrom, Inc., one of the nation's leading fashion specialty retailers with over 350 stores in 40 states, Puerto Rico and Canada. Sarah and her team advise the HR division on all employment issues including wage and hour laws, state and federal anti-discrimination laws and state and local legislation (scheduling, sick leave etc.) . She and her team also manage the company's wage and hour class action and PAGA lawsuits and individual arbitration/lawsuits. Before joining Nordstrom, Sarah was a partner at the Seattle law firm, Foster Pepper PLLC. Prior to moving to Seattle in 2000, Sarah was a partner at Bell, Boyd & Lloyd (now K & L Gates) in Chicago, Illinois.

JANELLE KILIES is a partner at the ALFA International member firm Lewis Wagner in Indianapolis, Indiana. Janelle is an attorney in employment and complex litigation groups, Janelle concentrates her practice in the defense of employment-related claims, including employment discrimination, wage disputes, wrongful termination, employment agreement disputes, unfair labor practices, and civil rights claims. She also provides proactive prevention counseling on employment issues, including drafting employment policies and practices, navigating employee discipline and termination, as well as providing advice related to the coronavirus. Janelle also has extensive experience in litigating mass torts and consumer class actions in the areas of product liability, consumer fraud, false advertising, and deceptive marketing claims around the country in both state and federal courts. She has experience representing clients in investigations and enforcement proceedings involving various governmental agencies, including the Federal Trade Commission. Since joining the Firm in 2012, Janelle has been instrumental in preparing and presenting several mock trials and innovative focus group presentations in complex cases. In the mass tort context, she helped design, develop, and maintain a sophisticated online platform for the efficient exchange of discovery information, the prompt evaluation of thousands of cases, and the creation of a meaningful settlement matrix. Clients appreciate Janelle for her insight, client service and practical approach to problem solving, and her creative use of technology combined with outside-the-box thinking.

SARAH H. LAMAR is a partner in the Savannah, Georgia ALFA International law firm of HunterMaclean, and she is a former Chair of ALFA International. Ms. Lamar has experience representing employers in state and federal courts with respect to claims under Title VII, the Age Discrimination in Employment Act, Americans with Disabilities Act, Family and Medical Leave Act, and the Fair Labor Standards Act. She also represents employers with respect to breach of contract and tort claims, and conducts in-house training for employers and advises clients on a variety of human resource issues including immigration and affirmative action matters. Ms. Lamar is admitted to the bars of Georgia and the District of Columbia and all federal courts in Georgia. For approximately 10 years Sarah was chair/co-chair of the Government Affairs Committee for the Georgia Chapter of the Society for Human Resource Management. Ms. Lamar received her B.A. in History from Yale University in 1988, and her J.D. from Emory University in 1991. She has been selected for Best Lawyers in America in Employment Law - Management Side for more than 10 years and in Chambers USA for Employment Law.

TAMARA K. NELSON is a shareholder in the firm of Merrick, Hofstedt & Lindsey, P.S. in Seattle, Washington, where she maintains an active litigation practice on behalf of corporate and institutional clients. Her practice focuses on commercial and complex torts, employment law, and professional liability. Ms. Nelson has obtained successful outcomes on behalf of her clients in state and federal trial courts, and has successfully argued before the Washington State Court of Appeals. Ms. Nelson is admitted to practice in all Washington state and federal courts, as well as the Ninth Circuit Court of Appeals; she is also a member of the King County Bar Association where she served on the Board of Trustees 2011-2014. In addition to her work, Ms. Nelson devotes substantial time to her community through her volunteer work with King County Community Legal Services and Lawyers Helping Hungry children, a Washington nonprofit organization committed to ending childhood hunger.

COURTNEY NICHOLS is a Shareholder and Labor and Employment Practice Group Leader of the Michigan ALFA International law firm, Plunkett Cooney. Ms. Nichols represents employers in workforce-related litigation under state and federal law, including disputes involving allegations of wrongful termination, discrimination, retaliation, and wage and hour violations. Ms. Nichols also advises employers on complicated contractual issues and conducts in-house training for employers of various sizes. In addition, she represents employers in administrative matters before the NLRB, DOL, and EEOC. Ms. Nichols was selected as an Up & Coming Lawyer by Michigan Lawyer's Weekly and named a Rising Star by Michigan Super Lawyers.

BRIAN L. QUISENBERRY is a partner at the ALFA International member firm Clement Rivers, LLP in Charleston, South Carolina. Brian's practice focuses on employment and labor law. Brian represents both public and private employers in state and federal courts, as well as before administrative agencies such as the EEOC and the S.C. Human Affairs Commission. Brian advises his clients on compliance with state and federal laws and helps his clients develop strong policies and procedures. Brian also helps his clients enforce restrictive covenants and protect confidential information. Brian is AVPreeminent Peer Review Rated in the area of Labor and Employment.

DAWN DILLON RAYNOR is a shareholder and operations manager with the ALFA International firm of Young Moore and Henderson P.A. in Raleigh, North Carolina. She received her B.A. magna cum laude from the University of Mary Washington and her J.D. from Wake Forest University School of Law. Her practice includes defending employers in workers' compensation and employment matters before the North Carolina Industrial Commission, Department of Labor, EEOC and North Carolina State and Federal Courts. Dawn assists employers meet their goals in non-compete, discrimination, harassment, retaliation and wage and hour matters. She has experience with FMLA and ADA and their impact on workers' compensation claims and is often invited to speak on that and other employment and workers' compensation related topics.

JESSICA J. THOMAS is Director Counsel, Employee Relations at Target. Jessica provides day-to-day counseling, training, and advice to HR leaders responsible for supporting over 800 Target stores in the Northeastern region of the United States, including New York, Connecticut, Maine, Pennsylvania, New Jersey, Rhode Island, Massachusetts, Vermont, and New Hampshire. Jessica also works with Employee Relations teams to identify and resolve legal and HR related issues as well as to ensure strategies and actions in Employee & Labor Relations matters, support the company's brand, mission, and philosophy. In addition to supporting the execution of HR and business objectives and strategies, Jessica serves as lead ER counsel for Target's Asset Protection and Property Management teams. Jessica also leads a team of legal professionals responsible for providing ER advice to HR and other business partners, employment litigation across the Northeast, Midwest, and the South, and nationwide agency charges for the HQ, Distribution, and Stores organizations. Jessica serves on the Board of Directors for Twin Cities Diversity in Practice and is a 2020 Leadership Council on Legal Diversity Fellow. Prior to joining Target, Jessica was Senior Corporate Counsel with Cracker Barrel Old Country Store, Inc., where she was responsible for leading the Employee Relations Department; overseeing the defense of guest litigation, nationwide agency charges, employment litigation, and employment arbitration; and project management for the company's multicultural initiative established to attract and retain diverse employees and guests.

MELISSA WOITALEWICZ, AIC-M, is the US Workers' Compensation Claims Manager for Kiewit. Her prior experience includes Workers' Compensation Manager for a national over-the-road transportation company and a Multi-jurisdictional Supervisor at a nationwide workers' compensation carrier. Melissa's background is heavily influenced by multi-jurisdictional claims analysis and workers' compensation program management. She has served in various roles in industry groups including Nebraskans for Workers' Compensation Equity and Fairness, Kids' Chance of Nebraska, Nebraska Workers' Compensation Court Judicial Nominating Commission, and the NCCI Appeals Board. Melissa currently serves as Secretary of the Board of Directors for Girl Scouts Spirit of Nebraska. She holds a BA of Political Science from the University of Missouri-Columbia.