



## Memo

To: Employment & Labor Law Network Leadership  
From: Ariel Moyer, Director of Practice Networks  
Date: December 4, 2023  
Re: 2024 Annual Meeting Call for Programs Data

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In anticipation of the 2024 Annual Meeting Call for Programs, below you will find data to aid the Employment and Labor Law Network in developing its program submissions. All data provided is representative of activity from October 1, 2020 through September 30, 2022.

### **2020-2022 ANNUAL MEETING EMPLOYMENT & LABOR LAW NETWORK SESSION ATTENDANCE**

Session	Attendees
<b>2023</b>	
2023 Employment Law Update	203
Campaign Under Fire: A Tabletop Exercise	33
How to Decrease Headcount While Avoiding an Increase in Litigation Risk	165
<b>2022</b>	
Employment Law Update	304 in-person 216 virtual
Managing Accommodations in a Post-COVID World	239
Attracting and Retaining Talent and Avoiding Legal Pitfalls	74
New and Emerging Workplace-Related Class Risks	Declined
<b>2021</b>	
Employment Law Update	284

A View from the Top: Discussing the Family Medical Leave & Americans with Disabilities Acts	179
Diversity, Equity and Inclusion Initiatives: Legal Implications and Perils	Declined
Return to Work in a Post-COVID World	Declined

## 2020 -2022 EMPLOYMENT & LABOR LAW NETWORK MEMBER SURVEY SUGGESTED TOPICS

- Compliance and Ethics
- ADR updates
- EEOC updates
- I would like topics relevant for small to mid-sized, privately held companies--a lot of ACC content and activity seems geared more for larger, publicly traded corporations.
- ADA accommodations for mental health issues/mental illness.
- Mandatory vaccinations in the workplace--a debrief from this last pandemic would be great.
- DEI initiatives and affirmative action in light of the recent Harvard decision from SCOTUS
- Undue Hardship - Groff case - Religious accommodations and LGBTQ training
- Social media activity by employees - monitoring, policing, holding people accountable for what they post online. Is there a different approach depending on the platform, how the employee has identified themselves (e.g., with a pseudonym), whether they're openly affiliated with your company?
- ERGs as union risks - how to encourage the building of community in a DEI minefield without inadvertently running afoul of the NLRA.
- Options for health and welfare benefits outside traditional carrier plans.
- Recent changes in the NLRB and how they affect non-union employees.
- Industry specific topics are always helpful and issues facing multi-state employers
- employee mental health and wellness, navigating politics and political turmoil in the workplace
- Post-Groff v. USPS religious accommodation decisions.
- What non-union shops should do to keep a pulse on organization activity and to promote a non-union workplace.
- how to mitigate wage and hour exposure; how to conduct meaningful wage and hour audits; how to respond to disrespectful conduct while complying with NLRB limits
- Issues and challenges surrounding returning to the office/remote work/hybrid, ADA/FMLA, state laws extending discrimination protections to new classes of employees
- equity, diversity, inclusion topic
- HR and Legal: Friends or Frenemies? A discussion about how HR and Legal function and co-exist in a corporate environment...Topics would include oversight,

privilege, confidentiality, perception, C-suite support, etc.

- Updates on covenants not compete and related documents; whether and when an additional obligation of that type can be imposed (and is continued employment sufficient compensation?), and of course AI in the workplace.
- Employee privacy laws
- State leave laws
- Age discrimination in the age of quiet quitting and a competitive marketplace for new hires that results in incumbency in a role being a compensation negative. Legal risks and how to manage in times of limited budgets.
- AI and DEI
- Not really responsive but I would really like the option to receive less emails from ACC. If I'm not going to the annual meeting or other events I would like to be able to stop receiving emails about them. I often get multiple emails from ACC per day and I don't need to be reminded about events over and over, especially if I'm not planning to attend.
- Canadian employment law
- Employment considerations in cross border transactions
- Restrictive covenants (non compete & non solicit)
- Maintaining attorney-client privilege during internal investigations conducted by in-house lawyers and/or HR.
- Artificial Intelligence and your employees -- in union negotiations and in connection with general employee morale/concerns in non-union shops
- How the NLRB has become more relevant to non-union employers
- The new (presumably by then) DOL overtime salary minimums and how to reclassify your employees without paying tons of back pay
- Overview of Employment Laws
- Status of Noncompete Agreements, Guidance re recent Supreme Court decisions and state level legislation re hiring, recruitment, and work policies, Collective Bargaining
- Current state of noncompetes in the US.
- I cannot attend, but if I were, I'd like to learn more forecasts about EEO, DOL, NLRB board compositions and their priority lists. No matter who takes over in the next administration, we have a lot of career public service individuals who have their priorities set.
- International Labor and Employment issues
- Session dedicated to traditional labor law given all of the changes in this space.
- How to prepare for any potential employment law or NLRB shifts in the upcoming election.
- A refresher on Employee participation in the Campaign or Election process with the election around the corner.
- SCOTUS decisions that affect employers
- Employee tracking such as keystroke monitoring in an office or keeping track of when an employee is logged into a system. Since the pandemic there have been lots of articles in popular press about employees being tracked via employer-provided software. Employees at all levels seem worried (not limited to lower-level positions; accountants and lawyers are also concerned). Also interesting that there is

hardware being sold to "outsmart" tracking (mouse gigglers). Suggesting that the program include stakeholders from both human resources/employment law and data privacy.

## **2020 -2022 POPULAR EMPLOYMENT & LABOR LAW NETWORK ONLINE EVENT ATTENDANCE NUMBERS**

APAC Call (APAC) – One-hour live presentations on the latest legal trends affecting organizations in the Asia-Pacific region and multinational companies. Available live or on-demand through the ACC Education Archive. CLE/CPD credit available for a fee.

EMEA Call (EMEA) – Thirty-minute-one hour live presentations on the latest legal trends affecting organizations in Europe, Africa, and/or the Middle East and multinational companies. Available live or on-demand through the ACC Education Archive. No CLE/CPD credit available.

Legal Update (LU) – Short (20 to 45-minute) presentations on the latest legal trends made on the monthly Network Teleconference calls. Available live or on-demand through the ACC Education Archive. No CLE/CPD credit available.

Roundtable Discussion (R) – Thirty-minute-one hour live presentations on the latest legal trends featuring an interactive discussion between two or more industry or topic area experts. Available live or on-demand through the ACC Education Archive. No CLE/CPD credit available.

Webcast (W) – One-hour live presentations on the latest legal trends. Available live or on-demand through the ACC Education Archive. CLE/CPD credit available for a fee.

Date	Event Title	Event Type	Attendees
11/2/2022	The Expiration of the Employment-Data Exemption to the CCPA	LU	219
12/15/2022	What to Expect in the New Year?	LU	154
1/4/2023	Pay Equity Trends in 2023	LU	218
2/1/2023	Conducting a Pay Equity Audit - What You Need to Know	LU	254
3/1/2023	Workforce Restructurings and Reductions: What You Need to Know	LU	158
4/12/2023	Controlling for Culture Shift – How to Thrive Amid Challenges in the Hybrid Workplace	LU	101
5/3/2023	Is Artificial Intelligence as Smart as We Think? Opportunities and Pitfalls When Implementing AI Workplace Tools	LU	157
6/7/2023	“Turn on Your Camera”: How to Manage Tattoos, Piercings and Bright Hair in the Virtual Workplace	LU	129
7/12/2023	Groff Takes DeJoy: The Substantial Burden of Religious Accommodation	LU	193
7/21/2023	What Does the Supreme Court’s Students for Fair Admissions, Inc. Ruling Mean for Employers?	LU	144

8/16/2023	Handbooks: What you May Need to Review or Change	LU	119
9/6/2023	M&A Transactions: Top 5 Labor, Employment, Benefits and Immigration Issues	LU	133
9/20/2023	What Does the Supreme Court's Students for Fair Admissions, Inc. Ruling Mean for Employers...and their DEI or ESG efforts?	W	250
9/27/2023	The Evolving AI Landscape: Practical Considerations for Employers	W	250
9/7/2022	Cybersecurity and Plan Services Providers – The DOL Adds to Plan Sponsors' Fiduciary Duties	LU	124
8/3/2022	SCOTUS' Blow to PAGA: Implications for Employers	LU	161
7/20/2022	Social Justice in Our Workplace: Has There Been Progress?	W	39
7/6/2022	Dobbs v. Jackson Women's Health Organization: What it Means for Employers	LU	360
6/1/2022	An Introduction to H2B Visas	LU	37
5/4/2022	Wellness in the Legal Profession	LU	64
4/6/2022	COVID's Impact on Gender Equity in the Workplace: Preventing the Backslide	LU	50
3/23/2022	Covid-19 Vaccine Mandate Collaboration Call #15	VR	34
3/16/2022	Covid-19 Vaccine Mandate Collaboration Call #14	VR	29
3/9/2022	Covid-19 Vaccine Mandate Collaboration Call #13	VR	26
3/2/2022	The NLRB: Back to the Future	LU	58
2/2/2022	Wage and Hour Developments: A Review and Look Ahead	LU	93
1/19/2022	COVID-19 Vaccine Mandate Collaboration Call #12	VR	91
1/12/2022	COVID-19 Vaccine Mandate Collaboration Call #11	VR	128
1/5/2022	Get Me Off This Roller Coaster! Do Employers have to Comply with the OSHA ETS?	LU	263
1/5/2022	COVID-10 Vaccine Mandate Collaboration Call #10	VR	103
12/22/2021	COVID-19 Vaccine Mandate Collaboration Call #9	VR	95
12/15/2021	COVID-19 Vaccine Mandate Collaboration Call #8	VR	82
12/8/2021	COVID-19 Vaccine Mandate Collaboration Call #7	VR	112
12/7/2021	Protecting Against Poaching	LU	80
12/1/2021	COVID-19 Vaccine Mandate Collaboration Call #6	VR	107
11/22/2021	COVID-19 Vaccine Mandate Collaboration Call #5	VR	139
11/15/2021	COVID-19 Vaccine Mandate Collaboration Call #4	VR	134
11/10/2021	COVID-19 Vaccine Mandate Collaboration Call #3	VR	126
11/3/2021	COVID-19 Vaccine Mandate Collaboration Call #2	VR	138
10/27/2021	COVID-19 Vaccine Mandate Collaboration Call #1	VR	158
10/14/2021	ELLN Virtual Networking and Beer Tasting Event	NW	17
10/6/2021	Religious Accommodation Requests in light of COVID-19: The Employer's Path Forward	LU	198
9/15/2021	Worldwide Wanderers: Remote Employees Working Out of Place	W	113
9/1/2021	COVID Update: Top Employer Considerations	LU	168

8/4/2021	Today's Labor Shortage: What's an Employer to Do?	LU	57
7/7/2021	Could Ransomware Ruin Your Summer Vacation?	LU	66
6/2/2021	AI in the Hiring Process	LU	49
5/5/2021	Respect in the Workplace	LU	77
5/5/2021	COVID Huddle: Spring 2021	W	62
4/30/2021	Live Discussion on How to be an Advocate for Change: Diversity, Equity and Inclusion in the Workplace	RACE	54
4/16/2021	Live Discussion and Workshop: The Neuroscience of DEI, Change and Personal Transformation	RACE	52
4/9/2021	RACE Talks: Race in the Workplace	RACE	70
4/7/2021	Building a More Empathetic Workplace	LU	56
3/26/2021	RACE Talks: The Rise of Racism Against the Asian Community	RACE	47
3/12/2021	RACE Talks: Understanding Bias	RACE	88
3/3/2021	WARN Act Implications of Group Separations and Corporate Transactions	LU	72
2/3/2021	How COVID-19 Has Changed the Resolution of Employment and Labor Disputes	LU	75
1/27/2021	Can Employers Mandate Vaccinations for Their Employees? (If So...Should They?)	W	170
1/11/2021	<i>Co-Sponsored with Employment and Labor</i> What to expect in 2021: Biden Administration priorities in labor/employment, privacy and security and securities	LU	54
1/6/2021	2021: What Could Possibly Be Next?!	LU	91

## 2020 - 2022 POPULAR EMPLOYMENT & LABOR LAW NETWORK LEGAL RESOURCES

Resource Title	Views
The Year Ahead for Employers - 2023	237
2022 Wage & Hour Developments: A Year in Review (Jackson Lewis)	224
U.S. Supreme Court Holds Use of Race In Admissions By College, University Is Unconstitutional	9
Groff Takes DeJoy: U.S. Supreme Court Changes Standard in Religious Accommodation Case	19
<a href="#">Template for Separation Agreement (US)</a>	1656
<a href="#">Template Language for Plans-Strategies to Works Council Processes (Global)</a>	902
<a href="#">Top Ten Takeaways - Improving Efficacy &amp; Efficiency in the Legal Department</a>	226
<a href="#">2022: The Year Ahead for Employers</a>	223
<a href="#">ACC Quick Overview: What In-House Counsel Needs to Know About the New Federal Law Ending Arbitration of Sexual Assault and Sexual Harassment Claims in the United States</a>	172

## 2020 - 2022 POPULAR EMPLOYMENT & LABOR LAW NETWORK EGROUP DISCUSSION TOPICS

Date	Subject
6/16/2023	<a href="#">HR Investigations Toolkit</a>
7/23/2023	<a href="#">Issues With Employer Practices Liability Insurance Coverage</a>
3/6/2023	<a href="#">Purple Hair</a>
2/22/2023	<a href="#">Remote Employees</a>
1/31/2023	<a href="#">accommodation discussion with remote new hire - gut check, please</a>
2/16/2023	<a href="#">SHRM Employee Handbook Builder</a>
9/14/2023	<a href="#">Immigration strategy</a>
7/25/2023	<a href="#">Policy on engaging external counsel</a>
1/10/2023	<a href="#">In-house employment counsel handling actual litigation?</a>
2/2/2023	<a href="#">New to labor and employment law</a>
8/30/2023	<a href="#">Termining a long time employee for performance but also offering severance</a>
2/28/2023	<a href="#">Fair Chance Hiring - Decision Matrix Inquiry</a>
3/23/2023	<a href="#">Education Verification and Employment Verification Background Checks</a>
4/4/2023	<a href="#">Work from home - no child care</a>
6/19/2023	<a href="#">Benefits Committee Benchmarking</a>
7/7/2023	<a href="#">Reductions in Force</a>
9/23/2022	<a href="#">Clawback provisions in severance agreements</a>
9/19/2022	<a href="#">Employment Law (Sexual Harassment) Outside Counsel TX</a>
9/12/2022	<a href="#">Parental Leave/Fertility/Adoption Benefits</a>
7/25/2022	<a href="#">Discrimination</a>
7/20/2022	<a href="#">Immigration Law Firm</a>
6/16/2022	<a href="#">Referral for Illinois Employment Litigators</a>
6/14/2022	<a href="#">Social Media and Hiring</a>
5/19/2022	<a href="#">Allow Nursing Mother to Work Remote?</a>
4/11/2022	<a href="#">PAGA defense counsel</a>
1/14/2022	<a href="#">Let's build a hybrid working policy!</a>
1/7/2022	<a href="#">Benefits Counsel Recommendation</a>
11/2/2021	<a href="#">Employee Exemption from Weekly Covid-19 Testing</a>
10/4/2021	<a href="#">Chart of state data privacy laws</a>
8/16/2021	<a href="#">Return To Work Protocols -- Testing for unvaccinated workers?</a>
5/28/2021	<a href="#">Tracking Vaccination Status for Masking Purposes</a>
11/5/2020	<a href="#">CDC new definition of "close contact"</a>
3/9/2021	<a href="#">Responding to EEOC Charges</a>
8/26/2021	<a href="#">Hypothetical written exercise for interview</a>
9/28/2021	<a href="#">Vaccine Mandate Experience</a>
3/10/2021	<a href="#">Gift Cards to Employees</a>
4/21/2021	<a href="#">Career Move from Legal to HR?</a>
5/9/2021	<a href="#">DEI Coach for Executive Team</a>

6/21/2021	<a href="#">State-by-State Guide for Remote Workers</a>
10/4/2021	<a href="#">Chart of state data privacy laws</a>
6/10/2021	<a href="#">CA Unruh Act Website Accessibility Claim</a>
10/19/2020	<a href="#">Texas Atty Recommendation Needed</a>
12/16/2020	<a href="#">Paid Bereavement Leave for Non-Immediate Family</a>
7/19/2021	<a href="#">US employee moving abroad and converting to an independent contractor</a>
1/26/2021	<a href="#">WFH Stipend</a>
2/11/2021	<a href="#">Independent Contractor Policy</a>
2/26/2021	<a href="#">How many Labor/Employment Attorneys are in your company?</a>
3/1/2021	<a href="#">Uptick in Fraudulent Unemployment Claims</a>
3/25/2021	<a href="#">Pet Policies - Pet Benefits - Assisting with Pet Separation Anxiety Post Covid</a>
4/7/2021	<a href="#">What is your vote for an Absence and Disability Management webinar topic?</a>

## IMPORTANT DATES

Item	Date
Networks Programming Orientation Call <a href="#">Register Here</a>	Wed., Dec. 6, 2023   1:00 – 2:00 ET
Program Submission Deadlines	Mon., Jan. 29, 2024
Program Selection Notifications Sent	Fri., March 15, 2024
Program Organizer Submission Deadline*	Fri., March 29, 2024
Speaker Submission Deadline**	Fri., May 17, 2024
Course Material Submission Deadline	Fri., Aug. 9, 2024

*\*ACC confirms Program Organizer and speaker submissions on a rolling basis.*

*\*\*Additional speaker selection rules and guidelines will be provided following program selection.  
ACC reserves the right to decline speakers if they do not meet these criteria.*