

VIRTUAL ATTENDANCE FOR 2021

8th
Annual

Master Class
Series
2021



Unprecedented:
The State of Labor Relations and
Employment Law



3
MONTHS

6
TRACKS

12
CLASSES

BakerHostetler

www.bakerlaw.com/masterclass2021



**We Are Going
Virtual in 2021**

This year's Master Class will be virtual, due to the pandemic. We are hosting all Master Classes through a Zoom webinar platform, which will make it easy for all to attend.

Who Should Participate

**8th
Annual**

This Master Class is specially designed to offer high-level sessions, hitting specific and practical headline issues affecting general counsel and in-house lawyers, C-suite executives, directors of labor relations and human resources, and business owners.

We have a great lineup to present valuable and tailored programs focusing on real labor and employment issues, challenges and opportunities faced in today's ever-changing economy.

The Master Class will be offered virtually on Tuesdays in 2021, from January 26 through April 27. The sessions will start at 2 pm ET (1 pm CT / 12 pm MT / 11 am PT) and will last for one hour.



JANUARY 26, 2021

Opening Plenary Session – Unprecedented: The State of Labor Relations and Employment Law

Join us on Tuesday, January 26, 2021, for an insightful discussion with attorneys from BakerHostetler's Labor and Employment Group, who will discuss current developments regarding workplace legal developments. This session is designed to give you a preview of the topics covered throughout the 2021 Master Class.

REGISTER FOR THE SESSIONS AT

WWW.BAKERLAW.COM/MASTERCLASS2021

SEE THIS YEAR'S SESSIONS

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SELECT SIX SESSIONS. INVITE OTHERS IN YOUR ORGANIZATION TO SIGN UP FOR OTHERS.

FEBRUARY 2, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Preparing for the Post-Pandemic Workplace: Understanding Your Requirements and Your Boundaries



While federal and state reopening plans continue to be developed, it remains to be seen whether the COVID-19 pandemic will come to a definitive end or become the “new normal.” As such, employers are preparing various contingency plans to

address how to safely reopen their businesses (or continue to operate) while keeping their employees safe. Many employers continue to struggle with having to implement RIFs, furloughs, or cuts in hours or compensation. Others are focused on return-to-work protocols and policies and are dealing with personnel issues that include requests for accommodation; how to select who will return to work; navigating federal, state and local COVID-19-related sick leave laws; employees who do not want to return to the workplace; or the efficacy of remote-work policies. Employers are also struggling to understand their boundaries with respect to employee health and privacy issues. What information can they request, what restrictions can they impose on employees (particularly when they are working from home) and, if developed, can an employer require an employee to receive a COVID-19 vaccine? This session will address these issues and more.

FEBRUARY 9, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Social Justice Movements and the Workplace: A How-To Discussion



As if the COVID-19 pandemic wasn't challenging employers enough, employers around the globe have been touched by discussions of social justice and the impact of civil unrest. Employees often want to express their views. Join us for a discussion on

practical ways to create a workplace environment that is respectful, collaborative and supportive of a company's business objectives.

FEBRUARY 16, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Union Organizing Through Contemporary Issues Campaigns: Fallout from the Pandemic



Historically, union organizing has been based upon traditional issues of the workplace. Wages, healthcare, pensions, seniority, schedules, vacations, holidays and similar “terms and conditions of employment” have been the catalysts to convince

employees to seek representation under the National Labor Relations Act. While these issues are still important, the social justice agenda has become equally if not more enticing, particularly amid the economic fallout from the COVID-19 pandemic. Unions claim that they are the stable force to ensure that job-related contemporary issues are recognized by employers. Indeed, more union-organizing activity is founded upon promises to address #MeToo, Black Lives Matter, immigration, income inequality, LGBTQ discrimination, harassment, age discrimination, technological change and similar “noneconomic” issues. How a company should be prepared to assess and defend against this new wave of organizing will be the focus of this session.

FEBRUARY 23, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Beyond the Beltway: New Federal Policy Amid the ‘New Normal’



As the United States hopes to emerge from a generational pandemic and the economic damage it wrought, policy and politics in Washington will be dominated by efforts to recover from the COVID-19 pandemic – and to mitigate future disasters' impact on

workers and employers. What levers will the White House and Congress use to stimulate the economy? Will the renewed emphasis on workplace safety reenergize efforts to enhance collective bargaining and implement new OSHA standards? Did COVID-19 pave the way for a federal paid leave law beyond the pandemic? The experience of the past year will have a profound and enduring impact on policymakers' views of labor and employment issues. A former U.S. congressman and a seasoned Washington political law attorney will provide their insights on the political and policy landscape for 2021 and beyond.

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MARCH 2, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

COVID-19 Collective Bargaining: Planning for Pandemonium



The COVID-19 pandemic changed the world almost overnight, and labor relations were no exception. Many employers were forced to reduce labor costs drastically as a matter of survival, through either pay adjustments or layoffs. Schedules became

unpredictable. Supply chains were broken. A bevy of government shutdown and stay-at-home orders combined with new federal paid leave legislation added compliance concerns to the already crowded mix. For a unionized employer in these dire straits, the language of the governing collective bargaining agreement can literally be the difference between survival and failure. This session will examine various strategies and options to protect a business when it is forced to confront the unexpected.

MARCH 9, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Wage and Hour Essentials: Avoiding FLSA Violations Before a New DOL



While the focus of the Department of Labor ebbs and flows based on the administration, the DOL remains committed to enforcing the Fair Labor Standards Act. And even where the DOL cedes the field, various state agencies

will step in to fill the void. Indeed, even the most seasoned human resources, legal and payroll professionals can miss nuances in the FLSA regulations. Lack of compliance can be costly. This session will help employers navigate a wide variety of FLSA rules and regulations as well as state laws in order to avoid fines, penalties and costly litigation.

MARCH 16, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

The NLRB: Groundhog Day or Back to the Future?



Over the past several years, we have seen the NLRB undertake a stunning reversal of many of the expansive decisions of the previous Board. The 2020 presidential election once again puts labor law at a crossroads. We can expect to see further efforts to

make the National Labor Relations Act more reactive to the political winds, setting policy through its decisions and rule-making authority. Employers can expect further shifts in the law. In this session, we will discuss where the NLRB has acted over the past year and discuss what we can expect to see in 2021 and beyond.

MARCH 23, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Immigration: Scaling the Invisible Wall



As obstacles to legal immigration have been erected at a historic pace, what policies and trends will have the most significant impact on business immigration going forward? We will consider recent developments during the

COVID-19 pandemic, the impact of the 2020 presidential election, and creative ways to challenge policy changes and heightened adjudication standards.

SESSIONS OFFERED

SELECT SIX SESSIONS. INVITE OTHERS IN YOUR ORGANIZATION TO SIGN UP FOR OTHERS.

MARCH 30, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

OSHA Compliance in the Midst of a Pandemic: What You Don't Know Might Hurt You



The COVID-19 pandemic has brought workplace safety to the forefront of employee concerns, yet OSHA has failed to issue COVID-19-specific standards, leaving employers guessing how best to deal with the new reality. This session will address the application

of previously existing OSHA standards and requirements including, among other things, the General Duty Clause and workplace-related illness documentation and reporting obligations. We will also review the proper handling of OSHA inquiries, on-site inspections and investigations, and retaliation complaints. Also, we will take a look at the best practices that have been identified (including reliance on CDC recommendations), the safety issues that OSHA has been concentrating on (and issuing citations for), and what we expect OSHA to do next as employers continue to operate in increasingly challenging and ever-changing conditions.

APRIL 6, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

'Employee' Benefits and New Realities: From Healthcare to Retirement



2020 was a year that few will forget. All the challenges forced many Americans out of comfortable jobs and to rethink how, where and for whom they work. Retirement savings have been drained, and traditional benefits such as employer-provided healthcare

have been stress-tested. Will creative arrangements be put in place to deal with the new realities? Will the workforce, and with it benefit plan structures, be transformed? And will the new administration encourage innovation in the way(s) organizations help workers get healthcare, deal with contingencies and save for retirement, or will it get in the way of private-sector efforts? What effect will recent U.S. Supreme Court decisions have on employer-provided healthcare? This discussion will cover changes to "traditional" retirement and savings, healthcare and insurance, and benefit platforms, and what organizations can anticipate seeing in the next year – and the years beyond that.

APRIL 13, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

Somewhere over the Rainbow: Legal Developments Involving the LGBTQ Workforce



On June 15, 2020, the U.S. Supreme Court issued *Bostock v. Clayton County, Georgia*, a landmark decision regarding whether Title VII of the Civil Rights Act of 1964, prohibiting discrimination in the workplace "because of sex," encompasses discrimination

based on sexual orientation and gender identity. The Court held in the affirmative, finding "it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex." While this case is illustrative of a nationwide trend providing for increased protections of LGBTQ employees at work, the future of these protections remains uncertain. This session takes stock of the legal landscape related to LGBTQ employees, including at the federal, state and local levels, and explores best practices for workplace conduct and policies impacting LGBTQ employees and related issues in the current environment.

APRIL 20, 2021

2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

The Dynamics Are Changing: Insights on Diversity, Equity and Inclusion in the Workplace



In response to the historic events that took place in 2020, employers have focused their efforts on developing or expanding meaningful and effective diversity, equity and inclusion programs. Yet despite some visible progress, these issues continue to play a

center role in union-organizing drives, employee complaints or activism, and overall employee morale. This session explores lawful ways employers can address diversity and inclusion in the workplace, including how to attain better business outcomes and how to create an inclusive environment that fosters innovative ideas and improves overall business performance, as well as the sometimes counterintuitive legal limitations on the avenues available to help employers meet these goals.

New for
2021!



APRIL 27, 2021

Virtual Reception

Join us on Tuesday, April 27, 2021, for a virtual “happy hour” reception that will close the 2021 Master Class. The reception will be your chance to network with BakerHostetler attorneys and other colleagues whom you may have met while participating throughout the 2021 Master Class. Reminders and additional details will be sent out closer to the date, and we encourage you to sign up early.

Register Today

To Register

www.bakerlaw.com/masterclass2021

Questions

Should you have any questions or prefer to register by phone, please contact Lynmarie Lane at +1.312.416.6297 or MasterClass@bakerlaw.com.

Master Class Details

Every Tuesday from January 26 through April 27, 2021.
2 pm ET / 1 pm CT / 12 pm MT / 11 am PT

All sessions will run for one hour.

CLE credit is pending. HRCI and SHRM credits are available.

To register for one or more
of the sessions, visit

www.bakerlaw.com/masterclass2021

We look forward
to having you join us
for this premier event.

WHY SHOULD YOU ATTEND?

It's Valuable

This series of classes will provide real-world strategies on the most current issues affecting your business and employees. Insights into new policy regulations and legislation will prepare you to confront employee matters related to workplace safety, pensions, contracts, social media, healthcare and union interference.

It's Insightful

Our Master Class faculty comprises BakerHostetler attorneys at the top of their game who are prepared to bring insights based on their experience to each discussion, thus taking these topics to the next level.

It's Specialized

Classes have been designed to focus on current issues and common challenges. Each presenter has deep experience in these areas and will bring pragmatic and on-target insights to each session.

Program Co-Chairs



Jay Krupin serves as Co-Leader of BakerHostetler’s Labor Relations practice and leader of the Labor and Employment Group in Washington, D.C. He represents businesses across the United States, advising on federal and state labor, employment and personnel law issues and defending them before administrative agencies and in court proceedings. Mr. Krupin is well-versed in management-union issues, employment discrimination matters and wage and hour practices. He has successfully negotiated more than 350 collective bargaining agreements and has represented companies in more than 100 union elections and campaigns.

A frequent speaker and writer on a variety of topics related to his fields of practice, Mr. Krupin has been quoted in or has authored articles in the *Wall Street Journal*, *The New York Times*, the *Chicago Tribune*, the *Los Angeles Times*, *USA Today*, the *National Law Journal*, *Legal Times* and more than 50 other publications. He has appeared on news programs throughout the nation, addressing issues related to labor and employment law. Mr. Krupin is recognized by *Chambers USA* and the Legal 500 and has been admitted into the HR Executive Hall of Fame.

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Patrick Muldowney serves as Co-Leader of BakerHostetler’s Labor Relations practice with Mr. Krupin. Mr. Muldowney advises and represents private- and public-sector management clients in connection with both traditional labor law and employment law issues. He has litigated issues related to discrimination, sexual harassment, labor-management relations, family and medical leave, public employee rights, minimum wage/overtime compensation, and covenants not to compete.

Mr. Muldowney has represented employers in matters involving the National Labor Relations Board (relating to both unfair labor practice charges and representation elections), the U.S. Equal Employment Opportunity Commission, the Florida Commission of Human Relations, the Florida Division of Administrative Hearings, the Orlando Human Relations Department, the New York State Division of Human Rights and the New York City Commission on Human Rights. Additionally, he is an adjunct professor at Rollins College, where he teaches a course on labor and employment law in the Master of Human Resources program. Mr. Muldowney is also recognized by *Chambers USA* and the Legal 500.

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“Absolutely thought the event was extremely well-organized and executed, and the speakers were all extremely knowledgeable and easy to listen to, and even enjoyable!”

“Particularly helpful, as we will enter CBA negotiations within the next 18 months.”

“Appreciated all the advice. This was the best CLE I’ve attended!”

“The Master Class was excellent. ... In addition to the classes that I attended, having the chance to discuss topics with the attorneys was great and gave me the opportunity to expand my knowledge – and, to your point, gain valuable insight.”