

Sullivan, Hayes & Quinn, LLC's
Annual Employer Briefing
THE CHANGING WORKPLACE

AGENDA

7:45 – 8:30 a.m.: Full Buffet Breakfast and Registration

8:30 – 8:35 a.m.: Introduction: *Frederick L. Sullivan, Esq.*

**8:40 – 9:30 a.m.: To Employ or Not to Employ? That is the Question
*Gordon D. Quinn, Esq. and Alice E. Pizzi, Esq.***

To Employ:

Updates, developments and the legal and practical considerations related to selecting your workforce, including:

- “Independent contractor” vs. “employee”
- Notable developments: part-time, temporary or seasonal workers
- Volunteers, interns, trainees
- Considerations when using leased employees or staffing agencies
- Checklist of recommended action

To Not Employ:

A review of the changes and best practices to utilize when deciding who to employ and how to best shield the company from the angry applicant or negligent hire.

- Use of background checks during the hiring process
 - Credit
 - Criminal
 - Social media and internet searches
- Use of information discovered during the interview
- Use of employment agreements, non-competes, and arbitration agreements with newly hired employees
- Best practices for compliant hiring and avoiding litigation

**9:35 – 10:20 a.m.: Do Your Employees Have to Come to Work?
*Meghan B. Sullivan, Esq.***

A Review of changes and legal developments involving:

- Pregnancy Discrimination Act and other leave or accommodation laws such as the FMLA and the ADA
 - Domestic Leave
- Legal decisions regarding automatic termination when someone does not return from leave
- New individual liability for managers, supervisors and other decision makers
- Commentary regarding the impact of labor activity on public and private sector union and non-union employers

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10:20 – 10:35 a.m.: Refreshment Break

10:35 – 11:20 a.m.: How Can We Innovate With Regards to Legislating People, Technology and Process?
*Brad MacDougall, Vice President for Government Affairs,
Associated Industries of Massachusetts*

A discussion of legislative developments and consequences for employers, including:

- Major public policy themes and implications
- Legislation that was both passed and not passed in 2014
- Issues on the horizon for 2015
- Ways to engage and shape the Massachusetts business climate

11:25 – 11:55 a.m.: Can the Employer Control the Workplace?
Kate R. O'Brien, Esq.

A review and forecast of legal changes and developments and what policy modifications to make now to better control the workplace, including:

- Social media, BYOD, confidentiality and code of conduct policies
- Workplace investigation and at-will employment
- How to use policies legally and effectively
- Particular issues for the union and non-unionized workforce
- Government agencies' attack on employers

12:00 – 12:45 p.m.: What Are the Changes in Wages and Benefits That Employers Are Required to Provide Employees?
Layla G. Taylor, Esq.

A review of the legal changes, trends and strategies for addressing increasing employer obligations, including:

- Minimum wage developments
- Anticipated white collar and other exemption changes
- Mandated inclusions in overtime calculations
- Litigation trends and liabilities and how to avoid being the next lawsuit
- The impact of the ACA and Defined Benefit Plan obligations on employers and strategies to mitigate negative economic consequences

12:45 p.m.: Wrap-up and Adjournment