



Labor & Employment Law section
October 2024 Monthly Executive Committee Meeting

- Approval of September 2024 meeting minutes
- Welcome new EC members. Revisit day/time for monthly meetings.
- 2024 Section Annual Report: due Friday, October 11, 2024
- 24th Annual Labor & Employment Law Conference
 - Date: Friday, Nov. 22
 - Location: Rainier Club
 - Schedule:
 - 8:25 a.m. Welcome and Introductions - Cassie
 - 8:30 a.m. - The Art of Resolution: Tips for Effective Mediation
 - Crack the code to successful conflict resolution with this dynamic panel presentation. Join a distinguished panel of mediators as they delve into the nuances of effective mediation strategies and techniques. This engaging session will provide you with practical insights and actionable tips to enhance your participation in mediation to achieve the best outcomes for your clients. This panel will explore topics such as: the mediator's role and facilitating constructive dialogue, building rapport and trust in the mediation process, tips on handling high emotions and navigating complex dynamics that arise during mediation, understand the importance of cultural awareness and inclusivity in mediating with diverse groups, and other topics of importance. Our panelists, each with a wealth of experience and expertise, will share real-world examples and answer your questions, providing you with tools for meaningful engagement in effective mediation.
 - Presenters: Jessie Harris, Nancy Maisano, Kathleen Wareham
 - Moderator: Sarah
 - 9:30 a.m. -- The Interplay Between Workers' Compensation and the Americans with Disabilities Act (ADA) and the Washington Law Against Discrimination (WLAD)
 - The Americans with Disabilities Act (ADA) and the Washington Law Against Discrimination (WLAD) prohibit employers from discriminating against qualified individuals based on a disability. Washington workers' compensation law provides a system for compensating employees for occupational injuries and illnesses.

While the two laws have different purposes, the analysis under workers' compensation law often affects the analysis under the ADA and the WLAD or vice versa. This panel provides a basic introduction to the interplay between Washington's workers' compensation law and the ADA and WLAD. It will cover topics such as subrogation, best practices for leave requests, discipline, termination, and retaliation.

- Presenters: Jennifer Troung and Brian Wright
- Moderator: Matt
- 10:30 a.m. BREAK
- 10:45 a.m. -- Dance Like No One Is Watching, Post Like Your Employer Will View It: A Discussion on Off-Duty Conduct and Harassment.
 - Off-duty harassment and conduct can be vexing to both employers and employees. Many employees believe they enjoy an unfettered right to express opinions, engage in conduct, and comment on others outside of working hours. Explore some of the legal issues and ramifications that arise when off-duty conduct and harassment find their way into the workplace. We will further discuss collective bargaining and NLRA considerations that apply to conduct away from work.
 - Presenters: Sara Amies and Erica Shelley Nelson
 - Moderator: Brad
- 12:00 p.m. LUNCH
- 1:15 p.m. -- Summer Grantees Presentation
- 1:30 p.m. -- ABCs of Labor Law PLUS what's next under new U.S. President _____'s Board?
 - Join us for a fun introduction to key labor law principles and then learn how that might all change with the 2024 election results. Hear from local labor law experts on the ABCs every lawyer should know about labor law. Then, hear an in-depth discussion and paper on what to expect under the new Harris or Trump Board from John D'Elia, a DC-based SEIU labor attorney who closely follows NLRB and Congressional developments.
 - Presenter: John D'Elia
 - Moderator: Carson Flora
- 2:30 p.m. -- Wage and Hour Headaches: What employers need to know about ensuring wage and hour compliance and conducting audits
 - The session focuses on conducting internal wage and hour audits to meet new wage and hour standards; how to conduct an audit; addressing wage and hour issues discovered in an audit; and documentation associated with the audit.
 - Presenters: Darren Feider and James Pizl - Entente Law PLLC, Puyallup, WA
 - Moderator: Angie
- 3:30 p.m. BREAK

- 3:45 p.m. -- The Future of DEIA in the workplace Following Students for Fair Admissions v. Harvard
 - In Students for Fair Admission, Inc. v. President and Fellows of Harvard College, the Supreme Court of the United States held that Harvard and University of North Carolina’s admissions programs, which considered an applicant’s race, violated the Equal Protection Clause of the Fourteenth Amendment. While this decision focused on college admission programs, the impact was widespread, sparking debate and scrutiny over affirmative action policies and workplace diversity, equity, inclusive and accessibility (“DEIA”) initiatives. We will discuss the key issues, legal arguments and implications (if any) of SCOTUS’ decision on workplace DEIA initiatives.
 - Presenters: EEOC Vice Chair Jocelyn Samuels, Craig Leen, Cassie
 - Moderator: Jess

- Budget update: Matt

- January Breakfast meeting:
 - Volunteer to coordinate?

- Mini-CLEs ideas:
 - Appellate update with Kelby Fletcher
 - Legal & organizing strategies in the gig economy:
 - Organizer: Fallon
 - Topic: Due to non-traditional models for workers’ rights that have been created to respond to the gig economy/independent contractors. Teamsters Local 117 was integral in supporting the creation of a separate organization called the Drivers Union which was founded to provide passenger drivers who work for app-based transportation platforms (Uber/Lyft) to have a voice and deactivation protections. This is one of the first organizations of its kind. Passed Legislation in the City of Seattle that brought drivers fair apay, sick time, and deactivation protections. Replaced recently by a new state law that expands those protections to drivers across the state, despite the drivers not being considered traditional “employees”. Washington serves as a model for states across the country trying to provide similar rights to drivers.
 - Potential presenters: General Counsel of the Drivers Union, she could speak to the policy/legislation side of the work.