



FWHR & ROSS | GANNAWAY, PLLC PRESENTS

THE 22ND ANNUAL EMPLOYMENT LAW UPDATE

Virtual Conference | April 23, 2021

AFFILIATE OF
SHRM[®]
SOCIETY FOR HUMAN
RESOURCE MANAGEMENT

FWHR HR EMPLOYMENT LAW UPDATE 2021 CONFERENCE AGENDA

8:30am - 8:35am

Introduction



8:35am - 9:40am

Employment Law - Past, Present and Future

Julia Gannaway, [Ross Gannaway](#)



9:55am - 10:55am

Cybersecurity in the Workplace

Amber James, [HealthChannels](#)



11:05am - 12:10pm

Coping with COVID-19: Ongoing Legal Considerations & Challenges

Julie Ross, [Ross Gannaway](#)



12:45pm - 1:50pm

**What You Should Be Telling Your Manager About
The ADA, But May Not Be**

Rodney Klein, [Equal Employment Opportunity Commission](#)



2:00pm - 3:05pm

Benefits

David LeFevre, [ERISAFire](#)



3:15pm - 4:00pm

Legal Implications of Social Media in the Workplace

Kristen Lollar, [Whitley Penn](#)
Emma Sullivan, [Jenner & Block](#)



4:00pm - 4:30pm

Raffles | Closing Remarks | Live Q&A |





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Advantage Home Plus is a Texas based company providing an employee homeownership educational & savings benefit to more than 6 million employees nationwide. Educational tools, materials and classes for employees, as well as access to down payment assistance programs and significant savings on loan and real estate costs are just some of the services offered. As a trusted resource of HR and benefits leaders for more than 20 years, the Advantage Home Plus team is honored to be part of FWHR.

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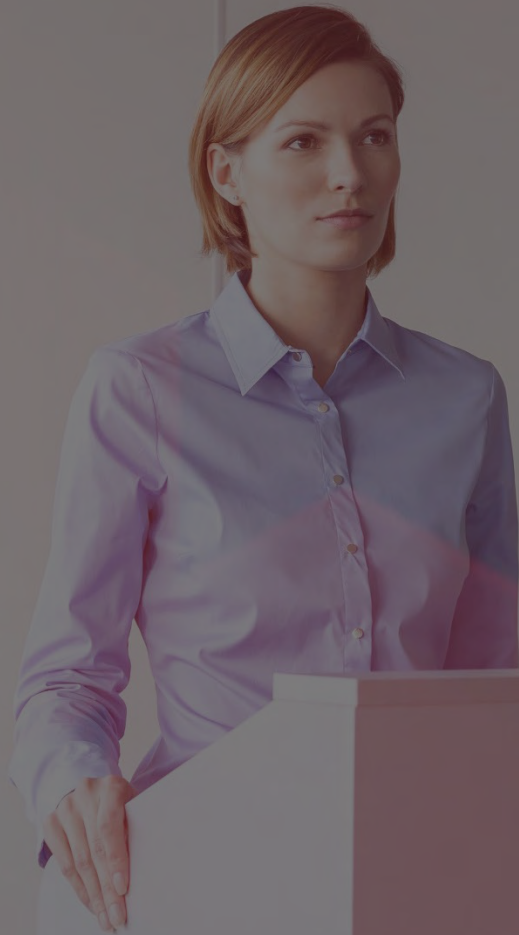


Ross | Gannaway, PLLC is a law firm focused on the representation of public and private-sector employers in employment matters. The firm is headquartered in North Texas, but its practice extends throughout the State. We Work for Employers.



Sana is a Texas-based company that is leading the value-based care revolution by reducing the cost of high-quality healthcare of small businesses. We provide great coverage at a lower cost, all while making it easier than ever to administer and use those benefits.

SPEAKER SPOTLIGHTS



SPEAKER SPOTLIGHTS



ROSS | GANNAWAY, PLLC
Attorneys at Law

JULIA GANNAWAY



Julia is a partner in the law firm of Ross | Gannaway, PLLC. Her practice is dedicated largely to employment law in the public sector, and the firm represents only employers. The firm's office is located in Southlake, but their clients are all around the state.

She advises clients on matters relating to investigations and disciplinary actions in Chapter 143 settings and non-Chapter 143 cities; matters relating to the Fair Labor Standards Act and Texas law regarding pay issues. Her practice involves representing clients before Federal and State courts, administrative hearings for civil service and TCOLE, and in EEOC/DOL investigations. She also moonlights as the author of numerous Public Information Act requests for rulings.

Julia is a 1991 graduate of Texas A&M with a degree in economics and obtained her JD from the University of Houston in 1994. Julia worked as an Assistant City Attorney in Odessa and Bryan before coming to work at the firm. She is a member of the Texas Bar College and currently serves on the Fort Worth HR Board of Directors as Legal and Legislative Director.

Direct: 817.332.8512
JG@RossGannaway.Law

WE WORK FOR EMPLOYERS

SPEAKER SPOTLIGHTS



Amber James is the Associate General Counsel and Privacy Officer at HealthChannels, LLC. As legal counsel and Privacy Officer to a national healthcare solutions firm, Amber routinely advises business leaders and managers on a wide range of legal, HR, and privacy issues.

In her role as Privacy Officer, Amber takes a holistic approach to data privacy and security. By understanding the sources and lifecycle of company data, and cross-collaboration with stakeholders, Amber creates and implements policies and procedures that reflect current business practices and industry standards. Amber also understands that an informed employee is your best asset to achieve compliance with the numerous policies, procedures, laws and regulations faced by companies today. With this understanding, Amber creates workforce training specifically tailored to the nature of the workforce and privacy and security threats that they face.

In addition to managing privacy compliance, Amber advises business leaders on legal issues involving HIPAA/HITECH, CCPA/CPRA and other state data privacy laws, FMLA, ADA, Title VII, and NLRA. Amber also negotiates a range of commercial agreements including services agreements, RFPs, software licensing agreements, and third-party vendor agreements.

Amber is a Texas native and currently lives on Padre Island with her husband, teenage daughter, and dog. When she's not thinking about data privacy, Amber takes full advantage of living the beach life.

SPEAKER SPOTLIGHTS



ROSS | GANNAWAY, PLLC
Attorneys at Law

JULIE B. ROSS

Julie is a partner in the law firm of Ross | Gannaway, PLLC. Her law practice is devoted solely to employment law, and she represents employers and management in both the public and private sector.

Julie's practice emphasizes all aspects of employment law including assisting clients on FMLA, FLSA and ADA issues; assisting clients against claims such as wrongful discharge, employment discrimination and harassment under Title VII, ADA, ADEA and other employment statutes; training in all areas of employment law; and investigation of employee complaints.

Julie has a J.D. with honors from Texas Tech University and a B.B.A. in Accounting from the University of Texas.

Julie is a long-time member of FWHR and served on the board of directors as Legal and Legislative Director for many years.



Direct: 817.332.8509
JR@RossGannaway.Law

WE WORK FOR EMPLOYERS

SPEAKER SPOTLIGHTS



Rodney Klein



Rodney Klein graduated from the University of Texas at San Antonio and was hired by the U.S. Equal Employment Opportunity Commission as an Investigator in 1992.

Mr. Klein investigated individual complaints of employment discrimination, along with large class and systemic cases. He worked as a liaison between the EEOC and various fair employment practice agencies. And, he was the San Antonio Office's Charge Receipt Supervisor, responsible for receiving and processing all incoming discrimination complaints.

Currently, Mr. Klein is the Dallas District's Outreach and Training Manager. He speaks to audiences about employment related matters, the civil rights statutes, and EEOC procedures, and he is a featured speaker at his office's yearly training seminar for employers.

SPEAKER SPOTLIGHTS



David LeFevre founded ERISAFire Benefits Compliance Solutions, where he serves as the Chief ERISA Geek and managing attorney of LeFevre Law PC. Mr. LeFevre advises brokers, business owners and multinational employers on all aspects of health, welfare and retirement benefits. His practice focuses on assisting clients in complying with ERISA and other employee benefits laws. He also counsels clients on plan design, implementation, and administration of qualified and non-qualified retirement plans.

Mr. LeFevre received his Bachelor of Arts in political science from the University of Missouri and his Juris Doctorate from the University of Missouri School of Law.

ERISAFire LLC is an employee benefits compliance services firm, specializing in health and welfare benefits. ERISAFire has reimagined benefits compliance, leveraging a unique combination of custom-built technology to automate transactional tasks, ERISA geeks for complex analysis, and experienced ERISA attorneys to scrutinize even the most mundane compliance tasks.

SPEAKER SPOTLIGHTS



Kristen Lollar is the Chief Marketing Officer for Whitley Penn, a full-service public accounting firm. She has been with the firm since 2012 and has played an integral role in overall growth and success. Kristen serves on the firm's Innovation Council, which strives to bring new ideas for advancement and efficiency to the firm and has been at the forefront of many firmwide achievements.

In addition to serving as a mentor to others in her firm, Kristen serves as a mentor through the American Marketing Association's DFW (Dallas/Fort Worth) Mentor Program for young professionals. She is a member of the Association of Accounting Marketing (AAM) and is involved with the organization's Major Growth Firms Group and the Diversity Equity & Inclusion Committee. Kristen also serves on the Advisory Board for the Boomer Consulting Marketing Circle while simultaneously serving on the Board of Directors for the Plano Chamber of Commerce.

Kristen is a graduate of Texas Tech University where she earned a B.A. in Public Relations and a minor in Music. She is a member of the Texas Tech Alumni Association and previously served as a Dallas Chapter Board Member and former President of the Dallas Chapter from 2006-2008.

SPEAKER SPOTLIGHTS

JENNER & BLOCK

EMMA J. SULLIVAN, Partner

Emma J. Sullivan is a partner in Jenner & Block's Chicago office, and serves as co-chair of the Labor and Employment Practice and co-chair of the firm's Positive Work Environment Committee. She also serves as the firm's associate general counsel.

Employers seek her counsel in a wide range of employment matters. She has represented clients before federal, state and appellate courts, in arbitrations, and in administrative proceedings held before various federal and state agencies, including the Equal Employment Opportunity Commission and the Department of Labor. She provides counsel to employers on sensitive personnel matters, such as hiring, promotion, performance evaluation, compensation, leaves of absence, accommodations, drug and alcohol issues, discipline, and discharge. She also counsels employers on reductions in force, exit incentive programs, statistical analyses of employment practices, and employment policies and practices. Additionally, she assists with sensitive internal investigations, including investigations into claims of harassment, discrimination, and employee wrongdoing. She also provides training on topics including harassment, discrimination, retaliation, wage and hour issues, and managing workforces. Additionally, she advises employers on the labor and employment aspects of mergers and acquisitions.

Emma has an active pro bono practice, which includes providing employment counsel to non-profit entities.

Additionally, she has authored numerous articles and publications related to her practice, including on the topics of waivers, employee background checks, discrimination, retaliation, employment class actions, and mandatory arbitration.



EMMA J. SULLIVAN
Partner

PRONOUNS
She / Her

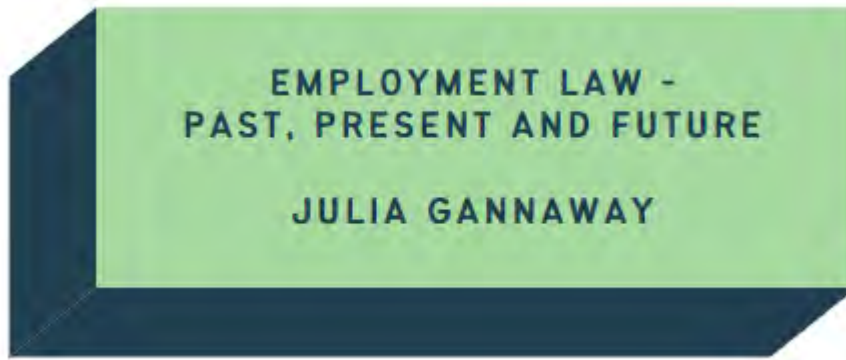
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EDUCATION
University of Illinois College of Law, JD
University of Illinois, BS

A top-down view of a desk setup. On the left, a white tablet is partially visible with a black screen. In the center, a white spiral-bound notebook is open. To the right of the notebook, a silver pen lies horizontally. In the bottom left corner, a pair of white earbuds is visible. In the top right corner, a small green succulent plant is in a white pot. The background is a solid light pink color. The text "YOUR DIGITAL NOTEBOOK" is centered over the notebook, flanked by two horizontal green lines.

YOUR DIGITAL NOTEBOOK



Join Julia as she shares what is happening employment law and what could potentially happen in the near future. A new administration means upcoming changes, which may include updates to leave laws, paid family leave, unemployment benefits, federal minimum wages, OSHA standards and increased enforcement around workplace safety, increased salary threshold for exempt employees, implementation of a nationwide paid sick leave program, and changes in NLRB and DOL.

- NOTES -

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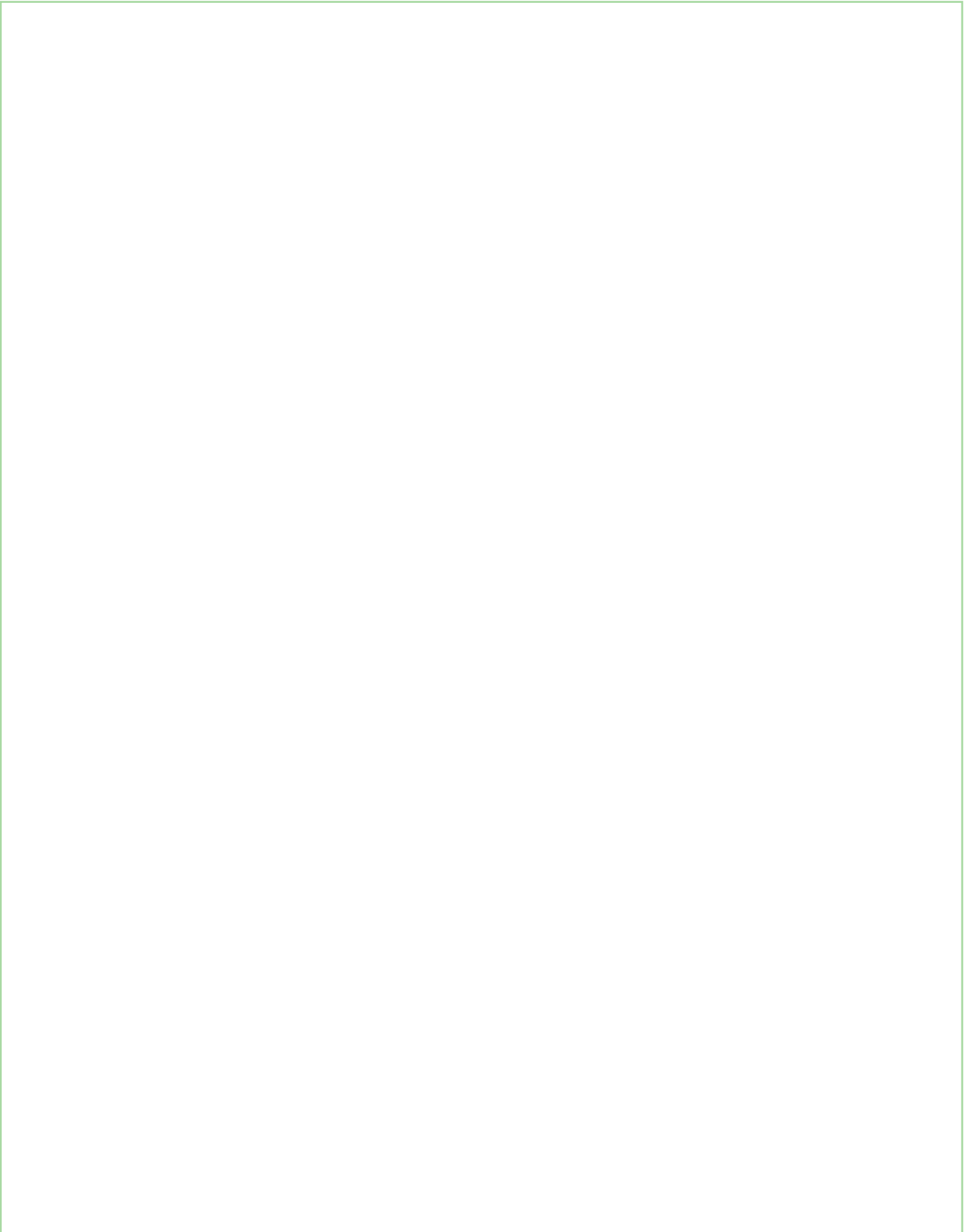
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Join Amber as she shares basic considerations and employee best practices for cybersecurity in the workplace. The introduction of information technology has revolutionized the modern workforce. Information technologies allow companies to collect and store enormous amount of data and enable employees to instantly access data and communicate through devices and networks anywhere, including from home. However, many companies lack basic cybersecurity measures to protect their information technology and workforce from data breaches and ransomware attacks. These breaches can cost millions of dollars in litigation, government fines, remediation, and reputational harm. By implementing basic cybersecurity measures and best practices, you can help your company reduce the threat of cybersecurity attacks in the workplace.

- NOTES -

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Professional Emphasis Groups (PEGs)

If you are an HR professional working in a specialized area, and you are interested in networking and sharing best practices with other HR professionals, join a PEG!

Current PEGs:

Compensation & Benefits
Generalist
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**COPING WITH COVID 19:
ONGOING LEGAL
CONSIDERATIONS & CHALLENGES**

JULIE ROSS

As vaccinations increase and we all begin the process of returning to a new COVID-19 normal, employers continue to encounter an array of legal issues and challenges. Join Julie as she discusses the ever-changing legal landscape facing employers in their response to the COVID-19 pandemic. Some employees will soon be returning to the workplace after a year at home. What will that look like? What about employees who don't want to give up working from home in their sweatpants? Employers must juggle vaccines, masks, return to work, whether to elect to provide expanded and extended FFCRA leave, OSHA's updated workplace guidance and recommendations, and so much more.

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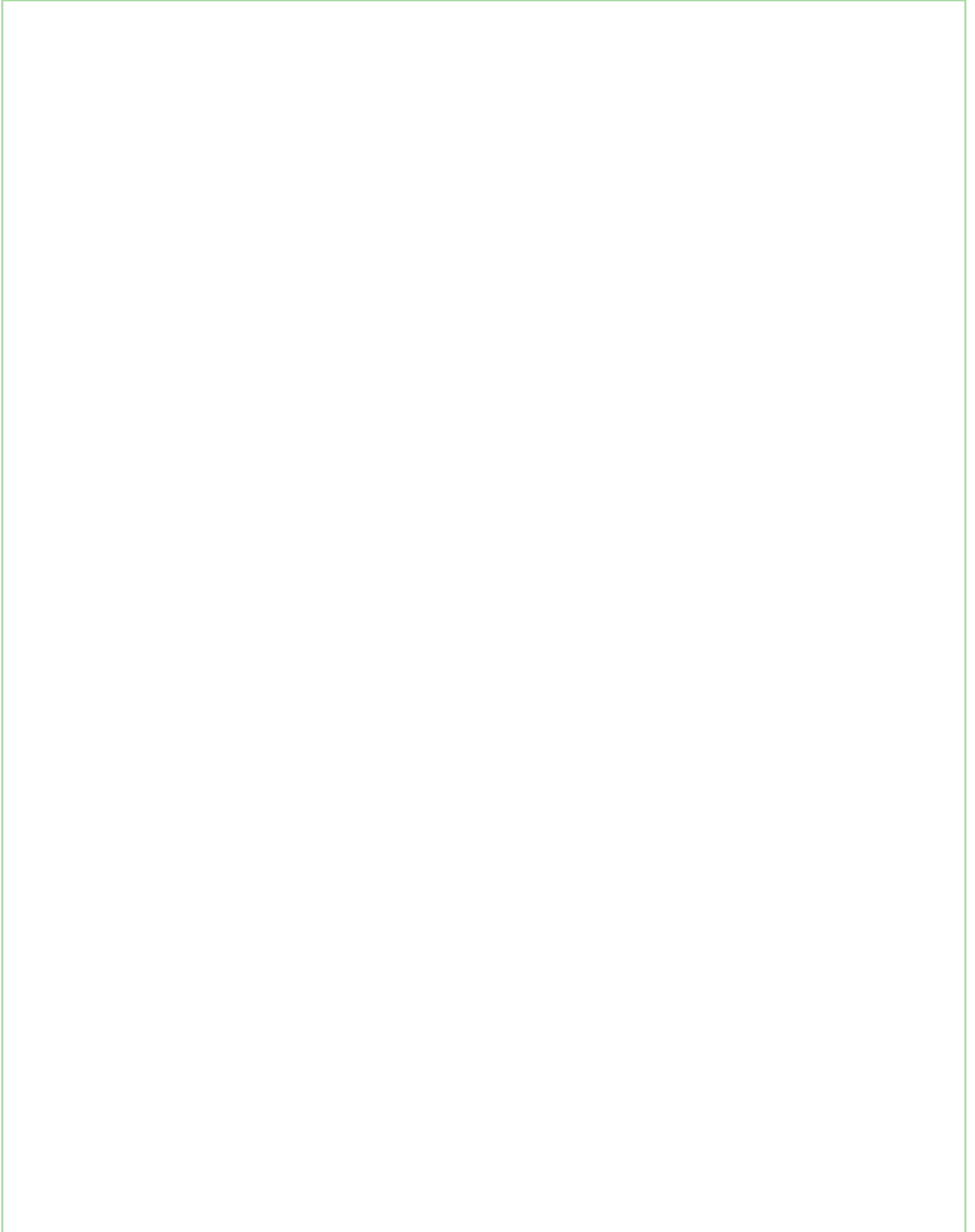
**WHY YOU SHOULD BE TELLING YOUR
MANAGERS ABOUT THE ADA, BUT
MAY NOT BE**

RODNEY KLEIN

Most organizations don't let individual managers control the interactive process. Human Resources controls this process and rightly so, as they are their organization's ADA subject matter experts. So, it follows that most ADA training is given to human resources staff and not individual managers. Unfortunately, this can have negative consequences, as managers sometimes violate the ADA because they haven't been fully trained in their legal responsibilities. So, in this session, we will discuss the parts of the ADA a good manager should know and the parts better left to human resources. We will cover hiring, qualification standards and supervising employees with disabilities.

- NOTES -

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[Sana](#) is a Texas-based company that is leading the value-based care revolution by reducing the cost of high-quality healthcare for small businesses. We provide great coverage at a lower cost, all while making it easier than ever to administer and use those benefits.

Email: kevin.smith@sanabenefits.com

Phone: (512) 764 - 5885

Website: www.sanabenefits.com


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At Sana, we don't restrict our members based on a provider network. We consider all healthcare providers "in-network" and never charge out-of-network fees.

How our flexible network works:

- Our HealthSmart PPO network **covers approximately 90% of providers** across the state of Texas.
- If you use a provider that's not already in our network, **Sana will work with the provider to join our network** or work out a payment agreement. Either way, there's no extra cost or restrictions on using your provider.
- Sana provides in-network access to all hospitals. We don't pre-negotiate rates with a narrow group of in-network hospitals. **We allow you to choose your hospital and then work behind the scenes on your behalf** to negotiate a fair payment for your treatment. This gives you the best of both worlds – more choice and lower costs.





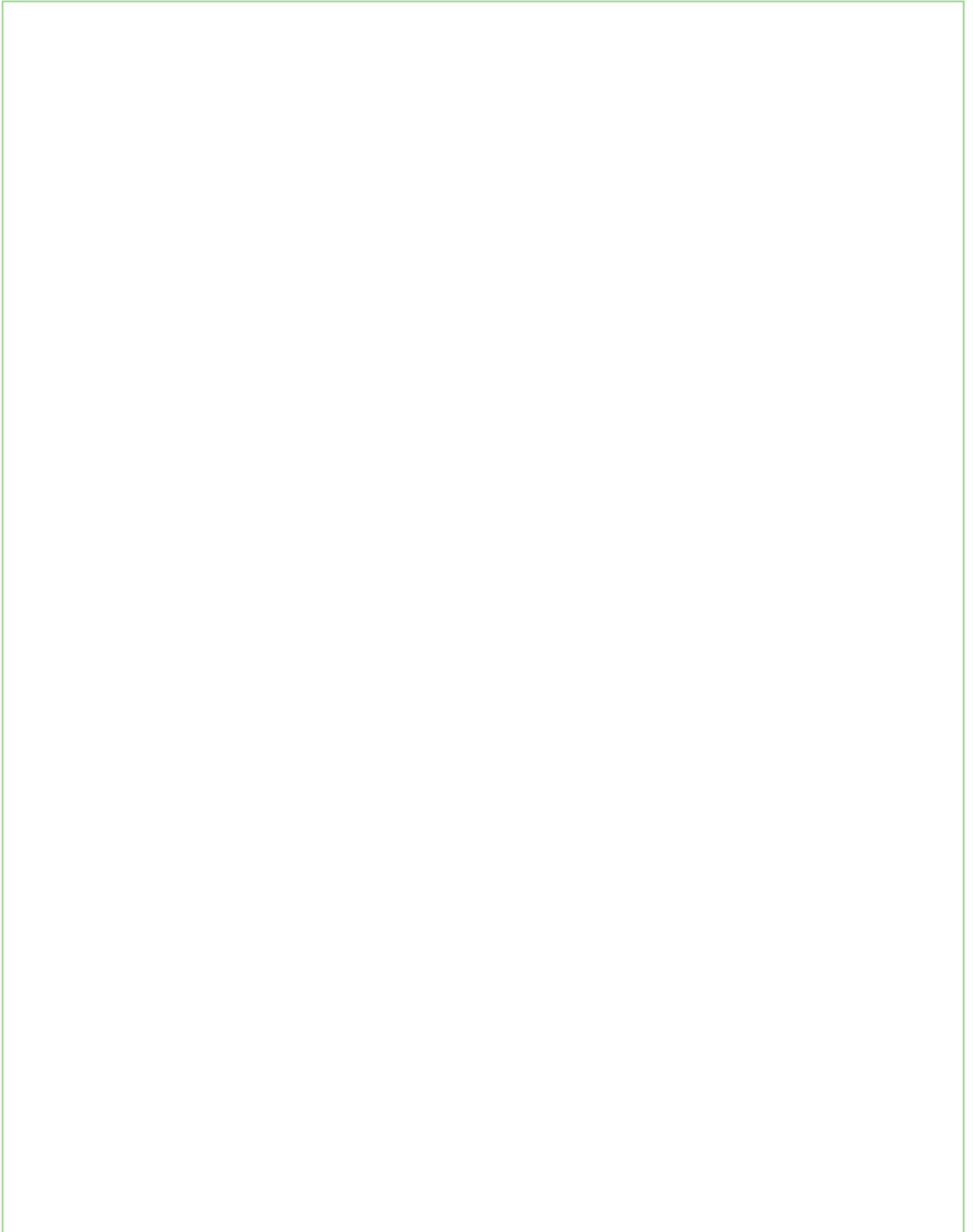
**COULD BENEFITS BE ANYMORE
COMPLICATED? RECENT LEGISLATIVE
& REGULATORY DEVELOPMENTS**

DAVID LEFEVRE

Most organizations don't let individual managers control the interactive process. Human Resources controls this process and rightly so, as they are their organization's ADA subject matter experts. So, it follows that most ADA training is given to human resources staff and not individual managers. Unfortunately, this can have negative consequences, as managers sometimes violate the ADA because they haven't been fully trained in their legal responsibilities. So, in this session, we will discuss the parts of the ADA a good manager should know and the parts better left to human resources. We will cover hiring, qualification standards and supervising employees with disabilities.

- NOTES -

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ROSS | GANNAWAY, PLLC

Attorneys at Law



JULIE B. ROSS



JULIA GANNAWAY

1121 S Carroll Ave, Suite 240
Southlake, Texas 76092

817.442.7130

WWW.ROSSGANNAWAY.LAW

WE WORK FOR EMPLOYERS



Social media in the workplace is a controversial topic and one with many legal frameworks. Join Kristen and Emma in a live panel discussion moderated by Julia as they look at the components of an effective social media policy and explore NLRA implications, privacy rights, the minefields of posting controversial/political topics, and much more. Learn how both employers and employees can protect themselves and gain tools on how to use good judgment on social media to minimize legal issues.

- NOTES -

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Fort Worth HR offers a comprehensive, engaging certification preparation class for experienced human resources professionals. Through the completion of the class, you will obtain the knowledge needed to sit for your certification exam.

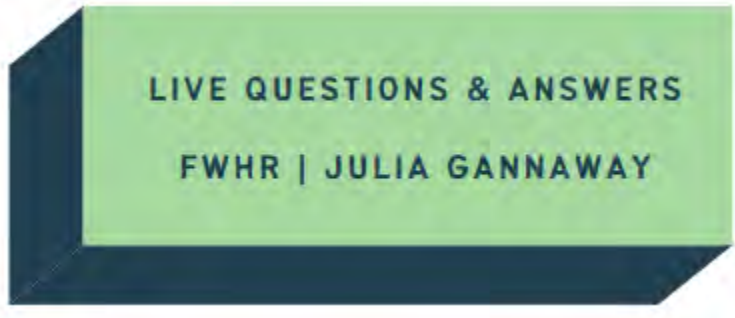
This prep class is suited for HR professionals interested in improving their understanding of HR subject matter, advancing the HR profession and/or enhancing their HR career.

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For more information, contact:

Danielle Snailer
FWHR Certification Director

dnsailer@firstrate.com



- NOTES -

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CONFERENCE INFORMATION

The mission of FWHR, a non-profit organization, is to advance the human resource profession by:

- Promoting the strategic value of human resources
- Developing the skills and knowledge of its members
- Facilitating the development of professional relationships.



2021 ELU Committee Members:

Conferences Director: Joni Lui

Presenters: Joni Lui, Julia Gannaway, J.D., partner of Ross | Gannaway, PLLC

Planning: Isaac Stolar, Jessica Hess, Joni Lui, Julia Gannaway, J.D., Laura Bustamante (SPHR, SHRM-SCP,)

Volunteers: Kacey Key, Natasha Hall (SHRM-SCP)

A special thank you to our event partnerships for ELU:

- HR Certification Institute
- Society of Human Resource Management

Recertification Credits:

This conference has been approved to offer 6.0 recertification credit hours/Professional Development Credits (PDCs) towards SHRM-CP and SHRM-SCP. For more information, please visit the SHRM website at www.shrm.org.

It has also been approved to offer 3.0 business credits and 3.0 general credit hours toward PHR, SPHR and GPHR. For more information about certification or recertification, please visit the HR Certification Institute website at www.hrci.org.



Program IDs will be provided to you after completing the post-conference survey. The survey will be emailed to you on April 24 at 9:00am CST.

Thank you for coming to the 22nd Annual Employment Law Update conference! We'll see you next year!