



# 2019 LEGAL UPDATE

Presented by McNees Wallace & Nurick LLC  
Offered by Northeast PA Society of Human Resources Management



**Thursday**  
**October 10, 2019**  
7:30 a.m. - 4:00 p.m.



**Radisson Lackawanna Station Hotel**  
700 Lackawanna Ave • Scranton, PA 18503

## Agenda

**7:30 – 8:15 a.m. – Registration, Continental Breakfast, and Networking**

**8:15 – 8:30 a.m. – Welcome and Opening Remarks**

**8:30 – 10:00 a.m. – Plenary Session**

This session will focus on the major labor and employment law developments over the past year, and what to expect going forward.

**10:00 – 10:15 a.m. - BREAK**

**10:15 – 11:15 a.m. – Concurrent Breakout Session**

**A. H.R. 101: Personnel Files, Performance Documentation and Telecommuting**

This session is designed for those new to the profession but will serve as a good refresher to the seasoned professional as well. Topics will include (1) Personnel Files - what should be included, what should be excluded, what is confidential; (2) Performance Documentation – how to strike the right balance between delivering candid negative performance evaluations, while still providing the encouraging feedback that those new to the workforce seem to require; and (3) Telecommuting – when it works, when it doesn't.

**B. H.R. 201: ADA/FMLA Selected Issues**

In this session, we will cover some of the more difficult FMLA and ADA scenarios, including accommodation of mental health disabilities and addiction/recovery leaves of absence. We will also discuss the increased use of Third Party Administrators. Think that a TPA will live up to all of the promises? Remember, you are still the "Employer" under the statutes, so you are ultimately responsible for FMLA calculations and the ADA Interactive Process.

**11:15 – 11:30 a.m. - BREAK**

**11:30 a.m. – 12:30 p.m. – Employee Benefits in 2019: Top Compliance Traps (And How to Avoid Them)**

Employers have spent the better part of the past decade trying to stay on top of Affordable Care Act regulations. In the meantime, other compliance issues may have gone unnoticed and plans that require updating may have laid dormant. This interactive session highlights the top compliance issues that our experts encounter most frequently in the realm of retirement plans, health plans, Section 125 plans and other fringe benefits. Whether you are a benefits specialist, HR generalist or in-house counsel, this session will help you determine whether your company's employee benefits require attention.

**12:30 - 1:30 p.m. – LUNCH**

**1:30 – 2:30 p.m. – Medical Marijuana. It seems that it is here to stay and may even be expanding**

This session will explore the impact of its legalization on employment, from random and reasonable suspicion drug testing in an environment where seemingly everyone has a card (and hiring and retention are harder than ever) to reasonable accommodations and workplace safety issues.

**2:30 – 2:45 p.m. - BREAK**

**2:45 – 3:45 p.m. – How Did We Get To Trial?**

In this session, we will take a look back from the Verdict. Through a mock trial format, we will highlight the pitfalls that employers face when working with temporary employees and other independent contractors. Relationships between Temporary Staffing Agencies and Employers can be beneficial to all parties, but the use of temps and independent contractors is not a license to cut corners.

**3:45 – 4:00 p.m. – Closing, Seminar Evaluations & Raffle**

**Early Bird Discount** if registered  
by September 27<sup>th</sup> – \$125.00

*(You must be a NEPA SHRM Member to get the  
Early Bird Discount)*

Regular Registration – \$150.00

Student or Unemployed – \$75.00

You must register online by

**October 7, 2019** at

[www.nepashrm.shrm.org](http://www.nepashrm.shrm.org)

Registration fees are Non-Refundable

*(If you are unable to attend, you may  
send someone in your place.)*

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Wilkes-Barre, PA 18703

Please include participant name,  
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