

24th Annual Labor and Employment Law Conference



ORIGINAL PROGRAM DATE

November 22, 2024

AVAILABLE MEDIA TYPES

Video & Audio MP3

*Presented in partnership with the WSBA
Labor and Employment Law Section*

REPORTING YOUR CREDIT

This on-demand seminar was originally presented as a live webcast on November 22, 2024, in Seattle, WA. If you attended the live webcast and reported CLE credits, you cannot also report credits from watching or listening to this recording if repeated within your three year reporting period.

DESCRIPTION

Join us on-demand for the 24th Annual Labor and Employment Law Conference. Panels present essential updates, practical advice and helpful tips. Hear from plaintiff and defense practitioners as well as other professionals from throughout Washington State and Washington DC.

AGENDA

1 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.

Jessie Harris – Williams Kastner & Gibbs PLLC, Seattle, WA

Nancy Maisano – Maisano Mediation, LLC, Seattle, WA

Kathleen Wareham – Washington Arbitration & Mediation Service, Seattle, WA

Moderator: *Sarah Spierling Mack – Pacifica Law Group, Seattle, WA*

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2 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.

Jennifer Truong – Ryan Swanson Cleveland, PLLC, Seattle, WA

Brian Wright – Causey Wright, P.S., Seattle, WA

Moderator: *Matthew Kelly – Foster Garvey PC, Seattle, WA*

3 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.

Sara Amies – Hessel Fetterman LLP, Seattle, WA

Erica Shelley Nelson – Vick, Julius, McClure, P.S., Woodinville, WA

Moderator: *Bradley Medlin – Robblee Detwiler PLLP, Seattle, WA*

4 ABCs of Labor Law PLUS What's Next under President-elect Trump'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 Trump Board from John D'Elia, a DC-based SEIU labor attorney who closely follows NLRB and Congressional developments.

Charles Bradley – Providence Health and Services, Renton, WA

John D'Elia – Service Employees International Union, Washington, DC

Sarah Derry – Barnard Iglitzin & Lavitt LLP, Seattle, WA

Moderator: *Laurel Webb – Service Employees International Union, Seattle, WA*

5 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.

Darren Feider – Sebris Busto James P.S., Bellevue, WA

James Pizl – Entente Law PLLC, Puyallup, WA

Moderator: *Angela Hayes – Associated Industries, Spokane, WA*

Moderator: *Colin McHugh – McHugh Law, PLLC, Vancouver, WA*

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6 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.

Vice Chair Jocelyn Samuels – U.S. Equal Employment Opportunity Commission, Washington, DC

Craig Leen – K&L Gates LLP, Washington, DC

Cassandra Lenning – Outten & Golden LLP, Seattle, WA

Moderator: *Jess Kang – K&L Gates LLP, Seattle, WA*



25th Annual Labor and Employment Law Conference

ORIGINAL PROGRAM DATE

November 21, 2025

*Presented in partnership with the
WSBA Labor and Employment Law Section*

REPORTING YOUR CREDIT

This on-demand program was a live seminar presented on November 21, 2025. If you attended or viewed the original presentation, please note that WSBA members may not claim credit for the same CLE sessions if repeated within their three-year reporting period.

DESCRIPTION

Join us on-demand for the Labor and Employment Law Section's annual CLE program. Panels discussing the most crucial topics and trends will provide you with helpful information and things to be aware of for the new year.

AGENDA

1 Your Honor, The Algorithm Objects: AI and the Modern Courtroom

Artificial intelligence has moved from theory to reality—and into the courtroom. From AI-generated filings and predictive tools to the analysis of digital evidence, emerging technologies are rapidly changing how cases are presented and reviewed. In this timely and thought-provoking presentation, a panel of state and federal judges will explore the evolving role of AI in litigation, with particular attention to its impact on access to justice and the growing number of pro se litigants. The discussion will examine key concerns around fairness, transparency, and ethical responsibility, and will offer practical guidance on how defense counsel can effectively respond to AI-generated filings in ways that assist the court. Panelists will also share insight into how judges are adapting to the promises and pitfalls of AI in the matters before them.

Hon. Kymberly Evanson – United States District Court of the Western District of Washington, Seattle, WA

Hon. Michael Scott – King County Superior Court, Seattle, WA

Moderator: *Sarah Spierling Mack – Pacifica Law Group, Seattle, WA*

2 The Shifting of Workplace Discrimination Law: Emerging Trends and Strategies

This panel brings together a former EEOC Chair, as well as employer and plaintiff's attorney to discuss the EEOC's evolving enforcement priorities and their implications for practitioners. The panel will also examine emerging trends in federal court litigation and federal policy, including flashpoint cases on diversity, equity, inclusion, accessibility, religious accommodation, and pregnant worker claims. Panelists will share their experiences and perspectives on navigating this shifting landscape and preparing for what lies ahead.

Charlotte A. Burrows – Former Chair, U.S. Equal Employment Opportunity Commission; Executive Fellow in Applied Technology Policy, UC Berkley; Fellow, New York University School of Law

Matthew O'Laughlin – Maloney O'Laughlin, PLLC, Seattle, WA

Lauren Parris Watts – Seyfarth Shaw LLP, Seattle, WA

Moderator: *Andrea Scheele – City of Seattle, Civil Service Commissions, Seattle, WA*

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3 Washington Paid Family and Medical Leave: Changes and Continued Challenges

The state paid leave program has been providing benefit coverage to eligible workers for nearly six years. Employers and employees continue to face program challenges, whether managing workplace absences or accessing benefits - and big changes are coming to PFML in 2026. This informative panel will address Washington's House Bill 1213 which expands PFML by extending job protection and health benefits to more workers, and making other changes to the program, which take effect starting January 1, 2026. The panel will also tackle common challenges for employers and employees through the use of case studies, including managing the intersection of FMLA and PFML.

Jason Barrett - Employment Security Department, Olympia, WA

Cynthia Heidelberg - Breskin, Johnson & Townsend PLLC, Seattle, WA

Reba Weiss - Weiss Law Firm PLLC, Seattle, WA

Moderator: *Angela Hayes - Associated Industries, Spokane, WA*

4 Legislative and Appellate Updates for Labor and Employment Practitioners

A panel review of important employment legislation passed by the Washington State Legislature this year, as well as recent state and federal appellate court rulings affecting labor and employment practitioners in Washington.

Munia Jabbar - Frank Freed Subit & Thomas LLP, Seattle, WA

Timothy O'Connell - Stoel Rives LLP, Seattle, WA

Andrea Schmitt - Columbia Legal Services, Olympia, WA

Moderator: *Heather Shook - Perkins Coie LLP, Seattle, WA*

5 The Comeback Kid: Navigating Employees' Return to Work, Including Accommodations, CBA Considerations, and More

What happens when an employee—on leave or ready to return from leave—is called back to work? Indefinite leave? CBA conflicts? An ongoing accommodation? Hear from several seasoned panelists on the legal issues and considerations that arise when an employee is called back to work.

Alex Higgins - Law Offices of Alex J. Higgins, Seattle, WA

Vivian Kim - Hanmi Financial Corporation, Los Angeles, CA

Erica Shelley Nelson - Vick, Julius, McClure, P.S., Woodinville, WA

Moderator: *Jessica Kang - K&L Gates LLP, Seattle, WA*

Moderator: *Bradley Medlin - Robblee Detwiler PLLP, Seattle, WA*

6 Emerging Issues in Employment Class Actions

This panel will cover recent developments in the Washington Equal Pay and Opportunities Act, wage and hour issues including rest and meal breaks, off the clock claims, post *Androckitis vs. Virginia Mason* claims, clock rounding, non-compete class actions related to RCW 49.62, and Washington's Silence No More Act.

Elizabeth Adams - Terrell Marshall Law Group PLLC, Seattle, WA

Erin Wilson - Ballard Spahr LLP, Seattle, WA

Moderator: *Colin McHugh - McHugh Law, PLLC, Vancouver, WA*

7 Labor and Employment Cases You Won't Believe

Hear varying perspectives on intriguing cases and some of the strategies, legal and investigative, that were used. Example cases covered will include sexual harassment and employment discrimination.

Hannah Driscoll - Crystal Investigations, Seattle, WA

Kelsey Jost - Crystal Investigations, Seattle, WA

Darren Feider - Sebris Busto James, Bellevue, WA

Jack Green - Green, Ritchie & Boger, PLLC, Vancouver, WA

Moderator: *Greg Ferguson - Law Offices of Gregory D Ferguson PC and Ferguson Mediation, Vancouver, WA*