AGENDA

53rd Annual Conference on Labor and Employment Law
Sept. 21-23, 2023
Hyatt Regency Hotel
1800 Presidents St, Reston, VA 20190
MCLE Credits: 13.0 (2.0 Ethics) Approved

Thursday, Sept. 21

9 a.m.                      Annual Section Golf Outing

1:30 – 6 p.m.              Registration Desk Open

2 – 2:45 p.m.              Section Council Meeting (Council Members Only)

3 p.m.                     Welcome; Program Notes

3:05 – 4:30 p.m.           Three-Year Lookback Period: A Retrospective of the 2020 Changes in Virginia Employment Law
(90 min. CLE)

Speakers: John M. Bredehoft
          Kaufman & Canoles, P.C., Norfolk

          Harris D. Butler III
          Butler Curwood, Richmond

          Edward Lee Isler
          IslerDare, Tysons Corner

4:30 – 4:45 p.m.           Break

4:45 – 5:45 p.m.           Early Bird Ethics
(60 min. Ethics CLE)

Speakers: Faith A. Alejandro | Chair, Legislative Committee, VBA Labor and Employment Law Section
          Sands Anderson, Richmond

          Carla D. Brown
          Charlson Bredehoft Cohen Brown & Nadelhaft, Reston
          Roya Vasseghi
          Vasseghi Budd PLLC, Fairfax
53rd Annual Conference on Labor and Employment Law

**Moderator:** Kevin E. Martingayle  
Bischoff Martingayle, Virginia Beach

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>5:45 – 6 p.m.</td>
<td>Legislative Committee Update (Working on a legislative fix to clarify the “right to sue” process under the VHRA)</td>
<td>Grand Ballroom A-D</td>
</tr>
<tr>
<td></td>
<td>(No CLE Credit)</td>
<td></td>
</tr>
</tbody>
</table>
|                    | **Speakers:** Faith A. Alejandro | Chair, Legislative Committee, VBA Labor and Employment Law Section  
Sands Anderson, Richmond  
Kevin E. Martingayle  
Bischoff Martingayle, Virginia Beach |
| 6 – 7 p.m.         | Welcome Reception (For registrants, spouses and guests)              | Conservatory               |
| 9 p.m.             | Hospitality Suite                                                   | The Living Room           |

**Friday, Sept. 22**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:15 – 9:45 a.m.</td>
<td>Breakfast</td>
<td>Grand Ballroom D</td>
</tr>
<tr>
<td></td>
<td>Registration Desk Open</td>
<td>Foyer</td>
</tr>
<tr>
<td>7:30 a.m. – 5 p.m.</td>
<td>Registration Desk Open</td>
<td>Grand Ballroom D</td>
</tr>
<tr>
<td></td>
<td>Welcome; Program Notes</td>
<td>Foyer</td>
</tr>
<tr>
<td>8 – 8:15 a.m.</td>
<td><strong>Welcome; Program Notes</strong></td>
<td>Grand Ballroom A-D</td>
</tr>
</tbody>
</table>
|                    | Craig J. Curwood | Chair, VBA Labor and Employment Law Section  
Butler Curwood, Richmond |
| 8:15 – 9:30 a.m.   | Annual Update on Labor and Employment Law                             | Grand Ballroom A-D        |
|                    | *(75 min. CLE)*                                                      |                           |
|                    | **Speakers:** Tim Schulte  
Shelley Cupp Schulte, Richmond  
Laura D. Windsor  
Williams Mullen, Richmond |
| 9:30 – 9:45 a.m.   | Mid-morning Break                                                    |                           |
| 9:45 – 11 a.m.     | Workplace Culture Investigations from Employer and Employee Perspectives | Grand Ballroom A-D        |
|                    | *(75 min. CLE)*                                                      |                           |
**53rd Annual Conference on Labor and Employment Law**

**Speakers:** Lindsay Buchanan Burke  
Covington & Burling, Washington, D.C.  
Cyrus Mehri  
Mehri & Skalet, Washington, D.C.

**11 a.m. – 12 p.m.**  
Work Product and Privilege Issues for Employment Lawyers  
(60 min. CLE)  
Grand Ballroom A-D

**Speakers:** Thomas E. Spahn  
McGuireWoods, Tysons

**12 – 12:15 p.m.**  
Section Annual Meeting; Presentation of Awards: (50 Years in Practice, and the Chair Award)  
Grand Ballroom A-D

**12:15 – 1:15 p.m.**  
Lunch – Included for registrants, additional fee for guests  
Regency Ballroom

**1:15 – 2:45 p.m.**  
Trial Judge’s Panel  
(90 min. CLE)

**Speakers:**  
The Honorable John A. Gibney, Jr.  
U.S. District Court, Eastern District of Virginia  
The Honorable David A. Oblon  
Fairfax County Circuit Court  
The Honorable Kathleen M. Uston  
Alexandria Circuit Court  
Elaine Charlson Bredehoft  
Charlson Bredehoft Cohen Brown & Nadelhaft, Reston

**Moderator:**  
Elaine Charlson Bredehoft  
Charlson Bredehoft Cohen Brown & Nadelhaft, Reston

**2:45 – 3 p.m.**  
Break

**3 – 4:30 p.m.**  
Artificial Intelligence and Algorithms in Employment Screening  
(90 min. CLE)

**Speakers:**  
Victoria A. Lipnic  
Resolution Economics LLC  
Dr. Frida Polli  
Harver  
Keith Sonderling  
Commissioner, Equal Employment Opportunity Commission
53rd Annual Conference on Labor and Employment Law

Moderator:  John E. Thomas, Jr.
McGuireWoods, Tysons

4:30 – 4:45 p.m.  
Break

4:45 – 5:45 p.m.  
Whistleblower Claims in Virginia  
(60 min. CLE)

Speakers:  
Broderick C. Dunn  
Cook Craig & Francuzenko, Fairfax

Lindsey S. Komisin  
IslerDare, Richmond

5:45 – 7 p.m.  
Reception

7 p.m.  
Dine Arouunds

9 p.m.  
Hospitality Suite

Saturday, Sept. 23

7:30 – 9:45 a.m.  
Breakfast

7:30 – 11:30 a.m.  
Registration Desk Open

8:25 a.m.  
Remarks and Announcements

David C. Burton | Vice Chair, VBA Labor and Employment Law Section  
Williams Mullen, Virginia Beach

8:30 – 9:30 a.m.  
NLRB Update  
(60 min. CLE)

Speakers:  
Fred B. Jacob  
Solicitor, NLRB, Washington, D.C.

Justin Keating  
Beins, Axelrod & Keating, Washington, D.C.

Kurt Larkin  
Hunton Andrews Kurth LLP, Richmond

Moderator:  King F. Tower  
Woods Rogers Vandeventer Black PLC, Roanoke

9:30 – 9:45 a.m.  
Mid-morning Break
## Breakout Sessions

### Breakout 1
**9:45 – 10:45 a.m.**
*(60 min. CLE)*

**Speakers:**
- Joshua L. Jewett
  Pierce McCoy, Norfolk
- William C. Tucker
  Tucker Law Firm, Charlottesville
- Amanda M. Weaver
  Williams Mullen, Richmond

**Wage/Hour Update – Collective Action Settlements in Federal and State Courts**

**Location:** Grand Ballroom A-D

### Breakout 2
**9:45 – 10:45 a.m.**
*(60 min. CLE)*

**Speakers:**
- Wade T. Anderson
  Prince William County Schools
- Brittany A. McGill
  Office of the Attorney General of Virginia, Richmond
- Eric Paltell
  IslerDare, Tysons Corner
- Ronald N. Regnery
  Office of the Attorney General of Virginia, Richmond

**Recent Developments in the Public Sector (Including an Update on Collective Bargaining)**

**Location:** Regency Ballroom

### 10:45 – 11 a.m.

**Break**

### 11 a.m. – 12 p.m.
*(60 min. Ethics CLE)*

**Speakers:**
- Evan Clarke
  Armstrong Bristow Farley & Schwarzchild PLC, Richmond
- Janie L. Rhoads | Virginia Judges and Lawyers Assistance Program, Past President
  Hirschler Fleischer, Richmond
- K. Dennis Sisk
  McGuireWoods LLP, Richmond
- Jack W. “JB” Burtch, Jr.
  Burtch Law, Richmond

**Lawyering is a Tough Profession – Some Reflections on Lawyer Wellness**

**Location:** Grand Ballroom A-D

---

53rd Annual Conference on Labor and Employment Law
12:00 p.m. Final Remarks

David C. Burton | Vice Chair, VBA Labor and Employment Law Section
Williams Mullen, Virginia Beach

ADJOURN