

## **2022 EXCEL TRAINING (VIRTUAL) CONFERENCE**

### **EXamining Conflicts in Employment Law**

The EXCEL Training (Virtual) Conference gathers Equal Employment Opportunity (EEO), Human Resources (HR), and Alternative Dispute Resolution (ADR) practitioners from private, state, local, and Federal organizations for three days of education, training, and professional development.

Each workshop description includes an audience designation to help participants select the most appropriate session. The audience designations are F - Federal, P - Private, and F/P for both Federal and private audiences. These designations are suggestions. Participants are encouraged to explore the available workshops based on their interests.

Eastern Time (EDT/EST) is the local time zone observed.

TUESDAY	AUGUST 23, 2022
<b>10:15am - 10:30am</b>	<b>Morning Convening</b>
<b>10:30am - 11:30am</b>	<b>CONVERSATIONS</b>
	<p><b>Charlotte Burrows, Chair, U.S. Equal Employment Opportunity Commission (EEOC)</b>  <b>Kiran Ahuja, Director, Office of Personnel Management (OPM)</b>  <b>Jenny R. Yang, Director, Office of Federal Contract Compliance Programs (OFCCP)</b></p> <p>Chair Burrows, Directors Ahuja, and Yang will kick off EXCEL's 25th anniversary and discuss the Biden Administration's whole-of-government approach to equity and the future of work. They will also highlight the EEOC and OPM's efforts to promote diversity, equity, inclusion, and accessibility in America's workplaces.</p>
<b>11:30am - 11:45am</b>	<b>Break</b>
<b>11:45am - 1:00pm</b>	<b>WORKSHOP SESSION 1</b>
<b>1A</b>	<p><b>Harassment 2.0: How to Recognize, Prevent, and Remedy Virtual Harassment, Cyberbullying (P/F)</b>  <b>Stephanie Herrera and Justin Evans (EEOC), Dionne Shy (USDA), and Alexis Tsotakos (Gilbert Employment Law, P.C.)</b></p> <p>Promptly addressing harassment and claims of hostile work environment can help develop and maintain a respectful workplace, even when teleworking. Panel members will address the prevention of cyberbullying as well as inappropriate online communication and conduct and offer best practices for investigating and remedying virtual harassment. Participants will learn to recognize signs of harassment and develop an understanding of an agency's responsibility to prevent, investigate, and remedy hostile work environments. Participants will discuss real world examples of common EEO complaints involving cyberbullying and inappropriate online conduct through instant messages, posts, and emails.</p>

<b>11:45am - 1:00pm</b>	
<b>WORKSHOP SESSION 1 - CONT.</b>	
<b>1B</b>	<p><b>Be Like Water: Combatting Anti-AAPI Hate During COVID-19 (P/F)</b>  <b>Dr. Russell Jeung (San Francisco State University)</b></p> <p>In this workshop, Dr. Jeung, who is the co-founder of Stop AAPI Hate, will explore the explosion of discrimination against Asian American and Pacific Islander (AAPI) people during the COVID-19 pandemic and its impact on the AAPI community. Participants will learn how the most current surge of anti-AAPI discrimination has its roots in this country's historic treatment of members of the AAPI community. Finally, the workshop will highlight community responses to the recent discrimination and how to combat anti-AAPI moving forward.</p>
<b>1C</b>	<p><b>Next-Level Accommodation and ADA Challenges (P/F)</b>  <b>Tracie DeFreitas (Job Accommodation Network)</b></p> <p>The bar for compliance with job accommodation and the Americans with Disabilities Act (ADA) has significantly risen, requiring a higher level of competence, ADA analysis, and engagement in the interactive accommodation process. Level up your ADA and accommodation game by learning practical ways to master complex accommodation and ADA situations. In this session, a representative from Job Accommodation Network (JAN) will share expert, practical guidance on conducting the interactive process, addressing performance issues, modifying workplace policies, managing leave and attendance, and providing pandemic-related reasonable accommodations.</p>
<b>1D</b>	<p><b>Deep Dive into DEI&amp;A ... Wherefore Your Analytics? (P/F)</b>  <b>Victoria Lipnic, Dr. Ye Zhang, and Dr. Julie Frizell (Resolution Economics)</b></p> <p>Under Executive Order 14035, government-wide Diversity, Equity, Inclusion &amp; Accessibility (DEI&amp;A) initiatives will affect all Federal workforce and human capital management programs. This session will show the interactive and complementary roles that agency HR officials and labor economists can play under increasing compliance pressure and the potential need for litigation risk management. The panel will discuss data needs to identify and remediate gaps in DEI&amp;A programs throughout the employment life cycle. The discussion will distinguish the functions that data-driven DEI&amp;A analytics play in Federal versus private sectors, each of which is limited by its own institutional settings. DEI&amp;A efforts at different organizations can be at different levels of maturity. The panel will take the audience through the DEI&amp;A program cycle, from basic representation rates to deep-dive analyses and investigations, to identify potential program deficiencies and assist employers (Federal and private) in their DEI&amp;A strategic planning.</p>
<b>1:00pm - 1:45pm</b>	<b>Lunch</b>



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1:45pm - 3:00pm <b>WORKSHOP SESSION 2</b>	
<b>2A</b>	<p><b>Interviewing Techniques for Federal Counselors and Investigators (F)</b>  <b>Marcus Artis (EEOC)</b></p> <p>In this session for investigators and counselors, an experienced EEO professional will guide you on how to ask the right questions to develop a complete and impartial record. This course will delve into the legal theories behind complainants' claims of discrimination and how to use those theories to develop thorough requests for information. At the end of this session, attendees will receive guides for developing questions during the informal and formal process.</p>
<b>2B</b>	<p><b>Pay Equity Self-Audits in DEI&amp;A Programs (P)</b>  <b>Craig Leen (K&amp;L Gates)</b></p> <p>Employers should be proactively assessing pay equity on a regular basis. Typically, such audits focus on pay disparities based on race, ethnicity, and gender. Self-audits should also analyze intersectional pay disparities for both race and gender together (as women of color face the largest pay gaps in the United States), as well as address pay equity for individuals with disabilities. This presentation will provide guidance and best practices on how to conduct effective pay equity self-audits, and why they are critical for effective DEI&amp;A programs. Quantitative and qualitative pay equity audits will be assessed from a legal and compliance perspective.</p>
<b>2C</b>	<p><b>Retaliation (a.k.a. Reprisal): The Most Frequently Alleged Basis of Discrimination (P/F)</b>  <b>Sarah Caudrelier (EEOC)</b></p> <p>Retaliation remains the most frequently alleged basis of employment discrimination. This session will offer insight on significant court and Federal sector cases, as well as best practices for avoiding retaliation claims.</p>
<b>2D</b>	<p><b>What Everyone Should Know About Section 508 (P/F)</b>  <b>Tim Creagan (United States Access Board)</b></p> <p>Everyone wins when workspaces are accessible for all employees. This session discusses requirements for ensuring workplace accessibility for persons with disabilities. Attendees will learn about information and communication technology requirements for computers, software, websites, electronic documents, and more under Section 508 of the Rehabilitation Act. This session is a great introduction for those new to Section 508 and a useful refresher for experienced attendees.</p>
<b>3:00pm - 3:15pm</b>	<b>Break</b>

3:15pm - 4:30pm <b>WORKSHOP SESSION 3</b>	
<b>3A</b>	<p><b>Hard to Accept? A Discussion on Acceptance &amp; Dismissal Issues (F)</b>  <b>Ingrid Dietsch-Field and Marqui Willoughby (EEOC)</b></p> <p>Are EEOC dismissals still a mystery to you? Are you not quite sure when it's appropriate to use certain dismissal regulations? If so, the numbers show you are not alone. In fiscal year 2021, 31% of procedural dismissals were remanded on appeal to the EEOC. To help demystify the decision-making process, this session will look at dismissal regulations under 29 CFR 1614.107, discuss real accept/dismiss scenarios, and explore the reasoning behind the EEOC's decisions to remand or affirm.</p>
<b>3B</b>	<p><b>EEOC Explore: A Modern Way to Understand EEO-1 Data (P/F)</b>  <b>Daniel McGregor and Jiashen You (EEOC)</b></p> <p>The EEOC collects annual reports detailing workforce demographics from private employers, federal contractors, and financial institutions who meet certain filing requirements. The EEO-1 data constitutes around one-third of the American labor force, covering over 73,000 employers nationwide. While this dataset is large and complex, the EEOC Explore tool was launched to make it easy to for the public to navigate the aggregate data. This session serves as a brief tutorial with guided examples to visualize, query, and explore data trends of the EEO-1 data using the EEOC Explore's interactive dashboard.</p>
<b>3C</b>	<p><b>Managing Religious Accommodation at Work (P/F)</b>  <b>Timothy Bladdek (EEOC)</b></p> <p>Both the Supreme Court and the EEOC have reinforced the requirement for an employer to accommodate an employee's sincerely held religious beliefs, practices, and observances, unless it would pose an undue hardship. This will usually entail making a special exception from, or adjustment to, a particular requirement that creates a conflict. As such, managers and HR officials must frequently address and balance the rights and responsibilities of employees/applicants and employers. This session will provide an overview of the principles involved in providing religious accommodation and managing requests for accommodations, with an emphasis on practical application.</p>
<b>3D</b>	<p><b>Who Gets the Benefit of the Doubt? (P/F)</b>  <b>Ahmad Burse (EEOC)</b></p> <p>We often choose to accept and trust people who are like us. Although this unconscious decision-making assisted in our survival as a species, providing the benefit of the doubt to others can improve our personal and professional relationships. This session will provide tools for participants to become inclusive allies and critically consider who gets the benefit of the doubt.</p>

<b>WEDNESDAY</b>		<b>AUGUST 24, 2022</b>	
<b>10:15am - 10:30am</b>		<b>Morning Convening</b>	
<b>10:30am - 11:45am</b>		<b>WORKSHOP SESSION 4</b>	
<b>4A</b>	<p><b>CREED Model - Session 1: The Tenets of Inclusive Leadership (P/F)</b> <b>Dr. Alvin Tillery, Jr. (Northwestern University)</b></p> <p>This workshop will discuss the current demands for inclusive leadership competencies within organizations and make the business case for responding to these demands by becoming an inclusive leader. The workshop will explore common leadership styles in organizations. Dr. Tillery will focus on the “servant-leader” model and why adopting this framework is the most conducive to developing the habits and competencies of inclusive leadership. The workshop will close with a description of the fundamental competencies that social psychologists have recognized as the traits of inclusive leaders.</p>		
<b>4B</b>	<p><b>Tricky EEO Scenarios: From Hire to Fire (P)</b> <b>William Cash (EEOC), Cynthia Nance (University of Arkansas School of Law), and Daniel Herrington (Friday, Eldredge and Clark, LLP)</b></p> <p>This session will examine EEO issues from pre-hire to termination and suggest best practices throughout. The panel will address barriers to employment and current workplace challenges for employees and employers. Using scenarios to flesh out these topics, the speakers will provide their own unique approaches and perspectives.</p>		
<b>4C</b>	<p><b>Bringing Clarity to Mixed Cases (F)</b> <b>Sara Snyder (MSPB), Lawrence Green, and Zachary Wright (EEOC)</b></p> <p>An experienced panel will discuss the confusing path a discrimination claim can take when the action alleged, such as a constructive discharge or denial of reasonable accommodation, falls within the jurisdiction of the Merit Systems Protection Board (MSPB). MSPB Chief Judge Sara Snyder, EEOC Administrative Judge Zachary Wright, and EEOC Attorney Advisor Lawrence Green will explain the applicable law and discuss examples of how these situations arise at different stages of the process. The panel will also offer best practices for agency complaint processing and examine the consequences of MSPB jurisdictional determinations on future review.</p>		

<b>10:30am - 11:45pm    WORKSHOP SESSION 4 - CONT.</b>	
<b>4D</b>	<p><b>Leadership and Learning: Building Lawful, Inclusive, Productive Workplaces (P/F)</b> <b>Stephen Paskoff (ELI, Inc.)</b></p> <p>Too often organizations rely on once-and-done, check-the-box training and aspirational leadership statements to drive change in daily workplace actions and behaviors. That does not work. More is required. Habits must change. This interactive session will offer tools to help employers build and sustain legal, diverse, and equitable cultures aligned with core equal employment principles and each organization’s mission and values. When workplace behavior and actions are linked to the success of other operationally critical standards, such as safety and quality, culture changes and organizational results are maximized. This session will include a simulation of effective learning methods, provide models for daily leader and team behavior, and explore ways to help prevent, detect, and correct issues as they arise while building trusting teams and a collegial, results-driven environment.</p>
<b>11:45am - 12:00pm    Break</b>	
<b>12:00pm - 1:15pm    WORKSHOP SESSION 5</b>	
<b>5A</b>	<p><b>CREED Model - Session 2: The CREED Model for DEI Leadership (P/F)</b> <b>Dr. Alvin B. Tillery, Jr. (Northwestern University)</b></p> <p>This workshop will highlight how attaining the psychological competencies of inclusive leadership is often not enough to promote organizational transformation around diversity, equity, and inclusion (DEI). Participants will learn how to combat organizational inertia and resistance by using the CREED Model for DEI leadership. Dr. Tillery will discuss the social scientific underpinnings of the CREED Model and how this foundation makes it a very powerful tool to promote change around DEI. The workshop will close with a brief discussion of case studies where leaders in the governmental, corporate, and non-profit sectors used the CREED Model to promote DEI at their organizations.</p>



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<b>12:00pm - 1:15pm</b>		<b>WORKSHOP SESSION 5 - CONT.</b>	
	<b>5B</b>	<b>Advancing Equity with Data: A Demonstration of the Census Bureau's Data Tools (P/F)</b>	<p><b>Dr. Gabriel Amaro, Dr. Lynda Laughlin, and Chip Walker (U.S. Census Bureau)</b></p> <p>The Census Bureau is committed to producing data that depict an accurate portrait of America, including its underserved communities. This session will provide a demonstration of the Census Bureau's website and data tools for <a href="#">Advancing Equity with Data</a>. Participants will learn how to navigate several easy-to-use tools, including <a href="#">My Community Explorer (MCE)</a> and <a href="#">Community Resilience Estimates</a>. If time permits, we will also explore Local Employment Dynamics for data on the local labor force. Participants are encouraged to explore our <a href="#">data tools</a> ahead of time, to maximize their experience in this hands-on training.</p>
	<b>5C</b>	<b>The ABCs of an Effective Investigation (F)</b>	<p><b>Maria Kaplan (EEOC)</b></p> <p>When an employee files an EEO complaint with their agency's EEO office, the way the investigation is processed can either be an opportunity for increased efficiency and trust in the process or a breakdown in communication that leads to lack of engagement. This session will cover the basics of conducting an effective investigation that handles employee complaints promptly, fairly, and effectively.</p>
<b>1:15pm - 2:00pm</b>		<b>Lunch</b>	
<b>2:00pm - 3:15pm</b>		<b>WORKSHOP SESSION 6</b>	
	<b>6A</b>	<b>Equitable Artificial Intelligence in the Workplace (P/F)</b>	<p><b>Corrine Weible and Bill Curtis-Davidson (PEAT)</b></p> <p>Innovations in artificial intelligence (AI) are rapidly reshaping the workplace, from automated hiring systems to assistive technology. This session will explore AI's potential to both help and hinder employment success for people with disabilities. The session will also share best practices for responsible and inclusive implementation of AI-enabled workplace technologies.</p>



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2:00pm - 3:15pm	WORKSHOP SESSION 6 - CONT.
<p><b>6B</b></p>	<p><b>The Alarming Rise of Antisemitism and the Impact on Work (P/F)</b>  <b>Jonathan A. Segal (Duane Morris, LLP)</b></p> <p>We as a nation are currently experiencing an alarming increase in antisemitism, and the first step in addressing the problem is to acknowledge that it exists. This session will provide an overview of historical and modern antisemitism, as well as discuss the legal protections in the workplace for Jewish applicants and employees. The session will close with specific steps DEI&amp;A leaders can take to decrease the likelihood that anti-Jewish discrimination and harassment will occur in the workplace and increase the sense of belonging for Jewish employees.</p>
<p><b>6C</b></p>	<p><b>Connecting the Dots: EEO, Barrier Analysis, and DEI&amp;A (F)</b>  <b>Ahmad Burse and Gul Chaudhry (EEOC)</b></p> <p>Federal sector EEO focuses on compliance with laws and regulations. Barrier Analysis requires agencies to examine triggers and identify barriers to equitable policies, practices, and procedures. Executive Order (EO) 14035 on Diversity, Equity, Inclusion, and Accessibility (DEI&amp;A) requires the Federal Government to be a model for DEI&amp;A practices. This session will cover the requirements of EO 14035 and how they can help your agency achieve its strategic goals.</p>
<p><b>6D</b></p>	<p><b>Developing Strategies to Build an Inclusive Culture that Drives EEO Objectives &amp; Behavioral ROI (P/F)</b>  <b>Dr. Edward Hubbard (Hubbard &amp; Hubbard, Inc.)</b></p> <p>Many existing measures do not accurately evaluate the success and "behavioral ROI" impact of diversity, equity, and inclusion (DEI) objectives. There's a difference between generating "outputs" from scorecard action plans and producing "strategic outcomes and intended transformational impacts." This session will help participants develop an advanced "intentional diversity scorecard" and examine actions that drive an intentional inclusion culture towards better EEO and DEI results. Join this session to learn about actions leaders and organizations can take to move the EEO and DEI needle to produce evidence-based impacts and outcomes.</p>





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<b>3:15pm - 4:15pm</b>	
<b>HOT TOPICS DISCUSSION FORUMS</b>	
<b>Forum 1</b>	<b>The Impact of DEIA in the Workplace: Have We Created a Culture of Belonging?</b> <p>Psychological research tells us that humans have a need to belong. Without it, many employees may experience stress, depression, illness, and a decreased sense of well-being which negatively impacts high performing teams and innovation. Employees experience a sense of belonging when they can bring their authentic selves to work and contribute without repercussions. Even a workplace that has every intention of supporting DEIA, sometimes fails to retain employees from underrepresented groups because they feel like they don't belong. During this session we will unpack "belonging" as a critical component of DEIA initiatives in the workplace and why it matters.</p>
<b>Forum 2</b>	<b>The Impact of Community Violence based on Race &amp; Religion: Creating Psychological Safety at Work</b> <p>Over the last several years communities have been plagued with increased violence against its residents based on race &amp; religion. Most recently, the events involving the targeted killing of men of Middle Eastern descent, has prompted fear among the Muslim community throughout the country. As the workplace becomes increasingly multicultural, how does this type of violence impact the workplace. What should we do to create safe spaces and ally-ship for those impacted by this violence? During this session we will discuss how acts of violence perpetrated against people based on race &amp; religion impact psychological safety in the workplace, why it matters and what we can do to create safe spaces for everyone.</p>

<b>THURSDAY</b>		<b>AUGUST 25, 2022</b>	
<b>10:15am - 10:30am</b>		<b>Final Day Morning Convening</b>	
		<b>OPENING REMARKS</b>	
		<p><b>Jocelyn Samuels, Vice Chair, U.S. Equal Employment Opportunity Commission (EEOC)</b></p> <p>Vice Chair Samuels will provide opening remarks for the final day of the conference.</p>	
<b>10:30am - 11:45am</b>		<b>WORKSHOP SESSION 7</b>	
<b>7A</b>	<p><b>COVID-19: Impacting Women for Years (P/F)</b></p> <p><b>Katrina Grider (EEOC)</b></p> <p>COVID-19 has increased the pressure on working mothers. Balancing work and family obligations has long been the reality for women in the United States. This session is a deep-dive discussion about COVID-19's long term impact upon women in the workplace. As the pandemic persists, women will continue to shoulder a disproportionate share of its burden while the dual demands of jobs and childcare are pushing many women out of the workforce.</p>		
<b>7B</b>	<p><b>What's So Special About Special Emphasis (F)</b></p> <p><b>Anitra Green (EEOC)</b></p> <p>Special Emphasis Programs (SEP) are critical to the success of any Federal agency's Diversity and Inclusion (D&amp;I) and Equal Employment Opportunity (EEO) programs. SEPs help agencies ensure that EEO and D&amp;I are successfully interwoven into all aspects of employment. This session will provide an understanding of the legal and policy framework that supports implementation of SEPs, define the role of the SEP Manager, distinguish between diversity and inclusion, and provide basic instruction on barrier analysis.</p>		
<b>7C</b>	<p><b>Legal Update 2022 (P/F)</b></p> <p><b>Carol Miaskoff (EEOC)</b></p> <p>EEO law is dynamic, multifaceted, and developing as the courts interpret and apply the law to a rapidly changing workplace. Employers must remain vigilant and aware of the significant EEO court cases decided this year. Hear from the EEOC about the latest cases, precedent-setting decisions, and their implications for employers.</p>		



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<p><b>10:30am - 11:45am</b></p>	<p><b>WORKSHOP SESSION 7 - CONT.</b></p>
<p><b>7D</b></p>	<p><b>DEI&amp;A Programs that Work and Those that Don't (P/F)</b>  <b>Luther Wright (Ogletree Deakins) and Dexter Brooks (EEOC)</b>            Diversity, equity, inclusion, and accessibility (DEI&amp;A) initiatives in the workplace are effective when properly implemented. It's vital, however, to ensure that these DEI&amp;A programs are compliant with EEO laws and regulations. Join two recognized experts in this field to learn leading practices for creating, administering, and promoting effective and legally compliant DEI&amp;A programs in your organization.</p>
<p><b>11:45am - 12:00pm</b></p>	<p><b>Break</b></p>
<p><b>12:00pm - 1:15pm</b></p>	<p><b>WORKSHOP SESSION 8</b></p>
<p><b>8A</b></p>	<p><b>LGBTQI+ Cultural Competency in the Workplace (P/F)</b>  <b>Molly Powell and Zachary Florent (EEOC)</b>            This session will provide a baseline understanding for creating a respectful workplace for all employees, and for communicating effectively and appropriately with LGBTQI+ colleagues and customers. This session will provide a review of evolving language and vocabulary, best practices for using pronouns appropriately, and steps each person can take to make a workplace safe and welcoming for all. This session is for participants who are relatively new to LGBTQI+ cultural competency as well as for participants with extensive lived experiences related to these topics.</p>
<p><b>8B</b></p>	<p><b>Improving Online Outreach to Job Seekers with Disabilities (F)</b>  <b>Sarah von Schrader, Ellice Switzer, and Sandra Mosqueira-Caminada (Cornell University)</b>            Recruiting candidates with disabilities is a critical component of ensuring a diverse Federal workforce and assisting agencies in meeting affirmative hiring goals. The panel will share findings from several major studies to explore how employers use disability-inclusive messaging on career webpages and how that messaging may influence jobseekers with disabilities. Participants will gain insight into how jobseekers with disabilities search for employment online, strategies that encourage them to apply and self-identify, and practical outreach that helps increase disability representation in organizations.</p>

<b>12:00pm - 1:15pm</b>		<b>WORKSHOP SESSION 8 - CONT.</b>	
<b>8C</b>	<b>The Reports Evaluation and Applied Data Division Presents: The Annual Report Dashboards (F)</b> <b>Dr. Mxolisi Siwatu and Dr. Karen Brummond (EEOC)</b>	<p>This session will provide a walkthrough of Annual Report Dashboards (ARD) from the EEOC's Office of Federal Operations, Reports, Evaluation and Applied Data Division (OFO, READD). ARDs are a series of public-facing interactive reports that allow users to view key Federal sector complaint and workforce data by agency. The dashboards are an excellent resource for comparing EEO activity across agencies and for comparing agencies against government-wide benchmarks. Join the READD team to learn about the latest enhancements to ARDs. Participants are encouraged to suggest additional features for consideration during future updates.</p>	
<b>8D</b>	<b>Models for Creating Effective Conflict Dialogues (P/F)</b> <b>Dawn Bedlivy (National Security Agency) and Dr. Kim Faircloth (Mediation Training Institute)</b>	<p>Many well-intentioned trainings on addressing workplace conflicts unfortunately lack a vital component: how to be truly present, engage, and listen actively while gathering information about the dispute. This session will equip managers, HR, ADR, and EEO professionals with a guided framework for dispute resolution dialogues. The framework provides questions and prompts to help identify the underlying causes of the conflict and pave the way for lasting resolutions.</p>	
<b>1:15pm - 2:00pm</b>		<b>Lunch</b>	
<b>2:00pm - 3:15pm</b>		<b>WORKSHOP SESSION 9</b>	
<b>9A</b>	<b>Office of Federal Operations Case Updates (F)</b> <b>Elyssa Santos-Abrams (EEOC)</b>	<p>You have been busy over the last year and so has the EEOC. Join senior attorney advisor and audience favorite, Elyssa Santos-Abrams, for a lively and engaging discussion of the latest developments in Federal sector EEOC case law, including emerging issues.</p>	
<b>9B</b>	<b>The Trauma of Workplace Incivility: Guidance for Investigators (P/F)</b> <b>Sharon Harrington and Dr. Lynda Byrd-Poller (Amediate, LLC)</b>	<p>Incivility in the workplace causes the kind of conflict that promotes employee relations investigations. The impact of trauma must not be ignored when conducting workplace investigations. Trauma is often present in investigations that involve harassment, bullying, or discrimination and have deep roots in organizational culture and climate. This session will discuss organizational trauma, how trauma might show up in an investigation, and how an investigator can use their knowledge of trauma to successfully complete the investigation without creating additional trauma.</p>	

<b>2:00pm - 3:15pm</b>	
<b>WORKSHOP SESSION 9 - CONT.</b>	
<b>9C</b>	<p><b>Accommodating Mental Health Conditions in the Workplace (P/F)</b> <b>Melanie Whetzel (Job Accommodation Network)</b></p> <p>Melanie Whetzel, a long-time consultant for the Job Accommodation Network, will discuss accommodating employees with mental health conditions in the workplace. Melanie will begin by defining mental health related disabilities, as distinguished from other cognitive disabilities. Using real-life situations, Melanie will illustrate some of the most pressing issues that have emerged during the pandemic, often due to rapid changes in routine, the need to adapt quickly, social isolation due to forced telework, fear associated with returning to the workplace, and the continued need to telework for select employees. These changes have exacerbated symptoms for some employees with existing mental health conditions and triggered an increase in anxiety, depression, and substance use disorders (such as opioid addiction). The presenter will discuss ways to address these issues, provide relevant ADA rules, and best practices, including appropriate medical documentation in the context of reasonable accommodation requests and related confidentiality provisions under the ADA.</p>
<b>9D</b>	<p><b>Anyone Can Negotiate! (P/F)</b> <b>Anne Bachle Fifer</b></p> <p>You negotiate constantly, both personally and professionally, but have you ever learned about negotiation dynamics and tactics? You may not be negotiating as well as you could be. By the end of this session, you will understand more about negotiation and how to make it work for you. Participants will consider the two main styles of negotiation – competitive and cooperative – and when they are most effective. Ms. Fifer will analyze video clips of negotiations, then lead a brief simulated negotiation. You will learn what you’re doing well already and how to up your game in your next negotiation.</p>
<b>3:15pm - 3:30pm</b>	<b>Break</b>
<b>3:30pm - 4:30pm</b>	<p><b>Ethics for Attorneys (P/F)</b> <b>Edmund Chiang and Denesha James (EEOC)</b></p> <p>This workshop will cover common ethics issues that arise when practicing employment law as well as new ethical questions and areas of professional risk for attorneys in the COVID era.</p>
<b>4:30pm</b>	<b>Adjourn</b>