



WorkSmarts Virtual Seminar: Looking Back, Looking Forward

November 8, 2023

11:00 am Central – 12:15 pm Central

This event has now passed. See below for the event recording and handout.

In this 75-minute presentation, we will discuss the major developments of 2023 that employers should know about from both an employment law and labor law perspective. Our presenters, [Kunal Shah](#) and Mark Nelson, will discuss timely topics such as:

- NLRB Memorandum GC23-08, its effect on noncompete agreements and whether it is a precursor for the Proposed Ban on Noncompete Agreements gaining traction in 2024.
- *Hamilton v. Dallas*, its effect on bringing claims under Title VII by alleging discrimination in the terms, conditions, or privileges of employment rather than the 30-year-old standard requiring evidence of an adverse employment action affecting an ultimate employment decision. The U.S. Supreme Court will hear a similar case this term – *Muldrow v. City of St. Louis*. The outcomes of these cases will have a direct impact on 12(b)(6) motions to dismiss, pleading standard, summary judgment.
- New election rules and possible changes to secret ballot elections when employees are choosing whether they wish to be represented by a union.

[Recording](#) | [Handout](#)

HRCI and SHRM credits will be available for the session. Continuing Legal Education (CLE) credits are pending in Arizona, California, Colorado, Florida, Kansas, Minnesota, Missouri, Nebraska, Nevada, Oklahoma, Tennessee, and Texas. CLE credit application and approval

processes vary per state and may not be available after certain state deadlines. Please email education@spencerfane.com if you have questions about credits.