

LMWF holds seminar on labor and employment issues

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Lippes Mathias Wexler Friedman LLP Attorneys Amy Habib Rittling and Vincent Miranda recently led an informative lunch and learn seminar on human resources topics for supervisors and managers of a public manufacturing corporation. The specific discussion areas were selected by the company and addressed HR issues that more frequently arose in their workplace.

Ms. Habib Rittling, a partner in the firm's Litigation and Labor and Employment practice groups, and Mr. Miranda, an associate in the firm's Litigation and Labor and Employment practice groups, opened the seminar talking about confidentiality in the workplace, specifically in terms of positions that the National Labor Relations Board (NLRB) and the U.S. Equal Employment Opportunity Commission have taken on what confidentiality restrictions employers can place on employees. The issue of confidentiality was also discussed in the context of conducting investigations into discrimination or harassment complaints.

The attorneys discussed facets of the National Labor Relations Act (NLRA) and how they apply to union and non-union workforces. Section 7 of the NLRA states, among other things, that employees have the right to engage in concerted activities for collective bargaining purposes, as well as purposes of mutual aid or protection. Furthermore, Section 8 of the Act makes it unfair for an employer "to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in Section 7." Complying with the NLRA can be increasingly complicated in the age of social media. Companies can face unfair labor practice charges if they restrict employees from engaging in certain online behavior regarding the terms and conditions of their employment.

Finally, the attorneys answered questions from the audience regarding reasonable accommodation requests under state and federal laws. Although it is more frequent that employees with disabilities may initiate requests for reasonable accommodations, employers are obligated to engage in discussions with employees if they become aware of any needs for accommodations. Once a request for reasonable accommodation is made, the employer and employee must engage in an interactive process to determine what modification would be best suited to the specific situation. A reasonable accommodation can take on many forms including a modified work schedule, acquiring or adjusting equipment, reassignment, and offering leave.

To schedule a lunch and learn seminar with Ms. Habib Rittling and Mr. Miranda, contact Matt Chandler, director of Marketing and Business Development, at mchandler@lippes.com or by calling (716) 853-5100.

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