PROGRAM AGENDA

Sunday, May 5: Welcome to Buenos Aires

7:00 p.m. – 9:00 p.m. Welcome Reception at Palacio Duhau Park Hyatt Hotel (Tipa Terrace)

10:00 p.m. – 12:00 a.m. Tango Show at La Ventana (optional ticketed event)

Monday, May 6: The Big Picture in Argentina and South America

7:30 a.m. – 8:00 a.m. Registration (Salon Posadas Foyer)

8:00 a.m. – 8:15 a.m. Welcome by Committee Co-Chairs (Salon Posadas Ballroom)
Katherine Blostein, Outten & Golden LLP, New York, NY
David W. Garland, Epstein Becker & Green P.C., New York, NY
Owen Herrnstadt, International Association of Machinists & Aerospace Workers, Upper Marlboro, MD
Clare Murray, CM Murray, London, UK

8:15 a.m. – 8:45 a.m. Keynote Message:
The Honorable Edward C. Prado, U.S. Ambassador to Argentina
Ambassador Edward C. Prado, a former judge on the U.S. Court of Appeals for the Fifth Circuit, will address the significant issues in the U.S. – Argentina relationship, with particular reference to legal, political and economic developments.

8:45 a.m. – 9:45 a.m. Argentina Overview
Argentina, which recently played host to the G20 Summit, is in the midst of an economic crisis; its currency has been pummeled and interest rates have skyrocketed. Women’s rights advocates have protested violence against women, and Argentina’s own #MeToo movement, using the hashtag #MiraComoNosPonemos, meant as a message of solidarity among women and the rejection of the idea they are somehow responsible for sexual assaults against them, has gained prominence. The panel will discuss these developments and the direction that Argentina may take in the period ahead.

Moderator: Mercedes Balado Bevilacqua, MBB Abogados, Buenos Aires, Argentina

Panelists: Omar Barsanti, D’auria & Barsanti, Buenos Aires, Argentina
Ruben Cortina, UNI Global Union, Buenos Aires, Argentina
Fernanda Gazal, adidas Argentina, Buenos Aires, Argentina
Marcelo Villegas, Minister of Labor of the Province of Buenos Aires, Buenos Aires, Argentina
9:45 a.m. – 10:45 a.m. **Key Political, Legal and Economic Issues in Argentina and Elsewhere in South America**
Panelists will examine the important political, legal and economic issues confronting them in 2019 and beyond.

**Moderator:** Rodrigo Sola Torino, *Marval O’Farrell & Mairal, Buenos Aires, Argentina*

**Panelists:**
Alexandre de Almeida Cardoso, *Tozzini Freire, Sao Paulo, Brazil*
Gabriela Cruz Devoto, *First Instance Judge – Labor Court No. 65, Buenos Aires, Argentina*
Ignacio Garcia, *Porzo Rios & Garcia, Santiago, Chile*

10:45 a.m. – 11:00 a.m. **Refreshment Break (Posadas Foyer)**

11:00 a.m. – 12:15 p.m. **Critical Issues and Trends in Labor and Employment Law in Latin America**
Panelists will provide an overview and perspective on the critical issues and trends in labor and employment law across Latin America and what those trends mean for employers and workers.

**Moderator:** Oscar De La Vega Gomez, *De la Vega & Martinez Rojas, Mexico City, Mexico*

**Panelists:**
Alvaro Aguilar, *Aguilar Castillo Love, San Jose, Costa Rica*
Carolina Camacho, *Posse Herrera & Ruiz, Bogota, Colombia*
Rodrigo Fernandez de Nestosa, *Vouga Abogados, Asuncion, Paraguay*
Juan Carlos Pro-Risquez, *Dentons, Caracas, Venezuela*

1:00 p.m. – 4:00 p.m. **Buenos Aires Orientation Tour, Part I (optional ticketed event)**

7:00 p.m. – 9:00 p.m. **Cocktail Reception at Faena Hotel + Universe, Martha Salotti 445, Puerto Madero**

**Sponsored by:**

9:00 p.m. – 11:00 p.m. **Dine-Around in Puerto Madero**

**Tuesday, May 7: The New Employment Paradigm**

8:00 a.m. – 9:00 a.m. **Freedom of Association and Collective Bargaining: Trends in Today’s Global Workplace (Salon Posadas)**
This past year has seen many changes in labor law throughout the world. In North and South America, as well as in Europe, developments continue to influence the relationship between management and labor. Panelists will discuss current trends at the National Labor Relations Board and the U.S. Department of Labor. They also will discuss efforts at labor law reform in France, Germany, the UK and elsewhere, giving special focus on important developments for the global labor law practitioner.

**Moderator:** Marley Weiss, *University of Maryland, Baltimore, MD*

**Panelists:**
Barbara Vera Arroyo, *Garrigues, Santiago, Chile*
Cristiano Cominotto, *Studio Legale Cominotto, Milan, Italy*
Danny J. Kaufer, *Borden Ladner Gervais, Montreal, Canada*
Jeff Vogt, *Solidarity Center, Washington, D.C.*

9:00 a.m. – 10:00 a.m. **The Gig Economy: How Labor and Employment Law Is Adapting to the New Worker**
As alternative work arrangements are becoming more common, governments around the world are reviewing current policies to determine who should be covered by labor and employment laws. From Uber and Lyft platforms to the increasing number of homeworkers made possible by new technology, national and local authorities are grappling with important questions regarding safety and health, minimum wage, overtime pay, discrimination and the right to form unions. How are these bodies determining who should be covered under the myriad of employment and labor laws, and what changes, if any, should be made?
10:00 a.m. – 10:15 a.m. Refreshment Break (Posadas Foyer)

10:15 a.m. – 11:15 a.m. Immigration, Human Trafficking and Other Areas of Special Concern

On the eve of the ILO’s one-hundredth anniversary, immigration and human trafficking continues to impact employers and individuals around the world. The panel will discuss important developments, including a review of the ILO’s activities on these topics. In addition, this panel also will discuss the current status of immigration law in different regions of the world, including North America, Europe and South America.

Moderator: Jennifer J. Rosenbaum, Global Labor Justice, Washington, DC

Panelists: Rose Carey, Charles Russell Speechlys, London, UK
Nadia Gonzalez, Galicia Abogados, Nuevo Leon, Mexico
Kushal Patel, Laura Devine, New York, NY
Ashwini Sukthankar, Unite Here, Buenos Aires, Argentina

11:15 a.m. – 12:15 p.m. Developments in Responsible Business Conduct

Efforts to develop programs in responsible business conduct continue to grow. What are the challenges that today’s multi-national corporations face in adopting and implementing their own responsible business conduct policies? This panel will discuss current guidelines that can assist companies in creating programs as well as what works, what doesn’t and new innovations in this dynamic area of practice.

Moderator: Roselyn Sands, EY Societe d’Avocats, Paris, France

Panelists: Renato Canizares, Demarest, Sao Paulo, Brazil
Ignacio Funes de Rioja, Funes de Rioja & Asociados, Buenos Aires, Argentina
Jeffrey E. Goodman, Hicks Morley Hamilton Stewart Storie LLP, Toronto, Canada
Eric Gottwald, International Labor Rights Forum, Washington, DC

1:00 p.m. – 4:00 p.m. Buenos Aires Orientation Tour, Part II (optional ticketed event)

7:00 p.m. – 9:00 p.m. Cocktail Reception

Sponsored by:

Wednesday, May 8: Key Global Workplace Trends

8:00 a.m. – 8:30 a.m. Committee Business Meeting and Update from Section Leadership (Salon Posadas)

David W. Garland, Epstein Becker & Green P.C., New York, NY
Clare Murray, CM Murray, London, UK
Christopher T. Hexter, Section Chair-Elect, Shuchat, Cook & Werner, St. Louis, MO
Samantha C. Grant, Section Vice Chair, Sheppard Mullin, Los Angeles, CA
Stephen B. Moldof, Section Vice Chair, Cohen, Weiss and Simon LLP, New York, NY
Gail Golman Holtzman, Employer Council Liaison, Jackson Lewis PC, Tampa, Florida
Don Slesnick, Union & Employee Council Liaison, Slesnick & Casey LLP, Coral Gables, Florida
8:30 a.m. – 9:45 a.m. **#MeToo and Beyond: Addressing Sexual Harassment, Pay Inequity and Other Forms of Gender Discrimination in the International Workplace**

Press interest, changes of societal views and improved workplace training and complaints processes are encouraging many more women to report not only sex harassment incidents but also pay inequality, less favorable treatment in career progression and access to opportunities, greater vulnerability to termination, and the “mommy penalty” that many women believe they suffer as a result of maternity and childcare needs. Panelists will discuss the latest developments in this area, including the protections and remedies available to employees around the world, the initiatives being adopted by multinational employers, and the role of unions in ensuring meaningful protection against gender discrimination.

**Moderator:** Nicola Rabson, Linklaters, London, UK

**Panelists:**

- Hon. Victoria A. Lipnic, Acting Chair, Equal Employment Opportunity Commission, Washington, DC
- Jonathan Blumenstein, Charles River Associates, New York, NY
- Kelly M. Dermody, Lieff Cabraser Heimann & Bernstein, LLP, San Francisco, CA
- Jane Howard-Martin, Toyota Motor North America, Inc., Plano, TX
- Gary R. Siniscalo, Orrick, Herrington & Sutcliffe, LLP, San Francisco, CA

9:45 a.m. – 10:45 a.m. **Trends in International Executive Employment Agreements including Compensation and Equity Issues and Restrictive Covenants**

The demand for internationally mobile senior executive talent is ever increasing. Senior executives are more willing than ever to relocate themselves and their family for the right role and package, and multinational employers are constantly looking for new ways to attract and retain that executive talent and to closely restrict the executive’s ability to move on to competitors wherever they may be based around the world. This wide-reaching panel will consider the latest key provisions, protections and innovations (and their likely enforceability or otherwise) being adopted around the world by multinational employers and internationally mobile executives in their contract and equity negotiations, their international transfers and in their voluntary and involuntary exits, including to join global competitors.

**Moderator:** Wendi S. Lazar, Outten & Golden, LLP, New York, NY

**Panelists:**

- Gordon Barr, Al Tamimi, Dubai, UAE
- Bryan Dunne, Matheson, Dublin, Ireland
- Purvis Ghani, Stephenson Harwood, LLP, London, UK
- Tyler Paetkau, Procopio, Palo Alto, CA

10:45 a.m. – 11:00 a.m. **Refreshment Break (Posadas Foyer)**

**Sponsored by:**

11:00 a.m. – 12:00 noon **The Impact of Brexit on International Employers and Their Internationally Mobile Workforces**

Brexit is a watershed moment for the UK that potentially will have a huge impact on employers, particularly those with an international presence and a mobile workforce. What is the impact on multinational employers with UK operations employing overseas staff there? What will be the ability for UK employees to carry out work abroad? Will labor and employment laws in the UK change significantly to become less regulated compared to the EU? Will employee data protection be affected by Brexit? What changes might need to be made to employment contracts and other documentation? Given the current uncertainty, this panel will consider the steps that employers, employees and unions should be considering now to prepare for the different eventualities of Brexit in its eventual final form.

**Moderator:** Marcia Longdon, Kingsley Napley LLP, London, UK
Panelists: Kiran Daurka, Leigh Day, London, UK
Kelly Bunting Dobbs, Greenberg Traurig LLP, Philadelphia, PA
Christopher Jordan, CMS Hasche Sigle, Cologne, Germany
Annalisa Reale, Chiomenti, Milan, Italy

12:00 noon – 1:00 p.m. Internal Employment and Related Regulatory and Criminal Aspects of International Anti-Bribery and Corruption, and Financial Investigations
Panelists will consider the common employment, regulatory and criminal issues that arise for corporates, employees and unions, and for labor and employment lawyers who advise them in investigations with international criminal and regulatory aspects. In light of unprecedented international cooperation between enforcement agencies and the increase in both extra-territorial and corporate liability for criminal and regulatory breaches, this discussion will consider a wide-range of issues including developments of which international labor and employment lawyers need to be aware in legal professional privilege, corporate self-reporting, whistleblowing reforms and questions of professional ethics in investigations. Key questions will include how to assess the hierarchy of risks, how to combine foreign legal counsel in a coherent team, and best investigatory practice to gather evidence and preserve reputations.

Moderator: Robert J. O'Hara, Epstein Becker & Green, P.C., New York, NY
Panelists: Thomas Hanusik, Crowell & Moring Washington, DC
Mary Inman, Constantine Cannon, London UK
Adriano U. Mucelli, KPMG Forensic Services, Buenos Aires, Argentina
Juan Pablo Vigliero, Casal, Romero Victoria & Vigliero, Buenos Aires Argentina

5:00 p.m. – 7:00 p.m. Wine Tasting Reception

7:00 p.m. – 10:00 p.m. Gala Dinner at Palacio Paz, Avenida Santa Fe 750

Thursday, May 9: The Impact of Broader Political and Economic Developments Across Borders

8:00 a.m. – 9:15 a.m. The Impact of AI, Digitization and Robotics in the International Workplace (Salon Posadas)
While automation, artificial intelligence (AI), digitization and robotics continue to transform businesses and contribute to economic growth, their takeover of tasks that are often performed by employees is evident and inevitable. With significant workplace transition and dislocation looming around the corner, world leaders, governments and various organizations need to pay attention and bring legislation forward that will understand how the workplace will be affected and how employees, employers and countries need to prepare for the new workplace where humans will be performing alongside machines. Panelists will discuss the latest developments in how AI, digitization and robotics have affected the workplace in 2018 and what employers, employees and governments should be focused on in the near and distant future in order to be prepared for what is to come, including what opportunities are being created and what key workplace transitions and challenges are anticipated.
9:15 a.m. – 10:30 a.m. The Age Conflict: Aging Workforces, Increased Retirement Ages Versus the Rising Numbers of the Young Unemployed
The aging workforce, Millennial job hopping, and an increasing number of young unemployed present challenges for employers around the globe. In the U.S. alone, ten thousand Baby Boomers turn 65 every day, and this is a trend that will continue until 2030. Many organizations are shifting their attitudes toward older workers as a result, but how are these changes impacting the workplace? This panel will examine the trends in various countries and varying experiences, together with underlying contributing factors, and steps that employers are considering and taking to meet these challenges, as well as what these developments mean for workers.

Moderator: David S. Fortney, Fortney & Scott, LLC, Washington, DC
Panelists: Lynne Bernabei, Bernabei & Kabat, PLLC, Washington, DC
Emily Chalkley, Charles Russell Speechlys, London, UK
D. Jan Duffy, Management Practices Group, San Francisco, CA
Nicolas Grandi, Allende & Brea, Buenos Aires, Argentina
Jeffrey N. Young, Johnson Webbert & Young LLP, Augusta, ME

10:30 a.m. – 10:45 a.m. Refreshment Break (Posadas Foyer)

10:45 a.m. – 11:45 a.m. The C-Suite, The Board and The Glass Ceiling for Women: What Are Multi-National Companies Doing?
This panel will discuss developments at the board of directors and in the C-Suite to address the glass ceiling for women. This discussion will focus on efforts to increase the presence of women in the C-Suite, on boards and in senior management around the world. Panelists will consider the impact from adopting quotas and other initiatives designed to break down barriers impeding the upward mobility of women in the workplace, as well as other legal and cultural changes that might assist women reach the highest levels of business.

Moderator: Wayne N. Outten, Outten & Golden, LLP, New York, NY
Panelists: Melanie Crowley, Mason Hayes & Curran, Dublin, Ireland
Geoffrey DeBoskey, Accenture, Los Angeles, CA
Anaíla Duran, MBB Abogados, Buenos Aires, Argentina
Mathilde Houet-Weil, Weil & Associés, Paris, France

11:45 a.m. – 1:00 p.m. The Impact of Legalization of Marijuana in the Workplace and on Transferring Employees from Legal to Non-Legal Jurisdictions
Cannabis’ legalization progression in North America remains directly in contradiction to U.S. federal law where it is still 100% illegal. As a result, the grounds of inadmissibility (use, possession and distribution) to the U.S. is playing havoc on both employers and workers most notably when crossing the U.S. – Canada border. This is made even more acute by the positions being adopted by the U.S. and its governing agencies. In addition, many other foreign countries have legislated on this issue and, most recently, Canada in 2018 and Uruguay in 2013. Aside from this, Argentina Brazil and Chile, just to name a few South American countries, have passed laws dealing with medical and/or recreational use of cannabis and the issues that have arisen between jurisdictions having very different laws in this area. The panel will provide an overview of the state of the law in their jurisdictions while providing insight regarding the problems faced by employers, employees and others when travelling on both business and/or leisure.

Moderator: Mike Delikat, Orrick Herrington & Sutcliffe, LLP, New York, NY
Panelists: Jonathan A. Grode, Green and Spiegel, Philadelphia, PA
Diego S. Kelly, Marval, O’Farrell, Mairal, Buenos Aires, Argentina
Jacqueline Maarse, Grant Thornton, LLP, Toronto, Canada
Lindsey Wagner, Scott * Wagner and Associates, P.A., Burbank, CA
We thank the following firms for their generous contributions in support of the 2019 ABA International Labor & Employment Law Committee Midyear Meeting:

**Platinum Plus**

- Epstein Becker Green
- Innangard

**Platinum**

- BLG (Borden Ladner Gervais)
- CM Murray
- FortneyScott
- Kingsley Napley
- KPMG
- Orrick

**Gold**

- Outten & Golden, LLP

**Silver**

- Charles Russell Speechlys
- MBB Abogados
- Balado Bevilacqua
- AL Assistenza Legale

**Bronze**

- Green and Spiegel
- Porzio Rios Garcia