

NJSA Law Day

February 22, 2024



This One-Day Conference
is Designed to Provide
Staffing Professionals and
Management with the
Latest Information on
Legal, Legislative and
Operational Issues

For Owners, Managers and Staff Engaged in Workforce and Compliance Issues



NJSA
NEW JERSEY STAFFING ALLIANCE

Eisenhower Corporate Center
290 W. Mount Pleasant Ave., Livingston, NJ

NJSA Law Day 2024

Conference Agenda

9:30 a.m. - 10:00 a.m.

Registration

10:00 a.m. - 11:00 a.m.



Erik Derr, Esq.

Cutting Down the Weeds: An Overview of Employer Rights and Responsibilities Pertaining to Cannabis Use

Presented by David Frankel, Esq., & Erik Derr, Esq., Becker LLC

The past few years have seen a wave of change in terms of both social acceptance and legislative initiatives for cannabis use. This presentation will provide a general overview of recent legislative changes and policies impacting employer rights and responsibilities with respect to employee marijuana use. What types of testing can be conducted? Can an employee be disqualified from consideration because he or she recreationally (or medically) uses marijuana? What types of policies can employers put in place and how can they be enforced?

While legislation varies state to state, this presentation will help to provide guidance on these hot button issues (mostly in New Jersey and surrounding jurisdictions) and walk program attendees through several hypotheticals capturing common scenarios employers may face.

Erik Derr is Of Counsel at Becker LLC and supports the firms Staffing practice group.

David Frankel is an Associate at Becker LLC in the firm's Business Services Group. David has a particular focus on labor and employment practice.

11:00 a.m. - 11:15 a.m.

Break

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11:15 a.m. - 12:00 p.m.



Christopher Emmi, Esq.



Donna Marie Jones Emmi, Esq.

Recovering your Workers Compensation Costs Under a Dual Employment Theory

Presented by Christopher Emmi, Esq., &

Donna Marie Jones Emmi, Esq., Emmi & Emmi, P.C.

This session will discuss the intricacies of dual-employment, commonly known as co-employment, in the staffing industry. This session will delve into the legal landscape in New Jersey, shedding light on how state laws inadvertently create a de facto dual-employment scenario.

Our expert speakers will explore the nuanced aspects of subrogation possibilities against clients in workers' compensation claims, weighing the pros and cons of pursuing cost savings versus the potential risk of losing the client relationship. The presentation will include real case law examples demonstrating real-life situations to facilitate a deeper understanding of how to effectively handle and protect your staffing firm.

The presentation will also review the tests for dual employment in New Jersey, providing attendees with a comprehensive understanding of the legal framework governing this complex employment arrangement. We will emphasize the significance of service agreements with clients, offering insights into how your company can proactively protect itself before a workers' compensation claim arises. Additionally, our speakers will dissect indemnification clauses in contracts, providing practical guidance on creating agreements that safeguard your business interests.

Christopher A. Emmi has been with Emmi & Emmi PC since 2000. Mr. Emmi was previously employed with State Farm Insurance and has served as General Counsel to Electro-Kinetic Systems, Inc. Mr. Emmi has been involved in corporate law and various aspects of liability and worker's compensation insurance since 1990 and has obtained the designation of Chartered Property Casualty Underwriter from the Insurance Institute of America. Mr. Emmi has written several papers on insurance fraud and containing claim costs through investigation.

Donna Marie Jones Emmi has been working in the liability and worker's compensation defense fields since 1988. Ms. Emmi formed Emmi & Emmi PC in 1997 after leaving a partnership in a large liability law firm in northern New Jersey. Currently, Ms Emmi serves on the board regarding disputed attorney fees for the Supreme Court of NJ in addition to her duties with the firm and has authored several papers on issues in liability and worker's compensation defense.

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12:00 p.m. - 1:00 p.m.

Lunch

1:00 p.m. - 2:00 p.m.

Cybersecurity and Staffing: How to Avoid Being a Candidate for a Cyberattack

Presented by Kevin Ricci, Citrin Cooperman



Kevin Ricci

While the terrifying threat of a cyberattack looms over every industry, staffing is especially desirable to cybercriminals due to the virtual treasure trove of personal information. Hackers work tirelessly to sharpen their onslaught of sophisticated attacks, whether it be the theft of sensitive data or the deployment of catastrophic ransomware attacks. Every errant keystroke, mouse click, or misconfigured security setting can result in catastrophic repercussions, leaving staffing companies with devastating costs and irreparable damage to their reputation. How can you better protect your organization from becoming the next victim of these nefarious threats and prepare for when – not if – an incident occurs?

Join **Kevin Ricci**, a Partner with Citrin Cooperman's Technology Risk Advisory and Cybersecurity (TRAC) team and a leader and co-founder of the Firm's cybersecurity practice as he shares his cybersecurity expertise to help you understand today's dangerous cybersecurity landscape and how to reduce the risks that threaten your organization. Attendees will leave with an understanding of crucially important cybersecurity concepts, including:

- Key cybersecurity statistics and cyber headlines impacting staffing companies
- Adversaries that organizations are facing
- Causes and costs of a data breach
- Cybersecurity best practices that you can implement to reduce the risk of cyber threats to your business
- The session will conclude with a micro risk assessment and question and answer session to address your specific concerns

2:00 p.m. - 2:15 p.m.

Break

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2:15 p.m. - 3:15 p.m.

2024 Compliance: Navigating the Healthcare Minefield

Presented by Kieran Cleary and Andrea Butler, TAC Benefits Group



Kieran Cleary

In the ever-evolving landscape of healthcare regulations, 2024 promises more important filing dates and compliance challenges. From the enduring influence of the Affordable Care Act (ACA) to the intricacies of Consolidated Appropriations Act (CAA), navigating this terrain requires both vigilance and strategic foresight.

This presentation will equip you with updates on legislation, as well as important dates to consider for you to confidently steer your firm in the right direction. We'll delve into the ACA's continued impact, demystifying its implications for individual mandates, employer coverage, and premium subsidies. The Consolidated Appropriations Act (CAA) and its bearing on prescription drugs, gag clauses, and transparency will be dissected, along with insights into navigating the complexities of Medicare Part D filing. We'll explore how Patient-Centered Outcomes Research Institute (PCORI) initiatives influence care delivery and research funding, ensuring you're well-positioned to make informed decisions in this dynamic space. With this session, we hope to arm you with the knowledge and insights needed to navigate the 2024 healthcare compliance landscape with confidence and precision, ensuring smooth sailing for your organization and employees.

Andrea Butler is a 20-year veteran of the health insurance industry. As Director of Operations, she oversees TAC's new business development and account support teams as well as technical operations. Her experience spans new business implementations, renewals, claims processing and carrier billing. She is a relentless advocate for employers and their employees, obtaining resolution in even the most difficult cases. Andrea works directly with TAC's staffing clients and takes on a team lead role in service and administration.

As Director of Business Development for TAC Benefits Group, **Kieran Cleary** is responsible for the company's growth strategy, sales and marketing. Before joining TAC, Kieran worked in business development for a Philadelphia-based Insurance FinTech and an employee benefits/ACA compliance consulting firm for the staffing industry. Kieran has a commitment to finding the best results for our clients. He accomplishes this through a deep understanding of compliance and the landscape of the healthcare industry. Kieran has worked with NJSA members for around 6 years.



Andrea Butler

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Registration Form:

Company Name: _____

Address: _____

Attendee #1 Name: _____

Email: _____ Phone: _____

Attendee #2 Name: _____

Email: _____ Phone: _____

Attendee #3 Name: _____

Email: _____ Phone: _____

Registration Fees

NJSA Members	\$195
Non-Members	\$395

Credit Card Payments: Please visit www.NJSA.com to register online and pay with a credit card.

Check Payments: Make checks payable to NJSA and mail to:

P.O. Box 518

Mount Laurel, NJ 08054

Questions? Call NJSA at 973-283-0072 or email office@njsa.com