



**8th Annual
Alaska Power Association
2024 Utility Legal Issues Workshop**

Oct. 9-10, 2024
The Megan Room, 6591 A St., Anchorage, AK 99518

**Featuring: Andy Leman and Team from
APA General Counsel
Kempel, Huffman & Ellis, P.C.**

Zoom Link: Link will be sent to registered online participants

Wednesday, October 9 – HR and Employment Issues

8:00 a.m. – 8:15 a.m. – Introductions & Welcome

8:15 a.m. – 9:30 a.m. – Employment & Labor Update Part I – Andy Leman

An update on employment and labor issues impacting Alaska utilities, including the latest developments on: drug and alcohol testing; employment policy manuals; contract anti-competition and confidentiality clauses; new EEOC guidance on discrimination and harassment; and much, much more.

9:30 a.m. – 10:45 p.m. – At Will & Separation Employment – S. Lynn Erwin

“Everyone” knows Alaska is an “at-will” employment state. Can you really fire anyone at any time in Alaska, as long as the reason isn’t “illegal?” Should you tell terminated employees why they are being fired? Do you have to document employment issues for “at-will” employees? What mistakes do employers make that can change “at-will” employment status into something more burdensome? How can employers limit wrongful termination risk and communicate terminations while maintaining “at will” employment status?

10:45 a.m. – 11:00 a.m. – Break

11:00 a.m. – 12:15 p.m. – Progressive Discipline for Union and Non-Union Employees -Jonathon Green

Progressive discipline is the cornerstone of employee management for union employees under their collective bargaining agreements and for many non-union employees as a matter of utility policy. Progressive discipline is also a useful tool even when not legally required because it can help improve employee performance and provide protection against legal claims. Topics to be addressed include how progressive discipline works, when to “skip steps,” and how to avoid claims for “procedural” violations. Real-life examples of progressive discipline mistakes and challenges will be reviewed.

12:15 p.m. – 1:00 p.m. – Lunch

1:00 p.m. – 1:45 p.m. – Employment & Labor Update Part II – Andy Leman

A continuation of the update on employment and labor issues including a round of “Legal or Illegal?” reviewing lawsuits of interest to utility employers.

1:45 p.m. – 2:00 p.m. – Break

2:00 p.m. – 3:45 p.m. – Ask Me Anything I / Legal Hot Topics Group Exercises I

This two-part session opens with an opportunity for participants to ask questions about anything, either publicly or anonymously, for discussion with the KH&E attorneys and their peers. In the second part of this session, participants will break into small groups with their peers and KH&E attorneys to discuss employment scenarios involving real-life examples of employment challenges in the workplace.

Thursday, October 10 – Utility & Cooperative Issues

8:00 a.m. – 8:15 a.m. – Introductions & Welcome

8:15 a.m. – 9:30 a.m. – Using AI in Alaska Utilities – Emily Walker

In today's rapidly evolving business landscape, Artificial Intelligence (AI) is no longer just a buzzword—it's a transformative force reshaping industries and the nature of work itself. From Chatbots to robotic process automation, AI can help improve productivity and efficiency in the workplace. We will discuss the legal and practical issues utilities should consider and outline evolving legal standards and best practices for utilities to implement while integrating AI into the workplace. Potential policy changes to address AI issues will also be discussed.

9:30 a.m. – 10:45 a.m. – Utility & Cooperative Issues Update I – Andy Leman

An update on utility and cooperative issues impacting Alaska utilities, including the latest developments on: member relations; easements; Bylaws; Board relations; tariff/Bylaw issues; and much, much more.

10:45 a.m. – 11:00 a.m. – Break

11:00 a.m. – 12:15 p.m. – Dealing with Challenging Customers – Ashley Brown

What legal considerations should a utility keep in mind when dealing with “challenging” utility customers? This topic is particularly sensitive for cooperatives because customers are also member/owners. Topics to be addressed include: best practices to minimize or resolve difficult interactions with customers; legal issues when a customer becomes belligerent online; legal options when a customer becomes belligerent in-person; legal tools to ensure productive cooperative member meetings; and minimizing conflicts in “in the field” with easement and ROW maintenance and use.

12:15 p.m. – 1:00 p.m. – Lunch

1:00 p.m. – 1:45 p.m. – Utility & Cooperative Issues Update II – Andy Leman

A continuation of the update on utility and cooperative issues including a round of “Legal or Illegal?” reviewing lawsuits of interest to utilities.

1:45 p.m. – 2:00 p.m. – Break

2:00 p.m. – 3:45 p.m. – Ask Me Anything II / Legal Hot Topics Group Exercises II

This two-part session opens with an opportunity for participants to ask questions about anything, either publicly or anonymously, for discussion with the KH&E attorneys and their peers. In the second part of this session, participants will break into small groups with their peers and KH&E attorneys to discuss utility issues scenarios involving real-life examples of challenges, including member relations, working with your Board of Directors and tariff/Bylaw issues.

Note – Agenda subject to change without notice. Virtual attendees may not be able to fully participate in group exercises.