Downey & Lenkov LLC

Labor & Employment Newsletter

November 2024

Amendments to Illinois Human Rights Act Effective January 1, 2025

Extended Statute of Limitations

Effective January 1, 2025, the deadline for filing an administrative charge with the Illinois Department of Human Rights (IDHR) based upon employment discrimination, harassment, or retaliation will be two years after the date that a civil rights violation allegedly has been committed. Prior to the amendments to the Illinois Human Rights Act (IHRA) implementing this change, the deadline to file a charge was 300 calendar days from the date of an alleged civil rights violation.

This amendment to the IHRA does not impact the limitations period for federal employment discrimination claims, such as under Title VII, brought in Illinois, which still must be filed with the Equal Employment Opportunity Commission (EEOC) within 300 calendar days from the day the alleged discrimination took place. However, if an employee untimely files a charge with the EEOC, the employee may still bring a claim in the IDHR.

Additional Protected Classes

1. *Family Responsibilities*
Effective January 1, 2025, the IHRA will prohibit an Illinois employer from taking adverse actions against an employee, or prospective employee, based upon the employee's "family responsibilities."

"Family responsibilities" means an employee's actual or perceived provision of personal care to a family member. As used in that definition, "personal care" means activities to ensure that a covered family member's basic medical, hygiene, nutritional, or safety needs are met, or to provide transportation to medical appointments, for a covered family member who is unable to meet those needs themself. It also encompasses being physically present to provide emotional support to a covered family member with a serious health condition who is receiving inpatient or home care. Applicable family members include an employee's child, stepchild, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent.

Despite this new protection under the IHRA, the amendment makes it clear that employers are not required to make accommodations or modifications to reasonable workplace rules or policies for an employee based on family responsibilities, including accommodations or modifications related to leave, scheduling, productivity, attendance, absenteeism, timeliness, working performance, referrals from a labor union hiring hall, and benefits as long as the rules and policies are applied in accordance with the IHRA. Additionally, the amendment does not prohibit an employer from taking adverse action or otherwise enforcing its reasonable workplace rules or policies related to these issues.

2. *Reproductive Health Decisions*
Effective January 1, 2025, the IHRA will also prohibit employers from unlawfully discriminating against an employee for actual or perceived decisions on reproductive health.

"Reproductive Health Decisions" are defined as "a person's decisions regarding the person's use of contraception; fertility or sterilization care; assisted reproductive technologies; miscarriage management care; healthcare related to the continuation or termination of pregnancy; or prenatal, intranatal or postnatal care."

This amended and expanded provision of the IHRA covers decisions pertaining to abortion and IVF as some examples.

Practice Tip:
Illinois employers should be prepared to comply with these expanded protections under the IHRA going into 2025. To the extent policies and procedures need to be modified, they should be done before the new year.

Moreover, because employees will also have more time to file discrimination charges under the IHRA, employers should modify their recordkeeping practices if necessary to ensure employment records are retained for a longer time with the understanding that employees now have a much longer timeframe within which to file a charge. Because two years is a long period of time during which the memories of potential witnesses or supervisors may fade, employers should consider enhancing or improving their documentation policies and procedures to better preserve relevant records and statements that may help defend against an employee's future claim.

Additional Wage-Related Obligations for Illinois Employers Beginning January 2025

The Illinois Wage Payment and Collection Act was recently amended to include additional obligations for employers beginning January 1, 2025.

First, employers will be required to issue to employees a pay stub each payday for each pay period. Prior to the amendment, employers were only required to issue an itemized statement of deductions from employees' wages.

"Pay stub" is defined in the statute as an itemized statement or statements reflecting an employee's hours worked, rate of pay, overtime pay and overtime hours worked, gross wages earned, deductions made from the employee's wages, and the total of wages and deductions year to date.

Next, employers will be required to maintain copies of pay stubs for at least three years and to supply them to current or former employees upon request.

Practice Tip:
Illinois employers should prepare to implement these new requirements beginning January 1, 2025. Violations of these new requirements can subject employers to civil penalties up to $500 per violation.

Recent Amendment to Illinois Personnel Record Review Act

Per a recent amendment to the Illinois Personnel Record Review Act (IPRRA), several aspects of the law have been modified which will impact how employers should respond to such requests beginning on January 1, 2025.

The key changes for employers to note include the following:

- Employee requests for personnel records must be in writing, which includes any electronic communication such as email or text message.
- In addition to items previously available to employees under the IPRRA, employees now have the rights to inspect, copy and receive personnel records related to their benefits, any employment-related contracts or agreements that the employer maintains are legally binding on the employee, any employee handbooks that the employer made available to the employee or that the employee acknowledged receiving and any written employer policies or procedures that the employer contends the employee was subject to and that concern terms and conditions of employment.
- Employers are required to grant at least 2 requests per employee per calendar year to inspect, copy and receive copies of records subject to the IPRRA.
- Employees do not have the right to records related to an employer's trade secrets, client lists, sales projections and financial data.
- If an employer does not maintain records in one or more of the categories requested by the employee, the employer may respond in writing notifying the employee that the employer does not maintain records in the category. If the records are maintained in a manner and fashion that is already accessible by the employee, the employer may instead provide the employee with instructions on how to access that information.
- Employers may charge a fee for providing a copy of the requested record, but the fee must be limited to the actual cost of duplicating the requested record and may not include the costs of time spent duplicating the information, the purchase or rental of equipment or software or any other similar expenses.
- Employees may file a lawsuit against the employer in civil court for alleged violations of the IPRRA if the Illinois Department of Labor (IDOL) does not first resolve the complaint within 180 calendar days after it was filed with the IDOL.

Practice Tip:
Employers should train their personnel who handle requests under the IPRRA on these updated provisions of the law to assure compliance beginning January 1, 2025.

New Illinois Worker Freedom of Speech Act Effective January 1, 2025

In late July, the new Worker Freedom of Speech Act was signed into law and becomes effective in Illinois beginning January 1, 2025. It applies to most employees and employers in Illinois.

The law prohibits an employer from intimidating, retaliating against, disciplining, threatening to discipline, discharging or taking any adverse action against an employee because the employee declines to attend or participate in an employer-sponsored meeting or declines to receive or listen to communications from the employer if the meeting or communication is to communicate the opinion of the employer about religious matters or political matters. The law also prohibits employers from incentivizing employees to attend such meetings by providing a positive incentive in any employment condition based on attendance.

"Religious matters" means matters relating to religious belief, affiliation, and practice and the decision to join or support any religious organization or association.

"Political matters" means matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, proposals to change public policy and the decision to join or support any political party or political, civic, community, fraternal or labor organization.

Employees may bring claims for alleged violations of this new law in a private civil action or in the Department of Labor within one year of the alleged violation.

A court may award a prevailing employee all appropriate relief, including injunctive relief, reinstatement to the employee's former position or an equivalent position, back pay, reestablishment of any employee benefits, including seniority, to which the employee would otherwise have been eligible if the violation had not occurred, attorney's fees and costs and any other appropriate relief as deemed necessary by the court to make the employee whole.

The DOL has the power to assess civil penalties for violations of the law.

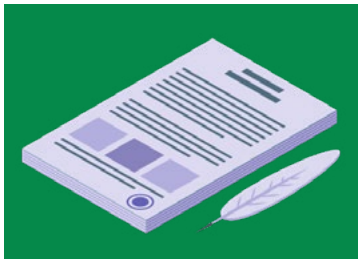
Employers have a duty to post a notice about the law's protections where such notices are customarily posted within 30 days after the effective date.

Practice Tip:
Illinois employers should be cautious about potential violations of this new law by making participation mandatory in any employer-sponsored meeting or event if the meeting or event is designed to communicate an employer's position on religious or political matters.

7th Circuit Rules All FSLA Plaintiffs Must be Subject to Personal Jurisdiction

In *Luna Vanegas v. Signet Builders*, Inc., Case No. 23-2964 (7th Cir. 2024), the Seventh Circuit considered whether FLSA collective actions, like Rule 23 class actions, require personal jurisdiction only over their representative plaintiffs. The court answered the question in the negative and held that a court overseeing a collective action must secure personal jurisdiction over each plaintiff's claim, whether representative or opt-in, individually.

Here, the defendant is both incorporated and headquartered in Texas. The plaintiff worked in Wisconsin and filed his FLSA collective claim in the federal court of the Western District of Wisconsin. Plaintiff sought to provide notice to potential opt-in plaintiffs nationwide, but defendant wanted to limit notice to those who had worked in Wisconsin.



The court considered whether plaintiffs in an FLSA case are similar to other Rule 23 class actions in which a single plaintiff represents a class, and those class members are not considered full parties in the case. Under the FLSA, each plaintiff, including opt-in plaintiffs, has a right to be present in court, and therefore, opt-in plaintiffs in an FLSA case cannot rely on the named plaintiff's personal jurisdiction. The court determined that FLSA collective actions are unlike class actions, and a collective action is no more than a "consolidation of individual cases, brought by individual plaintiffs." That individual character extends to personal jurisdiction.

Accordingly, a court must establish its personal jurisdiction over claims one at a time, and the FLSA does not include an exception to that rule.

Practice Tip:
In all FLSA cases filed within the Seventh Circuit, which includes Illinois, Indiana and Wisconsin, defense counsel must determine whether each opt-in-plaintiff can satisfy personal jurisdiction in the court in which the case is filed. Otherwise, that opt-in plaintiff may be properly dismissed from the case.

Illinois Uptick of EEOC Court Actions

We have recently seen an uptick in federal lawsuits filed directly by the Chicago division of the EEOC on various claims against Illinois employers on matters ranging from claims of sexual harassment, discrimination and race discrimination. Such cases have included claims by exotic dancers against a gentlemen's club and a disability discrimination claim brought against a manufacturer after they rescinded a job offer to an engineer with a hearing disability. These suits were filed by the EEOC after they could not settle with the respective employers at a conciliation settlement conference.

Practice Tip:
In addition to considering the referral of any EEOC claim filed by an employee to one's EPL carrier, if any, serious consideration should be given to trying to settle such a claim once the EEOC threatens to pursue its own lawsuit. The legal expense and potential jury verdict awards on EEOC-pursued claims court actions can be significant.

Termination Employee with Pending Workers' Compensation Claim

In the Seventh Circuit Court's decision in *Emerson v. Dart*, No. 23-3029 (7th Cir. July 26, 2024), the Court held that for a former employee to establish a potentially viable retaliatory discharge claim they had to present more evidence than just an ongoing active workers' compensation claim at the time the employee was terminated. Further, where such an employee was terminated while off for a work-related injury, this was insufficient alone to establish an inference of a retaliatory motive by the employer.

Practice Tip:
Employers should not be afraid to consider terminating employees with pending workers' compensation claims even when they are off work for an extended period of time where the reason for such termination is solely unrelated to the work injury. However, employers should also be cautioned to comply with the ADA and FMLA for any such employees on a leave of absence.

It is highly recommended to consult with the employers' labor and employment attorney before terminating such an employee.

7th Circuit Upholds Summary Judgment for Employer Because of Isolated Nature of the Incidents

In *Anderson v. Mott* St., No. 23-2765 (7th Cir. June 13, 2024), the 7th Circuit upheld a summary judgment ruling in favor of the employer finding plaintiff did not raise triable issues of fact as to her claims of sexual harassment, sex discrimination and retaliation.

Plaintiff, Nikkolai Anderson, was employed by Mott Street, an Asian-American restaurant, as a host and was terminated due to her sub-par performance and inappropriate behavior. Specifically, Mott Street asserted that Anderson caused the restaurant to receive multiple negative Yelp reviews on various dates complaining about a rude, unfriendly host and failed to comply with other Mott Street rules such as notifying of her scheduling availability and preferences, storing personal items in the host stand and using personal electronic devices in front of guests.

Before her termination, Anderson sent the front-of-house manager two separate emails which she claimed were protected activities. In the first email, she complained about not receiving the shifts or the position she preferred, expressed frustration at feeling singled out for criticism and disrespect and stated that the male employees acted inappropriately and disrespected female employees. In the second email, she complained that male employees at Mott Street "say and do inappropriate things that I find to be very uncomfortable" and specifically complained about gender discrimination and sexual harassment. She also testified at her deposition that a coworker touched her inappropriately 3 or 4 times, the bar manager called her a "bitch" and the owner told her to wear tight, form-fitting clothing.

As to her claim for sexual harassment, the district court held that while unfortunate, such "off-color comments, isolated incidents, teasing and other unpleasantries" are not enough for a Title VII sexual harassment claim. The court also found that Anderson did not put forth evidence that the incidents interfered with her ability to do her job. The 7th Circuit agreed and upheld the entry of summary judgment finding that the alleged conduct was not severe or pervasive enough to warrant relief.

The 7th Circuit similarly upheld the lower court's summary judgment ruling in favor of the employer on Anderson's sex discrimination claim finding that she could not demonstrate that the reasons for her termination were pretextual and that her subjective belief that she was performing satisfactorily did not create a material issue of fact.

Finally, as to Anderson's retaliation claim, the 7th Circuit also upheld the district court's entry of summary judgment because it found that the ultimate decisionmaker to her termination did not have knowledge of the emails sent by Anderson and that the first email did not even rise to the level of protected activity since its gender references were too general and unconnected to her complaints. Accordingly, the 7th Circuit concluded that even if a causal connection between her alleged protected activity and termination was established, Anderson did not demonstrate that Mott Street's reasons for termination were pretextual.

Practice Tip:
Although the courts in this case did not believe the conduct of the employer rose to the level of a Title VII violation, employers should as a matter of practice always train employees and managers to enforce anti-harassment and discrimination policies in the workplace, including investigating all complaints of harassment/discrimination. Employers should be cautious about terminating an employee who engages in a protected activity and be sure to document the legitimate, non-retaliatory reasons for termination in the event it is later faced with allegations such as those raised by Anderson in this case.

Illinois Federal District Court Upholds Employee's Claims of Religious Discrimination and Retaliation Based Upon Timing Issues

In the recent case of *Pumariega v. Basis Global Technologies, Inc.*, 23 CV 16636 (October 21, 2024), the District Court for the Northern District of Illinois considered whether an employee, who worked remotely from Florida for an Illinois-based company, could pursue claims under the Illinois Human Rights Act (IHRA) and whether he had viable claims for religious discrimination, wrongful termination, retaliation and failure to accommodate.

The employer, Basis Global Technologies, Inc. (Basis), required each employee to attend a virtual, mandatory training session on Diversity, Equity and Inclusion (DEI) and, thereafter, announced various activities that the company would sponsor for Pride Month. Pumariega, a devout Christian, attended the DEI training and, after attending the training, requested a religious accommodation to be excused from future DEI training sessions. He also complained about the Pride Month events and stated that they conflicted with his religious beliefs. Then, shortly after announcing the Pride Month events but before the events occurred, Pumariega was terminated. He thereafter brought claims alleging different varieties of religious discrimination.

The District Court upheld Pumariega's claim for religious discrimination because Pumariega alleged that Basis fired him due to his religious beliefs shortly after he raised the issue that the DEI training and Pride Month events conflicted with his religion. The Court stated that all Pumariega needed to allege at that stage of the litigation was that he was subjected to an adverse employment action because of his religion. However, since the same allegations supported both Pumariega's religious discrimination and wrongful termination claims and he sought relief for both, his claim for wrongful termination was dismissed without prejudice as duplicative.

As for his claim of failure to accommodate, he alleged that being required to attend mandatory DEI training conflicted with his religious beliefs as a Christian. However, because he did not inform his employer prior to the DEI training of his religious beliefs and he was terminated before the Pride Month events, the District Court held that he could not maintain a failure to accommodate the claim. Notwithstanding, the District Court upheld Pumariega's claims for retaliation.

Finally, the District Court dismissed Pumariega's claims under the IHRA because he did not qualify as an "employee." He did not allege that he performed any work in Illinois, attended training in Illinois or even visited his company's office in Illinois. Accordingly, there was no support for the inference that he "perform[ed] work in Illinois" as required by the statute..

Practice Tip:
Although the employer prevailed in dismissing some of the employee's claims, this case demonstrates that timing issues relating to an employee's complaints or requests for accommodations and the employee's termination may support discrimination and retaliation claims. Employers should be cautious when terminating an employee close in time to such protected activities.

7th Circuit Upholds Compensatory and Punitive Damages Award for Disability Discrimination Claim

In *EEOC v. Wal-Mart Stores East*, L.P., No. 22-3202 & 23-1021 (7th Cir. August 27, 2024) the Seventh Circuit held that there was ample evidence to support the jury's finding of liability and its award for compensatory and punitive damages against Wal-Mart for failure-to-accommodate Plaintiff's disability claim. It thus upheld a $300,000 compensatory and punitive damages award to the EEOC on behalf of the former employee. The original jury verdict amount was a staggering $125 million in punitive damages and $150,000 in compensatory damages, which was ultimately reduced because of statutory caps on these damages under the ADA based on the employer's size.

The EEOC originally filed suit on behalf of the former employee, Marlo Spaeth, an individual with Down syndrome, who was fired from Wal-Mart after the company changed its work-scheduling policies resulting in Spaeth having difficulty working the new assigned shift. The EEOC alleged that Wal-Mart failed to accommodate Spaeth when it refused to reinstate her former work schedule which was previously in place for approximately 15 years. Spaeth's prior schedule was established based on her inability to drive and her need to rely on public transportation, as well as her inability to stand for more than 4 hours at a time. It was further known that she had difficulties with changes to work routines.

Ultimately, Spaeth was unable to maintain the new schedule assigned to her and was terminated for attendance issues. The jury in the underlying case found that Wal-Mart had opportunity to speak with Spaeth and to accommodate her disability by manually reinstating her former schedule. It was further pointed out that Spaeth's sister and her mother (who was Spaeth's legal guardian), both met with several Wal-Mart managers to discuss Spaeth's, medical condition, possible schedule change and specifically requested an accommodation.

On appeal, Wal-Mart challenged the jury's finding of liability under the ADA and the amount of compensatory and punitive damages awarded by the jury. The Seventh Circuit affirmed the trial court's decision and upheld the finding of liability. Damages were awarded because there was sufficient evidence in the record that supported the jury's findings that Wal-Mart was on notice of a necessary medical accommodation in light of communications from Spaeth's sister and its failure to assess whether Spaeth's attendance problems were due to her disability and whether a schedule accommodation would have been feasible.

Practice Tip:
This large jury award against an employer for its failure to accommodate a disability whether pertaining to medical and/or health condition, is a good example of the potential liability exposure for employers who do not comply with their legal obligations under the ADA. There is a high threshold for employers to deny reasonable accommodation requests from disabled employees, and the failure to accommodate may carry significant penalties as shown in this case. Employers should engage in the required interactive process with each employee who may need reasonable accommodations and make a determination on a case-by-case basis.

Illinois Governor Pritzker Signs Amendment Reducing Potential Damages Under Biometric Information Privacy Act

Illinois was one of the first states to adopt Biometric Privacy legislation. The Illinois Biometric Information Privacy Act (740 ILCS 14) provides for the award of damages where a private entity violates an individual's privacy rights under the Act. A private entity violates section 15(b) of the Act if it obtains an individual's biometric data, as defined by the Act, without first informing the individual in writing, advising the individual of the purpose and length of time that data will be retained and obtaining a written release from an individual. Under section 15(d), a private entity has breached the Act if it discloses or disseminates an individual's biometric data without consent.

Prior to the amendment, the amount of damages to be assessed against a private entity that has breached the Act was the greater of $1,000 or actual damages for each separate negligent violation, and $5,000 or actual damages for each such intentional or reckless violation. The Appellate Court confirmed the plain meaning of this damages provision in *Cothron v. White Castle Sys.*, 216 N.E.3d 918, 922 (1st Dist. 2023). However, on August 2, 2024, Governor J.B. Pritzker signed an amendment into law addressing the calculation of damages defined by the Act to lessen the potentially devastating effect this calculation of damages could have on private entities.

Under the Amendment, a prevailing individual who has made a successful claim under 15(b) or 15(d) is entitled to a single recovery only, even if they were subject to a series of recurring violations. While the Act intends to subject private entities to legal consequences that incentivize them to course correct where their policies violate the Act, the intent was not to also authorize damages awards that would result in the financial destruction of a business. Accordingly, this Amendment mitigates the potentially devastating effect of pre-amendment damages awards businesses while still holding them accountable.

Practice Tip:
Employers who are defending a BIPA action should consider including a reference to this limitation on BIPA damages in its affirmative defenses where applicable.

Firm **News**

Jessica Jackler Named Income Member

We are pleased to announce that Jessica Jackler has been named Income Member!

Since joining as an associate, Jessica has demonstrated exceptional dedication and expertise in labor and employment law, consistently providing clients with cost-effective and practical strategies to mitigate employment litigation risks. Her work in drafting employment handbooks, policies, and agreements, along with her guidance in personnel management and compliance, has been invaluable. Beyond her professional accomplishments, Jessica enjoys spending time with her family, cooking, and traveling.

Jessica embodies firm culture, values and commitment to securing the best results for our clients.

Please join us in congratulating Jessica on a well-deserved advancement!

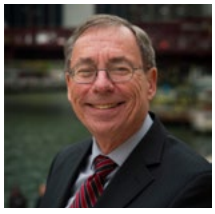
Kirsten Kaiser Kus & Werner Sabo Have Been Recognized in the 2025 Edition of The Best Lawyers in America

We are pleased to announce that Capital Member Kirsten Kaiser Kus and Of Counsel Werner Sabo have been recognized in the 2025 edition of The Best Lawyers in America®.

Kirsten has received this accolade for her work in Workers' Compensation Law –Employers.

Werner has received this accolade for his work in Construction Law and Litigation.

The Best Lawyers in America® recognizes individual lawyers with the highest overall feedback from their peers for a specific practice area and geographic region. The methodology is designed to capture, as accurately as possible, the consensus opinion of leading lawyers about the professional abilities of their colleagues.



Please join us in congratulating Kirsten & Werner!

Welcome to the Team

Please join us in welcoming our new Illinois attorneys Of Counsel Jennifer Murphy and Associates Jacquelyn Pearce and Logan March.

With over 30 years of experience, Jennifer specializes in labor and employment law. Her extensive background in employment and commercial litigation includes providing advice and representing employers in various forums such as federal and state courts, the EEOC, the Illinois Department of Human Rights, the Illinois Human Rights Commission, and the United States and Illinois Departments of Labor.

Jacquelyn specializes in insurance defense litigation focusing on defending premises liability, construction, transportation and auto claims and employment matters. Jacquelyn is a determined and insightful litigator who has a keen ear for the concerns and needs of her clients, empowering them to make fully informed decisions regarding direction and strategy.

Logan concentrates his practice in workers' compensation and general liability defense. As a committed attorney, he is dedicated to defending and protecting his client's interests. Before joining Downey & Lenkov as a law clerk, Logan worked at a nonprofit medical-legal partnership focused on addressing healthcare issues through a legal approach. He also engaged in civil rights and prison reform efforts.

Downey & Lenkov Participates in USLI's October Stronger Together Auction

Downey & Lenkov is proud to participate in USLI's October Together—Stronger Together Silent Auction benefiting Breastcancer.org.

October Together is a month of fundraisers and events where all proceeds benefit Breastcancer.org, a non-profit organization that helps women and their families by providing expert medical information about breast health and breast cancer, as well as peer support through their large online community.

The silent auction features a variety of items donated by companies. This year, Downey & Lenkov donated "Get Cooking - Italian theme".

Labor & Employment Services

As we head into 2025, staying compliant with evolving employment laws is an important agenda item for employers. Our Labor and Employment team provides services to help your company navigate the latest changes by conducting pay practice audits, revising employee handbooks, creating new workplace policies, and providing general guidance and advice on day-to-day employment issues to support your business's needs.

Contact our Labor & Employment experts today to ensure your business is fully prepared for new laws and remains future-ready in the ever-changing employment law landscape.

Storrs Downey, Jessica Jackler, Ryan Danahey, and Jennifer Murphy

Downey & Lenkov Tee Up Support as Proud Sponsors of Multiple Golf Outings

Downey & Lenkov proudly sponsored a hole for Kids' Chance of Indiana, a fundraiser dedicated to empowering the children of Indiana workers who have faced serious or fatal injuries in work-related accidents by providing them with essential college and vocational scholarships.

Downey & Lenkov sponsored a foursome at La Rabida's 30th Annual Golf Classic. La Rabida Children's Hospital treats children with chronic or complex needs. More than 250 golfers hit the links to support their patients and families. Capital Member Jeanne Hoffman and Special Counsel Bob Bramlette were both in attendance.

Downey & Lenkov was proud to sponsor a hole at the annual Valparaiso Pop Warner Golf Outing. Funds from this outing are used to make sure the football and cheer athletes have safe equipment and also provides financial registration assistance to those athletes in need as every child deserves an opportunity to play sports.

And the Wins for Our Clients Keep Coming!

We recently secured a finding of no probable cause before the Indiana Civil Rights Commission on a mental disability claim filed by an employee terminated because of well-documented job performance and misconduct issues.

We have had similar successes before the Illinois Department of Human rights in the past few months also.

Downey & Lenkov Fall Outing

Our team took a break from the office for a fun-filled outing at Puttery Chicago. Thanks to everyone who joined in on the fun!

Cutting Edge Continuing Legal Education

If you would like us to come to you for a free seminar, Click here or email Storrs Downey.

Our attorneys provide free seminars on a wide range of general liability topics regularly. We speak to individuals and companies of all sizes. Some national conferences that we've presented at are:

- Illinois Employer Liability in Personal Injury Cases: Kotecki Doctrine and Insurance Coverage for Such Claims
- American Conference Institute's National Conference on Employment Practices Liability Insurance
- Claims and Litigation Management Alliance Annual Conference
- CLM Retail, Restaurant & Hospitality Committee Mini-Conference
- Employment Practices Liability Insurance ExecuSummit
- National Workers' Compensation and Disability Conference & Expo
- National Workers' Compensation & Disability Conference
- RIMS Annual Conference

Management & Professional Liability Alliance™

We are a proud co-originating firm of the Management & Professional Liability Alliance (MPLA) which consists of independent law firms which share a commitment to excellence, affordable representation, and integrity in the representation of management and professionals.

The independent law firms of MPLA have extensive experience in handling all types of defense litigation including employment and all professional lines. MPLA firms practice in multiple states including Illinois, Indiana, and Wisconsin amongst several others.

They offer complimentary webinars and actively participate in regional and national conferences. For more information, please contact Ryan Danahey and visit the website at https://www.mplalliance.org/.

Newsletter **Contributors**

Storrs Downey, Jessica Jackler, Ryan Danahey, Jacquelyn Pearce and Mary Yong contributed to this newsletter.

View more information on our **General Liability practice.**

Our other practices Include:

- Appellate Law
- Business Law
- Condominium Law
- Construction Law
- Entertainment Law
- Healthcare Law
- Insurance Law
- Intellectual Property
- Labor & Employment Law
- Products Liability
- Professional Liability
- Real Estate
- Workers' Compensation

Who We Are

Downey & Lenkov LLC is a full-service law firm with offices in Illinois and Indiana. Our expertise spans across several practice areas, providing transactional, regulatory and business solutions for clients across the nation. The firm's continued growth is a result of an aggressive, results oriented approach. Unlike larger law firms however, we do not face massive overhead and are able to charge more reasonable rates that both small and larger employers can more readily afford.

We evolve with our clients, representing Fortune 500 and small companies alike in all types of disputes. Downey & Lenkov is a team of experienced, proactive and conscientious attorneys that have been named Leading Lawyers, Super Lawyers, Rising Stars and AV Preeminent.

Downey & Lenkov LLC