



2022 NRRDA LIGHTHOUSE SEMINAR WELCOME RECEPTION, included with registration

November 7, 2022
6:30 pm - 8:00 pm PT

Westlake Village Inn
31943 Agoura Rd, Westlake Village, CA 91361



2022 NRRDA LIGHTHOUSE SEMINAR

The Great Attrition: Getting Workers' Off the Sidelines & Retaining Your Talent

November 8, 2022
8:30 am – 3:30 pm PT

Westlake Village Inn
31943 Agoura Rd, Westlake Village, CA 91361

8:30 am | Breakfast & Registration Check-in
8:50 am – 9:00 am | Welcome & introductions, Brad Levien, Lighthouse Committee Advisor



9:00 am – 10:00 am | Finding the Best Employees in a Tight Labor Market

Moderator: Brad Levien, Mintzer, Sarowitz, Zeris, Ledva & Meyers, LLP

Panel: Kix Nystrom, The Cheesecake Factory Incorporated; Lisa Peterson, Fisher Phillips

- Bypassing Criminal Background Checks?
- Is Drug Testing even a thing anymore?
- How do you recruit the best candidate when your dishwasher just walked out?
 - Pros & Cons of:
 - lowering the age of candidates
 - Neuro-Diverse labor pool
 - Eliminating E-Verify in states that don't require it
 - Recruiting Ex-Convicts who have been "reformed"
- How do you operate a shift with a shallow "bench"?
 - Get an operator (Kix Nystrom) to speak from an operations perspective
 - How do you maintain a focus on general organization and food safety?
 - How do you prevent fatigue from double shifts and multiple days without a day off?
 - How do you ensure your branding is not damaged?
- Retention is key, do you pay more money to hire the best and raise prices?
 - Is there another way to retain staff beyond salary?
 - Benefits programs
 - Flexibility in shifts

10:00 am – 10:15 am | Break

10:15 – 11:15 am | Training Focus, "What is 'Good Enough'?"

Moderator: Kurt Leisure, The Cheesecake Factory Incorporated

Panel: Stuart Coburn, Downs & Stanford; Bobby Truitt, The Truitt Law Firm, LLC

- Statistics show that those employed under 6 months have the most injuries
 - How do you train thoroughly in an "on the job training" environment?
 - How does virtual training impact injury rates? Also applies to GL claims. Does this properly prepare them for reality?
- Does virtual training increase or decrease liability defense arguments
 - Are those being trained virtually really paying attention?
 - Does this "documented" training hold up under cross examination?
- Electronic On-Boarding
 - Are staff really reading the detailed material or clicking the "accept/agree" button?
- With higher turnover, how do you effectively train staff in a revolving door business?
- How do you prevent unwitnessed WC claims as the seasonal employees head back to school?



11:15 am - 11:30 am | Break

11:30 am – 12:30 pm | Understaffing Issues– Focus on Threats

Moderator: Mike Simmons, WKS Restaurant Group

Panel: Chris Petit, Acumen Law LLP; Paul Bigley, Freeman Mathis & Gary, LLP

- Are servers over serving guests beyond impairment levels to increase their tips?
- Is understaffing a restaurant opening up threats to the operations?
 - Active management of staff with fewer managers per shift
 - Are understaffed restaurants an opportunity for robbers or other opportunists?
 - Transient or “uninvited” guests
 - Shop Lifters and Smash & Grab criminals
- What are the liability challenges with an understaffed restaurant?
 - Will a jury punish a company who could not provide security guards due to financial burdens?
 - Are restaurants and retail stores properly staffed to prevent theft and hostile work events?
 - Are employees able to handle the “uninvited guest”? Homeless, riots, quick change artists, serial claimants
- Operating efficiently with less labor
 - Cleanliness
 - Effects of shortcutting procedures

12:30 pm – 1:00 pm | Lunch

1:00 pm – 2pm | Management Challenges

Moderator: Shaun Jackson, Panda Restaurant Group

Panel: Jessica Lancaster, Chock Barhoum LLP

- Are managers asked to do too much (Experts in HR, Risk, Food Safety, Security, De-Escalation, Assessing Mental Health of Staff, etc.)?
- How is management training changing?
- With ingested marijuana mixed with pain pills and alcohol, how does a manager assess “fit for duty”?
- How is mental health of employees now falling on management teams to respond to?
- How is de-escalation training coming into play for managers?

2:00 pm – 2:15 pm | Break



2:15 pm - 3:15 pm | Delivery Model Threats

Moderator: Brian Donnelly, Cullen and Dykman LLP

Panel: Miki Morishita, Benihana | RA Sushi

- Businesses have shifted much of their sales to off premise dining and delivery
- As gas prices increase, consumers cost justifies the price of delivery
- Out sourcing to Door Dash, Grub Hub and Uber Eats is now also moving to retail products
- What risks does this create for business owners/operators?
 - Food safety risks? Tampering, etc.
 - If the driver is in an accident, can the business be dragged into the litigation?
 - Do business operators have a duty to check for “fit for duty” of the 3rd party driver? What if they are impaired and delivery your product? Are you liable?

3:15 pm – 3:30 pm | Closing Remarks | Kurt Leisure, NRRDA President