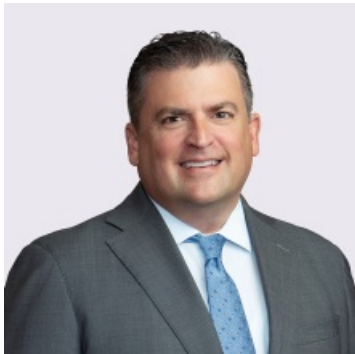


# Live from Workplace Horizons 2025: Emerging AI + Related Tech Issues in the Workplace

By Eric J. Felsberg

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## Meet the Authors



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## Related Services

Artificial Intelligence &  
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## Details

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Welcome to this special edition of We get work®. Over 500 representatives from 260 companies gathered together to share valuable insights and best practices on workplace law issues impacting their business today. Here's your personal invitation to get those insights delivered directly to you live from Workplace Horizons 2025 in New York City, Jackson Lewis's annual Labor and Employment Law Conference.



## Transcript

### INTRO

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#### Alitia Faccone

Senior Director of Business Development

Eric Felsberg, welcome to the Live from Workplace Horizons podcast studio right here at the Hilton Midtown, New York City. It's a pleasure to have you here. Why don't you just share with our listening audience who weren't able to attend the conference a little bit about your practice and what you're doing for our workplace law clients these days?

#### Eric Felsberg

Principal, Long Island

Thanks for having me, first of all. I co-lead the Artificial Intelligence and Automation Group at Jackson Lewis. I also co-lead the Technology Group. Most of my time right now is being taken up with working with clients on a lot of [AI](#), especially with an emphasis on technology employers.

#### **Faccone**

The title of your presentation today was, and it was a plenary session in our ballroom with client guests, "Is the Future Now or Has it Already Happened – Emerging AI and Tech Issues." Can

you tell us a little bit about what you and our guests covered in the presentation this morning?

**Felsberg**

We had three guests, all of whom are, from an organizational perspective, on different levels in terms of their AI journey. We talked about why AI is being used, what some of the use cases are in each different organization, what some of the pitfalls you have to be aware of are, and we covered regulatory activity, compliance internally, drafting policies and those types of issues.

**Faccone**

It's a lot to cover, even in an hour. What do you think were the most important issues and things that you really needed to share with the audience that might be grappling with just starting out using AI, or, as you mentioned, not even knowing their employees are using AI?

**Felsberg**

There's a lot of excitement around AI right now. A lot of employers want to jump into the AI pool because it sounds fun. They want to be perceived as being on the cutting edge, but a lot of times, they don't give a lot of deep thought about how we're going to use AI, what issues we're trying to solve and so forth. We talked a little bit about how that's something they need to think about ahead of time. Then, from there, it was really just thinking about how to get this AI thing started. Should we establish some guardrails? Should we have a policy in place?

It's being made increasingly difficult because, under the Biden administration, there was a lot of content that the administration put out via the EEOC and otherwise around AI. There were some guardrails out there that we can at least emulate, if you will. Now that we have a new presidential administration in place, on the federal level, a lot of that AI regulation has been pulled away. Now, these employers are really having to comply with a patchwork of state and local AI laws. That's challenging, because each one of them regulates something a little bit different than the other.

When you're thinking about how we're going to use it, you have to think about which states and localities you have operations in, and what should be addressed by your policies. It makes it difficult and challenging to get an initiative off the ground.

Those were a lot of the issues we covered during our talk. That's what the audience needed to hear today.

**Faccone**

Last year, I know we sat across the table, and we talked a little bit about AI. The conversation is already different, right? What were some of the most significant changes, do you think? Potentially, even aside from the new presidential administration, what were some of the most significant changes, and what do you think we might be talking about next year?

**Felsberg**

I raised the last part of that question to the panel, and I even pushed it out further. I think I said maybe five years or whatever I said, but I prefaced it by saying I understand that's an unfair question. If you think about what we're dealing with today, had you told me that a year ago, it seemed very far out.

One of the things we touched on in our talk is this area that's growing around deep fakes. It can impact the workplace where you have recordings and maybe even videos seemingly depicting a person providing a certain message, when in reality, that's actually a deep fake. There have

been some cases that I won't go over here, but we touched on them in the presentation – that's here now, and it's something that employers have to think about. A year ago, I don't think any employer was thinking that a message an employee just left me or this text that I just received is not real and came from some AI platform. So, that's here now.

Again, I touched on it in the last question with regard to just this growing area of regulations. We're seeing each one of these states pop up. There aren't many right now, but they're coming and they're regulating everything a little bit differently. Employers are trying to become comfortable with what their obligations are, but that's a complicated question. Again, I touched on it earlier, where do we have operations, and what are we using AI for? They have to think about all those considerations.

### **Faccone**

Given how rapidly it's changing, probably more so than any other area of workplace law right now, what can we help employers do? What were some of the key takeaways you provided in essence during your presentation and what our podcast listeners are likely to want to hear?

### **Felsberg**

People just need to get comfortable with it. Employers can't, at this point, just sit on the sidelines and say, we don't use AI, so we don't have to worry about it. One of the points we made during the presentation was the importance of policies. As new employees come on, this generation is very used to dealing with things like AI. This is not new to them; It's just another technology. Employers have to be prepared for that. The best way to manage that is through a policy – setting the ground rules for its usage, approved usage of certain tools, and giving permission as well as prohibition around how they can use it.

An important part, and perhaps even the most important part of the policy, is that there needs to be an outlet for employees to come forward and say, I would like to use this AI tool, may I? An outlet to go through the vetting process, or if they have questions about it. The last thing an employer wants to do is put their head in the sand right now and say whatever happens, happens, because that's when the problems are going to start. Employers have to get comfortable with it. That means they have to socialize it.

The one last point I would say on this is that it is certainly important to have a policy if you're using AI. It's almost more important to have it if you're not using AI. Just because you don't think you're using it doesn't mean that there aren't any employees who are actually using it. You need to control that as much as you can.

### **Faccone**

Proactivity and policies have been a theme of this conference with your colleagues and thought leaders, and it sounds like you're in the same camp there.

As co-leader of the AI and Technology Groups, can you share a little bit about how Jackson Lewis is helping employers grapple with something that they really have never had to deal with before?

### **Felsberg**

It falls into a few buckets. The first one is just educating and demystifying what AI is, what it's not and helping employers understand the different AI platforms and tools that are available to them.

The second piece is educating around the regulatory requirements. We are doing a lot of policy drafting and policy review right now. I would say that every policy needs to be tailored to the

organization. You shouldn't fall into this trap, if you will, of just using a generic AI policy and thinking that's going to protect you. Again, there are a number of considerations, and I mentioned a few of them earlier, that you have to think about when you're doing this.

Then, the last piece is just as employers start to get involved with AI providers, speaking with them about contractual terms. What is the developer, for example, providing to you? What are your responsibilities when using that tool? That could have significant ramifications if later on something goes sideways.

### **Faccone**

Eric Felsberg, on an incredibly important topic right now. Thank you for stopping by and sharing the insights from your presentation. We look forward to seeing you next year and hearing what's happening next.

### **OUTRO**

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