

SPECIAL
POINTS OF
INTEREST:

- Upcoming
Events
- Contact
Information

INSIDE THIS
ISSUE:

Letter from the President 1

Capitol Days on Tourism 1

2024 MHLA Golf Tournament 2

Executive Order on AI 3

Missouri's First Buc-ee's 4

I-9 Changes 5-6

Heads N' Beds



DECEMBER 2023

Letter from the President

Merry Christmas,

I want you all to know how thankful I am for a great board and all the members of MHLA. These partnerships and the dedication to MHLA, are what make us so effective. Thank you for everything you and your staffs do to help MHLA be the bright spot in your guests' day and help impact policy.

It has been an honor being on this board, but this will be my last letter as I step down and allow someone else to take the helm from Springfield. I plan on being active and definitely attending our annual meeting and golf outing next year in Kansas City.

Sincerely,

Greg E. Walker, President

Missouri Hotel Lodging
Association

2024 Capitol Days for Tourism

Join us for the 2024 Missouri Association of Convention & Visitors Bureaus (MACVB) and Missouri Travel Alliance (MTA) Legislative Capitol Days on Tuesday, February 20 & Wednesday, February 21 in Jefferson City.

The event will include a reception on Tuesday evening. Wednesday will include a legislative briefing at 8:30 a.m. as well as meetings with legislators throughout the day (tentatively from 9:00 to 2:00 p.m.). Individuals registered to participate will have meetings scheduled with their legislators (those representing their home and work districts) - these meetings will be scheduled based on the availability of legislators. Attendees may also be placed in groups with other attendees from same area/county.

Watch for room block information coming soon.

Registration Link:

<http://events.r20.constantcontact.com/register/event?oeidk=a07ek3hh0h0e77d736d&llr=6ifggxcab>



GOLF TOURNAMENT

TIFFANY GREENS GOLF CLUB KANSAS CITY MO

Tuesday, May 7, 2024

Noon Registration | 1pm Shotgun Start | 6pm Awards Dinner



The Missouri Hotel & Lodging Association is proud to host our annual golf tournament with a two-person scramble and raffle.

Your registration will include 18-holes with cart and an awards dinner following.

There will be gift-bags and prizes for:
Closest to the pin • Longest Drive • Longest Putt

Discounts will be available on lodging and additional golf rounds.

Chances to Win:

****\$10,000 Cash Prize**

Prizes awarded to top 3 teams in each flight.*

*Flights determined by total number of golfers. **Prizes are subject to change.

Dinner Only: \$25

Two-Person Team: \$250

Hole Sponsor \$200: Signage at designated hole

Two-person Team and Hole Sponsor: \$400

REGISTRATION DEADLINE IS FRIDAY, APRIL 19th

If you have any questions contact our office at (417)559-3869 or by email at info@lodgingmissouri.com.

Return with Payment or register at www.LodgingMissouri.com

Missouri Hotel & Lodging Association

PO Box 105514
Jefferson City, MO 65110
Phone: 417-559-3869
Email: info@lodgingmissouri.com

Name _____
Other Player _____
Phone _____
Method of Payment
 Bill Me Visa/Mastercard
 Check Discover
 American Express

Credit Card # _____ Exp. date _____ 3-Digit Code _____
Signature _____ Billing Zip _____

Sign up for:

	Price
<input type="checkbox"/> Dinner Only	\$25
<input type="checkbox"/> Two-some	\$250
<input type="checkbox"/> Hole Sponsor	\$200
<input type="checkbox"/> Team & Hole Sponsor	\$400

Executive Order on AI With Serious Implications for Employers

November 6, 2023 By [Jennifer G. Betts](#), [Danielle Ochs](#), and [Zachary V. Zaggar](#)

On October 30, 2023, President Joe Biden signed an executive order (EO) on artificial intelligence (AI) in an effort to establish a “coordinated, Federal Government-wide approach” to the responsible development and implementation of AI.

As various state, local, and international jurisdictions continue to propose and enact legislation relating to AI, the Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence is the first broad-based roadmap of the federal government’s approach to the quickly developing AI space.

Consistent with trends in other AI-regulatory developments, the Biden Administration’s focus is on both procedural safeguards surrounding AI (such as auditing/vetting of AI tools) as well as substantive safeguards (steps designed to ensure, for example, equity and fairness in the use of AI tools).

A core theme of the EO is the inherent tension between the promise of AI to help “solve urgent challenges while making our world more prosperous, productive, innovative, and secure” with the potential perils of irresponsible use “such as fraud, discrimination, bias, and disinformation.” The EO lays out the administration’s initial playbook for balancing these promises and perils by encouraging the development of AI through various mechanisms while also setting in motion exploratory steps to impose checks and balances on AI use/development.

Guiding Principles

As relevant to the workplace, the EO identifies certain guiding principles and priorities for the development and implementation of AI, including:

“Artificial Intelligence must be safe and secure.”

According to the EO, meeting this goal “requires robust, reliable, repeatable, and standardized evaluations of AI systems, as well as policies, institutions, and, as appropriate, other mechanisms to test, understand, and mitigate risks from these systems before they are put to use.” The concept of testing and

evaluation of AI systems is not new in the evolving guidance on workplace AI use. For example, mandatory testing is required in New York City’s law regulating the use of automated employment decision tools (AEDTs), and the Equal Employment Opportunity Commission (EEOC) has also recommended employers implement testing of AI tools pre- and post-implementation.

“The responsible development and use of AI require a commitment to supporting American workers.”

The EO ties this commitment to labor issues, flagging that as AI “creates new jobs and industries, all workers need a seat at the table, including through collective bargaining, to ensure that they benefit from these opportunities.” The EO further states that “[i]n the workplace itself, AI should not be deployed in ways that undermine rights, worsen job quality, encourage undue worker surveillance, lessen market competition, introduce new health and safety risks, or cause harmful labor-force disruptions.”

“Artificial Intelligence policies must be consistent with [the] Administration’s dedication to advancing equity and civil rights.”

The EO further states that the administration will seek “to ensure that AI complies with all Federal laws and to promote robust technical evaluations, careful oversight, engagement with affected communities, and rigorous regulation.” Interestingly, the EO underscores guidance previously provided by the EEOC that both developers and users of AI may have potential liability, stating that “[i]t is necessary to hold those developing and deploying AI accountable to standards that protect against unlawful discrimination and abuse.”

Immigration

The EO contains new immigration policies focused on spearheading United States leadership in AI development. For example, the EO instructs the Departments of State (DOS) and the Department of Homeland Security

(DHS) to streamline visa processing times for noncitizens traveling to the United States to “work on, study, or conduct research in AI or other critical and emerging technologies.” Additionally, the EO encourages DHS to evaluate rulemaking to ease the process for noncitizens “including experts in AI and other critical and emerging technologies and their spouses, dependents, and children, to adjust their status to lawful permanent resident.”

Further, the EO instructs the Department of Labor (DOL) to solicit public input on AI and other science, technology, engineering, and mathematics (STEM) labor shortages for purposes of considering updates to the “Schedule A” list of occupations. Finally, the EO encourages the State Department to initiate changes to J-1 visitor exchange program to attract and retain experts in AI and related fields. Through these—and likely further—steps, the Biden administration seeks to continue to position the United States at the forefront of AI progress.

Department of Labor

The EO also requires the DOL to take certain actions designed to address the risks of AI in the workplace.

1. AI-induced worker displacement

First, the EO requires the DOL, within 180 days, to issue a “report analyzing the abilities of agencies to support workers displaced by the adoption of AI and other technological advancements.”

2. Best practices

The EO further requires the DOL, within 180 days, to “develop and publish principles and best practices for employers that could be used to mitigate AI’s potential harms to employees’ well-being and maximize its potential benefits.” The EO requires these best practices to address, at a minimum:

“[J]ob-displacement risks and career opportunities related to AI, including effects on job

Missouri's first Buc-ee's comes to Springfield ahead of holiday travel

Elly Laliberte, KOMU 8 Reporter Dec 10, 2023

SPRINGFIELD – The first Buc-ee's in Missouri is coming to Springfield right before holiday travel begins.

The new location, opening Monday, is a 53,000 square-foot travel center with 120 gasoline pumps located off Interstate 44 and Mulroy Road, at 3284 N. Beaver Road. The location is roughly 15 minutes east of downtown Springfield.

Buc-ee's and the City of Springfield were in contact for roughly two years before setting an opening date. According to the company, there were several factors that needed to be finalized, including finding a location, hiring staff, setting up utilities and permits, and more.

Stephen Foutes, the director of Missouri Division of Tourism, is excited for the first Buc-ee's to come to the state.

"I think this is a really neat opportunity for Missouri," Foutes said. "You know, it's not too often people are really excited about a fuel station opening up, but it's really a lot more than that."

Buc-ee's offers gas, apparel, Texas barbecue, homemade fudge, kolaches, 'Beaver' nuggets, jerky, pastries and more. The company has 34 stores across Texas and 12 locations in other states.

According to Jeff Nadalo, the company's general counsel, the Springfield location checked all of the boxes.

"We look very hard for locations where we're going to be well received and that the local authorities are interested in provid-

ing what it takes to get the store up and running," Nadalo said.

In 2022, the intersection between I-44 and Mulroy Road saw more than 3,000 vehicles each day, while more than 21,000 vehicles travel on this section of I-44 every day.

Amanda Ohlensehlen, the economic vitality director for the City of Springfield, is excited for the development.

"It further solidifies Springfield and the surrounding region as a tourism destination to attract visitors," she said. "As well as providing quality jobs and opening up additional land for development on the I-44 corridor, which is really important for the future growth of our city."

Ohlensehlen estimates that the new stop will generate more than \$30 million annually in taxable sales.

"It will have significant benefit to overall revenues for our region," she said.

According to Buc-ee's, the new location expects to see 6 million customers annually. More than 88% of these customers will visit from over 20 miles away.

According to the Missouri Department of Tourism, Springfield was the fourth most-visited city in the state in 2022.

"I think the timing of their opening is very fortuitous in that there is going to be an influx of travel to southwest Missouri for

those kinds of attractions," Foutes said.

There is also a Facebook group dedicated to the store with roughly 17,000 members called "Fans of Buc-ee's! Springfield, Missouri." Members are Missouri residents and Buc-ee's fans from across the United States. The group shares updates of the construction and plans to travel specifically for it.

Although the company has strong fan base, other commuters are ready to utilize the space.

Rob Begemann is an Ashland resident who often travels to Springfield for work. He said the new addition was extremely noticeable.

"When you look over it's like, 'Oh my god, it's big,'" he said. "I'll stop by that for sure, especially if I'm pulling a trailer and taking a machine down there."

Doors will open at 6 a.m. Dec. 11 to the public, and a ribbon-cutting ceremony will take place at 11 a.m.

What Employers Should Know About the Updated Form I-9

Employers must switch to new version of the employment eligibility form by
Nov. 1

By Leah Shepherd August 1, 2023

United States Citizenship and Immigration Services (USCIS) announced July 21 a new Form I-9—which has been streamlined and shortened—that employers should use beginning Aug. 1, 2023. Employers may continue to use the older Form I-9 (Rev. 10/21/19) through Oct. 31, 2023.

After that date, they will be subject to penalties if they use the older form. The new version will not be available for downloading until Aug. 1.

Additionally, the U.S. Department of Homeland Security (DHS) issued a final rule that allows the agency to create a framework under which employers can implement alternative document examination procedures, such as remote document examination. The new form subsequently has a checkbox to indicate when an employee's Form I-9 documentation was examined using a DHS-authorized alternative procedure.

DHS confirmed that only employers that use E-Verify who are in good standing may continue to conduct verifications electronically after Aug. 1, 2023, though the stage has been set for permanent remote examinations to become a reality for all employers based on the new rule. E-Verify employers performing remote verification must conduct a live video interview with the employee, retain copies of all documents presented in the I-9 verification process and create E-Verify cases for new employees, according to Ian Wagreich, an attorney with Hinshaw & Culbertson in Chicago.

Emily Dickens, SHRM's chief of staff, head of public affairs and corporate secretary, said, "SHRM enthusiastically welcomes this new development, as we have been advocating for a remote Form I-9 verification process for years, particularly over the last three years with the implementation of the COVID-19 flexibilities. The Remote Form I-9 Alternative Procedure reflects the modern reality of the American workforce and HR processes and takes account of current and emerging technology – all while investing in the integrity and the security of the U.S. immigration system."

"The new I-9 rule is a giant leap forward in that it recognizes that remote employment is prevalent and that some of the old I-9 rules needed to be updated," said Greg Berk, an attorney with Sheppard Mullin in Costa Mesa, Calif. "E-Verify is a robust verification tool, and therefore, if an employer is enrolled in E-Verify, then allowing them more flexibility with remote employees is good policy."

Completing the New Form I-9

Completed at the time of hire, Section 1 of the new form collects identifying information about the employee and requires the employee to attest to whether they are a U.S. citizen, noncitizen national, lawful permanent resident or noncitizen authorized to work in the United States.

Completed within three days of the employee's hire, Section 2 of the new form collects information about the employee's identity and employment authorization. The employee must present original documentation proving the employee's identity and employment authorization, which the employer must review.

When new hires have preparers and/or translators assist them in completing Section 1, they should complete Supplement A.

Employers should fill out Supplement B when rehire occurs or reverification is required. This should be completed prior to the date that the worker's employment authorization expires. Supplement B also may be used to record a name change.

Employers must maintain a person's Form I-9 for as long as the individual works for the employer and for the required retention period after the termination of an individual's employment (either three years after the date of hire or one year after the date employment ended, whichever is later).

Employers must make I-9 forms available for inspection upon request by officers of the DHS, the U.S. Depart-

ment of Justice or the U.S. Department of Labor. Employers that don't complete and retain I-9 forms properly may face civil money penalties and, in some cases, criminal penalties, according to the DHS.

What's New in the Revised Form I-9?

USCIS made the following updates to the Form I-9:

- Reduced Sections 1 and 2 to a single-sided sheet. No previous fields were removed. Rather, multiple fields were merged into fewer fields when possible.
- Moved the Section 1 Preparer/Translator Certification area to a separate, standalone supplement (Supplement A) that employers can provide to employees when necessary. Employers may attach additional supplement sheets as needed.
- Moved the Section 3 Reverification and Rehire area to a separate, standalone supplement (Supplement B) that employers can print if or when rehire occurs or 3 reverification is required. Employers may attach additional supplement sheets as necessary.
- Removed use of "alien authorized to work" in Section 1 and replaced it with "noncitizen authorized to work" as well as clarified the difference between "noncitizen national" and "noncitizen authorized to work."
- Ensured the form can be filled out on tablets and mobile devices.
- Removed certain features to ensure the form can be downloaded easily. This also removes the requirement to enter N/A in certain fields.
- Updated the notice at the top of the form that explains how to avoid discrimination in the Form I-9 process.

AI (cont.)

skills and evaluation of applicants and workers”;

“[L]abor standards and job quality, including issues related to the equity, protected-activity, compensation, health, and safety implications of AI in the workplace”; and

“[I]mplications for workers of employers’ AI-related collection and use of data about them, including transparency, engagement, management, and activity protected under worker-protection laws.”

Notably, to develop these standards, the EO directs the DOL to consult with “other agencies and with outside entities, including labor unions and workers, as the Secretary of Labor deems appropriate.” Absent from this list is a direction that the secretary consult with the employer community. The best practices structure contemplated by the EO may ultimately look similar to the technical assistance guidance issued by the EEOC relating to employer use of AI, which recommended employ-

ers deploy various “promising practices” as they use technology like AI.

3. Wage-and-hour

Interestingly, the EO requires the DOL to “issue guidance to make clear that employers that deploy AI to monitor or augment employees’ work must continue to comply with protections that ensure that workers are compensated for their hours worked, as defined under the Fair Labor Standards Act.” Wage-and-hour issues have not historically been a focus in the development of AI employment regulatory guidance; this latest guidance may be a sign of more to come in this area.

4. Federal contractors

Finally, the EO requires the DOL to publish, within the year, “guidance for Federal contractors regarding nondiscrimination in hiring involving AI and other technology-based hiring systems.”

Next Steps

The EO follows up on the Biden administration’s “Blueprint for an AI Bill of Rights,”

released in October 2022, which outlined nonbinding recommendations for the design, use, and deployment of AI and automated decision-making systems and guidance from the EEOC on the potential disparate impact of employers’ use of such technology.

As companies increasingly utilize and rely on AI for a variety of purposes, including making employment decisions, guidance from various regulatory bodies will continue to issue.

Employers may want to consider reviewing their current and planned use of AI and the impact on employees in light of increasing federal scrutiny and carefully watch for additional forthcoming guidance.

Ogletree Deakins will continue to monitor developments and will provide updates on the Employment Law and Technology blogs.

I-9 (cont.)

- Revised the Lists of Acceptable Documents page to include some acceptable receipts as well as guidance and links to information on automatic extensions of employment authorization documentation. Added a box that eligible employers must check if the employee’s Form I-9 documentation was examined under a DHS-authorized alternative procedure rather than via physical examination. USCIS also updated the following in the Form I-9 instructions:
- Streamlined the steps each actor takes to complete their section of the form.
- Added instructions for use of the new checkbox for employers who choose to examine Form I-9 documentation under an alternative procedure.
- Removed the abbreviations charts and relocated them to the M-274, Handbook for Employers: Guidance for Completing Form I-9.
- Reduced length of instructions from 15 pages to 8 pages.
- Added definitions of key actors in the Form I-9 process.

Missouri Hotel & Lodging Association

Laurie Hayes
Executive Director
PO Box 105514
Jefferson City MO 65110
Office: 573- 636- 2107
Cell: 417-559-3869
Email: info@lodgingmissouri.com
www.LodgingMissouri.com

“Tourism Matters”

The Missouri Hotel & Lodging Association exists to serve and unite representatives of the lodging industry in Missouri for the promotion and protection of their common interests. MHLA’s mission is to establish member properties as the preferred lodging properties of choice in Missouri through enhanced marketing efforts and the highest standards of professionalism.

2023 MHLA Officers

President- Greg Walker, Walker Hospitality Group (Springfield)

Vice President-Michael Rose, Holiday Inn KCI (Kansas City)

Secretary/Treasurer- Pete Hall, Atrium Hospitality (Joplin)

Past President- Trey Propes

Lodging Board Members at Large:

Steve Ehrhardt, Owner-Comfort Inn (St Robert/Fort Leonard Wood)

Lori Lammers, Kinseth Hospitality (Columbia)

Gail Myer, Myer Hotels (Branson)

Steve Scherer, Leisure Hotel (Branson)

Erik Ubberoth, Drury Hotels

Associate Board Members:

Diane Gillespie, Jefferson City CVB

Tyler Morgan, Tilton Thomas & Morgan (Saint Joseph)