

Advanced Employment Law: What You Need to Know

Several members of Paley Rothman's Employment Law group spoke at the National Business Institute's two-day seminar on Advanced Employment Law: What You Need to Know on April 17-18, 2018.

Program Description

Handle Employment Law Difficulties with Confidence

Rapid employment law legislative and case law evolution has created complex legal questions for employers and employees alike. Merely keeping up with the increasing number of changes can be challenging for the most experienced of practitioners, not to mention practically applying them to demanding situations that may walk through the door at any moment. This comprehensive, two-day seminar provided valuable information needed to navigate the rapidly changing employment law landscape. No matter which side of the aisle you represent, there were tips and techniques to take away for handling advanced-level issues.

- Clarified confusion regarding workplace LGBT discrimination and create workplace policies that are in line with the latest developments.
- Resolved complicated matters concerning intermittent FMLA leave, termination of employees on leave and more.
- Confidently determined if workplace ADA accommodations constitute an undue hardship on employers.
- Obtained cutting-edge strategies to handle claims of retaliation.
- Got the latest information on FLSA changes and overcome hurdles they create.
- Detected fatal missteps employers make when they use independent contractors.
- Examined the complexities of non-compete agreements and determine to what degree they are enforceable.
- Analyzed how attorney-client privilege is preserved - or refuted - during internal investigations.

Who Attended

This advanced level seminar provided clear legal guidance for complying with employment laws and avoiding lawsuits for:

- Attorneys
- Human Resource Managers
- Presidents
- Vice Presidents
- CFOs

Course Content

DAY ONE

- I. LGBT/Sexual Orientation Discrimination: Navigating the Changing Legal Landscape
- II. Handling Employee Discrimination and Harassment Claims: Pregnancy, Race, Age, Gender, etc.

III. FMLA Complications: Intermittent Leave, Termination and More

IV. Navigating the ADA

V. Retaliation Claim Legal Strategies: Defenses, Counter-Suits and More - *Jim Hammerschmidt*, 2:30-3:30

VI. Enforceability of Mandatory Arbitration Clauses - *Jack Blum* (former Associate), 3:30-4:30

DAY TWO

VII. The FLSA - *Jessica Summers*, 9:00-10:00

- Salary Thresholds
- Exempt Employees and Non-Exempt Duty Pitfalls
- Changing Employee Classification
- Recognizing Liability in Handbook Policies, Job Descriptions, etc.?

VIII. Independent Contractors: Detecting Employer Missteps - *Jessica Summers*, 10:15-11:00

- Interpreting Recent Guidance
- Indicators That Scream "Independent Contractor"
- Independent Contractor Policies That Create Liabilities

IX. Ethical Issues in Employment Law

X. Internal Investigations and Attorney-Client Privilege: How it is Preserved or Refuted - *Jim Hammerschmidt*, 1:00-1:45

- Business Purposes vs. Legal Advice
- Analyzing Investigation Policies and Procedures
- Attorney Oversight of Investigations
- Documenting Investigation Legal Purpose

XI. Responding to EEOC and State Agency Charges - *Jeffrey Hord* (former Associate), 1:45-2:30

- Evaluating the Claim
- Charge Investigation Best Practices
- Document and Computer Evidence Retention
- Position Statements as Potential Evidence in Litigation

XII. Non-Compete, Non-Solicit and Confidentiality Agreements - *Jeffrey Hord* (former Associate) 2:45-3:45

- Geographic Scope
- Duration of Agreement
- Restricted Activities
- Hiring Employees with an Agreement: Assessing Liabilities

XIII. Drugs and Alcohol in the Workplace: Medical Marijuana and Other Considerations - *Jack Blum* (former Associate), 3:45-4:30

Continuing Education Credit

Certified Payroll Professionals – Certified Payroll Professional: 12.00

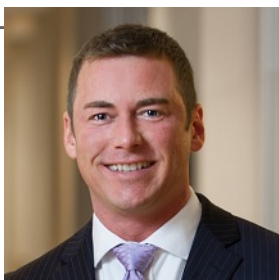
Continuing Legal Education – CLE: 12.00 *

Human Resource Certification Institute – HRCI: 12.00

International Association for Continuing Education Training – IACET: 1.20

National Association of State Boards of Accountancy – CPE for Accountants/NASBA: 14.00 *

Society for Human Resource Management – SHRM CP/SCP: 12.00



Featured presenters: Jim Hammerschmidt, Jack Blum (former Associate), Jeffrey Hord (former Associate), and Jessica Summers