



*All New  
Program*

**One Day, Many Solutions<sup>SM</sup>**  
**Employment Law Coast-to-Coast**

March, April & May 2014

*A one day seminar for anyone with responsibility for  
managing people and policies impacting the workplace*

*Presented by*

**FISHER & PHILLIPS<sup>LLP</sup>**

ATTORNEYS AT LAW

*Solutions at Work<sup>®</sup>*

[www.laborlawyers.com](http://www.laborlawyers.com)



## Seminar Cities, Dates & Locations

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### **Atlanta**

**March 25, 2014**

Georgia Aquarium  
225 Baker Street NW  
Atlanta, GA 30313

### **Boston**

**March 26, 2014**

The Conference Center  
at Waltham Woods  
860 Winter Street  
Waltham, MA 02451

### **Charlotte/Columbia**

**May 15, 2014**

Marriott Columbia  
1200 Hampton Street  
Columbia, SC 29201

### **Chicago**

**May 6, 2014**

The Westin Chicago  
909 N Michigan Avenue  
Chicago, IL 60611

### **Cleveland**

**April 29, 2014**

Embassy Suites Cleveland  
5800 Rockside Woods Boulevard  
Independence, OH 44131

### **Columbus**

**May 13, 2014**

Studio Movie Grill  
175 W Nationwide Boulevard  
Columbus, OH 43215

### **Dallas**

**April 30, 2014**

Cityplace Conference  
& Event Center  
42nd Floor  
2711 N Haskell Avenue  
Dallas, TX 75204

### **Denver**

**May 7, 2014**

Magnolia Hotel  
818 17th Street  
Denver, CO 80202

### **Fort Lauderdale**

**May 2, 2014**

Westin Fort Lauderdale  
400 Corporate Drive  
Fort Lauderdale, FL 33334

### **Houston**

**April 30, 2014**

DoubleTree Hotel-Allen Center  
400 Dallas Street  
Houston, TX 77002

### **Irvine**

**May 6, 2014**

Hilton Irvine/Orange County  
Airport Hotel  
18800 Macarthur Boulevard  
Irvine, CA 92612

### **Kansas City**

**May 8, 2014**

Overland Park Convention Center  
6000 College Boulevard  
Overland Park, KS 66211

### **Las Vegas**

**March 18, 2014**

Tuscany Suites and Casino  
255 E Flamingo Road  
Las Vegas, NV 89169

### **Los Angeles**

**April 24, 2014**

Millennium Biltmore Hotel  
506 S Grand Avenue  
Los Angeles, CA 90071

### **Louisville**

**May 6, 2014**

The Kentucky International  
Convention Center  
221 S Fourth Street  
Louisville, KY 40202

### **Memphis**

**May 2, 2014**

Hilton Memphis  
939 Ridge Lake Boulevard  
Memphis, TN 38120

### **New Jersey**

**April 25, 2014**

Hilton Short Hills  
41 John F Kennedy Parkway  
Short Hills, NJ 07078

### **New Orleans**

**April 16, 2014**

Hilton New Orleans Airport  
901 Airline Drive  
Kenner, LA 70062

### **Orlando**

**May 13, 2014**

Garden House at  
Harry P Leu Gardens  
1920 N Forest Avenue  
Orlando, FL 32803

### **Philadelphia**

**April 4, 2014**

Palomar Philadelphia  
117 S 17th Street  
Philadelphia, PA 19103

### **Phoenix**

**May 21, 2014**

The Westin Phoenix Downtown  
333 N Central Avenue  
Phoenix, AZ 85004

### **Portland, ME**

**March 27, 2014**

Marriott at Sable Oaks  
200 Sable Oaks Drive  
South Portland, ME 04106

### **Portland, OR**

**April 29, 2014**

Portland City Grill  
Unico US Bank Tower  
30th Floor  
111 SW 5th Avenue  
Portland, OR 97204

### **San Antonio**

**May 1, 2014**

Maggiano's Little Italy  
17603 Interstate 10  
San Antonio, TX 78257

### **San Diego**

**May 8, 2014**

Hilton La Jolla Torrey Pines  
10950 N Torrey Pines Road  
La Jolla, CA 92037

### **San Francisco**

**May 15, 2014**

Hyatt Regency San Francisco  
5 Embarcadero Center  
San Francisco, CA 94111

### **Tampa**

**May 8, 2014**

Sheraton Suites Tampa Airport  
Westshore  
4400 W Cypress Street  
Tampa, FL 33607

# One Day, Many Solutions<sup>SM</sup>

## Employment Law Coast-to-Coast

The labor and employment attorneys from Fisher & Phillips LLP are going coast-to-coast with practical solutions for workplace problems. In one day, you will become better prepared for the employment law changes and challenges all employers face in 2014.

We hope you will join us for this one day employment law seminar in your city or a city nearby.



### Who Should Attend This Seminar?

This Employment Law Seminar is designed for anyone who manages employees and makes decisions impacting the workforce. The seminar will benefit Presidents, CEOs, COOs, CFOs, Human Resource professionals, and In-House Counsel with labor and employment responsibility.

### Why Attend This Seminar?

Attendees will receive practical advice which they will be able to put into effect at their organizations.

### Seminar Cost

The cost of the seminar is \$165 per person and includes both breakfast and lunch. If an organization sends multiple attendees, the discounted price is \$125 per person.



## AGENDA

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8:00 a.m. - 9:00 a.m.

### **Registration and Breakfast**

**Session 1:** 9:00 a.m. - 9:30 a.m.

### **She Said What?!? Effective Workplace Investigations**

Workplace complaints are increasingly more prevalent among employees who feel “entitled,” and where hotlines, helplines and other complaint mechanisms are used. Investigation of such complaints can pose numerous legal dangers, yet they also present an opportunity to avoid costly lawsuits. This session shows you how to conduct an efficient and effective workplace investigation that will get to the truth and keep you out of legal trouble.

**Session 2:** 9:30 a.m. - 10:00 a.m.

### **Taking the Bully by the Horns: Understanding and Preventing Workplace Bullying**

Cases of adult-to-adult bullying in the employment setting are increasing nationwide. Yesterday’s playground bully is all grown up and continues making life miserable for others. Adult bullying can take the form of verbal abuse, threats, humiliating behavior, and work interference. In a recent survey, 64% of respondents said they were currently working with a bully and 94% indicated they had worked with a bully in the past. If adult bullying is ignored, employers may not only lose good employees victimized by the bully, but find themselves the target of potential claims. The legal claims range from harassment, workers’ compensation, and negligent supervision to infliction of emotional distress. This session discusses techniques to help employers identify and manage adult bullying and provides guidelines for implementing proper company policies on adult bullying.

**Session 3:** 10:00 a.m. - 11:00 a.m.

### **Breaking Bad Behavior: Drugs, Alcohol, Medical Marijuana, Cigarettes, Cursing, Social Media, Attire, Tattoos, Piercings, Missing Underwear, Body Odor, Etc.**

Long gone are the days of Miss Manners and etiquette classes that provided a common means for respectful interaction within society. Self-centered behavior and inaccurate beliefs about “rights” abound among employees. Employees often come to work with an attitude of personal freedom that frequently is at odds with employment policies. Provocative speech, nose rings, medical marijuana, and sexting are often mistakenly considered “rights.” This session addresses an employer’s right to prohibit inappropriate conduct and maintain the work environment best suited to its needs.

11:00 a.m. - 11:15 a.m.

### **Break**

**Session 4:** 11:15 a.m. - 11:45 a.m.

### **Which Is Riskier? Hiring Criminals or Conducting Background Checks?**

Surveys indicate that over 90% of employers conduct criminal background checks for some potential new hires and over 70% of employers conduct background checks on all potential new hires. The rationale for seeking this information is obvious to most employers: identify candidates who are honest on their applications, find those who display a history of good decision-making, and reduce the risk of criminal behavior in the workplace. Despite these important business concerns, the regulatory climate has changed. In April 2012, the EEOC issued updated guidance on the use of criminal background checks in employment and initiated nationwide systemic investigations into employers’ use of criminal background information. Citing concerns that employers could use arrest and conviction records to unlawfully discriminate against job applicants based on their race or national origin, the EEOC has established stringent guidelines for criminal background check policies. This session provides an overview of the EEOC’s enforcement efforts and provides employers with practical guidance on establishing and implementing a legally compliant criminal background check policy.

**Session 5:** 11:45 a.m. - 12:15 p.m.

### **Everybody Gets a Trophy: Avoiding Performance Management Mistakes**

Managing employees is tough, and providing honest and accurate performance management is even tougher. So, what’s the harm in telling all or most of your employees that they are “above average” or “exceeding expectations”? Learn how even a single performance review (not to mention years’ worth) can impact an EEOC charge or litigation. Learn how you can develop performance review forms and processes that will make your managers’ jobs easier and their reviews better and more accurate.

12:15 p.m. - 1:15 p.m.

**Lunch**

**Session 6:** 1:15 p.m. - 2:15 p.m.

**Think Twice Before You Delete That Email: Computers and Employment Law Nightmares**

Every employer that relies on computers, email, social media or the Internet has heard a nightmare story about important emails, spreadsheets and other computer files being lost or deleted by an employee. As if the loss of critical files weren't bad enough, the law now requires employers in every industry to understand the range of obligations and exposures associated with such losses and the use of information technology. One of the most dynamic areas of law facing employers is electronic discovery, or "e-discovery," which is the investigation and exchange of emails and computer files in audits, investigations and hearings by and before the EEOC and Department of Labor and the courts. Almost every week, a state or federal court issues a new opinion or rule that is too important to ignore. Courts have criticized and sanctioned employers for failing to preserve copies of emails and computer files involving internal investigations, wrongful terminations, wage and hour claims, the misappropriation of trade secrets and breaches of employment agreements, even where such files became unavailable due to an accident or mistake. This session addresses these issues and focuses on the steps that all employers can take to manage the risks.

**Session 7:** 2:15 p.m. - 2:45 p.m.

**If a Stripper Is Not an Independent Contractor, Who Is?**

Employers that hire or utilize independent contractors must be extra cautious to ensure that these workers are classified correctly because federal and state governments have signaled their intent to more seriously investigate misclassification issues. Employers that run afoul of the relevant statutes and regulations will face regulatory fines, back tax assessments, wage and hour claims, workers' compensation issues and a host of other problems. Even the "very best" written agreement cannot save you from classification errors. As an example, this session uses the explosion of litigation and various legal issues raised by strip club dancers across the U.S. who claim they have been misclassified. Then, the session provides you with some key do's and don'ts when making classification decisions.

**Session 8:** 2:45 p.m. - 3:30 p.m.

**Healthcare Reform Check-Up: Key Concerns for Employers**

Regardless of the size or type of organization, all employers are impacted by Healthcare Reform in one way or another. This session covers the top issues for employers and HR professionals as they gear up for implementation of the employer "play or pay" mandate in 2015.

3:30 p.m. - 3:45 p.m.

**Break**

**Session 9:** 3:45 p.m. - 4:45 p.m.

**Only in This Town . . . State and Local Employment Law Developments and Trends**

Many employers find that their most pressing issues in labor and employment are local, whether the challenge is finding and retaining good employees or dealing with specific state and local laws. This session will address specific developments and issues most likely to end up as a thorn in your side. With offices in 31 locations, covering 22 states and the District of Columbia, Fisher & Phillips LLP is a national law firm uniquely equipped to tackle your hometown issues. You can rest assured that your local Fisher & Phillips attorney has solutions that will meet your needs. Come prepared with questions and be ready to learn what challenges other local employers face and how a local attorney suggests solving those problems.

4:45 p.m. - 5:00 p.m.

**Final Questions and Adjourn – "News Conference" – Ask the Experts**

## OUR COMMITMENT

Fisher & Phillips LLP is a law firm focused on taking a practical, businesslike approach to solving labor and employment problems. Fisher & Phillips has more than 300 attorneys and 31 offices, all committed to the following:

- **We provide practical business solutions to our clients' legal problems.** Our attorneys are skilled and tenacious advocates, but we recognize that the most aggressive (and expensive) approach may not be the best solution to a client's problem. In every matter we handle, we identify the client's primary business objective and then find and implement a solution to meet that objective.
- **We learn our clients' business and industry.** We know that context is important. We take the time to learn the business environment in which our clients operate so that the advice we provide fits the client.
- **We are responsive.** We recognize that we are in the client service business. We know that many labor and employment problems arise without much prior warning and require an immediate response, so we are highly accessible to our clients. We return calls and emails quickly, and we are available around the clock as necessary.
- **We respect our clients' time.** We know our clients are busy and must manage many challenges simultaneously, so we do our best to avoid last-minute surprises. We meet deadlines, and we communicate with clients efficiently in plain English.
- **We help our clients avoid legal problems.** We think the lawsuit that was never filed is a better win for our client than a defense verdict after a long and costly trial. We provide thoughtful advice and counsel designed to anticipate and prevent employee claims and lawsuits, government investigations, and union-organizing activity.
- **Because of our deep knowledge and experience, we are economical.** Labor and employment law is all we do. Instead of trying to be all things to a client, we offer deep and broad knowledge and experience in the area of the law we know best. We get to the point quickly so our clients do not have to pay for a learning curve.

We are national and local, with attorneys admitted in just about every U.S. jurisdiction. We represent a wide range of public and private employers. Our clients include employers in the agriculture, automotive manufacturing, automobile dealership, banking, broadcasting, casino and gaming, construction, health care, hospitality, insurance, legal and professional services, manufacturing, mining, real estate, retail, technology, transportation, and wholesale and distribution industries, as well as state and local government entities, non-profit organizations, schools, colleges and universities.

## INFORMATION

### HRCI Credit

This program is eligible for HRCI credit.



*The use of this seal is not an endorsement by the HR Certification Institute of the quality of the program. It means that this program has met the HR Certification Institute's criteria to be pre-approved for recertification credit.*

### Continuing Legal Education Credit

Fisher & Phillips programs generally qualify for Continuing Legal Education credit (CLE) for attorneys. The amount of CLE credits is determined by each state bar. Many seminar locations have applied for CLE credit. Please see the seminar website for more details. Even if your selected seminar location has not applied for CLE, you may submit the seminar to your bar for individual approval.

### Cancellation Policy

Written notice of cancellation must be received five (5) days prior to the seminar you plan to attend in order to receive a refund. There will be no refunds for late cancellations. No-shows will be charged at the full conference rate.

### Additional Questions?

For more information or registration questions, contact Charles Varon by phone at (404) 760-7987 or by email at [seminars@laborlawyers.com](mailto:seminars@laborlawyers.com).

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## Employment Law Coast-to-Coast

March, April & May 2014

CONFERENCE REGISTRATION FORM

FISHER & PHILLIPS<sup>LLP</sup>

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www.laborlawyers.com

### Register online, by fax or by mail

**online** www.laborlawyers.com/2014seminars

**fax** (404) 240-4249 Attention: Charles Varon

**mail** Fisher & Phillips LLP, Attention: Charles Varon, 1075 Peachtree Street, NE, Suite 3500, Atlanta, Georgia 30309

*Please complete a separate registration form for each person attending.*

*Please list below any accommodation which may be necessary for you to attend our seminar.*

### Location of Seminar You Plan to Attend:

- Atlanta  Boston  Charlotte / Columbia  Chicago  Cleveland  Columbus  Dallas  Denver  Fort Lauderdale  
 Houston  Irvine  Kansas City  Las Vegas  Los Angeles  Louisville  Memphis  New Jersey  New Orleans  
 Orlando  Philadelphia  Phoenix  Portland, ME  Portland, OR  San Antonio  San Diego  San Francisco  Tampa

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STATE

ZIP CODE

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### Method of Payment

- Check  Visa  Mastercard  American Express

*If paying by check, please make your check payable to Fisher & Phillips LLP. Mail check with the completed registration form or forms to Fisher & Phillips LLP, Attention: Charles Varon, 1075 Peachtree Street, NE, Suite 3500, Atlanta, Georgia 30309.*

Seminar Cost: \$165 per person / \$125 per person if two or more attend from the same organization.

My check is enclosed in the amount of \$ \_\_\_\_\_

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**FISHER & PHILLIPS** LLP

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