

Insights, News & Events

HOT TOPICS IN THE HOSPITALITY AND RESTAURANT/NIGHTLIFE INDUSTRIES

Event
May 14, 2014

On May 14, 2014 Fisher Phillips' Las Vegas attorneys presented hot topics in the Hospitality & Restaurant/Nightlife industries.

Hot Topics examined:

- An IRS Bulletin Addressing When Tips should be Considered Wages and Whether this Changes Anything Under Wage and Hour Law
- A New Legal Requirement to Make your Arbitration Agreement Enforceable
- Tip Credits and Pools
- Social Media
- Operating in a Unionized Casino

Speakers: Mark Ricciardi, Whitney Selert, Anthony Golden, Scott Mahoney, and David Dornak.

Devil's Triangle: ADA/FMLA & Workers' Compensation:

Employee leaves for medical reasons present uniquely difficult challenges in light of the myriad of laws that regulate leaves of absence in today's work place. It is imperative that both front line managers and human resources professionals understand how to juggle compliance with the three most prominent laws regulating medical leaves: the Americans with Disabilities Act, the Family Medical Leave Act, and workers' compensation.

All three laws, however, have different coverages and provide different rights to employees and employers. The difficulty, of course, is determining which combination of the three laws applies in every leave scenario, and then

Related People



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ensuring compliance as appropriate. In this program we will review the basic areas of coverage under the three laws and common mistakes made in sorting through the overlapping coverage.

OSHA:

Employers may think their OSHA recordkeeping logs and procedures are fully compliant, only to learn after an OSHA inspection that they are not. Non-compliance could lead to hundreds of thousands of dollars in penalties. OSHA continues its heightened focus on recordkeeping and is directing inspectors to review companies' Form 300 Logs of Work Related Injuries and Illnesses for up to five previous years for violations of the recordkeeping rules. The end result is that many employers are receiving five and six digit penalties for those violations.

In this session we will examine:

- Recordkeeping Pitfalls that Employers Face
- Nevada Safety Consultation and Training Section (SCATS) Written Workplace Safety Program Requirement
- OSHA's Hearing Conservation Program

Wage & Hour:

Even minor mistakes or small misinterpretations of the Fair Labor Standards Act's wage and hour laws can lead to major problems for an organization. Litigation, penalties and hefty fines have cost employers millions of dollars. The Department of Labor is cracking down on organizations that are not in compliance with the FLSA and plaintiffs' lawyers are filing class and collective actions at record rates. Wage and hour laws are extensive and complex and claims against employers in virtually every industry are on the rise.

In this session we will examine:

- Proper Classification of Employees
- State and Federal Overtime Issues including Limitations on the Four-Ten Hour Workweek
- Overtime Exemptions
- Whether a Company Has to Pay Interns
- When to Pay Employees for Meal Periods, Breaks or Training Sessions

Cost: \$45 per person

Date: Wednesday, May 14, 2014



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Time:

Registration and Continental Breakfast: 7:30 a.m

Program: 8:00 a.m.-11:00 a.m.

Location:

[Cili Restaurant at Bali Hai Golf Course](#)

5160 Las Vegas Blvd. South

Las Vegas, NV 89119

Valet & Self Parking Available

Cancellations must be received at least three calendar days before seminar in order to be eligible for a refund.

This program has been submitted to HR Certification Institute for review.