

Fundamentals of Employment Law

Las Vegas, NV - August 26, 2015

Early Registration

SAVE \$30

if paid by July 15th

Continuing Education Credit:

- NV CLE 6.5
 - CA CLE 6.75
 - HR Certification Institute 6.75
 - NASBA CPE 8.0
- See inside for details.

PRESENTED BY:

John B. Marcin, *Marcin Lambirth, LLP*

Jon Eric Garde, *JEGLAW LTD*

James T. Tucker, *Armstrong Teasdale LLP*

Bernadette A. Rigo, *Selman Breitman LLP*

Brian J. Pezzillo, *Pezzillo Lloyd Law Firm*

(See complete biographies inside)

SES

Sterling means value!

www.sterlingeducation.com

Scan for
exclusive
savings!



www.sterlingeducation.com



Sterling means value!

SES

if paid by July 15th

SAVE \$30

Early Registration

Sterling Education Services
P.O. Box 3127
Eau Claire, WI 54702

Las Vegas, NV - August 26, 2015

Fundamentals of Employment Law

NONPROFIT ORG.
U.S. POSTAGE
PAID
Sterling Education
Services, Inc.

Fundamentals of Employment Law

AGENDA

- I. Hiring and Terminating Employees in the Current Economy**
 - A. Hiring qualified employees
 1. Credit checks: compliance with the Fair Credit Reporting Act
 2. Criminal background information: what are the rules?
 - B. Handling terminations and layoffs
 1. Legal considerations, e.g., WARN Act, OWBPA, RIF
 2. Structuring severance and separation packages, COBRA
 3. Tips and traps, e.g., employment agreements, unemployment compensation claims
 4. Termination: strategies for avoiding claims
- II. Privacy and Social Media in the Workplace**
 - A. Balancing an employer's right to know vs. employee's privacy
 - B. Wireless devices and employee's and employer's privacy violations: monitoring and creating policies regarding electronic communications
 - C. Use of social networking sites in the employment context: risks, best practices, and policies
 - D. Off the job behavior, e.g., blogging and dating
 - E. Privacy issues in formal complaint procedures
 - F. Information disclosure
 - G. Case law studies
- III. FLSA/Wage and Hour Critical Issues**
 - A. Update and overview
 - B. Contrasting the FLSA and state wage and hour laws
 - C. Compensable time: training time, meal time, dressing time, travel time, on-call time
 - D. Employee classification: exempt vs. non-exempt, employee vs. independent contractor
 - E. Regular and overtime rates, minimum wage, salaries, comp time, tipped employees
 - F. Dealing with the Department of Labor: maintaining records and ensuring compliance
 - G. Defenses: what's available, what's not?
 - H. The downside of noncompliance: limitation period, liquidated damages, and attorneys' fees
- IV. ADA and FMLA Updates and Interplay**
 - A. FMLA, ADA updates, and EEOC guidelines
 1. Expansion of what can be considered a "disability"
 2. What constitutes accommodation according to the EEOC
 3. Shift in prohibited action cases
 4. How new ADA rules impact HR
 5. Effect on FMLA and other leave policies
 - B. The interplay between the ADA and the FMLA
- V. Immigration Law**
 - A. I-9, E-Verify®, SSN mismatch
 - B. Relevant immigration issues and timelines
- VI. The ACA/Obamacare: What Employers Need to Know**
 - A. What is the Affordable Care Act?
 - B. How it will affect small and large businesses
 - C. Timeline for provisions
 - D. Questions and answers
- VII. Sexual, Racial, and Other Harassment in the Workplace**
 - A. Recent legislation and court cases
 - B. Harassment vs. discrimination vs. obnoxious behavior
 - C. What constitutes a hostile workplace environment?
 - D. Employer liability principles as they affect management of complaints
 - E. Avoiding harassment claims: policy, protection, prompt, and punishment
 - F. Liability for claims of harassment by third parties
 - G. Conducting a lawful misconduct investigation

Sterling Education Services may alter the agenda due to circumstances beyond our control.

DETAILS

DATE: Wednesday, August 26, 2015
REGISTRATION: 8:00 a.m.
PRESENTATIONS: 8:30 a.m. - 4:30 p.m.
LUNCH: 11:45 a.m. - 12:45 p.m.
Lunch is on your own

LOCATION:

Embassy Suites Las Vegas
4315 Swenson Street
Las Vegas, NV 89119
702-795-2800
Map available online

WHO SHOULD ATTEND

- Human Resource Professionals
- Health Care Insurance Professionals
- Business Owners
- Managers
- Supervisors
- CIS Managers
- Payroll Professionals
- Attorneys:
 - Employment and Labor
 - Immigration
 - Employee Benefits
 - General Practice
 - Health Care
 - New Attorneys

SUMMARY

Whether you're in a small firm or a multinational corporation, or counsel those who are, having a solid foundation in the basic fundamentals of employment law is absolutely essential to success. New developments are emerging out of long-established standards every day, and our presenters are ready to answer your questions about the core concepts and key elements of employment law. Regardless of your current level of expertise, this seminar will help you advise clients, write policies, and administer procedures effectively.
Register today!

SES

Sterling means value!

Please bring your license number, ID, or other necessary information to the seminar to ensure proper reporting of continuing education credit.

CONTINUING EDUCATION CREDIT

NV CLE

This seminar has been **approved** by the **Nevada Board of Continuing Legal Education** for **6.5 credit hours**.

CA CLE

This course has been **approved** for **6.75 total credit hours**, by the **State Bar of California**. Sterling is a State Bar of California Approved MCLE Provider.



This seminar has been **approved** for **6.75 general recertification credit hours** toward the **PHR, SPHR, HRBP, HRMP, and GPHR** recertification through the **HR Certification Institute**. For more information about Human Resource certification or recertification, please visit www.hrci.org.



Sterling Education Services, Inc. is registered with the **National Association of State Boards of Accountancy (NASBA)** as a sponsor of continuing professional education on the National Registry of CPE Sponsors.

State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: www.learningmarket.org.

CPE Credit: Maximum Credit Hours: 8.0 each session (based on a 50 minute credit hour). Field of Study: **Business Law**. Prerequisite: None. Level of Knowledge: **Basic**. Delivery Method: Group-Live. Advance Preparation: None.

*No CPE credit will be granted for home study with the purchase of the seminar audio recording. SES is only approved for "Group/Live" programs.

Other continuing education credit may be available. Please contact Sterling to inquire.

MEET THE FACULTY

JOHN B. MARCIN, managing partner of Marcin Lambirth, LLP, practices in employment, business, and real property litigation; wrongful death; and bank and financial institution litigation. Mr. Marcin represents both plaintiffs and defendants in state and federal court. He serves as lead trial counsel for individuals and firms and highly contentious employment matters where breaches of contracts, discrimination, and harassment are litigated, including recently winning a \$3.5 million dollar wrongful termination case in Los Angeles, a \$1.8 million dollar partnership dispute in Las Vegas, and defending a \$6.5 million dollar claim in San Diego. Mr. Marcin is a frequent presenter at professional education programs, including the California State Bar Annual Convention. He is a member of the Los Angeles County Bar Association, the American Bar Association, the Federal Bar Association, the State Bar of California, the State Bar of Nevada, the California Employment Lawyers' Association, the Nevada Trial Lawyers' Association, and the American Inns of Court. Mr. Marcin received his B.A. from the University of Massachusetts and his J.D. from the Pepperdine University School of Law.

JAMES T. TUCKER, of counsel with Armstrong Teasdale LLP, focuses his practice in the areas of employment defense and voting rights law. With nearly twenty years of employment law litigation experience, Mr. Tucker works with employers in responding to charges of discrimination, including investigations, preparing position statements, and representation in agency and court proceedings, litigation, and appeals. He represents employers on matters under Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the WARN Act, the Uniformed Services Employment and Reemployment Rights Act, and other federal and state employment laws, and he emphasizes preventive law and counseling and advice as ways to reduce the risk that employers face. Mr. Tucker also served as an Assistant Staff Judge Advocate in the U.S. Air Force Reserve, and teaches voting rights law at the University of Nevada-Las Vegas William S. Boyd School of Law. Mr. Tucker received his B.A., *magna cum laude*, from Barrett Honors College at Arizona State University; his J.D., *cum laude*, from the University of Florida Levin College of Law; his M.P.A. from the University of Oklahoma; and his LL.M. and S.J.D. from the University of Pennsylvania Law School.

JON ERIC GARDE, principal of JEG LAW LTD, represents individuals, families, and businesses in immigration and nationality law, including but not limited to employer compliance, investment petitions, employment petitions, family petitions and humanitarian relief, student applications, and humanitarian relief from removal within immigration court and the Board of Immigration Appeals. Mr. Garde is a frequent presenter at professional education programs and he has published numerous articles with regards to immigration matters. Mr. Garde is a member of the American Immigration Lawyers Association and he has served the Nevada AILA chapter through several offices and appointments. Mr. Garde received his B.A. from the University of California at Santa Cruz and his J.D. from the State University of New York at Buffalo School of Law.

BERNADETTE A. RIGO, of Selman Breitman LLP, practices in litigating employment-related matters and provides counseling to employers on issues, including Title VII sexual harassment and race discrimination, and Medical Leave Act claims. Ms. Rigo also specializes in representing clients in general liability matters with an emphasis in premises liability, negligent security, and products liability cases. She is a member of the State Bar of California, the State Bar of Nevada, the Clark County Bar Association, and the Southern Nevada Association of Women Attorneys. She has been recognized as a Super Lawyer® by *Super Lawyers*® magazine, Mountain States Edition. Ms. Rigo received her B.A. from the University of California at Berkeley and her J.D. from Santa Clara University School of Law.

BRIAN J. PEZZILLO, member of Pezzillo Lloyd Law Firm, advises clients with regard to employment and labor issues and represents clients in bankruptcy proceedings, and litigates, arbitrates, and resolves claims arising from construction projects. Mr. Pezzillo is a frequent lecturer on topics relating to employment, payment issues, mechanic's lien claims, public contracting, and construction claims. He is a member of the American Bar Association, the Clark County Bar Association, the Nevada State Bar Association, and the New Mexico State Bar Association. Mr. Pezzillo was also selected as a Mountain States Super Lawyer® in 2013 and 2015. He serves an arbitrator and mediator with the American Arbitration Association as well as an arbitrator with the Financial Industry Regulatory Authority. Mr. Pezzillo received his B.B.A. from the University of New Mexico and his J.D. from the University of New Mexico School of Law.

Fundamentals of Employment Law

Las Vegas, NV - August 26, 2015

Registration Fee: (includes manual)

- \$339 per person
- \$329 per person for 2 or more
- \$309 per person **if paid by July 15th**

Reference Materials:

- Add audio to your registration for \$157*
- Manual only \$95*
- Audio only \$257*
- Audio/manual package \$347*

Payment Information:

- Check Enclosed (payable to Sterling Education Services)

<input type="checkbox"/> VISA	} Card #: _____ - _____ - _____	
<input type="checkbox"/> MC		
<input type="checkbox"/> AMEX		Exp. Date: _____ Security Code: _____
<input type="checkbox"/> DISC		Name on Card: _____

Seminar # 15NV08196

Call us at 715-855-0495 about discounts for groups, non-profits, new practitioners, and more!

Attendee Information:

1) Name: _____ Job Title/Practice Area: _____
Email: _____ †

2) Name: _____ Job Title/Practice Area: _____
Email: _____ †

3) Name: _____ Job Title/Practice Area: _____
Email: _____ †

*For internal use only:
FELHp*

Company Information:

Company/Firm Name: _____

Type of Business: _____ Number of Employees: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: (_____) _____ Fax: (_____) _____ †

*Pricing listed includes \$6 shipping and handling. Please allow 2 to 6 weeks after program for delivery.
†By providing this information you are agreeing to be added to Sterling's in-house contact lists.

BOOKSTORE

Below is a selection of materials available from previous Sterling seminars. To order, please complete this form and mail with payment or call 715-855-0495. You can also find these and other materials online at <https://store.sterlingeducation.com/bookstore.php>.

EMPLOYMENT LAW: BEYOND THE BASICS - Seminar # 14NV07155

FLSA/Wage & Hour Crackdown; Advanced FMLA and ADA Issues; PPACA/Obamacare: What Employers Need to Know; Sexual, Racial, and Other Harassment and Discrimination; NLRB's Expanding Agenda; Privacy and Social Media in the Workplace

PRESENTED BY:

Devon T. Reese with Reese Kints Brohawn, LLC; Charles A. Jones with Jones Law Firm; R. Calder Huntington with Holland & Hart LLP; and Anthony L. Hall with Holland & Hart LLP

Audio & Manual Set \$155 **Audio only \$95** **Manual only \$75**

HIRING & TERMINATING - Seminar # 13NV10265

The Pre-Hiring Process; Background Checks & Hiring Decisions; Overview of Confidentiality, Non-Compete, and Non-Solicitation Agreements; The In-Between: Keeping Good Records; The Termination Process; Information Disclosure Issues

PRESENTED BY:

David F. Faustman with Fox Rothschild LLP; Bernadette A. Rigo with Selman Breitman LLP; Swen Prior with Snell & Wilmer L.L.P.; Anthony B. Golden with Fisher & Phillips LLP; and Molly M. Rezac with Gordon Silver

Audio & Manual Set \$155 **Audio only \$95** **Manual only \$75**

4 Easy Ways to Register:

- **Web:** www.sterlingeducation.com
Enter # in "Express Registration"
- **Mail:** Sterling Education Services
PO Box 3127
Eau Claire, WI 54702
- **Phone:** 715-855-0498
- **Fax:** 715-835-5132

WALK-INS

Walk-ins are welcome and payment is required at the door when registering. Materials will be available for walk-ins on a first-come first-served basis. **Please call ahead to confirm the schedule.**

CANCELLATIONS

Substitutions or transfers to a future Sterling seminar are welcome anytime up to the day of the seminar.

If you cancel 3 or more business days before the seminar you may:

- 1) transfer your registration to another seminar,
- 2) receive the audio and manual package, or
- 3) receive a refund minus a \$25 service charge.

PLEASE NOTE: If you do not attend and do not cancel as described above you are not entitled to a refund.

REFERENCE MATERIALS

SEMINAR MANUAL:

The faculty has prepared a substantial reference work to accompany their presentation. This manual will serve as a valuable tool for future reference. Each attendee will receive a manual upon checking in at the seminar site; the price is included in the registration fee.

AUDIO RECORDING:

This seminar will be recorded live and the audio recording and/or a reference manual is available for purchase separately or in conjunction with registration. Self-study credit may be available by purchasing the audio and manual package (varies by location). **Please call for details.**

UPCOMING SEMINARS

- **Employment Law: Beyond the Basics**
Reno, NV - July 15, 2015
- **Advanced Workers' Compensation**
Las Vegas, NV - August 19, 2015
- **Personal Injury Law**
Las Vegas, NV - October 14, 2015

Visit our website for details!