

2008 Essential Employment Law: A Practical Course in the Basics
August 29, 2008 • Radisson Hotel and Suites on Town Lake • Austin, TX
September 4, 2008 • Four Seasons Hotel • Houston, TX
September 26, 2008 • Cityplace Conference Center • Dallas, TX

Day 1 Morning

8:30 am 0.75 hr	<p>Texas is an “At-Will” State . . . So Why Worry?</p> <p>An overview of the legal aspects of the employment relationship. Answering the client or the supervisor who thinks employment law begins and ends with "employment-at-will." What about terminating an employee for theft? Is there ever an obligation to give a reference on a former employee? How can a handshake get a manager sued for assault? What is intentional infliction of emotional distress? Can employee violence really be prevented? Is negligent retention really a cause of action?</p> <p>Connie L. Cornell, Cornell Smith & Mierl, LLP - Austin, TX Michael W. Fox, Ogletree Deakins - Austin, TX</p>
9:15 am 1.00 hr	<p>Discrimination, Harassment and Retaliation</p> <p>Understanding the difference between disparate treatment and disparate impact and why it matters. Why do you need to know about the "shifting burden of proof"? How can you prevent liability for harassment even after it occurs? Why is retaliation the most dangerous cause of action and what can you do about it?</p>
10:30 am 1.00 hr	<p>Compensation: Wage and Hour & Much More</p> <p>Learn the basics of wage and hour law and why violations of the Fair Labor Standards Act have exploded. Among the areas covered is who is exempt and who is not, and what difference it makes. What is working time, how is overtime calculated and what are the most common mistakes and how to avoid them.</p>
11:30 am 0.50 hr	<p>The Rest of the Story</p> <p>Family Medical Leave Act, the Payday Act, the WARN Act, unemployment claims and many other legal pitfalls govern everyday actions between employers and employees. Be sure that you know what situations are covered.</p>

Day 1 Afternoon

1:15 pm 1.00 hr	<p>Hiring/Firing/Discipline/Documentation</p> <p>The basics of managing employees. Recognize the vulnerable points in the employment relationship and learn the best practices to make sure you minimize the number of problems and maximize your chances of successfully defending your actions when challenged.</p>
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2:15 pm 0.75 hr	Defensive Drafting: Handbooks & Forms Avoiding the most common mistakes in drafting employee handbooks and learn the latest in drafting policies that will enhance the employer's defenses. What other human resource forms can help support the company's defenses and prove good faith efforts to comply?
3:15 pm 0.75 hr	Investigating Sensitive Employment Complaints The investigation of an employee's complaint may be critical to an employer's only means of avoiding liability. The investigator may be a witness and the notes may be evidence. Learn how to investigate and document the process.
4:00 pm 0.75 hr	Annual Performance Reviews What are the pros and cons of evaluations systems? How do you avoid grade inflation? Are they really worth it? What are the alternatives?