

**2012 Essential Employment Law: A Practical Course in the Basics**  
**August 24, 2012 • Four Seasons Hotel • Houston, TX**  
**September 13, 2012 • AT&T Conference Center • Austin, TX**  
**October 3, 2012 • Belo Mansion • Dallas, TX**

**Day 1 Morning**

|                             |   |
|-----------------------------|---|
| 7:45 am<br>In Houston Only  | <p><b>Registration Opens</b></p> <p>Includes continental breakfast.</p>   |
| 8:20 am<br>0.00 hr ethics   | <p><b>Welcoming Remarks</b></p> <p><u>INSTRUCTORS</u></p> <p>Connie L. Cornell, PHR, is a founding partner of Cornell Smith &amp; Mierl, LLP, an Austin labor and employment law firm. She is Board Certified in labor and employment law by the Texas Board of Legal Specialization and is also certified as a Professional in Human Resources by the national Society for Human Resource Management.</p> <p>Michael W. Fox is a shareholder in the Austin office of Ogletree Deakins, a national labor and employment law firm. He has represented employers in employment law matters for more than 30 years and is a Fellow in the College of Labor and Employment Lawyers.</p> |
| In Houston Only             | <p><b>THE LAW: THE BASICS</b></p>   |
| 8:30 am<br>0.75 hr          | <p><b>Texas Is an "At-Will" State . . . So Why Worry?</b></p> <p>An overview of the legal aspects of the employment relationship and how tort law has been adapted in the workplace. 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>  |
| 9:15 am<br>1.00 hr          | <p><b>Discrimination, Harassment and Retaliation</b></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>  |
| 10:15 am<br>In Houston Only | <p><b>Break</b></p>   |
| 10:30 am<br>1.00 hr         | <p><b>Wage and Hour: An Old Law in a Modern World</b></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 are: Who is exempt and who is not, and what difference does it make? What is working time? How is overtime calculated? What are the most common mistakes and how do you avoid them?</p>  |

11:30 am  
0.50 hr

**Family Medical Leave Act (FMLA): The Other Major Entitlement Act**

The FMLA was the first federal act that required an employer to provide time off for employees. Learn the basics of the law which has been amended to cover additional types of leave.

**Day 1 Afternoon**

12:00 pm  
In Houston Only

**Lunch on your Own**

In Houston Only

**PRACTICAL APPLICATION**

1:15 pm  
1.00 hr

**Hiring/Firing/Discipline/Documentation**

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.

2:15 pm  
0.75 hr

**Defensive Drafting: Handbooks and Forms**

Avoid common mistakes in drafting employee handbooks and learn about the latest in policies covering hot topics like social media. Learn what other human resource forms can help support the company's defenses and prove good faith efforts to comply.

3:00 pm  
In Houston Only

**Break**

3:15 pm  
1.00 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.

4:15 pm  
0.50 hr

**Annual Performance Reviews**

What are the pros and cons of evaluation systems? Are they really worth it? How to curb grade inflation? What are the alternatives?

4:45 pm  
In Houston Only

**Adjourn**