

2013

ESSENTIAL EMPLOYMENT LAW

A Practical Course in the Basics



AUSTIN

September 18, 2013
Thompson Conference
Center

DALLAS

October 9, 2013
Belo Mansion

HOUSTON

November 6, 2013
Norris Conference Center –
CityCentre

Earn up to 7.00 Hours of Credit

Specialization Credit Approved for Civil Appellate Law, Civil Trial Law, and Labor and Employment Law

PHR, SPHR and GPHR Recertification Credit Expected

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ABOUT THE SEMINAR

Essential Employment Law is designed to provide an overview and update of employment law in Texas in a one-day program. Learn best employment practices and come away with a full suite of detailed written materials—forms, sample employment contracts, handbook recommendations and more. Ideal for HR professionals and new entrants to the employment law field.

INSTRUCTORS

Connie L. Cornell, PHR, is a founding partner of Cornell Smith Mierl & Brutocao, 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.

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 35 years, is Board Certified in Labor and Employment Law by the Texas Board of Legal Specialization and is a Fellow in the College of Labor and Employment Lawyers.

WEDNESDAY MORNING

7:45 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. .75 hr

Texas Is an "At Will" State...So Why Worry?

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?

9:15 a.m. 1.00 hr

Discrimination and Harassment

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?

10:15 a.m. Break

10:25 a.m. .50 hr

Retaliation: Winning the Battle, Losing the War

Why is retaliation the most dangerous cause of action, and what can you do about it?

10:55 a.m. 1.00 hr

Wage and Hour: An Old Law in a Modern World

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?

11:55 a.m. Lunch on Your Own

WEDNESDAY AFTERNOON

1:05 p.m. .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.

1:35 p.m. 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.

2:35 p.m. Break

2:45 p.m. .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.

3:30 p.m. 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.

4:30 p.m. .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?

5:00 p.m. Adjourn

ACCREDITATION

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.00 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169). Texas Legal

Specialization Credit Approved for Civil Trial Law, Civil Appellate Law and Labor and Employment Law

PHR, SPHR and GPHR Recertification Credit Expected

8.00 Hours of Texas CPE for CPAs (Sponsor #250)

REGISTRATION FORM

EE13

Mail this registration form to:
The University of Texas School of Law, Attn. Registration
P.O. Box 7759, Austin, TX 78713-7759
or fax a copy to: 512.475.6876 or register online: www.utcle.org
Questions? Call us at 512.475.6700

PLEASE PRINT CLEARLY

Bar Card# _____ ☐ TX ☐ Other State: _____ ☐ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION—Includes Course Materials

For Group registration, call 512.475.6700.

1. Select Location and Date:

☐ **AUSTIN—September 18, 2013**

Early Registration cutoff – Wednesday, September 11

☐ **DALLAS—October 9, 2013**

Early Registration cutoff – Wednesday, October 2

☐ **HOUSTON—November 6, 2013**

Early Registration cutoff – Wednesday, October 30

2. Select Type:

☐ Registration by cutoff date \$250

☐ Registration after cutoff date \$300

2. Select Course Materials Format:

☐ Electronic Course Binder on USB Key ONLY

☐ Printed Course Binder ONLY

IN-HOUSE—For Texas MCLE Credit

ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3-5 weeks after Houston date. Shipping included.

☐ In-House CLE for 2 \$550

_____ Additional participant(s) for \$175 each \$ _____

CONFERENCECOMPLETE MATERIALS[†]—For Research and Self-Study

Comprehensive Binder and Audio products from the live conference. Available for delivery 3-5 weeks after Houston date. Shipping included.

☐ eBinder Download (PDF) \$125

☐ Printed Binder \$175

☐ Audio Download (MP3) \$75

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METHOD OF PAYMENT

☐ Check (make check payable to The University of Texas at Austin)

☐ VISA ☐ MasterCard (sorry, no AMEX or Discover)

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512.475.6700

for more information

AUSTIN

Wednesday

September 18, 2013

CONFERENCE LOCATION**Thompson Conference Center**2405 Robert Dedman Drive
Austin, TX
512.471.3121**Parking:**Complimentary parking available at the
Thompson Conference Center (Lot 40)
(subject to change)**KEY DATES****September 11, 2013***last day for early registration***September 13, 2013***last day for full refund***September 16, 2013***last day for partial refunds*
\$50 processing fee applied**September 18, 2013, 8:20 a.m.***Seminar begins***DALLAS**

Wednesday

October 9, 2013

CONFERENCE LOCATION**Belo Mansion**2101 Ross Avenue
Dallas, TX
214.220.0239**Parking:**\$4 per day for Dallas Bar members;
\$10 per day for non-Dallas Bar members.
(subject to change)**KEY DATES****October 2, 2013***last day for early registration***October 4, 2013***last day for full refund***October 7, 2013***last day for partial refunds*
\$50 processing fee applied**October 9, 2013, 8:20 a.m.***Seminar begins***HOUSTON**

Wednesday

November 6, 2013

CONFERENCE LOCATION**Norris Conference Center - CityCentre**816 Town and Country Blvd.
Houston, TX
713.590.0950**Parking:**Complimentary self-parking
(subject to change)**KEY DATES****October 30, 2013***last day for early registration***November 1, 2013***last day for full refund***November 4, 2013***last day for partial refunds*
\$50 processing fee applied**November 6, 2013, 8:20 a.m.***Seminar begins*