

**2014 Essential Employment Law**  
**September 17, 2014 • Thompson Conference Center • Austin, TX**  
**October 29, 2014 • Norris Conference Center - CityCentre • Houston, TX**  
**November 12, 2014 • Cityplace Conference Center • Dallas, TX**

**Wednesday Morning, Sep. 17, 2014**

7:45 am	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am	<b>Welcoming Remarks</b>
8:30 am 0.75 hr	<b>Texas Is an "At Will" State... So Why Worry?</b>  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?  In Austin: Steven L. Mierl, Cornell Smith Mierl & Brutocao, LLP - Austin, TX In Houston: Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX In Dallas: Steven L. Mierl, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
9:15 am 1.00 hr	<b>Discrimination and Harassment</b>  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.  In Austin: Steven L. Mierl, Cornell Smith Mierl & Brutocao, LLP - Austin, TX In Houston: Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX In Dallas: Steven L. Mierl, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
10:15 am	<b>Break</b>

10:30 am 0.50 hr	<p><b>Retaliation: Winning the Battle, Losing the War</b></p> <p>Why is retaliation the most dangerous cause of action, and what can you do about it?</p> <p>In Austin: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p> <p>In Houston: Michael W. Fox, Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C. - Austin, TX</p> <p>In Dallas: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p>
11:00 am 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> <p>In Austin: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p> <p>In Houston: Michael W. Fox, Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C. - Austin, TX</p> <p>In Dallas: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p>
12:00 pm	<p><b>Pick Up Lunch</b></p> <p>Included in registration</p>

## Wednesday Afternoon, Sep. 17, 2014

### Luncheon Presentation

12:20 pm 0.50 hr	<p><b>Q&amp;A with the Instructors</b></p> <p>Real-world questions are answered by the experts. Submit your questions, comments and/or experiences in advance to <a href="mailto:service@utcle.org">service@utcle.org</a> or come armed with your toughest questions. This session is designed to be interactive. Audience participation is encouraged!</p> <p>Connie L. Cornell, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p> <p>In Austin: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p> <p>In Houston: Michael W. Fox, Ogletree, Deakins, Nash, Smoak &amp; Stewart, P.C. - Austin, TX</p> <p>In Dallas: Steven L. Mierl, Cornell Smith Mierl &amp; Brutocao, LLP - Austin, TX</p>
12:50 pm	<p><b>Break</b></p>

1:00 pm 0.50 hr	<b>Family Medical Leave Act (FMLA): The Other Major Entitlement Act</b>  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.  Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
1:30 pm 1.00 hr	<b>Hiring/Firing/Discipline/Documentation</b>  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.  Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
2:30 pm	<b>Break</b>
2:45 pm 0.75 hr	<b>Defensive Drafting: Handbooks and Forms</b>  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.  Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
3:30 pm 1.00 hr	<b>Investigating Sensitive Employment Complaints</b>  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.  Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
4:30 pm 0.50 hr	<b>Annual Performance Reviews</b>  What are the pros and cons of evaluation systems? Are they really worth it? How to curb grade inflation? What are the alternatives?  Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
5:00 pm	<b>Adjourn</b>