

2015 Essential Employment Law
September 2, 2015 • Cityplace Conference Center • Dallas, TX
September 30, 2015 • Norris Conference Center • Austin, TX
October 14, 2015 • Norris Conference Center - CityCentre • Houston, TX

Wednesday Morning, Sep. 2, 2015

7:45 am	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 0.75 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? Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX
9:15 am 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? Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX
10:15 am	Break
10:25 am 0.50 hr	Retaliation: Winning the Battle, Losing the War Why is retaliation the most dangerous cause of action, and what can you do about it? Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX
10:55 am 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? Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX

11:55 am	Pick Up Lunch Included in registration.
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Wednesday Afternoon, Sep. 2, 2015

LUNCHEON PRESENTATION

12:15 pm 0.83 hr	Q&A with the Instructors Real-world questions are answered by the experts. Submit your questions, comments and/or experiences in advance to ConferenceQA@utcle.org or come armed with your toughest questions. This session is designed to be interactive. Audience participation is encouraged! Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX Michael W. Fox, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX
1:05 pm	Break
1:15 pm 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. Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
1:45 pm 1.00 hr	Defensive Documentation from Hiring to Firing Recognize the vulnerable points in the employment relationship and learn the best practices in documentation to minimize the number of problems and maximize the chances of successfully defending the employer's actions when challenged. Understand the value and risks posed by offer letters, disciplinary documentation, performance evaluations, and termination paperwork. Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
2:45 pm	Break
2:55 pm 0.75 hr	Handbooks / Employment Policies 2015 Avoid common mistakes in policy drafting. Adopt provisions that support the company's good faith compliance efforts and help reduce potential liability in audits and litigation. Understand how recent NLRB decisions affect even non-unionized employers. Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX
3:40 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. Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX

4:40 pm
0.33 hr

Changes in Employment Law Impacting Compliance Efforts

HR professionals and legal counsel can better advise employers on compliance efforts if up to speed on the latest changes and trends in employment law. This is a brief update of the most critical court cases, legislation, and federal agency activity at the EEOC, the DOL, and the NLRB.

Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP - Austin, TX

5:00 pm

Adjourn