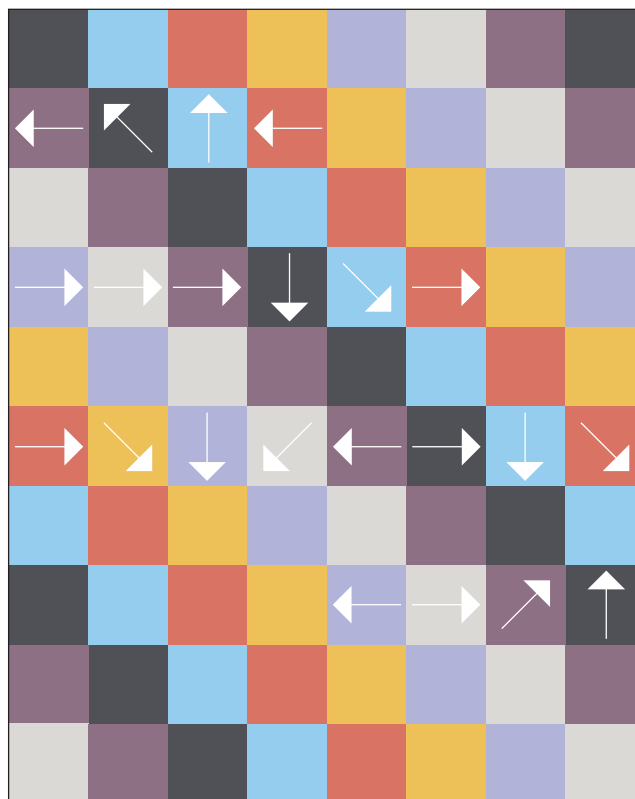


2017

# ESSENTIAL EMPLOYMENT LAW

A Practical Course in the Basics



September 8, 2017

Thompson Conference Center ■ Austin, Texas

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 Live Webcast on September 8

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Earn up to 7.50 Hours of Credit

TX Legal Specialization Credit Expected for: Civil Appellate Law, Civil Trial Law, and Labor and Employment Law

SHRM-CPSM/SHRM-SCPSM Credit Approved

PHR, SPHR and GPHR Recertification Credit Expected

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## FRIDAY MORNING, SEPTEMBER 8, 2017

**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?

Hear an overview of the employment relationship and how tort law has been adapted in the workplace. Discuss how to answer 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?

Viane Lopez Braun, Decker Jones, P.C., Fort Worth, TX

**9:15 a.m. 1.00 hr**

### Discrimination and Harassment

Understand 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?

Viane Lopez Braun, Decker Jones, P.C., Fort Worth, TX

**10:15 a.m. Break**

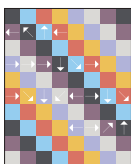
**10:30 a.m. .50 hr**

### Retaliation: Winning the Battle, Losing the War

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

Viane Lopez Braun, Decker Jones, P.C., Fort Worth, TX

## ABOUT THE COVER



On Point by John Schellenberg

**11:00 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. Topics include: 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?

Viane Lopez Braun, Decker Jones, P.C.,  
Fort Worth, TX

**12:00 p.m. Pick Up Lunch**

Included in registration.

## FRIDAY AFTERNOON

### LUNCHEON PRESENTATION

**12:20 p.m. .75 hr**

#### Q and A with the Instructors

Experts answer real-world questions. Submit your questions, comments, and/or experiences in advance to [ConferenceQA@utcle.org](mailto:ConferenceQA@utcle.org), or come armed with your toughest questions. This session is designed to be interactive—audience participation encouraged!

Viane Lopez Braun, Decker Jones, P.C., Fort Worth, TX  
Connie L. Cornell, Cornell Smith Mierl & Brutocao, LLP,  
Austin, TX

**1:05 p.m. Break**

**1:20 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. When do you send the various notices and certifications? Avoid common mistakes in completing the paperwork and understand how FMLA can overlap with ADA issues.

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

**1:50 p.m. 1.00 hr**

### Handbooks / Employment Policies

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 employer policies.

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

**2:50 p.m. Break**

**3:00 p.m. .75 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 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

**3:45 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.

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

**4:45 p.m. .25 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. Hear a brief update of the most critical court cases, legislation, and federal agency activity at EEOC, DOL, and NLRB.

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

**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 7.50 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).

TX Legal Specialization Credit Expected for Civil Trial Law, Civil Appellate Law, and Labor and Employment Law

Approved for 7.50 Credit Hours SHRM-CPSM/SHRM-SCPSM.

Approval Expected for 7.50 Hours PHR, SPHR and GPHR Recertification Credit

Approved for 9.00 Hours of CPE Credit

## REGISTRATION BENEFITS

**Before the Conference:** Access course materials—downloadable PDFs of papers and slides—and speaker and attendee roster in "Your Briefcase" 48 hours before the conference.

**After the Conference:** Unlimited access to final, complete course materials—downloadable PDFs of papers and slides—in "Your Briefcase."

**eConference:** Complimentary access to the eConference—with papers, slides, and audio—for CLE credit (TX and CA) you may have missed at the live conference. Available in "Your Briefcase" 6–8 weeks after the conference.

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Complete eConference package includes all conference materials for download from "Your Briefcase" at [www.utcle.org](http://www.utcle.org).

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Comprehensive Binder and Audio products from the live conference—for research and self-study. Available for download and shipping.

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Special group registration rates available. Call 512.475.6700.

#### Select Registration Type

- ☐ Individual registration by August 30 . . . . . \$345  
☐ Individual registration after August 30 . . . . . \$395

#### LIVE WEBCAST REGISTRATION

*Includes Electronic Course Binder Download (PDF) in "Your Briefcase" at [www.utcle.org](http://www.utcle.org).*

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Complete eConference package includes all conference materials for download from "Your Briefcase" at [www.utcle.org](http://www.utcle.org). Available 6–8 weeks after the live conference date.

- ☐ Individual eConference . . . . . \$295  
*Call 512.475.6700 to register additional participants.*

### COMPLETE CONFERENCE MATERIALS<sup>†</sup>—For Research and Self-Study

Comprehensive Binder and Audio products from the live conference.

Available for delivery 4–6 weeks after conference date. Shipping included.

- ☐ eBinder Download (PDF) . . . . . \$125  
☐ Printed Binder . . . . . \$175  
☐ Audio Download (MP3) . . . . . \$75

<sup>†</sup>Texas customers—add 8.25% sales tax or include an Exemption Certificate . . . . . \$ \_\_\_\_\_  
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### AUSTIN

September 8, 2017

#### CONFERENCE LOCATION



**Thompson Conference Center**  
2405 Robert Dedman Drive  
Austin, TX  
512.471.3121

#### Parking:

Complimentary self-parking in Lot 40, at the corner of Red River Street and Dean Keeton Street, and UT Garages (subject to availability).

#### KEY DATES

**August 30, 2017**

*last day for early registration*  
add \$50 for registrations  
received after this time

**September 1, 2017**

*last day for cancellation (full refund)*

**September 5, 2017**

*last day for cancellation (partial refund)*  
\$50 processing fee applied

**September 8, 8:20 a.m.**

*conference begins*

### REASONS TO ATTEND

**Essential Employment Law** is a one-day HR program led by employment law experts Viane Lopez Braun and Connie Cornell, and is designed to provide overviews and updates on issues related to Texas employment law. Content is extensive and exhaustive with topics ranging from employment-at-will to discrimination issues, wage and hour violations, retaliation, FMLA, changes in employment law impacting compliance efforts, and more.

This practical course provides detailed written materials and is ideal for HR professionals and beginning employment lawyers.

### INSTRUCTORS

**Viane Lopez Braun** has been representing employers for more than 25 years, providing practical advice on employment law compliance and avoiding litigation. Viane's diverse experience includes representing large publicly traded companies, governmental entities, small to mid-sized businesses, as well as individual professionals and executives.

**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.