

**2019 Essential Employment Law: A Practical Course in the Basics**  
**August 2, 2019 • Thompson Conference Center • Austin, TX**  
**August 2, 2019 • Live Webcast**

**Friday Morning, Aug. 2, 2019**

7:45 am In Austin Only	<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>  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?  Scott A. Brutocao, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX
9:15 am 1.00 hr	<b>Discrimination and Harassment</b>  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?  Scott A. Brutocao, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX
10:15 am	<b>Break</b>
10:30 am 0.50 hr	<b>Retaliation: Winning the Battle, Losing the War</b>  Why is retaliation the most dangerous cause of action, and what can you do about it?  Scott A. Brutocao, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX
11:00 am 1.00 hr	<b>Wage and Hour: An Old Law in a Modern World</b>  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?  Susan P. Burton, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX
12:00 pm In Austin Only	<b>Pick Up Lunch (in Austin)</b>  Included in registration.

## Friday Afternoon, Aug. 2, 2019

### LUNCHEON PRESENTATION

12:20 pm 0.75 hr	<p><b>Q and A with the Instructors</b></p> <p>Experts answer real-world questions. Submit your questions, comments, and/or experiences in advance to <a href="mailto:ConferenceQA@utcle.org">ConferenceQA@utcle.org</a>, or come armed with your toughest questions. This session is designed to be interactive—audience participation encouraged!</p> <p>Susan P. Burton, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX Connie L. Cornell, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX</p>
1:05 pm	<p><b>Break</b></p>
1:20 pm 0.50 hr	<p><b>Family Medical Leave Act (FMLA): The Other Major Entitlement Act</b></p> <p>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.</p> <p>Connie L. Cornell, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX</p>
1:50 pm 1.00 hr	<p><b>Handbooks / Employment Policies</b></p> <p>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.</p> <p>Connie L. Cornell, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX</p>
2:50 pm	<p><b>Break</b></p>
3:00 pm 0.75 hr	<p><b>Defensive Documentation from Hiring to Firing</b></p> <p>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.</p> <p>Connie L. Cornell, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX</p>
3:45 pm 1.00 hr	<p><b>Investigating Sensitive Employment Complaints</b></p> <p>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.</p> <p>Connie L. Cornell, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX</p>

4:45 pm  
0.25 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 Burton, LLP - Austin, TX

5:00 pm

### **Adjourn**