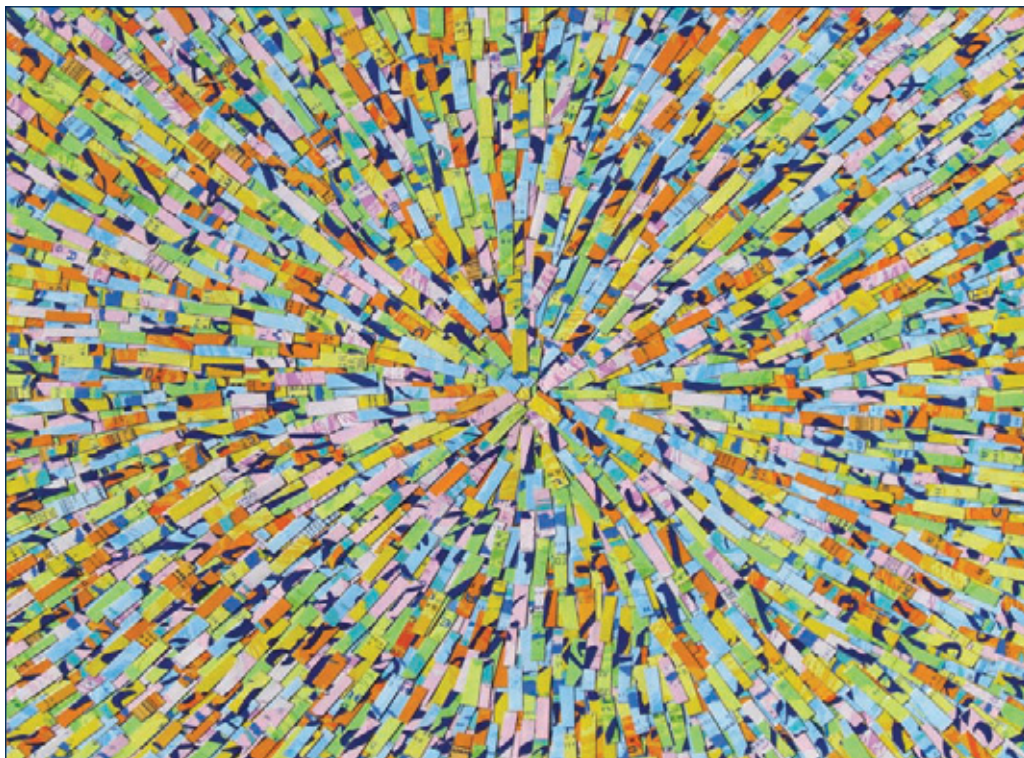


16TH ANNUAL
LABOR AND EMPLOYMENT
LAW CONFERENCE



May 28–29, 2009
Hyatt Regency Austin ▪ Austin, Texas

Includes HR and Legal Tracks

Earn up to 11.50 Hours of Credit including **2.00 Hours** of Ethics Credit
Specialization Expected for Labor and Employment Law
PHR, SPHR, and GPHR Recertification Credit Expected

16TH ANNUAL LABOR AND EMPLOYMENT LAW CONFERENCE

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THURSDAY MORNING—MAY 28, 2009

Presiding Officer:
Thomas A. Nesbitt, Austin, TX

8:00 a.m. Registration Opens
Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

State Law Update

A review of employment-related issues under state law with a discussion of significant new cases.

Charles C. High Jr., El Paso, TX

9:45 a.m. .75 hr

Federal Law Update

A review of important cases and hot topics in federal employment and discrimination law.

Linda Ottinger Headley, Houston, TX

10:30 a.m. Break

10:45 a.m. .75 hr

Disability Law Update

This session reviews legislative, administrative, and judicial developments in disability discrimination law under the Americans with Disabilities Act and the Rehabilitation Act, including the ADA Amendments Act, court decisions, and recommended strategies for legal counsel and employers.

James H. Kizziar Jr., San Antonio, TX

11:30 a.m. .75 hr

Recent Developments and Special Issues Involving Governmental Employees

This presentation, by a governmental HR director and an employment lawyer, analyzes recent legal developments involving governmental employees and the special issues that government agencies and HR personnel must deal with.

Philip Durst, Austin, TX
Janine Mays, Austin, TX

THURSDAY AFTERNOON

Presiding Officer:
Charles C. High Jr., El Paso, TX

LUNCHEON PRESENTATION

12:15 p.m. Pick up Box Lunch

Included in conference registration fee.

12:30 p.m. .50 hr

Is a Union in Your Future?

What makes a company a good target? A union organizer talks about target selection for organizing campaigns.

Michael Murphy, Austin, TX

1:00 p.m. Break

1:15 p.m. .50 hr

2009 Labor Law Surprises for the Non-Union and Union Employer

With a new President who proclaims that organized labor is "part of the solution" to the nation's economic problems, prudent employers and their counsel are focusing on traditional labor law as never before. This presentation discusses some aspects of the law which may surprise even the most experienced human resources and legal professionals, provides updates on recent developments, and predicts issues which will come before the Obama NLRB.

T.J. Wray, Houston, TX

1:45 p.m. .50 hr

Understanding and Preparing for a Brave New World—the Employee Free Choice Act

At press time, Congress is considering, but has not passed, the Employee Free Choice Act. If passed, EFCA could result in dramatic changes to the National Labor Relations Act. This presentation provides a labor and a management perspective on the potential or actual amendments.

Thomas A. Nesbitt, Austin, TX
Rod Tanner, Fort Worth, TX

2:15 p.m. Break

Concurrent Sessions TRACK A: HUMAN RESOURCES

Presiding Officer:
Jason Boulette, Austin, TX

2:30 p.m. .50 hr

Internal Investigations: Best Practices and Recent Developments

A review of considerations that employers should take into account in addressing their obligations to complaining parties, accused employees, and their co-workers.

Sean M. Becker, Houston, TX

3:00 p.m. .50 hr

Wage and Hour Pitfalls and Pratfalls

Common wage and hour litigation pitfalls including avoiding pleading traps, making the essential filings, and understanding who bears the burden of proof (and when).

Richard J. (Rex) Burch, Houston, TX

3:30 p.m. .50 hr

Benefits 101: an Overview of ERISA Issues Facing Employers Today

A non-technical discussion of current ERISA and COBRA issues, including Section 409A, ERISA governance, current ERISA litigation topics, and "when is a plan an ERISA plan?"

Mark Stephen Miller, Houston, TX

4:00 p.m. .75 hr

Managing Employee Leaves of Absence: The Top 10 Legal Pitfalls

When employees are on leave it's up to HR to communicate, document, strategize, and avoid legal snafus. Here are the top 10 traps for the unwary.

Vianei Lopez Robinson, Abilene, TX

TRACK B: LEGAL

Presiding Officer:
James H. Kizziar Jr., San Antonio, TX

2:30 p.m. .50 hr

Lilly Ledbetter's Fair Pay: Expanding Limitations and Continuing Violations

A discussion regarding the Lilly Ledbetter Fair Pay Act of 2009 and its impact (and potential impact) on limitations and the continuing violation doctrine in employment law cases.

Shannon Brown Schmoeyer, San Antonio, TX

Outstanding. One of the best presentations I have ever seen. Fantastic job.

3:00 p.m. .50 hr

Trial Strategies in Employment Cases

How will trial strategies be affected by the economic crisis? Will the new administration have an effect on trial strategies? Recent significant cases that may affect trials including jury selection and *Batson* challenges, the use of new technology in witness examination and arguments; all major aspects of trials will be discussed.

Kenneth D. Hughes, Houston, TX
William Jackson Wisdom Jr., Houston, TX

3:30 p.m. .50 hr including .25 hr ethics

Getting to Yes: Creative, Ethical, and Effective Settlement Releases

A discussion of appropriate terms for settlement agreements of employment claims that include ethical and effective releases.

Jennifer M. Trulock, Dallas, TX

4:00 p.m. .75 hr ethics

Ethics Update for Employment Lawyers

Update on ethics issues including conflicts of interests, representation of insured clients in employment practice liability insurance matters, inadvertent disclosure rules, attorney-client privilege and waiver issues, meta data issues, and ethical issues relating to settlement discussions.

Dennis P. Duffy, Houston, TX

4:45 p.m. Adjourn

FRIDAY MORNING—MAY 29, 2009

Presiding Officer:
Dennis P. Duffy, Houston, TX

9:00 a.m. .50 hr including .25 hr ethics

Showing (and Getting) the Money

From the perspective of an experienced Plaintiff's trial attorney, an outline of how to compile and prove all elements of damages, as well as suggestions on setting the client attorney's fees and recovering attorney's fees in the final judgment.

David T. Lopez, Houston, TX

9:30 a.m. .50 hr

Current Retaliation Issues: What Can Help You or Hurt You from the Perspective of Plaintiff's Counsel

Despite recent developments, including three U.S. Supreme Court decisions and significant new statutory whistleblower protection, the same old issues continue to arise in retaliation cases. Join these Plaintiff's attorneys for an overview of significant recent developments, what you may not know about retaliation protection under labor laws, and practice tips and practical advice on what makes most any retaliation case better or worse from initial management decisions through litigation.

Amy Gibson, Dallas, TX
Amanda Lea Reichel, Fort Worth, TX

10:00 a.m. .50 hr

2009 Immigration Update for Employers

This session provides a detailed look at the E-Verify program and the status of the on-again, off-again rule requiring E-Verify participation for federal contractors. Also includes an update on the status of the Social Security No-Match regulation, the new Form I-9, and the DOL's new enforcement initiatives for employers who use foreign workers.

Jason Boulette, Austin, TX

10:30 a.m. Break

10:45 a.m. .50 hr including .25 hr ethics

Web 2.0 and Employment Law: Blogs, Facebook, and More

As the web becomes ever more present, legal implications of employees' presence on the web through blogs and other forms of social media evolve almost daily. The benefits and hazards for employees, employers, and those who represent them are covered.

Michael W. Fox, Austin, TX

11:15 a.m. .50 hr including .25 hr ethics

Unfair Competition

An exploration of the common law causes of action.

Howard Lynn Steele Jr., Houston, TX

11:45 a.m. Lunch on Your Own

FRIDAY AFTERNOON

Presiding Officer:
Richard R. Brann, Houston, TX

1:00 p.m. .50 hr including .25 hr ethics

FLSA Collective Actions

A review of recent developments in Wage and Hour Collective Actions.

Robert E. Sheeder, Dallas, TX

1:30 p.m. 1.00 hr

RIFs and Other Ways to Cut Labor Costs

An analysis of reductions in force and other ways of cutting labor costs, considering the legal issues as well as the practicalities of carrying out the plan.

Connie L. Cornell, Austin, TX
Christopher H. Hahn, Round Rock, TX

2:30 p.m. .75 hr

The Family and Medical Leave Act of 1993: New Regulations and Recent Opinions

A discussion of the U.S. Department of Labor's changes to the FMLA regulations and an analysis of the latest significant court interpretations and applications of the FMLA.

Clara "C.B." Burns, El Paso, TX
David L. Wiley, Dallas, TX

3:15 p.m. Adjourn

ABOUT THE CONFERENCE

The University of Texas School of Law's 2009 Labor and Employment Law Conference brings together leading members of the employment bench and bar, along with HR and personnel experts for two days of presentations and discussions.

You'll take away the latest cases, regulatory updates, practice aids, and strategic guidance for advisors and HR professionals—along with a superb set of course materials. Don't miss it!

Regulatory Updates and New Law

This year's program includes special coverage of recently enacted and imminent legislation of the Obama administration including the Employee Free Choice Act, Lilly Ledbetter's Fair Pay, FMLA changes and the increased role of traditional labor law.

Practical Advice and Strategies

Get effective strategies for electronic discovery, voir dire, and trial; plus get tips for leave issues, blogging, and reductions in force.

Legal and HR Tracks

Thursday afternoon special "break-out" tracks for HR and legal professionals.

Great Materials: Print and Electronic

This conference produces a set of printed materials considered by many to be the definitive resource guide of the year.

2.00 Hours of Ethics

Get all of your participatory ethics requirements met in this conference.

COMMENTS FROM PAST ATTENDEES

Content and topics were great. They were topics that typically are not discussed too often and needed to be visited.

Good program! Great topics and speakers.

Best ethics portion I have attended. I was actually interested.

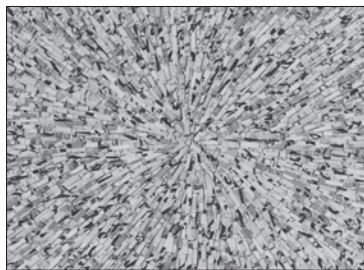
Great all around.

Always well-done, well-run and relevant.

The presentation was worth the price of admission: energetic, informative and packed with practice, proactive advice.

www.utcle.org

ABOUT THE COVER



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The guide, from the 2008 Essential Employment Law Conference, is designed for HR professionals and new entrants to the employment law field. Chapters include: At-Will Employment in Texas; Discrimination, Harassment and Retaliation; Compensation; Hiring/Firing/Discipline; Drafting of Handbooks; Investigating Sensitive Employment Complaints; Annual Performance Reviews; and more!
\$125—See order form.

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School of Law
Attn. CLE—EL09
P.O. Box 7759
Austin, TX 78713-7759

Or fax to:

512-475-6876

Or register online:

www.utcle.org

Questions? Call us at 512-475-6700

MATERIALS, AUDIO AND IN-HOUSE CLE

Printed Materials in Course Binder

Leading authors and practitioners provide the definitive set of employment law updates and practice guides, including information for both litigators and HR professionals.

eBinder on CD

Add electronic versions of conference materials for only \$50 to your registration or purchase of printed materials, audio CDs, or in-house CLE packages. eBinders are distributed 2-4 weeks after the conference and include searchable versions of printed materials in PDF format.

Audio CD Set

Listen to informative, topical, and entertaining presentations recorded from UT Law's live CLE programs.

In-House CLE

Would your firm like to run an in-house version of this conference, with full participatory credit? Order In-House CLE and we'll accredit the course for you; we'll also provide an Audio CD Set for the group and a Course Binder for each participant.

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Mail this registration form to:

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P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: (512) 475-6876

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Includes Course Binder and Thursday Box Lunch Presentation

☐ Early Registration Fee due by May 20, 2009 \$525.00

☐ Registration Fee after May 20, 2009 \$575.00

Thursday Concurrent Sessions: Select Track A or Track B Below

☐ Track A: Human Resources

☐ Track B: Legal

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from the conference date for delivery.

☐ Course Binder Without Conference Registration \$250.00
Note: Conference registration includes Course Binder.

☐ Audio CD Set \$175.00

☐ eBinder on CD (PDF format) \$250.00/\$50.00
(\$250 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

☐ Guide to Essential Employment Law (2008) \$125.00

IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

Allow 2-4 weeks from the conference date for delivery.

☐ In-House CLE for 2—Includes Audio CD Set and Course Binder \$800.00

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MAY 28-29, 2009

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208 Barton Springs Road
Austin, TX 78704
512-477-1234

Special Room Rate: \$169
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(subject to availability)

Parking: \$5 event self-parking
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KEY DATES

May 20, 2009, 5 p.m.
last day for early registration
add \$50 for registrations
received after this time

May 22, 2009, 5 p.m.
last day for full refund

May 26, 2009, 5 p.m.
last day for partial refunds
\$50 processing fee applied

May 28, 2009, 9 a.m.
conference begins

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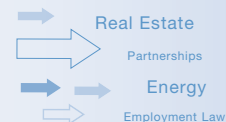


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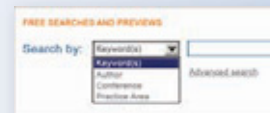
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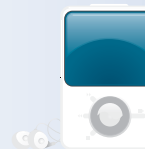
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M
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E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.50 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

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