

# 2024 Essential Employment Law: A Practical Course in the Basics

## August 23, 2024 • Live Webcast

**Friday Morning, Aug. 23, 2024**

**Presiding Officer:**

**Nicole S. LeFave**, Littler Mendelson, P.C. - Austin, TX

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| 8:20 am             | <b>Welcoming Remarks</b>   |
| 8:25 am<br>0.75 hr  | <b>Texas is an "At Will" State... So Why Worry?</b><br><br>Understand the parameters of the Texas At-Will Employment doctrine, and gain practical tips on how to navigate its many exceptions.<br><br>Jamila Marie Brinson, Jackson Walker LLP - Houston, TX   |
| 9:10 am             | <b>5-Minute Break</b>  |
| 9:15 am<br>1.00 hr  | <b>Disparate Treatment and Disparate Impact</b><br><br>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?<br><br>Ryan O. Estes, Kaplan Law Firm - Austin, TX<br>Sarah Glaser, Lloyd Gosselink Rochelle & Townsend, P.C. - Austin, TX           |
| 10:15 am            | <b>5-Minute Break</b>  |
| 10:20 am<br>0.50 hr | <b>Retaliation: Winning the Battle, Losing the War</b><br><br>Why is retaliation the most dangerous cause of action, and what can you do about it?<br><br>Leanne K. Thoreson, Bradley - Dallas, TX   |
| 10:50 am            | <b>5-Minute Break</b>  |
| 10:55 am<br>1.00 hr | <b>Wage and Hour: An Old Law in a Modern World</b><br><br>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?<br><br>Kimberly Miers, Littler Mendelson P.C. - Austin, TX |
| 11:55 am            | <b>Break for Lunch—Presentations Resume at 1:00 p.m.</b>   |

## Friday Afternoon, Aug. 23, 2024

### Presiding Officer:

Jennifer M. Trulock, Bradley Arant Boult Cummings LLP - Dallas, TX

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| 1:00 pm<br>0.50 hr | <b>Family Medical Leave Act (FMLA): The Other Major Entitlement Act</b><br><br>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.<br><br>Vanessa Ann Gonzalez, Bickerstaff Heath Delgado Acosta LLP - Austin, TX  |
| 1:30 pm            | <b>5-Minute Break</b>  |
| 1:35 pm<br>1.00 hr | <b>Handbooks/Employment Policies</b><br><br>Avoid common mistakes in policy drafting. Adopt provisions that support the company's good faith compliance efforts and help reduce potential liability in audits, claims, and litigation. Understand how recent NLRB decisions affect policies even in non-unionized workplaces, and what government agencies such as TWC, EEOC, and DOL look for in matters involving employer policies.<br><br>William T. (Tommy) Simmons, Texas Workforce Commission - Austin, TX  |
| 2:35 pm            | <b>5-Minute Break</b>  |
| 2:40 pm<br>0.75 hr | <b>Effective and Defensive Documentation from Hiring to Firing</b><br><br>Learn the best practices in documentation to effectively performance coach problem employees, while minimizing risks 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. Recognize the value and critical role of proper documentation in employment disputes.<br><br>Steven L. Mierl, Cornell Smith Mierl Brutocao Burton, LLP - Austin, TX |
| 3:25 pm            | <b>5-Minute Break</b>  |
| 3:30 pm<br>1.00 hr | <b>Navigating Sensitive Employment Complaints</b><br><br>The investigation of an employee's complaint may be an employer's only path to avoiding liability. The investigator will likely be a witness, and the notes may be evidence. Learn when to outsource and when/how to investigate and document the process.<br><br>DeDe Church, DeDe Church & Associates, LLC - Austin, TX   |
| 4:30 pm            | <b>5-Minute Break</b>  |
| 4:35 pm<br>0.50 hr | <b>Changes in Employment Law Impacting Compliance Efforts</b><br><br>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.<br><br>Brian A. Aslin, Ogletree, Deakins, Nash, Smoak & Stewart, P.C. - Austin, TX   |

5:05 pm

**Adjourn**

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