



NATIONAL EMPLOYMENT LAW INSTITUTE

*23rd Annual MID-YEAR*

# EMPLOYMENT LAW CONFERENCE

*The Definitive Advanced-Level Update of the Most Important Developments  
Affecting the Employment Policies and Practices of Business and Government*

**Chicago, IL**  
May 10-11, 2018  
The Gwen



**Washington, DC**  
May 17-18, 2018  
The Dupont Circle

**Las Vegas, NV**  
May 24-25, 2018  
Four Seasons Hotel

***Also Included: Complimentary Registration for our 2 Hour December 2018  
Ethics in Labor and Employment Law Teleconference***

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***Provides between 12-14.5 hours of CLE / PDC / CEU credit.***

## REGISTRATION AND ORDER FORM

Please accept my registration for the:

### 2018 MID-YEAR EMPLOYMENT LAW CONFERENCE

- Chicago, IL, May 10-11 • *The Gwen, A Starwood Hotel*  
 Washington, DC, May 17-18 • *The Dupont Circle*  
 Las Vegas, NV, May 24-25 • *Four Seasons Hotel*

**Registration Fee:** ..... \$995.00

**Early Registration Fee:** ..... \$945.00

(Paid Registration received by April 18, April 25, and May 2, respectively.)

- I am unable to attend. Please send me the:

### 2018 Mid-Year Employment Law Conference Manual

**Print** \_\_\_ copies @ \$189.00.....

**Downloadable PDF** @ \$169.00.....

**Both Formats** \_\_\_ copies @ \$229.00.....

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**Do you require any accommodation, due to a disability, to attend this program?**  No  Yes

(Describe) \_\_\_\_\_

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## REGISTRATION INFORMATION

**Early registration is advised.** Registrations will be confirmed by e-mail. On-site registrations are subject to space availability. **Payment in full is required prior to the program.**

**Registration Fee: \$995.00 • Early Discounted Fee: \$945.00**

### Early Registration Cut-Off Dates

Chicago - April 18

Washington, DC - April 25 • Las Vegas - May 2

**Group Rates, Discounts and Substitutions** are available and permissible. Email [neli@neli.org](mailto:neli@neli.org) for more information.

**Cancellation Policy:** Cancellations must be confirmed in writing and addressed to the Registrar. Registrations cancelled more than ten business days prior to the program may elect to receive a full fee credit, or a refund, less a \$150.00 administrative fee. Those cancelled ten or fewer business days prior to the program will receive a fee credit, less a \$250.00 administrative fee. Transfers between cities must be pre-approved. Fee credits may be applied during the next 12 month period to any of NELI's programs or publications. Paid no-shows will receive the program Manual upon request in full consideration of fees paid. Unpaid cancellations and unpaid no-shows are liable for the registration fee. Refunds will be processed after the conclusion of the Conference series.

## CONTINUING EDUCATION

This program will provide between **12-14.5 CLE / PDC / CEU credits, depending upon the jurisdiction.** NELI applies for credit from all MCLE states. Contact us for approval status. To apply for CLE credit, please complete box on registration form. NELI will provide the necessary forms and proof of attendance. NELI is recognized by most professional associations as an approved CEU/CPE provider, and is an approved provider of HRCI and SHRM for recertification credit.

As always, **NELI will file in as many jurisdictions/states as you are licensed for no additional fee**, although registrants need to file for credit on their own behalf in jurisdictions that require it.

## REGISTRATION PROCEDURE

### MAILING ADDRESS:

**NELI, P. O. Box 1189, Golden, Colorado 80402**

**PHONE: (303) 861-5600**, 8:00 a.m. - 4:30 p.m. Mountain Time

**FAX: (303) 861-5665**

**INTERNET: [www.neli.org](http://www.neli.org)**

**EMAIL: [registrar@neli.org](mailto:registrar@neli.org)**

### HOTEL ACCOMMODATIONS

For NELI's group rate, reservations must be made directly with the hotel (not through a travel agent). Room blocks are limited and group rates cannot be guaranteed after the listed cut-off dates, and may be fully booked before then. Reserve early and state that you are attending NELI's *Mid-Year Employment Law Conference*. If you experience difficulty, please call NELI. After the cut-off date, reservations at the group rate are on a space available basis.

**Chicago - The Gwen, A Starwood Hotel**  
521 North Rush Street, Chicago, IL 60611  
(312) 645-1500 or (866) 716-8136  
Run-of-House - \$329.00 (plus tax)  
**Reservation cut-off date: April 18, 2018**

**Washington, DC - The Dupont Circle**  
1500 New Hampshire Avenue, NW  
Washington, DC 20036  
(202) 483-6000  
Run-of-House - \$349.00 (plus tax)  
**Reservation cut-off date: April 24, 2018**

**Las Vegas - Four Seasons Hotel**  
3960 Las Vegas Boulevard South  
Las Vegas, NV 89119  
(702) 632-5000 or (877) 632-5000  
Run-of-House - \$239.00 (plus tax and resort fee)  
**Reservation cut-off date: May 2, 2018**

• Lower rates may be available on hotel websites •

## 2018 AGENDA

### DAY ONE

#### 7:45 Conference Check-In & Continental Breakfast

#### 8:30 Developments in EEO Law

Update of Supreme Court cases and the most significant appellate court and trial court cases and their application and implications for employment practices and litigation in key substantive and procedural areas, including race, sex, color, religion, national origin, gender and pregnancy discrimination, the ADEA, damages, and injunctive relief.

*Chicago - George Abele*

*Washington, DC - Carson Sullivan*

*Las Vegas - Jeff Wohl*

#### 10:45 Refreshment Break

#### 11:00 State and Local Employment Law Expansion

Exploring the increase in employee protection by the numerous states and municipalities that have enacted their own employment statutes, ordinances and regulations which often differ substantially from their federal counterparts when it comes to scope of coverage, burdens of proof, procedures, and remedies, and many offer protection not found in federal law based on sexual orientation, gender identity, marital or family status and political activities and speech. In addition, we'll examine new state and local laws related to employers' use of background checks, expanded paid sick leave, and pay equity.

*Chicago & Washington, DC - Jill Rosenberg*

*Las Vegas - Andrew Livingston*

#### 12:30 Luncheon (Hosted by NELI)

#### 1:30 Wage and Hour & Misclassification Update

Recent decisions and new DOL interpretations and initiatives from the Trump Administration, the continued surge in joint employer theories and cases, exemption and misclassification decisions, compensable time in our increasingly technology-centered workplace, new tip and tip pooling issues, rounding and auto-deduction issues, decisions on settling FLSA cases, issues involving contingent workers and the gig economy, and emerging case law on actual or constructive knowledge of overtime worked required to prove a claim.

*Chicago - Chris Parlo*

*Washington, DC - Shannon Farmer*

*Las Vegas - Ellen Boshkoff*

#### 3:00 Refreshment Break

#### 3:15 The e-Workplace:

#### Privacy Issues and Cyber Security

The expanding set of technology platforms and apps keeps challenging employers who must decide how to restrict, monitor and scrutinize employees and applicants' technology usage inside and outside the workplace. This impacts employees' privacy rights and employers' information security programs, including the ever-growing use of "Cloud" technology, employers' rights to limit employees' personal social networking site (SNS) postings, implications of BYOD vs. COPE, prohibitions on forced disclosure of personal logins, proactive steps to minimize risks of data theft and breaches, the emergence of workplace artificial intelligence, compliance with state laws restricting use of employees' biometric information and discoverability of SNS posts, photos and messages.

*Chicago & Las Vegas - Adam Forman*

*Washington, DC - Karla Grossenbacher*

#### 5:00 Adjourn

### DAY TWO

#### 7:30 Continental Breakfast

#### 8:00 Keeping Up with the ADA:

#### "Reasonable Accommodation"

Fast-breaking developments on practical reasonable accommodation issues, including when the issue arises and the importance of training first-line supervisors on what to listen for as possible triggers to the interactive process, what supervisors and HR personnel should be trained to say and document in response to employee requests, important changes on the definition of "reasonable," particular accommodation questions, such as whether/how much "leave" (including a repeated leave extension) is required, how this interplays with the FMLA, whether reduced workloads, non-competitive reassignment, an "irritant-free" environment, work-at-home, shift changes, supervisor changes, or reserved parking spaces are required, whether discipline must be rescinded as an accommodation, where the funds for accommodations should come from, and whether government enforcement positions are changing under the Trump Administration.

*All Locations - David Fram*

#### 10:00 FMLA: Current Issues and Trends

What's new in terms of compliance efforts from the Department of Labor, dealing with incomplete, vague or late medical certifications, enforcing call-in and attendance policies, practical issues including adjusting performance standards while on leave, allowing an employee to work on leave, references to leave by a supervisor and handling fraudulent use of FMLA leave and the seemingly never-ending burden of intermittent leave, and more.

*Chicago - Ellen McLaughlin*

*Washington, DC - Megan Norris*

*Las Vegas - Julie Lucht*

#### 10:30 Refreshment Break

#### 10:45 FMLA: Current Issues and Trends (Continued)

#### 11:45 Critical NLRB Developments Under the Trump Administration

With the Trump NLRB taking shape and having over-ruled or criticized many controversial Obama-era precedents, we'll cover what has been done so far and what is likely to occur in the coming months, including analysis of *PCC Structural, Inc.*, *Hy-Brand Industrial Contractors, Ltd.*, *The Boeing Company*, and *Raytheon Company*, plus aggressive new initiatives announced by NLRB General Counsel Peter Robb, as well as the Board's rulemaking and call for comments on the "quickie elections" rule.

*Chicago - Derek Barella*

*Washington, DC - Steve Suflas*

*Las Vegas - Denise Keyser*

#### 1:15 Adjourn

#### REGISTRATION FEE INCLUDES:

- 2018 Mid-Year Employment Law Conference Manual  
*(in both downloadable PDF and print formats)*
- **12-14.5 CLE / PDC / CEU hours, depending upon jurisdiction**
- CLE filing in all states where you're licensed at no additional fee
- **Complimentary Ethics Teleconference - December 2018**
- Continental Breakfast both mornings
- Luncheon hosted by NELI, an opportunity to network with other participants and faculty

**Also Included: Complimentary Registration for our 2 Hour December 2018  
Ethics in Labor and Employment Law Teleconference**

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