



NATIONAL EMPLOYMENT LAW INSTITUTE

24th 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*

San Francisco, CA

May 9-10, 2019
Westin St. Francis

Chicago, IL

May 16-17, 2019
The Gwen

Washington, DC

May 23-24, 2019
W Washington DC

Provides between 12-14.5 hours of CLE / PDC / CEU credit, including 1-1.4 hours of Ethics.

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REGISTRATION AND ORDER FORM

Please accept my registration for the:

2019 MID-YEAR EMPLOYMENT LAW CONFERENCE

- San Francisco, CA, May 9-10 • *Westin St. Francis*
 Chicago, IL, May 16-17 • *The Gwen by Marriott*
 Washington, DC, May 23-24 • *W Washington DC*

Registration Fee: **\$995.00**

Early Registration Fee: **\$945.00**

(Paid Registration received by April 17, April 24, and May 1, respectively.)

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

2019 Mid-Year Employment Law Conference Manual

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

Downloadable PDF @ \$169.00.....

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

Shipping and Handling (\$13.00 for print copy) _____

Colorado residents add 7.4% sales tax (publications only) _____

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(Note: Confirmations and program announcements sent via e-mail.)

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

(Describe) _____

CLE CREDIT: Provide state(s) and bar number(s).

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

San Francisco - April 17

Chicago - April 24 • Washington, DC - May 1

Group Rates, Discounts and Substitutions are available and permissible. Email 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. - 4:00 p.m. Monday - Thursday Mountain Time

8:00 a.m. - 12:00 p.m. Friday Mountain Time

FAX: (303) 861-5665

INTERNET: www.neli.org

EMAIL: 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.

San Francisco - Westin St. Francis

335 Powell Street, San Francisco, CA 94102

(415) 397-7000 or (888) 627-8546

Traditional - \$339.00; Deluxe - \$369.00 (plus tax)

Reservation cut-off date: April 17, 2019

Chicago - The Gwen by Marriott

521 North Rush Street, Chicago, IL 60611

(312) 645-1500 or (866) 716-8136

Run-of-House - \$339.00 (plus tax)

Reservation cut-off date: April 24, 2019

Washington, DC - W Washington DC

515 - 15th Street, NW, Washington, DC 20004

(202) 661-2400 or (877) 946-8357

"Wonderful" Room (interior) - \$359.00 (plus tax)

"Spectacular" Room (exterior) - \$379.00 (plus tax)

Reservation cut-off date: May 1, 2019

• Lower rates may be available on hotel websites •

2019 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.

San Francisco - George Abele

Chicago - Cameron Fox

Washington, DC - Carson Sullivan

10:45 Refreshment Break

11:00 Retaliation and Whistleblowing Update

Determining “protected activity,” understanding the expanded concept of “adverse action,” how to negate an inference of “causation,” third party retaliation, retaliatory harassment, in-house counsel or compliance officer as whistleblower, what constitutes “unreasonable opposition,” the rise in “cyber security” whistleblowing and increased regulatory enforcement, plus the continued surge in whistleblower, Dodd Frank and Sarbanes-Oxley issues, including the expanded rights and remedies of the would-be whistleblower, expansion of Sarbanes-Oxley and best practices to help avoid and/or minimize liability.

San Francisco - Andrew Livingston

Chicago - Tracy Billows

Washington, DC - Jill Rosenberg

12:30 Luncheon (Hosted by NELI)

1:30 Wage and Hour & Misclassification Issues

Overview of the latest court decisions on misclassification, joint employment, non-covered workers, and minimum wage; discussion of new developments regarding hours worked and rate calculation issues; summary of the latest Department of Labor announcements, interpretations, and planned actions; and discussion of best practices for minimizing risk.

San Francisco - Ellen Boshkoff

Chicago - Samantha Rollins

Washington, DC - Shannon Farmer

3:00 Refreshment Break

3:15 The e-Workplace:

Privacy Issues and Cyber Security

Covering the expanding set of technology platforms and apps that keeps challenging employers on how to restrict, monitor, scrutinize and/or preserve employees’ and applicants’ technology usage which impacts employees’ privacy rights and employers’ information security programs, including the use of “Shadow IT,” “Cloud” technology, social media and other forms of offline communications and their implications for an employer’s BYOD program and potential discoverability in legal proceedings. Also, discussion of employers’ rights to limit employees’ social media posts and the ability to discipline for such posts if needed, prohibitions on forced disclosure of personal log-in credentials, proactive steps employers can take to minimize risks of data theft, and compliance with state laws restricting the use of employees’ biometric information.

San Francisco - Bob Brownstone

Chicago - Karla Grossenbacher

Washington, DC - Adam Forman

5:00 Adjourn

DAY TWO

7:30 Continental Breakfast

8:00 Ethics in Labor and Employment Law

Annual update on cutting edge ethics issues, including conflicts of interest, attorney-client privilege and waiver, ex parte access to current and former managers and employees, pre-trial investigations, employee confidential communications using employer-provided computers and email, in-house counsel ethical issues, improper acquisition and inadvertent disclosure of information and documents, access to social media information, settlement and negotiations, and court enforcement of professionalism and civility codes.

San Francisco - Shareef Farag

Chicago & Washington, DC - Dennis Duffy

9:00 Latest Developments on

“Reasonable Accommodation”

Discussion of the latest cases on practical reasonable accommodation issues, including important new cases on the meaning of “reasonable” and why these cases are so useful, what supervisors and HR personnel should be trained to say and document in response to employee requests, what technically triggers the duty to interact, when accommodations are not required, what type of medical information may be requested from the employee, and particular accommodation requests such as leave (including repeated leave extensions), schedule adjustments, change of supervisors, non-competitive reassignment, light duty, work-at-home, shift changes, and a perfume-free workplace.

All Locations - David Fram

10:30 Refreshment Break

10:45 FMLA Compliance and Best Practices

What’s new in terms of compliance, on-site audits and opinion letters from the Department of Labor, medical certification challenges, effective use of recertifications to combat intermittent leave abuse, the importance of clear and accurate communications, employee notice requirements, practical issues including adjusting performance standards while on leave, allowing an employee to work on leave, references to leave by a supervisor, how to conduct an investigation if fraudulent use of FMLA leave is suspected, and the seemingly never-ending burden of intermittent leave, and more.

San Francisco - Julie Lucht

Chicago - Jeff Nowak

Washington, DC - Darrell VanDeusen

12:15 Case Study on ADA / FMLA Overlap Issues

Interactive session analyzing factual scenario likely to arise in the workplace, including practical strategies for managing the employee on a medical leave.

San Francisco - David Fram & Julie Lucht

Chicago - David Fram & Jeff Nowak

Washington, DC - David Fram & Darrell VanDeusen

1:15 Adjourn

REGISTRATION FEE INCLUDES:

- 2019 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
- Continental Breakfast both mornings
- Luncheon hosted by NELI, an opportunity to network with other participants and faculty

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