

The Bureau of Labor and Industries presents the 24th Annual

Employment Law Conference 2008

Dec 9 & 10

Updates, legislative changes, practical tips and applications, forms and policies employers need to build a better workplace. Bureau compliance experts and Oregon's top employment law attorneys provide you with the latest information and most effective tools to keep you in compliance — and out of court.



 Oregon
Convention
Center
777 NE MLK Blvd., Portland

Sponsored by the Technical Assistance
for Employers Program
971-673-0824

www.oregon.gov/boli

Day 1 ■ Tuesday, December 9, 2008

Session Times	Conference Rooms B110-119 and C120-124			
7:30 – 8:10 a.m.	Registration & Check-in			
8:10 – 8:25 a.m.	Introduction in Rooms B113 to B116			
	B110-B112	B117-B119	C120-C122	C123-C124
8:30 – 10:00 a.m.	Rightful Discharge Richard Meneghello	Immigration Law and I-9 Compliance Kim Thompson	Documentation, Discipline & Discharge Jeff Brecht and Nena Cook	Recent Developments in Employment Law and Legislation Dan Grinfas
10:00 – 10:15 a.m.	Break			
10:15 – 11:45 a.m.	A Day in the Life of an HR Manager Kathryn Hindman	Religious Discrimination and Workplace Accommodation Steve Hunt and Donna Renton-Ried	Documentation, Discipline & Discharge <i>continues</i>	Recent Developments in Employment Law and Legislation <i>continues</i>
11:45 – 12:45 p.m.	Lunch in Rooms B-113 to B-116			
	B110-B112	B117-B119	C120-C122	C123-C124
12:45 – 2:15 p.m.	FMLA/OFLA Joshua Ried	Privacy Issues Maryann Yelnosky	Determining Independent Contractor Status Emily Shults	Oregon OSHA: Who We Are and What We Do Panel
2:15 – 2:30 p.m.	Break			
2:30 – 4:00 p.m.	FMLA/OFLA <i>continues</i>	Managing Today's Multi-Generational Workforce Barb Bloom	ADA Amendments Dennis Westlind	Oregon OSHA: <i>continues</i>

Day 2 ■ Wednesday, December 10, 2008

Session Times	Conference Rooms B117-119 and C120-124			
	B110-B112	B117-B119	C120-C122	C123-C124
8:30 – 10:00 a.m.	Caselaw Update Ruchard Liebman and Karen O'Connor	An Ounce of Prevention: Avoiding Discrimination and Harassment Claims Lisa Umscheid	Hurricane I-9: Will Your Business Survive the Storm? Ronald Guerra and Julie McCord	HR Makeover Madness Jennifer Bouman-Steagall
10:00 – 10:15 a.m.	Break			
10:15 – 11:45 a.m.	Caselaw Update <i>continues</i>	An Ounce of Prevention <i>continues</i>	Hurricane I-9 <i>continues</i>	HR Makeover Madness <i>continues</i>
11:45 – 12:45 p.m.	Lunch in Rooms B 113 to B 116			
	B110-B112	B117-B119	C120-C122	C123-C124
12:45 – 2:15 p.m.	Preventing Retaliation and Whistleblower Claims Amy Campbell and Sarah Ryan	Legal Hiring Practices Lisa Brown	Are You Managing Your Military Employees Effectively? Panel	Drugs and Alcohol — What's an Employer to Do? Clarence Belnavis
2:15 – 2:30 p.m.	Break			
2:30 – 4:00 p.m.	Preventing Retaliation and Whistleblower Claims <i>continues</i>	Documentation, and Discharge Lisa Brown	Are You Managing Your Military Effectively? <i>continues</i>	Drugs and Alcohol <i>continues</i>

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Day 1 ■ Tuesday, December 9, 2008

Rightful Discharge 8:30 – 10:00 a.m.

Speaker: Richard Meneghello

You'll learn lawful and effective techniques for ridding your workforce of employees who deserve to be fired and for documenting those employees who deserve discipline. Never again will you be intimidated by federal and Oregon laws protecting employee rights; Oregon employers have some important rights, too, including the right to fire employees with bad attitudes. This program will show you how.

Immigration Law and I-9 Compliance Current Topics 8:30 – 10:00 a.m.

Speaker: Kim Thompson

Businesses are being raided, companies are facing fines, managers are being arrested—what's an Oregon employer to do? This practical session will teach you lessons to apply today so you don't face trouble tomorrow. Learn the latest about no-match letters and pick up tips to ensure full I-9 compliance.

Documentation, Discipline & Discharge 8:30 – 11:45 a.m.

Speakers: Jeff Brecht and Nena Cook

Recent Developments in Employment Law and Legislation 8:30 – 11:45 a.m.

Speaker: Dan Grinfas

This informative seminar will provide an employment law recap of Oregon's 2007 and 2008 legislative sessions, covering recent wage and hour, civil rights, and family leave legislation that affects employers and employees. The presenter will also cover new FMLA and ADA legislation and developments.

A Day in the Life of an HR Manager 10:15 – 11:45 a.m.

Speaker: Kathryn Hindman

Triggers for the interactive process and reasonable accommodation: a day in the life of an HR manager.

Religious Discrimination and Workplace Accommodation 10:15 – 11:45 a.m.

Speakers: Steve Hunt and Donna Renton-Ried

This concise presentation is based on EEOC's newly released compliance manual on religious discrimination. Topics include religious coercion, dealing with co-worker complaints, and accommodation requirements.

FMLA/OFLA 12:45 – 4:00 p.m.

Speaker: Joshua Ried

This program covers the Oregon Family Leave Act (OFLA) and Federal Family and Medical Leave Act (FMLA) and includes information about leave for Victims of Domestic Violence.

Oregon OSHA: Who We Are and What We Do 12:45 – 4:00 p.m.

Speakers: Jason Jantzi, Sue Joye, Jane Kirby, Roy Kroker, Chris Ottoson, and David Sparks

Join Oregon OSHA to learn about the many services available to Oregon employers including Consultative Services, Public Education, Standards and Technical Resources, Resource Center, and Enforcement.

Privacy Issues 12:45 – 2:15 p.m.

Speaker: Maryann Yelnosky

A discussion of privacy and confidentiality rights and obligations in the work place.

Determining Independent Contractor Status 12:45 – 2:15 p.m.

Speaker: Emily Shults

Learn how to determine whether someone is an employee or an independent contractor.

Managing Today's Multi-Generational Workforce 2:30 – 4:00 p.m.

Speaker: Barb Bloom

Obtain guidance to better manage workplace generational differences by focusing on common goals for your organization's success, including a review of relevant laws and whether your personnel policies and practices are in compliance.

ADA Amendments 2:30 – 4:00 p.m.

Speaker: Dennis Westlind

On September 25, 2008, the President signed the Americans with Disabilities Act Amendments of 2008. Learn about the changes to the ADA and how these changes may affect your requirements to accommodate an employee.

Day 2 ■ Wednesday, December 10, 2008

Caselaw Update 8:30 – 11:45 a.m.

Speakers: Richard Liebman and Karen O'Connor

The experts bring you the latest in employment law developments with this popular caselaw update. Find out how the most recent court decisions could influence your company policies and practices.

An Ounce of Prevention: Avoiding Discrimination and Harassment Claims 8:30 – 11:45 a.m.

Speaker: Lisa Umscheid

This program will cover practical strategies and recent developments in discrimination and harassment law, policies, and investigations. Learn additional steps to prevent future claims.

HURRICANE I-9: Will Your Business Survive the Storm? 8:30 – 11:45 a.m.

Speakers: Ronald Guerra and Julie McCord SPHR

Oregon businesses are required to complete the Employment Verification and Identity form (I-9) for each new hire after November 6, 1986. Did you know that failing to properly complete the form I-9 in a timely manner may subject a business to civil penalties? Did you know that owners, managers and agents of a business may be criminally prosecuted for employing unauthorized persons? Did you know that federal contractors have new requirements for doing business with the federal government regarding the I-9 process? If you don't know the answers to these, and other related questions, your business may not survive the hurricane I-9 storm. This seminar will provide you with tools to weather the storm and resources to administer the form I-9 responsibilities with confidence, to understand the civil and criminal risks for non-compliance and what to do when federal agents conduct a worksite enforcement action.

HR Makeover Madness 8:30 – 11:45 a.m.

Speaker: Jennifer Bouman-Steagall

Whether you are just starting an HR department or entrenched in an existing one, it may be time for an HR Department Makeover! Busy HR professionals rarely have time to examine and evaluate their roles and reputations within their organizations, much less to determine whether their department is meeting company expectations, substantively contributing to the organization's overall success, or complying with applicable employment laws. Through this interactive workshop participants will: 1) evaluate their current functions and effectiveness within the organization; 2) learn how to

develop and expand a successful HR department; 3) learn how to conduct a compliance audit to safeguard the organization against future threats of legal liability; and 4) learn practical tips for how to improve not only their reputation within the organization, but also their relationships with front line managers. It's time to take a hard look at what "HR" really means to your organization and give your department the makeover it has been waiting for!

Preventing Retaliation and Whistleblower Claims 12:45 – 4:00 p.m.

Speakers: Sarah Ryan and Amy Campbell

The number of retaliation and whistleblower claims asserted by employees continues to increase. Hear about real-life cases and learn practical tips and strategies to help you reduce your organization's risk of these claims.

Legal Hiring Practices 12:45 – 2:15 p.m.

Speaker: Lisa Brown

Writing job descriptions, recruiting, and developing a legal application form are critical in laying the groundwork for the hiring process. This session covers these areas as well as information you need to conduct legal job interviews, check references, and conduct background checks.

Documentation and Discharge 2:30 – 4:00 p.m.

Speaker: Lisa Brown

Documenting to motivate employees to improve their performance and to protect the employer in the event of future litigation. Learn how to document effectively and what essential information must be included in all documentation.

Are You Managing Your Military Employees Effectively? 12:45 – 4:00 p.m.

Speakers: James Booker, Ron Cannon, Jack Cronise, William Doctor, Robert Elliott, and Barry Vertner

A panel of experts will answer your questions regarding USERRA rights, Veteran's Issues, and pending deployments. This is an important session for employers who have National Guard or Reserve members in their employ.

Drugs and Alcohol—What's an employer to do? 12:45 – 4:00 p.m.

Speaker: Clarence Belnavis

A roundtable discussion of policies and practices that employers can use to address drug and alcohol use in their workplaces.

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Conference Speakers

Clarence Belnavis is the managing partner in the Portland office of Fisher Phillips LLP. He has substantial experience advising employers on labor and employment issues as well as handling various types of employment litigation.

Barb Bloom is a shareholder with Bullard Smith, which practices exclusively in the area of management side labor and employment law. Barb is a frequently sought out speaker on workplace issues, due to her ability to discuss legal topics in an informative and entertaining way.

James Booker is the State Veteran's Program Coordinator with the Oregon Employment Department.

Jennifer Bouman-Steagall is an attorney with Bullard Smith. Her litigation work includes all forms of unlawful discrimination and harassment, federal and state family leave laws, enforcement of non-competition and confidentiality agreements, wage and hour laws, and wrongful termination. Jennifer also has considerable experience providing managerial training to employers and presenting seminars on numerous subjects pertaining to employment law.

Jeff Brecht is a member of Sussman Shank's Business Litigation and Employment Law groups and represents business in state and federal courts in Oregon.

Amy Campbell has practiced employment law with Ball Janik for six years.

Ron Cannon is the Director for Veterans' Employment and Training (DVET) with the U.S. Department of Labor.

Nena Cook chairs Sussman Shank's Litigation Department and is a member of the firm's Employment Law group. She has represented employers in state and federal courts and before administrative agencies for over 17 years.

Jack Cronise is the Senior Ombudsman Coordinator for the Employer Support of the Guard and Reserve (ESGR).

Brig.General (ret) William Doctor is with the Employer Support of the Guard and Reserve.

Col. (ret) Robert Elliott is the Executive Director of the Employer Support of the Guard and Reserve (ESGR).

Dan Grinfas, SPHR, is an attorney with Buchanan Angeli Altschul & Sullivan LLP. He counsels employers and conducts management and employee training in a variety of employment-related areas.

Ronald Guerra is a member of Jordan Schrader Ramis's Labor and Employment Law practice group and represents clients in employment and labor relations matters. Ron has become a foremost advisor on immigration reform and compliance issues, advising employers regarding current I-9 requirements.

Kathryn M. Hindman is a shareholder with Bullard Smith and specializes in counseling both public and private sector employers in all aspects of employment relations and litigation.

Steve Hunt is the State and Local Coordinator of the EEOC. He has served in all aspects of investigation and has been with the EEOC since 1976.

Jason Jantzi is Oregon OSHA's Public Education Manager.

Sue Joye is the Administrative Rules Coordinator with Oregon OSHA.

Jane Kirby is Oregon OSHA's Resource Center Librarian.

Roy Kroker is the Oregon OSHA Field Consultation Manager.

Richard Liebman is a founding partner with the firm of Barran Liebman LLP, representing employers for more than 35 years in labor and employment law.

Julie McCord, SPHR, is the Human Resources Account Manager for Xenium.

Richard Meneghello is a partner with the Portland office of Fisher & Phillips LLP. He counsels and defends management in labor and employment matters.

Karen L. O'Connor practices in the areas of employment litigation and employment discrimination. She is with the firm of Barran Liebman LLP.

Chris Ottoson is Oregon OSHA's Field Health Enforcement Manager.

Donna Renton-Ried is a Program Coordinator with BOLI's Technical Assistance for Employers Program.

Joshua Ried is an attorney and labor law expert with nearly 20 years of experience with the Bureau of Labor and Industries.

Sarah Ryan is a partner with Ball Janik LLP and chairs the firm's employment law practice group.

Emily Shults is an associate with Bullard Smith.

David Sparks is the Quality Assurance Manager with Oregon OSHA.

Kim Thompson is a partner with Fisher Phillips Global Immigration Practice Group. Kim's practice focuses on immigration and nationality law; she began practicing in this area in 1990.

Lisa Umscheid is special counsel with Ball Janik LLP. Her principal areas of practice are employment law advice and litigation, labor law, and government law.

Barry Vertner is the Director of the Career Transition Assistance Program (CTAP).

Dennis Westlind is a member of the Labor & Employment Group at Stoel Rives LLP. He represents employers in state and federal court as well as administrative agencies such as the EEOC, BOLI, and the National Labor Relations Board.

Maryann Yelnosky is an attorney with Bullard Smith and has devoted her career to representing employers and health care providers, specializing in litigation, employee management, and employer training.

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Registration Information

Conference Package \$469 per person
Early-Bird Registration (by November 21, 2008) \$409 per person
Three or more employees from same organization (no early-bird discount) \$409 per person
Single-Day Package \$319 per person

*** All options include conference manual, breakfasts, lunches and snacks.*

By Mail: Return the registration form, with payment, to the Bureau of Labor and Industries, 800 NE Oregon Street, Ste 1045, Portland, OR 97232. Payment must accompany registration and be in the form of: 1) check/money order, 2) VISA or MasterCard payment, or 3) purchase order (please include number).

By Fax: You may fax your registration if you are using a credit card or purchase order (please include number) for payment. The fax number is (971) 673-1384.

Cancellation Policy: To get a refund (minus a \$25 processing fee) or a full credit towards the price of any seminars during the following 12 months, you must cancel your registration 5 business days prior to the conference. Without advance notice, we cannot issue refunds or credits. You are welcome to send a substitute from your organization to the conference.

Confirmations: Your seminar registration will be confirmed only via e-mail (if it is received 5 or more working days prior to the conference). Provide the appropriate e-mail address on the registration form.

Accommodations: Call the Technical Assistance office for a list of nearby accommodations or check the Portland Oregon Visitors Association's website at www.pova.com/visitors.

For more information, call Nancy in our Portland office at (971) 673-0825.

Transportation and Parking: TriMet MAX Lightrail stops at the Convention Center every 8 to 15 minutes.

Parking at the Convention Center is \$8 per day. Parking may be limited due to other events taking place; arrive early to ensure a parking space.

Company Name _____

(Please use one form per participant.)

Address _____

City _____

State/Zip _____

Phone _____

Participant Name _____

Both Days

Day 1, 12/9/08

Day 2, 12/10/08

Amount Due _____

**Payment must accompany registration form. Please make checks payable to:
Bureau of Labor and Industries.**

Payment method

Visa

Mastercard

Check

Purchase Order # _____

(no other card accepted)

Credit Card No. _____

Expiration Date _____

Printed Name _____

Authorized Signature _____

E-mail address for registration confirmation _____