

22nd Annual

# Labor & Employment Law Conference



**AUG 22 & 23, 2019**

WASHINGTON  
ATHLETIC CLUB

Seattle, WA

**ACCREDITATION**

WA MCLE, OR CLE, ID  
CLE, CA CLE, AK CLE,  
HRCI, SHRM-CPSM /  
SHRM-SCPSM

*(see inside for details)*



Available Via:  
Live Webcast

THE SEMINAR GROUP

~ RAISING THE BAR OF CONTINUING LEGAL AND PROFESSIONAL EDUCATION

## Seminar Overview

With the gig economy picking up momentum, the evolution of the #MeToo movement, unemployment getting even lower, and the legislature and city council getting more active, the timing couldn't be better to brush up on Labor and Employment laws and recent judicial pronouncements.

We will examine developments in labor law, leave laws, wage & hour, and immigration. We will delve into issues surrounding confidentiality, sexual harassment, workplace violence, misclassification, and discrimination. This year's program will also offer a discussion on how to prepare for an economic downturn.

Join us for a two-day seminar on the latest Labor and Employment law trends and updates, presented by some of Washington's top practitioners in the field.

### **Who Should Attend:**

Attorneys  
Human Resource  
Professionals  
In-House Counsel

**Labor & Employment Law**  
**Thursday, August 22, 2019**

**8:00 Optional Session - Introduction to Labor and  
PDT Employment Law for Attorneys and HR  
Professionals**

Understanding the legal implications of the contractual relationship between employer and an employee

**Susan Eberle Stahlfeld**  
*Miller Nash Graham & Dunn LLP*

**8:50 Break**

**9:00 Introduction and Overview of Day One**

**Lawrence R. Cock**, *Program Co-Chair*  
*Corr Cronin LLP*

**Timothy J. O'Connell**, *Program Co-Chair*  
*Stoel Rives LLP*

**9:10 Labor Law Update**

**Timothy J. O'Connell**  
*Stoel Rives LLP*

**10:00 Wage and Hour Update**

Latest agency and legislative developments on wage and hour issues; the rise of predictive scheduling laws; recent court decisions; separate pay for rest breaks and “non-productive time”; wage and hour class action developments

**Douglas E. Smith**  
*Little Mendelson PC*

**10:45 Break**

**11:00 Workplace Violence and Bullying**

Employer obligations to protect the workplace; steps to lessen the risk of harm and liability; practical responses to workplace threats

**Steven R. Peltin**  
*Foster Pepper PLLC*

**12:00 Midday Break**

**1:15 ADA and FMLA Update**

Accommodating employees with disabilities; understanding Federal, State, and Local leave laws

**Carolyn H. Ladd**, *Senior Counsel*  
*Labor, Employment and Benefits Group, The Boeing Company*

**2:15 Leave Law Abuse**

Employer options under applicable laws for identifying and minimizing abuse; striking the right balance on when to act to combat abuse

**Robert M. Howie**  
*Fox Rothschild LLP*

**3:00 Break**

**3:15 Mandatory Arbitration**

*Lewis vs. Epic Systems*

**Laurence A. Shapero**  
*Ogletree Deakins Nash Smoak & Stewart PC*

**4:00 Non-Competes, Non-Compete Reform, Non-Solicitations, Non-Acceptance of Business, No Hire, and Confidentiality Agreements**

**Lawrence R. Cock**  
*Corr Cronin LLP*

**Jack M. Lovejoy**  
*Corr Cronin LLP*

**5:00 Adjourn**

**Labor & Employment Law**  
**Friday, August 23, 2019**

**9:00 Introduction and Overview of Day Two  
PDT**

**Lawrence R. Cock**, *Program Co-Chair*  
*Corr Cronin LLP*

**Timothy J. O'Connell**, *Program Co-Chair*  
*Stoel Rives LLP*

**9:10 Ethical Considerations - Practicing Law is  
Hazardous to Your Health**

Alcohol & substance abuse in the legal profession; elevated mental illness & suicide rates; what to do if our jobs are making us sick?

**Philip Buri**  
*Buri Funston Mumford & Furlong PLLC*

**10:10 What Every Employer Needs to Know About  
the Gig Economy and Misclassification**

Latest case law and regulatory developments related to gig economy companies; modern misclassification concerns and potential for revolution in analysis of legal tests; the “Uberization” of corporate America and what every employer will want to know about freelance/contract work

**Richard R. Meneghello**  
*Fisher & Phillips LLP*

**11:00 Break**

**11:15 Immigration Law: H-1B and Employer  
Sponsored Green Cards**

Understanding employer obligations for managing a foreign national workforce from hiring to termination; and employee obligations for maintaining status in compliance with immigration rules

**Andrew T. Chan**  
*MacDonald Hoague & Bayless*

**Lola S. Zakharova**  
*MacDonald Hoague & Bayless*

**12:15 Midday Break**

**1:30 Intersectional Discrimination**

Understanding the legal and strategic implications of a discrimination claim based on a combination of two or more protected classes

**Michael C. Subit**  
*Frank Freed Subit & Thomas LLP*

**2:15 Public Employers**

What should public employers consider in determining whether to discipline or terminate an employee? How should public employers handle investigations in light of developing law and the public records act? What steps can public employers take to minimize employment claims?

**Katheryn Bradley**  
*Lane Powell PC*

**3:00 Break**

**3:15 Preparing for an Economic Downturn**

Downsizing staff; WARN Act; 80/20 rule; preventing retaliation claims; whistleblower and wrongful termination

**Julie S. Lucht**  
*Perkins Coie LLP*

**4:00 Pulling it all Together – L&E Best Practices**

Documentation; meeting; investigation; arbitration policies

**Duncan E. Manville**  
*Savitt Bruce & Willey LLP*

**4:45 Adjourn**

## Faculty - Labor & Employment Law



**Lawrence R. Cock**, Program Co-Chair, is Of Counsel to Corr Cronin LLP. With more than 25 years of trial and appellate experience, he emphasizes advice and litigation involving the Uniform Trade Secrets Act, noncompetition covenants, and securities.



**Robert M. Howie** is a partner at Fox Rothschild LLP. He advises regional and national companies on compliance with employment laws at every level, internal policy issues, and delivers memorable training programs for employers and business leaders.



**Timothy J. O'Connell**, Program Co-Chair, a partner with Stoel Rives LLP, practices in the areas of labor and employment law. His practice includes equal employment and discrimination cases, wrongful discharge litigation, and wage/hour counseling.



**Carolyn H. Ladd** is Senior Counsel in the Labor, Employment and Benefits Group at The Boeing Company. Her practice focuses on compliance with the ADA, FMLA, FLSA, Title VII of the Civil Rights Act of 1964, and state equal employment laws.



**Katheryn Bradley** is a shareholder at Lane Powell PC and co-chair of the Labor, Employment & Benefits Team and chairs the Wage & Hour Team. She has devoted her career to resolving workplace disputes faced by private and public employers.



**Jack M. Lovejoy** is Of Counsel to Corr Cronin LLP. He is a litigator and trial lawyer, having tried cases in state and federal court, and private arbitration. His practice emphasizes high-level employee transitions, trade secret litigation, and securities arbitration.



**Philip Buri** founded Buri Funston Mumford & Furlong PLLC. He practices appellate and civil litigation. He has been lead counsel in over 145 appeals in the three divisions of the Court of Appeals, the Washington Supreme Court, and the Ninth Circuit.



**Julie S. Lucht** is a partner at Perkins Coie LLP, focusing on employment litigation and counseling. She represents clients in all phases of litigation in defense of numerous types of employment discrimination and other employment-related claims.



**Andrew T. Chan** is a partner at MacDonald Hoague & Bayless whose practice focuses on immigration and nationality law. He speaks to professional and community audiences on immigration topics ranging from nonimmigrant visas to immigrant rights.



**Duncan E. Manville**, a partner at Savitt Bruce & Willey LLP, has handled a wide variety of complex civil litigation matters. He regularly represents and advises government entities and other clients in discrimination, harassment, and whistleblower cases.



**Richard R. Meneghello** is a partner at Fisher & Phillips LLP, a national labor and employment law firm representing the interests of management. He is the co-chair of the firm's Gig Economy Practice Group and edits the firm's Gig Economy blog.



**Michael C. Subit** is a partner at Frank Freed Subit & Thomas LLP. For over 25 years, he has represented plaintiffs in employment and civil rights cases. He has authored articles on employment issues and appeared as a television legal analyst.



**Steven R. Peltin** chairs Foster Pepper PLLC's Employment, Labor and Benefits group. He has more than 30 years of experience counseling and defending employers in connection with local, state and federal employment and labor laws.



**Lola S. Zakharova** is a partner at MacDonald Hoague & Bayless with over 20 years' experience in immigration law. She assists companies in securing temporary work visas and employment-based permanent status for international talent.



**Laurence A. Shapero** is a Shareholder at Ogletree Deakins Nash Smoak & Stewart PC. For 20 years, he has advised clients in labor, employment and benefits matters. His practice includes litigation, counseling, and private arbitration matters.



**Douglas E. Smith** is a shareholder at Littler Mendelson PC. He focuses his practice on representing clients in complex class action litigation and offering advice on legal compliance with federal, state and local wage and hour requirements.



**Susan Eberle Stahlfeld** is a partner and the coleader of Miller Nash Graham & Dunn LLP's employment law and labor relations practice group. She represents employers in discrimination, wrongful discharge, wage-and-hour, and employment torts cases.

# Labor & Employment Law

## Credits

### **WA MCLE**

This course has been approved for 11.75 hours of law and legal credit and 1.0 hours of ethics CLE credit by the Washington MCLE board (Live Credits for In Person Attendance & Webcast). This includes .75 hours of law and legal CLE credit for the optional session. Note that if you do not attend the optional session you will earn 11.0 hours of law and legal credit and 1.0 hours of ethics CLE credit. Self-Study credit will be available, specific credit amount to be determined.

**The Seminar Group is an accredited sponsor with the Washington State Bar**

### **OR CLE**

This course has been approved by the Oregon State Bar for 12.75 general CLE credits (Live Credits for In Person Attendance & Webcast). This includes .75 general CLE credits for the optional session. Note that if you do not attend the optional session you will earn 12.0 general CLE credits.

### **ID CLE**

This course has been approved by the Idaho State Bar for 11.75 general & 1.0 ethics CLE credits (Live Credits for In Person Attendance & Webcast). This includes .75 general CLE for the optional session. Note that if you do not attend the optional session you will earn 11.0 general & 1.0 ethics CLE. Self study is available for the On Demand. For other homestudy products you can self apply for self study credits.

### **CA CLE**

The Seminar Group is a State Bar of California approved MCLE provider; therefore, this course is approved for 12.0 general and 1.0 ethics CLE credits (Live Credits for In Person Attendance & Webcast). This includes .75 general CLE credits for the optional session. Note that if you do not attend the optional session you will earn 11.25 general and 1.0 ethics CLE credits.

### **AK CLE**

Alaska bar members may claim CLE credit for this course (Live Credits for In Person Attendance & Webcast).

### **HRCI**

This program has been approved for 13.25 general recertification credit hours toward PHR, SPHR and GPHR recertification through the HR Certification Institute (Live Credits for In Person Attendance & Webcast). This includes .75 general recertification credit hours for the optional session. Note that if you do not attend the optional session you will earn 12.5 general recertification credit hours. Self-study credits can be applied for upon request.



The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.

### **SHRM-CPSM / SHRM-SCPSM**

The Seminar Group is recognized by SHRM to offer SHRM-CP or SHRMSCP professional development credits (PDCs). This program is valid for 12.75 PDCs (Live Credits for In Person Attendance & Webcast). This includes .75 PDCs for the optional session. Note that if you do not attend the optional session you will earn 12.0 PDCs. For more information about certification or recertification, please visit [shrmcertification.org](http://shrmcertification.org).



The Seminar Group is recognized by SHRM to offer Professional Development Credits (PDCs) for the SHRM-CP<sup>SM</sup> or SHRM-SCP<sup>SM</sup>. For more information about certification or recertification, please visit [shrmcertification.org](http://shrmcertification.org).

## Location

### **Washington Athletic Club**

1325 6th Avenue, Seattle, WA 98101

Phone: 206-622-7900

The seminar is located in the Noble Room. Please call the venue for directions/questions.

**PARKING** - Parking is available to the public. Discounts may be available for WAC members. Please contact the venue for more information.

## Fees

### **Live Seminar:**

Attorney	\$799.00
Government / Tribal / Non-Profit	\$649.00
Other Professionals	\$649.00
Student / Professor	\$499.00
Day One	\$549.31
Day Two	\$449.44

### **Live Webcast:**

Attorney	\$799.00
Government / Tribal / Non-Profit	\$649.00
Other Professionals	\$649.00
Student / Professor	\$499.00
Day One	\$549.31
Day Two	\$449.44

### **Pre Order On Demand:**

All Sessions	\$799.00
Single Session	\$99.00

### **Pre Order MP3 Download:**

All Sessions	\$799.00
Single Session	\$99.00

### **Pre Order DVD Homestudy:**

All Sessions	\$849.00
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### **Pre Order CD Homestudy:**

All Sessions	\$849.00
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### **Pre Order Materials Download:**

All Sessions	\$229.00
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### **Pre Order Printed Materials:**

All Sessions	\$259.00
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**CANCELLATION POLICY:** We will refund your tuition, less a \$50 cancellation charge, if we receive your cancellation by 8/16/19. No refunds will be given after this date. Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for payment.

**Register at**

**[TSGregistration.net/5959](http://TSGregistration.net/5959)**