

LABOR & EMPLOYMENT LAW SEMINAR 2011
MARCH 4, 2011 - COURSE OUTLINE

30 minutes 1:00 - 1:30 pm

Registration Opens

5 minutes 1:30 – 1:35 pm

Welcome and Introductory Remarks

35 minutes 1:35 - 2:10 pm

Practice and Procedure Before the Pennsylvania Human Relations Commission

Presented by: Michael Hardiman, Chief Counsel

Pennsylvania Human Relations Commission

- Overview of Federal, State and Local Non-Discrimination Laws
- Practices and Procedures Under the Pennsylvania Human Relations Act
- The Nuts and Bolts of Practice Before the Commission, from Initial Contact Through Final Disposition
- The Pros and Cons of Attending or Refusing to Attend the Fact-Finding Conference
- How To Reduce Your Chances of Being Sued

20 minutes 2:10 – 2:30 pm

Top Ten Mistakes Employers Make in the Investigation of
Discrimination and Harassment Claims

Presented by: Thomas P. McGinnis and Suzanne B. Merrick, Partners

Thomas, Thomas & Hafer LLP – Pittsburgh Office

- An Effective Policy and Procedure for the Reporting and Investigation of Internal Complaints
- Determining Who Should Investigate
- Documenting the Complaint and Investigation Process
- Effective Communication During the Process
- Closing the Investigation
- Responding to a Charge of Discrimination



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ATTORNEYS AT LAW

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15 minutes 2:30 – 2:45 pm

What Did You Say? Retaliation Claims Under Federal and State Law

Presented by: David L. Schwalm, Partner

Thomas, Thomas & Hafer LLP, Harrisburg Office

- First Amendment Discrimination and Retaliation for Private Employers
- First Amendment Discrimination and Retaliation for Government Employers
- Retaliation under the ADA, ADEA, Title VII and the PHRA

15 minutes 2:45 – 3:00 pm

The Practical Impacts of the Electronic Age: Electronic Communication in the Employment Context

Presented by: Thomas P. McGinnis, Partner, & Karin Romano-Galbraith, Associate

Thomas, Thomas & Hafer LLP, Pittsburgh Office

- Social Media and Its Impact on Hiring, Discipline, and Discharge
- Employee Email Use
- Creating and Implementing an Effective Electronic Communications Policy
- The Real Problem: Electronic Discovery Considerations

15 minutes 3:00 – 3:15 pm

Break

15 minutes 3:15 – 3:30 p.m.

Labor Law Update: What Changes Can Employers Expect from the NLRB and Organized Labor?

Presented by: Claudia M. Williams, Partner

Thomas, Thomas & Hafer LLP, Harrisburg Office

- New Developments Under the National Labor Relations Act
- The Impact of Recent Additions to the National Labor Relations Board
- Past Cases Revisited & Recent Cases
- The Effect of Board Decisions on Non-Union Employers



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15 minutes 3:30 – 3:45 pm

Understanding the EEOC's New ADA, FMLA and GINA
Regulations and Their Interplay

Presented by: James K. Thomas, II, Managing Partner, and Crystal H. Clark, Partner
Thomas, Thomas & Hafer LLP, Harrisburg Office

- Notice Requirements Under the FMLA
- Military-Related Leave
- Regulations Implementing the Americans with Disabilities Act Amendments Act of 2008
- GINA's Implementing Regulations

15 minutes 3:45 – 4:00 pm

That's Private! Confidentiality Concerns in the Workplace
Under HIPAA and the ADA

Presented by: Shawn P. Phillips, Partner, Bethlehem, and Daniel L. Grill, Partner, Harrisburg
Thomas, Thomas & Hafer LLP

- Medical Records Filing and Retention Under the ADA
- A HIPPA Primer
- HIPAA and the Medical Community
- Applicability of HIPAA to Non-Medical Entity Employers

30 minutes 4:00 – 4:30 pm

Employment Jeopardy: Recent Cases and Statutory Changes

Presented by: Crystal H. Clark and Claudia M. Williams, Partners
and Lindsey A. Fund, Associate
Thomas, Thomas & Hafer LLP, Harrisburg Office

4:30 pm

Closing Remarks and Networking

