



DECISION 2008: VIRGINIA EMPLOYMENT LAW CAUCUS – April 9th & 16th

For the latest information or to register online, visit
www.gentrylocke.com/le2008

SYMPOSIUM INFORMATION and REGISTRATION packet

LYNCHBURG

WEDNESDAY, APRIL 9, 2008
Holiday Inn Select

ROANOKE

WEDNESDAY, APRIL 16, 2008
Hotel Roanoke & Conference Center



Sponsored by



ROANOKE
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GENTRY LOCKE
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Attorneys

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Roanoke VA 24022-0013

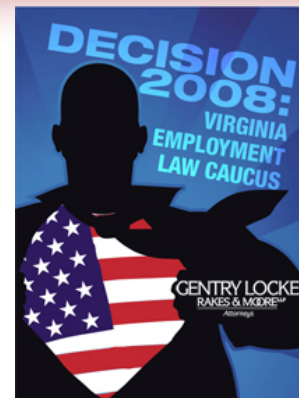
Fax: (540) 983-9468
www.gentrylocke.com

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2008 VIRGINIA LABOR & EMPLOYMENT LAW CAUCUS
AGENDA

This program is HRCI pre-approved for 6.0 credits.



8:00am - 8:30am

Registration/Continental Breakfast

8:30am - 8:35am

Welcome/Introductory Remarks DAVID PAXTON

8:35am - 9:30am

Avoiding the Landslide — What Keeps You Up at Night

DAVID PAXTON

Changes are coming in this election year. This session will cover what is "hot" as well as new developments from the latest Court decisions, EEOC and NLRB actions, and new legislation.

9:30am - 10:00am

The "Conservative" Approach to I-9 Compliance

DAVID PAXTON, BROOKE ROSEN

Immigration is a hot topic in employment law with recent changes to the I-9 form and an ongoing battle regarding the controversial SSA no-match letter initiatives. We will discuss changes to the I-9 form and acceptable verification documentation. We will also address the pros and cons of the use of the federal E-Verify program, as well as the status of the SSA no-match letter controversy.

10:00am - 10:15am

RECESS

10:15am - 11:00am

Workplace Bullying: Unlawful Discrimination/Retaliation or "Just Being a Jerk"?

PAUL KLOCKENBRINK, GREG HUNT

Is your office a bully pulpit or a place where bullying is tolerated? The lines between bullying and illegal discrimination have become increasingly blurred. Thirteen states have introduced some version of anti-bullying legislation. This presentation will address when bullying goes too far and the legal implications for your company. We will focus on issues where bullying behavior actually exposes the company to potential liability, including allegations of illegal discrimination or retaliation.

11:00am - 11:45am

BREAKOUTS

Brokering a Deal: Drafting Enforceable Agreements for Your Key Personnel

TODD LEESON

How do you protect your company's confidential information? What steps are you taking to prevent a key employee from departing and taking your customers? What agreements, if any, should you require your employees to sign? This session will answer these questions and will provide attendees with practical recommendations designed to protect their business from unfair competition.

Workplace Technology Ticker GREG HUNT, DAVID PAXTON

A look at technology issues every company should be concerned about. Learn practical solutions for handling "negative campaigning" by employee bloggers, properly addressing internet-based job applications, and the steps to take to prevent employees and others from using technology to harm your company.

11:45am - 12:45pm

LUNCH

12:45pm - 1:30pm

U-Tube Face-off

Gentry Locke puts you on the hot seat. Face your "rivals" and compete to win by testing your HR and legal knowledge.

1:30pm - 2:30pm

Bipartisan Nightmare – Mental Health Issues Under the ADA and FMLA

PAUL KLOCKENBRINK

Employers continue to see a rise in workplace issues and complaints related to mental health issues. When confronted with these issues, employers often become paralyzed, fearful of saying the wrong thing or taking the wrong action. Is the employee's misconduct or absence a disciplinary issue or protected activity under the ADA or FMLA? We will address measures that can help head off these headaches and will also explore return to work issues, intermittent leave, and how to communicate with the employee's medical providers.

2:30pm - 2:45pm

RECESS

(Continued next page)

2:45pm - 3:30pm

BREAKOUTS

Post-Accident Primary **BRETT MARSTON, SCOTT AUSTIN, MACEL JANOSCHKA**

What should be your primary concerns immediately after a work place accident? How do you comply with the requirements of OSHA and the Virginia Workers' Compensation Commission while constructing your best case? This breakout session explores the investigations and strategy that follow a work-related accident.

Campaign for a Better Employee Handbook & Training **PAUL KLOCKENBRINK**

An employee handbook must change with the times. Key policies must be drafted so that all employees can understand the policies (i.e. teenagers). Are your key policies adequate and correctly drafted? We will address the do's and don'ts of the employee handbook. We will also address recent case decisions that again emphasize the need for training to avoid liability and punitive damages.

3:30pm - 4:00pm

Choose or Lose: When Termination is the Best Decision **TODD LEESON**

The "votes" are in. You decide it is necessary to terminate the employment of one of your employees. What are the current legal risks? This session will analyze the latest trends and will provide you with practical advice regarding the discharge decision. To illustrate the risks, we'll learn some lessons from "The Office" along the way.

4:00pm - 4:15pm

Questions and Answers **Remember** to pick up your Certificate of Attendance and fill out a survey.

GENTRY LOCKE

OUR PRESENTERS



RAKES & MOORE^{LLP}

Paul Klockenbrink | SYMPOSIUM CO-CHAIR

Mr. Klockenbrink focuses his practice on labor & employment matters before federal and state courts and administrative agencies. His practice also includes the defense and prosecution of claims involving non-competition agreements and trade secrets. He handles commercial litigation matters, including defamation and breach of contract claims.

Todd Leeson | SYMPOSIUM CO-CHAIR

Mr. Leeson has significant experience defending companies in the "alphabet soup" of employment litigation (e.g., Title VII, ADA, ADEA, FLSA, FMLA and NLRA). He also regularly handles labor union matters for companies, as well as disputes that arise with departing executives. He was recently named to the Council for the Labor & Employment Section of The Virginia Bar Association.

David Paxton

Mr. Paxton practices in the areas of labor & employment law, civil rights and commercial litigation. He coordinates the firm's employment practice, is a frequent guest speaker at national and regional employment law seminars, and has been included in "Best Lawyers in America" for labor & employment for the past eight years. He leads the firm's electronic discovery team.

Scott Austin

Mr. Austin practices principally in the fields of workers' compensation and general litigation. He represents employers in claims filed by injured employees and also defends employers (and their representatives) in criminal cases ranging from minor General District Court cases to federal investigations.

Brett Marston

Mr. Marston's practice focuses on construction law and litigation, and commercial litigation. He has been named to "Best Lawyers in America", Virginia "Legal Elite", "Super Lawyers Rising Stars", and *Roanoker Magazine's* "40 & Under Movers & Shakers".

Greg Hunt

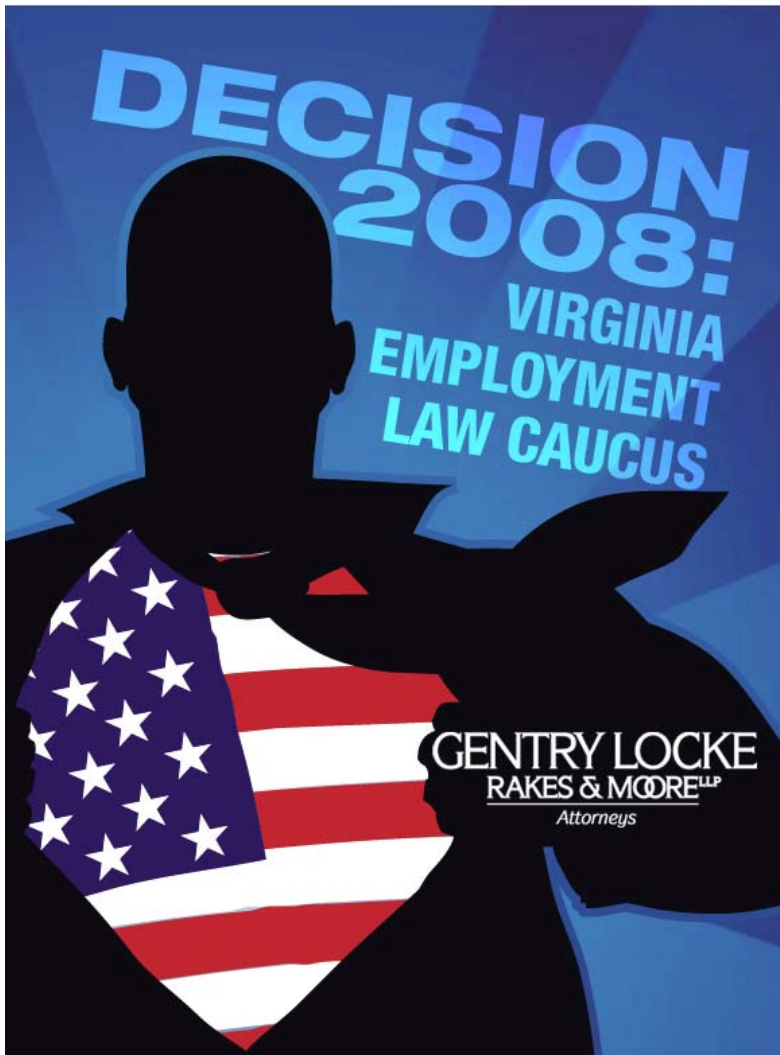
Mr. Hunt's practice focuses on labor & employment litigation matters. He represents clients before federal and state courts and administrative agencies. He is co-author of *Labor and Employment Law, Annual Survey of Virginia Law*, University of Richmond (2005 & 2007).

Macel H. Janoschka

Ms. Janoschka practices in the areas of workers' compensation, insurance defense, and related litigation matters. Prior to joining Gentry Locke, Ms. Janoschka was a Judicial Law Clerk for all four Roanoke City judges in the 23rd Judicial Circuit of Virginia, where she assisted with many judicial opinions.

Brooke Rosen

Ms. Rosen's practice focuses on legal matters affecting businesses and corporations, including employee benefits, executive compensation and tax matters.



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Attorneys

REGISTRATION FEE:

\$200 per person includes continental breakfast, lunch, a comprehensive workbook and all related materials. A discounted rate of \$170 per person is offered for three or more attendees from the same company.

REGISTRATION DEADLINE:

Wednesday, April 2 (Lynchburg) and Tuesday, April 8 (Roanoke).

PAYMENT INFORMATION:

Check or credit card only. Please make your check or money order payable to:

Gentry Locke Rakes & Moore and mail to:

GLRM Employment Symposium
P.O. Box 40013
Roanoke, VA 24022-0013

For credit card payment, please register online or call (540) 983-9438. Symposium registrants will receive registration and payment confirmation via email. Please be sure to provide your email address.

HOTEL RESERVATIONS:

For a discounted rate, please reserve by March 26. Call the Holiday Inn Select Lynchburg at (434) 528-2500, or The Hotel Roanoke & Conference Center at (540) 985-5900.

CONTACT INFORMATION:

If you need special accommodations or have other questions about the program, please call symposium coordinator Mim Young at (540) 983-9385 or email Mim_young@gentrylocke.com.

REGISTER ONLINE. OR, FILL OUT ONE FORM FOR EACH COMPANY DELEGATE.

YES! I will attend at the following location:

LYNCHBURG
WEDNESDAY, APRIL 9, 2008
Holiday Inn Select

ROANOKE
WEDNESDAY, APRIL 16, 2008
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FIRST NAME MIDDLE LAST NAME

NAME FOR BADGE TITLE

BUSINESS/COMPANY NAME

BUSINESS MAILING ADDRESS

CITY STATE ZIP

TELEPHONE FAX

EMAIL (NECESSARY FOR PAYMENT CONFIRMATION)

Please cast a vote for your Breakout sessions:

- Drafting Enforceable Agreements for Key Personnel or Workplace Technology Ticker
- Post-Accident Primary – OSHA/Workers’ Comp or Campaign for a Better Handbook

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