



Surviving the Dunk Tank: Best Practices **Jack Wallace**

It's an ongoing challenge for even the most careful employer to avoid getting hit with a lawsuit brought by an unhappy employee. This segment covers the best practices employers can use to meet that challenge or, at the very least, put themselves in a favorable position if an inevitable lawsuit threatens to sink you.

3:10–3:25 | **Snack Break**

3:25–4:25 | **Fourth Breakout Session**

After the Fun is Done: Discipline, Discharge, and Separation Agreements **Gary Wheeler**

What's the best way to avoid indigestion at a carnival? Avoid the festival food? Come on, who are we kidding? That is all part of the fun. You just need a plan to deal with the aftermath. Similarly, rough patches, including discipline and discharge, are inevitable consequences of workplace relationships that frequently trigger employment litigation. In this session, we will give you the tools you need to successfully manage discipline and discharge, while using separation agreements to manage risks.

Bumper Cars: Rules of the Road in Dealing with Third Parties

Lori Mans

From payroll and timekeeping providers, to leave administrators, staffing agencies, drug testing companies, and insurance providers, employers routinely utilize third parties in order to help manage and comply with the myriad of labor and employment laws. Third party vendors offer beneficial services to employers, but it is critical to understand the risks that are also associated with third party relationships – risks that are often borne solely by the employer. Join us as we discuss how employers can stay in their lane, identify the potholes, and come out ahead in their relationships with third parties.

The Greatest Show on Earth: Celebrating Diversity in the Workplace **Elizabeth Joiner**

Effective organizations need diversity in thought, culture, skills, religion, and more to compete in the global marketplace. Diversity training, however, often raises diversity resistance and charges of political correctness. Rather than training your employees on what not to do, join us in learning how to celebrate the human marvels and embrace, head-on, the unique perspective each person brings to your organization. During this hour, we will discuss the importance of learning facts about our workforce and how to leverage those facts to the betterment of the organization, as well as the development of skills that lead to individual career progression, and an overall more inclusive and innovative workplace.

4:25–5:30 | **Cocktail Reception**



Employers continue to grapple with changes and challenges in the labor and employment law arena. Keeping abreast of the workplace landscape is crucial for business, legal, and human resources professionals. For 37 years, the Jacksonville office of Constangy has provided clients and guests with an annual event which focuses on new developments and trends in an atmosphere that encourages open dialogue and the exchange of ideas.

In 2017, we altered our workshop to provide more advanced, in-depth analysis of the subjects covered in our materials and presentations. Continuing that tradition, our 2019 workshop, entitled "Constangy's Employment Law Carnival," will go beyond discussions of workplace law fundamentals and will be geared to the needs of professionals who bring experience and an understanding of the essential concepts. Presenters will focus on the important subtleties of workplace law issues and the most critical points for decision-making.

Come join us for our 2019 Labor and Employment Law Workshop! There will be fun and games, as well as gravity-defying mental gymnastics, as we grapple with labor and employment law issues under the big top. However, seating will be limited to the first 150 registrants, so get your ticket early!

To Register

Register and pay online at www.constangy.com, or complete the attached registration form and mail it with payment to Constangy, Brooks, Smith & Prophete, LLP at P.O. Box 41099, Jacksonville, FL, 32203-1099. You may also fax or email your registration form and mail in payment. Forms may be faxed to 904-356-8200, or emailed to bdarnofall@constangy.com.

Registration Fee

The cost is \$225 per person. The fee includes all reference materials, continental breakfast, lunch, cocktail reception and parking.

Accommodations

Space may be available at the Ponte Vedra Inn & Club at 200 Ponte Vedra Blvd., Ponte Vedra Beach, FL 32082 (866) 748-8083 or Hampton Inn & Suites at 1220 Marsh Landing Pkwy., Jacksonville Beach, FL 32250 (904) 280-9101.



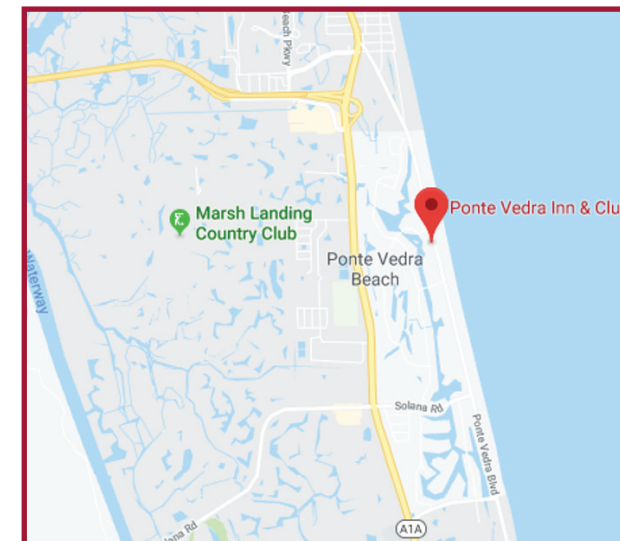
Continuing Education Credit

It is the tradition of Constangy, Brooks, Smith & Prophete, LLP to provide programs that meet the CLE requirements of the State Bar as well as certification credits through the Society for Human Resource Management. This program has been submitted for 6.0 general credits from HRCI and SHRM.

For more information, contact Bonnie Darnofall at 904-357-2652 or bdarnofall@constangy.com.

Ponte Vedra Inn & Club

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Friday, March 22, 2019



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(Please Print)
In Jacksonville on March 22, 2019 (Deadline March 15)

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Written cancellations that arrive at least one week prior to the event will be refunded.



8:00–8:30 | Registration

8:30–8:40 | Greeting & Introduction

8:40–9:40

Ladies and Gentlemen, Bring Your Attention to Me!: Recent Developments in Labor and Employment Law **Damon Kitchen**

From the standpoint of labor and employment law, 2018 was truly a carnival of the sublime and bizarre. As the Democratic and Republican parties continue to move further to the left and right, a bewildered American public has witnessed regulatory roll backs by a number of federal agencies; drastic court rulings changing long-standing interpretations of federal employment and civil rights laws; and a controversial U.S. Supreme Court confirmation hearing that served to further polarize a deeply divided Congress. Yet, if you thought 2018 was a wild roller coaster ride, 2019 promises to be every bit as spectacular and thrilling! In this session, we will discuss the exciting and frightening new legal developments in labor and employment law that recently have taken place, or are headed your way. So put down your funnel cake and strap in for the ride! It's going to be a wild one!

9:45–10:45 | First Breakout Session

It's More Than Just Peanuts: Costly Employee Benefits Issues to Recognize and Avoid **Dana Thrasher**

Whether you are providing incentives to recruit and retain employees and compete for the best talent, rewarding employees for service, complying with government mandates to provide benefits, or just following what others have done, we will review several common missteps that can create significant costs with no reward and leave you with empty pockets faster than carnival midway games.

The OFCCP Fun House **Cara Crotty**

A fun house is designed to allow carnival visitors to interact with various devices that surprise, challenge, and amuse them. With new leadership at the Office of Federal Contract Compliance Programs, we are seeing a host of new initiatives. Will you be surprised, challenged, and amused by them? In this session, we will review the new compensation directive, the proposal for an annual AAP verification requirement for all contractors, and all the latest developments from the agency. We will also discuss recommendations for ensuring that proper applicant records are created and maintained to help avoid potential liability. All this fun is included in the price of admission!



Public Sector Ferris Wheel **Meg Zabijaka**

In this session designed for government employers, we will review recent employment cases involving government entities, as well as developments in the public sector in the areas of traditional labor, government in the sunshine, and veteran's preference. We also will discuss constitutional protections only afforded to public employees and other highs and lows that can leave public sector employers going in circles.

Lessons in Lion Taming: What We've Learned from the #MeToo Movement **Ariel Cook**

In the wake of the #MeToo movement, employers must be both reactive and proactive. In this session, we will discuss best practices when responding to harassment issues and complaints, conducting proper investigations, and developing an effective method for handling demand letters or threats of litigation. We will also discuss how to be proactive in creating a workplace that reduces potential #MeToo issues, including creating effective policies and procedures, developing a meaningful reporting process, and going beyond basic sexual harassment trainings to provide a more nuanced understanding of the issues.

10:45–11:00 | Coffee Break

11:00–12:00 | Second Breakout Session

It's More Than Just Peanuts: Costly Employee Benefits Issues to Recognize and Avoid (Repeat session) **Dana Thrasher**

Whether you are providing incentives to recruit and retain employees and compete for the best talent, rewarding employees for service, complying with government mandates to provide benefits, or just following what others have done, we will review several common missteps that can create significant costs with no reward and leave you with empty pockets faster than carnival midway games.

Behind the Big Top: Privacy in the Workplace **Ariel Cook and Elizabeth Joiner**

Privacy within the workplace is a critical and ever-changing issue for many employers. A changing workforce and emerging technologies make it imperative for employers to stay on top of evolving privacy issues. In this session, we will discuss what legal expectation of privacy, if any, employees have at work. We will also discuss the challenges presented by changing technology and the increased reliance on personal devices in the workplace. We will incorporate real life examples to demonstrate how best practices can be implemented to avoid problems, even after a privacy violation has occurred.



Wage and Hour Carousel **Ellen Kearns**

In this informative session, we will discuss the ups and downs of class action waivers, wage and hour litigation, the round and round of the White Collar Exemption regulations, reactions to the United States Supreme Court's *Encino* decision, and a callope of sound from the DOL's opinion letters.

Carnival Barker: Little Known Employment Laws **Gary Wheeler**

In this session, our carnival barker will persuade you to take an interest in employment laws you may not have known even existed. Because when it comes to workplace law, what you don't know can hurt you. Learn about these lesser known laws, save the day, and leave the carnival grounds with an oversized stuffed animal.

12:00–1:00 | Lunch

1:00–2:00 | Skit

2:10–3:10 | Third Breakout Session

Immigration Roller Coaster

Penni Bradshaw and Jeanette Phelan

The intricacies of the immigration system are a navigation thrill ride! Come see all the highs and lows that can be expected under the current administration: from I-9 compliance changes, TPS terminations, to BAHA influences on adjudication of immigration petitions. What can we expect to see over the next year? A thrill a minute awaits you on this ride!

Ride Inspectors: Dealing with Government Agencies

John Dickinson

Like spinning plates, responding to governmental inquiries and demands can feel like a balancing act, where one slip-up can result in a catastrophe with rippling results. In this session we will review employers' rights when an agent knocks on the door, strategies for effective responses to government inquiries, and avoiding pitfalls when preparing position statements.

Carnival Games: Juggling Leave and Accommodation Issues

Meg Zabijaka and Lori Mans

Complying with the various leave laws and accommodation obligations under the Family and Medical Leave Act, the Americans with Disabilities Act, and various state laws, is much like a juggling act. In this session, we will discuss employers' obligations under these laws as well as tricky leave scenarios that can trip up even the most talented performer. Join us as we attempt amazing feats of balance, bravery, and concentration!