



OREGON LAW INSTITUTE OF LEWIS & CLARK LAW SCHOOL

2016 Annual Employment Law Update

Oregon's premier employment and labor law CLE returns this year with a stellar lineup of speakers bringing you the latest practice tips, case law updates, statutory and legislative developments, and legal analysis of the issues affecting employment law practice in the state.

Whether you counsel employees or employers, are a business attorney, general practitioner, or HR professional, don't miss this opportunity to hear about the latest legal trends and practice strategies in employment law.

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Visit go.lclark.edu/oli and register today!

Program Schedule

8:00 a.m. CHECK-IN AND CONTINENTAL BREAKFAST

8:30–9:45 Case Law Update

This popular session offers a review of the most important labor and employment law decisions of the past year with an emphasis on Oregon and Ninth Circuit law. Most importantly, it will provide you with practical methods of dealing with the new case law.

– *Richard F. Liebman*

9:45–10:15 The Missing Link: Interpreting Oregon's Aid and Abet Statute

In 1953, the Oregon Code of Laws Annotated became the Oregon Revised Statutes. Though the revisers were not authorized to alter the meaning of any laws, one revision has been interpreted by some as materially altering the scope of Oregon's prohibition on aiding and abetting unlawful employment practices.

This discussion will address the meaning and scope of Oregon's "aid and abet" statute in the context of the law's legislative history and the decisions of Oregon courts interpreting that law since the 1953 revision.

– *R. Kyle Busse*

10:15–10:30 NETWORKING BREAK

10:30–11:30 Oregon 2016 Legislative Update and 2015 Recap

This session covers key proposed and enacted employment-related legislation in the 2015 and 2016 sessions, including:

- Oregon's new three-tiered minimum wage law; changes to payroll and personnel records requirements; protections for pay inquiries and disclosures
- Expanded whistleblower protections; "ban-the-box" laws; social media protections; reduced non-competition timeline
- Oregon's protected sick time law; benefits continuation during OFLA leave

– *Dan Grinfas*

11:30–12:30 Electronic Lawyering – Ethics Update on #Trending Topics for Lawyers

- Attorney-client privilege and privacy issues when employees use employer-owned systems
- Data privacy, security and advising employers how to protect data
- The evolving law of inadvertently produced and stolen documents
- Electronic communication with represented parties

– *David J. Elkanich*

12:30–1:30 LUNCH (on your own)

1:30–2:15 Workplace Drug Testing: Marijuana vs. Alcohol

- Context for workplace marijuana testing
- Contrast alcohol and marijuana chemistry and metabolism
- Testing for marijuana in oral fluids

– *Jana Wolfgang*

2:15–3:00 Out of Office: Oregon Sick Leave

This program will explain compliance requirements of the Oregon Sick Leave Law:

- Key definitions of covered employers and eligible employees
- Minimum accrual rates
- Notice and use requirements
- Verifying absences
- Potential pitfalls
- Enforcement mechanisms

– *Amy L. Angel*

3:00–3:15 NETWORKING BREAK

3:15–4:30 Implicit Bias and Race

Implicit Bias theory is a hot topic in employment law. Using her documentary film produced in Portland, Oregon, presenter Barbara J. Diamond will facilitate discussion of implicit bias and microaggression theories.

– *Barbara J. Diamond*

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Program Products

Even if you cannot attend, you can still get the program on CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Pass holders may purchase the products at 50% off the full retail price.

Questions?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, email us at oli@lclark.edu, or visit our website at <http://go.lclark.edu/oli>.

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Registration/Order Form

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TUITION: Registration includes electronic course materials. Printed materials are available for an additional \$15. *(A link to a PDF of the materials will be emailed prior to the seminar date.)*

EARLY REGISTRATION *(received by May 9, 2016):*

- ☐ **\$189** Early registration
- ☐ **\$139** New attorneys (admitted 2014-2016) and legal staff
- ☐ **\$95** Legal aid attorneys
- ☐ **\$15** OLI Passholder (OLI Pass No. _____), law students, and Oregon judges and their lawyer staff
- ☐ **\$15** Attorneys attending with their Mentor from an approved Bar Mentor Program (call OLI or go to <http://go.lclark.edu/oli> for details). Mentor's name: _____
- ☐ **\$15** Print course book
- ☐ **\$20** *Add to above tuition if registration received after May 9, 2016*

WEBCAST REGISTRATION: Can't attend in person? OLI offers a simultaneous live webcast allowing you to "attend" the program from the convenience of your office. The webcast will include video and audio of the speakers and seminar handout materials. To register for the live webcast, please visit our website at <http://go.lclark.edu/oli>.

DVDs, CDs, AND COURSE BOOKS:

I am unable to attend. Please send me:

- ☐ **\$209** Audio CDs* and print course book
- ☐ **\$309** DVDs* and print course book
- ☐ **\$59** Print course book only
- ☐ Deduct 50% from product order if you are an OLI Passholder (OLI Pass No. _____)
- ☐ **\$9.00 Note: Add shipping and handling fee to above product orders.**

* Please note: CDs and DVDs do not include *Implicit Bias & Race* and will provide 4.5 General and 1 Ethics MCLE Credits

ENCLOSED IS \$ _____ BY:

- ☐ Check payable to Oregon Law Institute (OLI)
- ☐ Credit Card: Acct. # _____ - _____ - _____
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2016 Annual Employment Law Update

6 General and
1 Ethics MCLE Credits
will be requested.

May 13, 2016
8:30 a.m. – 4:30 p.m.

Ambridge Event Center
1333 NE Martin Luther King Jr. Blvd.
Portland, Oregon 97232

CONFIRMATION:

Confirmation will be sent via email.

CANCELLATION POLICY:

Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by May 9, 2016.

NEED ASSISTANCE:

If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE:

A limited number of scholarships are available based on financial need. Contact OLI.

Questions?

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