



Oregon Law Institute
of Lewis & Clark Law School

2012 Annual Employment Law Update

*Make sure
you know
about the new
developments in
employment law!*

This year's annual employment law update again offers the latest case law and statutory developments, valuable practice tips, and legal analysis of issues affecting employment law practice in Oregon by some of the most knowledgeable and experienced practitioners in this area.

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

FRIDAY, JUNE 1, 2012

Oregon Convention Center
777 NE Martin Luther King Jr. Blvd.
Portland, Oregon

5.25 General and 1 Ethics MCLE Credits

SCHEDULE

- 8:00 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:25 WELCOME AND INTRODUCTORY REMARKS
- 8:30–9:45 **The Year's Update in Labor and Employment Law**
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*
- 9:45–10:30 **Recent Wage and Hour Cases and How to Use Them Effectively in Litigation**
 - Exemptions—classifying employees correctly
 - Identifying and paying compensable work time
 - Independent contractors
 - Recent developments in class and collective actions
 - Deductions from wages– *Carol J. Bernick*
– *Elizabeth Farrell Oberlin*
- 10:30–10:45 BREAK
- 10:45–11:15 **Veterans' Employment and Reemployment Rights**
 - Reminders and practical implications when servicemembers are deployed and when they return
 - Public sector veteran preference rights– *Kathryn M. Hindman*
- 11:15–12:15 **Social Media at Work—Don't Blink—The Law Is a Constantly Moving Target**
 - Current case law and regulations
 - Practical advice for counsel representing employers on how to avoid legal problems
 - Claim spotting for counsel representing employees and unions– *Stephen L. Brischetto*
– *Corbett Gordon*
- 12:15–1:15 LUNCH (on your own)
- 1:15–2:00 **Are You Fit To Be Tied? Legal Updates and Practical Implications of Mandatory Arbitration Agreements**
 - Recent legal developments regarding the enforceability of mandatory arbitration agreements
 - Restrictions on the use of mandatory arbitration agreements
 - Practical considerations for drafting and utilizing mandatory arbitration agreements– *Leah C. Lively*

SCHEDULE (cont.)

2:00–3:00

Contact with Represented and Unrepresented Persons: Current Employees, Former Employees, and Investigations

- Ethics rules governing contacts with represented and unrepresented persons
- Recent Oregon Supreme Court case law
- Practical guidance for common employment situations
- Using lawyer and non-lawyer investigators
 - *Roy Pulvers*
 - *Maryann Yelnosky*

3:00–3:45

Changes in Benefits Law for the Employment and Labor Lawyer

- Retirement plan fee disclosure
- Summary of benefit coverage—the new summary plan for health plans
- Behavior economics and employee benefits
- The status of healthcare reform and the requirements for the coming year
 - *Jeffrey G. Robertson*

3:45 p.m.

ADJOURN

Program Faculty

Carol J. Bernick

Davis Wright Tremaine LLP

Stephen L. Brischetto

Attorney at Law

Corbett Gordon

Fisher & Phillips LLP

Kathryn M. Hindman

Bullard Law

Richard F. Liebman

Program Planner

Barran Liebman LLP

Leah C. Lively

Ogletree Deakins Nash Smoak & Stewart, P.C.

Elizabeth Farrell Oberlin

Attorney at Law

Roy Pulvers

Hinshaw & Culbertson LLP

Jeffrey G. Robertson

Barran Liebman LLP

Maryann Yelnosky

Bullard Law

LIVE PRESENTATION

Portland – June 1, 2012

Oregon Convention Center
777 NE MLK Jr. Blvd.

MCLE CREDIT

2012 Annual Employment Law Update will receive **5.25** General and **1** Ethics MCLE credits.

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 Passholders may purchase OLI program products at 50% off the full retail price.

VIDEO REPLAYS

Please register at least one week prior to the replay date.

Bend – 6/15/12

Replay 8:30 a.m.

Bryant Lovlien & Jarvis
591 Mill View Way

Eugene – 6/8/12

Replay 8:30 a.m.

Harrang Long Gary & Rudnick PC
360 East 10th Avenue, Ste. 300

Portland – 6/20/12

Replay 9:00 a.m.

Oregon Law Institute
Gus J. Solomon Courthouse
620 SW Main Street, Ste. 706

QUESTIONS?

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

2012 Annual Employment Law Update

Friday, June 1, 2012

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Please "✓" appropriate box below:

 Live presentation Video replay. Location: _____ Date: _____

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TUITION *Prices apply to live and video replays.*

- \$189 Early registration (*received by May 28, 2012*)
- \$139 New attorneys (admitted 2009–2012) and legal staff (*received by May 28, 2012*)
- \$95 Legal aid attorneys (*received by May 28, 2012*)
- \$15 OLI Passholder (OLI Pass No. _____) and Oregon judges and their lawyer staff (*received by May 28, 2012*)
- \$20 **Add to above tuition if registration received after May 28, 2012**

COURSE MATERIALS *Included with registration. Please select one:*

- Electronic course book (*a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date*)
- Print version

LIVE WEBCAST REGISTRATION

This program will be broadcast LIVE over the internet on Friday, June 1, 2012, starting 8:30 a.m. Pacific Time. You may access this event from anywhere with an established internet connection. The webcast will include video and audio of the speakers and seminar handout materials — all on your computer! To register for the live webcast, please click [here](#) or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

PRODUCT ORDER *I am unable to attend. Please send me:*

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...or fax (503-768-6585) or e-mail
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OLI, including credit card information.

CONFIRMATION: Confirmation will be sent via e-mail.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, May 28, 2012.**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?** Call (503) 768-6580 or (800) 222-8213. Check out our website at <http://go.lclark.edu/oli> or e-mail us at oli@lclark.edu.