EMPLOYMENT RIGHTS & RESPONSIBILITIES COMMITTEE MIDWINTER MEETING 2002

Tuesday, March 12, 2002

7:00 - 9:00 p.m. Welcome Reception for Committee Co-Chairs and Government Representatives

Special Guests

District Court Judge Mark Bennett
District of Iowa

Magistrate Judge Andrew Peck
Southern District of New York

Wednesday, March 13, 2001

9:00 a.m. Registration (open all day)

9:00-11:30 In-House/Corporate Counsel Caucus
(In-house counsel only)

9:30-10:30 Breakfast Meeting of Committee Co-Chairs and Program Co-Chairs

10:30-11:15 Meeting of Subcommittee Co-Chairs

11:20-12:20 New Member/Mentor Orientation and Buffet Lunch

GENERAL SESSION
Presiding Co-Chair Jim Reiter

12:30-12:45 Welcome, Introductions and Announcements

12:45-1:30 Recent Noteworthy Developments in Employment Law: Point/Counterpoint

1:30-2:30 Workplace Issues of the 21st Century
Emergency Preparedness and Crisis Management
Collective bargaining about preparedness and crisis management
Employee post trauma issues

2:30-3:00 Managing Insurance Issues in a Crisis
Employee benefits, worker’s compensation, etc.
3:00-3:15 Break

3:15-4:30 Emerging Issues
Military Leave/Anti-discrimination policies in the face of terror
Privacy rights in time of war

4:30-5:15 KEYNOTE ADDRESS

6:30 p.m. New Members Pre-Cocktails Meet & Greet

7:00 Welcome Cocktail Party

Thursday, March 14, 2001

7:00 a.m. Breakfast

7:15-8:00 Breakfast Breakouts (choose one)

**Breakout I**
Fair Labor Standards Act Practice

**Breakout II**
Immigration Law Practice

**Breakout III**
Worker's Compensation Practice

**GENERAL SESSION**
Presiding Co-Chair Darlene Vorachek

8:00-8:30 Teleworking
Employee privacy concerns, monitoring employee productivity, improper use of employer-provided equipment, wage and hour issues, security of corporate information in remote locations, spoliation of evidence, occupational safety, and others.

8:30-9:00 Tortious interference in cases involving non-compete agreements and interference with customer relationships

9:00-10:15 Selection Procedures in Reductions-in-Force
The methods used by employers to determine which employees to retain and lay-off is the subject of numerous challenges. We will discuss various approaches used by employers and grounds for challenging selection processes.

10:15-10:30 Welcome By Labor Section Chair
10:30-10:40 Publications Update

10:40-10:50 Break

10:50-11:20 “Family-Friendly” State Laws
Discussion of existing laws, pending legislation, trends, and cases involving such matters as lactation laws, leave laws, education support/participation laws, etc.

11:20-12:30 Arbitration Agreements in the Wake of Circuit City and Waffle House
Review of pre-dispute arbitration agreements
- The relationship between labor arbitration law/rules and employment arbitration law/rules
- Strategic considerations in deciding whether an arbitral or judicial forum is preferable

12:30 Subcommittee Box Lunches

Friday, March 15, 2001

6:00 a.m. Fun Run or Fast Walk and Talk

7:00-8:00 Continental Breakfast

7:10-8:00 Breakout Sessions (choose one)
These 25-minute presentations will repeat. Choose one session to attend during each half hour.

Breakout I
OFCCP and EEOC

Breakout II
NLRB

Breakout III
OSHA

GENERAL SESSION
Presiding Co-Chair Rafael Williams

8:00-8:30 Substance Abuse Testing
Saliva testing; Hair testing; Breathalyzers; medical review officers
8:30-9:00  New Sources of Privacy Claims
           EU directives, genetic testing, medical records and HIPPA regulations

9:00-9:30  Applying for and Opposing Awards of Attorney’s Fees

9:30-10:45 Effective Trial Advocacy: Suggestions from the Bench
            U.S. District Court Judge Mark Bennett

10:45-10:55 Break

10:55-11:40 Ethical Issues in Arbitration

11:30-12:40 Workforce Monitors as Class Relief
             Selection of monitors, functions performed, procedures used

Saturday, March 16, 2001

GENERAL SESSION
Presiding Co-Chair Louis Kushner

7:00-8:30  Continental Breakfast

7:45-8:25  New Member/Mentor Breakfast

8:30-9:00  Mitigating measures after the Sutton Trilogy

9:00-10:00 Title III of the Americans with Disabilities Act
            ADA compliance in public accommodations outside of the employment context

10:00-10:45 Change of Control Agreements
             Analysis of the key provisions

10:45-11:00 Break

11:00-11:45 Patients Bill of Rights
             How new legislation would affect the rights and responsibilities of employers and employees

11:45-12:00 Committee Business Meeting and Wrap-Up Session