

# The Ohio Labor & Employment Law Institute

*The Annual Seminar by  
The Best Labor and Employment Law Attorneys in Ohio*

June 23, 2010 – Columbus, OH

*and*

July 21, 2010 – Cleveland, OH

8:00 – 8:35 a.m.      *Registration*

8:35 – 8:45 a.m.      Welcome and Introductory Remarks

*Thomas Metzger, Esq. – Littler Mendelson – Program Chair*

*\*Morning Session – 8:45 a.m. – 12:00 p.m.*

8:45 a.m.              Compensation, Hours Worked, and Overtime: A Practical Compliance Guide and Update for Employers regarding Key Wage and Hour Issues – *A PANEL PRESENTATION*

- Hours Worked – including travel time, training time
- Off-the-Clock Work
- Overtime – and determining exemptions from overtime
- Flexible Hours and Schedules
- Bonuses, Commissions, and other Incentive Compensation

*Andrew C. Smith, Esq. – Vorys, Sater, Seymour & Pease*

*Linda Hauserman Harold, Esq. – Littler Mendelson*

*Richard Millisor, Esq. – Millisor Nobil*

9:45 a.m.              Disabilities in the Workplace, the Americans with Disabilities Act – and the Amendments: Understanding the ADA, and a Review of an Employer's Primary Obligations

- The Practical Implications of Recent Changes to the ADA
- Absences and Work Schedules – and the ADA
- Return-to-Work Options
- Emerging Issues: Mental Disabilities, Emotional Disabilities
- The Accommodation Process

*Thomas Metzger, Esq. – Littler Mendelson*

*\*10:30 a.m.*

*MORNING BREAK*

**10:45 a.m.**

**The Class Action Explosion:** What Every Employer Should Know to Prevent and to Address Employment-Related Class Actions –  
*A PANEL PRESENTATION*

- What Companies are Doing to Prevent Class Actions
- Updates in Case Law and Legislation
- The Class Action Fairness Act - CAFA
- Wage and Hour Claims – and Collective Actions
- Key Litigation Strategies
- Effectively Settlement Strategies

*Gregory V. Mersol, Esq. – Baker & Hostetler*

*William Nolan, Esq. – Barnes & Thornburg*

*Thomas R. Simmons, Esq. – Tucker & Ellis*

*Stanley Weiner, Esq. – Jones Day*

*\*12:00 – 1:00 p.m.*

*LUNCH BREAK*

*\*Afternoon Session – 1:00 p.m. – 4:45 p.m.*

**1:00 p.m.**

**Updates and Alerts on Labor and Employment Law in 2010:**  
Noteworthy Developments, Cases, and Regulations that Affect All Employers

- New Case Developments for Employment Law
- U.S. Supreme Court Highlights
- Highlights from the Ohio Courts, and the U.S. Court of Appeals, 6<sup>th</sup> Circuit
- EEOC Developments

*Paul B. Calico, Esq. – Strauss & Troy; Cincinnati, OH*

**2:00 p.m.**

**Harassment in the Workplace:** Employer and Employee Rights, Responsibilities, and Remedies

- Defining Discrimination and Harassment
- Types of Prohibited Harassment
- Preventing Harassment
- Legal Obligations to Investigate and Respond
- Recent Litigation and Case Developments
- Liability: the Employer and the Manager

*Deborah Adams, Esq. – Frost Brown & Todd*

*\*2:45 p.m.*

***AFTERNOON BREAK***

**3:00 p.m.**

**Crisis Management in the Workplace:** Effectively Addressing Risks and Emergencies – and Developing a Crisis Management Plan –  
*A PANEL PRESENTATION*

- Negligent Hiring and Retention of Employees
- Employer Liability
- Training
- Reducing Risks
- Policies and Procedures
- Best Practices for a Crisis Management Plan

*Susan DiMichele, Esq. – Squire Sanders*

*W. Michael Hanna, Esq. – Squire Sanders*

*Dr. Robert G. Kaplan – Kaplan Consulting & Counseling, Inc.*

*Ben Pfefferle, III, Esq. – Baker & Hostetler*

*Patricia Poole, Esq. – Baker & Hostetler*

**4:00 p.m.**

**Hiring and Firing Employees:** Lawful - and Risky - Employment Practices

- Lawful Hiring Practices
- Pre-Employment Screening
- Reviews, Warnings, Discipline, Suspensions
- Documentation
- Analyzing Risk for Employee Terminations
- Best Practices for Employee Terminations
- Case Developments

*Bradd Siegel, Esq. – Porter Wright Morris & Arthur*

**4:45 p.m.**

***CONCLUSION***