



**SPRING HUMAN RESOURCE CONFERENCE
REGISTRATION INFORMATION**

Please make your reservations by
April 17, 2016

Name: _____

Title: _____

Certification: PHR SPHR GPHR N/A

SHRM-CP SHRM—SCP

Company: _____

Mailing Address: _____

Phone: () _____

Fax: () _____

Email: _____

Registration Fee

Check One:	Full Day	Morning Only	Afternoon Only
Member	<input type="checkbox"/> \$125	<input type="checkbox"/> \$75	<input type="checkbox"/> \$75
Non-Member	<input type="checkbox"/> \$175	<input type="checkbox"/> \$100	<input type="checkbox"/> \$100
Student member	<input type="checkbox"/> \$15	<input type="checkbox"/> \$15	<input type="checkbox"/> \$15

Note: Late fees apply after April 15th. When four or more attend from the same employer, the fourth registration and beyond will receive a \$25.00 discount off the registration fee.

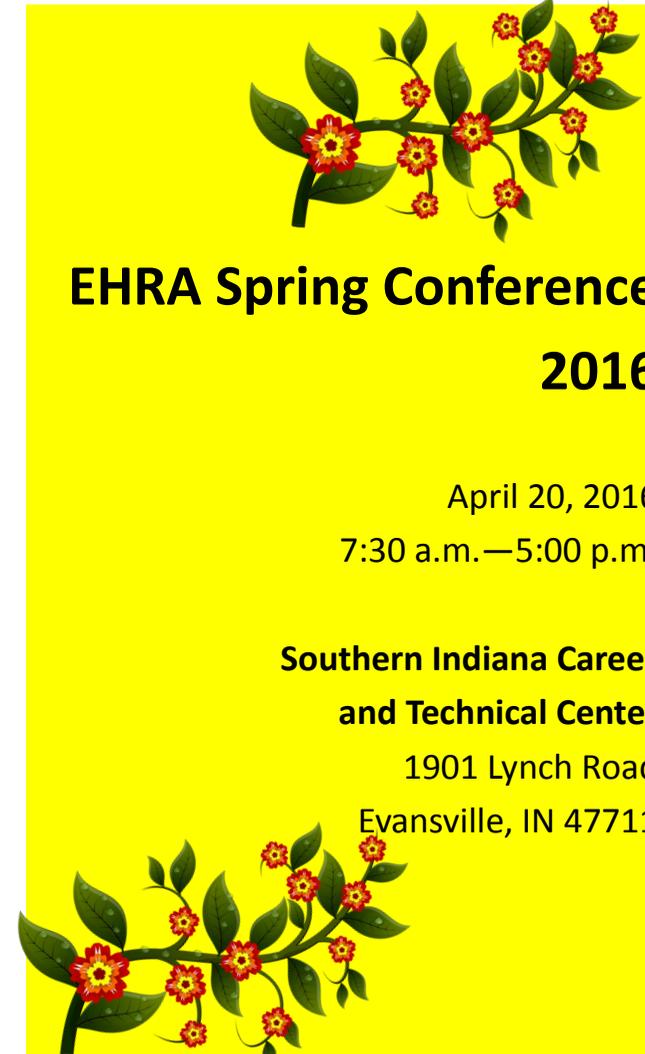
Fee includes: Session (s), materials and meals. If you have any dietary restrictions, please contact Jeff Devine at Jeff.Devine@onsiteohs.com.

Reservations accepted at www.ehranet.org or complete this form and mail your payment to

Evansville-Area Human Resource Association

P.O. Box 15251

Evansville, IN 47716-1941



**EHRA Spring Conference
2016**

April 20, 2016

7:30 a.m.—5:00 p.m.

**Southern Indiana Career
and Technical Center**

1901 Lynch Road

Evansville, IN 47711



Morning Session:

7:00 am – Registration/Full Breakfast
8:15 am Exhibitors Open

8:00 am – Opening Remarks
8:15 am Jeff Devine, Esq., SPHR, SHRM-SCP
EHRA President-Elect

8:15 am – **SHRM Certification—**
8:45 am SHRM/HRCI State Representatives

8:45 am – **The ADA/ADAAA**
10:15 am David Fram –NELI

10:15 am - Break – Exhibitors Open
10:30 am

10:30 am – **The ADA/ADAAA**
12:00 pm David Fram –NELI

12:00 pm – 1:00 pm Lunch – Exhibitors Open

Afternoon Session:

1:00 pm **Joint Employer/IC Increased**
2:00 pm **Workplace Rights—**
Brian L. McDermott, Esq.
Steven Pockrass, Ogletree Deakins

2:00 pm – **Same Sex Marriage/Expanding**
3:30 pm **Protections for LGBT/Religious**
Freedom (Trends, Advantages/
Concerns/Legislative Issues)-
Kevin Bringer, President/CEO
Indiana Chamber & Michael Cork,
Esq., Bamberger, Foreman,
Oswald, & Hahn, LLP

3:30 pm – Break
3:45 pm

3:45 pm – **NLRB and the pursuit of workplace**
4:45 pm **policies—**Jon Goldman, Kahn Dees
Donavan Kahn

4:45pm – Prize Giveaways/Closing Remarks –
5:00 pm Jeff Devine

* attendees must be present to win prizes

ADA Workplace Issues, including Significant Court Cases and Dramatic EEOC Developments

Latest Checklists for Analyzing and Documenting ADA Issues

Discussion of updated ADA-based checklists for human resource/EEO professionals and attorneys to use in analyzing ADA workplace questions, incorporating issues considered crucial by EEOC and courts.

Who is an "Individual with a Disability"

Discussion of whether to simply "assume" disability (and if so, how to document practices), the latest surprising court cases under the ADA Amendments Act, differences among the courts concerning the meaning of "substantially limits," including seriousness and duration issues, and discussion of the vastly expanded definition of "regarded as," including practical advice for training supervisors on how to avoid "regarded as" claims.

Who is a "Qualified" Individual

Lessons for lawyers and human resource/EEO professionals from court decisions and recent extraordinary EEOC rulings on analyzing whether an individual is qualified for a job, including how to defend "qualification standards" (for example, commercial drivers' license requirements) that might screen out disabled individuals, the importance of accurate job descriptions, whether certain things like handling stress, teamwork, punctuality, attendance, and lifting are considered "essential," and important evidence concerning whether an individual is "qualified," including inflated performance evaluations, doctors' notes, and statements made in another forum.

Practical Reasonable Accommodation Issues

Discussion of practical reasonable accommodation questions such as whether "preferential treatment" is required, whether "cost/benefit" or "futility" can be argued, the importance of training first-line supervisors to recognize possible "triggers" to the accommodation process, what employers should say and document in response to employee requests, when employers should be "pro-active," and particular accommodation questions, such as whether/how much "leave" (including a repeated

leave extension) is required and how this interplays with the FMLA, whether reduced workloads, non-competitive reassignment, an "irritant-free" environment, light duty, work-at-home, shift changes, supervisor changes, or parking spaces are required, whether discipline must be rescinded as an accommodation, where the funds for accommodations should come from (departmental budgets versus one central fund), and undue hardship issues.

David K. Fram, Esq., is Director of ADA & EEO Services for the National Employment Law Institute. In this position, he conducts seminars, briefings, workshops, and in-house training on the ADA and other EEO laws. He also provides guidance, as well as expert witness services, during administrative proceedings and litigation.

In addition, Mr. Fram has consulted with EEOC investigators and EEOC attorneys during the investigation and resolution of all forms of discrimination complaints.



Increased Workplace Rights: The Attack on Joint Employment and Independent Contractor Relationships

During the past several years, federal and state government agencies and the plaintiffs' bar have been attacking the bonafides of independent contractor relationships in an effort to allege violations of a variety of workplace laws that are applicable to employees. These agencies and lawyers also have been arguing that multiple entities are the joint employers of individual employees, and thus are jointly and severally liable for any violations of the employment laws with respect to these employees. In this session, we will examine these efforts to expand workplace laws and go after "deep pockets," discuss the applicable laws, and identify steps for reducing potential risks.



Brian McDermott has dedicated his legal career of 20+ years to representing public and private employers in individual and class/collective employment actions, including cases involving the FMLA, the ADA, Title VII, the ADEA, ERISA, the FLSA, the NLRA, covenant not to compete/trade secret matters, state wage laws, and wrongful discharge. He has represented employers in federal and state courts,

labor arbitrations, and administrative agencies (including the EEOC and NLRB) throughout the country.



Steven ("Steve") Pockrass is Co-Chair of the firm's Wage and Hour Practice Group. In this position, he helps clients and attorneys throughout the firm deliver proactive and responsive solutions to federal and state wage-hour questions and concerns. Steve coordinates wage-hour resources within the firm and works on a variety of wage-related issues, ranging from evaluating whether

certain job positions are properly classified to defending collective and class actions. In addition to focusing on the complexities and nuances of the federal Fair Labor Standards Act, he regularly counsels and represents employers on issues related to Indiana's wage laws.

Same Sex Marriage/Expanding Protections for LGBT/Religious Freedom (Trends, Advantages/Concerns/Legislative Issues)

The presentation will cover the current state of RFRA and LGBT legislation, issues for businesses to consider as it relates to its workforce and what HR professionals should know from a business and legal perspective, both in the current context and looking ahead to potential future developments .

Michael Cork helps employers manage two of their most important assets - people and information. He is a partner in Bamberger Foreman's Indianapolis office, where he concentrates in employment matters, employment litigation, commercial litigation, constitutional litigation, and corporate issues.



Michael attended Carthage College and Valparaiso University School of Law. He is affiliated with the Alliance Defending Freedom and provides pro bono service in the areas of family values, religious liberties, and sanctity of life.



Kevin Brinegar, President, CEO Indiana Chamber of Commerce Kevin joined the Indiana Chamber's advocacy team in November 1992, became senior vice president of government affairs in 1997 and president and CEO in 2002.



Previously, Kevin served nine years as a financial analyst for the Finance Committee of the Indiana Senate and three years as a management analyst for the Legislative Services Agency.

Kevin is recognized as an expert in the areas of business taxation, property taxation, local government, state budget and school finance.

NLRB and the Pursuit of Workplace Policies

The presentation will cover: the increased push of the NLRB's General Counsel, new election rules and micro bargaining units, internet and free speech, Facebook comments and union liability, surveillance of union activity, union investigators access to company property, expansion of protected activity, jointly employed contractors and temporary employees.



Jon Goldman represents employers in all areas of employment and labor law. Jon also represents both public and private universities in a broad range of federal and state statutory and regulatory issues. Jon routinely handles matters before the Equal Employment Opportunity Commission,

the Department of Labor and the Department of Education's Office of Civil Rights. Jon has jury trial experience in Indiana and Kentucky. Jon has also represented employers in union avoidance and union representation election campaigns.

