



WHAT: GMSHRM LEGAL UPDATE

WHEN: September 13, 2012  
8:15 a.m. – 4:50 p.m.

WHERE: Sofitel Hotel  
5800 Blue Lagoon Drive  
Miami, FL 33129

PRICE: Early Registration (member): \$95  
Early Registration (non-member): \$125  
\*\*Early registration ends August 10\*\*  
Register at [www.gmshrm.org](http://www.gmshrm.org)

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### AGENDA

8:15 -- 9:00 Registration, Networking, and Continental Breakfast

9:00 -- 9:10 Introductory Remarks

9:10 -- 10:00 **Andrew L. Rodman, Esq.**  
**Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.**      **Event Sponsor**

The 2012 Legal Update: The Year In Review

Are you aware of the recent legal developments that may impact the way you should handle personnel-related issues in your workplace? Staying up-to-date is the best way to avoid potential legal exposure. We will discuss legislative and case law developments from the past year that may impact the way you run your HR Department.

10:00 -- 10:50 **Richard D. Tuschman, Esq.**  
**Akerman Senterfitt LLP**      **Event Sponsor**

Wage & Hour Update: The Latest Guidance on Avoiding Exposure and Resolving Claims

The deluge of wage and hour lawsuits in Florida shows no signs of stopping. But keeping current on the latest developments in wage and hour law may allow you to avoid exposure and resolve claims efficiently when they are raised. Management-side attorney Richard Tuschman will discuss recent developments under the Fair Labor Standards Act, including guidance from the Department of Labor, court decisions, trends in enforcement, and best management practices.

10:50 -- 11:05 Break

11:05 -- 12:00 **Patrick G. DeBlasio, III, Esq.**  
**Littler Mendelson P.C.**

**Event Sponsor**

#### The Explosion of Retaliation Claims in Employment Litigation

In this workshop, we will examine forces fueling an explosion in retaliation claims. We will analyze a variety of hot topics dividing the courts and posing challenges for employers in South Florida, including: what type of conduct constitutes “protected activity” or an “adverse action,” how do complainants establish “causation,” and how can employers negate an inference of causation. Participants will also learn how to revise existing protocols and internal compliance procedures to better insulate their organizations against claims of retaliation and whistleblowing in the future.

12:00 -- 1:15 Lunch

1:15 -- 2:05 **Donna M. Ballman, Esq.**  
**Donna M. Ballman, P.A.**

Top 10 Laws Your Employees Think Exist, That Don’t; And Some Employment Laws You May Not Think Exist, That Do.

Do you think you know all the employment laws that apply to your company? Do your employees understand their legal rights and responsibilities? Donna Ballman, an employee-side employment lawyer, talks about how to avoid seeing her colleagues and her across the deposition table.

2:05 -- 2:55 **Elizabeth M. Rodriguez, Esq.**  
**Ford & Harrison LLP**

**Event Sponsor**

#### FMLA, ADA, and Workers’ Compensation "The Perfect Storm"

During this session we will examine an employer’s responsibilities under FMLA, ADA and Workers' Compensation laws and navigate the treacherous waters associated with the interaction of these laws. We will explore potential difficult issues that may arise. We will also discuss a strategic approach for handling these disability claims.

2:55 -- 3:10 Break

3:10 -- 4:00 **Kevin E. Vance, Esq.**  
**Duane Morris LLP**

**Event Sponsor**

#### The NLRB’s Assault on Non-Union Employers

Many non-union employers mistakenly believe that the National Labor Relations Act does not apply to them. The current incarnation of the NLRB is increasingly claiming that the employment policies of non-union employers violate the Act. Learn if your company’s policies, including key employee handbook provisions, termination policies, and arbitration policies, may be in violation of the federal labor law, and what to do if they are.

4:00 -- 4:50

Jason Berkowitz, Esq.  
Jackson Lewis LLP

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### Social Media and Bullying in the Workplace

In the modern era, social media is interwoven in the fabric of the workplace. The explosion of social media raises numerous challenges for employers. For example, how can employers limit employees' use of social media during business hours? Can an employer limit what employees disclose to the public about its business? Can an employer use social media to investigate applicants and employees? Employers must also be aware of how social media can be used as tool for bullying in the workplace. For most employers, navigating these pitfalls can be an administrative nightmare. Learn what you can do today to reduce potential exposure for your company.