

CLE SEMINAR



# Employment Law Update 2018

**LIVE** SEMINAR: **Wednesday, October 31, 2018 | Madison**  
WEBCAST: **Wednesday, October 31, 2018**

**REPLAY** WEBCAST: **Thursday, November 15, 2018**  
WEBCAST: **Monday, November 19, 2018**  
WEBCAST: **Friday, November 30, 2018**  
WEBCAST: **Wednesday, December 5, 2018**  
WEBCAST: **Tuesday, December 11, 2018**

CREDITS  
**6.5 CLE**  
**1 EPR**

# Employment Law Update 2018

6.5 CLE | 1 EPR

**LIVE SEMINAR:**  
October 31, 2018 | Madison

**LIVE WEBCAST:**  
October 31, 2018

**WEBCAST REPLAY:**  
November 15, 2018  
November 19, 2018  
November 30, 2018  
December 5, 2018  
December 11, 2018

## Everything employment

The U.S. has the dubious honor of being the most overworked developed nation in the world. With so many people spending so much time on the job, ensuring workplaces are legally compliant is essential like never before.

The *Employment Law Update 2018* gathers together the key developments and issues today's lawyers must understand in order to offer sound counsel to employers and employees.

Get up to speed on hot topics in labor and employment law and understand their practical implications for your practice. Find out what's new in:

- Americans with Disability Act leave and compliance
- Wage and hour claims
- Arrest and conviction discrimination

Delve into how the #MeToo movement has impacted sexual harassment in the workplace. Also, take in an overview of key federal and state employment law cases from the past year.

## Ethics in employment law

Honesty and candor are at the heart of a lawyer's ethical responsibilities. But knowing what's ethically right isn't always easy. Receive guidance for situations where the right action may not necessarily be the obvious one. Plus, spend time exploring topics such as:

- Duty of honesty in your representation
- Duty of candor to the tribunal
- Dealing with the unscrupulous client
- Defining misrepresentation by the client and attorney

**Register today!**

## Schedule

- 8:00 AM Registration**
- 8:30 AM 2018 Hot Topics in Wage and Hour Law**
- Impact of the Supreme Court's *Epic* decision on wage and hour collective and class actions
  - Most common compliance issues impacting employers and employees
  - Wage and hour developments under the Trump administration  
*Sean M. Scullen*
- 9:20 AM What's Reasonable? Leave as an Accommodation and Other Developments**
- Leave as a reasonable accommodation under the ADA and WFEA
  - Accommodation challenges posed by psychiatric disabilities
  - Recent Wisconsin case law developments  
*Margaret R. Kurlinski*
- 10:10 AM Break**
- 10:25 AM Sexual Harassment in the Workplace in the #MeToo Era: Implementing Effective Prevention Strategies and Assuring Legal Compliance**
- Understanding the current workplace climate and challenges to cultural change
  - Developing and implementing targeted policies and training
- Handling harassment complaints from investigation through remedial action  
*Ann Barry Hanneman*
- 11:15 AM Exploring the Limits of Protections Against Criminal Records Discrimination**
- What are the Wisconsin Fair Employment Act's protections, and how have they been limited by the courts?
  - The *Onalaska* rule
  - The meaning of "intent" to discriminate
  - "Perceived" criminal records discrimination?
  - Other considerations  
*A. Steven Porter*
- 12:05 PM Lunch (on your own)**
- 1:05 PM Ethical Challenges Facing Employment Law Attorneys**
- Duty of honesty in your representation
  - Duty of candor to the tribunal
  - Dealing with the unscrupulous client
  - Defining misrepresentation by the client and by the attorney  
*Dean R. Dietrich*
- 1:55 PM Federal and State Law Updates**
- Katherine L. Charlton*  
*Aaron N. Halstead*
- 3:20 PM Program Concludes**

Following program start time, webcast replay schedule will vary slightly from above listed times.

## Faculty

### Program Chairs & Presenters

**Katherine L. Charlton**

Hawks Quindel, S.C., Milwaukee

**Aaron N. Halstead**

Hawks Quindel, S.C., Madison

### Presenters

**Dean R. Dietrich**

Ruder Ware, L.L.S.C., Wausau

**Ann Barry Hanneman**

von Briesen & Roper, S.C., Waukesha

**Margaret R. Kurlinski**

Godfrey & Kahn, S.C., Milwaukee

**A. Steven Porter**

A. Steven Porter Attorney at Law, Madison

**Sean M. Scullen**

Quarles & Brady LLP, Milwaukee

## Location

**Madison, State Bar Center**

5302 Eastpark Blvd., American Center,  
(608) 257-3838

## Credits

This program has been submitted to the Wisconsin Board of Bar Examiners for up to **6.5 CLE credits including 1 Ethics and Professional Responsibility credit.**

The live seminar and live webcast on October 31, 2018 will also be submitted for Minnesota credit.

## Additional Learning Opportunities

### 2018 Health, Labor, and Employment Law Institute Webcast Replays

Receive robust analysis of critical changes in labor and employment and health law. Enjoy a selection of CLE sessions designed to help you improve your practice and stay updated on the latest developments.

**Webcast Replay:** Sept. 10, 2018 | Sept. 11, 2018 | Sept. 26, 2018 | Sept. 27, 2018 | Oct. 15, 2018 | Oct. 16, 2018 | Nov. 13, 2018 | Nov. 14, 2018 | Jan. 9, 2019 | Jan 10, 2019

### 14th Annual Employee Benefits Update

Learn what the IRS, Balanced Budget Act, Tax Cuts and Jobs Act, and more mean for retirement plans. Look at emerging trends in benefit plans offering mental and behavioral health coverage. Discover the newest dos and don'ts of retirement plan investing, and much more. **7.0 CLE**

**Live Madison Seminar and Live Webcast:** Sept. 5, 2018

**Webcast Replay:** Sept. 19, 2018 | Sept. 25, 2018 | Oct. 5, 2018 | Oct. 11, 2018 | Oct. 16, 2018 | Oct. 22, 2018 | Dec. 21, 2018 | Jan. 21, 2019

### Identifying and Preventing Workplace Sexual Harassment in the Wake of #MeToo

Learn the elements of a sexual harassment claim. Discover the components of an effective sexual harassment policy. In addition, hear tips for conducting a fair, thorough investigation and acting on the results. **(2018) 1 CLE**

**CLE OnDemand Seminar:** #CA2822D; **Member:** \$89 | **Nonmember:** \$139

### NEW BOOK! Sexual Orientation, Gender Identity, and the Law

Find tools and specialized information to advise your clients regarding gender transitioning, HIV/AIDS, hate crimes, domestic abuse, cyberbullying, and discrimination at school or work. This book shows you how to develop compliant sexual orientation and gender identity policies, plus so much more.

**Print Book:** #AK0437; 216+ pp.; 1st ed. 2018-19 | **Member:** \$119 | **Nonmember:** \$149

### Hiring and Firing in Wisconsin

Find a comprehensive overview of the Wisconsin statutes governing screening, hiring, and termination. This book discusses how federal laws impact the state's employment practices. It also covers discrimination in hiring, testing and screening, providing references, and more. (Includes 2017-18 supplement)

**Print Book:** #AK0206; 304+ pp.; 6th ed. 2016-17 | **Member:** \$89 | **Nonmember:** \$109

**Books UnBound® Subscription:** #AE0206 | **Member:** \$159 | **Nonmember:** \$199

### Civil Litigation Forms Library

Find forms fast with our easy-to-use online forms library. The *Civil Litigation Forms Library* is comprised of forms from the *Wisconsin Civil Litigation Forms Manual*.

Get access to 217 documents, including motions, notices, summonses, affidavits, authorizations, and more. Each form is a high-quality template you can modify to fit your needs. In addition, all forms follow statutory specifications and ensure you include all required information.

**Online subscription:** #FB3000; **Member:** \$129 (Discounts available on multi-user subscriptions.)

## Book Sale - Save 20%

### Wisconsin Employment Law

Save 20% on *Wisconsin Employment Law*. Plus, all seminar attendees receive a free two-week trial of the Books UnBound® version. Use discount code **CA2797** when you order online or by calling (800) 728-7788.\*

Understand the statutes governing all aspects of private sector, non-union employment. Topics include:

- Hiring
- Technology use in the workplace
- Wages and hours
- Wrongful discharge
- Worker's compensation
- Employment discrimination
- Restrictive covenants
- And much more

**Print Book:** #AK0046; 2,080+ pp.; 6th ed., 2016-17; 3 vols. (includes 2017-18 supplement)

**Member:** ~~\$219~~ \$175.20 | **Nonmember:** ~~\$269~~ \$215.20

**Books UnBound® Subscription:** #AE0046

**Member:** ~~\$159~~ \$127.20 | **Nonmember:** ~~\$199~~ \$159.20

\*Discount applies to both print and digital Books UnBound® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For Books UnBound users, discount may be applied to purchase of individual Books UnBound title only and may not be used on purchase of full library.



Attendees receive a FREE two-week trial of this Books UnBound title

# Registration

**Online:** [www.wisbar.org/seminars](http://www.wisbar.org/seminars)  
credit card or Ultimate Pass only

**Phone:** (800) 728-7788 » credit card  
or Ultimate Pass only

**Fax:** (608) 257-5502 » credit card  
or Ultimate Pass only

**Mail:** State Bar PINNACLE  
Registrations  
P.O. Box 7158, Madison, WI  
53707-7158  
check, credit card, Passbooks, or  
Ultimate Pass

**State Bar CLE/PINNACLE  
Passbook Registrations:** Passbook  
Certificates must be received by the State  
Bar at least one business day prior to  
the event. For live and video seminars,  
walk-in registrations with Passbook  
Certificates are welcome.

**Registration Cancellations:** Please  
visit [wisbar.org/cancellation\\_policy](http://wisbar.org/cancellation_policy) for  
information on PINNACLE registration  
cancellation policies.

## Who should attend

- Labor and employment law attorneys
- Employee benefits lawyers
- Individual rights practitioners
- General practitioners

## How you'll benefit

- Review important federal and state employment law cases from the past year
- Hear about new developments in ADA leaves and compliance
- Examine hot topics in wage and hour class action/collective action cases
- Explore the impact of #MeToo on workplace sexual harassment
- Delve into the specific ethical challenges of employment law

## Course materials for those attending the seminar

**Course materials are provided in  
PDF format** and are downloadable  
from *myStateBar* on *WisBar.org*  
up to four days prior to and 90  
days after your seminar. The PDF  
format is ideal for creating an  
electronic library that is easily  
stored, searched, and shared. Use  
a program like Adobe Reader or  
GoodReader for iPad to access the  
files from your computer, tablet, or  
mobile device during the seminar  
to make notes electronically, or  
print relevant sections ahead of  
time.

**For live seminar attendees who  
prefer a printed format, please  
select the tuition option that  
includes printed materials for an  
additional \$20.**

# Employment Law Update 2018

Priority Code: S 3 6 2 3 B

SEMINAR TUITION	LIVE SEMINAR: With PRINTED Course Materials	LIVE SEMINAR: With Downloadable (PDF) Course Materials	WEBCAST SEMINAR: With Downloadable (PDF) Course Materials
<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$239	<input type="checkbox"/> \$219	<input type="checkbox"/> \$249
<input type="checkbox"/> Nonmember	<input type="checkbox"/> \$319	<input type="checkbox"/> \$299	<input type="checkbox"/> \$329
<input type="checkbox"/> Ultimate Pass Subscriber	<input type="checkbox"/> \$20	<input type="checkbox"/> \$0	<input type="checkbox"/> \$0
<input type="checkbox"/> Passbook Certificate User	<input type="checkbox"/> \$20 + 1 Certificate	<input type="checkbox"/> 1 Certificate	<input type="checkbox"/> 1 Certificate

### Seminar Date/Location:

- Live Seminar:** Wednesday, October 31, 2018 | Madison
- Live Webcast:** Wednesday, October 31, 2018
- Webcast Replay:** Thursday, November 15, 2018
- Webcast Replay:** Monday, November 19, 2018
- Webcast Replay:** Friday, November 30, 2018
- Webcast Replay:** Wednesday, December 5, 2018
- Webcast Replay:** Tuesday, December 11, 2018

Lawyer State Bar Member No. \_\_\_\_\_

Nonlawyer Profession \_\_\_\_\_

Name \_\_\_\_\_

Firm Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_

**PAYMENT: Tuition Amount Enclosed \$** \_\_\_\_\_

State Bar Passbook Certificate (enter certificate number) # \_\_\_\_\_

Check enclosed (payable to State Bar PINNACLE)

Ultimate Pass Gold Subscriber

Ultimate Pass Silver Subscriber

VISA  MasterCard  American Express  Discover Exp. Date \_\_\_\_\_

Card No. \_\_\_\_\_

Signature \_\_\_\_\_

To purchase written course materials for those **not** attending this program, contact the State Bar at (800) 728-7788.

**NOTICE:** By attending this State Bar event, you understand and agree that you may be photographed and/or electronically recorded during the event and you hereby grant to the State Bar the right to use and distribute your name and likeness for promotional or educational purposes without monetary compensation. The State Bar assumes no liability for such use.

**Mail to:** State Bar PINNACLE Registrations  
P.O. Box 7158  
Madison, WI 53707-7158

Event Code: C A 2 7 9 7 M W R R 2 R 3 R 4 R 5