

DON'T MISS THE

# Twenty-Sixth Annual Labor Relations And Employment Law Update Conference

Marriott Downtown  
Knoxville, Tennessee  
October 13-14, 2005

## A FEW COMMENTS FROM LAST YEAR

“ I appreciate the practical application approach to topics that can seem daunting at first glance. ”

“ The hard bound book was great! I can see myself using it often. ”

“ Good suggestions for protecting our companies against litigation. ”



**GUEST SPEAKER**  
James G. Neeley  
*Commissioner  
Tennessee Dept. of Labor  
and Workforce Development*



**Wimberly Lawson**

Seale Wright & Daves, PLLC

*Attorneys & Counselors At Law*



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Dear Clients and Friends of the Firm,

All of us at Wimberly Lawson look forward to our annual fall client update conference as a time of learning and fellowship. We especially enjoy visiting with our clients and discussing the challenges that we have faced together during the past year.

At our fall conference we report the latest developments in the labor and employment arena. We report to you what happened, why it happened, what it means, and what will happen next.

During our sessions we learn from our clients how these trends affect them and together we develop strategies to face these challenges. Come join us in this dynamic and interactive process!

This year our fall client update conference will be held on October 13 and 14 at the beautiful Knoxville Marriott hotel. Information about registering for the conference is shown in this brochure. As always the latest information about the firm and our fall conference can be found on our new website, [www.wimberlylawson.com](http://www.wimberlylawson.com). Check it out!

So . . . on October 13 and 14, if it is employment related and it affects your business, we are going to be talking about it. Bring your staff! Bring your boss! Come for what will be a high octane, low carb romp through today's workplace issues.

Hope to see you there!

Respectfully,

Gary W. Wright  
Managing Member

[www.wimberlylawson.com](http://www.wimberlylawson.com)

Knoxville    Morristown    Cookeville    Nashville

## AGENDA

Thursday, October 13, 2005

**8:00 AM - 9:00 AM** Registration and Continental Breakfast

### General Session

Labor and Employment Law Update  
Employee Evaluations - a Help or a Hindrance?  
Psychiatric Sexual Disorders - ADA/Title VII - New Developments  
Organized Labor's Internal Struggle

### Breakout Sessions

Violence and Intimidation in the Workplace  
Alternative Dispute Resolution Agreements or Jury Waiver Agreements - Which is Better?  
Wage and Hour Compliance Tips  
Visa Options for Employers, B or H or J or L or . . . Alphabet Soup  
Special Need for Preciseness in Benefit Plan Documents and Descriptions

**Lunch** (Courtesy of Wimberly Lawson)

### General Session

Keynote Address  
The Wisdom of Mediating Claims - Point/Counterpoint  
Providing and Requesting Reference Checks - a Common Sense Approach

### Breakout Sessions

What You Need to Know About Recent Case Law in Handling FMLA and ADA leaves  
Strategies for Winning Unemployment Claims Cases  
New Developments in Affirmative Action Plans and Defending OFCCP Audits  
Employee Handbook and Company Policy Updates  
Military, Jury, Voting and Court Leaves of Absences

### General Session

Piercings, Tattoos, Dress Codes and Hygiene Standards  
Immigration Updates  
E-Mails - Establishing Policies and Practices  
Use and Abuse of Statistics in Planning Layoffs

**5:00 PM - 7:00 PM** Reception Please join us for scrumptious hor d'oeuvres

Friday, October 14, 2005

**8:00 AM - 8:30 AM** Continental Breakfast

### General Session

Employee Discipline for Off-Duty Conduct  
Legal Implications of Same-Sex Unions for Employers  
New Developments in Workplace Harassment

### Breakout Sessions

Strategies for Containing Healthcare Costs  
Managing Requests for Light Duty Work  
Latest Developments in OSHA Regulations  
Strategies in Reducing, Handling and Winning Workers' Compensation Claims  
Whistleblower and Protected Concerted Activity Considerations

### General Session

Telecommuting - a Bane or a Blessing?  
What You Need to Know About the New White Collar Exemptions  
The New Supreme Court Decisions on Adverse Impact in Age Discrimination Claims  
Tips for Preparing EEOC Position Statements and Dealing with the EEOC

**Conclusion** - Noon



This program has been approved for 8 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage at [www.hrci.org](http://www.hrci.org).



# Wimberly Lawson

Seale Wright & Daves, PLLC

Attorneys & Counselors At Law

## Twenty-Sixth Annual Labor & Employment Law Update Conference

Marriott Downtown - Knoxville, Tennessee  
October 13-14, 2005

### COST:

Early Bird (registration AND payment received by September 9)

\$260 per person  
\$225 for each additional person from the same company

Registration and payment received after September 9

\$290 per person  
\$255 for each additional person from the same company

### CANCELLATION CHARGE:

50% cancellation fee will be incurred for cancellations after September 23

### REGISTRATION INCLUDES:

Seminar (1 1/2 days), materials, two continental breakfasts, lunch and evening reception on Thursday

### HOTEL ACCOMMODATIONS

Knoxville Marriott • 500 Hill Avenue, SE

865-637-1234 or 800-228-9290

Be sure to state you are attending the Wimberly Lawson conference in order to receive the room rate of \$105.00 (single or double) (parking included). Cutoff date for this room rate is Sept. 21, 05

**REGISTER ONLINE** at [www.marriott.com](http://www.marriott.com)

– use the Group Code WLFWLFA to reserve at the conference rate.

### FOUR WAYS TO REGISTER

1. Mail to: Gabe White  
Wimberly Lawson Seale  
Wright & Daves, PLLC  
P.O. Box 2231  
Knoxville, TN 37901-2231
2. Fax to: 865-546-1001
3. Email to: [gwhite@wimberlylawson.com](mailto:gwhite@wimberlylawson.com)
4. Via website: [www.wimberlylawson.com](http://www.wimberlylawson.com)

### GUEST SPEAKER



**James G. Neeley**  
Commissioner  
Tennessee Department of Labor  
& Workforce Development

Governor Phil Bredesen appointed James G. Neeley commissioner for the Tennessee Department of Labor and Workforce Development when he took office in 2002. Since that time Neeley was a critical player in the recently passed legislation to reform the Workers' Compensation program. This new law could save Tennessee businesses an estimated \$30 million per year and encourage new business investment in the state.

Neeley is also a key player in the Governor's Jobs Cabinet. He traveled across the state with Governor Bredesen for a series of round table meetings with local business, government and workers to develop ways to bring new business to Tennessee.

In 2004, Neeley won the prestigious Eagle Award from the National Association of State Workforce Agencies. The Award honors individuals who soar to new heights in their efforts to serve employers and workers in the United States.

In 1999, Neeley was instrumental in creating state legislation that merged the department of Employment Security and the department of Labor. At that time Neeley served as Planning Committee Chairman of Tennessee's Workforce Development Board, composed of business, labor, state and local government representatives.

Commissioner Neeley has a long history of public service. From 1975-1979 he served as Tennessee Department of Labor Commissioner. Throughout his career he has served on various state, federal, local and regional boards and commissions. The following is a list of those affiliations:

- Member of the Tennessee State Employment Security Advisory Council
- Past Member of the Tennessee Job Partnership Council (Planning Committee Chairman)
- Founder/Member of Board of Directors, Tennessee Safety Congress
- Past member of the Advisory Board of the Federal Reserve Bank of Atlanta
- Past Chairman, Huntingdon Special School District Board of Education
- Chair of the Executive Steering Committee, TN Center for Labor Management Relations
- Founder, Labor Education Center for Union Members
- Chairman, Tennessee State Council on Vocational Education
- Board Member, Citizens TennCare
- President-Tennessee AFL-CIO 1979-2002

Name \_\_\_\_\_

Company \_\_\_\_\_ Address \_\_\_\_\_

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

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