Thirty-Eighth Annual Labor And Employment Law Update Conference

TARGET OUT OF RANGE



Knoxville Marriott Knoxville, Tennessee November 2-3, 2017



Wimberly Lawson

Attorneys & Counselors at Law

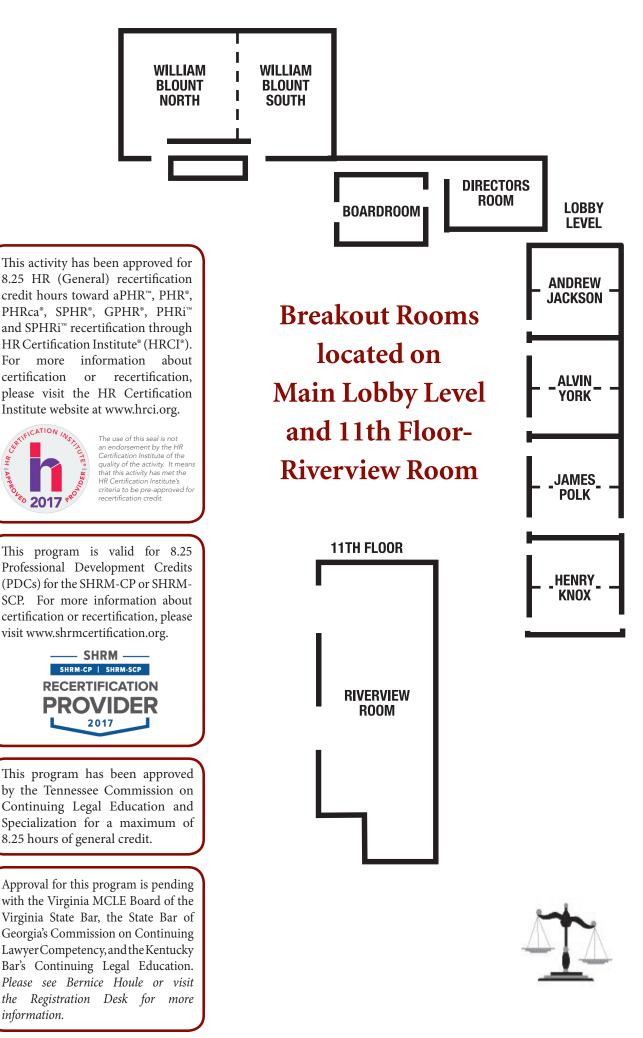
AGENDA

Thursday, November 2, 2017

	THURSDAY, NOVEMBER 2, 2017
8:00 AM - 9:00 AM	Registration and Continental Breakfast
9:00 AM - 9:10 AM	Welcome and Introduction
9:10 AM - 9:15 AM	Announcements and Conference Kick-off
9:15 AM - 10:45 AM	General Session Ballroom
9:15 - 9:45 9:45 - 10:05 10:05 - 10:25 10:25 - 10:45	A. What a Difference a Year Makes! James W. Wimberly, Jr. B. EEOC Update
10:45 AM - 11:00 AM	Networking & Refreshments
11:00 AM - 12:00 NOON	Breakout Sessions
	E. Employee Handbooks: The Essentials and Updates for 2018 Mary C. Moffatt, Mary Dee Allen
12:00 NOON - 1:15 PM	Lunch (as Guests of Wimberly Lawson)
	Announcements Jeffrey G. Jones
1:15 PM - 1:30 PM	
1:30 PM - 2:30 PM	General SessionBallroom
	KEYNOTE SPEAKER - Dr. Farris Jordan - (Author of "Stress! Are You in Control?")
2:30 PM - 2:45 PM	Networking & Refreshments
2:45 PM - 3:45 PM	Breakout Sessions
	L. The ADEA: A Guided Tour Through the Complex World of Age Discrimination Jerome D. Pinn, Edward H. Trent
3:45 PM - 4:00 PM	Networking & Refreshments

AGENDA

4:00 PM - 5:00 PM	General Session	Ballroom
4:00 - 4:15	S. EEOC Rules on Wellness Plans Take Effect, including GINA and Privacy Issue	s Mary C Moffatt
4:15 - 4:30	T. OSHA Update	
4:30 - 4:45	U. Legislative Updates on Workers' Comp Reform	
4:45 - 5:00	V. Well, So What's Really Changed in a Year?	1 /
5:00 PM - 6:30 PM	Reception (please join us for scrumptious hors d'oeuvres)	Main Lobby
	Friday, November 3, 2017	
8:00 AM - 8:25 AM	Continental Breakfast	BALLROOM LOBBY
8:25 AM - 8:30 AM	Announcements	Jeffrey G. Jones
8:30 AM - 9:30 AM	General Session	Ballroom
8:30 - 8:45	W. Video Recording in the Workplace	Mary Dee Allen
8:45 - 9:00	X Cyber Security and Technology Issues	Edward H. Trent
9:00 - 9:15	Y. Intellectual Property for Employers	.Edward D. Lanquist, Jr.
9:15 - 9:30	Z. Hidden Anti-Trust Considerations for All HR Professionals	Howard B. Jackson
9:30 AM - 9:45 AM	Networking & Refreshments	BALLROOM LOBBY
9:45 AM - 10:45 AM	Breakout Sessions	
	 Z1. EEOC/THRC Representatives Panel Discussion Fredrick J. Bissinger, Anne T. McKnight, EEOC Panelists Sylvia Hall and Sarah Smith, and THRC Panelist Beverly L. Watts	
	Z ₃ . Tennessee Workers' Comp Claims Andrew J. Hebar, T. Joseph Lynch, III, Michael W. Jones,	
	Marianna Jablonski, Kathleen Lewis	James Polk
	Z4. The FMLA – Basics and Beyond	III D
	G. Gerard Jabaley, Mary Dee Allen	WILLIAM BLOUNT SOUTH
	Edward H. Trent, Howard B. Jackson, Ann E. Sartwell	William Blount North
	J. Eric Harrison, Karen G. Crutchfield, Jeffrey M. Cranford	ALVIN YORK
	Mary C. Moffatt, Rebecca Brake Murray	HENRY KNOX
10:45 AM - 11:00 AM	Networking & Refreshments	
11:00 AM - 11:15 AM	Door Prizes	BALLROOM
11:15 AM - 12:00 PM	General Session	BALLROOM
11:15 - 11:30	Z8. 2017 Immigration Updates	Susan S. Davis
11:30 - 11:45	Z9. OFCCP and Government Subcontractors	Jerome D. Pinn
11:45 - 12:00	Z ₁₀ . Records Retention	G. Gerard Jabaley
12:00 PM	Conclusion	BALLROOM



certification

information.

GUEST SPEAKERS

Breakout Session – Is There a (Juris) Doctor in the House? Legal Headaches for Hospitals and Healthcare Employers, Catherine E. Shuck, Thursday, November 2nd, 2017, 11:00 am, Alvin York Room.

Catherine E. Shuck is the Vice President for Legal Services / General Counsel at East Tennessee Children's Hospital. Previously, she was Of Counsel with the Knoxville, Tennessee office of Wimberly Lawson Wright Daves & Jones, PLLC, which she joined in September 2009. Her practice involved training and counseling regarding the Patient Protection and Affordable Care Act and handling special assignments. Cathy received her B.A. from Northwestern University and her J.D. from Boalt Hall at the University of California, Berkeley where she was a member of the Order of the Coif. While at Boalt Hall she was the Senior Articles Editor for the Berkeley Journal of Employment and Labor Law. Her Comment written for the journal, That's It, I Quit: Constructive Discharge After Ellerth, was cited by the United States Supreme Court in 2004. Following law school she served as a law clerk to Justice E. Riley Anderson of the Tennessee Supreme Court and to Judge William A. Fletcher of the United States Court of Appeals for the Ninth Circuit. Prior to attending law school, Cathy worked for several years in the human resources field. Cathy has been admitted to practice in the United States District Courts for the Eastern and Middle Districts of Tennessee as well as the U.S. Court of Appeals, Sixth Circuit. Cathy is the author of the article, Bargaining Power: Understanding the Rights of Public Sector Workers in Tennessee, published in the Tennessee Bar Journal, May 2011, Vol. 47, No. 5. She is an Adjunct Professor at the University of Tennessee College of Law and is a member of the Knoxville and Tennessee Bar Associations, and the East Tennessee Lawyers Association for Women.

General Session - *Intellectual Property for Employers*, Edward D. Lanquist, Jr., Friday, November 3rd, 2017, 9:00 am, Ballroom.

Edward D. Lanquist, Jr., is the Managing Shareholder with the firm of Patterson Intellectual Property Law. He is an AV-rated lawyer who focuses his practice on patent and trademark litigation, intellectual property counseling, and trademark prosecution. He has litigated and performed appellate work in cases involving patent infringement, trade mark infringement, trade dress infringement, right of publicity, copyright infringement, design patent infringement, and trade secret misappropriation cases. Ed received his J.D., with Honors, University of Tennessee, 1988 and his B.S., Civil Engineering, with Honors, University of Tennessee, 1985. Ed is General Counsel for the Tennessee Bar Association.

Breakout Session – *EEOC/THRC Representatives Panel Discussion*, Sarah Smith & Sylvia Hall of the EEOC & Beverly L. Watts of the THRC, Friday, November 3rd, 2017, 9:45 am, Andrew Jackson Room.

Sarah Smith is the Area Director of the Equal Employment Opportunity Commission's Nashville Area Office. She has served the EEOC as an Investigator and Supervisory Investigator. As Area Director, she is responsible for the EEOC's enforcement activities in Central and East Tennessee.

Sylvia D. Hall began her federal civil service career in 1983. Sylvia lived overseas in Europe for about nine years and the rest of her career spans across Texas, Georgia, and now Tennessee. She is trilingual and speaks fluent German and passable Spanish. Over the course of Sylvia's management career while working forty hours per week, she has obtained a Masters Degree in Management & Human Resources from Houston Baptist University in Houston, Texas, with a minor in English Literature; and a Masters Degree in Criminal Justice from Georgia State University in Atlanta, Georgia, and maintained alumni status at both universities. Prior to transferring to Nashville, Sylvia held the position of Enforcement Supervisory Federal Investigator and Training Coordinator for the EEOC Atlanta District Office, and serves in the same capacity for the Nashville EEOC Area Office. She has an expert working knowledge of all laws enforced by the Commission, and she is continually called upon to speak publicly in her area of expertise.

Beverly L. Watts was appointed Executive Director of the Tennessee Human Rights Commission in July 2007. Prior to her current appointment she served as Special Advisor to the Chair at the U.S. Equal Employment Opportunity Commission responsible for state and location relations. Ms. Watts has more than 25 years of civil rights enforcement and education experience in the public and private sector. Ms. Watts is considered an expert on civil rights issues including U.S. legislation such as Title VI, Title IX (having served as one of the first Title IX coordinators in the country during her tenure at the U.S. Office of Civil Rights), Section 504 and ADA, Title VII, Title VIII and other state, local and international human rights laws. She is a graduate of Tennessee State University, Southern Illinois University and has attended Duke University Leadership Program for State Executives and the Harvard University John F. Kennedy School of Government.

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The Firm also authors the *Tennessee Workers' Compensation Handbook*, 9th Edition, published by M. Lee Smith, which is the essential desk reference for Tennessee attorneys and workers' compensation claims professionals.

The Tennessee workers' compensation lawyers of Wimberly Lawson understand the challenges an employer faces in a workers' compensation claim. Our attorneys provide aggressive representation, and our reputation for integrity, coupled with our concern for your bottom line, ensures your best interests will be protected.

psychologist and the author of four books and numerous articles on the prevention of mental and physical illness. He has received national recognition for his "hands on" research on the effects of stress by becoming personally involved in highly stressful events such as:

- Brahma Bull riding;
- NASCAR race driving;
- Sky diving;
- Giant Canadian bear wrestling;
- Alligator wrestling;
- 13 consecutive Boston Marathons;
- Completion of the 2,150 mile Appalachian Trail from Georgia to Maine in 139 days; and
- Navigating the 2,552 mile Mississippi River in a small canoe in 57 days.

These experiences have enabled him teach others how to control stress and stay motivated without fear or hesitancy.

"The greatest impediment to staying motivated is our attitude about stress." – Dr. Farris Jordan



K E Y N O T E S P E A K E R

Dr. Farris Jordan



Wimberly Lawson is a full-service labor, employment, workers' compensation, immigration, governmental and commercial law firm representing management exclusively. The Firm has affiliated offices in Knoxville, Morristown, Cookeville, and Nashville,

Tennessee; Atlanta and Athens, Georgia; Washington, D.C.; and Greenville, South Carolina. Wimberly Lawson is a successor to the labor law practice of the former firm of Mitchell, Clarke, Pate, Anderson & Wimberly which was founded in 1948 and known for its representation of the Mitchell family and its "Gone with the Wind" movie interests.

While we remain successful in representing our clients' interests in union organizing campaigns, all NLRB matters, employment law litigation matters and immigration/nationality issues, our Firm also retains more traditional legal roles. Our sophisticated litigation practice ranges from proceedings before state and federal governmental agencies to trials at all levels of state and federal courts. Our attorneys have successfully defended against all types of employment discrimination and wrongful discharge claims including class actions, trade secrets, tax, pension and benefit lawsuits.

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