



## 2011 LABOR AND EMPLOYMENT LAW SEMINAR

*Beau Rivage Resort and Casino  
Biloxi, Mississippi  
October 13 & 14, 2011*

*Registration and Continental Breakfast, 7:45 – 8:15 a.m.*

*Morning Session*

1. **Welcome and Overview**  
8:15 – 9:05 a.m. **Armin J. Moeller, Jr.**
  
2. **Recent Developments and The Regulation Threat**  
9:05 – 9:55 a.m. **Armin J. Moeller, Jr.**
  - Impact on HR of Recent Court Decisions
  - Regulation: Less Attractive Big Sister of Employment Litigation?

*Refreshment Break 9:55 – 10:15 a.m.*

3. **Immigration Enforcement Update**  
10:15 – 11:00 a.m. **R. Pepper Crutcher, Jr.  
Wendy Padilla Madden**
  - No Match Letters Are Back
  - Personal Liability of Officers and Managers
  - Case Studies of Recent Settlements
  
4. **e Workplace Policies**  
11:00 a.m. – 12:00 noon **Armin J. Moeller, Jr.  
Anne Harlan Latino**
  - Social Media, Privacy and Internet Security
  - Do Your Policies Manage These Risks?



*Lunch: 12:00 noon – 1:10 p.m.*

- 5. How to Be An Effective Deposition Witness** **R. Pepper Crutcher, Jr.**

*Afternoon Session 1:15 p.m.*

- 6. PPACA Implementation and Litigation Status: When Should Employers Know What?** **Armin J. Moeller, Jr.**  
**1:15 - 2:10 p.m.** **Dinetia Newman**

- 7. Thursday Workshops—First Session**  
**2:15 - 3:15 p.m.**

- A. Neat Freaks vs. Pack Rats: How Document Retention Practices Can Make or Break Your Litigation Defense** **David M. Thomas II**  
**Anne Harlan Latino**

- B. Ten Simple But Costly FLSA Compliance Mistakes** **E. Russell Turner**  
**Chris Wansley**

- C. Our Government's War on Independent Contractors** **Heather Martin**
- Misclassification? What's That?
  - Tax Liabilities
  - Benefit Plan Issues
  - Minimum Wage and Overtime Issues

*Refreshment Break 3:15 - 3:35 p.m.*



**8. Thursday Workshops—Second Session**

3:35 - 4:35 p.m.

**A. Discovery of Electronic Information in  
Employment Litigation**

- Social Media Postings and Pages
- E-mail, Text Messages, and Metadata
- Cell Phone and Tower Records

**Anne Harlan Latino  
Armin J. Moeller, Jr.  
Bill Long, AEA**

**B. Motivating For Attendance While Complying  
With FMLA, ADA and Other Leave Rights**

- ADA/FMLA/USERRA – Bermuda Triangle
- So How Do You Achieve Maximum  
“Presenteeism”

**David M. Thomas II  
Heather Martin**

**C. The Pro-Union NLRB: Back to the USSR?**

**R. Pepper Crutcher, Jr.  
Jeff Starling**

*Cocktail Reception 4:45 p.m. – 6:00 p.m.*

**Music by Jazz at Sunset  
Quintet**



**Friday, October 14**

*Continental Breakfast 8:00 a.m.*

*Opening Remarks 8:25 – 8:30 a.m.*

- 9. Identifying the Right Message to Judges and Jurors in a Challenging Environment**  
8:30 a.m. – 9:30 a.m.

**Sherry Salmons, Salmons Consulting, Inc.  
Chicago, IL**

- 10. Friday Workshops—First Session**  
9:30 - 10:20 a.m.

- A. EPL and D&O Insurance Coverages and Exclusions:  
What Did You Buy?**

**E Russell Turner  
Armin J. Moeller, Jr.**

- B. Employee Benefits and Compensation Update**

**James W. King**

- C. OSHA: Where Engineers Write The Regulations**

- Recent Rule Changes
- Recent Enforcement Emphasis
- What's On the Way

**R. Pepper Crutcher, Jr  
Clyde Payne  
OSHA Area Director**

*Refreshment Break 10:20 - 10:40 a.m.*



**11. Friday Workshops—Second Session**

10:40 - 11:30 a.m.

**A. Today's HR Issues in Health Care**

- A Workshop Designed Specifically for HR Professionals in The HealthCare Field

**Armin J. Moeller, Jr.**  
**Dinetia Newman**

**Mississippi Hospital  
Association**

**B. Attorney Roundtable**

- You Bring the Tough Scenarios
- We Bring the Solutions

**Jeff Starling**  
**Wendy Padilla Madden**  
**Heather White Martin**  
**Christopher Wansley**  
**Anne Harlan Latino**

**C. Employer Remedies for Fraudulent Claims of  
Fraud: Yes, We Can**

**R. Pepper Crutcher, Jr.**

**12. Protecting Your Blind Side**

11:30 a.m. – 12:25 p.m.

- Saving Your Company While Making HR a Strategic Player and Positive Business Model

**Billy Sims**  
**VP-HR, Southern Farm  
Bureau Life**  
**Sandra Spengler**  
**Manager-Corporate  
Training, Southern Farm  
Bureau Life**

**13. Concluding Remarks and Door Prizes**

12:25 – 12:30 p.m.

**Armin J. Moeller, Jr.**