

## OTHER OPPORTUNITIES

- **Landlord-Tenant Law Update**  
Tacoma, WA – January 15, 2009  
Vancouver, WA – January 29, 2009
- **Employment Law Update**  
Vancouver, WA – April 30, 2009

Check our website or call us for more info!

## REFERENCE MATERIALS

### Seminar Manual

The faculty has prepared a substantial reference work to accompany its presentation. This manual will serve as a valuable tool for future reference. You will receive the manual upon checking in at the seminar site. Its price is included in the registration fee.

### Audio Recording

This seminar will be recorded, so if you cannot attend, or if you want to apply for home study credit (where available), you can order the audio recording and/or a reference manual from this program. Please use the registration form to order.

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**EMPLOYMENT LAW BASICS:** Employment Law Developments; Stay out of Jail: Immigration Compliance Issues for Employers; Wage & Hour and the FLSA; Sexual, Racial, and Other Harassment in the Workplace; Privacy in the Workplace and Conducting an Internal Investigation; Protecting At-Will Employment; and Developments in FMLA Compliance and the Overlap of ADA, FMLA, and WC When Dealing with Absences of Ill, Injured, and Disabled Employees

**PRESENTERS:** Tamsen L. Leachman with Dunn Carney Allen Higgins & Tongue LLP; Kelly J. Martin with Dunn Carney Allen Higgins & Tongue LLP; Tamara E. Russell with Barran Liebman LLP; Lynda J. Hartzell with Tonkon Torp LLP; Jean Ohman Back with Schwabe, Williamson & Wyatt, P.C.; and Scott Osborne with Jackson Lewis LLP

Seminar #8OR07236  Audio & Manual Set \$155  Audio only \$95  Manual only \$75

**LANDLORD-TENANT LAW IN OREGON:** Dealing with Tenants and Documentation; Terminating a Tenancy; The Eviction Process; and Collections: Enforcing Your Judgment

**PRESENTERS:** Charles M. Greeff with Law Office of Charles Greeff PC; Johnston A. Mitchell with McEwen Gisvold LLP; and Matthew J. Lysne with Sherman, Sherman, Johnnie & Hoyt, LLP

Seminar #8OR02052  Audio & Manual Set \$155  Audio only \$95  Manual only \$75

**DRAFTING & ENFORCING COMMERCIAL LEASES:** Significant Issues Specific to Commercial Leases; Lease Defaults; Landlord Options; Tenant Defenses; When the Tenant Files Bankruptcy and the Effect of the Bankruptcy Reform on the Landlord and Tenant; Enforcement of Awards and Judgments; When the Tenant Files Bankruptcy & The Effect of the Bankruptcy Reform on the Landlord & Tenant; and Enforcement of Awards and Judgments

**PRESENTERS:** Bradley S. Miller with Ball Janik LLP; Kenneth S. Antell with Dunn Carney Allen Higgins & Tongue LLP; Susan S. Ford with Sussman Shank, LLP; and Steve Norman with The Gary Law Group

Seminar #7OR06104  Audio & Manual Set \$155  Audio only \$95  Manual only \$75

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# Employment Law Update

## Including ADA and FMLA Changes

Portland - February 19, 2009

Strategies For Complex Issues... Avoid Common Mistakes... Latest Interpretations of the Law

Seating is limited - Register today!

SAVE: Register by January 5th for 10% DISCOUNT!  
More discounts available – see inside

### WHAT ATTENDEES HAVE TO SAY ABOUT OUR SEMINARS

It was a great class... Send us info on new classes! Thank you!

-L.K., Corporate Operations Director, Marietta, GA  
Excellent seminar overall. This seminar had knowledgeable presenters and the materials were good; excellent agenda.

-M.J., Real Estate Development Attorney, Boston, MA  
Excellent seminar, Excellent presenters-Clear & Interesting; Seminar agenda and manual also excellent.

-T.M., Litigation Partner, 100 attorney law firm

Please route to:  
-Managing Partner  
-HR Manager  
-Department Managers  
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-Payroll & CIS Managers

IMPORTANT INFORMATION - PLEASE CIRCULATE

Please make necessary corrections to address.

Understand the new  
FMLA and ADA changes

10%  
Discount  
for early registration

# Employment Law Update in Oregon



Portland

February 19, 2009

Presented by:

**Susan K. Eggum**

- Cosgrave Vergeer Kester LLP

**Scott T. Cliff**

- The Law Office of Scott T. Cliff

**Jean Ohman Back**

- Schwabe, Williamson & Wyatt

**Barbara A. Bloom**

- Bullard Smith Jernstedt Wilson

**Emily Q. Shults**

- Bullard Smith Jernstedt Wilson

**Krishna Balasubramani**

- Sather, Byerly & Holloway, LLP

(See complete biographies inside)



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## MEET THE FACULTY

**SCOTT T. CLIFF**, with the Law Office of Scott T. Cliff for over 20 years, practices in litigation, arbitration, and mediation of labor and employment disputes. Mr. Cliff represents employers and employees, focusing his plaintiff's work on wage claims and claims of unlawful employment discrimination, retaliation, and wrongful discharge. He previously only represented employers in state and federal courts at trial and on appeal. Mr. Cliff briefed the Oregon Supreme Court on behalf of Associated Oregon Industries and the Association of Defense Counsel in the landmark employment case *Sheets v. Knight*, which preserved at-will employment. He has contributed to legal treatises, including *The Developing Labor Law*. He was a legal writing instructor at Portland State University. Mr. Cliff attended the University of California–San Diego, earned his B.S. at Lewis and Clark College, and his J.D. at the Northwestern School of Law, Lewis & Clark College.

**SUSAN K. EGGUM**, a partner and trial lawyer with Cosgrave Vergeer Kester LLP, has practiced in employment, business and commercial, tort, and legal malpractice litigation for over 25 years. She represents entities and individuals in bringing and defending actions in state and federal courts arising out of age discrimination, sexual harassment, breach of contract, wrongful discharge, and breach of duty of loyalty. Ms. Eggum teaches new and experienced lawyers litigation and trial skills. She has authored or co-authored several publications. Ms. Eggum is a master member and former president of The American Inn of Court, a fellow of the Trial Lawyer Honorary Society of the Litigation Counsel of America, and a member of the Oregon State Bar. Ms. Eggum received her B.A., with highest honors, and her M.A., with honors, Phi Beta Kappa, from the University of California–Berkeley, and her J.D. from the Georgetown University Law Center.

**BARBARA A. BLOOM**, a shareholder at Bullard Smith Jernstedt Wilson, practices exclusively in management labor and employment law, including labor contract administration, labor arbitration, collective bargaining, NLRB and Oregon ERB proceedings, employee and supervisory training, personnel policies and practices, and EEOC and Bureau of Labor proceedings. She is a member of the Oregon, Multnomah, and American Bar Associations. Ms. Bloom has served on the board of directors for the Northwest Equal Employment Opportunity/Affirmative Action Association and on the executive committee for the Oregon State Bar. Ms. Bloom received her B.S. from Santa Clara University and her J.D. from Willamette University College of Law.

**KRISHNA BALASUBRAMANI**, with Sather, Byerly & Holloway, LLP, assists employers and insurers in Oregon and Washington with workers' compensation and employment related matters. Mr. Balasubramani defends employers in connection with workers' compensation, OSHA, and general employment matters, and works closely with HR managers, loss prevention managers, safety directors, and claims adjusters to manage pre-litigation situations or to handle the litigation. He is a former pro tem administrative law judge for the WCB. Mr. Balasubramani is a member of the Oregon, Multnomah, Washington, and American Bar Associations, the Oregon Association of Defense Counsel, SHRM, the Oregon Minority Lawyers Association, and the Oregon Self-Insurers Association. He is a board member of the Disability Management Employer Coalition. Mr. Balasubramani received his B.A. from the University of California–San Diego and his J.D. from the Northwestern School of Law at Lewis & Clark College.

**EMILY Q. SHULTS**, with Bullard Smith Jernstedt Wilson, practices in labor and employment, wrongful discharge litigation, preventative employment practices, state and federal discrimination law, and employee benefits. Ms. Shults has substantial writing experience in federal and state labor and employment issues, including benefit administration and compliance, class-action litigation, employment legislation, anti-discrimination and wage and hour compliance, and federal administrative agencies on both the trial and appellate levels. Prior to her clerkships, she worked for the U.S. attorneys in the Southern District of California. Ms. Shults is a member of the Multnomah, Oregon, and American Bar Associations, the Oregon Women Lawyers, and the National Association of Women Lawyers. She is licensed to practice in Oregon, Michigan, and Ohio. Ms. Shults received her B.A. from Western Kentucky University and her J.D. from the University of Cincinnati College of Law, where she was a senior articles editor on the *Human Rights Quarterly* and a member of the Moot Court Board.

**JEAN OHMAN BACK**, senior counsel with Schwabe, Williamson & Wyatt, practices in employment relations and advice, employment litigation, professional liability law, hospitality law, and general litigation. Ms. Back advises employers on the interaction of an employee's rights under the ADA, the Workers' Compensation Act, and state and federal family leave laws, and the overlap of the ADA, FMLA, and workers' compensation. She has participated with her firm's practice group in representing employers in large wage and hour class action matters. Ms. Back has been a regular speaker at professional education programs. She is the author of the "Family Medical Leave" chapter of the *Oregon Human Resources Manual*. She is a member of the Oregon and Washington State Bars. Ms. Back received her B.A. from the University of California–Santa Barbara and her J.D. from University of Oregon School of Law.

## EMPLOYMENT LAW UPDATE

### Portland - February 19, 2009

**Location:** Marriott City Center Hotel - 520 SW Broadway - Portland

**Registration:** 8:00 a.m. **Presentations:** 8:30 a.m. - 4:30 p.m.

**Lunch:** (on your own) 12:00 - 1:00 p.m.

**Walk-ins:** Payment is required at the door. Call Sterling at (715) 855-0498 to confirm the schedule.

**Cancellations:** Substitutions or transfers to a future Sterling seminar are welcome anytime up to the day of the seminar. If you call to cancel at least three business days before the seminar you may 1) transfer your registration to another seminar, 2) receive a full refund minus a \$25.00 service charge, or 3) receive a tape & manual set from the seminar. Please note that if you do not attend and do not cancel as described above you are not entitled to a refund. **Complaint Resolution:** Any questions or complaints pertaining to a Sterling Education Services seminar should be directed to our Customer Service department at (715) 855-0495.

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This seminar has been **approved** for **6.75 general recertification credit hours** toward the **PHR, SPHR, and GPHR** recertification through the **HR Certification Institute (HRCI)**. For more information about certification or recertification, please visit [www.hrci.org](http://www.hrci.org).



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Other continuing education credit may be available. Please call (715) 855-0498 to inquire.

## Employment Law Update

### Portland - February 19, 2009

#### Registration Fee:

(includes manual)

\$319 per person

\$309 per person for 2 or more

\$289 per person **if paid by 1/5/09**

\$137 audio tapes of the seminar **with registration, a \$100 savings!**

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Audio/manual package \$327\*  Audio only \$237\*  Manual \$95\*

\*Includes \$6 shipping & handling Allow 6-8 weeks for delivery. ELU9

**Seminar Number: 9OR02060**

## WHO SHOULD ATTEND

- Attorneys:
  - Employment Law
  - Immigration
  - Labor Law
  - General Practice
  - Civil Practice
- Labor Organizations
- Payroll Professionals
- Legal Service Organizations
- Immigrant Advocacy Organizations
- College & University Administrators
- Staffing Agencies
- Anyone else who may encounter human resource issues
- Human Resource Professionals
- Business Owners & Managers

## PROGRAM SUMMARY

This seminar is your opportunity to learn the latest developments in employment law and what you should be doing to comply, as well as techniques you can apply in daily human resource management to protect against the possibility of costly litigation. Employment law never stands still. The shift from paper-based record keeping to electronic human resources information systems is triggering a surge of issues that never existed before. Immigration law raises questions that most employers wish they could ignore but cannot afford to, while all the traditional challenges are constantly being re-defined. Regardless of your level of expertise, you will benefit from this seminar. **Register today!**

## SEMINAR AGENDA

- I. Compensation Issues Under FLSA/Wage and Hour**
  - A. Overview of the quirks in the revised FLSA regulations and state wage and hour laws
  - B. Commissions
  - C. Permissible and impermissible deductions
  - D. Payments owed upon termination
  - E. Bonuses
  - F. Other common wage and hour pitfalls
- II. Hot Topics: The Latest Interpretations of Current Employment Law**
  - A. What constitutes sexual harassment
  - B. The treatment of arrest and conviction records
  - C. Potential expansion of retaliation claims
  - D. Employer liability for the acts of non-employees
- III. Coping With Leave Law Updates**
  - A. What constitutes a "serious health condition" under FMLA, ADA, USERRA, workers' compensation laws, and state law
  - B. When do "serious health conditions" count as disabilities
  - C. What constitutes "reasonable accommodation" of such conditions
  - D. What to do when FMLA leave is exhausted and the employee is unable to return to work
  - E. How to deal with frequent and extended National Guard duty
- IV. Negotiating Separation Agreements in Difficult Termination Situations**
  - A. Problem employees
  - B. Reductions in force
  - C. Long-term but ineffective employees
- V. Employment Issues in the Paperless Workplace**
  - A. Legal and practical issues raised by electronic personnel records storage, electronic signatures, online personnel policies, and paperless payroll
  - B. Identity theft protection
  - C. Current best practices regarding employees' use of company computers
  - D. Practical E-discovery issues for employers
- VI. Immigration Compliance and Avoiding Liability**
  - A. I-9 compliance issues/SSN mismatch/eVerification
  - B. Undocumented or improperly documented employees
  - C. Employer liability regarding independent contractors
  - D. Applications, interviews, and personnel policies that minimize risks
  - E. Sponsoring a job applicant for a visa with minimum of contract liability
  - F. Minimize the risk of terminating a non-citizen employee

*Sterling Education Services may alter the agenda due to circumstances beyond our control.*