

FS&K

FLOYD, SKEREN & KELLY, LLP

7th Annual Southern California Employment Law Conference

April 28, 2017

Disneyland Hotel

Co-Hosted By:



Welcome!

On behalf of Floyd, Skeren & Kelly, LLP we are honored to welcome you to our 7th Annual Employment Law Conference. We would like to thank you for your support and participation.

Don't forget to stop by the exhibitor booths and get your "Bingo Card" stamped. Submit your card at the registration desk by 4:00pm today. We will have the drawing at 4:30pm, in the Grand Ballroom.

We sincerely hope this conference will be informative and helpful to you.

In addition, if you have any questions related to employment law or workers' compensation, feel free to contact us or anyone in our employment law/workers' compensation departments. We offer extensive training and consultation, in addition to litigation defense for employment related matters and workers' compensation.

Sincerely,

**John Floyd, Tom Skeren, Amanda Manukian and John Langevin
Senior Partners of Floyd, Skeren & Kelly, LLP**

CONFERENCE SPEAKERS

We would like to thank our 2017 Keynote and Guest Speakers:

Christine Baker, Esq.

Director
California Department of Industrial Relations

Kevin Kish, Esq.

Director
California Department of Fair Employment and Housing

Tina Walker

Regional Administrator
California Department of Fair Employment and Housing

Michael B. Adreani, Esq

Partner
Roxborough, Pomerance, Nye and Adreani

Laura Clifford

Executive Director
Employer's Fraud Task Force

Agnes Hoerberling

Executive Vice President and Chief Operating Officer
Intercare Holdings, Inc.

Shaddi Kamiabipour, Esq.

Deputy District Attorney Insurance Fraud Unit
Orange County District Attorney's Office

James Lodenquai

Human Resources Director
Vallarta Supermarkets

Mark 'RX Professor' Pew

Sr. Vice President
Prium

AGENDA AT A GLANCE

7:30 am – 8:15 am

Registration and Continental Breakfast

Grand Ballroom Foyer

8:15 am – 8:30 am

Opening Remarks

Grand Ballroom

8:30 am – 10:30 am

New Developments at the Department of Fair Employment and Housing and the Impact on California Employers

Grand Ballroom

10:30 am – 10:45 am

Networking Break

Grand Ballroom Foyer

10:45 am – 12:00 pm

New Laws Impacting Work Place Drug Testing- The Good, the Bad and the Unknown

Grand Ballroom

12:00 pm – 1:15 pm

Keynote Lunch: “Update from the California Department of Industrial Relations”

Grand Ballroom South

1:15 pm – 2:45 pm

Break-Out Sessions – Part One

HR Compliance is Complicated – 2017 Update Includes New Legislation, Cases and Key Trends Impacting the Workplace

Grand Ballroom

Reducing the Risk of Costly Disability Discrimination Claims – Recommendations for Employer Best Practices

Grand Ballroom South

Workers’ Compensation Case Law Update

Grand Ballroom North B

Employer’s Fraud Task Force Update

Grand Ballroom North A

2:45 pm – 3:00 pm

Networking Refreshment Break

Grand Ballroom Foyer

3:00 pm – 4:30 pm

Break-Out Sessions – Part Two

Is My Employee Drunk, Sick or Simply Sleeping- Training Managers on ‘Reasonable Suspicion’ Based Drug Testing

Grand Ballroom

Post Brinker-Costly Class Actions For Meal And Rest Period Violations Continue - Key Strategies For Avoiding Liability

Grand Ballroom North B

2017 Hot Topics in Workers’ Compensation

Grand Ballroom North A

Defending Good Faith Personnel Actions and Post-Termination Workers’ Compensation Claims

Grand Ballroom South

4:30 pm – 4:45 pm

Closing Remarks/Raffle

Grand Ballroom



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AGENDA

7:30 am - 8:15 am

Registration and Continental Breakfast
Grand Ballroom Foyer

8:15 am - 8:30 am

Opening Remarks
Grand Ballroom

8:30 am - 10:30 am

New Developments at the Department of Fair Employment and Housing and the Impact on California Employers

- Latest information on proposed background check regulations and the Impact on employer practices and policies (including discussion on employer liability for “adverse impact”, employee notification requirements, exempt positions, establishing job-relatedness and business necessity);
- Protections for transgender employees, proposed regulations and employer policies (including key definitions, compliant working conditions, compliant bathroom facilities, dress and grooming standards, gender vs. legal name, and the BFOQ defense);
- New requirements for “Anti-Discrimination, Harassment & Retaliation Policies” (including complaint process and scope of investigations);
- New requirements for AB 1825 Sexual Harassment Training (including new trainer qualifications);
- “California Trafficking Victims Protection Act”—What All Employers Need to Know;
- The DFEH’S New Role In Enforcement of the “California Trafficking Victims Protection Act”.

KEYNOTE SPEAKERS

Kevin Kish (Director) CA Department of Fair Employment and Housing

Tina Walker (Regional Administrator) CA Department of Fair Employment and Housing

10:30 am - 10:45 am

Networking Break
Grand Ballroom Foyer

10:45 am - 12:00 pm

New Laws Impacting Work Place Drug Testing The Good, the Bad and the Unknown

- Proposition 64- legalized marijuana in California- What does it mean for employers?
- Overview of the “Control, Regulate and Tax Adult Use of Marijuana Act” (Prop 64);
- Employer accommodation of “medicinal” marijuana use (i.e. smoking while on a break)—Is it required now?
- Overview of California’s “Compassionate Use Act”;
- Impact of the California’s Supreme Court’s decision in *Ross v. Raging Wire*;
- Impact of the federal “Controlled Substances Act of 1970 (CSA)”;
- What is a “Schedule 1” substance under the CSA and why it matters;
- Post-accident drug testing - the latest developments;
- Tips on employer practices in light of Prop 64.

SPEAKERS

Mark ‘RX Professor’ Pew (Sr. VP) PRIUM
Bernadette O’Brien, Esq., SPHR, SHRM-SCP
(Partner)

Floyd, Skeren & Kelly, LLP

Troy Slaten, Esq. (Partner)

Floyd, Skeren & Kelly, LLP

12:00 pm - 1:15 pm

Lunch Break
Grand Ballroom South

Keynote Lunch Presentation: “The State of Workers’ Compensation in California”

KEYNOTE SPEAKER

Christine Baker (Director) CA Department of Industrial Relations

1:15 pm - 2:45 pm

Break-Out Sessions – Part One

HR Compliance is Complicated – 2017 Update Includes New Legislation, Cases and Key Trends Impacting the Workplace

- Tips on the new I-9 Form;
- Background checks (including Los Angeles “Ban the Box legislation”);
- Pre-employment drug testing;
- Fair Pay Act Expansion;
- Minimum wage increases;
- Update on Paid Sick Leave law;
- Leaves of absences (FMLA/CFRA/PDL);
- Challenges of extended leaves;
- Managing the “always absent” employee;
- Workplace romances;
- Workplace drug testing policies;
- Managing disability-interactive process, accommodation and medical certification;
- Accommodation of pregnant employees;
- Wellness programs;
- Latest on Fiduciary Rule for Retirement Advisors;
- A review of the “Top 5 HR Forms”;
- Key cases and pending 2017 legislation.

SPEAKERS

Bernadette O’Brien, Esq., SPHR, SHRM-SCP (Partner) Floyd, Skeren & Kelly, LLP
Renee Sherman (HR Administrator) Floyd, Skeren & Kelly, LLP
James Lodenquai (HR Director) Vallarta Supermarkets

Reducing the Risk of Costly Disability Discrimination Claims – Recommendations for Employer Best Practices

- Case law and legislative update;
- Strategies for preventing workers’ compensation cases from evolving into costly FEHA lawsuits;
- Best practices for complying with FEHA in workers’ compensation cases;
- What to expect (and do) if a work case becomes a FEHA disability discrimination lawsuit;
- What are an employer’s interactive process obligations in workers’ compensation cases?
- What accommodations are required?
- Multiple medical opinions on restrictions- which one may an employer rely on?

SPEAKERS

Eric E. Ostling, Esq. (Partner) Floyd, Skeren & Kelly, LLP
John B. Floyd, Esq. (Sr. Partner) Floyd, Skeren & Kelly, LLP
Dona Lee Skeren, Esq. (Partner) Floyd, Skeren & Kelly, LLP

Workers’ Compensation Case Law Update

- Case law update, statutory changes;
- Venue dispute and notice considerations;
- Significant time sensitive issues;
- Practical guidance.

SPEAKERS

Christina A. Hindman, Esq. (Managing Attorney) Floyd, Skeren & Kelly, LLP
Justin Bechen, Esq., Floyd, Skeren & Kelly, LLP
Kalani Lopez, Esq., Floyd, Skeren & Kelly, LLP

Employer’s Fraud Task Force Update: Current Trends in Workers’ Compensation Fraud from the Front Lines

SPEAKERS

Shaddi Kamiabipour, Esq. (Deputy District Attorney) Orange County D.A.’s Office, Insurance Fraud Unit
Moderator: Laura Clifford (Executive Director) Employer’s Fraud Task Force

2:45 pm - 3:00 pm

Networking Refreshment Break

Grand Ballroom Foyer

3:00 pm - 4:30 pm

Break-Out Sessions – Part Two

Post Brinker-Costly Class Actions For Meal And Rest Period Violations Continue - Key Strategies For Avoiding Liability

- Requirements for a compliant meal and rest period policy;
- Review of the “Brinker” decision and recent cases;
- “Premium pay” and why failure to pay adds up to significant damages;
- Best practices for documenting meal and rest periods; Discussion on why rest period violations are as serious as meal period violations;
- First meal period requirements; Pitfalls of the second meal period;
- Permissible scope of on-duty meal periods;
- An overview of meal period waiver requirements; and
- Value of wage and hour class action settlements.

SPEAKERS

Michael B. Adreani, Esq. (Partner)
Roxborough, Pomerance, Nye and Adreani
Bernadette O’Brien, Esq., SPHR, SHRM-SCP
(Partner) Floyd, Skeren & Kelly, LLP
Eric E. Ostling, Esq. (Partner)
Floyd, Skeren & Kelly, LLP

Is My Employee Drunk, Sick or Simply Sleeping- Training Managers on ‘Reasonable Suspicion’ Based Drug Testing

- Key criteria for reasonable suspicion based testing;
- Recommended training for managers and supervisors on reasonable suspicion;
- Workplace policies on substance abuse;
- Post-accident drug testing

SPEAKERS

Troy Slaten, Esq. (Partner)
Floyd, Skeren & Kelly, LLP
John B. Floyd, Esq. (Sr. Partner)
Floyd, Skeren & Kelly, LLP
Robert Dudley, Esq., Floyd, Skeren & Kelly, LLP

Defending Good Faith Personnel Actions and Post-Termination Workers’ Compensation Claims

- A comparison of managing injury claims of a current employee and a terminated employee;
- Practical workplace strategies, including timely and proper documentation of performance issues;
- Legal strategies;
- Insight on the challenges of post-termination claims following personnel actions;
- Review of the post-termination defense [Labor Code section 3600(a)(10)];
- Exceptions to the post-termination defense.

SPEAKERS

Amanda A. Manukian, Esq. (Sr. Partner)
Floyd, Skeren & Kelly, LLP
Armen Yedalyan, Esq., Floyd, Skeren & Kelly, LLP

2017 Hot Topics in Workers’ Compensation

- MTUS chronic pain and opioid guidelines;
- Medical care and MPN issues;
- TD, PD –Apportionment;
- PQME, UR, IMR and IBR Process;
- Workers’ compensation fraud prosecutions;
- Claimant, employer and provider fraud;
- Pay and Chase – Fraud Recovery Efforts;
- Gouging – Medical necessity;
- Spinal Hardware Pass-Through;

- Big PhRMA;
- MSAs;
- The impact of undocumented status on workers' compensation claims;
- The challenges of requiring resignations with Compromise & Releases.

..... 4:30 pm - 4:45 pm

Closing Remarks/Raffle
Grand Ballroom

SPEAKERS

Agnes Hoerberling (Ex. VP and COO) Intercare

Sue Honor-Vangerov, Esq.,

Floyd, Skeren & Kelly, LLP

Jeffrey Slomann, Esq., (Managing Attorney)

Floyd, Skeren & Kelly, LLP

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KEYNOTE SPEAKERS

KEVIN KISH, Esq., Director, California Department of Fair Employment and Housing

Kevin Kish, a noted civil rights attorney, was appointed by Governor Edmund G. Brown Jr. on December 29, 2014 to be director of California's Department of Fair Employment and Housing (DFEH), the largest state civil rights agency in the nation. Kish was previously with Bet Tzedek Legal Services in Los Angeles, one of the nation's premier public interest law firms. As director of the firm's Employment Rights Project, Kish led the firm's employment litigation, policy, and outreach initiatives. His cases focused on combating violations of minimum labor standards in low-wage industries and human trafficking for forced labor. He led trial and appellate teams in employment and trafficking suits, including prevailing in the first civil case to reach a jury verdict under the California Trafficking Victims Protection Act.

A graduate of Yale Law School, Kish developed and teaches an employment law clinic at Loyola Law School and frequently speaks on issues related to poverty, employment, human trafficking and human rights.

TINA WALKER, Regional Administrator for the Department of Fair Employment and Housing (DFEH) (So. Cal. Region)

Tina Walker is the Regional Administrator for the Department of Fair Employment and Housing (DFEH) Los Angeles Regional Office. The DFEH is the largest state agency in the country charged with enforcing civil rights laws. Ms. Walker has worked for the DFEH since 1999 and started her career as a Consultant, was subsequently promoted to Supervisor, District Administrator, and ultimately to her current position as a Regional Administrator. Ms. Walker has oversight of the DFEH offices located in Southern California. Ms. Walker represents the DFEH in all aspects of its operations with the public, legislators, and other stakeholders. Most recently, as part of the DFEH's strategic plan, Ms. Walker is charged with developing and implementing new policy and procedures in specialized investigative work. Ms. Walker has received numerous DFEH Director's Awards for excellence in leadership, management, program development, and implementation.

Ms. Walker serves as liaison with their federal partner, the Equal Employment Opportunity Commission (EEOC), in relation to the work-share agreement between the two agencies. Ms. Walker serves as an advisor to the Employment Round Table Southern California (ERTSC). Ms. Walker is a member of the San Bernardino division of the National Association for the Advancement of Colored People (NAACP). Ms. Walker has a Bachelor's degree in Business Administration.

CHRISTINE BAKER, Director, California Department of Industrial Relations

Christine Baker is the first woman to serve as Director of the Department of Industrial Relations (DIR).

Ms. Baker is renowned for innovative targeting in fighting fraud and the underground economy. Her experience comes from working with labor and management as chief of the Division of Labor Statistics and Research (1984-89), the deputy director for the Division of Workers' Compensation (1990-94), and the executive officer of the California Commission on Health and Safety and Workers' Compensation from its inception in 1994 until April 2011. During her tenure as executive officer, the commission's role expanded to overseeing the health, safety and workers' compensation systems in California and recommending administrative and legislative changes for improvement. In April 2011, Ms. Baker was named acting director of DIR and was appointed director by Gov. Brown in December. The Senate Rules Committee voted unanimously to confirm her appointment in May 2012.

As director, Ms. Baker serves as the state administrator of Apprenticeship, the administrator of the state OSHA Plan, an ex officio member of the California Self-Insurers' Security Fund and an ex officio member of the State Fund board of directors.

Ms. Baker is president-elect of the International Association of Industrial Accident Boards & Commissions (IAIABC), and has chaired the California Insurance Commissioner's Workers' Compensation Fraud Focus Group and the advisory committee of the International Forum on Disability Management.

Ms. Baker is the recipient of numerous awards. Small Business California recognized Ms. Baker as

one of its 2008 Small Business Heroes. In 2012, she received the Human Rights Award from the League of United Latin American Citizens.

The Department of Industrial Relations, which Ms. Baker now heads, improves working conditions for California's wage earners, and advances opportunities for profitable employment. DIR divisions include Cal/OSHA, the Labor Commissioner's Office, the Division of Workers' Compensation, the Division of Apprenticeship Standards and six boards, commissions and programs. DIR is a department within the California Labor & Workforce Development Agency.

Ms. Baker earned a master's degree and Ph.D. candidacy at the School of Education, University of California, Berkeley. She resides in Berkeley.

SPEAKERS

MICHAEL B. ADREANI, Esq.

Michael B. Adreani specializes in the areas of bad faith litigation, class actions, wage and hour laws, civil appeals, insurance regulation, administrative actions and appeals, employer liability and legislative action. He has been a Chairperson of the Southern California Employment Law and Human Resources Forum the past several years.

Mr. Adreani represents employers, brokers, public entities, school districts, trade organizations, reinsurers, sureties and individuals in a wide variety of insurance related matters with an emphasis on risk management, coverage and workers' compensation cost containment. Mr. Adreani also represents both employers and employees in prosecuting and defending against various wage and hour matters.

Prior to joining RPNA in 1997, Mr. Adreani gained valuable experience in insurance related issues while working at the California Department of Insurance, legal division, in San Francisco, and with the in-house legal team at Hannover Re, one of the world's largest reinsurers located in Hannover, Germany.

Mr. Adreani also served as a legal extern in the Eastern District of California, and worked in the international division of The Coop Bank in Basel, Switzerland.

ROBERT A. DUDLEY, Esq.

Robert Dudley is an attorney with Law Office of Floyd, Skeren & Kelly, LLP's Beverly Hills office. Mr. Dudley holds a Juris Doctor (cum laude) degree from Pepperdine University School of Law where he was awarded the Order of Barristers. He also holds a Masters of Public Policy degree (emphasis in economics) from Pepperdine's School of Public Policy and a Bachelor of Arts degree from Washington University in St. Louis (dual majors: economics and Spanish). During law school, Mr. Dudley was a member of two national championship moot court teams that took top honors at the Chicago Bar Association and the University of North Carolina School of Law moot court competitions. Mr. Dudley completed an externship with the Honorable Anthony J. Mohr in the Complex Litigation Division of the Los Angeles County Superior Court, where he worked on a variety of complex civil matters involving corporate, insurance, and employment law. Prior to joining Floyd, Skeren & Kelly, LLP, Mr. Dudley was a law clerk at the Law Office of Joel Koury where he assigned to capital murder, DUI, federal RICO, and drug trafficking cases. While completing his joint law and public policy studies, Mr. Dudley performed legal and policy research on juvenile sentencing for Human Rights Watch in Los Angeles. He is fluent in Spanish (written and verbal).

JOHN B. FLOYD, Esq.

John B. Floyd established the Law Offices of Floyd, Skeren & Kelly, LLP in 1987. Since then, the firm has expanded to 12 offices throughout California. Mr. Floyd is a Certified Specialist in and has devoted many years to the workers' compensation field representing insurance companies, self-insureds, municipalities and employers in §132(a) claims and serious and willful actions. He has served as an Arbitrator, Mediator, and Judge Pro Tem, as well as being an expert witness in bad faith claims and is a Certified Administrator for Self-Insurers. Mr. Floyd is involved in numerous committees, including California Chamber of Commerce Amicus Committee, State Bar Workers' Compensation Executive Committee and the Employers' Fraud Task Force. Mr. Floyd is nationally recognized, AV Rated by Martindale-Hubbell and has been recognized as a California Super Lawyer since 2009. He is a member of the California Association of Joint Powers Authorities (CAJPA). Mr. Floyd is co-author with Retired Judge David W. O'Brien writing and maintaining the treatise California Workers'

Compensation Claims and Benefits, California Unemployment and Disability Compensation Programs and the pamphlet California Workers' Compensation Insurance Employee Rights and Responsibilities.

AGNES HOEBERLING, Executive Vice President and Chief Operating Officer, Intercare Holdings, Inc.

Agnes Hoerberling has a distinguished record of over 33 years of success and achievement in the insurance industry. She joined Intercare in November 2005, as Chief Operating Officer. Ms. Hoerberling holds a Bachelor of Science degree in Accounting and is licensed as a General Adjuster in several states. She holds certification in WCCA, WCCP and OSIP.

She has extensive operational experience managing multi-line claims administration including Workers' Compensation, Personal Disability, General Liability and USL&H as well as managing Bill Review, Case Management, Utilization Review and Special Investigation Units.

As Chief Operating Officer, Ms. Hoerberling is responsible for InterMed's overall operational results focusing on client satisfaction, regulatory compliance, compliance with carrier & client guidelines and financial stability.

Ms. Hoerberling has extensive leadership affiliations with both medium-sized and large national third party administrators. As an active participant and contributor to the insurance community, Ms. Hoerberling often participates in conferences and conventions as a moderator or speaker.

SHADDI KAMIABIPOUR, Esq., Deputy District Attorney, Insurance Fraud Unit, Orange County DA's Office

Shaddi Kamiabipour has worked for the County of Orange for over 20 years. In October of 2009, she was assigned to the Insurance Fraud Unit. Shortly thereafter, she successfully tried and convicted Michael Petronella for committing workers' compensation premium fraud in a multi-million dollar loss case. Petronella was sentenced to 10 years in state prison, his conviction was affirmed and the case resulted in a published decision by the appellate court. Ms. Kamiabipour has since developed a specialty in prosecuting medical providers who were involved in multi-million

dollar fraud schemes. Some examples include People v. Sim Hoffman et al. (MRI/Sleep Study/Nerve Test/Interpretation Scheme), People v. Jeff Campau et. al (DME scheme/MRI) and People v. Kareem Ahmed et. al. (Pharmaceutical product/kickback scheme). Ms. Kamiabipour's candid and practical approach to her job has made her a very popular speaker. Over the years, Ms. Kamiabipour has been invited to make numerous presentations on various topics involving workers compensation insurance fraud including prosecuting applicant fraud, premium fraud, insider fraud and medical provider fraud cases.

JAMES LODENQUAI, Human Resource Director, Vallarta Supermarkets

James Lodenquai has been the Human Resource Director for Vallarta Supermarkets since 2001. As HR Director he is responsible for creating and implementing policies and procedures, he participates and manages all aspects of the employees work life from onboarding through terminations. Mr. Lodenquai guides the organization's Senior Management Team with his expertise in relevant/current legislative and legal issues. During his career, Mr. Lodenquai has defeated Union Certification at retail stores, successfully dealt with Homeland Security audits, provided key support and vital information for multiple lawsuits, including Class Actions for wage and hour, meal period/rest periods, as well as workers' compensation, property liability and various other employment related lawsuits. He deals with all OSHA investigations, including those regarding workplace injuries. And amongst all of these duties, he has organized and participated in "Grand Openings" of various stores.

AMANDA A. MANUKIAN, Esq.

Amanda A. Manukian is a Partner in the Law Office of Floyd, Skeren & Kelly, LLP and has been with the firm since 2003. Ms. Manukian is the managing attorney of the Special Investigations Unit (SIU). She served as the Fraud Liaison with State Compensation from 2002 to 2003. Prior to her time with State Compensation Insurance Fund (SCIF), she worked with the Los Angeles District Attorney's Office from 1998 to 2002. She began her tenure as a law clerk in the Appeals and Writs Division, SIU working on Appellate Briefs going before California Appellate Courts. She moved to certified senior law clerk conducting preliminary Hearings and co-chairing misdemeanor trials

at Central Trial in Downtown Los Angeles. She finished her tenure with the District Attorney's Office as an attorney co-chairing in death penalty evidentiary hearings and assisting in appellate work defending various fraud convictions.

BERNADETTE M. O'BRIEN, Esq., SPHR, SHRM-SCP

Bernadette M. O'Brien is a Partner and the Managing Attorney at Floyd, Skeren & Kelly, LLP's employment law department; a Senior Professional in Human Resources (SPHR); and a SHRM Senior Certified Professional (SHRM-SCP). Ms. O'Brien provides advice and counsel to employers, human resource administrators, risk managers and claims adjusters on numerous workplace topics including policy development and implementation; employee discipline/workplace investigations; the prevention of workplace claims for discrimination, harassment, retaliation, and/or wrongful termination; wage and hour compliance; the crossover issues related to workers' compensation and the Family and Medical Leave Act/Americans with Disabilities Act. Ms. O'Brien also conducts Human Resource Training and Development sessions throughout California. Ms. O'Brien is author of the popular LexisNexis publication Labor and Employment in California: A Guide to Employment Laws, Regulations and Practices and co-author of the treatise California Unemployment Insurance and Disability Compensation Programs. The treatise is the definitive work on California unemployment insurance and disability laws. Ms. O'Brien is a frequent contributor to, and reporter for, the LexisNexis employment law newsletter Bender's California Labor & Employment Bulletin. Ms. O'Brien is editor of Floyd, Skeren & Kelly, LLP's employment related websites Employment Law Weekly (www.employmentlawweekly.com) and Work Law Report (www.worklawreport.com). These websites address and comment on the latest court cases and legislation related to employment law. She has been a speaker on a variety of employment law topics for numerous organizations including CalPelra, PIHRA, CWC, Ag-Safe, EAC, Northern California Workers' Comp Forum, Intercare, National Interstate Insurance, and the Employer's Fraud Task Force.

ERIC E. OSTLING, Esq.

Eric E. Ostling is a Partner and Managing Attorney of the Sacramento office of Law Offices of Floyd, Skeren & Kelly. Mr. Ostling earned his

undergraduate degree from the University of California, Davis, before attending the University of the Pacific, McGeorge School of Law, where he earned his Juris Doctorate degree. Continuing his education after his Juris Doctorate degree, Mr. Ostling obtained his Masters in Law and Taxation degree from the University of the Pacific. Prior to joining the Law Offices of Floyd, Skeren & Kelly, LLP in 2007, Mr. Ostling spent twenty years litigating civil law and workers' compensation issues before Federal District Courts, California Superior Courts, and Workers' Compensation Appeals Boards (WCAB). Mr. Ostling brings a breadth and depth of knowledge on employment, subrogation, and risk-related civil litigation and workers comp matters. Mr. Ostling represents companies, employers, insurance entities, self-insured entities and third party administrators before the WCAB on standard workers' compensation defense, §132(a) discrimination claims and serious and willful misconduct allegations. Mr. Ostling represents clients in state court civil proceedings including subrogation and other civil litigation. Mr. Ostling's articles have been published in the Pacific Law Journal.

**MARK 'RX Professor' PEW,
Senior Vice President, PRIUM**

Mark Pew is Senior Vice President at PRIUM with more than 35 years of experience in the property and casualty, healthcare, and technology industries. He created PRIUM's Medical Intervention Program in 2003, Intervention Triage in 2010, Texas Drug Formulary turnkey solution in 2011, Centers with Standards in 2012, and TaperRx in 2014. From 2012 thru 2015, Mr. Pew presented educational content 262 times to 15,512 people in 38 states, including nine national webinars. He serves on the Medical Issues Committee of the International Association of Industrial Accident Boards and Commissions (IAIABC), the Workers' Compensation Committee for the Self-Insurance Institute of America (SIIA) and the Medical/Rehab Committee for the Southern Association of Workers' Compensation Administrators (SAWCA). Mr. Pew is a popular speaker at workers' compensation conferences around the country as well as local and regional continuing education venues. A frequent media source for stories on pharmacy and marijuana in workers' compensation, Mr. Pew writes articles for several publications. He can be found at linkedin or on Twitter (@RxProfessor).

RENEE SHERMAN, H.R. Administrator

Renee Sherman is the Human Resources Administrator for Law offices of Floyd, Skeren & Kelly, LLP. Her HR and law related background spans three decades working in civil litigation, workers' compensation, and employment law. In 1991, she joined Floyd, Skeren & Kelly, LLP as the assistant to the managing partner. Ms. Sherman became the staff manager in 2005, and then Human Resources Administrator in 2009. In this role, she oversees and directs the firm's Human Resources Department, which is responsible for a large workforce located throughout California. She executes daily HR operations and functions for the firm, including recruiting, hiring, benefit administration, disability management, leave coordination and performance/disciplinary management.

DONA LEE SKEREN, Esq.

Dona Lee Skeren is a partner and the Assistant Managing Attorney of Floyd, Skeren & Kelly LLP's employment law department. She provides advice and counsel to employers on a variety of employment related matters ranging from discrimination, harassment and/or retaliation to general human resources matters such as employee handbook development and employer notice obligations under federal and state law. Ms. Skeren's counsels employers in understanding the return-to-work cross-over issues related to federal and state leave laws, more specifically, the nuances associated with California workers' compensation laws and the FEHA/ADA/ADAAA disability discrimination laws. She conducts employment law related seminars and training sessions throughout California and is co-editor of the websites Employment Law Weekly (www.employmentlawweekly.com) and The Employment Law Academy (www.employmentlawacademy.com). After finishing her undergraduate education at California State University, Fullerton, Ms. Skeren obtained her Juris Doctorate degree at Golden Gate University School of Law, where she was law review, received several academic awards, and spent a summer term as a law clerk for an Administrative Law Judge at the Fair Employment and Housing Commission, in San Francisco, California. In 1995 Ms. Skeren began her career with the Floyd, Skeren & Kelly, LLP, representing employers, insurance entities, and third party administrators in workers' compensation matters, including standard defense of claims, 132a

discrimination allegations, serious and willful allegations and all other employment related issues. She assisted in the editing and publication of Judge David W. O'Brien's California Workers' Compensation Claims and Benefits Handbook and his unemployment insurance treatise.

TROY W. SLATEN, Esq. (Master of Ceremonies)

Troy Slaten is a Partner with the Law Offices of Floyd, Skeren, & Kelly, LLP. He the managing attorney of the firm's Beverly Hills criminal defense practice. Mr. Slaten earned his bachelor's degree with honors, in English literature from the University of California, Los Angeles (UCLA). He went on to earn his Juris Doctorate at Pepperdine University School of Law. While in law school, Mr. Slaten actively participated on the honors trial team winning awards at various trial competitions. Before private practice in criminal defense, Mr. Slaten began his legal career as a trial attorney for the Los Angeles County District Attorney's office. At the DA's office, he prosecuted various felonies and misdemeanors ranging from complex fraud cases to drug, theft, and sex cases. Mr. Slaten is certified to administer and evaluate Field Sobriety Tests (FSTs) by the International Association of Chiefs of Police (IACP) and the National Highway Transportation Safety Administration (NHTSA). He is certified on the Alcosensor Preliminary Alcohol Screening (PAS) device commonly used in DUI investigations. He regularly attends seminars and lectures on criminal defense and DUI defense. He is a member of the National Association of Criminal Defense Attorneys, National College of DUI Defense, California DUI Lawyers Association, California Attorneys for Criminal Justice, Criminal Courts Bar Association, Beverly Hills Bar Association, Los Angeles Bar Association, and the American Bar Association.

JEFFREY R. SLOMANN, Esq.

Jeffrey R. Slomann is the Managing Attorney of our Orange County office. He obtained his undergraduate degree in Political Science from the University of California, Berkeley and his Juris Doctorate from Chapman University. While attending Law School, Mr. Slomann commenced Graduate School at Claremont Graduate University, where he received a Master of Science in Human Resources Design. Respected by both the Applicants' Bar and the Judiciary for his aggressive but fair approach to litigation, he is known for taking questionable claims to Trial, rather than

settling. His diverse range of clients have included multiple third party administrators and insurance companies whose employers include hotels, manufacturers, rental car agencies, the personnel and temporary employment industry, restaurants, automobile and truck dealerships, utilities, cities, school districts and other public entities. Mr. Slomann's practice has been exclusively limited to workers' compensation defense since 1999. As soon as he was eligible, he became recognized as a Certified Specialist in Workers' Compensation by The State Bar of California.

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Principal Office

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Camarillo, California 93010

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Sacramento, California 95833

Ph: (916) 920-1100 • Fx: (916) 920-1150

BEVERLY HILLS

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Beverly Hills, California 90211

Ph: (310) 824-8896 • Fx: (310) 824-1237