



8:00 am – 8:20 am

Registration and Continental Breakfast

8:20 am – 8:30 am

Opening Remarks / Welcome

*Bernadette M. O'Brien, Esq., SPHR, Partner at Floyd Skeren Manukian Langevin, LLP,
Amanda A. Manukain, Esq., SPHR, Senior Partner at Floyd Skeren Manukian Langevin, LLP and
Alden J. Parker, Esq., Sacramento Regional Managing Partner at Fisher Phillips*

8:30 am – 9:30 am | Disneyland South Exhibit Hall

**Key Strategies for Preventing Workplace Harassment and Complying
With Law: An Update from the Department of Fair Employment and Housing**

*Tina Walker, Assistant Deputy Director of Employment at the Department of Fair
Employment and Housing (DFEH) and Branden Butler, Esq., Senior Attorney at the DFEH*

Topic Overview: Learn from the experts about this important work place topic as Ms. Walker and Mr. Butler discuss the legal definition of harassment; training requirements for all employers with 5 or more employees under the new law (SB 1343); how to respond to and investigate harassment complaints; and, key strategies for preventing workplace harassment to ensure compliance with the law and maintain a positive work environment. Ms. Walker and Mr. Butler will also review helpful employer resources offered by the DFEH for providing the required harassment training to employees pursuant to SB 1343.

9:30 am – 10:45 am | Disneyland South Exhibit Hall

**Hi Ho, Hi Ho, It's Off to Court We Go:
Seven Habits of Frequently Sued Employers**

*Bernadette M. O'Brien, Esq., SPHR, Partner at Floyd Skeren Manukian Langevin, LLP
and Alden J. Parker, Esq., Sacramento Regional Managing Partner at Fisher Phillips*

Topic Overview: Employers continue to face costly employment related litigation. This presentation will review the "Seven Habits" of frequently sued employers: (1) Misclassification of workers as independent contractors (especially in light of Dynamex), or as exempt from overtime; (2) Meal and rest breaks are not provided as required; (3) Failure to accommodate disabled employees and conduct the interactive process when required; (4) Leaves of absence (family and medical leave, pregnancy leave, sick time) are not provided when required; (5) Lack of oversight for payroll and HR software providers; (6) Outdated employee handbooks; (7) Termination of employees without proper assessment and documentation.

10:45 am – 11:00 am

Morning Break

September 13, 2019 | Disneyland Hotel | 1150 West Magic Way | Anaheim, CA 90802

8TH ANNUAL EMPLOYMENT LAW CONFERENCE 2019

11:00 am – 12:00 pm | Disneyland South Exhibit Hall
The Mad Hatters Tea Party: California Legislature's View of Employers as We Move Toward 2020

Todd Sherwin, Esq., Los Angeles Regional Managing Partner at Fisher Phillips

Topic Overview: This presentation will provide a look at the California Legislature's view of employers as 2020 approaches, and an overview of the new and anticipated legislation impacting the workplace for 2020, including legislation related to leaves of absence; wildfires; sexual harassment; penalties for wage violations; drug screening and medical marijuana use; consumer notification of data breaches; and, presumptions that certain diseases and injuries are caused by the workplace.

12:00 pm – 1:00 pm | Magic Kingdom Ball Room
Lunch

1:00 pm – 2:15 pm | See posted room assignments

Break Out Session Part One

**Did Captain Hook Lose His Hand in a Workers' Compensation Accident?:
Key Tips for Preventing, Defending, and Resolving Post-Termination Work Comp Claims**

*John B. Floyd, Esq., Senior Partner at Floyd Skeren Manukian Langevin, LLP
and Amanda A. Manukian, Esq., Senior Partner at Floyd Skeren Manukian Langevin, LLP*

Topic Overview: Post-termination claims continue to challenge employers. Such claims are costly and can result in increased work comp costs. This presentation will cover a review of how the courts have defined post-termination work comp claims, the latest cases impacting post-termination work comp claims, strategies for preventing such claims, and key tips on defending such claims.

**Entering the World of Yesterday, Tomorrow, and Fantasy: Artificial Intelligence
and the Impact it Will Have on the Workplace**

Christopher Hoffman, Esq., San Diego Regional Managing Partner at Fisher Phillips

Topic Overview: As 2020 approaches, AI and automation are radically changing the workplace and human resource management. This presentation will provide guidance for employers on AI and its potential impact on many facets of the workplace, including talent acquisition, pay equity, Chatbots, litigation strategy, along with the legal pitfalls of AI in the workplace.

**Does Cruella De Vil Just Need a Stress Leave?:
The Latest Developments In FMLA/CFRA/PDL/PSL**

*Bernadette M. O'Brien, Esq., SPHR, Partner at Floyd Skeren Manukian Langevin, LLP
and James Lodenquai, Human Resources Director for Vallarta Supermarkets*

Topic Overview: This presentation will cover the latest cases and legislation impacting family and medical leave, pregnancy disability leave, and paid sick leave, including a proposal under federal law to require paid parental leave, and the current status of a proposed bill that expands the scope of the California Family Rights Act to require employers with 5 or more employees (current law is 50 or more) to provide eligible employees with up to 12 weeks of unpaid leave for family care and medical leave if an employee has 180 days of service with the employer. If passed, this bill will significantly increase the obligations of all California employers with 5 or more employees to provide family and medical leave.

8TH ANNUAL EMPLOYMENT LAW CONFERENCE 2019

I See Heffalumps and Woozles: Navigating Medical Marijuana in the Workplace – Must an Injured Worker's Use be Accommodated?

*Danielle Hultenius Moore, Esq., Partner at Fisher Phillips and
Troy W. Slaten, Esq., Partner at Floyd Skeren Manukian Langevin, LLP*

Topic Overview: This presentation will provide an update for California employers on the current status of medical marijuana in the workplace, including a discussion of whether employers must accommodate the use of medical marijuana prescribed for an employee with a disability, and a review of proposed legislation, AB 882, which would prohibit an employer, regardless of the number of employees, from terminating an employee for testing positive for a drug that is being used as a medical-assisted treatment, prescribed by a physician or licensed treatment program.

2:15 pm – 2:30 pm

Afternoon Break

2:30 pm – 3:45 pm | See posted room assignments

Break Out Session Part Two

The Hazards of Geppetto's Workshop: Employer Rights and Strategies that OSHA Does Not Want You to Know

Colin Calvert, Esq., Partner at Fisher Phillips

Topic Overview: Mr. Parker will share real-world experiences and provide you with critical information about employer rights and best practices during an investigation. OSHA investigations are extremely time sensitive, emotional, and confusing – Mr. Parker will not only review the fundamentals of responding to an OSHA investigation, but will teach you how to appropriately respond to OSHA inquiries in a manner that may limit additional liability. The presentation will also discuss all phases of an OSHA inspection and provide tips on how to best manage each phase. Provided materials will include a case flow chart and an employer's checklist.

Ariel Needs a Watch: 5 Key Tips for Managing Excessive Absenteeism – Without Violating the Law

*Bernadette M. O'Brien, Esq., SPHR, Partner at Floyd Skeren Manukian Langevin, LLP
and James Lodenquai, Human Resources Director for Vallarta Supermarkets*

Topic Overview: Excessive absenteeism by employees is one of the most significant challenges faced by employers, human resource administrators and risk managers, especially because such absences may be protected by law (e.g. family and medical leave, disability related leave, pregnancy leave, or paid sick leave). Therefore, before an employer decides to terminate an employee due to excessive absenteeism the employer must understand the laws that protect and excuse absences, and alternatively understand the definition of an unexcused absence so that appropriate disciplinary measures can be taken. This presentation will cover key cases and laws that protect absences; extended medical leaves; leave as an accommodation under the Fair Employment and Housing Act; and recommendations for employee discipline related to unexcused absences.

8TH ANNUAL EMPLOYMENT LAW CONFERENCE 2019

Did Scrooge McDuck's Employees Have I-9s?: Important Developments in Immigration Compliance and the Workplace

Jocelyn Campanaro, Esq., Partner at Fisher Phillips
and Jeffrey Rodriguez, Public Affairs Specialist, Social Security Administration

Topic Overview: This presentation will cover the latest developments in immigration law and trends impacting the workplace including a review of pertinent legislation such as California's "Immigrant Worker Protection Act"; a discussion on the Social Security Administration's substantial increase in the number of "No-Match" letters being sent to employers, and do's and don'ts for employers in responding to such letters; and guidance for employers on the increasing number of Form I-9 audit notices being issued by the U.S. Immigration and Customs Enforcement (ICE).

Working For Maleficent: How Work Comp Claims Are Creating Employment Law Liability – What Employers Need to Know

John B. Floyd, Esq., Senior Partner at Floyd Skeren Manukian Langevin, LLP
and Todd T. Kelly, Esq., Attorney at Floyd Skeren Manukian Langevin, LLP

Topic Overview: Increasingly applicant attorneys are filing employment related claims along with the underlying work comp claim, such as harassment claims that form the basis for psych claims, and wage hour claims. This presentation will review key strategies for preventing and resolving employment law claims that are filed as part of a work comp claim, including global settlements obtained as part of a Compromise & Release.

3:45 pm – 4:45 pm | Disneyland South Exhibit Hall

Closing Session

Cinderella Had A Great Meal and Rest Case Against Her Stepmother: What All Employers Must Understand About the Risk of Wage and Hour Lawsuits

Bernadette M. O'Brien, Esq., SPHR, Partner at Floyd Skeren Manukian Langevin, LLP
and Alden J. Parker, Esq., Sacramento Regional Managing Partner at Fisher Phillips

Topic Overview: Post-Brinker, meal and rest period PAGA and class action claims continue to skyrocket, resulting in multi-million dollar settlements and judgments against California employers. All employers are at risk, but employers with 100 or more employees are particularly at risk due to the size of their workforce and amount of damages. Unfortunately for employers, compliance with the law does not always prevent costly litigation. This presentation will cover key strategies for preventing and defending such claims, which all employers must understand and implement.

4:45 pm – 6:00 pm | Magic Kingdom Lawn

Mad Hatter Cocktail Party

KEYNOTE GUEST SPEAKERS



Tina Walker

Assistant Deputy Director of Employment at the California Department of Fair Employment and Housing

Ms. Walker has worked for the DFEH since 1999 and represents the DFEH in all aspects of its operations with the public, legislators, and other stakeholders. She 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 also serves as an Advisor to Employment Round Table Southern California (ERTSC) and Northern California Employment Round Table (NCERT).



Branden Butler, Esq.,

Senior Attorney & Assistant Deputy Director of Education and Outreach at the California Department of Fair Employment and Housing

Branden Butler is the Assistant Deputy Director of Education and Outreach for the Department of Fair Employment and Housing (DFEH). Branden has litigated fair housing cases on a broad range of issues, including a successful jury trial verdict in a sexual harassment case, obtained settlements and injunctive relief measures including the creation of accessible apartment units in a disability housing discrimination cases, and successfully challenged discriminatory housing occupancy policies against families with children, among others.

CONFERENCE HOSTS



Bernadette M. O'Brien

Partner at Floyd Skeren Manukian Langevin, LLP and an SPHR certified/SHRM-SCP Human Resources Executive

Ms. O'Brien serves as general counsel and executive advisor to the law firm's Human Resources (HR) Department and is Managing Attorney of the firm's Employment Law Department and HR Consultation Department. She is a published author, distinguished speaker, and website content developer.

Ms. O'Brien defends employers in employment related disputes before the Department of Fair Employment and Housing, the Equal Employment Opportunity Commission, and the California Labor Commissioner, including claims related to discrimination, harassment, retaliation, wrongful termination, wage and hour, and leave of absence laws. Ms. O'Brien provides HR consultation to employers, human resource administrators, and risk managers on numerous HR topics including compliance with federal, state and local employment related laws; tracking and responding to HR trends; developing, organizing and implementing the HR function; training and counseling management and staff; HR policy development, implementation and enforcement; personnel management: hiring, onboarding, performance, discipline, retention, and separation of employment; succession planning; designing competitive compensation and benefit packages; ensuring EEO compliance; managing disability and leave of absence policies and procedures; and, wage and hour compliance. Ms. O'Brien also conducts management and employee training sessions throughout California.



Alden Parker

Regional Managing Partner of Fisher Phillips Sacramento office and co-chair of the Hospitality Industry Group

Alden represents employers in all facets of employment law matters. He has considerable experience defending employers in litigation involving claims under the California Fair Employment and Housing Act (FEHA), California's wage and hour laws, Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), and the Age Discrimination in Employment Act (ADEA). Alden has also defended employers against whistleblowing and retaliation claims, including claims under the California Whistleblower Act and various provisions of the California Labor Code.

Alden has extensive experience defending employers in federal and state court, as well as in investigations by the Equal Employment Opportunity Commission (EEOC), the California Department of Fair Employment and Housing (DFEH), United States Department of Labor (DOL) and the National Labor Relations Board (NLRB).

In addition to defending his clients in litigation, Alden frequently counsels employers to assist them in avoiding litigation. He regularly advises clients on leave management issues and the interactive process for employees with disabilities, reinstatement obligations under various leave laws and wage and hour compliance. Alden has prepared employee handbooks and a variety of agreements, including independent contractor, employment, confidentiality and trade secrets agreements.

Alden has been recognized in *Northern California Super Lawyers* since 2013 and *Northern California Top Lawyers* since 2014.

FLOYD SKEREN SPEAKERS



John B. Floyd

Senior Partner at The Law Offices of Floyd Skeren Manukian Langevin, LLP

The Law Offices of Floyd Skeren Manukian Langevin, LLP was established in 1987 by John B. Floyd. Since then, the firm has experienced significant and steady growth. Today, the Law Offices of Floyd Skeren Manukian Langevin has 10 offices throughout California. Mr. Floyd is a Certified Specialist and has devoted many years in 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 has been involved in numerous committees, including California Chamber of Commerce Amicus Committee and the Employers' Fraud Task Force. Additionally, Mr. Floyd is nationally recognized and AV Rated by Martindale-Hubbell. He is also a member of the California Association of Joint Powers Authorities (CAJPA).

Mr. Floyd helped publish Retired Judge David W. O'Brien's treatises on *California Workers' Compensation Claims and Benefits* and *California Unemployment and Disability Compensation Programs*.



Amanda A. Manukian

Senior Partner at The Law Offices of Floyd Skeren Manukian Langevin, LLP

Amanda A. Manukian has been with the Law Offices of Floyd Skeren Manukian Langevin, LLP since 2003. Ms. Manukian started her career with the Los Angeles District Attorney's office in 1998, wherein she was assigned to the Special Investigations Unit for 5 years working on high profile cases. She then expanded her career with the State Compensation Insurance Fund, as the Fraud Liaison in helping to establish a strong and effective Fraud Unit for the State Contracts Department. Thereafter, she continued her career with Floyd, Skeren & Kelly, LLP in 2003. She has been with the firm since then, making named partner in 2018.

As a senior partner, she works out of the Pasadena and Westlake Village offices and is the Managing Attorney of the Special Investigations Unit (SIU).

As defense attorney, she has obtained favorable decisions for her clients, to include various take nothing decisions on case in chief issues, including tackling very complex statute of limitation defenses. She has tried and also received take nothings on high exposure 132a and serious and willful petitions before the WCAB.

Ms. Manukian's appellate skills allowed for successful outcomes in filing of countless Petitions for Reconsideration and Removals, Writ of Reviews and Answers to Writ of Review.

She practices the model that every case is defensible, with tailoring a boutique practice to meet and exceed every client's expectations.

KEYNOTE GUEST SPEAKERS



Todd T. Kelly, Esq.,

Of Counsel at The Law Offices of Floyd Skeren Manukian Langevin, LLP

Todd T. Kelly is of counsel with the Law Offices of Floyd Skeren Manukian Langevin, LLP and brings with him not only over a quarter-century of litigating workers' compensation claims, but also the business acumen and skills associated with effective account management and client success. He is a State Bar Certified Specialist in Workers' Compensation who has authored articles and spoken on behalf of Lorman Education Services, the Council on Education in Management, and the Employer's Advisory Council. Mr. Kelly has acted as a Judge Pro Tem with the Workers' Compensation Appeals Board and serves as a guest speaker for various entities and organizations. He is licensed to practice before all State and Federal Courts in California and is a member of all applicable Bar Associations.



Troy W. Slaten

Partner at The Law Offices of Floyd Skeren Manukian Langevin, LLP in our Westlake Village office

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 Doctor degree 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.

Licensed to practice law in all courts in California and the District of Columbia, Mr. Slaten is also a sought-after legal analyst for major media outlets including CNN, Fox News and HLN. After a successful 25-year career as an actor in television, feature films and radio, he smoothly segued from teen star to fearless legal counsel. For the last 12 years, Mr. Slaten has conducted dozens of jury trials and represented individuals, celebrities, major businesses and insurance companies in employment defense and criminal defense, workers' compensation defense, risk & crisis management, media relations and internal investigations. He is also a lecturer on constitutional law, post-accident workplace investigations, drug-testing, and risk management best practices.

FISHER PHILLIPS SPEAKERS



Colin Calvert

Partner at Fisher Phillips Irvine office

Colin's practice includes all areas of labor and employment law, with a focus on claims of discrimination and harassment under the California Fair Employment and Housing Act (FEHA), as well as class action wage and hour lawsuits.

In addition to his litigation practice, Colin is committed to providing his clients with responsive and sound advice and counsel regarding the many day to day issues that arise in the workplace. As part of his advice and counsel practice, Colin routinely works with clients to prepare and implement workplace policies to ensure best practice.

Colin's practice also includes traditional labor relations work, including collective bargaining, labor grievances, and arbitrations. Colin regularly appears before the National Labor Relations Board (NLRB) to resolve issues relating to union elections and unfair labor practice charges and assists clients with respect to potential work stoppages and strikes.



Jocelyn Campanaro

Partner at Fisher Phillips Denver office and is a member of the firm's Global Immigration Practice Group

Jocelyn has extensive experience representing companies and individuals with their immigration and global mobility needs.

Jocelyn represents a broad variety of companies and individuals with all types of business-related nonimmigrant petitions (especially H, L, E, O, P and TN petitions), applications for labor certification, employment-based immigrant petitions (1st, 2nd and 3rd preference categories), and applications for adjustment of status and consular processing.

Jocelyn provides immigration representation and counsel to various professional sports teams and athletes, including players and teams in the National Hockey League and Central Hockey League, World Champion cutting horse riders and a wide range of competitors in the equine industry. She also has a wide range of experience with seasonal worker visas, family-based immigrant petitions and naturalization applications.

FISHER PHILLIPS SPEAKERS



Christopher Hoffman

Founding and Regional Managing Partner of Fisher Phillips San Diego office and co-chair of the Automobile Dealers Industry Group

Chris has represented hundreds of employers in matters ranging from class action litigation, to traditional labor matters and general employment advice.

While litigation remains a significant portion of his practice, Chris also spends a significant amount of time counseling clients regarding day-to-day employment issues and assisting them to find practical and proactive solutions to their legal problems.

Chris was selected for inclusion in *San Diego Super Lawyers* 2013, 2015, 2016, 2017 and 2018 and he recognized in *The Best Lawyers in America* 2013, 2014, and 2016 - 2019.



Danielle H. Moore

Partner at Fisher Phillips San Diego office and chairs the firm's Development Committee

Danielle is a former co-chair of the Fisher Phillips firm-wide Women's Initiative and Leadership Council.

Danielle represents and counsels employers in all aspects of labor and employment law, including employment discrimination, wrongful termination, harassment, retaliation, and wage-hour class action lawsuits, as well as employment handbook and personnel policy preparation, and general preventive advice including hiring, discipline and termination practices. She has experience litigating matters in state and federal courts, state administrative tribunals, and in arbitration.

Danielle regularly conducts management training and lectures on employment issues. She also teaches an employment law course at San Diego State University and serves on the Human Resources Advisory Board for the University. Danielle also serves on the Board of Directors for the PHCC Academy and the Lawyers Club of San Diego. Danielle also serves as President of the Lawyers Club's North County Chapter.

Danielle is "AV" Peer Review Rated Preeminent by Martindale-Hubbell and was recently named one of San Diego's 2014, 2015, 2016, and 2018 "Top Attorneys."



Todd Scherwin

Regional Managing Partner of Fisher Phillips Los Angeles office

Todd litigates on behalf of local and national employers and regularly advises businesses on a range of employment matters.

Todd's litigation practice involves representing employers in Private Attorney General Act (PAGA) actions and class actions, employment discrimination, harassment, and retaliation claims, trade secret protection, and administrative proceedings. Todd has defended employers in civil litigation in state and federal court, including the 9th Circuit Court of Appeals and the United States Supreme Court. Notably, Todd and his team were successful in convincing the United States Supreme Court to reverse and remand the Ninth Circuit Court of Appeals in the case, *Encino Motorcars v. Navarro* in April 2018.

Todd has also defended employers before federal and state administrative agencies including the Department of Labor, the Division of Labor Standards Enforcement (DLSE), and the California Unemployment Insurance Appeals Board (CUIAB).

Todd regularly counsels employers on day-to-day issues including state and federal leave laws, harassment and discrimination issues, terminations, and wage-hour laws. He also guides clients in developing preventative policies and procedures to avoid costly employment claims and litigation.

He was selected for inclusion in *Super Lawyers* in 2015, 2016, 2017 and 2018.

GUEST SPEAKERS

James Lodenquai

Human Resources Director at Vallarta Supermarkets

James Lodenquai is the Human Resource Director of Vallarta Supermarkets since 2001. Mr. Lodenquai oversees 18 store locations including over 2,000 employees. He guides and advises the organization's senior management team with his expertise in relevant/current human resources legislative and legal issues.

Mr. Lodenquai also has a three year background of human resources employment management and ten years of retail customer service experience.sessions throughout California.

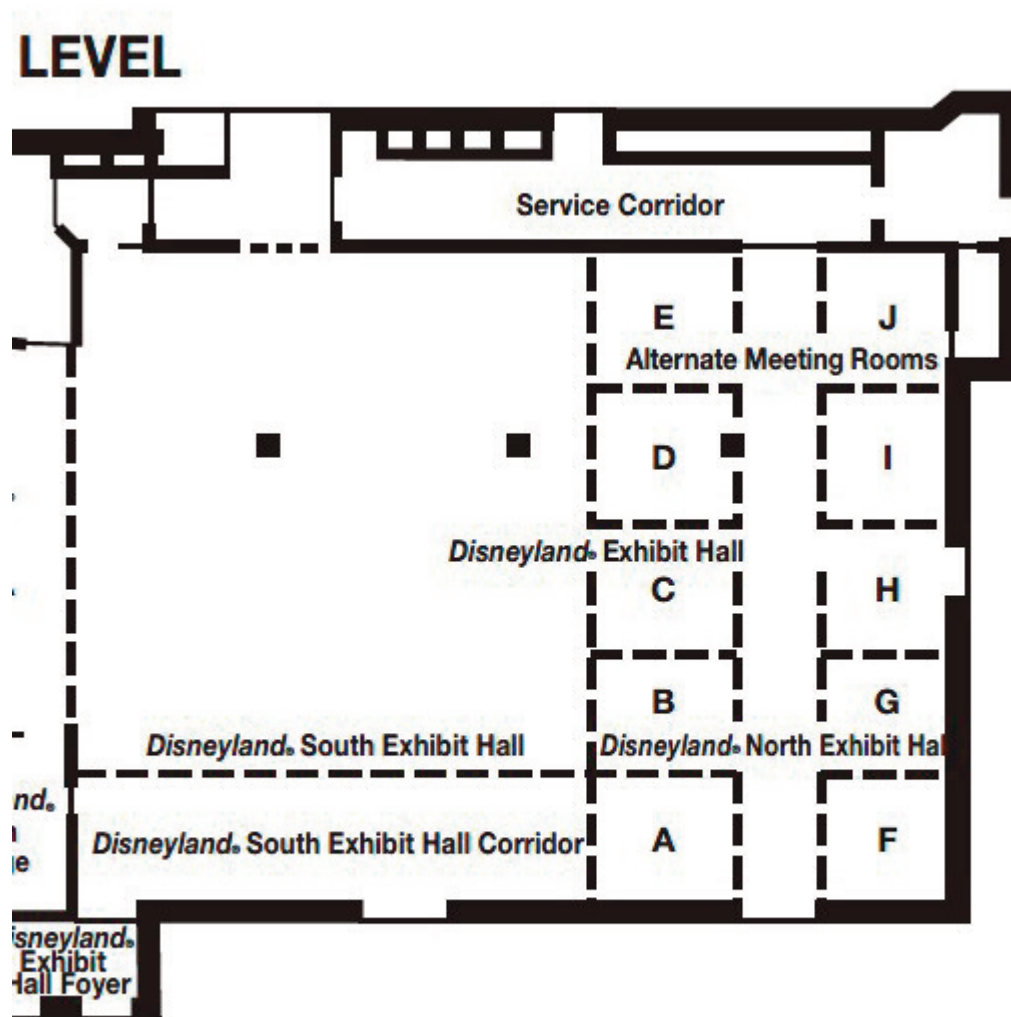


Jeffrey Rodriguez

Public Affairs Specialist at Social Security Administration

Jeffrey has been with the Social Security Administration for over ten years; serving as the Public Affairs Specialist for the last five years. He serves as a Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) trainer for the San Francisco Region in the South Coast Area. He was the specialist assigned to Medicare Non-Utilization Project and a member of the South Coast Area Representative Payee Review Task Force.

MAP OF CONFERENCE ROOM AREA



Connecting to WIFI

Go to device setting
Select WIFI
Select network
DLR Convention WIFI
no password -
click on "Connect to AT&T"

**FLOYD
SKEREN
MANUKIAN
LANGEVIN**

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ON THE FRONT LINES
OF WORKPLACE LAW™