

15th Annual **PIHRA**  
**Legal Update**



**ONTARIO**

**January 8, 2002**

Ontario Convention Center

**GARDEN GROVE**

**January 9, 2002**

Crowne Plaza Hotel

**WOODLAND HILLS**

**January 16, 2002**

Warner Center Marriott

**LOS ANGELES**

**January 17, 2002**

Los Angeles Marriott Downtown

# Stay Legal!

**W**ith ever-changing employment laws, it is almost impossible for human resource professionals to stay informed. The PIHRA Legal Update is designed to provide HR practitioners and managers with the tools necessary to develop and implement human resource policies which are consistent with current employment laws.

Join us as at one of our four legal update locations and learn from some of the top employment law attorneys in Southern California. A variety of topics will be covered including: Contingent Worker Litigation, Telecommuting 101, and EEO Legal Update.

## General Info

### SEMINAR MATERIALS

Participants of the legal update will receive a CD Rom of the presented material for use throughout the year. Each CD Rom contains information from all sessions presented.

### HRCI CREDITS

If you are a certified human resource professional through the Human Resource Certification Institute (HRCI), you may apply your attendance at this update toward recertification credits with HRCI. HRCI will award you one credit per seminar hour completed.

### REGISTRATION

Register today by completing the enclosed registration form. The form may either be faxed or mailed to the PIHRA office. Registration is also available online at [www.pihra.org](http://www.pihra.org). Payment must accompany all registration forms. Registrations received without payment WILL NOT be processed. Pre-registration ends December 31, 2001. All registrations after this point must be made on-site on a space available basis.

### CANCELLATION/REFUND POLICY

Refunds, less a 50% cancellation fee per registrant, will be granted for cancellations received in writing at PIHRA prior to December 31, 2001. Refunds will not be given for no-shows. Substitutions only will be permitted after December 31, 2001. PIHRA membership is individual, therefore, registration substitution by a nonmember for a member is not allowed.

*For additional information, please contact the PIHRA office at (800) 734-5410 or [michele@pihra.org](mailto:michele@pihra.org).*

# SCHEDULE - AT - A - GLANCE

## ALL LOCATIONS

7:00 a.m.

Registration/Continental Breakfast

8:00 a.m. - 8:15 a.m.

Welcome

8:15 a.m. - 9:15 a.m.

KEYNOTE SPEAKER • GENERAL SESSION

What's New in 2002 • Robert Wenzel (Ontario & Garden Grove)

2002 EEO & Wrongful Termination Update • Glen Kraemer (Woodland Hills & Los Angeles)

9:15 a.m. - 9:35 a.m.

Break

9:35 a.m. - 10:50 a.m.

MORNING SESSION

1 • Telecommuting 101—Leonora M. Schloss

2 • When Your Employees' Private Life Becomes Your Business—Cynthia Stamer

3 • Contingent Worker Litigation: An Update—Daphne Anneet & Mark Waterman

4 • Facilitated Round Table Discussion—Laura Petroff

10:50 a.m. - 11:10 a.m.

Break

11:10 a.m. - 12:25 p.m.

MORNING SESSION (Repeated)

1 • Telecommuting 101—Leonora M. Schloss

2 • When Your Employees' Private Life Becomes Your Business—Cynthia Stamer

3 • Contingent Worker Litigation: An Update—Daphne Anneet & Mark Waterman

4 • Facilitated Round Table Discussion—Laura Petroff

12:25 p.m. - 1:40 p.m.

Lunch—Representative from Department of Industrial Relations

1:40 p.m. - 2:55 p.m.

AFTERNOON SESSION

1 • HR Squares—The Employment Law Game Show—Stacy Shartin

2 • The Internet & E-mail Invasion—Jessie Kohler

3 • ER vs. Fiduciary—How to Minimize Corporate Exposure Under ERISA—Regina Shanney-Saborsky

4 • How Far Must You Go to "Reasonably Accommodate"—Lara O'Brien/Kyle Kring

2:55 p.m. - 3:15 p.m.

Break

3:15 p.m. - 4:30 p.m.

AFTERNOON SESSION (Repeated)

1 • HR Squares—The Employment Law Game Show—Stacy Shartin

2 • The Internet & E-mail Invasion—Jessie Kohler

3 • ER vs. Fiduciary—How to Minimize Corporate Exposure Under ERISA—Regina Shanney-Saborsky

4 • How Far Must You Go to "Reasonably Accommodate"—Lara O'Brien/Kyle Kring

### **CASE LAW UPDATE/WAGE & HOUR CLASS ACTION**

Robert L. Wenzel, Esq. will present a review of significant case law decisions affecting employers emphasizing Wage & Hour Class Action litigation.

**Presented by:** *Robert L. Wenzel, Esq., Partner, Atkinson, Andelson, Loya, Rudd & Romo*

### **THE 2002 EEO LAW UPDATE**

During this session, we will examine the last year of activity affecting the federal and state equal employment opportunity laws. In the wake of two years worth of amendments to the Fair Employment and Housing Act, the California Courts are now attempting to sort out what the legislature actually meant when it drafted these laws. Join us for a practical review of the recent judicial decisions that will affect how you do business in the coming year.

**Presented by:** *Glen E. Kraemer, Curiale Dellaverson Hirschfeld Kraemer & Sloan, LLP*

### **TELECOMMUTING 101: An Analysis of the Host of Issues Surrounding the Growing Practice of Telecommuting.**

Telecommuting is a new and exciting employment trend playing an increasingly prevalent role in today's economy. This session will focus on the legal issues raised by allowing employees to work from home. It will additionally provide guidelines to follow when evaluating candidates and selecting employees for participation in a telecommuting program, as well as a sample telecommuting agreement to help you meet the legal and supervisory challenges created by telecommuting.

**Presented by:** *Leonora M. Schloss, Curiale Dellaverson Hirschfeld Kraemer & Sloan, LLP*

### **WHEN YOUR EMPLOYEE'S PRIVATE LIFE BECOMES YOUR BUSINESS:**

#### **New Federal Requirements and Other Hot Issues.**

Theoretically, the workplace and the home are separate; in practice, employees carry the baggage of their personal lives into the office. Increasingly, employee expectations are forcing employers to become more involved in addressing personal concerns.

Dealing with employees and their families' private lives may be dicey, yet unavoidable. Employers and others come into possession about employees and their families' private information in context of the workplace and employee benefit plans. Mishandling this information may lead to disastrous legal liability.

**Presented by:** *Cynthia Marcotte Stamer, Andrews & Kurth LLP*

### **CONTINGENT WORKER LITIGATION — AN UPDATE**

During the last several years, contingent worker litigation has been fueled by various highly publicized cases such as the Vizcaino v. Microsoft action. In California, this litigation trend will likely continue as the California Court of Appeals is currently considering the issue of whether or not contingent workers may rely on their purported status as "common law" employees to obtain access to health and retirement benefits systems in an action entitled, Cargill v. Metropolitan Water District of Southern California. We expect a ruling before the end of the year.

This session will discuss the Cargill ruling, the potential impact of the ruling on public and private employers, and the steps employers can

take to assess and minimize the risks associated with contingent worker litigation.

**Presented by:** *Daphne M. Anneet and Mark W. Waterman, Bergman, Wedner & Dacey, Inc.*

## **FACILITATED ROUND TABLE DISCUSSIONS**

Laura Petroff will lead an open discussion on current and important issues raised by participants. Take advantage of this unique opportunity to address challenging questions of significance with a knowledgeable employment lawyer, and also to hear and share insights with other Human Resource Professionals. Participants can take advantage of this chance to present questions about pressing issues from their workplace and can benefit from a well-rounded discussion of options and best practices.

**Presented by:** *Laura Petroff, Winston & Strawn*

## **"HR SQUARES"—THE EMPLOYMENT LAW GAME SHOW**

In a fun, interactive quiz show format, experienced practitioners in labor and employment law will provide helpful, practical information and suggestions based on recent court, legislative and administrative developments on the state and federal level. Uniformly well-received at the 2001 PIHRA Legal update and other regional SHRM programs, and one of the hits of the 2000 and 2001 SHRM Annual Conferences, this presentation guarantees participants an educational and entertaining experience.

**Presented by:** *Stacy D. Shartin, Seyfarth Shaw*

## **THE INTERNET AND E-MAIL INVASION: Dealing with Issues of Privacy, Productivity and Propriety**

Internet and e-mail use by employees has skyrocketed during the last five years. Over 120 million Americans now have Internet access at work and more have company e-mail networks. This session will focus on current

law with regard to the monitoring of employee e-mail, Internet and computer use, how e-mail can be used against employers in litigation and how employers can minimize liability accompanying employee e-mail and Internet use, and the monitoring of employees at work. Sample policies will be provided.

**Presented by:** *Jessie A. Kohler, Winston & Strawn*

## **EMPLOYER V. FIDUCIARY—HOW TO MINIMIZE CORPORATE EXPOSURE UNDER ERISA**

Depending upon whether an activity is considered a fiduciary or sponsor function, ERISA may impose significant duties and liabilities on employers. This session will focus on a basic explanation of the employer-related fiduciary concepts under ERISA, as these concepts have been increasingly interpreted by the courts, especially in California, and provide fact specific guidelines. Among the topics that will be discussed are written and oral employee communications regarding benefit programs, including 401(k)s, payment of plan expenses from plan assets and the scope of administrative responsibility for retirement and health plans.

**Presented by:** *Regina Shanney-Saborsky, Winston & Strawn*

## **HOW FAR MUST YOU GO TO "REASONABLY ACCOMMODATE" A DISABLED EMPLOYEE?**

A whole host of injuries and ailments fall within the definition of "disability" under the ADA and FEHA. Similarly, a "reasonable accommodation" can range from buying an employee a special keyboard to allowing an employee to take an extended leave of absence. Identifying and accommodating covered disabilities can be tricky business. Learn some tips to avoid litigation through careful and thoughtful planning and documentation.

**Presented by:** *Lara O'Brien & Kyle D. Kring, Kring & Brown Attorneys, LLP*

# Advertise

All speaker handouts will be provided on CD Roms for attendees.

Participating advertisers of the CD Rom will receive:

- A Link to Their Web Site
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**\$150**

# Exhibit

Exhibitors will receive:

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**Deadline is December 15, 2001**

# ATTENDEE REGISTRATION FORM

One form per attendee. Duplicate as necessary.

**The deadline for pre-registration for all locations is December 31, 2001.**

Please review our cancellation policy inside the front cover.

Last Name \_\_\_\_\_

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Title \_\_\_\_\_

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City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

## WHICH LOCATION WOULD YOU LIKE TO ATTEND?

Please select one:

- ONTARIO • January 8, 2002 • Ontario Convention Center
- GARDEN GROVE • January 9, 2002 • Crowne Plaza Hotel
- WOODLAND HILLS • January 16, 2002 • Warner Center Marriott
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## Become a Sponsor and get it all!

Stand out from your competition and increase your exposure with PIHRA Members at our Annual Legal Update. Receive high-profile visibility by becoming a sponsor. You'll reach a large audience of HR Professionals and those in the related HR fields. 1,400 are expected to attend this year's four Legal Updates this January. Each attendee will receive a CD Rom and portfolio provided by our generous sponsors.

Sponsorships are determined on a first-come, first-served basis. PIHRA will coordinate all catering, printing and procurement logistics for you.

**The deadline to participate as a sponsor of the 2002  
PIHRA Legal Update is December 15, 2001**

### ***Sponsorship Opportunities***

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## BENEFITS OF SPONSORING

### **Sponsors will receive the following...**

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- Special listing as a Legal Update Sponsor in the February issue of the *PIHRAScope*
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- One set of mailing labels for the 2002 Legal Update Attendees
- A link to your web site on the CD Rom



# Sponsor, Advertiser & Exhibitor REGISTRATION FORM

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- CD Rom Advertiser • \$150

## EXHIBIT FEES: *(Please attach your 50 word description)*

One location • \$350, Two locations • \$575, Three locations • \$725, Four locations • \$850

- My Company wishes to exhibit at the following one 2002 PIHRA Legal Update:  
\_\_\_ Ontario • 1/8/02    \_\_\_ Garden Grove • 1/9/02    \_\_\_ Woodland Hills • 1/16/02    \_\_\_ Los Angeles • 1/17/02
- My Company wishes to exhibit at the following two 2002 PIHRA Legal Update:  
\_\_\_ Ontario • 1/8/02    \_\_\_ Garden Grove • 1/9/02    \_\_\_ Woodland Hills • 1/16/02    \_\_\_ Los Angeles • 1/17/02
- My Company wishes to exhibit at the following three 2002 PIHRA Legal Update:  
\_\_\_ Ontario • 1/8/02    \_\_\_ Garden Grove • 1/9/02    \_\_\_ Woodland Hills • 1/16/02    \_\_\_ Los Angeles • 1/17/02
- My Company wishes to exhibit at all four locations:  
(Ontario, Garden Grove, Woodland Hills & Los Angeles)

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# 15th Annual PIHRA Legal Update

Legal Update is one of the many programs which PIHRA offers to its members as well as the greater community of human resource and business professionals. With over 4,000 members throughout Southern California, PIHRA is the most effective network for HR practitioners who wish to stay abreast of current trends, laws and issues impacting the field.

PIHRA offers numerous benefits to its members including a monthly publication, professional development seminars, an annual conference, membership directory, legislative advocacy, a free legal hotline, career transition support; including job hotlines, informative monthly meetings, and access to a variety of HR products and services as well as our web site ([www.PIHRA.org](http://www.PIHRA.org)).

  
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