

LABOR & EMPLOYMENT FALL FOCUS SEMINAR

BAKER DONELSON SPECIAL EVENTS CENTER
211 COMMERCE STREET
FIRST FLOOR
NASHVILLE, TENNESSEE

THURSDAY, SEPTEMBER 29, 2011
7:30 A.M. — 3:15 P.M.



BAKER DONELSON
BEARMAN, CALDWELL & BERKOWITZ, PC

THIS IS AN ADVERTISEMENT.



"The use of this seal is not an endorsement by the HR Certification Institute of the quality of the program. It means that this program has met the HR Certification Institute's criteria to be pre-approved for recertification credit."

This program has been approved for 5.25 hours of CLE credit in the state of Tennessee.

SCHEDULE

7:30 a.m. - 8:30 a.m.

Registration and Networking Breakfast

8:30 a.m. - 8:45 a.m.

Welcome and Introduction

8:45 a.m. - 9:45 a.m.

Year in Review

In this session, we will discuss the important legislative changes and key court decisions that occurred in the last year in federal and Tennessee employment law. We will also cover an analysis of the summary judgment standard that applies to employment discrimination cases in Tennessee state courts.

Speaker: Larry Eastwood

9:45 a.m. - 10:00 a.m.

BREAK

10:00 a.m. - 10:30 a.m.

EEOC Update

We will review the latest EEOC regulations on the ADAAA and GINA, as well as discuss the EEOC's focus points for 2011-2012. Practical guidance will be provided for responding to the new regulations, including a three-step action plan for employers to take in response to the new ADAAA regulations. We will also discuss how GINA affects your FMLA and ADAAA compliance.

Speaker: Kim Vance

10:30 a.m. - 11:30 a.m.

New Ideas on Non-Competes and Trade Secret Protections

Far more than a basic overview, this program is designed for experienced HR professionals and in-house lawyers who counsel corporate clients on the enforceability of non-compete agreements and strategies for protecting trade secrets. We'll discuss the following critical issues for protecting your company's business interests in today's global marketplace:

- How to develop policies and strategies for avoiding liability when hiring a competitor's former employees.
- How to fight back when a competitor raids your employee talent pool.
- How protecting your company's confidential

information and trade secrets requires more than a simple confidentiality policy.

Speaker: Ken Weber

11:30 a.m. - 12:15 p.m.

Labor Law Update

This session will provide an overview of recent developments at the National Labor Relations Board. From social media policies to plant relocation decisions, the NLRB has been actively litigating to expand its reach. We will deconstruct the headlines and discuss the impact of the NLRB's recent efforts affecting employers.

Speaker: Ben Bodzy

12:15 p.m. - 1:00 p.m.

LUNCH

1:00 p.m. - 3:00 p.m.

Mock Trial

Your organization has just been hit with an employment lawsuit alleging sexual harassment and retaliation, and this one looks like it's going all the way – to a trial by jury! How will you present a compelling and persuasive story to a jury in defense of your organization? What will it be like to undergo cross-examination? Will the jury be impressed by your efforts to document employment matters, or not? Join us for a fun-filled afternoon where you will see a mock trial from start to finish. Following the trial you will have a front row seat for jury deliberations. What makes an impression on a jury? How do they reach a decision? You will get answers to all these questions and more during this session. Attorneys and staff members from Baker Donelson will participate in the mock trial. Select audience members will serve as the jury. Don't miss this one-of-a-kind opportunity to assess how your actions and your organization would be viewed in a jury trial.

3:00 p.m. – 3:15 p.m.

Prize Drawing and Adjourn*

Kim Vance

You must be present to win.*

PRESENTERS



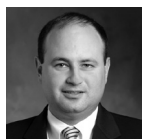
KIM VANCE

M. Kim Vance is a shareholder in Baker Donelson's Nashville office. She has more than 20 years of experience representing management in every aspect of labor and employment law. "Kim is unique. She has the mind of a business owner and the intellect of a great lawyer. This combination has benefited our company in very meaningful ways," said Joe Scarlett, Chairman and former CEO at Tractor Supply Company, where Ms. Vance formerly served as General Counsel. In addition to defending companies in employment litigation, Ms. Vance's practice focuses on presenting in-house management training programs and counseling management clients to reduce legal risks in every facet of labor and employment law.



MARK BAUGH

Mark Baugh is a shareholder in our Nashville office and chair of the Firm's Diversity Committee. He counsels and defends employers on a wide variety of employment and litigation matters, including Title VI and VII of the Civil Rights Act, the Americans with Disabilities Act, discrimination and harassment under state and federal laws, FMLA and others. He also defends regional and national employers against class action lawsuits, wage and hour litigation, and numerous other employment-related issues.



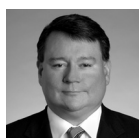
BEN BODZY

Ben Bodzy, associate in the Nashville office, represents management in labor and employment litigation. Mr. Bodzy's practice has two primary focuses: representation of management in traditional labor matters and litigation relating to the enforcement of post-employment restrictive covenants. Mr. Bodzy's traditional labor practice includes union avoidance, collective bargaining, representation campaigns, labor arbitrations and litigation of unfair labor practice charges. In addition to his traditional labor practice, a large part of Mr. Bodzy's practice is dedicated to litigation relating to noncompetition and nonsolicitation agreements.



NATASHA CAMPBELL

Natasha Campbell, associate in the Nashville office, represents local and nationally-based clients, defending them against claims arising under the anti-discrimination, harassment and retaliation laws, as well as claims under leave and compensation laws. Ms. Campbell also counsels clients on employee benefits, including ERISA matters, and she has defended commercial litigation matters related to contracts, personal injury and property damage.



LARRY EASTWOOD

Lawrence S. Eastwood Jr., shareholder in Baker Donelson's Nashville office, concentrates his practice in the areas of employment and labor law litigation. Mr. Eastwood also regularly counsels employers on employment law compliance and litigation avoidance, including such issues as management and employee training, wage and hour law, enforcement of noncompete covenants, employment contracts, protection of trade secrets, drafting and implementation of employment policies and handbooks, drug testing, union avoidance, reductions in force, recordkeeping, employee privacy rights, workplace investigations, the WARN Act and compliance with state and federal anti-discrimination laws.



CHARLES K. GRANT

Charles K. Grant, shareholder in the Nashville office, has extensive experience defending clients in complex employment litigation, including class actions and collective actions (wage and hour litigation); litigation concerning claims under ERISA; wrongful discharge; sexual, racial, age, national-origin, disability, and religious discrimination and harassment under state and federal laws; FMLA; retaliatory discharge; defamation; intentional infliction of emotional distress; tortious interference with contract; employment and non-compete agreements; protection of trade secrets; drug-testing; conspiracy; reductions in force; and the WARN Act.



KEN WEBER

Kenneth A. Weber, shareholder in the Nashville office, concentrates his practice in labor and employment law and ERISA litigation. Mr. Weber is a trial lawyer who has participated in over 30 trials, including more than 10 jury trials as "first chair." Mr. Weber has defended the full range of employment discrimination and harassment claims; retaliation and whistleblower claims; employment contract claims; wage and hour claims, including several FLSA collective actions; and employment related defamation claims.

REGISTRATION INFORMATION

To Register:

Please complete the enclosed form and mail, fax or email it to:

Kim Low
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
211 Commerce Street, Suite 800
Nashville, TN 37201
Email: klow@bakerdonelson.com
Phone: 615.726.5714
Fax: 615.744.5714

Fee:

The fee for the seminar is \$100 per attendee.

Deadline:

All registration forms must be received by September 21, 2011. Register early for a guaranteed spot. Refunds will be made for cancellations received one week or more prior to the seminar.

When you have labor and employment needs, you want a firm that understands and services your entire business. We give you what boutique labor and employment firms can't: a set of attorneys who are not only dedicated to the practice of labor and employment issues, but who can also employ an integrated and experienced team of professionals to assist you in every other aspect of your legal business needs. We set ourselves apart by valuing your entire company – not only your employees but also your intellectual property, your shipping and logistics systems, your real estate and equipment assets, your corporate structure and everything that makes your company what it is. And when it comes to your company's most valuable asset, your employees, our attorneys are committed to counseling with and advocating for you every step of the way.

With litigation avoidance in mind, the Group has developed extensive training programs for client supervisors and managers. The training programs, along with on-point legal advice, help to ensure clients' compliance with employment and employment-related laws and regulations. Training programs are provided in-house for clients in the areas of union avoidance, workplace harassment prevention, OSHA compliance, Family Medical Leave Act and drug-free workplace, among others.

The Firm also customarily represents clients in developing a general union avoidance approach in advance of union election campaigns, in the clients' dealings with labor unions during the election phases of union campaigns and in the negotiation of any labor agreements. For those clients who have unions representing their workforces, the Firm pursues management's interests in all phases of the grievance and arbitration process. Clients are represented before all governmental bodies charged with the enforcement of employment statutes and policies.

In circumstances of unavoidable litigation, the Firm's labor and employment attorneys have extensive experience in state and federal courts throughout the country defending wrongful discharge claims, various employment-related tort actions, and state and federal claims of unlawful discrimination and harassment, in both individual plaintiff and class action suits. In addition, Baker Donelson labor and employment attorneys provide representation in the following areas:

- Workplace harassment and discrimination prevention and defense
- Drug-free workplace
- Reasonable accommodation
- Wage and hour laws
- Unfair labor practice allegations before the National Labor Relations Board
- Charges before the U.S. Department of Labor
- Workers' compensation
- OSHA compliance and litigation
- Employee benefits
- Family and medical leave
- Policies and handbooks/affirmative action plans
- Federal Immigration laws and regulations

Baker Donelson's labor and employment attorneys belong to numerous nationally recognized organizations, and they regularly organize and conduct industry-specific seminars and roundtables on relevant topics in the labor law arena. The Group also regularly publishes and distributes to clients and potential clients legal alerts and industry updates.

Baker Donelson has been ranked among the Top 10 Labor & Employment litigation firms in the country by *Employment Law 360*, the newswire for labor and employment law professionals. The Labor & Employment Group includes more than 90 experienced attorneys who work with clients on all issues relating to workplace law. The Firm's experience, reputation and proven cost-effective representation of clients' labor and employment matters for more than 30 years have resulted in the representation of a growing list of local, regional and national clients headquartered throughout the south central United States.

For more information, please visit www.bakerdonelson.com.

The Rules of Professional Conduct of the various states where our offices are located require the following language: Jennifer P. Keller, Chair of the Labor & Employment Department, is located in the Johnson City office of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, 100 Med Tech Parkway, Suite 200, Johnson City, Tennessee 37604. Phone: 423.928.0181. No representation is made that the quality of the legal services to be performed is greater than the quality of legal services performed by other lawyers. FREE BACKGROUND INFORMATION AVAILABLE UPON REQUEST.