2020 Fundamentals of Employment Law

LIVE and WEBCAST
Tuesday, February 18, 2020
North Carolina Bar Center
8000 Weston Parkway, Cary

REGISTER TODAY!
Save 10% if registration is received by January 28, 2020.
www.tinyurl.com/CLE916FEL

TOTAL CLE CREDIT
7.0 HOURS
Employment law is critically important to businesses and to the general public, as the rights and responsibilities of employers and employees continually develop and evolve. The United States Congress and the North Carolina General Assembly continue to change the laws and judicially-interpreted nuances of employment law continue to expand.

This program provides a general overview and explanation of basic issues in each of the major areas that employment lawyers regularly address.

- Experienced practitioners present their practical knowledge and viewpoints
- Detailed papers include citations to case law, statutes and applicable regulations
- A basic primer and useful update condensed into one CLE that you can access in-person or online

**WHAT PEOPLE ARE SAYING...**

“Excellent program and logistically well-planned.

Provided good coverage for many relevant topics.

Great practical tips from seasoned employment lawyers.

—Attendees, 2018 Fundamentals of Employment Law
AGENDA

TUESDAY, FEBRUARY 18, 2020 | 8:15 a.m. – 5:00 p.m.

8:15   **Registration and Continental Breakfast**

8:40   **Welcome and Introductions**

8:45   **Introduction to Federal Employment Discrimination Laws**
       Holland and Van Kampen
Learn the fundamentals of the critical federal statutes governing claims of unlawful discrimination in employment based on factors such as race, color, religion, sex, national origin, gender, age and disability (Title VII, Age Discrimination in Employment Act and Americans with Disabilities Act).

9:45   **Introduction to North Carolina Employment Cases**
       Wetsch
Hear a basic overview of the common law doctrine of “employment at will” and North Carolina statutory and common law claims, including wrongful discharge in violation of public policy, the Retaliatory Employment Discrimination Act (REDA) and employment-related torts such as negligent hiring and retention, tortious interference with contract, defamation, and intentional and negligent infliction of emotional distress.

10:45  **Break**

11:00  **Basics of Litigating Employment Cases**
       Kornbluth and Stricklin
Experienced trial lawyers discuss the fundamentals of pretrial proceedings through mediation and summary judgment in a typical employment law case in federal court. Learn best practices for proceeding toward trial from both the plaintiff’s and defendant’s perspectives.

12:00  **Networking Lunch**

12:45  **Basic Wage Protection Law**
       Edwards and Lay
Receive an introduction to the requirements of the Federal Fair Labor Standards Act and the North Carolina Wage and Hour Act, including minimum wage, overtime and wage payment requirements.
<table>
<thead>
<tr>
<th>Time</th>
<th>Session Title</th>
<th>Speaker(s)</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>1:30</td>
<td>Unemployment Benefits</td>
<td>Adams and Monteith</td>
<td>Review the nuts and bolts of the unemployment insurance system, including employer taxing and charging, benefit eligibility requirements, administrative procedures, and judicial review.</td>
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<td>2:15</td>
<td>Break</td>
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<tr>
<td>2:30</td>
<td>The Americans with Disabilities Act (ADA) and the Family Medical Leave Act (FMLA)</td>
<td>Bills, Dunn and Finlon</td>
<td>Understand the complex relationship between the FMLA and the ADA, especially when the inability to work arises from a workplace accident or occupational disease.</td>
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<tr>
<td>3:15</td>
<td>Restrictive Covenants</td>
<td>Crook and Patino</td>
<td>The law of covenants not to compete in North Carolina is full of traps for the unwary. This session provides an overview of that law and also discusses the nuances involved with issues such as enforceability of noncompete agreements, considerations and the willingness of North Carolina courts to revise overly broad covenants.</td>
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<tr>
<td>4:15</td>
<td>Damages in Employment Law Cases</td>
<td>Lyon and Wright</td>
<td>Get an introduction to the common law and statutory damages available in employment claims, including discussions on required proof of damages, mitigation of damages and defenses.</td>
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<tr>
<td>5:00</td>
<td>Adjourn</td>
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**SAVE THE DATES**

36th Annual NC/SC Labor & Employment Law Section Annual Meeting and CLE

**Friday–Saturday, November 6–7, 2020**

Renaissance Asheville Hotel, Asheville
PROGRAM DETAILS

SPEAKERS

- Regina S. Adams, North Carolina Employment Security Commission, Raleigh
- Jennifer L. Bills, The Noble Law Firm PLLC, Chapel Hill
- Jonathan L. Crook, Jackson Lewis PC, Raleigh
- Janean B. Dunn, Jackson Lewis PC, Raleigh
- Kristen E. Finlon, Essex Richards PA, Charlotte
- Benjamin R. “Ben” Holland, Ogletree Deakins Nash Smoak & Stewart PC, Charlotte
- Michael A. Kornbluth, Kornbluth Ginsberg Law Group, Durham
- Wood W. Lay, O’Hagen Meyer, Charlotte
- Daniel C. “Danny” Lyon, Elliot Morgan Parsonage PLLC, Charlotte
- Charles E. “Chuck” Monteith, Monteith & Rice PLLC, Raleigh
- L. Nicole Patino, Law Offices of Fred T. Hamlet, Greensboro
- Jill Stricklin, Constangy Brooks Smith & Prophete LLP, Winston-Salem
- Joshua R. “Josh” Van Kampen, Van Kampen PLLC, Charlotte
- Laura J. Wetsch, Winslow Wetsch PLLC, Raleigh
- Julian H. Wright, Robinson Bradshaw & Hinson PA, Charlotte

HOTEL INFORMATION

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and rooms may sell out.

Embassy Suites
201 Harrison Oaks Boulevard, Cary
- **Nightly Rate:** $174 single/double
- **Reservations:** 919.677.1840 or www.tinyurl.com/NCBA-Embassy
- **Corporate Account Code:** 2691626

TownePlace Suites by Marriott
120 Sage Commons Way, Cary
- **Nightly Rate:** $114 studio queen with sleeper sofa (Sunday–Thursday)
- **Reservations:** 919.678.0005
- **Ask for the NCBA corporate rate.**

SPECIAL ACCOMMODATIONS

NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

PLANNERS

- William J. “Bill” McMahon IV, Constangy Brooks Smith & Prophete LLP, Winston-Salem
- J. Griffin “Griff” Morgan, Elliot Morgan Parsonage PLLC, Winston-Salem
- Joseph S. Murray IV, Mecklenburg County Attorney’s Office, Charlotte

We extend our sincere gratitude to the NCBA Labor & Employment Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.
Now in its third edition, the bestselling *Elements of Civil Causes of Action in North Carolina* is newly revised and updated, including the addition of two new topics — "Wrongful Foreclosure" and the useful (but lesser-known) action for "Money Had and Received."

Each chapter defines and breaks down one of the 40 most common North Carolina civil causes of action into its component parts, followed by a discussion of defenses and available remedies. Organized alphabetically and heavily annotated with pertinent citations to controlling authority, this invaluable resource provides the very essence of current North Carolina law in a concise and convenient format that will save you hours of research time.

Written by experienced attorneys from one of the top international law firms, Ogletree Deakins, *North Carolina Lawyers as Employers* is an invaluable tool for every law firm’s human resources program, regardless of the firm’s size or practice area. This must-have practical guide:

- Summarizes applicable federal and state employment and labor laws
- Offers recommendations for hiring and managing employees
- Includes strategies for defending claims brought against law firms by current or former employees

Additional information and purchasing information can be found at www.ncbar.org/CLEBookstore
Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.

REGISTER TODAY!

Online: www.tinyurl.com/CLE916FEL | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

STEP 1: Tell us who you are. (Please print clearly.)
Print Full Name: ________________________________
Address: ______________________________________
City, State and ZIP: ______________________________
Daytime Phone Number: __________________________
Email Address: __________________________________
NC State Bar No. (Required for MCLE Credit): _________________

STEP 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)

Standard Rate: ☐ $410 / ☐ $370 Early
NCBA Member: ☐ $340 / ☐ $305 Early
NCBA Labor & Employment Law Section Member: ☐ $315 / ☐ $285 Early
CLE Premier Pass: ☐ $0

STEP 3: Select your learning format.
☐ Live (916FEL) ☐ Webcast (916LWC) ☐ Video Replay (See below.)

Video Replay registration (if selected).
Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE916FEL and indicate your choice below.
Location: _________________ Date: ____________ Code: _______

STEP 4: Complete your payment information.
(Registration is complete only after payment is processed. Please print clearly.)
I am registering for this program at the tuition rate checked above.
☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: ________________________________ Exp. Date: ______
Total Amount: _________ Signature: ____________________________

Discounts may be available for NCBA members who are students, law professors, judges or legal services/public interest attorneys. Call CLE at 800.228.3402 for details.
REGISTRATION: All registrations are processed after payment is received. To qualify for the early tuition rate, payment must be received prior to the deadline indicated. Stated early discount rate percentage is approximate. Registrations may be capped based on venue size and may include an overflow room with additional seating. CHANGES TO EXISTING REGISTRATIONS: Should an attendee need to cancel his or her registration to a Live, Webcast or Video Replay program, the cancellation request must be received by 9:00a ET one (1) week prior to the start of the program to receive a full refund. Any attendee requesting cancellation less than one week prior to the program will receive a refund, less a $75 administrative fee. An attendee may choose to transfer his or her registration at a program to the Live, Webcast or Video Replay format of the same program only. Transfer requests must be received by 9:00a ET one (1) business day prior to the program start date. An attendee may further choose to substitute his or her registration to a Live or Video Replay program only. Substitution means sending another person to attend the Live or Video Replay program when the original registrant is unable to attend. Substitution requests must be received by 9:00a ET one (1) week prior to the program start date. The substituted person may be assessed a different fee based on their NCBA membership classification. Cancellation, transfer and substitution requests must be provided in writing by email at askcle@ncbar.org or by calling 800.228.3402. If an attendee misses any portion of a program, that portion is not subject to substitution, refund or transfer. Except as provided herein, registrations, including On Demand registrations, cannot be canceled, substituted or transferred once purchased. NO-SHOWS: Anyone who is registered for a program, including CLE Premier Pass holders, but does not check in is considered a no-show. No-shows are not issued a refund, and Premier Pass holders will be assessed a $75 administrative fee. These registrants will receive the digital materials, available in their online accounts, in full consideration of tuition paid. MISCELLANEOUS: The NCBA reserves the right to cancel or reschedule programs at any time. Should the NCBA cancel or reschedule a program, registrants may elect to receive a full refund or attend the newly scheduled program. Notifications regarding program changes will be sent to the email address on file. The NCBA is not responsible for any additional expenses incurred as a result of such cancellation or rescheduling. Each attorney must maintain a record of his or her attendance for the NC State Bar Annual Report. MCLE credit is reported by the NCBA only if a NC State Bar number is provided. Registration and attendance at NCBA CLE programs constitutes an agreement by the registrant with the NCBA for use and distribution of the registrant’s image or voice in photographs, videotapes, electronic reproductions and audiotapes of such programs and activities. Unless specified, spouses or guests are not eligible to attend NCBA CLE programs and activities without registering to attend. These terms are subject to change. 

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providing unlimited CLE
including access to hundreds of
On Demand programs.

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