

Employment Law for Managers and Supervisors

Avoiding Discrimination When Managing a Diverse Workforce

- Understanding the key terms in state and federal discrimination laws: What practices are prohibited and what groups are protected?
- What plaintiffs' attorneys look for when deciding to challenge an adverse employment action in court
- The Americans with Disabilities Act (ADA): What constitutes a "disability" under the ADA and what "reasonable accommodations" are required?
- Preventing Discrimination Liability: Race, national origin, religion, sex, age and disability
- Accommodating religious preferences: How far should you go?
- National origin discrimination and "English only" policies: Discover why EEOC complaints have tripled
- What role do the government agencies play? The Equal Employment Opportunity Commission (EEOC) and the Department of Labor (DOL)

Steering Clear of Legal Landmines in the Interviewing and Hiring Process

- Understanding the legal ramifications of job descriptions
- What you can and cannot include in employment advertisements to stay in compliance with federal and state discrimination laws
- Knowing what questions you can and cannot ask under the latest state and federal laws: New guidelines from the EEOC
- Avoid hidden liability traps in implementing the latest employee screening devices
- Conducting reference, credit or background checks while complying with the Fair Credit Reporting Act
- What is negligent hiring, and what can you do or say to avoid its disastrous consequences?

Common Documentation and Recordkeeping Mistakes that Can Expose You and Your Organization to Liability

- The essential information that every employee file should and should not contain
- Ensuring that you do not violate your employees' rights to confidentiality
- How to avoid the most common recordkeeping and documentation mistakes that managers make
- What errors do the EEOC and Department of Labor look for in your records?

Employee Privacy Rights: Balancing Your Employees' Rights with Business Necessity

- What all managers should know about employee privacy and confidentiality rights
- Monitoring computers, phone calls and e-mails and searching lockers and offices without violating state and federal laws
- Handling third party access to personnel files, requests for information and subpoenas of documents
- Avoiding liability for defamation when communicating information about your past or present employees
- Dealing with substance abuse in the workplace
- What are the employer's rights when implementing a dress code policy and disciplining employees who violate it?

Preventing and Responding to Sexual Harassment Claims and Other Day to Day Workplace Conflict

- Court cases defining what does and does not constitute sexual harassment
- How to respond when a sexual harassment complaint is lodged or improper behavior is suspected: The importance of management's prompt and remedial action

- The manager's role when an internal investigation is conducted
- When can managers and supervisors be held personally liable?
- Keeping employee conflict from spreading to the rest of your workforce
- How the EEOC's new mediation initiative works

Managing Leave and Absence Issues

- Understanding the requirements of the Family and Medical Leave Act (FMLA): Which employees are eligible, and what conditions require leave to be granted?
- Determining whether your employee's medical problem constitutes a "serious health condition"
- Employees' mandatory leave rights such as voting, jury duty, military service
- Enforcing attendance policies that comply with the law
- Handling requests for reduced schedule or intermittent leave
- Returning employees to work: What are the employer's obligations?
- Navigating the confusing overlap of leave and disability laws: Walking through a flow chart to determine whether the condition falls under the FMLA, ADA and/or workers' comp
- Individual liability for FMLA violations

Labor and Management Relations in Both Union and Non-Union Settings

- The impact of federal labor laws on management practices in both union and non-union organizations: The National Labor Relations Act, the Labor Management Relations Act and other relevant legislation
- What are your employees' rights to engage in "concerted action" and organizing activities?
- Employee right to a representative in the union and non-union setting

Everything You Need to Know About Wage and Hour Laws

- Determining whether employees are exempt or non-exempt from overtime and the respective rules that apply to each group
- Understanding when on-call time, meal breaks, out-of-town travel, sleep time, and beeper alert time are compensable under the FLSA
- Differentiating between employees and independent contractors
- Impact of minimum wage requirements in your state

Discipline and Termination: Avoiding Wrongful Discharge and Retaliation Claims

- Tips on communicating with employees about performance problems
- The manager's pre-termination checklist: Avoiding common mistakes when terminating employees
- What does "employment at will" mean and what are the exceptions?
- Avoiding retaliation claims

Managing a Safe Workplace to Prevent Employee Injuries and Reduce Workers' Compensation Costs

- Complying with federal OSHA requirements and preventing musculoskeletal disorders
- Deciphering workers' comp coverage: Understanding exclusions for horseplay, intoxication and willful acts and the consequences of negligent supervision
- What are your responsibilities when an employee files a workers' comp claim?