

American Bar Association

4th Annual Section of Labor and Employment Law Conference

Chicago, IL
November 3–6, 2010

Program Schedule

Wednesday, November 3

3:00 – 8:00 pm

Conference Registration

4:00 – 5:30 pm

Orientation and Introduction for First-Time Attendees and New Section Members

5:30 – 6:00 pm

Networking Reception for First-Time Attendees and New Section Members

6:00 – 8:00 pm

Welcome Reception and Standing Committee Expo

Thursday, November 4

7:00 – 8:00 am

Continental Breakfast

7:00 – 8:00 am

Constituency Business Breakfasts

8:00 – 9:15 am

Plenary Session: Welcome, Award Presentations, and Supreme Court Review

• ADR Track

9:30 – 11:00 am

The Art of ADR Advocacy and When to Ignore Your Basic Instincts

11:15 am – 12:45 pm

Arbitration in the Spotlight: Bright Lights or Lights Out?

2:00 – 3:30 pm

Workshop on Successful Tips to Resolve the Litigated Case in Mediation

3:45 – 5:15 pm

What's So Interesting About Interest-Based Arbitration?

• Consulting Track

9:30 – 11:00 am

Breaking News: 2010's Top Five Labor and Employment Law Issues You Need to Know

11:15 am – 12:45 pm

You Don't Own Me . . . Or Do You? The Latest Word on Contingent Workers, Including the Pros and Perils of Using Independent Contractors and Temporary Workers

2:00 – 3:30 pm

It's Elementary, My Dear Watson: Best Practices for Implementing Workplace Policies to Accommodate Lesbian, Gay, Bisexual, and Transgender (LGBT) Employees

3:45 – 5:15 pm

A Mountain or a Molehill—Or the Real Mount Everest? Up-to-date Review of the Impact of the Lilly Ledbetter Act on Employer Practices

• Ethics Track

9:30 – 11:00 am

Not Only Sleepless in Seattle: Spirited Discussion of Current Labor and Employment Law Ethics Issues That Might Give You Insomnia

• Fundamentals Track

Cosponsored by the ABA Young Lawyers Division

9:30 – 11:00 am

Over There, Over There: Introduction to International Labor and Employment Law in the Most Economically Significant International Geographic Regions

11:15 am – 12:45 pm

Crash Course in Wage and Hour Laws, Including Key Federal and State Law Concepts

2:00 – 3:30 pm

Primer on the Procedures and Power of Class and Collective Actions

3:45 – 5:15 pm

Introduction to the Forceful Combination of the ADA and GINA

• In-house Counsel Track

12:45 – 2:00 pm

In-house Corporate Counsel Networking Luncheon

2:00 – 3:30 pm

More Than One Way to Skin a Cat: The “How To” on “How To” Train in Your Organization and Create a Great Defense

3:45 – 5:15 pm

Your “Stay Out of Jail Free Card”: Best Practices in Business Ethics and Compliance Programs

• International Track

11:15 am – 12:45 pm

Around the World in 90 Minutes: Highlights of Current Peculiarities and Pitfalls of Individual Transnational Employment Contracts

2:00 – 3:30 pm

Let There Be Peace on Earth—International Frameworks for Dispute Resolution

3:45 – 5:15 pm

If It's Tuesday, This Must Be Belgium—Global Labor and Management Strategies

• Law Practice Development and Management Track

9:30 – 11:00 am

“You Like Me, You Really Like Me”—Competing for and Winning Work from Corporate Counsel: Making the Most of RFP and Presentation Opportunities

11:15 am – 12:45 pm

Don't Be a Dinosaur—From Facebook to Document Management Systems: Top Tips Whether You Are in a Mega-Firm or Solo Practice

• Litigation Track

9:30 – 11:00 am

Digging for Dirt: Tips on Using Websites, Apps, and Other Investigation Tools to Mine for That Golden Trial Nugget

11:15 am – 12:45 pm

We'll Just See What the Judge Says About That! When Motions to Compel and Motions for Protective Orders Are Necessary

2:00 – 3:30 pm

Are You Smarter than a 1L? Test Your Evidentiary and Procedural Rules Knowledge

3:45 – 5:15 pm

But for the Witnesses, I Would Have Won the Case

• Pro Bono Track

12:45 – 2:00 pm – Luncheon Program

Pro Bono Coordination: Working with Direct-Legal Services Organizations and the Courts

• Traditional Labor Track

9:30 – 11:00 am

What Is the Obama Department of Labor Up To?

11:15 am – 12:45 pm

Dateline NLRA: Up-to-the-Minute Analysis of Developments under the National Labor Relations Act

2:00 – 3:30 pm

The State of Labor and How Labor Representation Has Changed in a Post-Modern World

3:45 – 5:15 pm

Reaching Agreements on First Contracts

6:00 – 7:30 pm

Reception Honoring Diversity in the Profession

Friday, November 5

7:00 – 8:00 am

Continental Breakfast

7:00 – 8:00 am

Standing Committee Business Meetings

8:00 – 9:15 am

Plenary Session: The New Health Care Legislation: What Employers, Unions, Employees, and Their Lawyers Need to Know

• Consulting Track

9:30 – 11:00 am

Rebel Without a Cause: Best Practices for Responding to Workplace Bullying

11:15 am – 12:45 pm

You Just Might Find . . . You Get What You Need: A Practical Guide to Finding and Managing Disability Accommodations

• Discrimination and Retaliation Track

9:30 – 11:00 am

National Origin Discrimination and Language Rights Litigation

2:00 – 3:30 pm

You Ain't Seen Nothin' Yet—Latest Cases and Trends in Harassment Law and Litigation

3:45 – 5:15 pm

When Is Enough Not Enough? *Iqbal* Pleading Issues and Burdens of Proof Problems in Title VII Litigation

• Ethics Track

3:45 – 5:15 pm

When Worlds Collide: The Top Ethical Dilemmas Present in Multijurisdictional Practice

• Federal Sector Track

2:00 – 3:30 pm

Liberty and Justice for All: What's Hot in 2010 in Federal Sector Personnel and Labor Law

• Fundamentals Track

Cosponsored by the ABA Young Lawyers Division

9:30 – 11:00 am

Primer on What the Family and Medical Leave Act (FMLA) Covers in 2010

11:15 am – 12:45 pm

"It Don't Matter if You're Black or White"—Or Female or Older—Primer on Title VII and ADEA

2:00 – 3:30 pm – *Concurrent Programs*

A. Everything You Need to Know (Almost) About Occupational Safety and Health Law

B. Fast-Paced Primer on Railway and Airline Labor Law

C. High-Speed Introduction to Immigration Law

3:45 – 5:15 pm – *Concurrent Programs*

A. Introduction to Workers' Compensation Law

B. Anatomy of an Employee Benefits Claim for the General Employment Law Practitioner

C. Inside Edition: An Overview of the NLRA and Practice Before the NLRB

• Law Practice Development and Management Track

3:45 – 5:15 pm

If You Are Failing to Plan, You Are Planning to Fail: Developing Your Own Winning Individual Business Plan

• Litigation Track

9:30 – 11:00 am

Summary Judgment, Part I: The Paper Fight—How to Advance Your Position

11:15 am – 12:45 pm

Summary Judgment, Part II: Oral Argument—The Final Fight Before Trial

2:00 – 3:30 pm

I Am Mad as Hell and I'm Not Going to Take It Anymore—Employee and Employer Counsel "Share" Their Thoughts on What Makes It Easy to Go to Trial

3:45 – 5:15 pm

Help! I Need Somebody—Not Just Anybody: I Need a Jury Consultant

• Public Sector Track

9:30 – 11:00 am

Getting to Yes, Maybe—Bargaining in a Struggling Economy

11:15 am – 12:45 pm

Can You Make the Grade?—Collective Bargaining in the Midst of Educational Reforms

• Sports and Entertainment Track

11:15 am – 12:45 pm

Creative Freedom or Employment Discrimination? Casting for Racial, Cultural, and Gender Identity

2:00 – 3:30 pm

Boys Behaving Badly, Girls Going Gaga: Out-of-Workplace Misconduct in Sports

• Traditional Labor Track

9:30 – 11:00 am

Meet the National Labor Relations Board

11:15 am – 12:45 pm

Meet the National Labor Relations Board General Counsel

2:00 – 3:30 pm

You're Not Welcome Here: NLRA Preemption and Removal

3:45 – 5:15 pm

On the Frontline: Your Chance to Hear from NLRB Regional Directors

• Wage and Hour Track

9:30 – 11:00 am

Get in the Game: The Latest News and Developments in Wage and Hour Litigation

11:15 am – 12:45 pm

An Ounce of Prevention Is Worth a Pound of Cure—Preventive Strategies to Enhance Compliance with Wage and Hour Laws

2:00 – 3:30 pm

Pay Up!—What Do FLSA Violations Really Cost?

3:45 – 5:15 pm

Face the Nation: The Obama Department of Labor Takes Shape

6:00 – 9:00 pm

Conference Reception at the Mid-America Club

Saturday, November 6

7:00 – 8:00 am

Continental Breakfast

7:00 – 8:00 am

Roundtable Discussions: Confab with Corporate Counsel, Gab with the Government, and Jam with the Judiciary

8:00 – 9:15 am

Plenary Session: I Know What You Did Last Summer—Emerging Issues Raised by the Use of Social Networking Sites

• Discrimination and Retaliation Track

9:30 – 11:00 am

Don't Get Mad, Get Even—Litigating Retaliation Claims in 2010

11:15 am – 12:45 pm

Rules of Engagement—Pleading and Litigating Title VII Disparate Impact Cases in the Wake of *Ricci* and *Iqbal*

• Fundamentals Track

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9:30 – 11:00 am

Exactly What Do All These Numbers Mean?—Accounting for Lawyers

11:15 am – 12:45 pm

Nonstatutory Employment Claims

• Immigration Track

9:30 – 11:00 am

Imagine All the People—Getting Your Clients Prepared for the New Wave of Immigration Enforcement

11:15 am – 12:45 pm

The Great American Melting Pot, or Not: Immigration Reform

• Law Student Track

8:00 am – 12:45 pm

It's a Wonderful World: Welcome to the Universe of Labor and Employment Law

1:00 – 2:15 pm

Careers in Labor and Employment Law Lunch: An Exploration of Options and Advice for Law Students on Finding the Right Job

• Litigation Track

9:30 – 11:00 am

Medical Experts: Is the Doctor a Help or Could the Doctor Use Some Help?

11:15 am – 12:45 pm

The Price Is Right: The Art and Science of Proving and Disproving Damages in an Employment Case

• Technology Track

9:30 – 11:00 am

Up in the Air and Everywhere: E-Discovery Beyond Email, Cloud Computing, and Virtual Servers

11:15 am – 12:45 pm

Is Big Brother Watching? Monitoring Employee Communications and Employee Privacy

• Traditional Labor Track

9:30 – 11:00 am

Demonstration of a C Case, Part I: Filing with the Regional NLRB Office and Case Investigation

11:15 am – 12:45 pm

Demonstration of a C Case, Part II: The ALJ Hearing

• Wage and Hour Track

9:30 – 11:00 am

The Real Double-Edged Sword: Everything You Wanted to Know About Wage and Hour Hybrids

11:15 am – 12:45 pm

It Ain't Over 'Til It's Over: Unique Ethical and Practical Issues Posed by Settling Wage and Hour Litigation