

16th Annual

Labor & Employment Law

Best Practices for Public and Private Employers



MAR. 16 & 17, 2021

LIVE WEBCAST FROM
Billings, MT

ACCREDITATION

**MT CLE, WA MCLE,
HRCI, SHRM-CPSM /
SHRM-SCPSM**

(see inside for details)

THE SEMINAR GROUP ~ RAISING THE BAR OF CONTINUING LEGAL AND PROFESSIONAL EDUCATION

Seminar Overview

The Seminar Group is presenting its 16th Annual Montana Labor and Employment Law seminar. An exceptional faculty, including attorneys and others with broad experience in labor issues, employment litigation, and human resources, will explain recent court decisions and changes in federal and state laws and regulations affecting public and private employers.

Whether you are an attorney who represents employers or employees, a business owner or executive, a human resources professional, or a manager in a government agency, you don't want to miss this seminar.

Who Should Attend:

Attorneys
Human Resource
Professionals
In-House Counsel

Labor and Employment Law
Tuesday, March 16, 2021

9:00 MDT Welcome and Overview - Day One
Mary E. "Marilee" Duncan, Program Co-Chair
Felt Martin PC
T. Thomas Singer, Program Co-Chair
Axilon Law

9:10 Recent Developments
Recent employment cases from the state courts, Ninth Circuit, and U.S. Supreme Court; guidance from state and federal agencies; what's happening in the Montana legislature.
Amy D. Christensen
Christensen & Prezeau PLLP

10:00 The Technical Side of Paying Employees
Overtime, payroll practices, garnishments, coordination with taxing authorities, unemployment issues
Jackie Swiesz, HR Business Partner
Associated Employers

10:45 Break

11:00 When Red and Blue Clash in the Workplace
The employer's response to social media; First Amendment considerations; Union rules
Mary E. "Marilee" Duncan
Felt Martin PC

11:45 Americans with Disabilities Act Update
New interpretations from the EEOC and state Department of Labor, best practices for addressing hidden disabilities, training managers and front-line supervisors
Jason S. Ritchie
Ritchie Manning LLP

12:30 Midday Break

1:30 The Ongoing Challenges of COVID, Leave Issues and Working from Home
FFCRA and related leave issues; return to work and ADA implications; evaluating employees working remotely; privacy and confidentiality issues; COVID-related litigation and best practices to avoid and defend claims.
Jason S. Ritchie
Ritchie Manning LLP

2:30 Equal Pay and Compensation Systems
Attitudes toward compensation and best practices
Virginia Bratton, PhD, Associate Professor
Jake Jabs College of Business & Entrepreneurship
Montana State University

3:15 Break

3:30 NLRB and Labor Law Update
Laurence R. Martin
Felt Martin PC

4:15 The Trial of a Wrongful Discharge Case
Gerry P Fagan
Moulton Bellingham PC

5:00 Adjourn

Labor and Employment Law
Wednesday, March 17, 2021

9:00 MDT Welcome and Overview - Day Two
Mary E. "Marilee" Duncan, Program Co-Chair
Felt Martin PC
T. Thomas Singer, Program Co-Chair
Axilon Law

9:05 Views from the Sideline: Perspectives from the Human Rights Commission's Lawyer
Learn about the Human Rights Commission's process and procedures from the perspective of the board's lawyer. Hear common pitfalls in the administrative process, practical advice for presenting appeals to the Commission, and rules to know.
Haley A. Nelson
Human Rights Commission
Montana Department of Labor & Industry

10:00 Aint it a Shame (How Discrimination Law Perpetuates Inequality)
Workplace discrimination has been prohibited since 1964, yet a recent empirical study funded by the ABA Foundation and others concludes America's discrimination laws fail to address, and may actually exacerbate employment discrimination. Why is the system failing, and what can be done about it?
T. Thomas Singer
Axilon Law

10:30 Break

10:45 Bostock and Beyond: Developments in the Law Governing Sexual Orientation, Gender Identity and Expression
Recent U.S. Supreme Court and Federal Circuit Court cases addressing employment discrimination based on sexual orientation and gender identity and expression. How the Montana Human Rights Bureau approaches investigations in these classes of discrimination.
Brent Brooks
Axilon Law

11:30 How and When to Take the Keys
The Ethics of Dealing with Employees' and Attorneys' Capacity Issues, including Mental Illness, Serious Health Issues, Dementia, Aging, Addiction, and other challenges of modern life.
Mary E. "Marilee" Duncan
Felt Martin PC
T. Thomas Singer
Axilon Law

12:30 Adjourn

Faculty - Labor and Employment Law



Mary E. "Marilee" Duncan, Program Co-Chair, is an attorney with Felt Martin PC. She practices primarily in the areas of employment law, school law, civil litigation, insurance defense, banking, and health care law. A significant part of her practice involves representing public and private employers in employment actions in administrative agencies and courts.



Laurence R. Martin is a shareholder and officer of Felt Martin PC where he concentrates his practice on litigation, labor and employment law, commercial law, education law, and agriculture law. His labor and employment law practice includes counseling, trials and appeals, administrative proceedings, and collective bargaining.



T. Thomas Singer, Program Co-Chair, is the managing partner of Axilon Law. He helps clients resolve civil lawsuits, especially commercial, products liability, and employment disputes. He has taught at the IADC Trial Academy, has chaired and continues to serve on the Professionalism Committee of the State Bar of Montana, and has presented dozens of seminars on legal ethics.

Haley A. Nelson serves as counsel for the Montana Department of Labor & Industry's Office of Legal Services. In this position, Ms. Nelson's served for over two years as counsel to the Montana Human Rights Commission, a quasi-judicial board charged with reviewing complaints of discrimination brought pursuant to the Montana Human Rights Act.



Virginia Bratton, PhD, is an Associate Professor at Montana State University in the Jake Jabs College of Business & Entrepreneurship. Her research interests include business ethics, impression management, organizational identity, and performance appraisals. She teaches courses in human resource management, leadership, and organizational politics.



Jason S. Ritchie is a partner with Ritchie Manning LLP. Recognized as one of the preeminent labor and employment attorneys in Montana, he works intimately with businesses on every aspect of the employment relationship. He counsels on day-to-day operations, conducts workplace investigations, and handles disputes in courts & administrative proceedings.

Brent Brooks is an attorney at Axilon Law. He previously served as City Attorney for the City of Billings.



Jackie Swiesz is a Human Resource Business Partner at Associated Employers. She brings more than 18 years of human resource experience in both the private and non-profit sectors and is well acquainted with the diversity of small businesses in our area. Jackie is highly skilled in the full range of HR functions as well as payroll and benefits administration.



Amy D. Christensen is the managing partner of Christensen & Prezeau PLLP. She has over twenty years of experience litigating cases in state and federal court involving employment matters, health care, and professional liability. She has appeared before administrative agencies involving discrimination and retaliation, unemployment insurance, wage and hour.



Gerry P. Fagan is an attorney at Moulton Bellingham PC. His primary practice area is civil litigation, with an emphasis on products liability; personal injury defense; bad faith insurance claims; medical malpractice claims; and insurance coverage. He is well-versed in handling Montana's unique case law (known as Ridley) requiring advance payment of certain damages.

Labor and Employment Law

Credits

MT CLE

This course has been approved by the Montana State Bar for a total of 9.5 CLE credits including 1.0 ethics credits (Live Credits for Webcast).

WA MCLE

This course has been approved for 8.5 hours of law and legal credit and 1.0 hours of ethics CLE credit by the Washington MCLE board (Live Credits for Webcast). Self-Study credit will be available, specific credit amount to be determined.

The Seminar Group is an accredited sponsor with the Washington State Bar

HRCI

This Activity has been approved for 9.75 HR General recertification credit hours toward aPHR™, aPHRi™, PHR®, PHRca®, SPHR®, GPHR®, PHRi™ and SPHRi™ recertification through HR Certification Institute® (HRCI®) (Live Credits for Webcast). Self-study credits can be applied for upon request.



The use of this seal confirms that this activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.

SHRM-CPSM / SHRM-SCPSM

The Seminar Group is recognized by SHRM to offer SHRM-CP or SHRM-SCP professional development credits (PDCs). This program is valid for 9.5 PDCs (Live Credits for Webcast). For more information about certification or recertification, please visit shrmcertification.org. Self-study credits can be applied for upon request.



The Seminar Group is recognized by SHRM to offer Professional Development Credits (PDCs) for the SHRM-CPSM or SHRM-SCPSM. For more information about certification or recertification, please visit shrmcertification.org.

Location

Live Webcast broadcast from Billings, MT

LIVE WEBCAST broadcast from Billings, MT

Phone:

Due to growing health concerns regarding the spread of COVID-19, The Seminar Group has opted to hold the seminar strictly webcast.

Fees

Live Webcast:

Attorney	\$599.00
Government / Tribal / Non-Profit	\$499.00
Other Professionals	\$499.00
Student / Professor	\$399.00
Day One	\$499.17
Day Two	\$249.58

Pre Order On Demand:

All Sessions	\$599.00
Single Session	\$99.00

Pre Order MP3 Download:

All Sessions	\$599.00
Single Session	\$99.00

Pre Order DVD Homestudy:

All Sessions	\$699.00
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Pre Order CD Homestudy:

All Sessions	\$699.00
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Pre Order Materials Download:

All Sessions	\$209.00
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Pre Order Printed Materials:

All Sessions	\$239.00
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Go to our website to register: www.TheSeminarGroup.net or call our office at 206-463-4400. You can also contact us at info@theseminargroup.net or by mail to The Seminar Group, P.O. Box 523, Vashon, WA 90870.

CANCELLATION POLICY: We will refund your tuition, less a \$50 cancellation charge, if we receive your cancellation by 3/10/21. No refunds will be given after this date. Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for payment.

Register at

TSGregistration.net/6101