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## EEOC Issues Final Regulations on the ADAAA

By Jill A. Cheskes

On March 25, 2011, the EEOC will publish its final regulations implementing the ADA Amendments Act after receiving and considering over 600 comments on its proposed regulations that were issued in September 2009. The regulations will take effect on May 24, 2011.

The regulations, like the actual amendments to the ADA, make it clear that the standard for determining whether a particular condition is a disability under the ADA is lower. The EEOC emphasized that the final rule received bipartisan support at the Commission. The final regulations are generally viewed as an improvement for employers over the proposed regulations. However, what is abundantly clear from the ADAAA, itself, as well as the regulations, is that employers will have little ability to argue that a condition is not a disability and instead must focus on the issues of reasonable accommodation and the interactive process.

The definition of a “disability” remains the same under the regulations. It is a (1) physical or mental impairment that substantially limits a major life activity; (2) a record of such an impairment; or (3) being regarded as having such an impairment so long as the actual or perceived impairment is not transitory or minor.

The regulations make it clear that if an individual is not claiming any failure to make a reasonable accommodation and does not actually require a reasonable accommodation, the employee should proceed under the “regarded as” prong, which does not require a showing of an impairment that substantially limits a major life activity. “Regarded as” cases then are meant for cases claiming classic types of discrimination or harassment, i.e. failure to hire and promote, demotion, and termination. In order to establish the defense of a “transitory and minor” condition under the “regarded as” prong, the employer must establish this based on an objective standard and not merely that the employer believed the condition to be transitory and minor. Transitory is defined as lasting less than six months.

The regulations clarified that the term “major life activity” includes “major bodily functions” such as functions of the immune system and circulatory system, brain and bladder function and that the list of major bodily functions is not exhaustive.

One area of the proposed regulations that received much criticism from employer groups was a list of conditions that will virtually always be found to be a disability. While the final regulation still contains this principle, the EEOC did include that individualized assessments are still required. The EEOC deleted a section from the proposed rules that listed conditions that would not normally be considered disabilities.

The EEOC did not adopt a standard to define “substantially limits” but instead identified “rules of construction” for determining if a condition “substantially limits” a major life activity. These rules of construction emphasize the expansive coverage intended by the amendments and that “substantially limits” is not meant to be a demanding standard and need not prevent or significantly or severely restrict the individual from performing a major life activity. The rules identify that only one major life activity need be affected.

The final rules deleted a section that was in the proposed regulations that adopted a “type of work” standard to define a substantial limitation in “working.” Employers criticized this section and the final rule contains no such section. The final regulations retained the traditional “class or broad range of jobs” language rather than introducing this new standard.

The final regulations retained in the “substantial limitations” section the ability of the employer and courts to consider the “manner, condition and duration” in which an employee can perform an activity but included language that such an analysis may often

be unnecessary. The EEOC did decline to adopt a minimum duration of an impairment to be considered in an actual or record of impairment case so conceivably an impairment that lasts only several months could be a disability.

The final regulations make it clear that mitigating measures, except for ordinary eyeglasses and contact lenses, may not be considered in determining if an impairment substantially limits a major life activity but negative side effects may be considered.

The ADAAA intentionally made disability cases much easier for employees by essentially taking whether or not a condition is a disability out of the equation. The EEOC’s final regulations continue this trend. The effect of the ADAAA is already present as the number of disability charges with the EEOC spiked 23% in 2010. Employers must adjust their focus in these cases to the reasonable accommodation and interactive process in order to prevail both in the workplace and in the courtroom.

*Jill Cheskes concentrates her practice on the representation of management in all areas of employment. If you have any questions about this or another employment-related matter, please contact Jill at 312.894.3367 or jcheskes@salawus.com.*

## Internships: To Pay Or Not To Pay, That is the Question...

By Julie A. Proscia

As the harsh winter weather begins to break and the light of spring peeks out, companies are now beginning to become inundated with requests for internships from hopeful college students. Unpaid internships are a great opportunity for both the employer and the intern to receive valuable assistance and experience, but can subject the company to liability if not administered correctly. If administered incorrectly the hopeful doe-eyed unpaid intern can quickly turn into a green eyed plaintiff looking for back wages and unpaid overtime.

So how can companies administer the unpaid internship program correctly and not subject themselves to liability? The basic principle behind a legal unpaid internship is simple; unpaid interns cannot do any work that contributes to a company’s operations. This includes any tasks that predominately help you run your business, like documenting inventory, filing papers, answering emails, etc. These principles are for “for profit” organizations and not applicable to “not-for-profit” entities.

So what does that leave? Unpaid interns are allowed to shadow other employees and perform duties that don’t have a business need. The DOL has developed six factors that should be used to determine if the unpaid intern is really an intern or an employee. ALL six factors must be met in order for an internship to be properly classified as unpaid. If any of the six factors are not met the intern is designated as an employee.

So what are the factors?

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school;
2. The training is for the benefit of the trainee;
3. The trainees do not displace regular employees, but work under

close observation;

4. The employer that provides the training derives no immediate advantage from the activities of the trainees, and on occasion the employer’s operations may actually be impeded;
5. The trainees are not necessarily entitled to a job at the completion of the training period; and
6. The employer and the trainee understand that the trainees are not entitled to wages for the time spent in training.

If an intern fails to meet any of the six factors they should be paid minimum wage for all hours worked and overtime if overtime is applicable. It is also prudent to require that the intern receive college credit and conduct their internship through an approved program at their school or university. The latter will not absolve the company from wage and hour liability, if the factors are not met, but will go along way to protect the employer if questions are raised. In a 1988 Opinion Letter, the DOL stated that students would not be classified as employees if the internship programs were “designed to provide the students with professional experience in furtherance of their education and training and are academically orientated for their benefit.”

So what is the answer to the question of “to pay or not to pay?” It depends. It depends on what type of work that the intern will be performing and what the company’s goal is regarding the internship. If the goal and the reality is to have an individual perform routine type of tasks then it is better to pay the individual minimum wage. In either aspect, whether paid or unpaid, are a great way for a company to have an trial period with a potential employee and catch the next brilliant star before they rise with another company.

*If you have any questions about this article or would like assistance structuring an internship program, please contact Julie A. Proscia. Julie is a partner at Smith Amundsen in the Labor & Employment Practice Group. Julie exclusively represents management and may be contacted at 630.587.7911 or jproscia@salawus.com.*

# Immigration Updates

## New DHS and DOL Memorandum of Understanding Confirms Information Sharing Between Departments

By Sara S. Zorich

On March 31, 2011, the US Department of Labor (DOL) and the Department of Homeland Security (DHS) entered into a Memorandum of Understanding (MOU) concerning enforcement activities at worksites. The purpose of the MOU is to clarify the ways in which the departments will work together to advance their directives of enforcement and to avoid conflict. The DOL is tasked with enforcement and assurance of proper wages and working conditions while the DHS enforces immigration laws including ensuring workers are authorized to work in the United States. Through the MOU, ICE has agreed to refrain from engaging in civil worksite enforcement at a worksite with an existing DOL investigation of a labor dispute, however, there are exceptions where both agencies can investigate at the same time if it is determined necessary by the Director of ICE, Secretary of Homeland Security or by an Officer of the DOL. The purpose of this MOU is to reduce duplication of efforts between the departments. However, the MOU specifically states that ICE and DOL agree to create a means in which to exchange information from their respective investigations.

Though we will need to see how this is implemented, MOU appears

to say that in most circumstances in which an employer is subject to a DOL investigation regarding minimum wage, FMLA, work related injuries, discrimination and/or retaliation, that the employer will not also be subject to an ICE civil audit at the same time. However, this MOU makes it clear that the DOL and ICE will be sharing information from their respective investigations and does not restrict ICE from investigating after a DOL investigation is complete. Therefore, if an employer is subject to an audit by one of the departments the information gathered during that audit may be shared with other government enforcement units.

The government's actions make it clear that enforcement is still a key strategy of the administration and there are no signs of slowing. This is the time for employers to review their wage and hour policies and practices as well as their immigration policies and practices, including their I-9's, to ensure compliance before ICE or DOL come knocking.

*If you have questions regarding workplace enforcement or I-9 issues, please contact Sara S. Zorich at 312.894.3265 or szorich@salawus.com.*

## U.S. Citizenship and Immigration Services Issues Proposed H-1B Electronic Registration System

By Jacqueline Lentini McCullough

U.S. Citizenship and Immigration Services ("USCIS") announced on March 2, 2011, that it is seeking to simplify the annual H-1B filing process for U.S. employers, thereby saving a projected \$23 million to U.S. businesses. As background, the H-1B is a non-immigrant visa allowing U.S. employers to temporarily employ foreign workers in specialty occupations. Each year, employers seeking to file a H-1B petition, subject to either the 65,000 statutory cap or the 20,000 statutory Master's cap, race to do so on April 1, when USCIS opens the filing period for new H-1B's. Under the proposed rule, USCIS would establish an advance registration system. The proposed registration process would require employers seeking to file a H-1B petition to simply register electronically with USCIS in a 30-minute application

process. USCIS would then select the number of registrations it estimates to exhaust the annual caps for both the 65,000 and 20,000 caps. In this way, employers would be saved the burden of filing a H-1B petition that is not ultimately selected for processing. USCIS has opened a comment period on the proposed rule in the Federal Register, which will end on May 2, 2011. All comments can be directed to [opefeedback@uscis.dhs.gov](mailto:opefeedback@uscis.dhs.gov).

*If you have any questions on this or any other immigration-related issue, please contact Jacqueline Lentini McCullough at 630.262.1435 or [jlentini@salawus.com](mailto:jlentini@salawus.com).*

## AR-11 Update

By Jacqueline Lentini McCullough

Are you a foreign national living in the U.S.? Are you a green card holder? If so, within ten days of moving residences, you must update your address change with the U.S. Citizenship and Immigration Services. The address for filing form AR-11 has changed as of April 1, 2011. The new address for filing form AR-11 is the following:

DHS/USCIS  
Harrisonburg File Storage Facility  
Attn: AR-11  
1344 Pleasants Drive  
Harrisonburg, VA 22801

*If you have any questions on this or any other immigration-related issue, please contact Jacqueline Lentini McCullough at 630.262.1435 or [jlentini@salawus.com](mailto:jlentini@salawus.com).*

# Case Law Reviews & Updates

## “Cat’s Paw” Discrimination Can Be Actionable – *Staub v. Proctor Hospital*

By Lawrence R. Smith

On March 1, 2011, the United States Supreme Court issued its decision in *Staub v. Proctor Hospital*, reversing the Seventh Circuit Court of Appeals on the issue of whether Proctor violated the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). A jury had found that Proctor violated USERRA by making an adverse employment decision against Staub (termination) where Staub’s membership in the United States Army Reserve was a motivating factor in the decision to terminate him.

Staub was an angiography technician for Proctor Hospital. As an army reservist, he was required to spend one weekend per month in military training in addition to two to three weeks per year in additional training.

Janice Mulally, Staub’s immediate supervisor, and her supervisor, Michael Korenchuk, both gave testimony that the Supreme Court found to be an indication of hostility to Staub’s military obligations. Mulally scheduled Staub for additional shifts “so that he would have to pay back the department for everyone else having to bend over backwards to cover [his schedule for the reserves].” 560 F.3d 647, 652. Furthermore, she informed Staub’s co-worker that Staub’s military duty had been a strain on the department and asked the co-worker to help get rid of Staub. Korenchuk referred to Staub’s military obligations as “a bunch of smoking and joking and a waste of taxpayer’s money.” Korenchuk further admitted that Mulally was “out to get” Staub.

Mulally issued Staub a “corrective action” warning in January 2004 for violating a “company rule” requiring him to stay in his work area whenever he was not working with a patient. The corrective action plan required Staub to report to Mulally or Korenchuk when he had no patients or angio cases to work on.

In May 2004, Mulally claimed that Staub violated the corrective action plan, stating that Staub had left his desk without informing a supervisor. Staub claimed that he had left Korenchuk a voicemail of notification that he was leaving his desk. Linda Buck was Proctor’s Vice President of Human Resources and Garrett McGowan was Proctor’s Chief Operating Officer. There was testimony that McGowan had directed Korenchuk and Buck to create a plan that would solve Staub’s “availability problems.” Linda Buck terminated Staub after reviewing his personnel file, relying upon Korenchuk’s accusation of the violation of the corrective action plan. Staub went through the grievance process to challenge the firing. Apparently Buck did not investigate Staub’s accusation that Mulally was out to get him because of his military service obligations and had fabricated the basis for the original corrective action plan in January 2004 or investigate Staub’s assertion that he advised Korenchuk by voicemail that he was leaving his work area.

The Seventh Circuit had referred to Staub’s claim as a “cat’s paw case.” Staub sought to hold the employer responsible for the discriminatory conduct of the supervisor whose accusations against Staub formed the

basis for the decision of the Vice President of Human Resources.

The issue under discussion was whether the statutory language: “an employer shall be considered to have engaged in actions prohibited... if the person’s membership in the military” is a motivating factor in the employer’s action. 38 U.S.C. § 4311(c)

The court compared the language in USERRA to the language in Title VII which prohibits employment discrimination “because of race, color, religion, sex, or national origin” where one of those factors was a motivating factor for any employment practice, even though other factors also motivated the practice. 42 U.S.C. 2000E-2A(M).

The court discussed the meaning of “motivating factor” in the context of the concept of proximate cause. The court found that an internal investigation does not preclude an employee from presenting a successful claim.

The Court held that if the supervisor does something to an employee motivated by anti-military ill will that is intended to cause an adverse employment action, and if that conduct is a proximate cause of an adverse employment decision, the employer is liable under USERRA even if someone other than the supervisor makes the adverse employment decision. The Supreme Court did not indicate how it would rule if the animus against the military reservist was from a co-employee as opposed to a supervisor. Furthermore, comparing Staub’s use of the company’s grievance procedure after he was terminated to the grievance procedure suggested in both *Faragher* and *Ellerth*, the court rendered no opinion as to whether the employer’s grievance procedure in and of itself would be the basis to file an affirmative defense consistent with the *Faragher* and *Ellerth* decisions in a discrimination context.

The case was remanded to the Seventh Circuit to determine whether the jury instruction “that military status was a motivating factor in Proctor’s decision to discharge Staub” was the appropriate instruction, given the Supreme Court’s opinion. Presumably, if the Seventh Circuit found the use of the jury instruction to be harmless error, the jury verdict in favor of Staub would stand; if the Seventh Circuit found the jury instruction to constitute error, the Seventh Circuit could find that a new trial was necessary.

Employers: be aware of the reach of a supervisor’s “paw.” Investigate any known motivating factors that lead to an adverse employment decision.

*Larry Smith is a founding partner of SmithAmundsen. If you have any questions about the contents of this article or any other matter, Larry may be contacted at 312.894.3254 or lsmith@salawus.com.*

*Timothy Eavenson, a member of SmithAmundsen’s Labor & Employment Practice Group, recently provided guest commentary on this decision to The Proactive Employer’s Radio Blog. To listen to the discussion, please click here.*

# The Seventh Circuit Court of Appeals Tells the Lower Court that its Decision Was Right, But Reverses Summary Judgment Anyway to Retroactively Apply the Lilly Ledbetter Fair Pay Act

By Allison L. Chaplick

On March 28, 2011, the Seventh Circuit allowed three white police officers to pursue their claims of race discrimination under Title VII, even though the appellate court found that the district court properly granted summary judgment to the City of Springfield. How did the district court get something right, yet still be reversed? The answer is simple, yet complex: the law changed twice in the middle of a case.

In *Groesch v. City of Springfield*, the district court initially denied the City's motion for summary judgment, concluding that each paycheck that plaintiffs received that was less than that of a similarly situated African American police officer amounted to "a separate and distinct discriminatory act" from which the plaintiffs could bring separate pay discrimination claims. Then, on May 28, 2007, the U.S. Supreme Court decided *Ledbetter v. Goodyear Tire & Rubber Co.*, 550 U.S. 618 (2007). In *Ledbetter*, the Supreme Court rejected the "paycheck accrual" rule, concluding that the statute of limitations begins to run in pay discrimination cases when the discriminatory practice is adopted, and not each time an individual receives a paycheck. Based upon *Ledbetter*, the city filed another motion for summary judgment, and this time, the district court dismissed plaintiffs' claims based upon the Supreme Court's rejection of the "paycheck accrual" rule. The police officers appealed, and while the case was pending before the Seventh Circuit Court of Appeals, the law was changed again.

Congress strongly disagreed with the *Ledbetter* decision, and enacted the Lilly Ledbetter Fair Pay Act of 2009. Congress so disliked the *Ledbetter* decision that when it enacted the Act, it expressly provided that the Act applied retroactively to all claims pending on May 28, 2007--the day of the Supreme Court's decision--or after. Because the

police officers' appeal had not yet been decided by the Seventh Circuit, the Ledbetter Act and not *Ledbetter* applied. After this legal "flip-flop," the Seventh Circuit concluded that the police officers' Title VII pay discrimination claims were covered by the Ledbetter Act because they alleged a "discriminatory compensation decision" that was made in 2000, and that their claims were based upon discriminatory payment of wages resulting from that decision.

The Ledbetter Act amends Title VII of the Civil Rights Act of 1964 by providing that the statute of limitations for filing a charge of discrimination begins with each paycheck affected by a discriminatory decision. Under the Ledbetter Act, Title VII now provides that "unlawful discrimination" occurs when "(1) a discriminatory compensation decision or other practice is adopted; (2) an individual becomes subject to a discriminatory compensation decision or other practice; or (3) an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice." 42 U.S.C. §200-e5(e)(3)(A)(emphasis provided).

The scope of Title VII discrimination claims brought under the Lilly Ledbetter Fair Pay Act of 2009 is now very broad and the Seventh Circuit has interpreted this legislation to give it full force and effect. Employers must carefully evaluate their compensation and benefit policies and decisions.

*For assistance in this expanding area of the law, please contact Allison Chaplick at 312.894.3371 or [achaplick@salawus.com](mailto:achaplick@salawus.com).*

## NLRB Issues a Preemptive Strike Against Employer

By Jeffrey A. Risch

Under the direction of Chairman Wilma Liebman, the National Labor Relations Board ("NLRB" or "Board") has taken unprecedented steps to regulate the union and non-union workforce. The Board is seeking to broaden its scope and to wield a larger influence over the way employers manage their workforce. In the matter of *Parexel International LLC* 356 NLRB No. 82 (January 28, 2011), this point is keenly made --- and both union and non-union employers everywhere should take note.

In *Parexel Int'l LLC*, the Board majority agreed that the company did not terminate the employment of Theresa Neuschafer for protected concerted activities under Section 7 of the NLRA. Section 7 of the NLRA expressly prohibits an employer from retaliating against an employee for engaging in protected concerted activities. 29 U.S.C. §157. Generally, employees have received protection under the NLRA where they were retaliated against for internally criticizing a term or condition of their employment to their coworkers or a member of management. *See, e.g., Westmont Plaza*, 298 NLRB 401 (1990) (composing a letter protesting change in compensation was concerted activity); *Dearborn*

*Big Boy No. 3*, 328 NLRB No. 92 (1999) (discussing belief that failure to hire applicant was racial discrimination with coworker was protected concerted activity).

Neuschafer was found to have discussed alleged pay raises and purported preferential treatment towards South Africans by management (Neuschafer was not South African). The Board concluded that the company wanted to prevent Neuschafer from engaging in such discussions with her coworkers in the future. Such action, according to the Board's majority, served as an unlawful preemptive strike against protected concerted activity.

The Board reasoned that because an employer violates the NLRA by threatening to terminate an employee in order to prevent her from exercising Section 7 rights, it follows that an employer similarly violates the law by terminating the employee in order to be certain that she does not exercise her rights in the future. In so finding, the Board majority expanded the theories on which the agency may hold employers liable, stating that an employer violates the NLRA when it

fires an employee “to be certain that she does not exercise her Section 7 rights.”

The Board’s decision in *Parexel* is noteworthy on two fronts. First, it sets forth what is arguably a new theory of liability under the NLRA. Under the preemptive strike theory of liability, virtually any adverse employment action could be the subject of a Section 7 violation. Second, the preemptive strike theory of liability was not advanced by the NLRB’s general counsel at the underlying administrative hearing, but nonetheless prevailed.

Through its very public words and actions, the Board is using new methods, theories and ideas to regulate federal labor law. The Board has indicated that, going forward, it will play a larger role in both union and non-union employment issues. Major shifts in Board practice and policy will have a serious impact on U.S. employers in any industry, in any geographic location, and regardless of union affiliation.

*Jeffrey Risch is the chair of the Labor & Employment Practice Group. He represents management in all areas of traditional labor law. Jeffrey may be contacted at 630.587.7922 or jrisch@salawus.com.*

## CALENDAR OF EVENTS - April 2011

<p><b>Prevailing Wage Law</b> Presenter: Jeffrey Risch</p> <p>Jeffrey Risch will moderate the discussion as a panel of professionals discusses practical guidance to avoid costly litigation. All the nuts and bolts of prevailing wage law and what you need to know about it will be discussed.</p>	<ul style="list-style-type: none"> <li>■ Date: April 13, 2011</li> <li>■ Time: 8:30 am - 4:30 pm</li> <li>■ Location: Naperville, IL</li> <li>■ For more information and to register, visit <a href="http://www.lorman.com/seminars/386908">www.lorman.com/seminars/386908</a>.</li> </ul>
<p><b>One-Stop Shopping For Labor Answers Program</b> Presenters: Jeffrey Risch and Robert Lessman</p> <p>How would knowing more about fit-for-duty examinations, workers' compensation, E-Verify, short form agreements or other labor topics from experts benefit your business? Find out when Robert Lessman and Jeffrey Risch present "One Stop Shopping For Labor Answers" for The Builders Association on April 20, 2011 at the Hyatt Rosemont.</p>	<ul style="list-style-type: none"> <li>■ Date: April 20, 2011</li> <li>■ Time: 8:00 am - 12:00 pm</li> <li>■ Location: Rosemont, IL</li> <li>■ For more information and to register, please contact Denise Herdrich at <a href="mailto:dherdrich@bldrs.org">dherdrich@bldrs.org</a>.</li> </ul>
<p><b>Illinois Bankers Association Seminar: Wage and Hours Issues—Bankers Beware!</b> Presenters: Jeffrey Risch and Julie Proscia</p> <p>At this session, participants will learn how to identify and properly classify employees under Wage &amp; Hour laws and administer discipline, breaks, and leaves without breaking the overtime exemption status of the position.</p>	<ul style="list-style-type: none"> <li>■ Date: May 5, 2011</li> <li>■ Time: 8:00 am - 12:00 pm</li> <li>■ Location: Bloomington, IL</li> <li>■ For more information, please contact Emily Lempa at <a href="mailto:elempa@salawus.com">elempa@salawus.com</a>.</li> </ul>
<p><b>Fair Labor Standards Act</b> Presenters: Jeffrey Risch, Allison Chaplick, Heather Bailey and Sara Zorich</p> <p>As wage/hour lawsuits and class actions reach an all time high, Jeffrey Risch, Allison Chaplick, Heather Bailey and Sara S. Zorich, in conjunction with Lorman Education Services, will discuss staying up-to-date on new laws and critical legal developments, how policies and practices can minimize claims, how to determine which employees are exempt from federal and Illinois wage and hour laws and what compensable working time really is.</p>	<ul style="list-style-type: none"> <li>■ Date: May 6, 2011</li> <li>■ Time: 8:30 am - 4:30 pm</li> <li>■ Location: Naperville, IL</li> <li>■ For more information and to register, visit <a href="http://www.lorman.com/seminars/387420">www.lorman.com/seminars/387420</a>.</li> </ul>
<p><b>Health Care Reform - What You Still Need to Know and Watch Out For</b> Presenter: Rebecca Dobbs</p> <p>In conjunction with DuPage Association of Health Underwriters, Rebecca Dobbs will speak on Breakfast Meeting held by the DuPage Association of Health Underwriters.</p>	<ul style="list-style-type: none"> <li>■ Date: May 12, 2011</li> <li>■ Time: 7:30 am</li> <li>■ Location: Lisle, IL</li> <li>■ For more information and to register, visit <a href="http://ww.dahuonline.com/events.html">ww.dahuonline.com/events.html</a>.</li> </ul>
<p><b>Employment Law from A-Z</b> Presenters: Jeffrey Risch and Jeffrey Glass</p> <p>In conjunction with Lorman Education Services, Jeffrey Risch and Jeffrey Glass will present on employment compliance and policy creation best practices, protecting yourself and your organization and common pitfalls.</p>	<ul style="list-style-type: none"> <li>■ Date: May 13, 2011</li> <li>■ Time: 8:00 am–4:30 pm</li> <li>■ Location: Rockford, IL</li> <li>■ For more information and to register, visit <a href="http://www.lorman.com/seminars/380234">www.lorman.com/seminars/380234</a>.</li> </ul>
<p><b>Valley Industrial Association Immigration Seminar - Avoiding the Issues of Improper I-9 Documentation</b> Presenter: Sara Zorich</p> <p>Learn about the essential worker documentation issues involved in the I-9 documentation process to help employers avoid the potential liabilities and pitfalls of improper documentation and employment of an undocumented workforce. Also learn about tips to manage immigration audits by the US Immigration and Customs Enforcement agency and utilizing E-Verify to document your workforce.</p>	<ul style="list-style-type: none"> <li>■ Date: May 13, 2011</li> <li>■ Time: 8:00 am–10:30 am</li> <li>■ Location: VIA Office, 2111 Plum Street, Suite 372, Aurora, IL</li> <li>■ For more information and to register, visit <a href="http://www.valleyindustrialassociation.org">www.valleyindustrialassociation.org</a>.</li> </ul>
<p><b>Avoiding New Labor and Employment Law Land Mines in 2011 and Managing Compliance With Health Care Reform: What you don't know will hurt you...</b> Presenters: Jeffrey Risch and Rebecca Dobbs</p> <p>In conjunction with Illinois Fox Valley SHRM and Stateline SHRM, Jeffrey Risch and Rebecca Dobbs will present a legal update and health care reform update on May 19, 2011.</p>	<ul style="list-style-type: none"> <li>■ Date: May 19, 2011</li> <li>■ Time: 7:45 am–12:00 pm</li> <li>■ Location: Crystal Lake, IL</li> <li>■ For more information and to register <a href="http://illinoisfoxvalley.shrm.org/events">http://illinoisfoxvalley.shrm.org/events</a>.</li> </ul>