



**Coffee Club**  
Cyber Sense | ELC Preview

March 1, 2016  
Prepared by:  
Paul Fleck, Partner

**aa/rr**  
Atkinson, Andelson  
Loya, Ruud & Romo  
A Professional Law Corporation

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### Introduction

Welcome to the AALRR monthly "Coffee Club" Webinar Series.

Our series will focus on labor and employment law issues facing California employers and will provide you with a unique understanding and perspective on a variety of interesting and timely topics.

Join us the first Tuesday of every month @ 10:00 am for a new and exciting topic.

Today, we will be discussing Cyber Sense | ELC Preview.

Next Month, Employee Exit Management



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### Disclaimer | Housekeeping

This AALRR presentation is intended for informational purposes only and should not be relied upon in reaching a conclusion in a particular area of law. Applicability of the legal principles discussed may differ substantially in individual situations. Receipt of this or any other AALRR presentation/publication does not create an attorney-client relationship. The Firm is not responsible for inadvertent errors that may occur in the publishing process.



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### Meet Paul Fleck



Paul Fleck is the supervising partner of the firm's private labor and employment practice group. Mr. Fleck represents management exclusively in all aspects of employment litigation and employee relations matters including claims for leave of absence violations; discrimination; wrongful termination; sexual harassment; and wage and hour violations. He provides advice and counsel to employers on human resources issues and regularly conducts human resources audits, employee handbook reviews, and job audits related to wage and hour issues.

Mr. Fleck conducts continuing education programs for attorneys and training programs for managers, supervisors, and human resources professionals throughout California and across the country on such topics as wage and hour, leaves of absences, discrimination, sexual harassment, hiring and firing, workers' compensation, employee discipline, violence in the workplace, and general labor law updates.

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### Cyber Sense

- Think Before you Click!



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### Essential Considerations



- Bring your own device policy considerations:
  - Device Protocols
  - Restrictions on Authorized Use
  - Privacy/Company Access
  - Company Stipend
  - Lost, Stolen, Hacked or Damaged Equipment

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March 24, 2016

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## 2016 Employment Law Conference

Strength in Balance



March 24, 2016  
Cerritos Center for the  
Performing Arts

Special  
Guest Speaker:  
Dr. Esmael Adibi  
Director, A. Gary Anderson  
Center for Economic Research

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### Morning Keynote: Dr. Esmael Adibi

**MORNING KEYNOTE**  
(General Session I)  
Dr. Esmael Adibi, Director,  
A. Gary Anderson Center  
for Economic Research



**Dr. Esmael Adibi, Strength in Balance: Economic Forecast**  
Recognized as one of the leading economic experts,  
Dr. Esmael Adibi, Ph.D. will provide his annual update of the  
regional economies and impact on California employers.

8:30 - 9:45 am | Cerritos Center for the Performing Arts |  
Main Stage

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### Breakout Sessions 1-4

<b>Morning Breakout Session 1</b> 10:00-11:00 a.m. (Advanced HR Focus)	<b>Understanding the "Reasonable" in Reasonable Accommodation.</b> Strengthen your knowledge of the reasonable accommodation process while balancing employee attendance and performance issues. Understand the issues HR faces when handling employee accommodation requests.
<b>Morning Breakout Session 2</b> 10:00-11:00 a.m. (Three-Part Series)	<b>HR101: A Three-Part Series, Part 1 - Hiring Essentials.</b> Recruiting, hiring and managing employees present a host of legal risks. This three-part series explores potential pitfalls associated with recruiting, hiring, documenting, disciplining, and discharging. Part 1 will explore legally sound recruitment, vetting (including the use of social media), interviewing techniques, responding to requests for applicant accommodation, and compensation.
<b>Morning Breakout Session 3</b> 10:00-11:00 a.m.	<b>The Impact of Off-Duty Conduct on the Job.</b> Regulating off-duty employee conduct can be tricky, especially in today's technology-driven society. This session will discuss privacy rights and discrimination claims associated with off-duty conduct, as well as how employers can effectively respond to complaints arising from off-duty conduct.
<b>Morning Breakout Session 4</b> 10:00-11:00 a.m.	<b>Toughen Your Operations: NLRB Infiltration.</b> Today's NLRB increasingly affects the day-to-day operations of nonunion workplaces. Employers should understand how the NLRB impacts their businesses in light of the NLRB's sweeping authority to strike down workplace policies and agreements. This session will analyze new NLRB rulings and provide guidance on navigating current issues.

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## Breakout Sessions 5-8

<b>Morning Breakout Session 5</b> 11:15-12:15 p.m. <i>(Advanced HR Focus)</i>	<b>Now It's Personal: Individual Liability for Wage &amp; Hour Violations.</b> Beginning January 1, 2016, company owners, directors, officers, and other employees who set policy and violate, or cause to be violated, certain wage and hour laws can be held personally liable for such violations. One of the most common violations occurring today arises from wage statements, which we will review in-depth during this session examining common errors and addressing overtime and complicated wage calculations.
<b>Morning Breakout Session 6</b> 11:15-12:15 p.m. <i>(Three-Part Series)</i>	<b>HR101: A Three-Part Series, Part II - Discipline &amp; Documentation Essentials.</b> Part II will provide a framework to assist managers and HR professionals to effectively address and document employee performance concerns and defend disciplinary actions.
<b>Morning Breakout Session 7</b> 11:15-12:00 p.m.	<b>Manage Your Remote Workforce.</b> Flexible work options are often necessary to attract and retain the best and brightest employees. This session will analyze the risks employers should consider when managing a remote workforce, including unsecured data, violations of wage and hour laws, and workers' compensation issues.
<b>Morning Breakout Session 8</b> 11:15-12:00 p.m.	<b>Managing the Power of Millennials.</b> Millennials have developed work characteristics and tendencies that sometimes challenge employers accustomed to recruiting and managing Baby Boomers and GenXers. This session will provide useful tips for attracting qualified Millennials and keeping them engaged and productive in your workplace.

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## Afternoon Breakout Sessions 9-12

<b>Afternoon Breakout Session 9</b> 1:15-2:15 p.m.	<b>California Employment Law Update: Build Your Muscles in 2016.</b> California employers continue to face a myriad of new employment laws and regulations. This legal update will review the latest employment trends, case law and legislation to keep employers on track in 2016.
<b>Afternoon Breakout Session 10</b> 1:15-2:15 p.m. <i>(Three-Part Series)</i>	<b>HR101: A Three-Part Series, Part III - Termination Essentials.</b> Terminations are much easier to defend when they are supported by legitimate business reasons and sound documentation. Part III will discuss issues employers should consider before terminating an employee.
<b>Afternoon Breakout Session 11</b> 1:15-2:15 p.m. <i>(Public Entity Focus)</i>	<b>Fair Labor Standards Act: Balancing Exempt vs. Non-Exempt Status.</b> This session will assist public and private sector employers to properly classify employees under the Fair Labor Standards Act. This session will discuss the tests that determine whether an employee is exempt, as well as recent case law in this area.
<b>Afternoon Breakout Session 12</b> 1:15-2:15 p.m. <i>(Specialized HR Focus)</i>	<b>Employee Cyber Misconduct.</b> Employers are often faced with misconduct arising from employee misuse of the company's electronic information systems. This session will discuss action plans for employers facing data security breaches and unauthorized disclosure of confidential information.

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## Afternoon Keynote

<b>AFTERNOON KEYNOTE</b> (General Session II): <b>AALRR Attorneys</b>		<b>The Reunion Show: Tales from the Trenches.</b> Join us for a lively discussion! The good, the bad, and the ugly - employment cases from 2015. Learn from the mistakes employers made and keep your organization out of hot water in 2016.
2:30 - 3:30 pm   Cerritos Center for the Performing Arts   Main Stage		

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# Thank You

For questions or comments, please contact:

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