

25<sup>th</sup> Annual Course **Advanced**  
**Employment Law**



**LIVE** Dallas • January 19-20, 2017 • Westin Galleria Hotel

**VIDEO** Houston • February 23-24, 2017 • Crowne Plaza - River Oaks

**VIDEO** Austin • March 16-17, 2017 • Thompson Conference Center

Arrive a day early to attend **Employment Law 101** (Dallas only)



**MCLE CREDIT**  
12.25 Hours (2.5 Ethics)

**DOWNLOADABLE**  
Course Materials [↓](#)

TexasBarCLE.com  
800.204.2222 x1574

*Education by the Bar,  
for the Bar*

# Employment Law

Cosponsored by the Labor and Employment Law Section of the State Bar of Texas

Register early and **save \$50!**

Labor and Employment Section Members can **save up to \$75!**

Attorneys licensed 5 years or less attend for **HALF OFF!**

## LIVE Dallas

January 19-20, 2017  
Westin Galleria Hotel

Register by January 5 and **save \$50!**

## VIDEO Houston

February 23-24, 2017  
Crowne Plaza River Oaks

Register by February 9 and **save \$50!**

## VIDEO Austin

March 16-17, 2017  
Thompson Conference Center

Register by March 2 and **save \$50!**

 #TBCLE

## MCLE CREDIT

**12.25 Hours (2.5 Ethics)**  
**MCLE Course No: 901358994**

Applies to the Texas Bar College and the Texas Board of Legal Specialization in Civil Appellate Law, Civil Trial Law and Labor and Employment Law.

## Wednesday

Early check-in from 2:30 p.m. - 5:00 p.m.

## Thursday

6.75 hrs including 1.25 hrs ethics

8:00 **Registration**  
**Coffee & Pastries Provided**

8:50 **Welcoming Remarks**  
**Course Director**  
Leticia Dominguez, *El Paso*  
The Dominguez Law Firm

9:00 **State Law Update** .75 hr  
Richard R. Carlson, *Houston*  
Professor of Law  
Houston College of Law

9:45 **EPA Update** .5 hr  
Suzanne M. Anderson, *Dallas*  
Supervisory Trial Attorney  
EEOC

10:15 **Networking Break**

10:30 **How to Make an Investigation Privileged and How to Bust It**  
.5 hr ethics  
Teri L. Danish, *Houston*  
McGuireWoods

11:00 **Hot Issues Under the ADAAA, with a Twist** .75 hr  
• Accommodation requests  
• Interactive process  
• Safety issues  
• Pregnant employees  
John Griffin, Jr., *Victoria*  
Marek Griffin & Knaupp

11:45 **Break - Lunch Provided**

12:00 **Luncheon Presentation: Suing and Defending Governmental Entities**  
.75 hr  
• Whistleblower  
• Immunity  
• Rule 202

### Moderator

Courtney Barksdale Perez, *Dallas*  
Carter Scholer Arnett Hamada & Mockler



### Panelists

Hon. Bonnie Lee Goldstein, *Dallas*  
Judge, 44th District Court  
Aye B. Powers, *Dallas*  
Assistant City Attorney  
Dallas City Attorney's Office  
*Additional Speaker to be Announced*

12:45 **Break**

1:00 **Background Checks** .5 hr  
Katrina Grider, *Cypress*  
Katrina Grider & Associates

1:30 **Religious Discrimination** .5 hr  
• EEOC vs Abercrombie and Fitch Stores, Inc.  
• Accommodation  
• Hostile environment  
Siddhartha Rao, *Houston*  
Shellist Lazarz Slobin

2:00 **Who's Your Lawyer? Can We Talk? Ethical Responsibilities When Contacting Witnesses** .75 hr ethics  
• Which employees a plaintiff's attorney is allowed to contact regarding an employment case  
• Recent case law  
• Ethical guidance  
Teresa Valderrama, *Houston*  
Fisher & Phillips

2:45 **Networking Break**

3:00 **NLRB Update** .75 hr  
 • Must have policies for your employee handbook  
 • Watch for policies that blow up  
 • Expansion of concerted activities  
 Robert E. Sheeder, *Dallas*  
 Bracewell

3:45 **Navigating Complex FMLA/ADA/GINA/Workers' Compensation Issues** .5 hr  
 Marcus Brown, *Dallas*  
 Winstead

4:15 **What Obligations Do Employers Have to LGBT Employees?** .5 hr  
 Shannon Schmoyer, *San Antonio*  
 Schmoyer Reinhard

4:45 **Adjourn**

4:45 – 6:00 **Social**

Join us for a reception sponsored by the Labor and Employment Law Section. *(Live Site Only)*



## Friday

5.5 hrs including 1.25 hrs ethics

8:00 **Coffee & Pastries Provided**

8:25 **Morning Announcements**

8:30 **Federal Case Law Update** .75 hr  
 Katherine L. Butler, *Houston*  
 Butler & Harris

9:15 **Social Media and Discovery Issues** .5 hr ethics  
 • When is deleting a Facebook posting destroying evidence?  
 • How to obtain electronic evidence as discovery  
 John G. Browning, *Dallas*  
 Passman & Jones

9:45 **FLSA – Compliance Issues and the Impact of the New “Salary Basis” Regulations** .5 hr  
 Vianei Lopez Braun, *Fort Worth*  
 Shannon Gracey Ratliff & Miller

10:15 **Networking Break**

10:30 **FLSA - Collective Actions** .75 hr  
 David Kern, *El Paso*  
 Kern Law Firm  
 Lu Pham, *Fort Worth*  
 Dowell Pham Harrison

11:15 **Non-Competes/Trade Secrets/and Anti-SLAPP** .75 hr  
 Jeff Barnes, *Houston*  
 Fisher & Phillips

12:00 **Break - Lunch Provided**

12:15 **Luncheon Presentation: Discovery** .75 hr  
 Hon. Paul D. Stickney, *Dallas*  
 U.S. Magistrate Judge

1:00 **Networking Break**

1:15 **Sharing Economy** .75 hr  
 Jason Boulette, *Austin*  
 Boulette Golden & Marin

2:00 **Obtaining Company Documents and Secretly Recording — When Is It Protected Activity?** .75 hr ethics  
**Plaintiff**  
 Amy Gibson, *Dallas*  
 Gibson Wiley

**Defense**

Jennifer Trulock, *Dallas*  
 Baker Botts

2:45 **Adjourn**

Come to Dallas a day early to attend

# Employment Law 101

*(Separate registration fee required)*

**LIVE** Dallas

January 18, 2017  
 Westin Galleria

*(No video replay)*



## MCLE CREDIT

**4 Hours (.5 Ethics)**

**MCLE Course No: 901358988**

Applies to the Texas Bar College and to the Texas Board of Legal Specialization in Civil Trial Law, Civil Appellate Law and Labor and Employment Law.

## Wednesday

4 hrs including .5 hr ethics

12:15 **Registration**

12:40 **Welcoming Remarks**  
**Course Director**  
 Leticia Dominguez, *El Paso*  
 The Dominguez Law Firm

12:45 **Overview of Discrimination Statutes** .5 hr  
 Jordan Woody, *Fort Worth*  
 Shannon Gracey Ratliff & Miller

1:15 **Managing Your Practice and Your Clients** .75 hr (.5 ethics)  
 Malinda Ann Gaul, *San Antonio*  
 Gaul and Dumont

2:00 **FLSA Basics** .5 hr  
 Michael W. Fox, *Austin*  
 Ogletree Deakins Nash Smoak & Stewart

2:30 **Break - Early check-in for Advanced Course**

2:45 **New EEOC Online Portal** .5 hr  
 Kathy D. Boutchee, *Houston*  
 EEOC

3:15 **First 30 Days of an Employment Case - Plaintiff** .5 hr  
 M. Todd Slobin, *Houston*  
 Shellist Lazarz Slobin

3:45 **First 30 Days of an Employment Case - Defense** .5 hr  
 Michael Golden, *Austin*  
 Boulette Golden & Marin

4:15 **Exhaustion of Administrative Remedies and Timeliness Issues** .75 hr  
 Brian East, *Austin*  
 Senior Attorney, Legal Services Unit  
 Disability Rights Texas

5:00 **Adjourn**

## Ways to Save on This Course!

### Meet the "Register By" Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for preregistrants until the start of the first topic.

### Labor and Employment Law Section Members Can Save up to \$75

by registering by the "Register by" date (thereafter, save \$25). Not a member? To join, visit your My Bar Page and join online, or download a membership form from TexasBar.com/sections to pay by mail. Please do not send Section membership payment with your registration fee.

### Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle at 512-263-2802 or [laura.angle@texasbar.com](mailto:laura.angle@texasbar.com)

### HALF OFF for Attorneys Licensed 5 Years or Less!

You read that right! See the registration form.

## Scholarship Information

TexasBarCLE offers scholarships for live courses, video replays, online classes, and webcasts. To apply or learn more, call 800-204-2222, x1574, Mon-Fri 8am-5pm CT. Please apply at least two weeks prior to any live/video replay course or at least one week prior to any webcast or online class.

## Active State, County, and Texas-Area Federal Judges, Administrative Law Judges, Hearing Examiners, and Judge's Staff Attorneys May Attend for Free, Provided:

- (1) the course directly relates to the judge's tribunal's jurisdiction,
- (2) the judge is a full-time judge or retired under a judicial retirement system and
- (3) space is available for all paying registrants. This privilege does not extend to prosecutors, receivers, trustees, other court staff, or persons serving part-time in a judicial capacity. Actual attendance is required to receive course materials.

## Parking Information

is subject to change and does not guarantee available space. Complimentary self-parking is available at all three locations.

**Dallas:** Use the mall parking garage for complimentary parking.

**Houston:** Please see the State Bar staff onsite for ticket validation.

**Austin:** Complimentary parking in the open air lot.

## If You Need Special Accommodations to Attend,

please contact us as soon as possible at 800-204-2222 x1748.

## Registered but Can't Attend? Still Earn MCLE Credit

and receive course materials by (1) calling 800-204-2222 x1574 to transfer your registration to a later presentation or (2) taking the course online later, in which case you'll automatically be sent the course materials. If you wish a refund instead, mail or fax (512-427-4443) your request so that we receive it at least one business day before the program.

## FREE TO OUR REGISTRANTS! Online Videos and MP3s of the Topics

will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

## Interested in Sponsoring or Exhibiting at This Course or Others?

Contact Julie Marshall at 512-427-1797 or [julie.marshall@texasbar.com](mailto:julie.marshall@texasbar.com).

## Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for the public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

## Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. For reservations, contact the hotel and indicate that you will be attending this State Bar of Texas course.

### LIVE Dallas

Westin Galleria Hotel  
13340 Dallas Parkway  
Dallas, TX 75240  
888-627-8536  
\$189 single or double  
Deadline: December 19

**Or, make your reservation online:**

[www.thewestingalleriadallas.com](http://www.thewestingalleriadallas.com)

The reserved block of rooms could fill before the deadline. Act now!



### VIDEO Houston

Crowne Plaza – River Oaks  
2712 Southwest Freeway  
Houston, TX 77098  
713-523-8448



### VIDEO Austin

Thompson Conference Center  
2405 Robert Dedman Dr.  
Austin, TX 78712  
512-471-3121



No hotel rooms have been blocked for the video replays.

### Course Director

Leticia Dominguez ..... El Paso

### Planning Committee

Jason S. Boulette ..... Austin  
Kathy D. Boutchee ..... Houston  
Vianei Lopez Braun ..... Fort Worth  
Marcus Brown ..... Dallas  
Richard R. Carlson ..... Houston  
Brian East ..... Austin  
Courtney Barksdale Perez ..... Dallas  
Lu Pham ..... Fort Worth  
Teresa Valderrama ..... Houston

### TexasBarCLE Planning Team

Mary McDonald ..... Program Planner  
Sheena Taylor ..... Program Coordinator  
Deserea Serna ..... Written Materials Coordinator  
Kathy Kasper ..... Meeting Planner

### Labor and Employment Law Section of the State Bar of Texas

Dan C. Dargene ..... Chair  
John Griffin, Jr ..... Chair-Elect  
Teresa Valderrama ..... Secretary  
Richard R. Carlson ..... Treasurer  
Leticia Dominguez ..... Immediate Past-Chair

### State Bar of Texas

Frank Stevenson ..... President  
Joe Escobedo Jr. .... Chair of the Board  
Tom Vick ..... President-Elect  
Allan K. DuBois ..... Immediate Past President  
Sam Houston ..... TYLA President  
Hon. Xavier Rodriguez ..... Chair, CLE Committee  
Joe Indelicato ..... Chair, Board PDP Committee  
Michelle E. Hunter ..... Executive Director  
Hedy Bower ..... Director, TexasBarCLE

## WAYS TO REGISTER

**ONLINE**  
TexasBarCLE.com  
credit card only

**PHONE**  
800-204-2222, x1574  
during business hours  
credit card only

**FAX**  
512-427-4443  
credit card only

**MAIL**  
State Bar of Texas  
LB# 972298  
P.O. Box 972298  
Dallas, TX 75397-2298  
check or credit card

**REGISTERING FIVE OR MORE?**  
E-mail Laura Angle at  
laura.angle@texasbar.com  
for group discount  
information

Lawyers licensed 5 years or less  
take **HALF OFF!**

## Advanced Employment Law & Employment Law 101

### 1 **Advanced Employment Law** Dallas LIVE, January 19-20, 2017

- Regular Registrant..... \$645  
**Take \$50 OFF:** Register by January 5
- Licensed 5 years or less, **HALF OFF**..... \$322.50  
(No discounts in section 3 may be taken.)

### Houston VIDEO, February 23-24, 2017

- Regular Registrant..... \$545  
**Take \$50 OFF:** Register by February 9
- Licensed 5 years or less, **HALF OFF**..... \$272.50  
(No discounts in section 3 may be taken.)

### Austin VIDEO, March 16-17, 2017

- Regular Registrant..... \$545  
**Take \$50 OFF:** Register by March 2
- Licensed 5 years or less, **HALF OFF**..... \$272.50  
(No discounts in section 3 may be taken.)

### Employment Law 101 Course Dallas LIVE, January 18, 2017

- Regular Registrant ..... \$145\*
  - Licensed 5 years or less **\$50 OFF**..... \$95\*
- \*No discounts in section 3 may be taken.

I may attend complimentary because I am (see p. 4):  
 Qualifying judge       Judge's staff attorney

[5095]

- ### 2
- I want my **Advanced Course** materials format to be:
    - Hard copy book as well as a PDF download of same (both formats included in registration fee)
    - PDF download ONLY so I'll **take \$25 OFF**

- I want my **101 Course materials** format to be:
  - Hard copy book as well as a PDF download of same (both formats included in registration fee)
  - PDF download ONLY so I'll **take \$15 OFF**

- ### 3
- I am entitled to 1 or 2 discounts on the Advanced Course
    - \$50 OFF** because I am registered by the "Register by" date at the left. (If by mail, date of postmark will be determinative.)

- \$25 OFF** because (choose 1 box only) I'm a member of the
  - Labor and Employment Law Section
  - Texas Bar College
  - Paralegal Division

[5096]

For more information on joining the section, see page 4.

- ### 4
- I can't attend, but would like the materials.

- FREE** Shipping & Handling
  - Advanced Course hard copy book \$155<sup>†</sup>
  - 101 Course hard copy book \$45<sup>†</sup>

To order a discounted PDF download of course materials, search **Publications** at TexasBarCLE.com (available 1-2 weeks after the course).

### 5 **My total is \$\_\_\_\_\_ . I am paying by:**

- Check (enclosed) payable to the State Bar of Texas for \$\_\_\_\_\_
- Visa       Mastercard       Amex       Discover

**PLEASE PRINT LEGIBLY** Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name on card (Please print) \_\_\_\_\_

Signature \_\_\_\_\_

**State Bar Membership No.** \_\_\_\_\_

Registrant Name \_\_\_\_\_

Firm Name/Court \_\_\_\_\_

Address for Bar-Related Mail \_\_\_\_\_

City/State Zip \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-Mail (required for registrant's PDF download option): \_\_\_\_\_

A confirmation of your registration will be sent to the e-mail address you provide

<sup>†</sup>Plus 8.25% sales tax on total course book sales only. Please include sales tax or attach an exemption certificate. Book orders are shipped separately 1-2 weeks after the live program. Please include payment by check or supply credit card information on this form.

For information on audio CDs of course topics, contact our Flash CLE service at 800-204-2222, x1575. MP3 files of topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course.

### QUESTIONS?

800-204-2222, x1574 • 512-427-1574



## ABOUT

### THE LABOR & EMPLOYMENT LAW SECTION:

Approximately 3,000 attorneys strong, the Labor and Employment Law Section of the State Bar of Texas works to promote and enhance the practice of law by all lawyers who specialize or have an interest in labor and employment law.

# JOIN THE LABOR & EMPLOYMENT LAW SECTION

## THE STATE BAR OF TEXAS

### THE SECTION CONNECTS YOU TO:

- CLE discounted to its members
- Assistance to pro bono service providers
- A quarterly newsletter with recent Texas state and federal court decisions involving significant labor and employment law issues
- The annual Law Review Articles Award recognizing an outstanding student's article on a labor and employment law topic
- Useful information and tools via its website [www.laborlaw.org](http://www.laborlaw.org), including a Jury Charge Database with word searchable documents

[www.laborlaw.org](http://www.laborlaw.org)

### JOIN BY MAIL OR ONLINE:

To join online, visit your MyBarPage on TexasBar.com or download a membership application and mail or fax your payment to:

#### State Bar of Texas

Attn: Sandra Carlson, Accounting Director  
P.O. Box 12487, Austin, TX 78711-2487

Or join online at [www.laborlaw.org/](http://www.laborlaw.org/):

Checks should be made payable to  
The SBOT Labor & Employment Section.