

# REVIEW. PREPARE. REFRESH.

A terrific **review** of the fundamental principles of more than 20 areas of law that are the basis for practicing labor and employment law in Minnesota.

Designed specifically to help **prepare** attorneys for the Labor & Employment Law Specialist Certification Examination, scheduled for Saturday, October 26, 2019.

15 knowledgeable and experienced practitioners distill critical legal concepts and provide written course materials to **refresh** your knowledge and expertise in labor and employment law, even if you aren't taking the exam.

## IMPORTANT BENEFITS

- Comprehensive overview of **Federal and Minnesota** law
- Strategically designed "exam prep" of **more than 20 topic areas**
- 15 experienced practitioners delivering essential, timely content and **answering your questions**
- **9.0 CLE credits, including .5 ethics credit** (applied for)
- **9.0 Labor & Employment Law Specialist credits** (applied for)
- Practice-enhancing materials and resources for **any attorney**

### Don't Miss – Reduced Course Tuition!

We reduced the price of this seminar to facilitate preparation for the Certification Exam. The reduced fee is available to everyone, even if you are not taking the exam.

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exceptional price

# EMPLOYMENT AND LABOR LAW FEDERAL AND MINNESOTA

## Increase your knowledge of employment and labor law

A highly rated overview or refresher on the fundamentals.

## Valuable preparation for the Labor and Employment Law Specialist Exam

More than **20** substantive topic areas specifically selected to help prepare attorneys taking the exam.

**Monday & Tuesday, September 16 & 17, 2019**

Minnesota CLE Conference Center  
600 Nicollet Mall, Suite 370, Minneapolis

Plus 4 replays – Details inside!

COMPREHENSIVE  
OVERVIEW  
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# EMPLOYMENT AND LABOR LAW FEDERAL AND MINNESOTA

Monday & Tuesday  
September 16 & 17, 2019  
Minnesota CLE Conference Center  
Plus 4 replays! Details inside.

Co-sponsored by the MSBA Labor and Employment Law Section

# DAY 1 – September 16

8:30 – 8:55 a.m.  
CHECK-IN & CONTINENTAL BREAKFAST

8:55 – 9:00 a.m.  
WELCOME & INTRODUCTION

## 9:00 – 9:15 a.m. Overview of the Labor and Employment Law Specialist Certification Exam

– *Christopher D. Jozwiak*

## 9:15 – 10:15 a.m. Employment Discrimination

- **PART 1:** (30 MINUTES)  
State and federal employment discrimination statutes, including Title VII, the Americans with Disabilities Act (discrimination and accommodation), the Age Discrimination in Employment Act, the Older Workers Benefit Protection Act, the Equal Pay Act, the Minnesota Human Rights Act, Minnesota Women’s Economic Security Act.  
– *Steven Andrew Smith*

- **PART 2:** (30 MINUTES)  
Releases of employment discrimination claims, arbitrability of claims, and how employment discrimination statutes affect analysis in reductions-in-force.  
– *Jenny Gassman-Pines*

## 10:15 – 10:30 a.m. Whistleblower, Reprisal, Retaliation

Federal and state whistleblower, reprisal, retaliation claims.  
– *Shawn J. Wanta*

10:30 – 10:45 a.m.  
QUESTIONS & ANSWERS

10:45 – 11:00 a.m.  
BREAK

## 11:00 – 11:30 a.m. Common-Law Employment Contract and Tort Claims

Employment torts including tortious interference, invasion of privacy, defamation and negligence. Employment contracts, non-compete/restrictive covenants, executive compensation.  
– *Lawrence P. Schaefer*

11:30 a.m. – 12:00 p.m.

## Ethics Issues in Labor and Employment Practice

### *0.5 ethics credit applied for*

Ethics issues involved in investigations; contact with unrepresented parties, co-workers, and supervisors; multijurisdictional practice; and more.

– *Jennifer S. Bovitz*

12:00 – 12:15 p.m.  
QUESTIONS & ANSWERS

12:15 – 1:15 p.m.  
LUNCH (on your own)

## 1:15 – 1:45 p.m. What Every Employment Attorney Needs to Know About Labor Law

Labor law restrictions that apply to non-union employers’ policies; labor grievances and their interplay with other employment law claims; when and how you must consider that a workplace is unionized when rendering employment law advice.  
– *Grant T. Collins*

## 1:45 – 2:15 p.m. Wage and Hour

Federal Fair Labor Standards Act, state wage and hour laws, prevailing wage (federal and state) and settlements/releases in the wage-hour context.  
– *Mary B. Thomas*

## 2:15 – 2:30 p.m. Family and Medical Leave

Federal Family and Medical Leave Act and state law equivalents, including leave provisions in Minnesota’s Women’s Economic Security Act.  
– *Mary M. Krakow*

2:30 – 2:45 p.m.  
QUESTIONS & ANSWERS

2:45 – 3:00 p.m.  
BREAK

3:00 – 4:15 p.m.  
“And More”

- **PART 1:**  
**Benefits Law for the Labor and Employment Attorney**
- **PART 2:**  
**Immigration Law for the Labor and Employment Attorney**
- **PART 3:**  
**Other Significant State and Federal Employment Laws**

Minn. Stat. 181; occupational safety and health (OSHA and state health and safety laws); unemployment compensation; state and federal veterans rights; federal contract compliance; DOL OFCCP; federal, state and local affirmative action; and WARN.

– *Marko J. Mrkonich*

# DAY 2 – September 17

8:30 – 8:45 a.m.  
CONTINENTAL BREAKFAST

## 8:45 – 9:45 a.m. Federal and State Private-Sector Labor Laws

Overview of NLRA, NLRB proceedings, organizing and unfair labor practices.  
– *Jason P. Hungerford*

9:45 – 10:15 a.m.  
**Arbitrations**

Grievance arbitration; challenges to arbitrability; appeals; and more.  
– *Brendan D. Cummins*

10:15 – 10:30 a.m.  
QUESTIONS & ANSWERS

10:30 – 10:45 a.m.  
BREAK

## 10:45 – 11:15 a.m. Collective Bargaining

Mandatory versus permissive subjects of bargaining; card check/neutrality agreements; good faith standard; effect of impasse; and more.  
– *Emily L. Marshall*

## 11:15 – 11:45 a.m. Duty of Fair Representation Claims, LMRDA, Labor Disputes

Strikes, lockouts, and picketing; duty of fair representation claims; overview of Labor-Management Reporting and Disclosure Act.  
– *Douglas R. Christensen*

11:45 a.m. – 12:15 p.m.

## Public Sector Labor Laws

Identifying the relevant laws; Minnesota’s Public Employment Labor Relations Act.  
– *Cedrick R. Frazier*

12:15 – 12:30 p.m.  
QUESTIONS & ANSWERS

12:30 – 12:45 p.m.

## Review of the Labor and Employment Law Specialist Certification Exam

– *Christopher D. Jozwiak*

# FACULTY

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## Labor and Employment Law Specialist Certification Exam

The MSBA offers Minnesota practitioners the opportunity to become Certified Labor & Employment Law Specialists. The examination will be given Saturday, **October 26, 2019**. For more information, go to the MSBA website at [www.mnbar.org/members/certification/labor-and-employment-law](http://www.mnbar.org/members/certification/labor-and-employment-law)

## General Course Information

**IN-PERSON LIVE PRESENTATION**  
**September 16 & 17, 2019**  
**Minnesota CLE Conference Center**  
600 Nicollet Mall, Suite 370  
Third Floor City Center, Minneapolis

**IN-PERSON REPLAYS**  
Schedule times are subject to change due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the materials.

**Minneapolis – October 7 & 8, 2019**  
**(Registration 8:30; Replay 9:00)**  
Minnesota CLE Conference Center  
600 Nicollet Mall, Suite 370

**Bedidji – October 24 & 25, 2019**  
**(Registration 8:30; Replay 9:00)**  
Brouse Woodke & Hildebrandt PLLP  
312 America Avenue Northwest

**Duluth – September 26 & 27, 2019**  
**(Registration 8:30; Replay 9:00)**  
Pier B Resort, Pilot House Boardroom  
800 West Railroad Street

**Moorhead – September 27 & October 4, 2019**  
**(Registration 10:00; Replay 10:15)**  
Moorhead Public Library  
118 Fifth Street South

**Rochester – October 10 & 11, 2019**  
**(Registration 8:30; Replay 9:00)**  
Samaritan Bethany  
24 Eighth Street Northwest

**Saint Cloud – October 8 & 9, 2019**  
**(Registration 8:15; Replay 8:30)**  
Rinke Noonan Law Firm  
1015 West St. Germain Street

**Virginia – October 24 & 25, 2019**  
**(Registration 8:30; Replay 9:00)**  
St. Louis County Courthouse  
300 South Fifth Avenue

**CREDITS**  
Minnesota CLE is applying to the Minnesota State Board of CLE for **9.0 CLE credits, including 0.5 ethics credit**. The maximum number of credits attendees may report for this course is 9.0 credits. Application also is being made to the MSBA for **9.0 Labor and Employment Law Specialist credits**.

**SCHOLARSHIPS AVAILABLE!**  
Minnesota CLE maintains a scholarship program for those with a financial need. Most scholarships awarded are 50% off the seminar price. To obtain an application, contact Grant at [gdavies@minncle.org](mailto:gdavies@minncle.org) or **651-254-2111**.

**ACCOMMODATION**  
If you have a disability and need an accommodation in order to attend, please contact us at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

**CANCELLATION / NO-SHOW POLICY**  
Paid registrants who cancel before the seminar will receive a full credit on their account, or refund upon request. Paid registrants who do not cancel and are unable to attend will retain access to the seminar written materials and PowerPoint presentations through their website account. Passholders may purchase the materials at 50% of the full retail price.

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# EMPLOYMENT & LABOR LAW

September 16 & 17, 2019  
Minnesota CLE Conference Center

### PLEASE “✓” APPROPRIATE BOX:

**LIVE: September 16 & 17, 2019**  
 \$225 MSBA member     \$225 paralegal     \$275 standard rate

**REPLAY:**  
 \$195 MSBA member     \$195 paralegal     \$245 standard rate  
Location \_\_\_\_\_ Date \_\_\_\_\_

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