

## COMPLIMENTS FROM PAST ATTENDEES:

“ *Panelists provided a complete look at commonly experienced problems, including retaliation.*

*Very helpful and relevant.*

*Loved the real-life scenarios.*

*Great panels – kept attention all day.* ”

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## WHO SHOULD ATTEND:

### 1) Employment Law Advisors, In-House or in Private Practice

Difficult situations need to be addressed with fairness and clarity. Attend this seminar to arm yourself with legal analysis, strategies and practice tips to mitigate risk.

### 2) Employment Litigators –Both Plaintiff- and Defense-Side

So-called “problem employees” can reside anywhere in an organization, including within management. This seminar’s faculty includes both employee and management attorneys to provide a balanced view of the issues – including how to peel away a “problem employee” label that opposing counsel is trying to apply to your client or your client’s actions.

### 3) Human Resources Professionals

The workplace bully, the employee whom everyone tiptoes around, the gossip – every workplace has its share. Get practical advice on the associated risks for these and other difficult personality types, how and when to intervene, and the potential consequences of failing to intervene.

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# PROBLEM EMPLOYEES

Practical Solutions for  
Handling the Bully, the Bad  
Attitude, and Other Difficult  
Behavior in the Workplace

Wednesday, July 28, 2021  
LIVE ONLINE ONLY



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Your Success Is Our Goal

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PROGRAM  
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# PROBLEM EMPLOYEES

Practical Solutions for Handling the Bully, the Bad Attitude, and Other Difficult Behavior in the Workplace

## Dealing with High-Stakes Workplace Challenges –

- ▶ When There’s a Workplace Bully
- ▶ When Problematic Behavior Stems from a Mental Health Condition
- ▶ When Social Media Posts are at Issue
- ▶ When Cultural Differences are the “Problem”
- ▶ And more!

Wednesday, July 28, 2021

LIVE ONLINE ONLY – No in-person attendance.

*In-Person Passholders – You may use your Pass to register for the online seminar at no charge.*

# THE SCHEDULE

8:30 – 9:00 a.m. JOIN ONLINE

9:00 – 9:15 a.m.

## Program Overview

- *Melissa Muro LaMere, Course Co-Chair Maslon LLP; Minneapolis*
- *Melissa Raphan, Course Co-Chair Dorsey & Whitney LLP; Minneapolis*

9:15 – 10:15 a.m.

## When East Meets West: When Geography and Style Issues are the “Problem” – How These Issues Play Out in Litigation

Working remotely has widened the employment pool, and employees are working with different walks of life like never before. This session will discuss dealing with different personalities and behaviors, avoiding culture shock, and bringing employees together for a successful workplace.

- *Christine Eskilsen Piper Sandler Companies; Minneapolis*
- *Miguel A. Pozo Minnesota Community Care; Saint Paul*
- *Pablo Orozco Nilan Johnson Lewis PA; Minneapolis*
- *Melissa Raphan, Moderator*

10:15 – 10:20 a.m. BREAK

10:20 – 11:05 a.m.

## When the Problem Is a Bully

Workplace bullying may not be unlawful, but it is ubiquitous and damaging to those involved, those observing it, and organizational health generally. Virtual working arrangements have not reduced the opportunities for bullying. This session will focus on the conditions that enable bullies, three predominant types of bullying, how bullies evade accountability and what works to address bullying.

- *Fran A. Sepler Sepler & Associates; St. Louis Park*

11:05 – 11:10 a.m. BREAK

11:10 – 11:55 a.m.

## When Cultural Differences Are the “Problem”

- *Melissa Muro LaMere*
- *Jenny Gassman-Pines Greene Espel PLLP; Minneapolis*
- *Richard Greiffenstein Target Corporation; Minneapolis*

11:55 a.m. – 12:30 p.m. LUNCH BREAK

12:30 – 1:30 p.m.

## When the Problematic Behavior Stems from a Mental Health Condition

Employees whose problematic behavior may be attributable to mental health issues implicate a variety of legal issues. An employee’s mental health condition may form the basis for legally protected leave or may qualify as a disability under federal or state law. Experienced employer and employee counsel discuss the legal and practical complexities that can arise in handling such cases. They will provide their insights on best practices in the advisory context, and legal claims and defenses if the situation results in a charge or litigation.

- *Katie Ervin Carlson Dorsey & Whitney LLP; Des Moines, IA*
- *David E. Schlesinger Nichols Kaster PLLP; Minneapolis*

1:30 – 1:35 p.m. BREAK

1:35 – 2:35 p.m.

## Proven Strategies for Resolving Workplace Differences Before They Turn into Litigation

- *Erica Backstrom Conflict Resolution Center; Duluth*
- *Judy Langevin Langevin Lentz LLC; Minneapolis*
- *Stephanie Pierce KJP Consulting Services; Minneapolis*

2:35 – 2:40 p.m. BREAK

2:40 – 3:10 p.m.

## Performance Management

How do you provide employees with the effective feedback they need to improve? And how can you ensure that your feedback isn’t grounded in your own biases? This spot training identifies the ways that bias can inform feedback and provides the tools you need to provide the most effective feedback.

- *Sybil L. Dunlop Greene Espel PLLP; Minneapolis*

3:10 – 3:15 p.m. BREAK

3:15 – 4:00 p.m.

## Social Media – What Happens When The “Problem Employee” Takes to the Internet?

When an employee posts something via social media that the employer finds to be problematic, the employer faces a dilemma about how to respond given the rapidly evolving legal framework that applies. Experienced plaintiff and defense counsel will address important legal and strategic considerations when accounting for whistleblower and other protected activity under key statutory and constitutional provisions as well as for concerted activity under the National Labor Relations Act. They will also discuss practical tips for assessing what the employer should and should not do in real-life situations.

- *Justin D. Cummins Cummins & Cummins LLP; Minneapolis*
- *Mary B. Thomas Best Buy; Richfield*

4:00 – 4:30 p.m.

## Top 10 Practical Tips for Minimizing and Resolving Workplace Disputes

A great way to wrap up today’s program – ten practical tips to use when advising clients, and the chance to ask questions to our wonderful faculty.

- *Melissa Muro LaMere*
- *Melissa Raphan*

## COURSE INFORMATION

### ONLINE PROGRAM

**Wednesday, July 28, 2021**  
View online at [www.minncle.org](http://www.minncle.org)  
Registration for online program must be made online at [www.minncle.org](http://www.minncle.org).

### IN-PERSON PASSHOLDERS

You may use your Pass to register for the online program at no charge.

### COURSE MATERIALS

All course materials will be provided electronically.

### CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **6.5 standard CLE credits**. The maximum number of total credits attendees may claim is 6.5 credits.

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### SCHOLARSHIPS AVAILABLE

Minnesota CLE maintains a scholarship program for those with a financial need. Contact Grant at [gdavies@minncle.org](mailto:g Davies@minncle.org) or **651-254-2111** for further details or to obtain an application.

### ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact Minnesota CLE as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 800-759-8840.

### CANCELLATION POLICY / 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 materials through their website account. Passholders may purchase the materials at 50% of the full retail price.

### QUESTIONS?

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# PROBLEM EMPLOYEES

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**ONLINE SEMINAR:  
WEDNESDAY, JULY 28, 2021**

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\$225 MSBA member

\$225 paralegal

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