

HIGH PERFORMANCE STRATEGIES FOR YOUR BUSINESS:

PEOPLE

PROFIT

PARTNERSHIP

2014 Tidewater Employer Conference – April 29, 2014 ♦ Hilton Virginia Beach Oceanfront

Time	Events			
7:30	Registration (Foyer)			
7:45 - 8:30	Breakfast (Peacock Ballroom C)			
8:30 - 9:15	General Session Welcome: <i>Salvatore Lupica</i> , Acting Commissioner, Virginia Employment Commission Opening Remarks: <i>Elizabeth Creamer</i> , Advisor for Workforce Development, Office of the Governor Employer Focus Group: <i>Jeffrey Brown</i> , Assistant Commissioner, Virginia Employment Commission			
9:15 - 10:30	Workshops - Session 1			
	Peacock Ballroom A	Peacock Ballroom B	Spotswood Arms	Princess Anne
	Employers Have Rights Too! Making Statutory Alphabet Soup Taste Good <i>Robert J. Barry, Esquire</i> Kaufman & Canoles	The Impact of Health Care Reform on Employers <i>Joshua R. Treece, Esquire</i> Woods Rogers Law Firm	How You Can Use Online Virginia Labor Market Data <i>David R. Tysinger, Economist</i> Virginia Employment Commission	Boost Your Bottomline: Hire Veterans <i>Jeffery D. Brown, Assistant Commissioner</i> Virginia Employment Commission
10:30 - 10:45	Break (Foyer)			
10:45 - 12:00	Workshops - Session 2			
	Peacock Ballroom A	Peacock Ballroom B	Spotswood Arms	Princess Anne
	Wage-Hour Update <i>Robert J. Barry, Esquire</i> Kaufman & Canoles	The Impact of Health Care Reform on Employers <i>Joshua R. Treece, Esquire</i> Woods Rogers Law Firm	An Overview of the Unemployment Insurance Adjudication and Appeal Process <i>William O. Walton, Unemployment Insurance Director</i>	Strategies for Alternative Dispute Resolution <i>John M. Bredehoft, Esquire</i> Kaufman & Canoles
12:00 - 1:00	Lunch (Peacock Ballroom C)			
1:15 - 2:45	Workshops - Session 3			
	Courtney Terrace	Albermarle Hall	Spotswood Arms	Princess Anne
	Don't Get a D in Documenting Disciplinary Decisions <i>Robert J. Barry, Esquire</i> Kaufman & Canoles	The Impact of Health Care Reform on Employers <i>Joshua R. Treece, Esquire</i> Woods Rogers Law Firm	Workers' Compensation: Fundamentals and Cost Savers <i>Laura Collins, Esquire, Insurance Manager</i> Virginia Workers' Compensation Commission	Workplace Discrimination and Harassment: Where Are We Today? <i>John M. Bredehoft, Esquire</i> Kaufman & Canoles
2:45	Adjourn			

Note: Agenda is preliminary. Sessions and/or speakers are subject to change.

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Virginia Beach, April 29, 2014

Workshops and Speaker Bios

Boost Your Bottom Line: Hire Veterans

Are you looking for employees who can make an immediate positive impact on your business? If you are, hiring a veteran could be your best option. Come learn why carefully selecting veterans as part of your team just might be the best business decision you ever make.

Jeffrey D. Brown, Director, Virginia Employment Commission Workforce Services Division

Mr. Brown brings broad experience in both the private and public sectors, particularly in the field of education and the workforce. He began his career as a naval aviator, amassing over 1500 flight hours in tactical jets and helicopters. He served in the administrations of George H. W. Bush and Bill Clinton, and he worked as a congressional liaison officer for the Office of the Secretary of Defense. While in Washington, Mr. Brown gained expertise in personnel policy issues on Capitol Hill, and he left the Navy to develop education and workforce policy, including welfare reform. Because of this work, Mr. Brown was tapped by the Governor of Virginia to direct welfare reform efforts in the Commonwealth of Virginia, and was later appointed Commissioner of the Virginia Department of Labor and Industry (DOLI). He served as a member of the State Council of Higher Education for Virginia (SCHEV). He also served as a member of the Board of Visitors for the College of William and Mary in Williamsburg. After serving with DOLI, he left the public sector to pursue his life-long aspiration of teaching English literature when he joined the faculty at Woodberry Forest School in Madison County, Virginia. After an extended tenure at Woodberry, he served briefly as head of the upper school at St. Annes-Belfield School in Charlottesville before returning to Washington to serve as director for the 200-year-old U.S. House of Representatives Page Program. Mr. Brown also served on the faculty of the prestigious Federal Executive Institute in Charlottesville.

Employers Have Rights Too! Making Statutory Alphabet Soup Taste Good

Due to the broad range of employee protections, so often employers feel like they are at risk in taking ordinary and necessary personnel actions. This presentation will identify ever present risks, but also provide steps how to confidently make difficult decisions and minimize claims.

Wage and Hour Compliance, Just Who Is Working Overtime?

This presentation will provide the basics on wage and hour compliance and also highlight the most common errors that employers make and how to avoid them. We will also gaze into the crystal ball of future enforcement priorities.

Don't Get a D in Documenting Disciplinary Decisions

Documenting discipline and discharge matters before and during formal action is an employer's best defense to employee claims. When and how to effectively document will be discussed. To insure good results, don't leave the office without it.

Robert J. Barry, Esquire, Kaufman & Canoles

Mr. Barry is a partner in the Labor and Employment Law Practice Group. His practice concentrates on employment law litigation, day-to-day advice, and long-term strategies for employers in both the public and private sectors. He regularly advises on discipline and discharge, employment discrimination, wage and hour issues, occupational safety and health, restrictions on competition, and unemployment compensation.

How You Can Use Online Virginia Labor Market Data

This workshop will give an overview of the Labor Market Information (LMI) resources provided by the Virginia Employment Commission, such as how to:

- Navigate the LMI website, Virginia Workforce Connection, and utilize the LMI Tools to quickly access Labor Market data.
- Access desired services for employers and services for individuals.
- Explore the Occupational Profiles to view detailed job information, such as wages, supply and demand, related jobs, etc.
- Access the *Community Profile* publication, visit the LMI Store, and learn about two recent surveys conducted by the Virginia Employment Commission.

David R. Tysinger, Economist, Virginia Employment Commission

Mr. Tysinger is an Economist with the Economic Information Services Division of the Virginia Employment Commission. Mr. Tysinger is a 37-year employee with the Virginia Employment Commission, in which he has held numerous progressive managerial, statistical, and analytical positions. As an economist with the Economic Information Services Division, he specializes in employment and labor data and provides labor market information, data analysis, and technical assistance to other governmental agencies, employers, schools, and the general public. He has a B.S. degree in Political Science/History from Atlantic Christian College and a Theology Certificate from The University of South-Sewanee.

He is a member of the Richmond Association of Business Economists and the Virginia Association of Economists. Also, he serves on the John Tyler Community College PEER Executive Committee. He is a proud father of two sons who served our country in the military, fighting terrorism, and are now veterans.

The Impact of Health Care Reform on Employers: Employer Penalties under the Shared Responsibility Provision of the Affordable Care Act (a.k.a. the Play or Pay Mandate)

Beginning January 1, 2014, large employers could face substantial penalties if they: (1) fail to offer coverage to their full-time employees; (2) offer coverage that fails to provide minimum value; or (3) offer coverage that is deemed unaffordable. For many employers, questions abound. How do I know if we are a large employer? What does it mean to offer minimum value or affordable coverage? What are the potential penalties and what can we do to avoid them?

In this session, we will explore the nuances of the Play or Pay mandate and address some of the most frequently asked questions from employers. We will review recent safe-harbor regulations and discuss steps that can be taken to avoid potential penalties.

Joshua R. Treece, Esquire, Woods Rogers Law Firm

Mr. Treece is an attorney at Woods Rogers, PLC in Roanoke, Virginia, where he practices in the firm's Labor and Employment and Litigation sections. Josh focuses his employment practice on issues related to health care reform, discrimination, harassment, unfair competition, E-Verify, and I-9 compliance. His litigation practice concentrates on matters pertaining to contract disputes, business torts, and intellectual property disputes. The North Carolina native is a *magna cum laude* graduate of Appalachian State University. He received his law degree from William & Mary School of Law.

An Overview of the Unemployment Insurance Adjudication Process

This session will provide employers with an overview of the process followed to adjudicate claims for unemployment insurance. This initial decision and appeal processes are utilized to render decisions when claims are contested.

William O. Walton, UI Director, Virginia Employment Commission

Mr. Walton is the Unemployment Insurance Director for the Virginia Employment Commission. He has been employed by the VEC since 1992. As the Unemployment Insurance Director, Mr. Walton is responsible for the administration of the UI benefit and tax programs in accordance with the Unemployment Compensation Act. Prior to being named as the UI Director, Mr. Walton was the Acting Chief of Benefits for the VEC. The Chief of Benefits implements policy and procedures to ensure the proper processing of unemployment insurance claims to include extended benefits.

Mr. Walton has also served as a Workforce Services Manager. The responsibilities of that position included oversight of a large office and the services and programs administered through that workforce center. This was accomplished in accordance with the provisions of the Unemployment Compensation Act, Wagner-Peyser Act and the Trade Act. Prior to becoming an office manager he had experience working as a supervisor, hearing officer, and workforce services representative.

Mr. Walton received his B.S. from Radford University in Criminal Justice. He has received awards of merit throughout his employment history. Notably, he received the 2005 Commissioner's Outstanding Achievement Award in the category of Leadership.

Strategies for Alternative Dispute Resolution

As litigation becomes ever more expensive and time-consuming, employers and employees both welcome ways to reach closure on disputes without involving the courts. But the “private justice” of alternative dispute resolution comes with costs and tradeoffs of its own.

Workplace Discrimination and Harassment: Where Are We Today?

Standard “sexual harassment” policies barely scratch the surface any more. It seems as if every major new federal initiative—from Obamacare on down—comes with a new “protected class” of employees. From the Supreme Court’s 2013 decisions on same-sex marriage to the frontiers of sexual orientation and transgender status, this session explores the new wave of employment discrimination and harassment.

John M. Bredehoft, Esquire, Kaufman & Canoles

Mr. Bredehoft is a member in the Labor and Employment Law Practice Group of Kaufman & Canoles. His practice emphasizes litigation and litigation-avoidance strategies, and regularly includes discrimination and harassment matters, executive contracts, trade secret and computer crime cases, and advice and litigation on covenants restricting post-employment competition. He is admitted to practice in Maryland and the District of Columbia, as well as in Virginia.

Workers’ Compensation Fundamentals and Cost Savers

This workshop will touch on workers’ compensation fundamentals to assist employers in understanding this mandatory, no-fault insurance program. The focus of the workshop will be on actions an employer can take to minimize workers’ compensation costs. There will be introduction to coverage requirements, understanding insurance premium, avoidance of audit premium and the cost savings of workplace efforts. The 2014 law change raising penalties for uninsured employers will also be discussed.

Laura Collins, Esquire, Insurance Manager

Ms. Collins is a veteran workers’ compensation and workplace safety professional whose career path has included Commissioner of Labor and Industry for Vermont; Director of Workers’ Compensation for Vermont; General Counsel for the Department of Labor (VT); and nine years as a litigation attorney. She currently serves as Insurance Manager for the Virginia Workers’ Compensation Commission overseeing workers’ compensation insurance statewide. She has spearheaded several initiatives to expand education to employers and agents. She is also the winner of the 2012 Risk Innovator Award in workers’ compensation from Risk and Insurance magazine, as well as the 2012 Responsibility Leader Award.

Opening Remarks

Elizabeth Creamer, Advisor for Workforce Development

Ms. Creamer previously served as the Director of Education and Workforce Development for the Office of Governor Bob McDonnell, acting as a liaison between the Secretariats of Education and Commerce and Trade. Prior to that role, she was an Assistant Vice Chancellor of Workforce Programs and Career Pathways for the Virginia Community College System. Ms. Creamer has also held workforce and academic administrative positions at Thomas Nelson and Paul D. Camp Community Colleges. She has served as a member of the National Career Pathways Network Board, the Southern Region Education Board’s Career and Technical Education Commission, and the Virginia Workforce Council. Ms. Creamer holds a Bachelor of Arts from Christopher Newport University and a Master of Arts from Old Dominion University.