

2005

C O N F E R E N C E



PROFESSIONAL DEVELOPMENT CONFERENCE ON WORKFORCE ISSUES

SPONSORED BY:
VIRGINIA EMPLOYMENT COMMISSION
EMPLOYER ADVISORY COMMITTEE
... A TIMELESS PARTNERSHIP!



The Holiday Inn Select
2801 Plank Road
Fredericksburg

You're Invited to Attend ...

PROFESSIONAL DEVELOPMENT CONFERENCE ON WORKFORCE ISSUES

Thursday, October 27, and

Friday, October 28, 2005

Holiday Inn Select

2801 Plank Road, Fredericksburg, Virginia

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Agenda

Wednesday, October 26

6:00-7:00 p.m.

Conference Registration

6:00-8:00 p.m.

Reception (light refreshments)

Thursday, October 27

7:30-8:15 a.m.

Registration

8:15-8:30 a.m.

Welcome and Opening Remarks
Dr. Richard Sindy, State EAC Chair

8:30-9:15 a.m.

The Honorable William J. Howell
Speaker of the House, Virginia House of Delegates
(plated breakfast provided)

9:30-10:15 a.m.

The Honorable Michael J. Schewel
Secretary of Commerce and Trade

Come join us in historic Fredericksburg where you will learn about current employment issues such as *Implications of the Job Reference Immunity Statutes*, *Personal Liability of Managers in Employment Litigation*, and *Legal Privileges against Compelled Disclosure*. Plan to come and hear nationally-known speakers, participate in professional development workshops, enjoy colorful displays and have extra time to network with friends and colleagues from around the state.

10:15-10:30 a.m.

Break

10:30 a.m. - Noon

Be a People Power Person!

Michael Broome

Noon-1:15 p.m.

Lunch

1:15-2:15 p.m.

Workshops

☞ *Implications of the Job Reference Immunity Statutes*

☞ *... And You Thought He Was Just Odd: Workplace Violence*

☞ *Legal Privileges Against Compelled Disclosure*

☞ *Personal Liability of Managers in Employment Litigation*

☞ *Cost Management of Unemployment Insurance*

2:30-3:30 p.m.

Workshops (Repeat Sessions)

3:30-4:00 p.m.

Break



4:00-5:30 p.m.

Timeless Tools for Dynamic Partnerships!—Local committees showcase their successes in a trade show fashion

5:30-6:00 p.m.

Free Time

6:00-7:30 p.m.

Reception (heavy hors d'oeuvres)

Friday, October 28

7:45-8:30 a.m.

Continental Breakfast

8:30-9:15 a.m.

Business Meeting

9:15-10:15 a.m.

Dee Esser, Commissioner
Virginia Employment Commission

10:15-10:30 a.m.

Break

10:30-11:55 a.m.

Dr. William Boshier, Dean and Distinguished Professor, School of Education and Center for Public Policy, Virginia Commonwealth University

ADJOURN



Workshop Descriptions

John M. Barr
Attorney at Law
LeClair Ryan, A Professional Corporation

Implications of the Job Reference Immunity Statutes

Mr. Barr will discuss the implications of the qualified immunity that an employer can receive when giving out a job reference for a former employee. The discussion will also deal with the question of what type of liability that an employer can face when giving out false information that either defames a former employee or covers up wrongdoing on that employee's part.

Stephanie P. Karn, Attorney at Law
McGuireWoods LLP

Legal Privileges Against Compelled Disclosure

Privilege issues arise virtually every time a lawyer communicates, whether it be with a client, a prospective client, a witness, another lawyer, a court or a tribunal. This program will focus on the types of communications in which lawyers representing parties before the Virginia Employment Commission are most likely to engage. The program will explore the source of privilege law, the participants, the content of the communication, the context of the communication, and waiver. The program will also cover the very different but related work product doctrine, including the "temporal" and "motivational" elements of the doctrine, how work product protection might be overcome by an adversary, and waiver of the protection.

David E. Nagle, Attorney at Law
LeClair Ryan, A Professional Corporation

Personal Liability of Managers in Employment Litigation

Employees may bring a variety of lawsuits based on actions in the workplace, including such claims of employment discrimination, wrongful discharge, failure to pay wages due, unlawful harassment, breach of contract, intentional infliction of emotional distress, invasion of privacy, and assault. Some such claims may only be brought against an employer, but others may be brought against individual managers. Do you know which can result in personal liability? And what you can do to minimize personal liability? And who defends the individual? The answers aren't always clear, but this session will be devoted to exploring the issue of personal liability of managers in employment litigation.

**Patricia Williams, Supervisor, Benefit Payment
Charge, Virginia Employment Commission**

Cost Management of Unemployment Insurance

Eligibility requirements that must be met, in order for a claimant to receive benefits, will be outlined. The employer will be taken through the claims process to include the methods of initial claims filing, completion of the employer's report of separation and wage information, the fact-finding interview, the deputy determination, and how to charge taxable and reimbursable employer accounts.

Charles David Breme, Chief Appeals Examiner
Administrative Law
Division, Virginia Employment Commission

... And You Thought He Was Just Odd: Workplace Violence

Violence in the workplace is one of the most pervasive, costly and dangerous issues that today's employer must confront. Whether from within or without, it exacts a terrible toll on both human and material resources. Learn how to identify potential perpetrators and proactive steps you can take within your business to reduce the potential for it happening to you.



Conference Fee: \$150

Fee covers registration materials, one continental breakfast, one plated breakfast, Thursday's lunch and an evening reception.

Bring "One-Other" Discount

The registration fee for one additional participant from the same organization is \$100. (Registrations **must be** submitted together to be eligible for the discount.)

The **conference registration**
deadline is
October 20, 2005.

The **hotel reservations** deadline is
September 27, 2005.

How to Register for Conference:

Please mail registration form and fee to:

Virginia Employment Commission
P. O. Box 1358
Attention: Robb Whippo,
Room 308A
Richmond, VA 23218

Or, use our convenient E-mail registration form at **www.VaEmploy.Com**. (Be sure to mail your registration fee to the above address.)

Hotel Accommodations:

Please phone the Holiday Inn Select at 1-800-465-4329. Be sure to request the VEC/EAC Conference room rate (\$61, plus applicable taxes). *This rate is guaranteed only until the hotel's deadline of September 27.* (Space is limited.)

Directions to the Holiday Inn Select from I-95:

Take Exit 130B/Route 3 West in Fredericksburg. Continue on Rt. 3 (approx. ¼ mile) and take a right at the first traffic light onto Carl D. Silver Parkway. Take first

Professional Development Conference Registration Form

Virginia Employment Commission – Employer Advisory Committee

... **A TIMELESS PARTNERSHIP!**

PROFESSIONAL DEVELOPMENT CONFERENCE ON WORKFORCE ISSUES

Please complete and mail this form along with a check for \$150 registration fee. Your check should be made payable to the Virginia Employment Commission.

The hotel deadline is September 27, 2005; the conference deadline is October 20, 2005.

Name _____

Company _____

Company Address _____

City _____ State _____ Zip _____

Daytime Phone _____

E-mail _____

Golf on Wednesday? Yes No

Will attend Thursday reception Yes No

2nd Attendee (\$100):

Name _____

Phone _____

E-Mail _____

Golf on Wednesday? Yes No

Will attend Thursday reception Yes No

Please call the Holiday Inn Select **before September 27** (1-800-682-1049) to ensure our group rate. Mention the VEC/EAC Conference for this special room rate (\$61, plus applicable taxes).

Please list any special **dietary** or **physical** needs:

You may register on the VEC website (**www.VaEmploy.Com**) and mail the registration fee to: Virginia Employment Commission, P. O. Box 1358, Richmond, Virginia, 23218, Attention: Robb Whippo, Room 308-A.

CANCELLATION POLICY

All cancellations will be subject to a \$50 cancellation fee and must be submitted in writing. Cancellation requests received after 12:00 Noon ET on October 24, 2005, will not be eligible for a refund, *except for documented cases of medical or family emergencies*. You may choose to send someone else in your place at no additional cost. It is your responsibility to cancel your room reservation with the hotel.

E-mail registrations will not be considered complete until the fee is received.