

EEOC Law Week

April 20 — 24

Day One takes you through the basics of EEO law and procedures. Get the very latest developments with Day Two and its focus on current trends in EEO law, then stay for Days Three and Four with their emphasis on disability discrimination and damages. Finally, Day Five zeros in on selection, promotion, disciplinary and reprisal cases.

Speakers: Gary Gilbert, Ernest Hadley and Eleanor Laws

MONDAY, APRIL 20TH: BASIC EEOC: NUTS & BOLTS

- 8:00 Breakfast and registration sign-in
- 8:30 Statutory authority of EEOC
- 9:40 Theories of discrimination
- 10:50 Theories of discrimination - continued
- 12:00 Lunch
- 1:00 Overview: EEO Process
- 2:00 Complaint consolidation and amendment
- 3:00 Timeliness issues after *Morgan* and *Ledbetter*
- 4:00 Adjourn

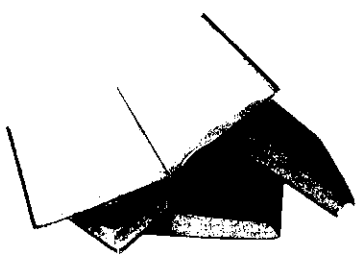
Core, open-enrollment seminars in EEOC Law will be held at the George Washington University Marvin Center Cafritz Conference Hall, at 800 21st Street, NW, Washington, DC.
See website for area information: <http://www.cafritz.gwu.edu>

TUESDAY, APRIL 21ST: CASE LAW UPDATE CURRENT TRENDS IN EEO LAW

- 8:00 Breakfast and registration sign-in
- 8:30 EEOC case law update
- 9:40 EEOC case law update - continued
- 10:50 National origin discrimination
- 12:00 Lunch
- 1:00 Avoiding liability for hostile environment claims
- 2:00 Avoiding liability, continued
- 3:00 Religious Accommodation
- 4:00 Adjourn

WEDNESDAY, APRIL 22ND: ACCOMMODATING INDIVIDUALS WITH DISABILITIES

- 8:00 Breakfast and registration sign-in
- 8:30 *Rehabilitation Act*, ADA, Part 1630
- 9:40 Defining individuals with a disability
- 10:50 Essential job functions



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Capacity Limited — Walk-ins May Not
be Permitted

EEOC Law Week

- 12:00 Lunch
- 1:00 The interactive process
- 2:00 Types of reasonable accommodation
- 3:00 Medical records and examinations

4:00 Adjourn

THURSDAY, APRIL 23RD: WHAT'S AT STAKE — DAMAGES AND REMEDIES

- 8:00 Breakfast and registration sign-in
- 8:30 Overview of equitable remedies
- 9:40 Back pay and benefits: offsets, interest, promotions
- 10:50 Back pay and benefits - continued; front pay
- 12:00 Lunch
- 1:00 Overview of compensatory damages awards
- 2:00 Calculating damages amounts
- 3:00 Attorneys fees and costs
- 4:00 Adjourn

FRIDAY, APRIL 24TH: SELECTION, PROMOTION, DISCIPLINE AND REPRISAL — AN IN-DEPTH LOOK

- 8:00 Breakfast and registration sign-in
- 8:30 Selection and promotion cases
- 9:40 Subjective and objective criteria
- 10:50 The "best qualified" candidate
- 12:00 Lunch
- 1:00 Disciplinary case overview and the "comparable" employee
- 2:00 Defending against pretext
- 3:00 Reprisal after *Burlington Northern*
- 4:00 Adjourn

FELTG DIRECTORS AND SEMINAR SPEAKERS

PETER BROIDA has been a leading practitioner in the areas of discipline and performance actions for nearly 30 years, writing extensively, representing employees and agencies nationwide.

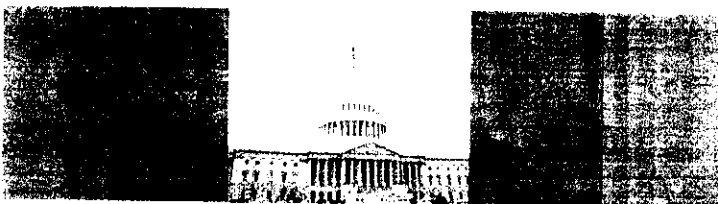
RENN FOWLER is a former Deputy Associate General Counsel for the General Services Administration. He is the author of the landmark text, *MSPB Charges and Penalties*.

GARY GILBERT is a former Chief Administrative Judge for the EEOC. He is the author of the often-referenced *Compensatory Damages in Federal Sector Employment*.

ERNEST HADLEY has been a premiere practitioner in the area of federal sector discrimination law for over 20 years, writing extensively, and representing both employees and agencies.

ELEANOR LAWS served as the Director of the Equal Opportunity Office at the University of Montana. From 2001—2005, she was an administrative judge with the EEOC, in the Los Angeles District Office. Previously, she was in private practice as an employment attorney with the Law Offices of Ernest C. Hadley, representing clients in proceedings before the EEOC, MSPB, and OWCP.

WILLIAM WILEY is a former Chief Counsel to the Chairman of MSPB and Chief of Staff to the General Counsel of FLRA. He is an author & lecturer with 30 years of employment law experience.



Hearing Practices Week:

ADMINISTRATIVE LITIGATION SKILLS
PRESENTED BY THE FELTG TEAM

April 27 — May 1

Walk a case through from beginning to end. Start with the basic overview of the EEOC and MSPB and then join us for *Anatomy of a Case, Parts I - IV*, a detailed journey through the Commission and Board processes with our Complainant/Appellant, *Outta Brethe*, and his agency, the *Department of Vicarious Affairs*, as the case plays out in depositions, a settlement and prehearing conference and the final act — the hearing.

Speakers: Peter Broida, Gary Gilbert, Ernest Hadley, and William Wiley

MONDAY, APRIL 27TH: EEOC AND MSPB FUNDAMENTALS

- 8:00 Breakfast and registration sign-in
- 8:30 EEOC & MSPB functions and jurisdiction
- 9:40 Constructing disciplinary actions
- 10:50 Misconduct—5 Key Elements
- 12:00 Lunch
- 1:00 Theories of Discrimination
- 2:00 Case Evaluation
- 3:00 Case Theory Development
- 4:00 Adjourn

TUESDAY, APRIL 28TH: ANATOMY OF A CASE, PART I

- 8:00 Breakfast and registration sign-in
- 8:30 Appeal to Discovery: Filing and responding to appeal or complaint; investigation; opposing counsel
- 9:40 Tools of Discovery — depositions, interrogatories and admissions
- 10:50 Initiating discovery; failures to respond; involving the judge in discovery

TUESDAY, CONTINUED

- 12:00 Lunch
- 1:00 Follow-up to initial information requests and further inquiry
- 2:00 Motions to compel; sanctions
- 3:00 Demonstration: Deposition
- 4:00 Adjourn

WEDNESDAY, APRIL 29TH: ANATOMY OF A CASE, PART II

- 8:00 Breakfast and registration sign-in
- 8:30 Summary judgment motions
- 9:40 Settlement to Prehearing: Basic approaches to conflict resolution
- 10:50 Types of settlement vehicles; using the mediator effectively
- 12:00 Lunch
- 1:00 Initial proposals and positioning; evaluation of your opponent's case

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Core, open-enrollment seminars in Hearing Practices will be held at the George Washington University Marvin Center Cafritz Conference Hall, at 800 21st Street, NW, Washington, DC.
See website for area information: <http://www.cafritz.gwu.edu>

Register now: www.FELTG.com

Hearing Practices Week

- 2:00 Effective mediation and settlement techniques; drafting agreements
- 3:00 Demonstration: Settlement Conference
- 4:00 Adjourn

THURSDAY, APRIL 30TH: ANATOMY OF A CASE, PART III

- 8:00 Breakfast and registration sign-in
- 8:30 Prehearing to Hearing Prep: Prehearing submissions
- 9:40 Differences/similarities between EEOC & MSPB pre-hearing; planning the conference call
- 10:50 Identification of witnesses and issues: stipulations to save time and money
- 12:00 Lunch
- 1:00 Conduct of prehearing conference; responding to judge's comments; follow-up
- 2:00 Guest Speakers — EEOC & MSPB: Judges' approach to litigation preparation and practice
- 3:00 Demonstration: Prehearing Conference
- 4:00 Adjourn



FRIDAY, MAY 1ST: ANATOMY OF A CASE, PART IV

- 8:00 Breakfast and registration sign-in
- 8:30 Hearing and Arguments: Planning for the hearing; structuring the logical approach to evidentiary burdens; making objections
- 9:40 Preparing witnesses for direct and cross examination; handling documents and exhibits
- 10:50 Composing direct and cross exam questions; developing opening and closing arguments
- 12:00 Lunch
- 1:00 Demonstration — The Hearing: Opening and case in chief
- 2:00 Demonstration — The Hearing: Cross examination and response to case in chief
- 3:00 Demonstration — The Hearing: Continuation of case; closing arguments; judge's decision
- 4:00 Adjourn

Seminar Details

Hearing Practices:

Administrative Litigation Skills

Interactive discussions and demos provide a unique experience for the attendee to observe the presentation of a case and to have that presentation evaluated by experts in administrative hearing litigation. Too many agency and employee representatives learn their craft through trial and error, with the emphasis on the latter. These highly regarded demonstrations aim to eliminate that error, and indeed, a demonstration is worth a thousand words.

4th Annual
**FEDERAL EMPLOYMENT AND
LABOR LAW SYMPOSIUM 2009**

Wednesday, April 8th

**Presented by The FELTG Team of
Peter Broida, Gary Gilbert, Ernest Hadley
and William Wiley**

At the FDIC Conference Center,
Arlington, VA

**With Guests FLRA Chair Thomas M. Beck,
MSPB Vice-Chair Mary M. Rose, EEOC Chief
Operating Officer Anthony Kaminski, AFGE
President John Gage and NTEU Senior
Deputy General Counsel Elaine Kaplan**

Join the FELTG Team and key officials of the EEOC, MSPB, FLRA, AFGE and NTEU as we commemorate the 30th anniversary of the Civil Service Reform Act, cover the critical developments of the past year, and explore the future of federal sector employment and labor relations law.

AGENDA:

- 8:00-8:30 Registration Sign-In and continental breakfast
- 8:30-8:40 Welcome
- 8:40-10:00 Panel Discussion
The Civil Service Reform Act, 30 Years Later:
Where Do We Go From Here?
Guests from the EEOC, MSPB and FLRA
- 10:00-10:15 Break
- 10:15-11:00 Panel Discussion -- The Union Perspective:
What's Next?
- 11:00-11:50 Recent Trends at the FLRA: A Case Law Update
- 11:50-1:00 Lunch Break
- 1:00-2:15 Recent Trends at the MSPB: A Case Law Update
- 2:15-2:30 Break
- 2:30-3:45 Recent Trends at the EEOC: A Case Law Update
- 3:45-4:00 Q & A, Closing

Register now: www.FELTG.com

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FELTG Seminar Participants' feedback from
2008 programs ... **MSPB Law Week**

"I would recommend this course to new employees as it is a good basics course that builds up each day in complexity ..."

"Wiley's cases from his work history are very entertaining plus informative ... I would love to have same class for agency supervisors ..."

Specialty Practice Areas

"FMLA was a phenomenal class -- very imperative information ... The presentation was well put together and delivered ... Mr. Bosland was excellent!"

"Whistleblowing and Reprisal gave a solid foundation of understanding a difficult topic ..."

"Case Law supplied for Labor Relations will serve as a great resource!"

EEOC Law Week

"The presenters' experience was extensive and took the audience beyond the written materials and power point display ..."

"... Information and rationale that is not only directly applicable to the problems that I deal with, but also provides the tools to deal with other problems as they emerge ..."

Hearing Practices

"I got great ideas for my current case and for planning with my client agencies for future matters ..."

"I appreciated the fact that all the speakers were engaging and good-humored. It is rare to have a training with such high quality speakers across the board ..."

HR & EEO Conference: Plan on joining hundreds of your peers **May 4 - 6, 2009** in **New York City** when **cyberFEDS®** and **NYHRWeek™**, in cooperation with the **Federal Employment Law Training Group**, proudly bring you the **3rd Annual HR & EEO in the Federal Workplace Conference**. This comprehensive event features a balanced mix of seminars that is fresh and focused on the pressing issues you face every day.
Speakers include FELTG's Peter Broida, Gary Gilbert, Ernest Hadley and William Wiley, Dexter Brooks, Marilyn Mattingly, and EEOC Commissioner Stuart Ishimaru -- to name just a few. Plus, register by April 10th to claim **\$100.00 in Early Bird Savings**.

Visit www.felchg.com for details.

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