

## EXECUTIVE BRIEFING

### Lesson Plans for Changing Times: Legal & HR Challenges You Never Thought You'd Confront

Peggy Burns, Esq., and Mark Hinson, SPHR

Friday, March 9, 2 to 6 pm,

continuing Saturday, March 10, 1 to 5:15 pm.

In the face of staff cutbacks, have you been assigned, or re-assigned, but not adequately trained? How can you know what you need to know? Here's one thing you can be clear on: You can't spend limited time or money on lawsuits, or worse, in this economy. We can help.

**The changing transportation environment begs for new lesson plans to guide your way. This 8-hour workshop will be of value to school district personnel, bus contractors, and suppliers of products and services.**

Current legislative and legal updates will help guide you as you make decisions and implement personnel practices in all phases of your operations. Instructors Peggy Burns, Esq. and Mark Hinson, SPHR will keep you thoroughly engaged with in-depth exploration of key topic areas and a fast-paced "lightning" round that will surprise you with the variety of new subjects you've got to juggle. We'll address:

- **Key Federal Laws:** What's new, what matters? Are you aware of legislative changes and their impact to your workplace?

**The most current legislative and legal updates of interest to school districts, bus contractors, and manufacturers, including but not limited to:**

- **Fair Labor Standards Act (FLSA)**  
What constitutes payment for work performed prior to and after the shift?  
The latest rulings on "rounding" time and use of time clocks.  
Employers are paying more and more for lost time claims. How can you avoid this trap?  
Different rates for different routes?

- **Family Medical Leave Act (FMLA)**  
New rulings on what constitutes "serious health condition".  
"Stress" claims on the rise. What do you need to know?  
What is "FMLA retaliation"? It sounds like a bad thing.  
When can you take an "adverse employment action" when you suspect improper leave?
- **Americans with Disabilities Act (ADA)**  
Trends and trials: Making good decisions now.  
When is an accommodation unreasonable?  
What if an employee wants an accommodation but has little to no documentation?  
How will new regulations (March 25, 2011) change my life?
- **Age Discrimination in Employment Act (ADEA)**  
New cases show it's not old news  
Who's the employer?
- **Title VII**  
National origin discrimination: what's your role?  
Racial discrimination – can you win?
- **First Amendment**  
What happens if FaceBook and the First Amendment collide?
- **National Labor Relations Act (NLRA)**  
How far must you go to embrace union activities?  
Contractors' Driver/Monitor Handbooks – an unfair labor practice?  
Hiring and firing when contractors change
- **Whistle Blower Rules**  
OSHA whistles "time out" when complaints about safety concerns result in termination  
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- **Organizational Effectiveness and Development:** Including, but not limited to:
  - Training
  - Allocation of responsibilities
  - Communication
  - Trust in leadership
  - Incivility in the Workplace
  - Social Media and Union Organizing, The National Labor Relations Board weighs in.
  - An Engaged Workforce and the “Bottom Line”
  - Making Supportable Disciplinary Decisions
  - Emails – What makes them Effective?
  - Taking Care of High-Potential Employees
  
- **And, for the first time, a “Lightning Round,”** full of essential updates from A to Z about challenges and trends of interest to school transportation administrators. You won’t want to miss their “right to the point” discussions about:
  - ❖ Can *anyone* be an aide?
  - ❖ When are employees “similarly situated”?
  - ❖ Sex on the job
  - ❖ Is FaceBook the new resume?
  - ❖ Now that you’ve cut routes. . .
  - ❖ “All hands on deck”
  - ❖ What constitutes “Retaliation”?
  - ❖ Should drivers “be seen and not heard”?
  - ❖ Are school bus drivers like a box of chocolate? Can you predict what you’ll get?
  - ❖ Integrity and Personality Testing are on the rise.
  - ❖ “Code Words” may show intent to discriminate in the workplace.
  - ❖ Can bankruptcy impact an applicant for hire?
  - ❖ Limit Legal Risks during periods of layoffs.
  - ❖ What if staff breaches confidentiality?

**Take-home materials are provided to Executive Briefing registrants.**

**Peggy Burns** is an Attorney and owner of Education Compliance Group, Inc., an organization committed to addressing legal compliance issues in education. Formerly Staff Counsel for Adams 12 Five Star Schools in Colorado, she has advised and trained administrators throughout the public school system. Among other things, she is co-author of a Risk Management Manual for Utica National Insurance Company. Her most recent book is *Defensible Decisions about Transporting Students with Special Needs: Lessons Learned from Legal Disputes*.

**Mark Hinson** is a consultant with Education Compliance Group. He is Chief Human Resource officer for Adams 12 Five Star Schools, an urban school district serving 40,000 students and 5,000 employees. With more than 25 years of experience in the human resources profession, Mark has served in numerous leadership roles including national committee work with the Society for Human Resource Management.

**REGISTER FOR THE EXECUTIVE BRIEFING at [www.eduprogroup.com](http://www.eduprogroup.com)**

The Executive Briefing is held in conjunction with the 21<sup>st</sup> National Conference on Transporting Students with Disabilities & Preschoolers, March 9-14, 2012 at the Doubletree Hotel at the Entrance to Universal Orlando.

The Fee for the Executive Briefing is \$275 before 10/30/11. Fee is \$300 before 1/15/12 Or, if you register for the conference plus the Executive Briefing, the fee is \$450 before 10/30/11 and \$550 before 1/15/12. Fees increase again after 1/15/12.

**For more information contact Roseann Schwaderer, President, Edupro Group, and Conference Chair**

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