

DON'T MISS THE

# Twenty-Seventh Annual Labor Relations And Employment Law Update Conference

Nashville Airport Marriott  
Nashville, Tennessee  
November 9-10, 2006

### A FEW COMMENTS FROM LAST YEAR

“ So well organized -  
materials, speakers; the best  
seminar presentation of any  
law firm I have attended. ”

“ I learn more at this  
conference than any other  
training I receive  
throughout the year. ”

“ This is without question  
the best HR education program  
that I have attended. ”



#### GUEST SPEAKER

C. Richard Barnes, President  
*C. Richard Barnes and Associates, LLC*  
and  
*Former Director, Federal  
Mediation and Conciliation Service*



**Wimberly Lawson**

Seale Wright & Daves, PLLC

*Attorneys & Counselors At Law*



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Dear Clients and Friends of the Firm:

It is time again to make plans to attend what will be our 27th annual client update conference which will be held on November 9-10, 2006, at the Nashville Airport Marriott in Nashville, Tennessee. This is truly the high point of the year for us -- a time to gather with friends and discuss important, contemporary employment issues. We hope you can join us.

Our day and a half program will cover the important legal decisions and societal trends which influence our employment settings. Our plenary session topics are carefully selected to address the concerns of all employers while our breakout sessions give you an opportunity to select from a wide array of topics thoughtfully dealt with in great detail. Some of the topics we will be covering are:

- Electronic record keeping
- Workplace violence
- USERRA concerns
- Developing immigration standards
- Crisis management

So, if it is employment related and it affects your business, we are going to be talking about it. Join us in Nashville on November 9 and 10 for some serious business and some serious fun. We promise you an informative, but light-hearted, thorough, but practical journey through today's workplace issues.

Hope to see you there!

Respectfully,

Gary W. Wright  
Managing Member

[www.wimberlylawson.com](http://www.wimberlylawson.com)

Knoxville    Morristown    Cookeville    Nashville

# AGENDA

Thursday, November 9, 2006

8:00 am - 9:00 am Registration and Continental Breakfast

## General Session

Labor & Employment Law Update - The Year In Review  
The Latest Developments at OSHA  
New EEOC Systemic Discrimination Incentives  
Union Organizing Since The CtoW/AFL-CIO Split

## Breakout Sessions

Strategies for Conducting Effective Internal Investigations  
Hire Smart to Limit Your Legal Exposure  
Using Alternative Dispute Resolution Programs to Avoid Employment Litigation  
Workplace Violence - It Can Happen Here  
Overcoming the Most Common Wage and Hour Mistakes

**Lunch** (Courtesy of Wimberly Lawson)

## General Session

21st Century Work Force Challenges for Labor and Management  
(by C. Richard Barnes, Keynote Speaker)

## Breakout Sessions

Crisis Management: Floods, Tornadoes and Pandemics  
Best Practice for Handling Leaves of Absence  
Glass Ceilings, Equal Pay, Comparable Worth  
Avoiding Retaliatory Discharge Claims  
Innovative Strategies in Wellness Programs and Health Insurance

## General Session

Retention Strategies to Build Employee Loyalty  
USERRA Update  
The Boundaries of Employee Monitoring  
Latest Developments of HIPAA

5:00 pm - 7:00 pm Reception (please join us for scrumptious hor d'oeuvres)

Friday, November 10, 2006

8:00 am - 8:30 am Continental Breakfast

## General Session

Impact of New OFCCP Regulations  
Workers' Compensation Reform - An Update  
Immigration Legislative Update

## Breakout Sessions

Sexual Stereotypes and Gender Discrimination  
Complying with Changing Immigration Standards  
Managing Workers' Compensation Claims  
Recruitment Strategies in a Tight Labor Market  
Mandatory Arbitration/Waiver of Jury Trials

## General Session

Handling Alcoholic Employees  
Generation X, Y and ?  
Business 101 for HR Professionals  
Employment Trends - What's Coming Next

**Conclusion** - Noon



This program has been approved for 8 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage at [www.hrci.org](http://www.hrci.org).



**Wimberly Lawson**  
 Seale Wright & Daves, PLLC  
*Attorneys & Counselors At Law*

## Twenty-Seventh Annual Labor & Employment Law Update Conference

**Nashville Airport Marriott - Nashville, Tennessee  
 November 9-10, 2006**

### **COST:**

Early Bird (registration AND payment received by October 9)

- \$265 per person
- \$230 for each additional person from the same company

Registration and payment received after October 9

- \$295 per person
- \$260 for each additional person from the same company

### **CANCELLATION CHARGE:**

**50% CANCELLATION FEE WILL BE INCURRED FOR CANCELLATIONS AFTER OCTOBER 23**

### **REGISTRATION INCLUDES:**

Seminar (1 1/2 days), materials, two continental breakfasts, lunch and evening reception on Thursday

### **HOTEL ACCOMMODATIONS**

**Nashville Airport Marriott • 600 Marriott Drive**

**800-770-0555**

Be sure to state you are attending the Wimberly Lawson conference in order to receive the room rate of \$122/standard or \$150/suite.

Cutoff date for this room rate is **October 16, 2006.**

**REGISTER ONLINE** at [www.marriott.com](http://www.marriott.com)  
 (use the Group Code **wimwima** to reserve at the conference rate)

### **FOUR WAYS TO REGISTER**

1. Mail to: **Gabe White**  
 Wimberly Lawson Seale  
 Wright & Daves, PLLC  
 P.O. Box 2231  
 Knoxville, TN 37901-2231
2. Fax to: **865-546-1001**
3. Email to: **gwhite@wimberlylawson.com**
4. Via website: **www.wimberlylawson.com**



### **GUEST SPEAKER**

Charles Richard Barnes, *President*  
*C. Richard Barnes and Associates, LLC*  
*and Former Director, Federal Mediation and Conciliation Service*

Richard Barnes is President of the firm of C. Richard Barnes and Associates, LLC. This organizational consulting firm, established in 2005, provides dispute resolution services, dispute resolution systems design, workforce training and development and leadership coaching to a cross-section of American industry, labor, private, public and service organizations.

Prior to forming his own company, Barnes was the Executive Director of the "Center for the Workplace" at Georgia State University in Atlanta, Georgia. He served in that capacity from 2003 - 2005. Immediately preceding that position he served as the 14th Director of the Federal Mediation and Conciliation Service. Appointed by President Clinton in January 1998, he held that position until June, 2002. Barnes is the first career mediator in FMCS history to receive this Presidential Appointment and Senate confirmation. As Director of FMCS, he was responsible for the management of our nation's Federal Mediators in all fifty states, Puerto Rico, the U.S. Virgin Islands, Guam and the Panama Canal. His broad and far-reaching experience in labor-management relations, negotiations, organizational change processes, mediation and dispute resolution made him exceptionally qualified for this position.

A native of Chattanooga, Tennessee, Director Barnes began his dispute resolution career as an FMCS mediator in August 1987. He served as the Alternative Dispute Resolution (ADR) Coordinator and as Preventive Mediation Coordinator for the Southern Region. He was selected as the FMCS District Director for the Atlanta District in 1994 and was promoted to Southern Regional Director in 1995. In 1996, he was selected as the Deputy Director for Field Operations in Washington, D.C. and in this position played a key role in the strategic redirection of FMCS, a five-year reinvention process that realigned the agency, its services and personnel to meet the changing needs of the labor relations and conflict resolution communities.

As both Director and Deputy Director, he led mediation teams that resolved some of our nation's most significant, intense and protracted labor-management disputes. In recent years, these included the 1997 strike between the 185,000 members of the International Brotherhood of Teamsters and the United Parcel Service, the International Association of Machinists and the Kennedy Space Center, the California Nurses Association and Kaiser Foundation Hospitals and The Boeing Company and their engineering employees, SPEEA. Most recently, he served on the mediation team that resolved the West Coast Ports Dispute between the Pacific Maritime Association and the International Longshoremen and Warehouse Union.

During his tenure as FMCS's Alternative Dispute Resolution Coordinator, he conducted complex multi-party regulatory negotiations including the West Tennessee Tributary Project, Native American Self-Determination Projects and commercial ADR issues on the Panama Canal. He recently mediated an environmental dispute concerning shallow water contamination for the U.S. Department of Justice and The U.S. Air Force's Kelly Air Force Base, San Antonio, Texas.

Barnes is an internationally recognized mediator, facilitator and trainer. As a direct compliment to his expertise, he was selected to facilitate the Construction Users Roundtable's (CURT) Tripartite Initiative, an unprecedented forum of construction industry leaders from the owner's community, national trade organizations and organized labor in their effort to drive change in the construction industry.

Mr. Barnes also serves as an adjunct professor at Pepperdine University's Straus Institute for Dispute Resolution in Malibu, California and as a visiting professor at the Clinton School of Public Service at the University of Arkansas - Little Rock, Arkansas.

Prior to his mediation career, Barnes was an International Representative with the Laborers' International Union of North America, AFL-CIO for 16 years. In this capacity, he negotiated in excess of 300 labor agreements in thirty-five separate industries.

He is a Vietnam era veteran of the U.S. Army and served as an instructor at the Medical Field Service School at Brooke Army Medical Center, Fort Sam Houston, Texas. A graduate of Antioch University and the George Meany Center for Labor Studies he holds academic degrees in Labor and Industrial Relations. Richard and his wife Audrey currently reside in Atlanta, Georgia.

Name \_\_\_\_\_

Company \_\_\_\_\_ Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Email \_\_\_\_\_