

22nd Annual Employment Law Conference 2019

Everything new affecting your practice

Employment law has seen many changes in the past year, and you won't want to miss this opportunity to efficiently catch up on all of the latest developments, as well as a chance to gain insight about trends on the horizon. MCLE's 22nd Annual Employment Law Conference features expert practitioners who provide you with everything you need to know to keep your employment law practice up-to-date.

Learn about the effect of new statutes, regulations, and MCAD policies and procedures. Hear about current philosophies, assessments, and strategies for dealing with a variety of practical employment law issues. Your time is valuable; get the essential updates you need in a fast-paced, highly focused day of learning and networking at MCLE!

Agenda

- 9:00 am–9:15 am Welcome and Introduction**
 Jaclyn L. Kugell, Esq., *Morgan, Brown & Joy LLP, Boston*, Cochair
 Katherine J. Michon, Esq., *Hartley Michon Robb LLP, Boston*, Cochair
- 9:15 am–10:00 am Discrimination Law Update 2019**
 Lynn A. Kappelman, Esq., *Seyfarth Shaw LLP, Boston*
 Ellen J. Messing, Esq., *Messing, Rudavsky & Weliky, PC, Boston*
- 10:00 am–11:00 am Contract, Tort, Wage and Hour, and Legislative Update 2019**
 Matthew J. Fogelman, Esq., *Fogelman & Fogelman LLC, Newton*
 Gwen Nolan King, Esq., *Sugarman, Rogers, Barshak & Cohen, PC, Boston*
 Bronwyn L. Roberts, Esq., *Cooley LLP, Boston*
- 11:00 am–11:15 am Networking and Refreshment Break**
- 11:15 am–12:15 pm Featured Panel: An Update on Non-Competition Agreements in Massachusetts—a Year After the Effective Date**
 It is now more than a year after the effective date of the new Massachusetts law on noncompetition agreements. Hear from the experts about how their advice and practices have changed over the past year. How have management-side lawyers been advising employers? How have employee-side lawyers been evaluating potential legal actions and advising executives? How will the courts be interpreting the new law?
 Russell Beck, Esq., *Beck Reed Riden LLP, Boston*
 Hon. Mitchell H. Kaplan, *Superior Court, Business Litigation Session, Commonwealth of Massachusetts*
 C. Max Perlman, Esq., *Hirsch Roberts Weinstein LLP, Boston*
- 12:15 pm–1:15 pm Lunch Break (on your own)**
- 1:15 pm–2:00 pm Pay Equity Developments 2019**
 How has the updated Equal Pay Act changed the practice of employment law in Massachusetts? Hear from the experts about developments in the practice and strategies when advising employees and employers. Understand how the updated law is changing legal claims—and how they are defended. Learn to what extent the courts have had an opportunity to say anything about this new and improved law.
 Mark H. Burak, Esq., *Ogletree, Deakins, Nash, Smoak & Stewart, PC, Boston*
 Elizabeth A. Rodgers, Esq., *Gordon Law Group LLP, Boston*



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Dates & Locations

BOSTON

Friday, December 6, 2019
 9:00 am–5:00 pm

MCLE Conference Center,
 10 Winter Place, via Winter Street
 Program Number: 2200001P01

LIVE WEBCAST

Friday, December 6, 2019
 9:00 am–5:00 pm

Register at www.mcle.org
 Program Number: 2200001WBC

RECORDED WEBCAST

Friday, December 20, 2019
 9:00 am–5:00 pm

Register at www.mcle.org
 Program Number: 2200001RBC

Tuition (includes written materials)

- \$295
- \$265.50 MCLE Sponsor Members
- \$221.25 New Lawyers admitted to law practice after 2016, Pending Admittees, Law Students, and Paralegals

Materials

The materials for this program include MCLE's *Massachusetts Employment Law Sourcebook & Citorator 2020*, which can be viewed or downloaded via the link emailed to you. Attend in person to get a print copy. Also, there is no need to take extensive notes. Two weeks after the live seminar, all registrants receive a link to a written verbatim transcript of this program.

Can't Attend?

View the webcast—live or later, or download the mp3 recording at www.mcle.org

Listen to the Audio CD
 Available after Friday, December 20

- \$165
- \$148.50 MCLE Sponsor Members
- \$123.75 New Lawyers admitted after 2016

Earn up to 6.5 CLE credits

2:00 pm–3:00 pm The MCAD: Tips to Better Your Practice, and Interactive Question and Answer Session

Sunila Thomas-George, Esq., *Chairwoman and Commissioner, MCAD, Commonwealth of Massachusetts*
Eugenia M. Guastaferrri, Esq., *Senior Hearing Officer, MCAD, Commonwealth of Massachusetts*
Constance M. McGrane, Esq., *General Counsel, MCAD, Commonwealth of Massachusetts*
Barbara A. Robb, Esq., *Hartley Michon Robb LLP, Boston*

3:00 pm–3:15 p.m. Networking and Refreshment Break

3:15 p.m.–4:00 pm Leave of Absence Landmines, Including the New MA Paid Family and Medical Leave Law

The legal entitlements to a leave of absence from work continue to grow in number—as does the resulting labyrinth of related issues. Contributions are being collected to fund the trust to support the new MA Paid Family and Medical Leave Act, which provides even further legal entitlements for workers to be away from work. Hear from the experts as they discuss the evolving issues, as well as how to advise clients on best practices to implement and adhere to these laws and assess legal violations.

Michael J. Doheny, Esq., *General Counsel, Executive Office of Labor and Workforce Development, Commonwealth of Massachusetts*

Anne L. Josephson, Esq., *Kotin, Crabtree & Strong LLP, Boston*

Mary E. O’Neal, Esq., *Conn Kavanaugh Rosenthal Peisch & Ford LLP, Boston*

4:00 pm–5:00 pm Jury Verdicts: the Big, the Bad and the Ugly; How to Get Them and How to Avoid Them

While employment law claims often settle, sometimes they “go all the way”. Hear from the experts on the best strategies to be successful when your case actually gets to a jury. Learn about traps for the unwary and what you need to be on the look-out for to have the best chance to deliver a “big win”!

David E. Belfort, Esq., *Bennett & Belfort, PC, Cambridge*

Joan A. Lukey, Esq., *Choate Hall & Stewart LLP, Boston*

Allison A. MacLellan, Esq., *MacLellan Law Firm, PC, Quincy*

Gregory A. Manousos, Esq., *Morgan, Brown & Joy, LLP, Boston*

5:00 pm–5:30 pm Networking Reception for Faculty and Registrants



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Reference # 22-020

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- ▶ **WALK UP** on the day of the program or **DROP IN** to
MCLE's bookstore, Monday - Friday, 8:30 a.m. - 5:30 p.m.

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Policies and Information

Register early!

For course agendas, hours, fees, and discounts, please refer to the respective seminar pages. The fee includes all written materials unless otherwise noted, program instruction, and refreshment breaks. Lunch may be enjoyed on your own.

To reserve seating and gain access to online materials, please register in advance of the program.


Upon registration, MCLE will e-mail a confirmation. Please check in with the registrar on the day of the program.

Walk-in registrants are welcome, with the exception of limited enrollment programs. Please call us to confirm space availability and schedule.

We accept cash, checks, MasterCard, Visa, American Express, and Discover.

Need special assistance?

If you are a person with a disability or special needs, please let us know in advance so that we can make your visit as convenient and comfortable as possible. Call Customer Service at 800-966-6253 to make arrangements.

For your convenience, MCLE also offers closed captioning  and written transcripts of all recorded webcast programs, available to you online two weeks after the program date.

Mandatory CLE credits

States have varying mandatory CLE credit requirements; individual attorneys are responsible for checking with their particular state CLE accreditation authority about whether and how much credit will be granted. Although MCLE does not pursue state-based credit, MCLE programs are regularly approved in many jurisdictions. It is the responsibility of the individual attorney interested in CLE credit to submit the information and certifications required under the respective state rule to the appropriate state authorities in the jurisdictions in which they seek credit.

Depending on the jurisdiction, lawyers can satisfy their mandatory CLE requirements online with MCLE's webcasts, which feature periodic attendance prompts, online written materials, and the opportunity to receive a certificate of attendance.

If your plans change

If you're unable to attend a program you've registered for, you will receive an email notification shortly after about how to access the program on demand via webcast and/or downloadable mp3 file, including the written materials in electronic form, in full satisfaction of the tuition paid. If you prefer a refund, let us know by the end of the business day prior to the program and we'll refund your tuition after deducting a \$25 processing fee. Note that limited enrollment programs are an exception, cancellation

of which require two weeks notice and are subject to a \$45 processing fee.

Attorney scholarships

Attorneys with financial need who certify that they are unable to attend a program without financial aid may request a partial tuition scholarship in confidence by writing or emailing scholarships@mcle.org **at least two weeks in advance of the program.**

Discounts for new lawyers—new lawyers always pay the lowest price

For the first three years of practice, MCLE offers new lawyers a 25% discount on all of its products, including programs (whether attending in person or via live or recorded webcast), books, audio CDs and mp3 recordings. If you were admitted to the bar after 2016, you can take advantage of the new lawyer prices listed throughout the catalog.

Pending admittees, law students and paralegals are eligible for a 25% discount on most MCLE programs.

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- **Public recognition** on our website.

MCLE Sponsorship runs for 12 months beginning September 1. The fee for firm, corporate law department, or agency membership is calculated based on the number of Massachusetts admittees within the organization. Benefits of membership extend to all lawyers and non-lawyer professionals associated with the organization.

- Solo Practitioners \$95
- Firms by number of Massachusetts attorneys:
 - 2-5 \$ 150
 - 6-10 250
 - 11-25 500
 - 26-75 1,000
 - 76-150 \$ 2,500
 - 151-250 3,500
 - 251+ 4,500