

2019 Employment Law Conference

Co-sponsored by the Labor & Employment Law Section
of the Colorado Bar Association



October 3-4, 2019

Vail Marriott Mountain Resort • 715 W Lionshead Circle, Vail, CO 81657

Submitted for 11 General Credits, Including 1 Ethics Credit

DON'T MISS THE WELCOME BRUNCH!

**RETURNING
TO VAIL!**



**REGISTER ONLINE TODAY @
cle.cobar.org/employment**

2019 Employment Law Conference

Co-sponsored by the Labor & Employment Law Section
of the Colorado Bar Association

Fall means returning to Vail for the CBA-CLE Employment

Law Conference! This year's program provides legal updates, practical advice, and great opportunities to connect with colleagues. Human resource professionals, plaintiff and defense practitioners, in-house counsel, and other professionals will benefit from sessions that address new and common challenges that arise in the workplace. This year's program has something for everyone! Join our fantastic faculty for this unparalleled educational opportunity.



PLENARY SESSIONS

- An Update from CCRD and EEOC
- Implicit Bias and Cultural Competency Workshop
- State Legislative Update
- Case Law, Federal Law, and Regulation Update
- Generational Differences in the Workplace
- A View from the Bench – Judge Robert E. Blackburn

8 BREAKOUT SESSIONS TO CHOOSE FROM

- Plaintiff/Defense Counsel Approaches to Case Settlement
- Smart Neurological Hacks: Tools for Boosting Grit and Grace
- Key Policies Every Employee Handbook Must Have and Some It Shouldn't
- Jumping Ship: Employee Mobility and Restrictive Covenants in Colorado
- Mediation Behind Closed Doors: How to Achieve Your Client's Best Outcomes by Mastering the Phases of Mediation
- Technical Competency in Employment Law Disputes
- He Said, She Said. Now What?
- Human Resources 101

October 3-4, 2019

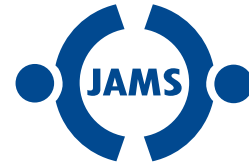
Vail Marriott Mountain Resort • 715 W Lionshead Circle, Vail, CO 81657

Submitted for 11 General CLE Credits, Including 1 Ethics Credit

SPECIAL THANKS

TO OUR 2019 SPONSORS

GOLD LEVEL SPONSORS



SILVER LEVEL SPONSORS



Sponsorship opportunities are still available!

For more information, please contact
Melissa Higham at mhigham@cobar.org

CBA MEMBERS SAVE 30%

on tuition for this conference when you attend and purchase *Practitioner's Guide to Colorado Employment Law*, Third Edition ahead of time.

(see registration form for details)



AGENDA

DAY 1 – OCTOBER 3, 2019

10:30 AM - 12:30 PM

Welcome Brunch Reception



12:30 - 12:45 PM

Opening Remarks

12:45 – 1:45 PM

An Update from CCRD and EEOC

Agency updates and current enforcement and litigation priorities

*Presented by **Aubrey Elenis, Esq.**, and **Rita Byrnes Kittle, Esq.***

1:45 - 1:50 PM

Transition to Breakout Sessions

1:50 - 2:50 PM

BREAKOUT SESSION #1

Plaintiff/Defense Counsel Approaches to Case Settlement

How different lawyers have experienced settling cases

*Presented by **Susan Klopman, Esq.**, **Jennifer Robinson, Esq.**, and **Donald L. Samuels, Esq.***

*Moderated by **Robert Truhlar, Esq.***

BREAKOUT SESSION #2

Smart Neurological Hacks: Tools for Boosting Grit and Grace

As a labor and employment lawyer you've likely found that while rewarding, our work can also be uniquely stressful and demanding. This lively, interactive presentation will help you understand how to best mitigate the effects of stress and secondary trauma as you practice.

*Presented by **Michelle Sylvain, Esq., MBA**, and **Jill Squyres, Ph.D.***

2:50 - 3:05 PM

Networking Break – *Please Visit Your Sponsors!*

3:05 - 4:05 PM

BREAKOUT SESSION #3

Key Policies Every Employee Handbook Must Have and Some It Shouldn't

Best practices for updating an effective handbook

*Presented by **Sonia N. Ramirez Anderson, Esq.**, and **Cynthia E. Wellbrock, Esq.***

BREAKOUT SESSION #4

Jumping Ship: Employee Mobility and Restrictive Covenants in Colorado

Discussion of issues relating to the protection of trade secrets from the perspective of the employer/business owner and the employee/independent contractor, review recent trends in the enforcement of restrictive covenants, including recent cases involving non-solicitation and non-competition agreements, and review the protection of trade secrets under the Colorado Uniform Trade Secrets Act and tort law

*Presented by **Meredith A. Munro, Esq.**, and **Elizabeth Wylie, Esq.***

4:05 - 4:15 PM

Transition to Plenary Session

continued >

AGENDA

4:15 - 5:45 PM

FEATURED PRESENTATION: Implicit Bias and Cultural Competency Workshop

Implicit Bias, or subconscious bias, continues to grow as a theory of discrimination in both disparate treatment and disparate impact cases under Title VII and state law. The terms themselves, and the definitions of subconscious and implicit bias, are not always well understood. This workshop will identify and describe implicit bias and address its impacts in the workplace, within schools, and from law enforcement. Then, we will survey common methods employers use to address implicit bias and propose a mindfulness model that has shown promise in addressing implicit bias in a controlled study.

Crossing boundaries to promote inclusion, culturally responsive service, and equal opportunity requires engagement not only from those who are sensitive to cultural diversity, but also from police officers, educators, administrators, and other professionals. This workshop will explain implicit bias using evidence-based theories, build a conversation on how implicit bias impacts our community, and discuss the best ways to educate and overcome the biases we all have.

Presented by Michael "Ill Se7en" Acuña

5:45 - 7:00 PM

Cocktail Reception

DAY 2 – OCTOBER 4, 2019

8:15 - 8:30 AM

Welcome Back and Announcements from CBA Leadership

8:30 - 9:30 AM

State Legislative Update

What you need to know about the 2019 Colorado legislative session

Presented by Jeremy Schupbach, and Barry D. Roseman, Esq.

9:30 - 11:00 AM

Case Law, Federal Law, and Regulation Update

Changes and updates to labor and employment law at the federal level

Presented by Joan Bechtold, Esq., and Bill Berger, Esq.

11:00 - 11:15 AM

Networking Break – *Please Visit Your Sponsors!*

11:15 AM - 12:15 PM

Generational Differences in the Workplace: Confessions of a Gen Xer and a Millennial

Presented by Lawrence (Larry) Lee, Esq., and Niki Schwab, Esq.

12:15 - 1:30 PM

Lunch on Your Own

1:30 - 2:30 PM

BREAKOUT SESSION #5

Mediation Behind Closed Doors: How to Achieve Your Client's Best Outcomes by Mastering the Phases of Mediation

Strategies that will benefit both new and experienced attorneys

Presented by Claire E. Hunter, Esq., Kathryn E. (Katy) Miller, and Ryan P. Lessmann, Esq.



**The CBA Labor and
Employment Law Section is
sponsoring six scholarships
for conference tuition.**

To apply, go to
<https://cle.cobar.org/employment>
by September 13, 2019.



BREAKOUT SESSION #6 – 1 ETHICS CREDIT

Technical Competency in Employment Law Disputes

- CRCP and FRCP Rule 26(f) meetings
- ESI Discovery
- Litigation Holds
- Cloud Storage
- C.R.P.C. 1.1, 1.6, and 5.3

Presented by **David Seserman, Esq.**, and **Margaret Funk, Esq.**

2:30 - 3:30 PM

BREAKOUT SESSION #7

He Said, She Said. Now What?

A practical deep dive into creating and using an objective approach for assessing witness credibility

Presented by **Elizabeth (Liz) Rita, JD**

BREAKOUT SESSION #8

Human Resources 101

A panel discussing the purpose of HR, the training and certifications for HR professionals, and strategies for HR professionals and attorneys working together in depositions, on the witness stand, and in other legal contexts

Presented by **Anne Rooney McCord, Niki Schwab, Esq.**, and **William J. Kelly III**

3:30 - 3:45 PM

Networking Break – Please Visit Your Sponsors!

3:45 - 4:45 PM

A View from the Bench

Presented by **Honorable Robert E. Blackburn**

4:45 PM

Adjourn



**HOTEL
INFORMATION**

**MAKE YOUR
RESERVATIONS
EARLY!**

Vail Marriott Mountain Resort

715 West Lionshead Circle • Vail, CO 81657 • (970) 476-4444

No matter the season, there is no place on earth like Vail. The Vail Valley provides the perfect backdrop to whatever activity you have in mind. Whether it's hiking, golfing, bicycling, shopping, or eating at a world-class restaurant, the Vail Marriott is your headquarters for planning a perfect mountain getaway.

Rooms are being held for guests of the Employment Law Conference until September 18, 2019, or until the Room Block is full.

Room Rates: Single/Double Occupancy Rates begin at \$149 plus daily resort fee and applicable taxes. To reserve your room online, please go to: <https://book.passkey.com/go/employmentlaw2019>
Rates will be available 3 days prior to and 3 days after the Event Dates, subject to availability. Any reservations cancelled after September 18, 2019 will forfeit the deposit of one night room cost and tax.

Parking: Valet parking is available to all attendees at \$20 per 24-hour period.

MEET YOUR DISTINGUISHED FACULTY

PLANNING COMMITTEE

Matthew C. Cooper, Esq.

CBA Labor & Employment Law Section
Co-Chair
Squire Patton Boggs LLP
Denver, CO

Emily Smith, Esq.

CBA Labor & Employment Law Section
Co-Chair
Investigations Law Group
Denver, CO

Clayton E. Wire, Esq.

CBA Labor & Employment Law Section
Past Chair
Ogborn Mihm LLP
Denver, CO

FACULTY

Michael "III Se7en" Acuña

Co-Founder, Tribal Zypher
Community Facilitator/Outreach
Coordinator, Office of the Independent
Monitor/Youth Outreach Project
Denver, CO

Sonia N. Ramirez Anderson, Esq.

Husch Blackwell LLP
Denver, CO

Joan Bechtold, Esq.

Sweeney & Bechtold, LLC
Denver, CO

Bill Berger, Esq.

L2S Legal, LLC
Denver, CO
Englewood, CO

Honorable Robert E. Blackburn

Senior Judge
United States District Court
District of Colorado
Denver, CO

Aubrey Elenis, Esq.

Director, Colorado Civil Rights Division
Denver, CO

Margaret Funk, Esq.

Chief Deputy Regulation Counsel
Office of Attorney Regulation Counsel
Denver, CO

Claire E. Hunter, Esq.

HKM Employment Attorney LLP
Denver, CO

William J. Kelly III, Esq.

Kelly & Walker LLC
Denver, CO

Rita Byrnes Kittle, Esq.

Supervisory Trial Attorney, Denver Field
and Albuquerque Area Offices of the U.S.
Equal Employment Opportunity
Commission
Denver, CO

Susan Klopman, Esq.

H&K Law, LLC
Denver, CO

Lawrence (Larry) Lee, Esq.

Jones & Keller, P.C.
Denver, CO

Ryan P. Lessmann, Esq.

Jackson Lewis P.C.
Denver, CO

Anne Rooney McCord

Managing Partner
Investigations Law Group
Denver, CO

Kathryn E. (Katy) Miller, Esq.

Littleton Alternative Dispute Resolution, Inc.
Littleton, CO

Meredith A. Munro, Esq.

King & Greisen, LLP
Denver, CO

Elizabeth (Liz) Rita, JD

CEO and Senior Investigator
Investigations Law Group
Denver, CO

Jennifer Robinson, Esq.

Robinson & Associates Law Office, LLC
Aurora, CO

Barry D. Roseman, Esq.

Roseman Legal Offices, LLC
Denver, CO

Donald L. Samuels, Esq.

Polsinelli PC
Denver, CO

Jeremy Schupbach

Director of Legislative Relations
Colorado Bar Association
Denver, CO

Niki Schwab, Esq.

Jester Gibson & Moore, LLP
Denver, CO

David Seserman, Esq.

Seserman Law LLC
Denver, CO

Jill Squyres, Ph.D.

Eagle, CO

Michelle Sylvain, Esq., MBA

Sylvain Law and Mediation Firm LLC
Eagle, CO

Robert Truhlar, Esq.

Truhlar and Truhlar, L.L.P.
Centennial, CO

Cynthia E. Wellbrock, Esq.

Law Office of Cynthia E. Wellbrock, LLC
Denver, CO

Elizabeth Wylie, Esq.

Snell & Wilmer L.L.P.
Denver, CO

2019 EMPLOYMENT LAW CONFERENCE • October 3-4, 2019 • Vail, CO

PROGRAM ORDER FORM

Tuition includes course materials, admission to the entire program, and admission to the Welcome Brunch and Cocktail Party on Thursday.

PLEASE NOTE: All attendees will receive the course materials digitally via email prior to the Conference.

STEP 1 - SELECT MATERIALS FORMAT (Please Select One):

- Digital Download (PDF) via EMAIL sent approx. 24 hrs. prior to the conference
 Printed Book (pick up at conference)

STEP 2 - SOCIAL EVENTS

(Please indicate which events you plan to attend. Receptions are included with your tuition and guests are welcome!)

- THURSDAY WELCOME RECEPTION
 FRIDAY WINE TASTING RECEPTION

STEP 3 - REGISTRATION TUITION (EM100319)

- CLE Elite Pass Holder:..... \$199
 New Lawyer Edge: \$200
 CLE Basic Pass Holder:..... \$249
 CBA Labor & Employment Law Section Member:..... \$349
 CDLA/PELA Member:..... \$349
 CBA Member:..... \$399
 Human Resources Professional:..... \$399
 CBA Member Tuition + *Practitioners Guide*: \$439
 Non-Member:..... \$499

PROGRAM ORDER FORM TOTAL \$ _____

HOMESTUDY ORDER FORM

To receive full CLE credit, you must purchase the course materials AND the recorded seminar. Homestudy submitted for 15 General Credits, Including 1 Ethics Credits.

STEP 1 - SELECT PRODUCT FORMAT

- MP3 Audio Download
 Paper course materials and recorded homestudy on Audio CD

STEP 2 - SELECT PAYMENT CATEGORY

- Basic CLE Pass Holder (MP3 only):.....FREE
 Elite CLE Pass Holder (MP3 only):.....FREE
 New Lawyer Edge:.....\$200
 CBA Member:.....\$399
 Non-Member:.....\$499

NOTE: Shipping & handling only applies to orders you receive via mail. Materials will be mailed to you approximately 2 weeks after live conference.

Price \$ _____
 Shipping & Handling \$ 11.95
 Subtotal \$ _____

Applicable Sales Tax (8.31% Denver, 4% RTD and 2.9% rest of Colo.) \$ _____

HOMESTUDY ORDER FORM TOTAL \$ _____

CANCELLATIONS: If you are unable to attend, please notify CBA-CLE by September 26, 2019 and we will gladly refund your tuition in full. Cancellations after September 26 will be refunded less a \$100 cancellation fee OR you may send someone in your place. Please refer to your booking agreement with the Marriott should you need to cancel or transfer your hotel reservation.



Register by PHONE

when using VISA, MasterCard or AmEx

In Denver: (303) 860-0608 • Toll-Free: (888) 860-2531



Or FAX form to

when using VISA, MasterCard or AmEx.

FAX to: (303) 860-0624



Or MAIL form to

CBA-CLE, 1290 Broadway, Suite 1700, Denver, CO 80203



Or register ONLINE

when using VISA, MasterCard or AmEx.

go to www.cle.cobar.org/employment

SAVE 30% when you attend and purchase *Practitioner's Guide to Colorado Employment Law*, Third Edition ahead of time.

Name _____

Attorney Reg. No. _____

Firm/Organization _____

E-Mail Address _____

Street Address _____

City / State / Zip _____

Telephone () _____

Fax () _____

PAYMENT METHOD:

- Check made payable to CLE (Check # _____)



- VISA MasterCard AmEx

Credit Card # _____

Exp. Date _____

Signature _____

(required for all credit card orders)

*If special accommodations are needed, please contact us at 303-860-0608 or 888-860-2531. Please kindly make your request at least two weeks prior to the scheduled program. All registrations must include a check or charge card information. Mail to CBA-CLE, 1290 Broadway, Suite 1700, Denver, CO 80203. You may register by phone or fax when using MasterCard, Visa, or AmEx. Phone 303-860-0608 • Fax 303-860-0624



2019 Employment Law
Conference



1290 Broadway, Suite 1700
Denver, Colorado 80203

Nonprofit Org.
U.S. Postage
PAID
Permit No. 1638
Denver, CO

October 3-4, 2019

Vail Marriott Mountain Resort

Submitted for 11 General Credits, Including 1 Ethics Credit

REGISTER @ cle.cobar.org/employment



2019 Employment Law
Conference

*Co-sponsored by the Labor & Employment Law Section
of the Colorado Bar Association*

**RETURNING
TO VAIL!**

October 3-4, 2019

Vail Marriott Mountain Resort

Submitted for 11 General Credits, Including 1 Ethics Credit

REGISTER ONLINE TODAY @ cle.cobar.org/employment