Understanding the Fundamentals of the Employment Relationship: A Four-Part Employment Law Course for Nonprofit Executives



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The four session course will be taught by experienced lawyers from the law firm of Crowell & Moring who have substantial expertise in dealing with employment law matters. The course is designed to give participants a comprehensive overview of the employment laws that impact nonprofits, including laws dealing with employment discrimination, minimum wage and overtime and family medical leave. It will also discuss how to determine if someone should be treated as an independent contractor or an employee.

We will cover important employment related issues such as what an employer must consider before making the decision to terminate an employee and how to deal with claims of sexual and other forms of harassment.

The course will also discuss employee benefit plans and compensation. It will review federal and local laws relating to employee benefits, with a special emphasis on the Affordable Care Act.

The course is designed for nonprofit executives with significant human resource responsibilities and other staff that seek to develop their capabilities.

- * The sessions will take place at the offices of Crowell & Moring, 1001 Pennsylvania Ave., NW. (One block from Federal Triangle on the blue and orange lines and two blocks from Navy Archives on the yellow and green lines.)
- * The four sessions will be held consecutive Wednesday Evenings, from 5 p.m. to 7 p.m., beginning October 23, 2013.
- * There is a one-time charge of \$25 to cover the cost of materials. Refreshments are included.
- * At the end of the course, participants will receive a certificate of completion from the Center for Nonprofit Advancement.
- * To register, please go to: http://goo.gl/L6iIjo
- * If you have any questions, please contact Lauren Paley at lpaley@dcbar.org

Schedule of Classes

October 23, 2013

Hiring, Terminating and Managing Employee Performance: This session will focus on the hiring process, including how to avoid discrimination claims when filling a position and what to include in an employee's offer letter. It will also discuss how to manage an employee's performance so that the employer can address problems before they become serious. Finally, it will discuss what steps an employer must take if it has to terminate someone's employment.

Presenters: Chris Calsyn, Counsel, Crowell & Moring

Christine Hawes, Associate, Crowell & Moring

October 30, 2013

Prohibitions on Employment Discrimination: This session will explain the various laws that prohibit employers from discriminating against their employees based on an employee's individual attributes, such as the Equal Employment Opportunity Act, the Americans with Disabilities Act, and the DC Human Rights Act. It will also focus on strategies to avoid employment discrimination claims.

Presenters: Kris Meade, Partner, Crowell & Moring

Rebecca Springer, Counsel, Crowell & Moring

November 6, 2013

Employee Compensation and Classification: This session will focus on a nonprofit's minimum wage and overtime obligations under federal and DC law; the rules applicable to part-time employees; and the wage-related obligations regarding departing employees. This session will also address the distinction between employees and independent contractors.

Presenters: Trina Fairley Barlow, Partner, Crowell & Moring

Andrew Bagley, Counsel, Crowell & Moring

November 13, 2013

Employee Benefits: This session will focus on the federal and local laws relating to employee benefits, with a special emphasis on the impact the Affordable Care Act will have on nonprofit employers and explain the nonprofit's legal responsibilities for its employer-sponsored benefit plans.

Presenters: Allison Ullman, Counsel, Crowell & Moring

Joel Wood, Counsel, Crowell & Moring Via Boppana, Associate, Crowell & Moring

Presenter Biographies

Andrew W. Bagley is a counsel in the Labor and Employment Group, where he provides litigation and counseling services concerning a wide range of labor and employment matters. Considered an authority on wage and hour laws, Andrew also advises companies on all facets of wage and hour compliance. Andrew also litigates and counsels employers concerning reductions in force, severance agreements, and discrimination issues. Andrew received his undergraduate degree, *magna cum laude*, from Duke University in 1986 and his law degree in 1994 from the University of Maryland.

Via Bopanna is an associate focusing on employee benefits matters. She is a member of the firm's Corporate, Health Care, Labor and Employment, and Tax groups. Via counsels clients on legal and regulatory matters affecting employee benefit plans, including compliance with the Internal Revenue Code, ERISA, PPACA, COBRA, and HIPAA. She represents a wide range of clients, and advises them on plan design and administration, fiduciary duties, and reporting and filing requirements. Prior to joining Crowell & Moring, Via is a graduate of Dartmouth College and New York University School of Law. While at NYU, Via was a member of the International Human Rights Clinic.

Christopher Calsyn is a counsel in Crowell & Moring's Labor and Employment Group. Chris regularly provides clients with litigation and counseling services in all facets of labor and employment law including Fair Labor Standards Act (FLSA) and state wage/hour statutes; Title VII of the Civil Rights Act of 1964 and state anti-discrimination statutes; Americans with Disabilities Act (ADA); wrongful termination; and sexual harassment; Chris has recently worked with such clients as AT&T, Western Union, MedStar Health, Inc. and its subsidiary hospitals, Honeywell, and numerous other private and public companies.

Trina Fairley Barlow is a partner in Crowell & Moring's Washington, DC office. Trina represents and advises employers on virtually every federal employment discrimination law and numerous other state and federal laws that regulate the employment relationship. She has successfully handled cases in all phases of litigation. In addition, she regularly provides advice, guidance, and counsel to employers on all manner of employment-related issues. Her clients encompass a range of businesses, including major healthcare organizations, high tech companies, banks, intellectual property firms, universities, and national real estate companies.

Christine B. Hawes is an associate in Crowell & Moring's Labor and Employment Group. Her practice focuses on litigation arising under the Fair Labor Standards Act, Title VII, the Americans with Disabilities Act, the Family and Medical Leave Act, and related state statutes. She also counsels clients on a variety of employment issues, including personnel policies, wrongful termination, employee discipline, and alleged retaliation under the Title VII, the FLSA, and state whistleblower statutes. Christine graduated from Boston College and Vanderbilt University School of Law.

Kris D. Meade is a partner and co-chair of Crowell & Moring's Labor and Employment Group. He counsels and represents employers in the full range of employment and labor law matters, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, ERISA, and companion state statutes. Kris also counsels and represents employers in connection with affirmative action compliance matters before the Office of Federal Contract Compliance Programs. Kris received a Bachelor of Arts, *summa cum laude*, from the University of Michigan and graduated *with honors* from The George Washington University Law School.

Rebecca Springer joined Crowell & Moring in 1999 and currently serves as Counsel. Her practice focuses on labor and employment litigation and counseling, particularly in the area of Office of Federal Contract Compliance Programs compliance. Rebecca has also worked extensively on litigation involving allegations of race discrimination, sexual harassment, and traditional labor law issues. Rebecca graduated from Duke University School of Law. Prior to attending law school Rebecca worked in the White House as the Assistant to the Counselor to the President and then at *U.S. News & World Report*.

Allison Ullman is a counsel specializing in employee benefits matters. She is a member of the firm's Corporate, Labor and Employment, and Health Care Groups. Allison advises clients on a wide range of federal tax and ERISA matters regarding employee benefits, including qualified retirement plans, executive compensation arrangements, and health and welfare benefit plans. Allison counsels clients with respect to plan design and compliance and provides representation before the Internal Revenue Service and the Department of Labor on a broad range of benefits issues. Allison is a graduate of the University of Florida (B.S., Finance, with a Minor in Spanish, with honors), Harvard Law School (J.D., 2005), and the Georgetown University Law Center (LL.M., Taxation, 2007, with distinction).

Joel D. Wood is a counsel specializing in employee benefits matters. He is also a member of the firm's Labor and Employment and Corporate Groups, and assists the firm's Health Care, Tax and Securities practices in matters relating to employee benefits. Joel has extensive experience with the Employee Retirement Income Security Act ("ERISA"). He provides counseling and representation on a full range of ERISA issues, including plan administration and fiduciary duties, plan design, welfare plans, and health care reporting and coverage issues including COBRA and HIPAA. Joel is a graduate of Michigan State University (B.A. 1996), the Catholic University of America Columbus School of Law (J.D. 1999, *summa cum laude*) and the Georgetown University Law Center (LL.M., Taxation 2006, *with distinction*).