

Practical Knowledge, Bottom Line Results

HR EMPLOYMENT LAW CERTIFICATE PROGRAM

Fall, 2018



EMPLOYERS ASSOCIATION OF NEW JERSEY

www.eanj.org



LABOR RELATIONS



EMPLOYER HEALTH
BENEFITS



HR LAW
TRAINING

HR LAW CERTIFICATE PROGRAM

Practical Knowledge, Bottom Line Results

Balancing legal and legislative demands with an organization's real assets, products and people is a tough job. Mistakes and failures can prove fatal. More than ever before, human resource management requires sophisticated knowledge based on current and emerging legal issues. More than ever before, employment decisions must be informed with a thorough analysis of downside risks and legal exposure. It is with this need in mind, that the Employers Association of New Jersey (EANJ) continues the *highly acclaimed* HR LAW CERTIFICATE PROGRAM, an eight-session program that provides a comprehensive, hands-on understanding of the essential legal issues necessary to manage an increasingly sophisticated and diverse workforce.

As you will see, the HR LAW CERTIFICATE PROGRAM stands second to none in quality, credibility, expertise and price. Each session is led by EANJ's professional staff experts. In addition to the collective knowledge of this expert professional team, participants will interact and network with peer professionals from a variety of organizations and firms. Not just for HR professionals, the HR LAW CERTIFICATE PROGRAM will enable any manager to succeed in today's challenging and complex workplace.

Eight, 3-Hour Sessions

- Understanding Wage and Hour Law
- The Leave Laws
- The Mandated Benefits Laws
- Equal Employment Opportunity Law
- The Americans with Disabilities Act & the NJ Law Against Discrimination
- Harassment in the Workplace
- Workplace Privacy
- Whistleblowing and Wrongful Termination

Your Instructors:

John J. Sarno, Esq.
Robin M. Ross, Esq.
Amy M. Vazquez, MPS
Andrée Laney, Esq.

CERTIFICATE OF ACHIEVEMENT

The sessions in this program focus on the critical knowledge you need and though interaction with a team of experts, provide practical suggestions for applying this knowledge on the shop floor or in the executive suite. Participants must complete seven of eight sessions to earn a Certificate.

As a permanent acknowledgement of your completion of the HR Law Certificate Program, you will receive a personalized framed Certificate of Achievement. This Certificate is a tangible and visible reminder to you and your colleagues of your commitment to professional growth and excellence.

CERTIFICATE AND CREDITS

Participants required to attend 7 of 8 sessions to receive Certificate of Achievement. Each session is approved for credit through HRCI & SHRM.



WHAT PARTICIPANTS SAY ABOUT EANJ'S

HR LAW PROGRAM

"I have found this course to be the most well prepared and presented class that I have ever attended." Marguerite Rieder, Shrink Packaging Systems Corp.

"Just the handouts themselves were well worth it. I believe I can now be more of a value add to my team and company." Kim Bates, Warnock Automotive Group.

"This program is excellent! I definitely feel more confident handling day to day HR problems and I will use the website as a resource." Rose D'Ambrosio, Fairleigh Dickinson University.

"The Program was great. John is probably the best at what he does in the state of New Jersey!" Robert Mason, Jr., The Provident Bank.

"The material presented was practical and applicable to the current workplace and at a level usable for new or experienced HR professionals." Colleen DeStefano, North Jersey Water Supply Commission.

"The course was excellent!!! I particularly liked the use of relevant and real cases for instruction." Earl Wiggley, Sunny Delight Beverages Company.

"This was an excellent program, well organized, highly informative and enormously beneficial to the HR profession." Donna Vitaliano, Street Glow.

"This program has helped me tremendously. The course materials are also an added bonus and a great reference resource." Nidia Oriente, Palermo Supply Company.

EANJ's Promise...

"We promise to provide each participant with an exceptional learning experience and to generously share our knowledge and insight while meeting the highest professional standards. We also promise to continually strive to enrich each participant's learning experience with every interaction."

John Sarno, Esq.

President, EANJ

Updated with
New Cases
and Laws



WHY EANJ'S HR LAW CERTIFICATE PROGRAM?

Quality—In post—Program surveys, 100% of participants ranked the program as meeting or exceeding expectations. 100% stated that they would recommend the Program to a colleague. 98% ranked the Program "Excellent" on all quality criteria.

Scope — Unlike other certificate programs that focus only on federal law, EANJ's HR Certificate Program integrates the unique characteristics of New Jersey law. This is essential to participants' knowledge base, considering that state law is often stricter and more onerous.

Credibility—EANJ frequently teams with the federal and state agencies that enforce fair labor standards and employment laws. EANJ has been recognized officially by the EEOC, OFCCP and the US Department of Justice, and its training sessions have been endorsed by the NJ Department of Labor. No equivalent program can leverage this important credibility factor.

Price — Half the price of equivalent programs. Enough said.

Understanding Wage and Hour Law

1

The Fair Labor Standards Act (FLSA), together with the NJ Wage and Hour and Wage Payment laws, account for the majority of labor law violations committed by employers. The laws create a web of complex rules and regulations and confuse even experienced HR professionals. Violations can be costly. This session will examine each law separately and discuss the areas of overlap and divergence. It will also evaluate the criteria for employee classifications and the legality of making payroll deductions. It will also teach participants how to take proper precautions by allowing employees to raise concerns so that errors can be corrected promptly without penalty.

Key Topics

- Exempt v. Nonexempt Classifications
- Overtime and Comp Time
- Salary and Wage Deductions
- Paid Time Off
- What Constitutes “Working Time”
- Part-time, Student and Voluntary Work

2

The Leave Laws

Mandatory leave laws guaranteeing job protection and other benefits have grown increasingly complex to administer and the legal liability for getting it wrong is enormous. The federal Family Medical Leave Act (FMLA) and New Jersey Family Leave Law overlap, creating a legal minefield for any employer with 50 or more employees. Likewise, while paid time off is a voluntary benefit, the Americans with Disabilities Act and the FMLA impose significant obligations and restrictions on how such policies are administered. This session will provide a practical overview of how mandatory and discretionary time off should be prudently and legally managed.

Key Topics

- Family and Medical Leave Act
- NJ Family Leave Law
- Disability Leaves
- Domestic Violence Leave
- **NEW:** NJ's Earned Sick Leave

3

The Mandated Benefits Laws

Several New Jersey laws make monetary benefits available to provide some financial security for employees unable to work because of involuntary job loss, disability or certain family-related issues. This session will explain when and how these benefits are payable, and provide steps a company can take to control costs.

Key Topics

- Unemployment Compensation
- Temporary Disability Benefits
- Family Leave Insurance
- Workers Compensation

Equal Employment Opportunity Law

4

Over the past decade, over 825,000 charges of job discrimination have been filed with the Equal Employment Opportunity Commission (EEOC), the majority alleging discrimination based on race, but many for sex, age, disability and national origin discrimination. One in four employers a year is a target for such a charge. This unique session will not only review and evaluate relevant case law under federal and state discrimination statutes but will also present an in-depth look into a discrimination charge, with an emphasis on preserving evidence and preparing a defense. The session will also explore the best practices and policies that have been proven to reduce the threat of discrimination charges.

Key Topics

- Overview of Federal and State Discrimination Statutes
- Burdens of Proof
- Attorney—Client Privilege
- Document Retention and Preservation of Evidence
- Preparing a Defense
- Responding to the EEOC Charge
- Retaliation

5

Americans with Disabilities Act and the NJ Law Against Discrimination

The Americans with Disabilities Act (ADA) and the ADA Amendments Act of 2008, have transformed the workplace, requiring employees to handle confidential medical information, engage employees in discussions of a sensitive medical nature, and to provide reasonable accommodations to employees with disabilities. Moreover, the NJ Law Against Discrimination (LAD) affords stricter protection to persons with disabilities, so that even employees with short-term medical conditions may fall under the law's protection. The amount of litigation under these statutes is truly staggering and the case law, ever more complicated, increases year-to-year.

Key Topics

- Defining Disability Under Various Statutes
- When and How to Conduct Medical Exams
- Providing Reasonable Accommodations
- Evaluating Health and Safety Issues
- Drug and Alcohol Problems: Special Issues
- Psychiatric Disabilities: Special Issues

6

Harassment in the Workplace

Even lawyers are stunned by the enormous liability faced by employers by incidents of workplace harassment that are allowed to occur unchecked. Nearly 14,000 sex harassment charges a year are filed with the (EEOC), not to mention thousands more that are filed alleging other forms of harassment and discriminatory treatment. While the US Supreme Court continues to decide cases that have a direct and immediate impact on employers everywhere, it is the case law in New Jersey, particularly regarding strict liability for employers and personal liability for supervisors, that has changed the workplace dramatically.

Key Topics

- Sex and Other Forms of Harassment
- Defining the Scope of Liability
- Liability of Supervisors and Others
- Implementation of Best Practices
- How to Manage Proactively

Continued...

7

This emerging area of the law already accounts for a substantial amount of employment litigation as new technology and security cameras push the legal frontier forward. Unlike other areas of the law, there is no central body of privacy law. Instead, the legal standards must be cobbled together from various sources, including constitutional law, statutes and common law. This session will offer a comprehensive and up-to-date analysis of workplace privacy law, with an emphasis on searches, surveillance, drug testing, medical information, and electronic communication.

Key Topics

- Understanding the Right to Privacy
- Searches and Surveillance
- Off-Duty Conduct
- Job References
- Medical and Genetic Information
- Electronic Communications and Social Networking

8

Whistleblowing and Wrongful Termination

You have heard about them. You have read about them. Indeed, *Time Magazine* has celebrated them as Persons-of-the-Year. They are whistleblowers and they play an important role in exposing corporate misconduct. New Jersey has the toughest whistleblower law in the nation, but not every gripe or ethical dispute constitutes "whistleblowing." To avoid the whistleblowing traps, it is important to understand the nature of whistleblowing and to have proactive policies and practices in place. This session offers a practical, no-nonsense understanding of the New Jersey whistleblower law and will give participants hands-on experience in evaluating a whistleblower charge.

Key Topics

- What Type of Conduct Does the Law Protect
- Evaluating Potential Whistleblower Charges
- What is Retaliation
- What Kind of Policy is Required
- Penalties for Violating the Law

Class Size, Web Access and Preparation Time

Limited to 22 participants. First come-first serve basis. Participants may be assigned readings in preparation for each session.

Easy Registration

Register at www.eanj.org. A payment invoice will be forwarded with payment due upon receipt or you may pay by credit card when registering.

Registration Fees

\$1,250 per participant (EANJ Members)

\$990 per participant for two or more from same organization
(EANJ Members Only)

\$1,900 per participant (Non EANJ Members)

\$990 Student rate (Full-time or part-time matriculated
student in accredited HR academic program)

Register at www.eanj.org

Cancellation Policy

In order for a full refund of registration fees, written cancellation requests must be post-marked 30 days prior to commencement of the first session. Late cancellations will be charged a \$250 cancellation fee. In the event a participant must cancel after the program begins, the participant will be refunded on a pro rata basis for future cancelled sessions and charged a \$250 cancellation fee.

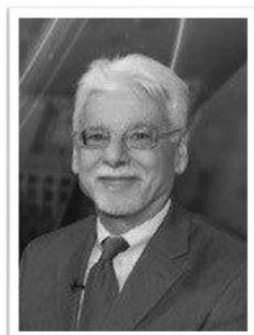
Instructors



Robin M. Ross, Esq.



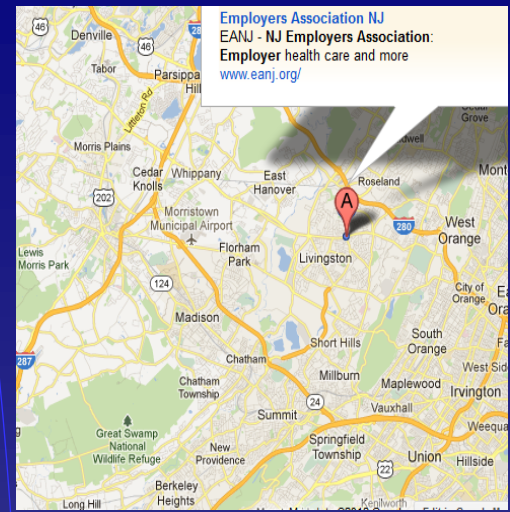
Andrée Laney, Esq.



John J. Sarno, Esq.



Amy M. Vazquez, MPS



Convenient Location

Sessions are conveniently located at the EANJ Training Room in Livingston, NJ.

Times and Dates

All Sessions commence promptly at 9:00 am and will end approximately at 12:00 noon. Light refreshments are available at 8:30 am.

Session 1	10/17/2018
Session 2	10/24/2018
Session 3	10/31/2018
Session 4	11/07/2018
Session 5	11/14/2018
Session 6	11/28/2018
Session 7	12/05/2018
Session 8	12/12/2018



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30 West Mount Pleasant Ave., Suite 201
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Time Sensitive Open Immediately

The Employers Association of New Jersey (EANJ) is a nonprofit association comprised of employers located in New Jersey. It is dedicated exclusively to improving employer-employee relations and facilitating the exchange of information among employers. For additional information about EANJ's mission, services and staff, or to enroll as an EANJ member, visit www.eanj.org

"This program is excellent! I definitely feel more confident handling day to day HR problems and I will use the website as a resource." Rose D'Ambrosio, Fairleigh Dickinson University

What Participants are saying about
EANJ's HR Law Program