

# CBAI Fall 2018 Human Resources Survival Guide



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- **Managing the Multi-Generational Workforce**
  - **Your Best Practices Policy Manual May Still Violate Federal Law**
  - **Protecting Your Portfolio from Poachers**
  - **Wage & Hour Update**
  - **Conducting Bulletproof Investigations**
  - **State Law, ADA & Case Law Update**
  - **Supreme Court Preview**



**CBAI Headquarters  
October 16, 2018  
Springfield, IL**

# About the Presenters

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**Leonard W. Sachs** serves as partner-in-charge of the Labor and Employment Group at Howard & Howard Attorneys PLLC, as well as the managing partner of the firm's Peoria office. Sachs earned his degrees from Northwestern University and the University of Illinois College of Law. He practices labor and employment law exclusively for management clients across the country. For many clients, he takes a proactive approach to employment-litigation avoidance by becoming an active part of the human-resource team. For example, he regularly counsels clients on managing excessive employee absences and leave abuses consistent with the Family and Medical Leave Act and disability discrimination laws. He also has been peer-rated as an Illinois "Super Lawyer" and an "Illinois Leading Lawyer." Howard & Howard Attorneys PLLC is a business law firm with offices in Michigan, Illinois, Nevada and California.

**Rob Smeltzer** is a partner in the firm's Chicago office and has more than 25 years of federal and state court experience in all phases of labor and employment, commercial, and non-patent intellectual property litigation and counseling. He has handled countless Title VII, ADEA, ADA, FLSA, NLRA, ERISA and FMLA matters before the EEOC, the Illinois Department of Human Rights, the Illinois Human Rights Commission, the Chicago Commission on Human Relations, the U.S. Department of Labor, the National Labor Relations Board, and state and federal courts. In addition, Smeltzer regularly represents clients in cases involving employment related torts (e.g. defamation, breach of fiduciary duty, tortious interference); wrongful discharge, employee handbook, and wage and sales commission disputes. He is an adjunct professor at Loyola University School of Law, where he has taught comprehensive courses in Labor Law, Employment Law and Employment Discrimination, and has contributed to several major treatises in the area, including Holloway & Leech, Employment Termination - Rights and Remedies (BNA 1993) and Tobias, Litigating Wrongful Discharge Claims, (Callahan, 1989). He also conducts sexual harassment investigations and training. With respect to commercial litigation, Mr. Smeltzer regularly handles complex restrictive covenant and trade secret litigation, contract disputes and business torts litigation in state and federal courts throughout the country. Smeltzer holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability and has been named an Illinois "Super Lawyer" each year since 2013.

# Registration Fees

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## **CBAI MEMBER**

One person.....\$265  
Two or more from same banking institution.....\$245 each

## **\*\*PROSPECTIVE-MEMBER**

One person.....\$465  
Two or more from same banking institution.....\$445 each

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\*\*Only financial institutions/firms eligible for CBAI membership.

Fees include hand-out materials, refreshment breaks and lunch. An income-tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills.

## **Cancellation Policy**

Registrants cancelling two days prior to each seminar receive 100% refund; one day prior, 50%; the day of the seminar, no refund. **All cancellations must be made in writing prior to the seminar day. Invoices and training materials will be sent to all "no shows."**

# Course Introduction

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As the mid-term elections draw near our friends in Washington and Springfield have significantly refocused their attention on popular workplace issues designed to resonate with voters this fall. Recently enacted laws and regulations have taken some employers by surprise while activist courts continue to expand the scope of statutory rights and responsibilities. Moreover, high profile harassment claims and a flood of new systemic-pattern cases filed by the EEOC further highlight the importance of updating fair employment policies, procedures, and educational protocols. This interactive one day program will provide participants with strategic HR tools to satisfy the community banker's evolving obligations with respect to discrimination, harassment, retaliation, pay practices, family leave, reasonable accommodations, as well as recruitment and retention.

## Key Topics

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- Managing the multi-generational workforce: Understanding individual differences to enhance employee engagement in a low unemployment environment.
- Your best practices policy manual still may violate federal law: Understanding the new Boeing standard on facially neutral workplace rules and conduct standards.
- Protecting your portfolio from poachers: Maximizing the effectiveness of restrictive covenants and non-compete agreements.
- Wage and hour update:
  - DOL proposes new regulations regarding regular-rate-of-pay and white collar overtime exemptions.
  - DOL issues new opinion letters interpreting FLSA.
  - Supreme Court rejects narrow construction of overtime exemptions.
  - Update on payroll audit independent determination (PAID) program.
  - DOL creates office of compliance initiatives.
- Conducting bulletproof investigations: Establishing a systematic approach to truth detecting and dispute resolution.
- Hiring and background checks: Eighth Circuit rules FDIC criminal background check does not give rise to disparate impact discrimination.
- State law update:
  - Illinois amends Illinois nursing mothers in the workplace act to provide for paid breaks.
  - Illinois amends Illinois human resources act to make it easier for employees to obtain jury trials.
- ADA update:
  - Destigmatization of invisible disabilities: Depression, PTSD, and other mental health conditions in the workplace.
  - Seventh Circuit clarifies duty to accommodate.
- Case law update:
  - Illinois jury rejects transgender employee's unlawful termination complaint.
  - Seventh Circuit upholds same sex harassment claim.
  - Court rules for first time that applicant with "Jewish blood" protected under Title VII from race discrimination.
- Supreme Court Preview: Predicting key employment law decisions of the new President Trump Court.

# Registration Form

## CBAI FALL 2018 HUMAN RESOURCES SURVIVAL GUIDE

Please Print

Name of Bank \_\_\_\_\_

Address \_\_\_\_\_

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

Tel. No. \_\_\_\_\_

Name/Title \_\_\_\_\_

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I have special needs, please contact me before the seminar.

**Please select your payment method.**

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Call it in:  
(800) 736-2224 (Illinois only)  
(217) 529-2265

## Date and Location

**October 16, 2018**

SHAZAM Education Center  
CBAI Headquarters  
901 Community Drive  
Springfield, IL 62703  
800/736-2224

## Agenda

Registration begins at 8:30 a.m. The seminar runs from 9 a.m. to approximately 4 p.m. A Continental breakfast and lunch are provided.

CBAI is a registered Public Accounting Continuing Professional Education (CPE) provider by the Illinois Dept. of Financial and Professional Regulation.

## For More Information

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Melinda McClelland, VP  
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