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# HR Update: Legal Guidance for Retaliation and Whistleblower Charges, Workplace Investigations, and Proactive Labor Relations

November 21, 2013
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**Click here to register.**

HR professionals can earn up to three (3) HR credit hours at this complimentary labor and employment update. Space is limited and preregistration is required.

## Time:

8:00 a.m. - 12:10 p.m.

## Location:

Flaster Greenberg PC
1810 Chapel Ave. West
Cherry Hill, NJ 08002

## Session I:

**Retaliation and Whistleblower Charges**
***How to Avoid and Defeat Them***
Michael D. Homans, Shareholder, Flaster Greenberg PC

Retaliation and whistleblower charges by employees are now more common than any single type of discrimination claim. In New Jersey employers face an especially difficult legal landscape, as the Conscientious Employee Protection Act protects employees who simply "object to" or "oppose" conduct they believe is unlawful or unethical. Other state and federal laws recognize retaliation claims in almost every industry imaginable and require that employers proceed with extreme caution whenever dealing with any employee who has reported, complained about or objected to what they claim is wrongful conduct.

This session will focus on ways that employers can avoid and defeat retaliation and whistleblower claims, including proper policies, manager training, the best way to handle employee complaints, effective defenses for employers, and recent developments in the law.

## Session II:

**Workplace Investigations**
***Ensuring Your Investigation Will Help Protect Your Organization***
Adam E. Gersh, Shareholder, Flaster Greenberg PC

Internal and external investigations have become increasingly important to protect your organization. But, if they are not performed and/or documented strategically, they can undermine an employer's side of the story or, even worse, create liability for employers. The range and scope of investigations and techniques vary so widely that it is often difficult to determine the right and wrong ways to conduct an investigation.

This session will highlight current legal and business reasons for launching a workplace investigation and how to conduct one effectively. We will highlight best practices to help make workplace investigations useful in defending employment actions and minimize risks as well as offer suggestions for avoiding common pitfalls.

## Session III:

**Proactive Labor Relations for Sound, Profitable Business Growth in Union and Non-Union Companies**
Kenneth R. Gilberg, Shareholder, Flaster Greenberg PC

It is crucial for employers not to overlook some fundamental aspects of employee relations, including union awareness and union organizing. Recent events covered in the media remind us that unions are still going strong.

This session will discuss how to improve employee relations and productivity through mutually respectful and effective communications. Topics will include assessing vulnerability; training and educating supervisors, managers, and employees; developing and maintaining "best" employment practices and procedures; and establishing and maintaining effective two-way communication programs and methods. We will also review checks and balances for sound labor relations.

## Detailed Agenda:

8:00 – 8:30 a.m. Continental Breakfast and Networking
8:30 – 8:40 a.m. Welcome
8:40 – 9:40 a.m. Session I: Retaliation and Whistleblower Charges
9:40 – 9:55 a.m. Break
9:55 – 10:55 a.m. Session II: Workplace Investigations
10:55 – 11:10 a.m. Break
11:10 a.m. – 12:10 p.m. Session III: Proactive Labor Relations for Sound, Profitable Business Growth in Union and Non-Union Companies

### ATTORNEYS MENTIONED

Adam Gersh