

## Legal Guidance Relating to Hiring, Employment Contracts, and Social Media at Work

---

November 29, 2012

Primepoint LLC, Flaster Greenberg PC

Earn up to three (3) HR credit hours at this complimentary program. Space is limited and preregistration is required.

### Time:

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

### Location:

Primepoint  
2 Springside Road  
Mt. Holly, NJ  
(Just off I-295, Exit 45B)

### Session I:

#### **Employee Agreements**

#### ***Protecting Your Company's Greatest Asset – and Preventing a Competitive Attack from Within***

Presented by Kenneth R. Gilberg, Shareholder, Flaster Greenberg PC

Without the right written employment agreements, your company could be at risk by employees who are not restricted from opening a competing business or joining a competitor, soliciting your customers, or hiring away your best employees—using the skills and information they learned from your company to do it. In this interactive strategic session the participants will learn:

- Why it is important to have written employment agreements
- What types of employment agreements should be considered
- How to protect your business with an enforceable non-competition agreement
- How a non-solicitation agreement is different than a non-competition agreement
- How to protect confidential/proprietary information
- How to keep former employees from hiring away your best workers
- Other policies and issues to consider

*Continued*

---

**Recertification Credit Hours Awarded: 1.00**

Specified Credit Hours: General

**Session II:**

**The Hot New Hiring Rules**

***Helping Employers Hire While Avoiding the Pitfalls Created by the Digital World***

Presented by Adam E. Gersh, Attorney, Flaster Greenberg PC

As the economy slowly rebounds and employers look to add headcount, they face a changed world. This presentation will offer practical, real-world advice for maximizing success and minimizing liability in the new world of hiring. In this session, we will cover:

- The wealth of resources all-too-easily available through social media and how to use them responsibly
- Legal issues that may surface when personal characteristics such as a candidate's race, age, marital status, religion, sexual orientation or union membership are revealed
- Issues employers should consider when deciding who to hire—an older, over-qualified applicant or a less-qualified younger applicant who may be a better “fit” for the job

**Recertification Credit Hours Awarded: 1.00**

Specified Credit Hours: General

**Session III:**

**Social Media at Work**

***Evolving Legal Rules to manage Privacy and Productivity***

Presented by Michael D. Homans, Shareholder, Flaster Greenberg PC

This session will review recent legal developments and best practices for managing the use of social media at work, including:

- New state laws and court decisions protecting employee privacy
- National Labor Relations Board guidelines on restricting employee use of social media
- Do's and Don'ts in reviewing social media and Internet profiles of candidates for employment
- Monitoring employee usage of social media and Internet access
- Legal restrictions on the use of social media to promote one's business

**Recertification Credit Hours Awarded: 1.00**

Specified Credit Hours: General

*Continued*

---

**Detailed Agenda:**

8:00 – 8:30 a.m. Continental Breakfast and Networking  
8:40 – 9:40 a.m. Session I: Employee Agreements  
9:55 – 10:55 a.m. Session II: The Hot New Hiring Rules  
11:10 a.m. – 12:10 p.m. Session III: Social Media at Work

**ATTORNEYS MENTIONED**

Adam Gersh