

REGISTRATION FORM – FOR ASSISTANCE, CALL 800-274-6774.

**YES!** I want to master FMLA to better protect my company from compliance missteps and build a valuable skill set. Please save my seat at **2010 FMLA Master Class for Virginia Employers: Overcoming Compliance and Employee Leave Challenges** for just \$347. If I am dissatisfied I am entitled to a complete refund of my registration fee. I understand that additional registrants from my company can attend for \$100 off, just \$247 each.

Check payable to M. Lee Smith Publishers enclosed.  Bill me.  VISA  MasterCard  American Express

Card #: \_\_\_\_\_ Exp. date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Offer code: P735

WE MAKE REGISTRATION EASY! HERE ARE FIVE SIMPLE WAYS TO REGISTER:

-   
**On the Web:**  
 Direct your browser to  
[HRhero.com/va-fmla](http://HRhero.com/va-fmla)
-   
**By Phone:**  
 Call toll-free  
 800-274-6774.
-   
**By Fax:**  
 Photocopy form and fax  
 to 800-785-9212.
-   
**By E-mail:**  
[custserv@  
mleesmith.com](mailto:custserv@mleesmith.com)
-   
**By Mail:**  
 Detach form  
 and mail.



M. Lee Smith  
Publishers LLC  
5201 Virginia Way  
P.O. Box 5094  
Brentwood, TN  
37024-5094

**100% Guarantee**

If this is not the most informative and cost-effective seminar that you have attended in the last year, we will refund 100% of your registration fee – no questions asked.

**PHR/SPHR CREDIT:**



Earn up to 6.25 hours  
PHR/SPHR credit.



The use of this seal is not an endorsement by HRCI of the quality of the program. It means that this program has met HRCI's criteria to be pre-approved for recertification credit. This program has been approved for 6.25 recertification credit hours through the HR Certification Institute. For more information about certification or recertification, please visit the HR Certification Institute website at [www.hrci.org](http://www.hrci.org).

**Cancellation Policy**

- A \$50 processing fee applies to ALL conference cancellations.
- Registrants are responsible for the entire program fee for a cancellation made after 5:00 p.m. three weeks prior to the event (whether or not you attend the program or fail to cancel).
- An alternate may attend in place of the original registrant.

15391

VIRGINIA EMPLOYMENT LAW LETTER PRESENTS



# 2010 FMLA MASTER CLASS

For Virginia Employers

Overcoming  
Compliance and  
Employee Leave  
Challenges

Become even more proficient in FMLA administration and handle top management's and your employees' questions with even greater confidence. Invest just one day in learning all the very latest compliance tactics. You'll enhance your advanced-practitioner skill set when you attend this satisfaction-guaranteed event and learn:

- The latest expansion, so you don't risk noncompliance
- What recent FMLA court decisions really mean, so you can adjust your policies accordingly
- Why FMLA record-keeping continues to trip up even the savviest human resource managers, and effective solutions to avoid similar mistakes
- How to tame the intermittent leave and reduced schedule beasts, and put a stop to abuse and fraud
- How FMLA, ADA, and state leave and workers' comp laws overlap, so you don't violate any statute
- What to expect when an employee's expecting, so you can balance your business needs with her personal requirements, all within the spirit and letter of the law
- How to judge a "serious health condition" the way a real judge would, and eliminate disputes about what does and doesn't constitute it
- And more. Full details inside.



WHEN: Wednesday, October 20, 2010

WHERE: Alexandria

PRESENTERS: Jonathan R. Mook,  
Michael E. Barnsback,  
DiMuroGinsberg, P.C.



Earn up to 6.25 hours  
PHR/SPHR credit.



The use of this seal is not an endorsement by HRCI of the quality of the program. It means that this program has met HRCI's criteria to be pre-approved for recertification credit. This program has been approved for 6.25 recertification credit hours through the HR Certification Institute. For more information about certification or recertification, please visit the HR Certification Institute website at [www.hrci.org](http://www.hrci.org).

VIRGINIA EMPLOYMENT LAW LETTER PRESENTS

PROGRAM DATE AND LOCATION

# 2010 FMLA MASTER CLASS

For Virginia Employers

Overcoming  
Compliance and  
Employee Leave  
Challenges



WHEN:  
Wednesday, October 20,  
2010

WHERE:  
Crowne Plaza Old Town  
Alexandria  
901 N. Fairfax Street  
Alexandria, VA 22314  
(703) 683-6000

**FMLA Master Class for Virginia Employers features:**

**Lively Give and Take**

Unlike some seminars, you're encouraged to ask questions, present your own situations for discussion, and interact with both the speakers and your colleagues.

**Quality Presenters**

Your speakers are Virginia employment law attorneys with years of experience advising employers in FMLA matters.

**Top-Level Issues**

This one-day program tackles the very latest, most confusing, most complicated FMLA situations and gives you a clear road map to consistently executing professional and confident administration of the law.

**Satisfaction Guarantee**

You're entitled to a complete refund if you're in any way less than delighted by this program. It's a promise we've kept for over 30 years.



Jonathan R. Mook  
Michael E. Barnsback

**PRESENTERS:**

Jonathan R. Mook,  
Michael E. Barnsback,  
DiMuroGinsberg, P.C.

From the publisher of Virginia Employment Law Letter and HRhero.com



CALL 800-274-6774 TO REGISTER OR LEARN MORE.



VISIT [WWW.HRHERO.COM/VA-FMLA](http://WWW.HRHERO.COM/VA-FMLA)



## Master FMLA Administration in Just One Day with This All-New Program Created Just for Virginia Employers and HR Management

FMLA has been a part of the workplace for more than a decade, so it's gotten easier for HR to administer, right? Not so. Confusing regulations, coupled with numerous recent changes at both the legislative and regulatory levels and conflicting court decisions, ensure that FMLA continues to be one of the biggest compliance headaches for employers. Now, from the publisher of *Virginia Employment Law Letter* comes the fast, cost-effective and engaging solution: **2010 FMLA Master Class for Virginia Employers: Overcoming Compliance and Employee Leave Challenges**

### PROGRAM DATE AND LOCATION

**When:** Wednesday, October 20, 2010  
**Where:** Crowne Plaza Old Town Alexandria  
 901 N. Fairfax Street  
 Alexandria, VA 22314  
 (703) 683-6000

### CONFERENCE FEE

Only \$347 per person, \$247 for each additional person from your organization.

### CONFERENCE DETAILS

Continental breakfast and registration begin at 7:30 a.m. The program begins at 8:30 a.m. and concludes at 4:30 p.m. There will be morning and afternoon breaks and registrants will be on their own for lunch.

### SPONSORED BY

**M. Lee Smith Publishers LLC,** publisher of *Virginia Employment Law Letter* and *Federal Employment Law Insider*.

Attend this lively one-day event and acquire the skills, comprehensive understanding, and confidence to make both case-by-case and strategic FMLA decisions that withstand the toughest scrutiny. You'll arm yourself and your organization against the growing tide of FMLA-related lawsuits. Most of all, you'll be ready to treat your employees fairly, consistently, and fully within both the letter and the spirit of federal and state law. This power-packed program kicks off at 8:30 a.m. and concludes promptly at 4:30 p.m. Built into the schedule are morning and afternoon breaks and a lunch break.

### 7:30 a.m.-8:30 a.m. Registration

### Welcome and Introduction 8:30 a.m.-8:40 a.m.

### What Happens Next: Future Legislation 8:40 a.m.-9:30 a.m.

Learn what the future may hold for family leave and related legislation, including:

- Proposals to apply FMLA to cover employers that have fewer employees
- Proposed expansion of FMLA leave entitlements to additional employees, including same-sex spouses and domestic partners, parents-in-law, grandparents, siblings, and adult children
- Possible new reasons for FMLA leave, including parental involvement leave, pre-deployment and post-deployment military family leave, and domestic violence leave
- Proposals to undo many of the changes to the FMLA regulations issued in 2008
- Several different pending proposals for mandatory paid sick leave

### Military Family Leave and Your HR Marching Orders 9:30 a.m.-10:30 a.m.

Under legislation passed in 2008, military families gained the right to take unpaid, job-protected leaves from work to care for seriously ill or injured servicemembers (military caregiver leave) or handle emergencies arising out of their active duty military service (qualifying exigency leave). In October 2009, additional legislation was passed that broadened even further the criteria for employees to take both types of leave. Your organization is likely to be affected if you have employees with family members serving in the regular armed forces, National Guard, or military reserves. The session will cover many topics, and you will:

- Be brought up to date on the new situations in which employees may take qualifying exigency and military caregiver leave
- Discover the military documents that will always be sufficient certification of the need for leave

- Learn how the rules regarding documentation and verification of military family leave differ from other types of FMLA leave
- Understand who is a soldier's "next of kin" for caregiving purposes
- Learn about the special rules regarding how to track military caregiver leave
- Understand how much leave spouses are entitled to take when they both work for you

### 10:30 a.m.-10:45 a.m. Break

### FMLA 911: Serious Health Conditions, Collecting Medical Information 10:45 a.m.-11:30 a.m.

At the heart of most FMLA leave is an employee or family member's serious health condition. FMLA regulations offer guidance and allow you to require medical certification, but the possible reasons for needing FMLA leave are endless. Assessing the information requires keen judgment, and this session will show you how to make these crucial calls. You'll learn:

- How the criteria for serious health conditions changed under the 2008 regulations
- How to determine whether an employee with the flu or a cold has a serious health condition
- How often your employee needs to see a health care provider
- Which professionals may provide medical certification under FMLA
- What to do if a medical certification is incomplete or unclear
- When you may require employees to provide recertifications of their serious health condition

### 11:30 a.m.-12:45 p.m. Lunch

### Drawing Lines with FMLA: Meeting Notification Deadlines, Curbing Abuse, and Preventing Claims 12:45 p.m.-1:45 p.m.

FMLA is ruled by timelines for giving and receiving information, for measuring how much leave has been taken and how much employees still have remaining in a given FMLA year. A good grasp of timing rules – and learning how to monitor other key areas of FMLA usage – can help you prevent abuse of FMLA entitlements and fend off litigation. This session covers:

- How to give the four kinds of FMLA notice – on time and on point
- Selecting the best type of FMLA leave year for your organization
- Counting holidays that fall during leave
- Preventing FMLA abuse by applying your own absenteeism policies – and how to

- administer those policies without running afoul of FMLA
- How to investigate possible FMLA abuse or fraud
- How to legally terminate employees who are on or just returned from FMLA leave

### Devil's in the Details: Advanced FMLA Issues 1:45 p.m.-2:45 p.m.

It's one thing to grasp individual FMLA rules and another to put the pieces together in the real world. What happens when employees fail to follow your absenteeism policies, which you're allowed to apply when they want to take FMLA leave? Is a light-duty job consistent with FMLA rights? This session will help you learn:

- The rules regarding substitution of various different types of paid leave for FMLA leave
- When employees have job reinstatement rights and when they do not
- How to determine FMLA leave rights when spouses work for the same company
- How to mesh your regular FMLA leave year with the specialized calendar used for calculating military caregiver leave
- How the courts are interpreting the 2008 FMLA regulations and answering other tricky FMLA questions

### 2:45 p.m.-3:00 p.m. Break

### All Together Now: Coordinating FMLA with ADA, Workers' Comp, and State Family Leave Laws 3:00 p.m.-4:00 p.m.

FMLA seems pretty comprehensive, but it's not the only law that applies when employees need time off for their own serious health condition, to care for other family members, or for the other situations that FMLA covers. You need to know when other laws may give you greater responsibilities – and how their requirements work in tandem with FMLA's. You'll learn:

- Why FMLA serious health conditions are more likely to qualify as disabilities under recent changes to the Americans with Disabilities Act (ADA)
- When you should offer leave as a reasonable accommodation under the ADA
- How to offer accommodations other than leave without violating the FMLA
- What you must do to comply with HIPAA privacy requirements when seeking medical certification of FMLA leave
- When you can follow workers' compensation rules on FMLA information gathering
- When you can require employees to take FMLA leave concurrently with workers' comp leave

### Final Questions and Closing 4:00 p.m.-4:30 p.m.



#### Dear Virginia Executive:

Courts have issued conflicting and confusing decisions as different circuits rule on individual cases. How would you handle these situations?

#### Scenario 1:

*You have an employee, out for 6 weeks on consecutive FMLA leave, now back part time. You have her initial doctor's certification for surgery and a recent doctor's note saying she can come back, with hours increasing as she can tolerate. Should you close her consecutive leave and start a new intermittent FMLA leave, or just convert it? Do you need a new doctor's certification? How often should you ask for proof of ongoing fitness-for-duty?*

#### Scenario 2:

*One of your supervisors receives an e-mail from an employee stating that he has an alcohol-addiction problem and won't be in until he completes treatment. You want to alert the employee to his FMLA rights, but you haven't been able to learn more about his projected recovery plan. What should you do to uncover the information you need?*

#### Scenario 3:

*An employee is on week 11 of FMLA leave when top management realizes that the company can operate without her position. What should you do?*

Clearly, FMLA presents more compliance headaches than almost any other law affecting the workplace. Yet the penalties for errors, noncompliance, and mismanagement can be severe. That's why I urge you to register right now, absolutely risk free, for the powerful one-day immersion in this issue, **2010 FMLA Master Class for Virginia Employers: Overcoming Compliance and Employee Leave Challenges**. I look forward to seeing you there.

Dan Oswald  
 President & Publisher  
*Virginia Employment Law Letter* and *Federal Employment Law Insider*



Earn up to 6.25 hours  
 PHR/SPHR credit.



The use of this seal is not an endorsement by HRCI of the quality of the program. It means that this program has met HRCI's criteria to be pre-approved for recertification credit. This program has been approved for 6.25 recertification credit hours through the HR Certification Institute. For more information about certification or recertification, please visit the HR Certification Institute website at [www.hrci.org](http://www.hrci.org).

### AVAILABLE ON-SITE

This powerful program is available for on-site presentation at your organization, customized both in length and content to meet your specific training needs. It's the cost-effective way to engage your most productive employees in achieving valuable professional growth . . . all while helping to protect your organization from expensive legal missteps. For more information, please call (800) 274-6774.

### OUR GUARANTEE

Unlike lesser imitators, our **2010 FMLA Master Class for Virginia Employers: Overcoming Compliance and Employee Leave Challenges** is researched, developed, and presented by Virginia authorities on leave law. This isn't a cookie-cutter, one-size-fits-all program thrown together by some barnstorming "expert" who'll be three states away before you realize you learned nothing. This is valuable, in-state guidance from trained and highly respected attorneys who practice in Virginia.

TO REGISTER, VISIT [HRHERO.COM/VA-FMLA](http://HRHERO.COM/VA-FMLA)