

Family and Medical Leave Act in Illinois

Get relief for leave headaches – Write the proper prescription for complex leave issues.

Chicago, IL
November 12, 2008

Moderator:
Jeff Nowak
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Franczek Sullivan P.C.

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Your Course Agenda

8:30 AM – 9:00 AM	Registration	
9:00 AM – 9:30 AM	Overview of FMLA Basics	— Jeff Nowak
9:30 AM – 10:00 AM	New Developments: Regulations and Legislation	— William R. Pokorny
	<ul style="list-style-type: none">• Revised FMLA Regulations• New Leave Benefits for Military Families	
10:00 AM – 10:30 AM	Employer and Employee Notice Issues	— William R. Pokorny
	<ul style="list-style-type: none">• Employer Disclosures• Employee Notice – Actual and Implied Notice of the Need for FMLA Leave	
10:30 AM – 10:45 AM	Break	
10:45 AM – 11:45 AM	Medical Certification and Designation of FMLA Leave	— Jeff Nowak
11:45 AM – 12:00 PM	Questions and Answers	— Amy Moor Gaylord, Jeff Nowak and William R. Pokorny
12:00 PM – 1:00 PM	Lunch (On Your Own)	
1:00 PM – 1:45 PM	Intermittent Leave	— Amy Moor Gaylord
	<ul style="list-style-type: none">• Common Issues in Managing Intermittent and Reduced Schedule Leave<ul style="list-style-type: none">– Late or Inadequate Notification– Incomplete Certifications– Suspicious Claims: “Why I Need Every Friday Off”• Strategies for Controlling Intermittent and Reduced Schedule Leave	
1:45 PM – 2:30 PM	The Bermuda Triangle: ADA, FMLA and Workers’ Compensation	— Amy Moor Gaylord and Jeff Nowak
	<ul style="list-style-type: none">• When Is a “Disability” Not a Disability?• Light Duty and Modified Work• Practical Tips for Managing Employees Who Fall Under More Than One of These Categories	
2:30 PM – 2:45 PM	Break	
2:45 PM – 3:15 PM	Discipline and Performance Issues	— Amy Moor Gaylord
3:15 PM – 3:45 PM	Preventing Foot-in-Mouth Disease: Controlling Communications	— Jeff Nowak
3:45 PM – 4:15 PM	Managing Return to Work	— Jeff Nowak
4:15 PM – 4:30 PM	Questions and Answers	— Amy Moor Gaylord, Jeff Nowak and William R. Pokorny



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— Ann Beckemeyer, HR Specialist
Frischhertz Electric Company Inc.

Your Seminar Leaders

Amy Moor Gaylord, with Franczek Sullivan P.C., represents private and public sector management clients in all areas of labor and employment law. She advises clients in traditional labor matters such as representation and unfair labor practice cases, and has served as lead negotiator during collective bargaining negotiations. Ms. Gaylord also represents clients in employment matters in both state and federal courts, including class actions and TRO/preliminary injunction proceedings, in arbitration and before administrative agencies. She regularly conducts employee training on a variety of workplace topics, including prevention of harassment in the workplace, employee discipline and evaluation, and union avoidance. Prior to joining Franczek Sullivan P.C. in 2006, Ms. Gaylord practiced at the law firm of Katten Muchin Rosenman LLP in Chicago. She also previously worked as an attorney with the National Labor Relations Board in Peoria. Ms. Gaylord graduated from the University of Illinois College of Law, earning honors for legal research and writing. She received her undergraduate degree from Cornell University's School of Industrial and Labor Relations, where she was named a Judge William B. Groat Scholar for Outstanding Student in Industrial and Labor Relations. Ms. Gaylord is the primary editor for Chapter 16 of *Developing Labor Law*, a leading treatise on traditional labor law matters published by the American Bar Association.

Jeff Nowak, a partner at Franczek Sullivan P.C., represents public and private sector management clients in all areas of labor and employment law. Mr. Nowak regularly counsels clients and litigates matters relating to employment discrimination and traditional labor claims, sexual harassment, wrongful discharge and breach of contract. He also has extensive experience dealing with the Family and Medical Leave Act and the Americans with Disabilities Act. Mr. Nowak's expertise includes counseling clients on compliance with FMLA regulations, conducting in-house FMLA audits and management training, and successfully litigating FMLA and ADA lawsuits. He has worked with clients in a wide range of industries, including education, health care, real estate, finance, insurance, construction, manufacturing, service, food, social service and transportation. Mr. Nowak also regularly conducts employee training involving such topics as harassment in the workplace, managing employees with disabilities and medical conditions, employee discipline and evaluation, and other general human resource best practices. He joined Franczek Sullivan in February 2003. Mr. Nowak received his law degree from Indiana University. He serves on the editorial board of the *Family and Medical Leave Handbook*, a comprehensive and well-respected guide within the legal and HR communities that addresses the complex requirements of the Family and Medical Leave Act. Mr. Nowak can be reached at 312-786-6164 or jsn@franczek.com.

William R. Pokorny is with Franczek Sullivan P.C. and represents management in a wide range of labor and employment matters. Mr. Pokorny concentrates his practice on litigation and counseling in areas including discrimination, disabilities, ERISA and employee benefits, employment contracts, covenants not to compete, wrongful discharge, wage and hour law, the Family and Medical Leave Act, and labor relations. He represents employers before state and federal courts as well as administrative agencies such as the Equal Employment Opportunity Commission and the Illinois Human Rights Commission. Mr. Pokorny has experience with a wide variety of clients, including manufacturers, utilities, hospitals and health care providers, insurance companies, financial services firms, staffing firms, retailers, restaurant operators, hotels, not-for-profit agencies, colleges and universities, school districts and local government agencies. He joined Franczek Sullivan P.C. in February 2006. Previously, Mr. Pokorny worked at the law firms of Wildman Harrold Allen & Dixon LLP and McDermott, Will & Emery. He earned a B.A. degree, summa cum laude, from Augustana College and a J.D. degree, with honors, from the University of Chicago Law School.

Registration

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Who Will Be There?

This seminar is designed for human resource and benefits professionals, business managers, office managers, administrators, directors, payroll professionals and attorneys.

Your Benefits of Attending

Get relief for leave headaches – Write the proper prescription for complex leave issues.

The Family and Medical Leave Act – with its broad definition of medical conditions and generous leave provisions – can create havoc for employers, especially smaller companies who rely on a handful of key employees. Failing to comply with the complicated requirements of this law can result in serious liability for both companies and individuals.

Don't fall into the same traps others have. Take the first step toward minimizing *your* liability – attend this seminar and get practical tips on how to effectively navigate through complex FMLA issues. Don't miss your chance to learn cutting-edge techniques for making the best of a frustrating and confusing area of the law.

Benefits for You

- Tackle the new FMLA military leave obligations and proposed regulations
- Find out what notice employees must provide when seeking FMLA leave
- Develop the skills you need to effectively manage FMLA leave from beginning to end – including intermittent leave issues
- Decipher the interplay between employers' obligations under the FMLA, the ADA and workers' compensation laws
- Learn how to address an employee's return to work after FMLA leave

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IACET Learning Objectives

You will be able to:

- identify employer and employee notice issues
- review discipline and performance issues
- discuss intermittent leave

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This program has been approved for 6.00 recertification credit hours toward PHR and SPHR recertification through the Human Resource Certification Institute (HRCI). For more information about certification or recertification, please visit the HRCI homepage at www.hrci.org.



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This seminar qualifies for 7.0 PACE credit hours for CLU, RHU, REBC, CLF and ChFC.



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