

# Avoiding Workplace Litigation

## How to Keep your Management Team “Out of Court”

### OVERVIEW:

Gordon Jackson, author of *THE LABOR AND EMPLOYMENT LAW DESK BOOK*, a 1196-page, one-volume Prentice-Hall publication that covers all federal and state labor and employment laws, brings to this keynote address his vast knowledge of the subject matter. He also draws heavily from his book, *HOW TO DEFEND AND WIN LABOR AND EMPLOYMENT LAW CASES*, another Prentice-Hall publication he co-authored with law partner, Steve Shields, in this keynote presentation. Gordon Jackson discusses the numerous and ever-emerging employment laws that lay a minefield for management members – at all levels. He discusses strategic and practical safeguards that employers should employ, and the essential steps management members should take to avoid employee lawsuits, charges and complaints in an era when an average employment lawsuit costs an employer \$400,000. Gordon Jackson utilizes a variety of graphic illustrations, facts and figures to reinforce his strategies and techniques to *KEEP YOUR MANAGEMENT TEAM OUT OF COURT!*

### TOPICAL COVERAGE:

- ▲ MANAGEMENT’S HISTORICAL RIGHT TO “HIRE AND FIRE”
- ▲ HOW MANAGEMENT’S RIGHTS — TO DISCIPLINE AND DISCHARGE — HAVE BEEN ERODED
- ▲ A STATUTORY JOURNEY OF THE “AT WILL” EROSION
- ▲ AN OVERVIEW OF DISCRIMINATION LAWS MANAGEMENT MEMBERS SHOULD UNDERSTAND
- ▲ LEGAL SANCTIONS FOR DISPARATE TREATMENT
- ▲ AVOIDING THE TRIPLE PLAY: FMLA, ADA AND WORKER’S COMPENSATION
- ▲ HOW TO MAINTAIN A HARASSMENT-FREE WORKPLACE
- ▲ ESTABLISHING DISCIPLINARY STANDARDS AND GUIDELINES TO AVOID EMPLOYEE LITIGATION
- ▲ SAFEGUARDS TO APPLY WHEN INVESTIGATING EMPLOYEE COMPLAINTS
- ▲ UNDERSTANDING PRIVACY RIGHTS OF EMPLOYEES IN TODAY’S WORKPLACE
- ▲ SAFEGUARDS TO CONSIDER WHEN IMPLEMENTING AND ENFORCING DRUG POLICIES IN THE WORKPLACE
- ▲ HOW TO AVOID “IMPLIED” CONTRACTS WITH EMPLOYEES
- ▲ HOW TO AVOID EMPLOYEE TORT CLAIMS AND THE EXPOSURE TO PUNITIVE DAMAGES
- ▲ HOW JUDGES CONTINUE TO GIVE EMPLOYEES MORE RIGHTS TO SUE THEIR EMPLOYERS

### ADDITIONAL FEATURES:

Given the breadth and depth of the coverage of this topic and the horrendous costs associated with employment litigation, many meeting planners arrange for this program to be presented in a more comprehensible format, while others prefer an action-packed version in the form of a keynote. Outlines of a more detailed and comprehensive coverage of this topic are available, on request.

*Certification as a Labor and Employment Law specialist is not currently available in many states. To the extent legal matters are discussed in this presentation, certification is not claimed.*