

FREE REGISTRATION

**Labor & Employment Law
Breakfast Briefing**
Wednesday, September 17

E-Mail Registration
kbonnell@taftlaw.com

By Fax or Mail

Name _____
Title _____
Company _____
Address _____
City _____
State _____ Zip _____
Phone _____
Email _____

Fax or Mail to:

Kallie Bonnell
Taft Stettinius & Hollister LLP
One Indiana Square, Suite 3500
Indianapolis, IN 46204
Phone. 317-713-3414
Fax. 317-713-3699

Directions

The Indianapolis Marriott North Hotel is located on the northeast side of Indy near the Keystone Fashion Mall. From I-465, take Keystone south to 86th Street. Go east and turn left on River Crossing Blvd. Continue on River Crossing Blvd. and the hotel will be on your right.

Firm Update

Sommer Barnard PC merged with Taft Stettinius & Hollister LLP, effective on May 1, 2008. With this merger, we offer you greater depth of experience in every area of law important to your business. To learn how our collaborative style, built on a 123-year track record of performance, can transform what you expect from your legal team, visit www.taftlaw.com.

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Labor & Employment Law Breakfast Briefing

Wednesday, September 17
8:00 a.m. - 10:00 a.m.
with continental breakfast at 7:45

Topics Include:

- Do You Know Who Your Employees Are?
- The Electronic Workplace
- Recent EEOC Decisions Under Title VII
- Year-End 409A Deadlines

Marriott Indianapolis North
3645 River Crossing Parkway
Indianapolis, Indiana

Pending CLE and HRCI Credit

COMPLIMENTARY SEMINAR

Do You Know Who Your Employees Are? The Employee Versus Independent Contractor Dilemma

A common mistake made by employers is improperly classifying workers as independent contractors versus employees. This mistake can prove extremely costly. Whether an individual is an employee or an independent contractor is a question of fact and must be determined for each person. If an individual is an employee, then any costs of workers' compensation, social security, and unemployment insurance, as well as federal and state income tax withholding, are the responsibility of the employer. Penalties for failing to take responsibility for these costs can be significant.

The Electronic Workplace: Avoiding the Legal Pitfalls

Most employers communicate through email and permit employee access to the Internet. The content of a particular email can win or lose a lawsuit. Significant rules now exist concerning an employer's obligation to preserve emails during litigation. Employers may monitor the content of employee emails but should do so in a manner that avoids invasion of privacy claims and violation of state and federal email monitoring laws. Excessive or improper Internet use can result in the unlawful use of protected software and violation of copyright laws, as well as loss of employee productivity. It is therefore important for employers to have a thorough understanding of the legal issues associated with email and Internet use and to implement electronic workplace policies that adequately address these issues.

Recent EEOC Decisions under Title VII: What You Can Learn from Others' Mistakes

Over the past several years, the EEOC has decided a number of interesting Title VII cases. Employers and HR Representatives will benefit from learning what other employers did right or wrong in specific Title VII cases. Even a small mistake by an employer can lead to costly and time-consuming Title VII litigation. Marilyn Tucker will outline and discuss several important Title VII cases involving allegations of sex discrimination and race discrimination. She will specifically address what the employer did right or wrong in each case.

Year-End 409A Deadlines: Are Your Plans Ready?

Some employment agreements, severance agreements, bonus plans and incentive plans must comply with Internal Revenue Code Section 409A before the end of this year, or they will be subject to a 20% excise tax. Do your agreements or plans need to be revised by December 31, 2008? All 401(k) plans must be rewritten over the next two years to comply with changes in the law. Find out what you need to do in this session.

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Speakers

Michael C. Terrell • Partner

MICHAEL TERRELL is a partner in the firm's Labor and Employment Law department. He is chief employment counsel for numerous international and domestic companies engaged in various industries, including manufacturing, real estate, banking, construction, entertainment and high tech. He concentrates his practice in all aspects of labor and employment law, with a particular emphasis on prevention and defense of employment litigation.

Thomas R. Devoe • Partner

THOMAS DEVOE is a partner in the firm's Labor and Employment Law department. His practice concentrates on counseling and defending employers and management in all areas of employment and labor law. In addition, Mr. DeVoe advises clients on employment-based immigration matters, including H, L, E and TN visas.

Ann Carr Mackey • Partner

ANN CARR MACKEY is a partner in the firm's Employee Benefits department, working with clients in designing, implementing and maintaining qualified retirement plans, non-qualified deferral compensation plans and executive employment agreements.

Marilyn A. Tucker • Associate

MARILYN TUCKER is an associate in the firm's Labor & Employment and Litigation departments.