

OTHER OPPORTUNITIES

- **Negotiating Commercial Leases**
Cleveland, OH – June 16, 2009
Akron, OH – June 23, 2009
 - **Employment Law Update**
Cleveland, OH – July 28, 2009
Columbus, OH – August 19, 2009
 - **Landlord-Tenant Law**
Cincinnati, OH – August 18, 2009
- Check our website or call us for more info!*

REFERENCE MATERIALS

Seminar Manual

The faculty has prepared a substantial reference work to accompany its presentation. This manual will serve as a valuable tool for future reference. You will receive the manual upon checking in at the seminar site. Its price is included in the registration fee.

Audio Recording

This seminar will be recorded, so if you cannot attend, or if you want to apply for home study credit (where available), you can order the audio recording and/or a reference manual from this program. Please use the registration form to order.

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EMPLOYMENT LAW UPDATE: Employment Law Developments; Stay out of Jail; Immigration Compliance Issues for Employers; Wage & Hour and the FLSA; Sexual, Racial, and Other Harassment in the Workplace; Privacy in the Workplace and Conducting an Internal Investigation; Protecting At-Will Employment; Developments in FMLA Compliance and the Overlap of ADA, FMLA, and WC When Dealing with Absences of Ill, Injured, and Disabled Employees

PRESENTERS: Stephanie Dutchess Trudeau with Ulmer & Berne LLP; David W. Leopold with David Wolfe Leopold & Associates Co., LPA; Joel R. Hlavaty with Frantz Ward LLP; and Kelli A. Webb with Jackson Lewis LLP

Seminar #8OH09220 Audio & Manual Set \$155 Audio only \$95 Manual only \$75

PRACTICAL APPLICATIONS OF EMPLOYMENT LAW: Navigating the Ohio Workers' Compensation Maze How to Avoid Common Pitfalls; The Employment Process; Leaves of Absence; Employee Privacy in the Workplace; Sexual, Racial and Other Harassment in the Workplace; and Terminating Employees

PRESENTERS: R. Brent Gambill with Coolidge Wall Co. LPA; Laura L. Wilson with Coolidge Wall Co. LPA; Danyelle S.T. Wright with Sebaly Shillito + Dyer; and Erin B. Moore with Green & Green, Lawyers

Seminar #8OH09266 Manual only \$75

RECENT DEVELOPMENTS IN EMPLOYMENT & IMMIGRATION LAW: Hiring, Firing & Judicial Second-Guessing; Workplace Harassment & Retaliation Claims; Overview of Immigration Laws and Procedures, and Non-Immigrant Visas; and Avoiding Immigration Regulations' Fines and Sanctions

PRESENTERS: Robert L. Brown with Robert Brown LLC; David W. Leopold with David Wolfe Leopold & Associates Co., LPA; Lisa A. Kainec with Kastner Westman & Wilkins, LLC; and Thomas E. Green with Kastner Westman & Wilkins, LLC

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Advanced Workers' Compensation

Plus: A View from the Industrial Commission

Cincinnati - July 28, 2009

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Advanced Workers' Compensation in Ohio

Plus: A View from the Industrial Commission

Cincinnati →

July 28, 2009

Presented by:

Anthony D. Castelli

- Law Office of Anthony D. Castelli

Cynthia C. Felson

- Taft Stettinius & Hollister LLP

R. Joseph Wessendarp

- Attorney at Law

James Neary

- Scheuer Mackin & Breslin LLC

Brett R. Bissonnette

- Hochman & Plunkett

Elizabeth Fox

- Industrial Commission of Ohio

(See complete biographies inside)



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MEET THE FACULTY

ELIZABETH FOX is a Staff Hearing Officer with the Industrial Commission of Ohio, Cincinnati Regional Office. Previously, she was a District Hearing Officer with the Industrial Commission for ten years. Ms. Fox received her B.A. from Xavier University and her J.D. from the University of Cincinnati.

ANTHONY D. CASTELLI, with the Law Office of Anthony D. Castelli in Cincinnati, practices in the areas of workers' compensation, personal injury, social security disability claims, accidents, wrongful death, and back and head injuries. Mr. Castelli has courtroom experience in front of juries, having tried twenty civil jury cases. He has handled thousands of cases ranging from the auto accident "whiplash" injury to auto accident and product liability wrongful death claims. Mr. Castelli teaches professional education programs in the areas of Evidence in Trial Practice and Trial of Personal Injury Case, and he speaks on the law to local area students. He is a member of the Ohio Academy of Trial Lawyers, the Ohio State Bar Association, the Hamilton County Trial Lawyers, the Cincinnati Bar Association, and the National Association For Social Security Claimants. Mr. Castelli is Board Certified by the Ohio State Bar Association as a Specialist in the field of Ohio Workers' Compensation law. Mr. Castelli received his B.S. in Criminal Justice from the University of Cincinnati and then worked on the streets of Cincinnati as a social worker helping abused and neglected children. Three years later he followed his dream of going to law school and received his J.D. from Northern Kentucky University, Salmon P. Chase College of Law. Mr. Castelli went to law school in the evenings while working as a law clerk during the day for the firm in which he eventually became a partner.

CYNTHIA C. FELSON, is a partner in the Workers' Compensation Practice of the Labor and Employment Department of Taft Stettinius & Hollister LLP. Her principal practice area is representation of state fund and self-insured employers in workers' compensation claims at both administrative hearings and court appeals. Ms. Felson is chair of the firm's Professional Women's Resource Group (PWRG). Prior to joining the firm, Ms. Felson represented claimants in workers' compensation cases. Ms. Felson is a member of the Southwestern Ohio Self Insurers Association, and a member of the Cincinnati Bar Association, where she was chair of the workers' compensation committee from May 2005 to May 2007. Ms. Felson sits on the board of trustees for the Kidney Foundation of Greater Cincinnati. She received her B.A. from the University of Cincinnati and her J.D. from the Salmon P. Chase College of Law at Northern Kentucky University, where she was Order of the Curia and student articles editor of the *Northern Kentucky Law Review*.

R. JOSEPH WESSENDARP, Attorney At Law in West Chester, focuses his practice on workers' compensation, labor and employment law, union relations, education law, and commercial litigation. Mr. Wessendarp has authored publications such as "The Good Faith Defense Under the Fair Labor Standards Act," and "Preferential Transfers: Current Law and Recent Changes," published in the *Corporation, Finance and Business Law Journal*. He is a member of the Dayton and Ohio (Labor and Employment and Litigation sections) Bar Associations. Mr. Wessendarp earned his B.A., *magna cum laude*, from the University of Cincinnati and his J.D. from the University of Detroit Law School, where he was associate editor of the *University of Detroit, Journal of Urban Law*.

BRETT R. BISSONNETTE, with Hochman & Plunkett in Dayton, focuses his practice on workers' compensation and personal injury litigation. He is also a Certified Public Accountant in the State of Ohio. Mr. Bissonnette is admitted to practice before both the Northern and Southern Federal Districts in Ohio, the Sixth Circuit Court of Appeals, the United States Tax Court, and all the state courts and tribunals of Ohio. He has successfully argued numerous cases before the various appellate districts in Ohio. Mr. Bissonnette also had substantial involvement in the case of *State ex. Rel. Gross v. Indus. Comm.*, 115 Ohio St.3d 249, 874 N.E.2d 1162, 2007-Ohio-4916, where the Ohio Supreme Court reversed its prior decision upholding the Industrial Commission's denial of temporary total disability benefits to an injured teenager after a national outcry. Mr. Bissonnette received his B.B.A. from Kennesaw State University and his J.D., with honors, from Petit College of Law at Ohio Northern University.

JAMES NEARY is a partner in the Dayton office of Scheuer Mackin & Breslin with more than fifteen years of workers' compensation experience. He is frequently involved in workers' compensation litigation and in the defense of intentional tort cases. Mr. Neary represents management in the areas of workers' compensation, intentional torts, and safety violations cases. His practice includes representation before the Industrial Commission, the Bureau of Workers' Compensation, Courts of Common Pleas, Courts of Appeal and the Ohio Supreme Court. Mr. Neary is a member of the Dayton Bar Association, the Southwest Ohio Self-Insured Association, and the Ohio State Bar Association. Mr. Neary received his Bachelor's degree from the University of Notre Dame and his J.D. from the Ohio State University School of Law.

ADVANCED WORKERS' COMPENSATION

Cincinnati - July 28, 2009

Location: Hilton Cincinnati Netherland Plaza - 35 West Fifth Street - Cincinnati

Registration: 8:00 a.m. **Presentations:** 8:30 a.m. - 4:45 p.m.

Lunch: (on your own) 11:45 a.m. - 12:45 p.m.

CONTINUING EDUCATION CREDIT

Please remember to bring your license number, ID or other necessary information to the seminar to ensure proper reporting of continuing education credit.

This course has been **approved** by the **Ohio Supreme Court Commission on Continuing Legal Education** for **6.75 total CLE credit hours**, with **1.0 of ethics instruction**.

This course has been **approved** by the **Ohio Insurance Commission** for **8.0 hours** of general education credit.

This seminar has been **approved** by the **Kentucky Bar Association** for **6.75 total credits**, including **1.0 hour of ethics**.

This program has been **approved** by the **Indiana Commission on Continuing Legal Education** for **6.7 hours** of CLE credit, including **1.0 hour of ethics**.

This seminar has been approved for **6.75 general recertification credit hours** toward the **PHR, SPHR, and GPHR** recertification through the **HR Certification Institute**. For more information about certification or recertification, please visit www.hrci.org.

This seminar has been **approved** for **1.0 Safety CM Point** from the **American Board of Industrial Hygiene**.

This course may qualify for **0.6 points** for **Certified Safety Professionals**.

This seminar has been **approved** by the **Commission on Rehabilitation Counselor Certification (CRCC)**, the **Certification of Disability Management Specialists Commission (CDMSC)**, and the **Case Manager Commission (CCMC)** for **6.5 clock hours**.

This seminar satisfies requirements for up to **8.0 hours** of **PACE Recertification credit** for **CLU, RHU, REBC, CLF and ChFC**.

Other continuing education credit may be available. Please call (715) 855-0498 to inquire.

Walk-ins: Payment is required at the door. Please call ahead to confirm the schedule.

Cancellations: Substitutions or transfers to a future Sterling seminar are welcome anytime up to the day of the seminar. If you cancel at least three business days before the seminar you may 1) transfer your registration to another seminar, 2) receive a full refund minus a \$25.00 service charge, or 3) receive an audio and manual set of the seminar.

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Advanced Workers' Compensation

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Cincinnati - July 28, 2009

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AWCX

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WHO SHOULD ATTEND

- Attorneys
- Workers Compensation Administrators
- Benefits Professionals
- Human Resource Professionals
- Rehabilitation Specialists
- Occupational Health Nurses
- Safety Directors
- Insurance Claims/Risk Managers
- Business Manager
- Anyone involved in the W/C process

PROGRAM SUMMARY

Sharpen your practice skills with the insights and strategies of our outstanding faculty. This all-new Advanced Workers' Compensation seminar provides timely updates and insightful analysis of the most significant recent developments in this complex and dynamic area of the law. You will be provided the information you need on these important issues and answers to your questions regarding practical application. If you are involved in workers' compensation practice, you will benefit from this seminar. **Register today!**

SEMINAR AGENDA

- I. Update and Case Law**
 - A. New developments in voluntary termination
 - B. Important BWC Rule Amendments
 - C. Discussion of *Thornton v. Montville Plastics & Rubber*
- II. The Preparation and Presentation of an Effective Court Case**
 - A. Discovery and preparation
 - B. Voir Dire
 - C. Presentation at trial
- III. Miscellaneous WC Topics of Interest**
 - A. What makes a good job offer of light duty
 - B. How to make money in a workers' comp practice
 - C. The interplay between third party claims and workers' comp
 - D. How to maximize permanent partial awards
- IV. Violations of Specific Safety Requirements (VSSR)**
 - A. Defining VSSR and available benefits/awards
 - B. Procedures, mechanics, and judicial review
 - C. Accident investigation and pre-hearing issues
 - D. VSSR hearings and employer defenses
 - E. Coordination with related OSHA enforcement, intentional torts, etc.
- V. Medicare Set-Aside Trust**
 - A. Analysis of the Medicare Secondary Payer statute
 - B. Analysis of authority supporting CMS's conclusion that it has the authority to pass upon the sufficiency of a Medicare set-aside arrangement
 - C. Suggestions/course of action
 - D. Proposals to change the law to authorize Medicare set-aside arrangements by regulation and/or statute
- VI. Ethical Issues in Workers' Compensation Practice**
 - A. BWC rules covering conduct
 - B. Fee matters and resolution avenues
 - C. Unauthorized practice of law
 - D. Conduct before BWC/IC
 - E. Misconduct reporting and enforcement
- VII. A View From the Industrial Commission**

Sterling Education Services may alter the agenda due to circumstances beyond our control.