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Virtual 28th Annual HR Law & Solutions Seminar 2020

Thursday, September 10

Presented by



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Virtual 28th Annual HR Law Agenda

10:00 a.m. Case Law and EEOC Update 2020

10:45 a.m. Paycheck Protection Program Update

11:00 a.m. How Does COVID-19 Effect Your Workers Compensation Claims?

11:50 a.m. Break

12:00 p.m. COVID-19 Legal Issues

1:00 p.m. Q&A – Closing Remarks

Case Law and EEOC Update 2020

Moderated by Robert C. Shearman, Esq., with panelist Kyle C. Dudek, Esq. and guest panelists Robert Weisberg, Esq., Regional Attorney for the Miami District Office of the U.S. Equal Employment Opportunity Commission, and **Benjamin Yormak, Esq.,** Florida Bar Board Certified Employment Lawyer with a view from the Plaintiffs' Bar

Panelists will address recent decisions regarding retaliation claims, pregnancy discrimination laws, and Equal Pay Act developments. They will also discuss the recent decisions expanding sexual orientation and gender identity protections thus defining the scope and applicability of protections against religious discrimination. Panelists will also answer questions and share tips to help businesses stay in compliance and reduce exposure to common employment law claims.

Paycheck Protection Program Update

Sara Qureshi, Esq. and guest speaker Kyle DeCicco, Senior Vice President and Senior Loan Officer for Sanibel Captiva Community Bank

Sanibel Captiva Community Bank secured over 750 Small Business Administration Paycheck Protection Program loans ("PPP") totaling nearly \$70 million for Southwest Florida businesses, independent contractors and nonprofit organizations. Business and Tax lawyer Sara Qureshi and guest speaker Kyle DeCicco will share practical tips and provide an update on PPP loans and forgiveness issues many businesses now face.

How Does COVID-19 Effect Your Workers Compensation Claims?

David Roos, Esq., Russell Whittle, Esq., and Spencer Shaw, Esq.

Panelists will address employers' concerns whether contraction of COVID-19 would be considered a work-related accident for which compensation would be due. The session will also report on the unique circumstances for public safety workers and how the Florida Heart and Lung Bill may impact workers' compensation liability.

COVID-19 Legal Issues

Scott Atwood, Esq., Katherine Cook, Esq., and David Ledermann, Esq.

Employment Law Group Chair Scott Atwood will help attendees understand the numerous new laws and regulations resulting in litigation under the Emergency Family & Medical Leave Act and Emergency Paid Sick Leave Act. He will also address common accommodation issues employers now face with an increased remote workforce and share practical takeaways to return-to-work issues. Katherine Cook will provide an update on whistleblower and OSHA claims, followed by David Lederman, the newest member of Henderson Franklin's Business & Tax team, who will address common benefit concerns employers are now facing with COBRA and 401(k) plans.

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Guest Panelists



Kyle DeCicco is senior vice president and senior loan officer for Sanibel Captiva Community Bank, focusing on the expansion of the bank's lending division in Southwest Florida. He is responsible for overseeing the solicitation, negotiation, underwriting and coordination of closing major and complex consumer, residential, equipment, SBA, commercial building and business loans. With over a decade of banking experience, he has worked in commercial real estate and lending, credit analysis, portfolio management of performing and nonperforming loans, and management of FDIC insured loss-share assets. His efforts have resulted in the bank closing more than \$160 million in commercial loans in four years.



Robert E. Weisberg has served as the Regional Attorney for the Miami District Office of the U.S. Equal Employment Opportunity Commission since September 27, 2010. As Regional Attorney, he oversees the Miami District legal unit staff and the enforcement of federal laws prohibiting employment discrimination throughout the State of Florida, Puerto Rico and the U.S. Virgin Islands. He has been Board Certified by the Florida Bar in the area of Employment and Labor Law since 2001 and was inducted into the College of Labor and Employment Lawyers in 2018.



Benjamin H. Yormak is a Florida Bar board-certified expert in Labor and Employment Law and brings his perspective and view "from the plaintiff's bar." He has extensive experience representing clients involving Title VII, ADA, and other employment matters and devotes a significant part of his practice on whistleblower cases involving fraud against the government. Benjamin previously worked with the United States Department of Justice.

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Virtual 28th Annual HR Law & Solutions Seminar REGISTRATION

There is a \$25 registration fee per person – includes a \$20 UberEats or Doordash gift card – have the lunch of your choice delivered!

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Henderson Franklin Speakers



Scott E. Atwood is Chair of the firm's Employment Law group and represents entrepreneurs, public entities, and businesses of all sizes throughout the United States. He provides labor and employment counseling in pre-litigation situations, and serves as lead counsel in federal and state court litigation and in administrative disputes concerning the EEOC, DOL, and FCHR. Scott is Treasurer/Secretary for the Florida Bar's Labor & Employment Section, and will soon serve as Section Chair. He is also a Florida Supreme Court Certified Circuit Civil Mediator, past President of the Lee County Bar Association, and past member of the Florida Bar's Board of Governors.



Katherine E. Cook is a litigation associate for the firm, and works with Scott Atwood and Bob Shearman in a variety of employment law matters. She also serves on the board of Lee County Bar Association's Young Lawyers Division and is a member of the Lee County Association for Women Lawyers.



Kyle C. Dudek is a litigation associate and frequently represents state and municipal entities, as well private and public employers in lawsuits involving Title VII, ADA, FLSA, Section 1983 and constitutional claims. His municipal practice also involves defending government actors against claims for false arrest, malicious prosecution, excessive force, and retaliation under the First Amendment.



David J. Ledermann works with publicly traded companies, closely held businesses and non-profit employers in complex employee benefits matters under ERISA and the Internal Revenue Code. His representations involve tax-qualified retirement plans and nonqualified deferred compensation arrangements, as well as group health plans and other employer-provided welfare benefit plans, such as 401(k) profit sharing plans, and defined benefit, and Section 403(b) and Section 457 plans of tax-exempt and governmental organizations. He also represents clients before government agencies, including the IRS, the U.S. Department of Labor and the Pension Benefit Guaranty Corporation.



Sara A. Qureshi has the legal knowledge, including a Master of Laws (LL.M.) in Taxation, to help client's with their corporate and business needs, as well as federal and state taxation matters, including addressing Employer Shared Responsibility Payment Penalties under the Affordable Care Act. She also routinely assists clients with preparing

employment agreements, non-compete/non-solicitation agreements, confidentiality agreements, severance agreements and the like. Sara also serves on the Board of Directors for Abuse Counseling & Treatment, Inc., and is multilingual—fluent in English, Urdu and Hindi.



David H. Roos brings over 20 years defending workers' compensation claims for insurance carriers, third-party administrators, and businesses of all sizes throughout Florida. He serves as Chair of the firm's Workers' Compensation Department is former chairman of the Workers' Compensation Section of the Florida Defense Lawyers Association.



Spencer M. Shaw represents public and private employers throughout Florida at every stage of defending a workers' compensation claim—from making sure employers file and respond with proper documentation to preparing witnesses for deposition and trial. She also serves as co-chair of the Florida Defense Lawyers Association's Workers' Compensation Section.



Robert C. Shearman is former Chair of the firm's Employment Practice and incoming Chair of its Tort Insurance Practice. He is Board Certified in Civil Trial Law and spends a significant portion of his practice on employment matters. Since serving as lead counsel in the firm's first Title VII trial in 1992, he has litigated a vast number of employment cases on matters ranging from Title VII, ADA, and FLSA disputes to First Amendment and Equal Protection constitutional claims. Bob also provides preventative harassment and discrimination training for employers, and frequently lectures on these topics.



Russell S. Whittle has been representing the interests of insurers and employers in the defense of workers' compensation and liability matters in Florida for nearly 30 years. As an in-house counsel for much of his career before joining the firm, he brings a unique perspective to the table. His varied experience also includes serving as senior staff counsel for a Medicare compliance company, general counsel for an insurance company focusing on the professional employer organization market, and as a title insurance company attorney.

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