

This course is approved by SHRM for 4.25 PDC and HRCI for 4.25 (HR) General continuing education credits. Florida Bar CLE Approval: General (5.0), Certification – Labor and Employment Law (5.0)

# 28th Annual HR Law & Solutions Seminar

## REGISTRATION FORM

**There is a \$65 registration fee per person, which includes a continental breakfast, plated lunch, and valet parking.**

- ☐ Roasted French Chicken Breast   ☐ Fresh Grilled Mahi Mahi  
☐ Vegetarian Gnocchi with Sundried Tomatoes and Spinach

**Register by mail or online at [www.henlaw.com/news-insights](http://www.henlaw.com/news-insights)**

Contact Gail Lamarche at 239.344.1186 or [gail.lamarche@henlaw.com](mailto:gail.lamarche@henlaw.com) if you have any questions.

**Due to limited seating, please RSVP by March 20**

Name \_\_\_\_\_

Title \_\_\_\_\_

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If paying by check please make your check payable to **Henderson, Franklin, Starnes & Holt, P.A.** and mail it along with your completed registration form to:

Gail Lamarche, Director of Marketing  
Henderson, Franklin, Starnes & Holt, P.A.  
P.O. Box 280  
Fort Myers, FL 33902-0280

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## Directions

**Sanibel Harbour Marriott Resort & Spa**  
17260 Harbour Point Drive, Fort Myers, FL 33908  
Telephone: 239.466.4000

### From Points North of Fort Myers I-75 South

- Take Exit 131, Daniels Parkway, end of ramp turn right heading west on Daniels Parkway
- At lights, turn left on South Tamiami Trail (Route 41-S)
- At lights, turn right on Gladiolus Drive
- Merge left via ramp on Summerlin Road (CR 869) and continue to follow straight when road merges into McGregor Boulevard
- Take right onto Punta Rassa Road
- Take slight right onto Harbour Point Drive at sign for Sanibel Harbour Marriott
- Check in at guard gate and follow signs to main building

### From Points South of Fort Myers I-75 North

- Take Exit 128, San Carlos Park, Alico Road, end of ramp, turn left on Alico heading west
- At lights, turn right on South Tamiami Trail (Route 41-N)
- At lights, turn left onto Gladiolus Drive
- Merge left via ramp on Summerlin Road (County Road 869) and continue to follow straight when road merges into McGregor Boulevard
- Take right onto Punta Rassa Road
- Take slight right onto Harbour Point Drive at sign for Sanibel Harbour Marriott
- Check in at guard gate and follow signs to main building

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One of the state's oldest firms, Henderson Franklin was founded in Fort Myers in 1924 and currently operates offices in Fort Myers, Bonita Springs and Naples.

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# 28th Annual HR Law & Solutions 2020

**Thursday, March 26**

**Sanibel Harbour Marriott Resort & Spa**

17260 Harbour Point Drive  
Fort Myers, Florida

**Complimentary Valet Parking**

Presented by



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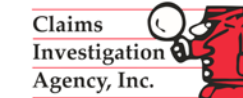
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# Agenda

7:15 a.m.	<b>Registration and Continental Breakfast</b> <i>Sponsored by Sanibel Captiva Community Bank</i>
8:15 a.m.	<b>Opening Remarks</b> <i>Robert C. Shearman, Esq.</i>
8:30 a.m.	<b>A Day in the Life: Practical Tips for Today’s Employers</b> <i>Scott E. Atwood, Esq., Sara A. Qureshi, Esq., and Katherine E. Cook, Esq.</i>
9:30 a.m.	<b>Networking Break</b>
9:45 a.m.	<b>2020 Litigation Trends and EEOC Updates</b> <i>Robert C. Shearman, Esq. and Kyle C. Dudek, Esq., with guest panelists Robert E. Weisberg, Esq., and Benjamin H. Yormak, Esq.</i>
10:45 a.m.	<b>Networking Break</b>
11:00 a.m.	<b>Preparing Today’s Employer for 2020 Workers’ Compensation Claims</b> <i>David H. Roos, Esq., Russell S. Whittle, Esq., and Spencer M. Shaw, Esq. and guest panelist Anna M. Evans, V.P. Claims BKS-Partners</i>
12:00 p.m.	<b>Lunch</b> <i>Sponsored by BKS-Partners</i>
1:30 p.m.	<b>Raffles and 2020 Hall of Fame</b>
1:45 p.m.	<b>Soar to Success</b> <i>Guest Keynote Speaker Elizabeth McCormick, CSP Sponsored by Contemporary Business Resources</i>
3:00 p.m.	<b>Concluding Remarks</b>

## Day in the Life: Practical Tips for Addressing Common Workplace Issues

**Scott E. Atwood, Esq., Sara A. Qureshi, Esq., and Katherine E. Cook, Esq.**  
No two days are the same and one thing is for certain - you never know what issue is going to arise at the office when you wake up in the morning. In this session, panelists will take a walk in your shoes and share pointers, as well as updates on relevant case law, to help find solutions to daily challenges, including: (i) making sure employees are classified and paid correctly; (ii) responding to employees who have leave and medical situations; (iii) addressing performance problems; and, (iv) protecting your business when an employee leaves to go work for (or becomes) a competitor.

## 2020 Litigation Trends and EEOC Updates

**Moderator: Robert C. Shearman, Esq. with Kyle C. Dudek, Esq.**  
**Guest Panelists: Robert E. Weisberg, Esq.** (Regional Attorney for the Miami District Office of the U.S. Equal Employment Opportunity Commission) and **Benjamin H. Yormak, Esq.** (Florida Bar Board Certified Employment Lawyer)  
HR is not for the faint of heart. The shifting sands of social norms and legal developments can make life difficult for even the most experienced HR professional. In this session, the panelists will discuss litigation trends, recent case law and issues employers should expect in 2020 not only from a management viewpoint, but also

from the perspective of the Equal Employment Opportunity Commission and from the plaintiff’s bar. Attendees will learn potential changes to minimum wage and overtime laws, paid sick/maternity leave, the status of sexual orientation/gender identity protections, and the ever-changing NLRB rulings. The panelists will also share their tips and strategies to help employers stay in compliance and out of litigation, reducing exposure to costly, time-consuming, and disruptive employment claims.

## Preparing Today’s Employer for 2020 Workers’ Compensation Claims

**David H. Roos, Esq., Russell S. Whittle, Esq., and Spencer M. Shaw, Esq.** and guest panelist **Anna Evans**, V.P. Claims BKS-Partners  
Recent trends indicate three things in the workers’ compensation arena: (i) a significant decrease in claims settling before trial; (ii) plaintiff attorneys are more aggressive in depositions of HR and payroll managers; and, (iii) what may appear as a routine claim quickly blossoms into significant exposure and increased insurance premiums. In this session, presenters will share common defenses, recent case law and real-world strategies to minimize risk and exposure so employers can be fully prepared to defend claims at every stage.

## Soar to Success

**Guest Keynote Speaker Elizabeth McCormick, CSP**  
Former US. Army Black Hawk pilot, Elizabeth McCormick, shares the professional and/or personal development secrets for success with her stories of overcoming overwhelming obstacles as a helicopter pilot while inspiring *YOU to Soar 2 Success*. In this session, attendees will learn how to unlock the key to boosting your confidence and elevating your effectiveness in and outside the workplace. Elizabeth will also share the prioritization and delegation strategies so you can soar to a higher level of advancement by helping others take the lead.



## Guest Panelists



**Anna M. Evans** is the Fort Myers Claims Manager through Baldwin Krystin Sherman (BKS). She is a licensed all lines insurance adjuster, is certified in workers’ compensation and is a certified human resource professional (PHR) through the Society of Human Resource Management (SHRM) and HRCI.



**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.

## 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.



**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.