

REGISTRATION FORM – FOR ASSISTANCE, CALL 800-274-6774.

YES! I want to master FLSA to better protect my company from compliance missteps and build a valuable skill set. Please save my seat at **Wage & Hour Master Class: The Advanced Interactive Workshop for Virginia Employers** for just \$347. If I am dissatisfied, I am entitled to a complete refund of my registration fee. I understand that additional registrants from my company can attend for \$100 off, just \$247 each.

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**WE MAKE REGISTRATION EASY!
 HERE ARE FIVE SIMPLE WAYS TO REGISTER:**

-  **By Phone:** Call toll-free 800-274-6774.
-  **By Fax:** Photocopy form and fax to 800-785-9212.
-  **On the Web:** Direct your browser to HRhero.com/va-flsa
-  **By Email:** custserv@mleesmith.com
-  **By Mail:** Photocopy form and fax to 800-785-9212.



M. Lee Smith Publishers
 6201 Virginia Way
 P.O. Box 5094
 Brentwood, TN
 37024-5094

100% Guarantee

If this is not the most informative and cost-effective seminar that you have attended in the last year, we will refund 100% of your registration fee – no questions asked.

PHR/SPHR CREDIT:

SHRM Credit: Certified members of the Society for Human Resource Management (SHRM) may submit credit hours to SHRM for certification credit.



Earn up to 6.25 hours PHR/SPHR credit. 6.25 CLE credit hours pending.



Cancellation Policy

- A \$50 processing fee applies to ALL conference cancellations.
- Registrants are responsible for the entire PROGRAM fee for a cancellation made after 5:00 p.m. three weeks prior to the event (whether or not you attend the program or fail to cancel).
- An alternate may attend in place of the original registrant.

25011

Virginia Employment Law Letter presents 2009

WAGE & HOUR MASTER CLASS



The Advanced Interactive Workshop for Virginia Employers



When: Thursday, May 7, 2009

Where: Richmond

Presenters: John J. Rigby,
 McInroy & Rigby, LLP
 Zachary A. Kitts
 Cook & Kitts PLLC

One Day Packed with Updates, Interaction, and Answers to Your Payroll Policy Concerns:

- **341,000:** Number of employees who recovered back wages due to enforcement action
 - **\$220 million:** Total paid out by U.S. employers to cover their claims (a 28% increase over the year before)
 - **30,476:** Number of employers who felt the bite of government wage and hour watchdogs
 - **\$10.3 million:** Penalties assessed against employers for wage and hour violations
- Sometimes it's a large figure, like when Family Dollar was penalized \$33.2 million for classifying their store managers as exempt. And sometimes it's a smaller amount, such as when a construction company paid \$495,000 for setting up bogus subcontracting arrangements to avoid paying overtime.
- If you're the pay policy expert at your organization, the one management turns to for accurate and justifiable decision-making advice, you've got to stay ahead of this exploding problem. How? Invest just one day in learning all the latest rules for complying with complex payroll and overtime laws. You'll acquire the advanced expertise needed to make the right call every time when you attend this satisfaction-guaranteed event.
- **Who is, and who isn't, covered by the main exemptions to the Fair Labor Standards Act**
 - **Which workplace activities are not and are not compensable, in light of recent court decisions**
 - **Overtime avoidance techniques that work – and those that backfire**
 - **How to handle bonuses, commissions, and tips**
 - **Areas of special interest to federal and state labor department watchdogs during payroll audits**
 - **Why FLSA retaliation lawsuits are exploding, and what you can do to steer clear**
 - **And much more. Full details inside.**

 **Call 800-274-6774 to register or learn more.**
 **Or visit www.HRhero.com/va-flsa**



From the publisher of
 Virginia Employment Law Letter
 and HRhero.com



Earn up to 6.25 hours PHR/SPHR credit. 6.25 CLE credit hours pending.



PROGRAM DATE AND LOCATION



WHEN: Thursday, May 7, 2009
WHERE: Holiday Inn Central
 3207 North Blvd.
 Richmond, VA 23230
 (804) 359-9441

PROGRAM DATE AND LOCATION

Virginia Employment Law Letter presents 2009

WAGE & HOUR MASTER CLASS



Zachary A. Kitts



John J. Rigby

PRESENTERS:
 John J. Rigby, *McInroy & Rigby, LLP*
 Zachary A. Kitts, *Cook & Kitts PLLC*

The Wage & Hour Master Class for Virginia Employers features:

- Lively Give and Take.** Unlike some seminars, you're encouraged to ask questions, present your own situations for discussion, and interact with both the speakers and your colleagues.
- Quality Presenters.** Your speakers are Virginia employment law attorneys with years of experience advising employers and litigating overtime matters.
- Top-Level Issues.** No beginners course, this one-day program tackles the very latest, most confusing, most complicated wage & hour situations and gives you a clear road map to consistently executing professional and confident administration of the law.
- Satisfaction Guarantee.** You're entitled to a complete refund if you're in any way less than delighted by this program. It's a promise we've kept for over 30 years.



Master Payroll and Overtime Compliance in Just One Day with This All-New Program Created Just for Virginia Employers and HR Management

It's been over four years since the U.S. Department of Labor finalized its major overhaul of FLSA regs. Three years of confusion, noncompliance, lawsuits, and bad publicity. From the largest employer to the smallest operation, wage and hour issues have remained front and center at Virginia workplaces.

Now, from the publisher of *Virginia Employment Law Letter*, comes the fast, cost-effective and engaging solution: **Wage & Hour Master Class: The Advanced Interactive Workshop for Virginia Employers.**

PROGRAM DATE & LOCATION

Thursday, May 7, 2009
Holiday Inn Central
3207 North Blvd.
Richmond, VA 23230
(804) 359-9441

CONFERENCE FEES

Only \$347 per person, \$247 for each additional person from your organization.

CONFERENCE DETAILS

Continental breakfast and registration begins at 7:30 a.m. The program begins at 8:30 a.m. and concludes at 4:30 p.m. There will be morning and afternoon breaks and registrants will be on their own for lunch.

SPONSORED BY

M. Lee Smith Publishers LLC,
publisher of *Virginia Employment Law Letter* and *Federal Employment Law Insider*.

Agenda

Attend this fast-paced one-day event and gain the knowledge and confidence you need to determine overtime eligibility, set payroll policy, and make wage-and-hour decisions. You'll help protect your company against the growing scourge of lawsuits. And you'll be armed to successfully defend your recommendations and policies to employees, management, and the enforcement community. All within the letter and the spirit of both federal and Virginia law.

This power-packed program kicks off at 8:30 a.m. and concludes at 4:30 p.m. Built into the schedule are morning and afternoon breaks and a lunch break.

Why the FLSA is the Most Dangerous Statute for Employers

- Enforcement trends at the U.S. Department of Labor, including eye-popping figures on violation rates
- How to think like an employee – and an employer's lawyer – when conducting internal policy audits
- Collective action lawsuits – how to avoid the threat of a devastating legal battle
- How claims are enforced by the DOL – who'll come knocking, and what your rights are
- Limitations periods that can save the day
- Damages – how to avoid the "double down" of double damages
- Individual liability for owners and HR managers – yes, you can be personally "on the hook" for damages and awards for overtime violations

Pay or No Pay?

You learn how to manage compensation for nine activities that have recently faced court challenges:

- Travel time
- Volunteer activities
- On-call time
- Time spent waiting, changing, performing activities related to work
- Training, meetings, and company functions
- Breaks and rest periods
- Meal time
- Sleep time
- Medical exams

Double Oops!

Retaliation claims under the FLSA: Why is this area growing?

- Retaliation for filing an FLSA claim
- Retaliation for whistleblowing by nonclaimants

The Other DOL

State wage laws and the regulators who enforce them.

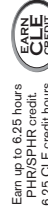
- Required pay periods
- Final paychecks – What are the rules on holdbacks and deductions if the employee owes you money or property, and how do these rules differ for exempt and nonexempt employees?
- Equal pay laws
- Meal & break periods
- Employing minors: special rules
- Jury duty, appearing as a witness

Sitting on the Dock of the Pay

- How to dock an exempt employee's pay
- Combining sick leave hours and vacation hours to cover an 8-hour absence
- What deductions can't you make from an exempt employee's pay?
- Can you withhold pay from a nonexempt employee who fails to turn in a time sheet?
- Can you dock an hourly employee's pay for inadvertent damage to company property?

Final Takeaways

- Policies: What the FairPay regulations say you need to review, revise, revisit
- What records to keep, and for how long
- Importance of job descriptions and performance evaluations
- Internal audits – what to look for – a checklist
- Preparing for a DOL audit – should you resist? How?



Earn up to 6.25 hours PHRS/PHR credit, 6.25 CLE credit hours pending.
The use of this seal is not an endorsement by HRCI of the quality of the program. It means that the program has met HRCI's criteria to be pre-approved for recertification credit. This program has been approved for 6.25 recertification credit hours by the HRCI Certification Institute. For more information about certification or recertification, please visit the HRCI Certification Institute website at www.hrci.org.

Dear Virginia Employer:



Recently, a jury took only 2 hours to find Family Dollar guilty of overtime violations. They slammed the retailer with a \$16 million penalty... which the judge then doubled. With payouts like this becoming more and more common, it's no wonder overtime lawsuits are the most commonly filed claims. But the threat isn't just from plaintiff's attorneys.

Last year, the Department of Labor's Wage and Hour Division collected over \$220 million for employers who were unjustly or mistakenly denied overtime pay. How did they do it? By initiating over 30,000 compliance actions. Obviously, the 2004 FairPay regulations are confusing more than a few employers!

As a matter of fact, the Division's own investigation last year revealed that only half of American employers are in compliance with FairPay. It's only a matter of time before the agency's watchdogs—or plaintiff's attorneys—turn those violations into some very expensive headaches for even more HR managers.

That's why it makes so much sense to spend just one day learning all the very latest overtime hotspots and strategies from an authoritative in-state source. Sign up for **Wage & Hour Master Class: The Advanced Interactive Workshop for Virginia Employers.** When you do, you'll come away armed to handle all kinds of overtime questions, like:

Scenario 1: You want to set up a committee to facilitate communication between salaried and hourly employees. The committee meets at the end of the day shift, one day per month and participation is voluntary. Do you have to pay overtime to the hourly workers who attend?

Scenario 2: You have a policy that states that an exempt employee must work for at least 30 days before getting paid for observed holidays. What should you do when the office is closed an additional day?

Scenario 3: An exempt employee works less than 4 hours in a day. Will charging her PTO account for anything less than 1 full day jeopardize her status, or is changing 1/2 day all right as long as you communicate this policy clearly to exempt staff?

The Fair Labor Standards Act's regulations are highly complex, and you'll pay a painful penalty for violations. Don't risk it! Mark your calendar for just one day out of the office to help protect yourself and your company. I look forward to seeing you there.

Dan Oswald

Dan Oswald
President & Publisher
Virginia Employment Law Letter
Federal Employment Law Insider

Available On-Site

This powerful program is available for on-site presentation at your organization, customized both in length and content to meet your specific training needs. It's the cost-effective way to engage your most productive employees in achieving valuable professional growth objectives. All while helping to protect your organization from expensive legal missteps. For more information, please call (800) 274-6774.



Unlike lesser imitations, our **Wage & Hour Master Class: The Advanced Interactive Workshop for Virginia Employers** is researched, developed, and presented by Virginia authorities on leave law. This isn't a cookie-cutter, one-size-fits-all program thrown together by some barnstorming "expert" who'll be three states away before you realize you learned nothing. This is valuable, in-state guidance from trained and highly respected attorneys who practice in Virginia.