

EEOC TRAINING INSTITUTE
Miami Beach Technical Assistance Program Agenda
October 22, 2004

Agenda Highlights: The Miami Beach agenda features two (2) workshop tracks: Track I provides basic information on the EEO laws with solutions that will enable you to identify and solve problems before they escalate. Track II provides specific and more in-depth discussion of specialized areas. The seminar will feature speakers and presenters from the private sector, as well as EEOC professionals who make the decisions that may affect business today.

7:45 AM **Registration & Continental Breakfast**

8:15 AM **Welcome**

8:30 AM **Track I - Workshop A - An Introduction to the Laws We Enforce;
Coverage and Exclusions**

An examination of the EEO laws we enforce and how they affect your organization; also theories of discrimination and the burdens of proof. This workshop will provide important information and solutions to help you proactively prevent and resolve employment discrimination problems.

Presenters: *Delner Franklin-Thomas, Esq., Regional Attorney, and Michael Farrell, Esq., Supervisory Trial Attorney, EEOC Miami District Office*

Track II - Workshop A - Diversity: All Different, All Alike

Learn how to acknowledge, appreciate, and utilize the differences among people to build a productive work environment. In today's business community, organizations are expected to develop a competitive edge to remain in business - do more with less. Diversity is the "key ingredient" in developing that edge to accomplish organizational goals. Diversity allows any organization to recognize the importance of building on commonalities while acknowledging differences in developing a model inclusive work environment.

Presenter: *Fernella Peters, Investigator, EEOC Miami District Office*

10:30 AM

Track I - Workshop B - Charge Processing Procedures: Defining and Examining a Seamless and User Friendly Customer Service Process

What are the elements of a charge to be accepted by the EEOC? When is a charge deferred to a Fair Employment Practice Agency (FEPA)? How does the Priority Charge Handling Procedures impact on the decision to refer a case to Mediation? What are the time frames that control a charge from intake to processing and what should an employer can expect. What happens during the conciliation process.

Presenter: *Elsa Urquiza, Enforcement Manager, Miami District Office*

Track II - Workshop B - It Can Be a Hazardous Intersection When the ADA and FMLA Cross Paths

An overview of the statutes and the areas in which they interact. This workshop will offer practical advice for employers in administering their employment policies.

Presenter: *Robert T. Kofman, Esq., Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.*

12:00 Noon

LUNCH

Luncheon Speaker: *John Schmelzer, Attorney Advisor, EEOC Office of Field Programs*

1:30 PM

Track I - Workshop C - A Comparative View of the Investigative Process: What the EEOC is Looking For and What the Employer's Response Should Be

What your Position Statement should contain and important information on witness Interviews; document requests, affidavits, corrective measures, the elements of retaliation, and EEOC's Priority Charge Handling Procedures.

Presenter: *Manuel Zurita, Director, EEOC Tampa Area Office*

Track II - Workshop C - Mediation: An Examination of Management's Opportunities for Early Charge Resolution

Mediating to resolve employment disputes is quicker, comprehensive and less costly than investigating and litigating. More importantly, EEOC is emphasizing mediation as its preferred method of resolving employment disputes proficiently. This mock mediation will feature both EEOC staff mediators and private practitioners of Alternative Dispute Resolution (ADR) to demonstrate the dynamics and major features of the mediation process.

Presenter: *Gilbert Carrillo, Esq., ADR Coordinator, Miami District Office*

3:15 PM

Track I - Workshop D - Conducting an Internal Investigation

Whether you receive an internal complaint or an EEOC charge of harassment and discrimination, immediately conducting an investigation is the first step in avoiding or limiting financial liability. The internal investigation is critical to your assessment of the charge, potential exposure, potential resolutions and to an effective response. This session will cover the Who, What, When Where, Why and How of conducting internal investigations, and will provide information on alternative methods of data collection and analysis. This is an interactive session based on real case studies.

Presenters: *Carol C. Lumpkin, Esq., and Judd J. Goldberg, Esq.,* Littler Mendelson, P.C., Miami, Florida

Track II - Workshop D -Legal Update

The Supreme Court has issued a landmark decision affecting the impact of Employer Arbitration agreements under the ADA, ADEA, and Title VII. The impact of this decision and other key court decisions affecting your day to day employment processes will be briefed and discussed.

Presenters: *Delner Franklin-Thomas, Esq., Regional Attorney, and Michael Farrell, Esq., Supervisory Trial Attorney,* EEOC Miami District Office

4:45 pm

Adjourn

Morning and afternoon breaks are included.