

YES! I want to master FLSA to protect my company from compliance missteps and become my organization's HR Hero. Please save my seat at **Wage & Hour Master Class: The Advanced Interactive Workshop for Massachusetts Employers** for just \$497. 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 \$397 each.

Boston Springfield

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To learn more about the 2013 Wage & Hour Master Class for Massachusetts Employers, download a free QR code reader app on your smartphone and then scan the code on the left.

Here are two suggestions.

 iPhone users: i-nigma

 Android users: Red Laser



Presenters:

Timothy F. Murphy
John Gannon
*Attorneys with Skoler,
Abbott & Presser, P.C.*



Timothy F. Murphy



John Gannon

The Wage & Hour Master Class for Massachusetts 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 Massachusetts 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.

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100% Guarantee

If you are not completely satisfied after attending a BLR event, let us know, and we will refund 100% of your registration fee—no questions asked.

PHR/SPHR Credit:



This program has been approved for 6.25 recertification credit hours through the HR Certification Institute.

For more information about certification and recertification, please visit the HR Certification Institute website at www.hrci.org. The use of this seal is not an endorsement by HR Certification Institute of the quality of the program. It means that this program has met HR Certification Institute's criteria to be pre-approved for recertification credit.

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.

Program Dates and Locations

When

Thursday, June 20, 2013

Where

Sheraton Commander Hotel
16 Garden Street
Cambridge, MA 02138
617-547-4800

When

Wednesday, June 26, 2013

Where

Sheraton Springfield
Monarch Place Hotel
One Monarch Place
Springfield, MA 01144
413-781-1010



21838



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Massachusetts Employment Law Letter presents 2013

WAGE & HOUR MASTER CLASS

The Advanced Interactive Workshop for Massachusetts Employers

2 LOCATIONS!

When: Thursday, June 20, 2013

Where: Boston

When: Wednesday, June 26, 2013

Where: Springfield

Presented by: Timothy F. Murphy
John Gannon,

Attorneys with Skoler, Abbott & Presser, P.C.



Staggering Stats Prove Federal Watchdogs Are Serious About Enforcement

- **228,645:** Number of employees who recovered back wages due to enforcement action
- **\$185 million:** Total paid out by U.S. employers to cover their claims (a 28% increase over the year before)
- **23,845:** Wage and hour complaints registered against employers
- **\$1.4 billion:** Back wages paid by employers over the last 8 years to settle Wage & Hour division charges

Sometimes it's a large figure, like when Staples paid \$42 million to settle a misclassification dispute involving assistant store managers. And sometimes it's only a million dollars, like what Levi Strauss recently paid out to settle an overtime dispute. But whatever the penalty, wage and hour mistakes are expensive.

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 wage/

hour and overtime laws. You'll acquire the advanced expertise needed to make the right call every time when you attend this satisfaction-guaranteed event.

One Day Packed with Updates, Interaction, and Answers to Your Wage & Hour Concerns:

- Who is, and who isn't, covered by the main exemptions to the Fair Labor Standards Act
- Which workplace activities are and are not compensable, in light of recent court decisions
- Overtime avoidance techniques that work, legally – and those that backfire
- How to handle bonuses, commissions, and tips
- Areas of special interest to federal and state labor department watchdogs during wage/hour audits
- Why FLSA retaliation lawsuits are exploding, and what you can do to steer clear
- And much more.

Visit HRHero.com/ma-flsa
Call **800-274-6774** to register or learn more.



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Master Wage & Hour and Overtime Compliance in Just One Day with This All-New Program Created Just for Massachusetts Employers and HR Management

When

Thursday, June 20, 2013

Where

Sheraton Commander Hotel
16 Garden Street
Cambridge, MA 02138
617-547-4800

When

Wednesday, June 26, 2013

Where

Sheraton Springfield Monarch Place Hotel
One Monarch Place
Springfield, MA 01144
413-781-1010

\$497 per person,
\$397 for each additional person from your organization.

Continental breakfast and registration begin 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.

BLR®, publisher of *Massachusetts Employment Law Letter* and *Federal Employment Law Insider*

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.

Wage and hour issues remain at the forefront of employers' concerns these days – and with good reason. Even innocent pay-related mistakes can quickly add up to devastating payouts.

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

Agenda

Attend this fast-paced one-day event and gain the knowledge and confidence you need to determine overtime eligibility, set pay policy, and make the right wage 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 Massachusetts 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 employee'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 are perennial favorites for plaintiffs' attorneys:

- 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

Can You Beat the Clock?

Employers try all kinds of things to avoid overtime liability. Some of them work – and are legal. Some of them backfire. You'll learn when to walk away from “loopholes” that will probably ensnare you.

- Comp time and averaging
- Unauthorized time – good policies to prevent unauthorized overtime
- “Belo” and fixed-salary contracts – when they can work to your advantage, and when to stay away
- Managing within fluctuating workweeks
- Overtime laws that affect piece-rate pay systems

Bad Math

Can your bad calculations cause problems to worsen? You bet. You'll learn how the following factors figure into employees' overtime pay:

- Bonuses
- Commissions
- Paid leave
- Tips
- Payroll deductions for tools, uniforms, and other items
- Outside sales

FairPay – Three Times the Problems

The DOL's “FairPay” overtime initiative continues to create confusion and headaches for employers. We'll give you a road map to help you navigate the frequent problem areas for employers.

- White-collar exemptions: What can you do now to make an employee exempt or nonexempt? Learn how judges and the many DOL opinion letters have changed your compliance requirements.
- Overtime as it applies to “highly paid employees,” computer professionals, and outside sales staff

Oops!

What do you do if you've messed up and incorrectly classified employees as exempt or nonexempt? How far should you go back to keep the matter away from a jury? We'll look at how to do the right thing and avoid a lawsuit.

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?

Dear Massachusetts Employer:



Office-supply giant Staples recently paid out a staggering \$42 million to settle a misclassification dispute involving assistant store managers. Plaintiffs' attorneys absolutely love filing wage/hour suits, both because they're so lucrative and because they so easily mushroom into class actions involving large groups of workers.

But the threat isn't just from plaintiffs' attorneys. Since 2001, the Department of Labor's Wage and Hour Division has collected over \$1.4 billion in back wages for over 2 million employees. And now, with new pro-employee initiatives like the just-released timekeeping app – designed to make it easier for employees to track their time and sue their employers for noncompliant practices – those numbers are sure to increase. It's a trend you don't want any part of.

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 Massachusetts 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 charging 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
President & Publisher
Massachusetts Employment Law Letter
Federal Employment Law Insider

Unlike lesser imitators, our **Wage & Hour Master Class: The Advanced Interactive Workshop for Massachusetts Employers** is researched, developed, and presented by Massachusetts 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 Massachusetts.