

March 29, 2017

Spring Cleaning HR Workshop

Presented by

Peter Lowe, Esq.

Of Brann & Isaacson

Dan Stockford, Esq.

Of Brann & Isaacson

David Ciullo

Of Career Management Associates

BRANN & ISAACSON
ATTORNEYS AND COUNSELORS AT LAW

CMA CAREER
MANAGEMENT
ASSOCIATES

Today's Agenda

- The View from Augusta
- HR's 2017 "To-Do" List
- What to Expect From the Trump Administration



The View From Augusta



Pam Megathlin

Director, Maine Bureau of Labor Standards



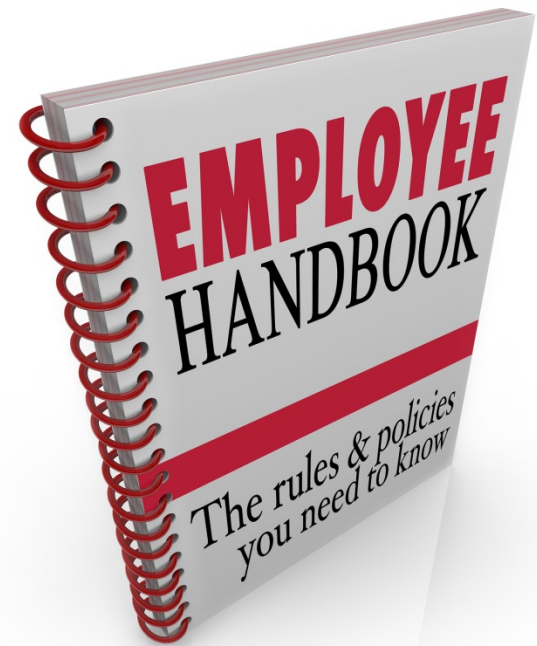
HR's 2017 "To-Do" List

- Handbook Brush-Up
- Separation Agreement Spruce-Up
- Harassment Check-Up
- Wage & Hour Touch-Up
- Avoiding a Termination Mess-Up



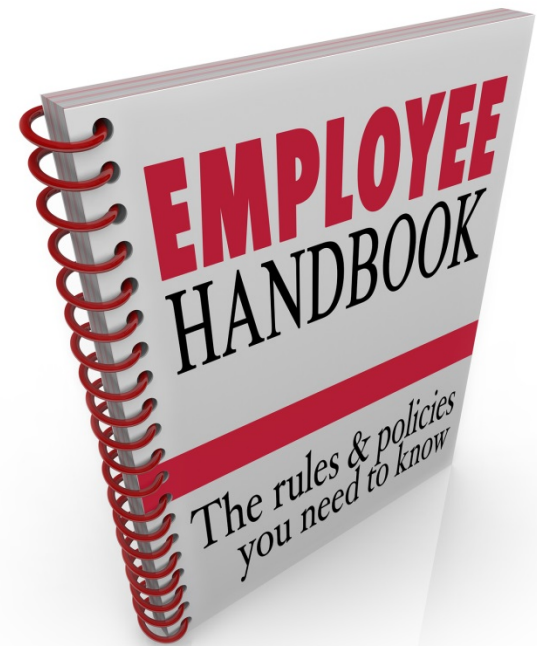
Handbook Brush-Up (Part 1)

- Drug/alcohol policy
 - Recreational marijuana update
- List of protected classes
 - Genetic information
 - Gender identity and gender exp
- Transgender rights and accommodations



Handbook Brush-Up (Part 2)

- Not only sexual harassment
- Religious discrimination and accommodations
- Time recording expectations for non-exempt



Separation Agreement Spruce-Up (Part 1)

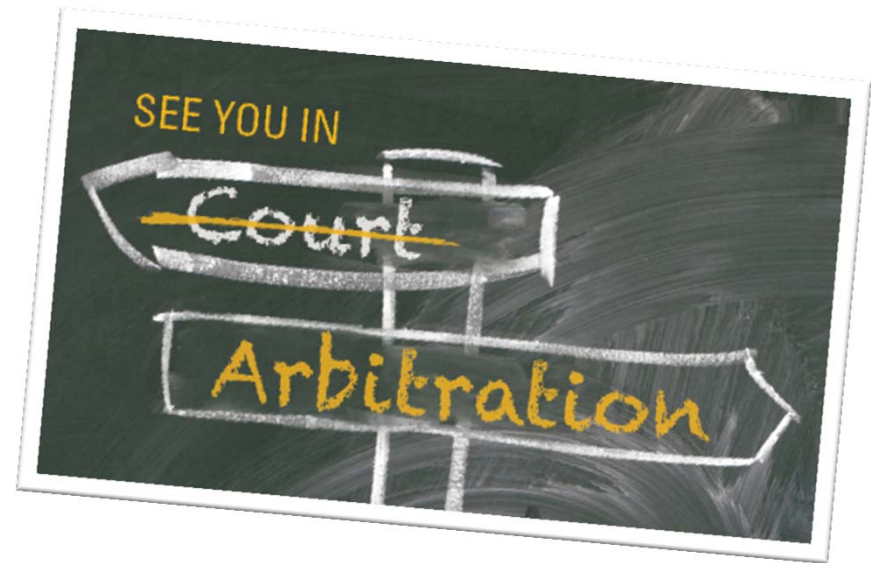
Cautionary tale: The Shaw's Case

- OWBPA compliance.
- List of protected classes.
- Ability to file MHRC/EEOC.
- Ownership of creative property and inventions.



Separation Agreement Spruce-Up (Part 2)

5. Non-disparagement (and criticize)
6. Non-compete?
7. Non-solicitation?
8. No re-hire?
9. Arbitration



Harassment Check-Up

Be able to answer common MHRC questions:

- Provide copies of workplace posters.
- Show evidence of harassment training
 - **Supervisors
- Your policy.
 - Reporting process
 - Non-retaliation
- Your investigation report.



Wage & Hour Touch-Up

Cautionary Tale: The Missing Oxford Comma
12 hours a week/70 employees/4 years

- Email and texts
- Start and end of shift
- Breaks

Educate your leaders



Avoiding a Termination Mess-Up

Lessons from Porietis v Tradesmen International (Jan. 3rd, 2017, U.S. Dist. Me.)

Lessons from the Frozen Trucker: TransAm Trucking v. U.S. D.O.L. and Alphonse Maddin (10th Cir. Aug. 8, 2016)



What to Expect From The Trump Administration



David Cuillo
Career Management Associates



Daniel Stockford
Brann & Isaacson

QUESTIONS

