

Employment Law Training For Employers

An Ounce of Prevention

Courts have unequivocally emphasized the importance of conducting effective training for employers to defend against, and avoid punitive damages in, the expansive array of legal claims that employees may bring against them. Fox Rothschild works with employers to design and conduct training that educates supervisors about the various laws that affect the workplace and their obligations under such laws.

We provide guidance to employees about appropriate workplace conduct and the avenues available to make internal complaints regarding issues of concern. Our attorneys conduct high quality, customized training throughout the country and internationally on a wide range of labor and employment topics. We conduct manager and employee training in areas such as diversity awareness and harassment avoidance. Manager sessions also include:

- Discrimination avoidance
- Obligation to reasonably accommodate
- Interviewing and hiring
- Family, medical and other leave administration
- Effective employee relations
- Wage and hour compliance
- Immigration law compliance
- Union avoidance

We keep current with changes in the law and regularly update our training to meet new requirements.

Our Audience

Supervisors: Supervisors and managers face daily challenges. Although training will not transform supervisors into legal experts, it will enable them to recognize potential problems before they occur, exercise good judgment, or, at the very least, know



when to get help from others who possess greater experience. Such discretionary instincts are critical to supervisors, especially given the potential for their own individual liability and their ability to create employer liability for costly punitive damages.

Employees: Despite what some employers may fear, training does not teach employees how to sue their employers. Rather, training in harassment and diversity awareness helps employees better understand their employers' policies and culture and to conform their behavior. Most important, such training encourages employees to seek internal assistance rather than turn to less desirable external forums such as administrative agencies and courts.

One-on-One Training: Individualized training is effective in various circumstances, including for busy executives unable to attend group training. It is especially useful as part of an employer's prompt remedial action in response to a complaint of harassment, particularly where the alleged behavior cannot be proven or does not justify termination of the accused's employment. After such training, there can be no doubt that an individual knows what behavior is expected in the future.

Human Resources: As knowledgeable as human resource professionals may be, keeping up with changes and nuances in the law, in addition to

their other responsibilities, is often difficult. Whether they attend exclusive sessions with other professionals from their organization or combined sessions with representatives from several different organizations, HR professionals can benefit from training on cutting-edge topics.



Foreign Offices: While American harassment and discrimination laws are undoubtedly some of the most comprehensive in the world, more and more countries are instituting similar laws, often with fewer protected classifications and with lesser price tags for violations. Depending on several factors, American law may, in fact, cover employers' operations in other countries, particularly if an American company employs Americans abroad.

Regardless of the differences in the laws or culture, employees in every location should be informed of the types of behaviors employers find unacceptable, the methods they may use to report their concerns and the prohibition against any retaliation for complaints.

One Size Does Not Fit All

Fox Rothschild tailors its training programs to the particular industry and job group. Although there are many common threads, different issues arise in the context of a professional corporation, retailer, dot com, factory, hotel, municipality or university.

The audience is also important. Training in a unionized environment raises unique issues because of the obligations under the collective bargaining agreement and labor laws.

Audience sophistication and technological capabilities are also key factors in choosing the right training program, as well as whether the employer is looking for interactive exercises or a simple lecture.

Class Length: Training time varies depending on subject matter, audience size and format, materials, client preference and cost. Most training sessions range from a minimum of two hours to a full day.

Cost: Fox Rothschild works with clients to present training in a cost effective and efficient manner. Costs are based on total training time, travel, number of instructors and customization concerning materials, translations, technology and preparation.

Program Descriptions: A basic description of any training program may be obtained by contacting a partner in Fox Rothschild's Labor & Employment Department.

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