



# 27TH ANNUAL ILG NATIONAL CONFERENCE

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ILG NATIONAL CONFERENCE  
ATLANTA, GEORGIA – JULY 28 TO 31

## July 27

### Monday — Registration

9:30 AM – 4:00 PM

**Busses for Martin Luther King Jr. Historic Site Tour** – Must be registered for one of the four tours.

## July 28

### Tuesday — Pre-Conference Day

8:00 AM – 6:00 PM

**Registration/Hospitality Desk**

8:00 AM – 9:00 AM

**Continental Breakfast**

9:00 AM – 12:00 PM

**Pre-Conference Sessions I**

#### **A) Latest Developments on Qualified & Reasonable Accommodation Issues Under the ADA**

During the pre-conference workshop we will discuss the latest regulatory and court developments on a wide range of issues, including employer and employee coverage, notice requirements, leave entitlements, and issues concerning interaction between several laws and much more.

**Presenter:** David Fram, Director ADA and EEO Services, National Employment Law Institute (NELI)

#### **B) Assistive Technology**

The 3-hour session is targeted to federal contractors to provide educational and technical assistance materials relative to compliance with Section 503, the recent OFCCP Management Directive 281 regarding the accessibility of on-line applicant selection systems and HR systems, and the recently-signed ADA Amendments Act, including:

- A brief review of the legal requirements.
- Examples via case studies of best practices implementations of private sector companies of varying sizes across multiple industries.
- Focus on increasing employment of people with disabilities within the workplace and provide successful business strategies for enhancing employment of people with disabilities will be shared.

**Presenters:** Randy Cooper, ODEP; Andy Imparato, AAPD; David Dikter, ATIA; Joyce Bender, Bender Consulting; Bill Curtis-Davidson, IBM; Bobby Silverstein, Powers Pyles Suttor and Verville; Linda Jimenez, WellPoint

#### **C) DOL – Recordkeeping/AAP-Creating a Diverse Workforce: If You Create It, You Must Keep It!**

Record retention is a requirement for all federal contractors. This workshop will discuss records routinely examined during a compliance evaluation, including the agency's expectations and approaches to address record-keeping deficiencies. Agency representatives will share how recordkeeping requirements relate to the Internet Applicant requirements obligations such as conducting adverse impact analysis, and answers to frequently asked questions.

**Presenters:** Cynthia C. Deutermann, Ph.D., Acting Director, Division of Program Operations, OFCCP; Michele Hodge, Acting Regional Director,

Mid-Atlantic Region, OFCCP; Melissa Speer, Deputy Regional Director, Southwest and Rocky Mountain Region, OFCCP

#### **DOL – AAP: Creating a Diverse Workforce**

Today's employers face many challenges, one of which is creating a diverse workforce. These challenges include hiring and retaining generation X, Y, and millennium employees, returning veterans, workers with disabilities, and changing demographics. This interactive workshop is specifically designed to assist federal contractors in this area and will include discussions on AA/EEO requirements, outreach, and sharing of best practices.

**Presenters:** Carolyn Hawkins-Brown, Assistant Director - Atlanta, OFCCP; James C. Pierce, Director, Functional AAP Unit, OFCCP

9:30 AM – 4:00 PM

**Busses for Martin Luther King Jr. Historic Site Tour** – Must be registered for one of the four tours.

11:00 AM – 4:00 PM

**NILG Board Meeting**

12:00 PM – 1:30 PM

**Lunch**

1:30 PM – 4:30 PM

**Pre-Conference Sessions II**

#### **D) DHS – E-Verify & ICE Mutual Agreement between Government and Employers (IMAGE)**

E-Verify is a free and simple to use Web-based system that electronically verifies the employment eligibility of newly hired employees. E-Verify is a partnership between the Department of Homeland Security (DHS) and the Social Security Administration (SSA). U.S. Citizenship and Immigration Services (USCIS) oversees the program.

E-Verify works by allowing participating employers to electronically compare employee information taken from the Form I-9 (the paper-based employment eligibility verification form used for all new hires) against more than 425 million records in SSA's database and more than 60 million records in DHS' immigration databases. The results from the system are returned within seconds.

IMAGE is a joint government and private sector voluntary initiative designed to build cooperative relationships that strengthen overall hiring practices. The goal is to help restore the integrity of the immigration system of the United States by utilizing industry outreach and self-policing. ICE has developed this initiative as a new concept for employer self-compliance within the worksite enforcement program.

**Presenters:** Vonnie Johnson and Shannon Slattery, Management & Program Analysts, National Security and Records Verification Division, U. S. Citizenship and Immigration Services DHS and Special Agent Scott McCormack, Immigration & Customs Enforcement (ICE)

#### **E) You Have Heard from the Lawyers: Now Hear from the Recruiters**

The OFCCP has changed. Recruitment has changed. Learn practical, real world, front-line compliant recruitment best practices and how to hold recruiters accountable. This interactive workshop focuses on:

- The systemic nature of recruitment, large pools of data, proper disposition and recordkeeping requirements all create potential compliance





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challenges.

- New recruitment Web 2.0 tools (Facebook, Twitter, LinkedIn, etc. . .) can undermine recruitment compliance and must be utilized appropriately.
- Recruiters are not compliant by nature. Learn active recruitment management techniques that can improve your compliance and recruitment execution.

Throughout the workshop, you will have the opportunity to ask detailed questions about recruitment compliance issues, network with peers and leave with a Top 10 list of proactive items to improve your recruitment compliance.

**Presenters:** Kurt Ronn President, and David Scheffler Director of Recruitment Compliance, HRworks

### F) Building a Compliant Applicant Tracking System

In this practical hands-on session, we will start at the beginning and discuss Best Practices to build, "brick-by-brick", a compliant applicant tracking system for both hard paper applicants and "Internet Applicants". We will begin by understanding the definition of the term "applicant" (defined by case law decisions) and distinguish them from mere "Jobseekers". We will work through proposed model forms to help track Jobseekers and apply model "disposition codes" explaining why the Jobseeker falls outside the definition of Job Seeker, if s/he does. We will also discuss OFCCP's Recordkeeping requirements and Best Practices to store and maintain records, especially the mechanics of retaining electronic records. This session will be useful to both those who have no applicant tracking systems currently in place and those who believe they have a compliant system and want to measure theirs against an exemplary system and modern standards.

**Presenters:** John Fox, Esq., Manatt Phelps Phillips, LLP

### 4:00 PM – 6:00 PM **ILG Chair Meeting**

ILG Chair Meeting with Regional Directors and OFCCP Acting Director

### 5:30 PM – 7:30 PM **Welcome Reception**

Corporate Sponsor: Atlanta ILG

Entertainment by Mike Lamb

## July 29

### Wednesday, July 29, 2009 — Conference Day 1

### 6:30 AM – 5:00 PM **Registration/Hospitality Desk**

### 6:30 AM – 8:00 AM **Breakfast & Exhibits**

Corporate Sponsor: IBM & Waste Management

### 8:00 AM – 8:45 AM **AILG Welcome**

### 8:45 AM – 9:30 AM **Plenary Session**

#### How Raytheon Won the 2007 Secretary of Labor's Opportunity Award

The Corporate Compliance Program is rarely viewed as an essential enabler critical to the operational success of a company. Raytheon Company created a compliance program that assessed key strategic drivers, the tactical elements and operational mechanics of the business and HR, and the company's culture and values. This integration resulted in an extraordinarily successful compliance program that led Raytheon to have the honor of being the recipient of the 2007 Secretary of Labor Opportunity Award. In this session, come hear the story of this federal contractor's incredible journey.

**Presenter:** Tanya Lewis, Director Compliance Management, Raytheon

### 9:30 AM – 9:45 AM **Break**

### 9:45 AM – 10:45 AM **Concurrent Sessions**

#### 1) DOL – Compensation Analysis for Small Contractors

Small contractors face unique challenges in conducting self-evaluations of their compensation systems. This session will provide a demonstration of compensation analysis methods that can be conducted easily using commonly available software. A range of tools will be covered including multiple regression analysis and data manipulation techniques to conduct non-statistical comparisons of employees.

**Presenters:** Javaid Kaiser, Ph.D., Director of Statistics & Technology, OFCCP and Marika Litras, Ph.D., Senior Statistician, OFCCP

#### 2) Recent Significant Developments in Affirmative Action Law and Procedure

In this fast-paced session, Mr. Fox will concisely catalogue the major policy and practice changes at OFCCP affecting the "money issues" of importance at the agency: audits, production of disparity analyses for hires/promotions and involuntary terminations and compensation data contractors submit to the OFCCP in response to Notices of Desk Audit, and Affirmative Action Plan construction issues.

**Presenter:** John Fox, Esq., Partner/Attorney, Manatt Phelps Phillips, LLP

#### 3) The Impact of Civil Unions and Transgender Issues in the Workplace

The landscape of rights afforded to Lesbian, Gay, Bisexual and Transgender (LGBT) individuals and same-sex couples has evolved rapidly over the past several years. Recent court decisions, legislation at the state level, and proposed new federal laws such as the Employment Non-Discrimination Act (ENDA) reflect a growing acceptance of rights in this area. With these new rights, employers are increasingly facing new issues, from practical questions such as which rest room a transgender employee should use, to the increased risk for legal claims. This presentation will provide an overview of the current status of the law in this developing area, and practical advice for handling these new issues and preventing potential liability for employers.

**Presenters:** Rich Escoffery, Partner/Attorney, Elarbee Thompson

#### 4) Disability: The Unexplored Diversity Dimension

Promising practices from an employer engaged in the dialogue on disability inclusion.

**Presenter:** Katherine McCary, Vice President, SunTrust

### 10:45 AM – 11:15 AM **Break & Exhibits**

Corporate Sponsor: Pacific ILG

### 11:15 AM – 12:15 PM **Concurrent Sessions**

#### 5) DOL – Wage and Hour Update

This workshop will highlight changes to the Family Medical Leave Act (FMLA) and include a general discussion of the Fair Labor Standards Act (FLSA), including child labor, minimum wage and overtime provisions, Davis Bacon Act and Service Contract Act. Wage and Hour initiatives on educational outreach/compliance assistance and enforcement will also be discussed.

**Presenters:** Oliver Peebles III, Acting Regional Administrator, Wage and Hour and John Bates, Director of Enforcement, Wage and Hour



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## 6) Major Challenges of Compliant Recruiting: Best Practice Sharing and Guided Self Assessment

The workshop will discuss major challenges of compliant recruitment faced by government contractors. With the changes in the regulations government contractors should not wait to see what their recruitment department is doing until audit. Instead a proactive approach should be used to analyze the recruitment department prior to receipt of a scheduling letter. To assist participants in the process they will be guided through an interactive self assessment of their recruitment process. Throughout the workshop best practices will be shared related to compliant recruitment.

**Presenter:** Kurt Ronn, President and David Scheffler, Director of Recruitment compliance, HRworks

## 7) Compensation Discrimination Law: the Ledbetter Fair Pay Act and the Paycheck Fairness Act. Why Employers Need to Worry About More Than OFCCP Investigations

This session provides an overview of federal systemic compensation discrimination law, including OFCCP's Systemic Compensation Discrimination Standards and Guidelines, the Supreme Court's Ledbetter decision, the Lilly Ledbetter Fair Pay Act and proposed Paycheck Fairness Act, which are designed to more easily offer employees ways to address federal claims of systemic pay discrimination. The presenters will discuss what to expect from enforcement agencies, such as OFCCP in this evolving legal landscape and perhaps more importantly, what companies should do to minimize their exposure to private claims under the new laws.

**Presenters:** Alissa Horvitz, Co-Chair of the OFCCP Practice Group and Josh Roffman, Shareholder/Attorney, Littler Mendelson, P.C.

## 8) Diversity and Affirmative Action: Friend or Foe?

This presentation will discuss how to implement affirmative action programs and address underutilization in a legally defensible manner. Examples of diversity initiatives "gone wrong" will be discussed and analyzed, as will diversity training pitfalls, opportunities, and innovative solutions for putting AAPs into practice.

**Presenter:** Leigh Nason, Shareholder/Attorney, Ogletree, Deakins

12:15 PM – 2:30 PM **Lunch**  
Corporate Sponsors: Raytheon and Microsoft

**Lunch Speaker:** David Thomas - NILG Board Introduction

**Keynote Speaker:** Ron Clark, America's Educator

## Teaching through Adversity - Facing Challenges and Making a Difference

Ron Clark will share his journey from teaching in a low-wealth rural area in North Carolina to the inner-city streets of Harlem in New York City. Along the way, Mr. Clark will share inspirational stories of how his students made outstanding growth in test scores, conducted projects that garnered worldwide attention, and were invited to the White House to be honored by the President. Mr. Clark was the 2000 Disney American Teacher of the Year, and he has been featured on the Rosie O'Donnell Show and also the Oprah Winfrey Show where Oprah dubbed him her first "Phenomenal Man." Mr. Clark has written two books about his teaching practices, "The 55 Essentials - Life Lessons for Teachers, Parents, Students and the Rest of Us" and "The Excellent Eleven" which outlines qualities and characteristics parents and teachers should have to instill success in their children and students.

2:30 PM – 3:30 PM **Concurrent Sessions**

## 9) DOL – Federal Test Discrimination Enforcement

An increasing proportion of the amounts being recovered for discrimination

victims are coming from testing cases. OFCCP looks at federal contractors hiring, selection, and related *testing* and selection practices as one part of the review, so contractors tend to focus on enforcement. But proper test use actually is much more important for non-legal reasons – it's a business and productivity issue. Join us for a look at the "testing part" of a compliance review, including the meaning of adverse impact and test "validity"; what makes a test discriminatory under Federal law; and why it's important to use a "valid" test every time, legal issues aside, with case examples.

**Presenters:** Richard Fischer, Ph.D., Psychometric Expert, OFCCP and Shirley J. Thomas, Deputy Regional Director - Midwest, OFCCP

## 10) Managing Affirmative Action Compliance in Periods of Workforce (and Economic) Contraction

Furloughs, layoffs, smaller budgets, and fewer recruitment and promotional opportunities don't exactly provide an ideal operating environment for the practice of "traditional" affirmative action. But even under these difficult economic conditions, federal contractors remain legally obligated to refrain from unlawful discrimination and engage in appropriate affirmative action. This session will explore the kinds of good-faith efforts and action-oriented programs that federal contractors should consider – and which the OFCCP might expect – during times when little if any recruitment, hiring, or other placement activity is expected. The session also will feature a discussion of how contractors should adjust their "desk-audit" submissions to reflect current workforce and economic realities.

**Presenter:** Joe Lakis, Sr. Partner/Attorney, Norris, Tysse, Lampley & Lakis, LLP and Sr. Counsel to the Equal Employment Advisory Council (EEAC)

## 11) The Home Depot Diversity Initiative

Having successfully implemented The Home Depot's Affirmative Action Programs, the Government Compliance team was faced with developing and implementing the tools necessary for bridging the organization from compliance to diversity. At the direction of the CEO, and in conjunction with the company's Corporate Diversity and Inclusion Council, the team developed a concept that would measure diversity across every area of the company, from the freight team, Sales Associates and ashiers, to the Department Supervisors and Store Managers, District Managers, Directors and Regional Vice Presidents, all the way to the Chief Executive Officer. The team partnered with its AAP provider to translate the fundamental elements of each store AAP into a real time barometer that combines in one dashboard, all the elements needed for leaders to see where they are, where they are going, and how to get there!

The Home Depot will present the best practices implemented along the journey from compliance to diversity, with examples from Home Depot stores that are helping drive diversity in the "Orange Apron".

**Presenter:** Jeff Spratlin, Director of Associate Relations and Government Compliance, The Home Depot

## 12) Test Validation

For the first time in over two decades, the U.S. Supreme Court decided to review a cutting-edge testing case. This session will discuss the U.S. Supreme Court decision on the cutting-edge testing case. The court reviewed the Second Circuit's decision in *Ricci v. DeStefano* (2d Cir. Feb. 15, 2008) and untangled one of the most complex Title VII cases ever. This case, involving 17 white and 1 Hispanic firefighter who sued the city of New Haven, brings about the difficult intersection between disparate impact theory, validation, the alternate employment practice requirement, and the 14th Amendment.

**Presenter:** Dan Biddle, CEO, Biddle Consulting Group, Inc.



3:30 PM – 4:00 PM

### **Break & Exhibits**

Corporate Sponsor: Jackson Lewis, LLP

4:00 PM – 4:30 PM

### **Concurrent Sessions**

#### **13) EEOC Update**

This session will address the type of charges/complaints the EEOC is receiving and what employers can do to combat them. It will also explore the issues and challenges facing the Agency; and the importance of effective, strategic partnerships in ensuring equal employment opportunity. A review of EEOC initiatives will be provided as well.

**Presenter:** Bernice Williams-Kimbrough, District Director, EEOC

#### **14) Adverse Impact and the OFCCP's New Enforcement Strategy**

During the past year, the OFCCP has substantially refined and expanded its approach to investigating adverse impact during compliance audits. Increasingly, the Agency is focusing on traditional "reverse" discrimination (against Whites and males) and sub-minority adverse impact trends. This change is resulting in more in-depth audit investigations and discrimination findings. In this session, learn about the OFCCP's evolving enforcement approach and how you can respond proactively.

**Presenter:** Mickey Silberman, Chair of the National Affirmative Action Practice Group and Managing Partner of the Denver office of Jackson Lewis, LLC

#### **15) President Obama's New Disability Employment Initiatives – Exemplary Affirmative Action Practices under Section 503 and VEVRAA**

President Obama has established a comprehensive "empowerment" agenda for enhancing opportunities for persons with disabilities. The President's agenda includes "...increasing the employment rate of workers with disabilities by effectively implementing regulations [Section 503 of the Rehabilitation Act and Vietnam Era Veterans' Readjustment Assistance Act, as amended] that require the federal government and its contractors to employ people with disabilities..." [www.whitehouse.gov] In order to effectively implement this agenda item, the Office of Disability Employment Policy (ODEP) in the Department of Labor has asked Bobby Silverstein, the former staff director and chief counsel to the US Senate Subcommittee on Disability Policy and current member of the Economic Systems team to pull together exemplary affirmative action programs implementing Section 503 and VEVRAA. At this session, Mr. Silverstein will share exemplary affirmative action plans for persons with disabilities and model policies regarding Transmittal 281 (Federal Contractors Online Application Selection Systems) issued on July 10, 2008. This session will provide federal contractors with a level of detailed information about their responsibilities under Section 503 and VEVRAA that goes well beyond the general statements of policy set out in the regulations, including specific, practical applications of policies.

**Presenter:** Bobby Silverstein, Powers, Pyles, Suttor, and Verville (Provided by ODEP)

#### **16) May the Reduction in Force be with You: Planning Your RIF in a Struggling Economy**

Unfortunately, RIFs still remain at the forefront of emergency measures being used by employers to survive the crippled economy. Planning a RIF requires foresight into EEO matters and the impact on specific individual decisions and group analyses in RIF scenarios. Implementing a RIF raises a range of EEO issues, from selection criteria to adverse impact analysis. Does your organization have a plan and a systematic process to confront

the EEO issues that arise from a RIF and to eliminate problems that lead to potential lawsuits?

This interactive workshop will feature the top ten mistakes employer's make when planning and conducting a RIF and provide guidance on how to avoid these mistakes and the significant liability that can result from them.

**Presenters:** Christine Tenley, Counsel and Gavin Appleby, Shareholder/Attorney, Littler Mendelson, P.C.

5:15 PM – 6:15 PM

### **ILG Chair Meeting**

ILG Chair meeting with EEOC Acting Commission Chair

5:30 PM – 7:00 PM

### **Exhibitor Reception - Exhibit Hall:**

Corporate Sponsor: HRworks

Entertainment by Herman Pennamon

## **July 30**

### **Thursday, July 30, 2009 — Conference Day 2**

6:30 AM – 5:00 PM

### **Registration/Hospitality Desk**

6:30 AM – 8:00 AM

### **Breakfast & Exhibits**

Corporate Sponsor: Merck

8:00 AM – 9:00 AM

### **Plenary Session**

#### **Diversity Roundtable**

A panel of prestigious senior executives from various industries will discuss their view of diversity from the executive suite. They will share how diversity is valued in their companies, integrated into their management systems, and tied to the business bottom line. They will discuss best practices and offer insight into developing effective diversity strategy. If you are contemplating the start-up of an office of diversity, you do not want to miss this discussion.

**Moderator:** Naomi Earp, Director, Office of Opportunity, Inclusiveness & Compliance, Library of Congress

**Panelists:** Clyde Jones, Vice President, Chief Diversity Officer, ADP; Loretta Young Walker, Senior Vice President and Chief Human Resources Officer, Turner; Julian Lewis, Director of Diversity, Lockheed Martin; and Gerald Parks, Manager Fair Employment Practices, General Electric

9:00 AM – 9:15 AM

### **Break**

9:15 AM – 10:15 AM

### **Concurrent Sessions**

#### **17) DHS – E-Verify**

E-Verify is a free and simple to use Web-based system that electronically verifies the employment eligibility of newly hired employees. E-Verify is a partnership between the Department of Homeland Security (DHS) and the Social Security Administration (SSA). U.S. Citizenship and Immigration Services (USCIS) oversees the program.

E-Verify works by allowing participating employers to electronically compare employee information taken from the Form I-9 (the paper-based employment eligibility verification form used for all new hires) against more than 425 million records in SSA's database and more than 60 million records in DHS' immigration databases. The results from the system are returned within seconds..

**Presenters:** Vonnie Johnson, Management & Program Analyst, National Security and Records Verification Division U.S. Citizenship and Immigration Services, DHS



## 18) Steps Analysis – Successfully Hiring Talent One Step at a Time

Is there adverse impact in your organization? Can you prove there is no discrimination? Are you protecting your organization from litigation related to hiring, promoting and terminating employees?

The Uniform Guidelines on Employment Selection Procedures (UGESP, 1978) requires employers to regularly evaluate their hiring processes for evidence of adverse impact against members of a protected class (i.e. females, males, minorities, non-minorities). Used in the enforcement of anti-discrimination regulations by several federal agencies, the UGESP requires employers to examine each component of the hiring process where there is evidence that the hiring process as a whole has an adverse impact by gender or race.

Dr. Harpe will discuss measures of adverse impact, steps analysis, the data requirements to conduct a steps analysis and the analysis process. The presentation includes actual demonstrations for setting up a database that contains the information required to conduct a steps analysis, options for conducting the statistical analyses and a set of recommendations for employers.

Learn about:

- Adverse Impact Analysis: The UGESP and the OFCCP
- Data Requirements
  - o Dividing the Hiring Process into Steps
  - o Identifying the Last Step and Results for Applicants
  - o Backfilling
- Analyses
  - o Selecting the Proper Statistical Test
  - o Interpreting Results
- Monitoring Options
- Recommendations

**Presenter:** Lisa D. Grant Harpe, Ph.D, Peopleclick

## 19) Hiring the Veteran: a Win-Win Situation for Employers, Families and Communities

This session combines the expertise of the following:

- United States Army Reserve Drill Sergeant transitioned from military to corporate America and back.
- United States Army Reserve Chief Warrant Officer in charge of the Employer Partnership Initiative
- The former Director of Employment for Union Pacific Railroad. Under Jolene's leadership, UP won the GI Jobs #1 most military-friendly employer award for two consecutive years.

Learn more about public/private partnerships that provide access to veterans, a loyal but underutilized workforce of transitioning military, reserves and veterans. The military can become a human capital strategy for companies.

Highly skilled and capable soldiers can meet the demands of the civilian workplace. Collaboration on industry shortfalls, government interface on issues that affect an employer's ability to hire a soldier and/or veteran, and open discussion about the challenges employers and communities face. This session describes how to build a bridge of understanding and communication between employers and the military.

**Presenters:** Jolene Jefferies, Vice President of Government Relations and Chad Sowash, Director of Business Development, DirectEmployers Association; Chief Warrant Officer 5, Russell (Rusty) Rice, United States Army Reserve

## 20) One Goal: Two Departments: How to Win the Compliance

## Match-up

Most companies have two distinct departments: Affirmative Action and Recruiting. However, during an audit, the AA department will be the one defending their position with the OFCCP. This is why it's important for the AA Officer to work with the Recruiting Department to ensure compliance requirements, such as the Internet Applicant definition, are met.

This lively session will share workplace examples of fellow federal contractors, describing how they maintained and reviewed the proper data to comply with staffing and AA needs. In addition, we will review how your AAP data can be used to verify the process defined on paper is the same as what is actually occurring. Attendees will leave with real life solutions to many of the issues surrounding compliance with the Internet Applicant definition.

**Presenter:** Beth Ronnenburg, SPHR, Vice President Client Services, Berkshire Associates Inc.

10:15 AM – 10:30 AM **Break**

10:30 AM – 12:30 AM **Plenary Session**

## DOL – OFCCP Regional Directors

Don't miss this informative dialogue with the OFCCP Regional Directors on hot topics including questions and answers of emerging interest to the contractor and stakeholder community.

### Presenters:

Joan Sessoms Ford	Southwest & Rocky Mountain
Michele Hodge	Northeast (Deputy)
Michele Hodge	Mid Atlantic (Acting)
William D Smitherman	Pacific
Evelyn Teague	Southeast
Sandra Zeigler	Midwest

12:30 PM – 2:00 PM **Lunch**

Corporate Sponsor: Lockheed Martin

**Lunch Speakers:** Geoff Johnson and John Garza - Co-Chairs, 2010 ILG National Conference in Las Vegas

**Keynote Speaker:** Consuelo Castillo Kickbusch

## Living Our Legacy

We usually think of the word "legacy" as something a person leaves after they die, but what if you were living your legacy now? What if your vision for the future was part of everything you do now? It can happen. In this presentation, diversity speaker Lt. Col. Consuelo Castillo Kickbusch inspires and challenges the participants to become living legends in their personal and professional lives. Using a humorous, heart-warming style, she encourages leaders to be authentic, passionate, ethical and to lead with the soul.

2:00 PM – 3:00 PM **Concurrent Sessions**

## 21) DOL – USERRA / JVA / G-FIVE

This session is devoted to informing the audience of the updates on the affirmative action laws and regulations that prohibit discrimination of veterans, our nation's heroes. Topics covered will be:

- Uniformed Services Employment and Reemployment Rights Act (USERRA)
- Jobs for Veterans Act (JVA)
- Good-Faith Initiative for Veterans Employment (G-FIVE)

"A veteran is someone who at one point in his or her life, wrote a blank check made payable to 'The United States of America,' for an amount of 'up to and including my life.' That is HONORI!" (Author Unknown)



**Presenters:** Stephen Dewey, Senior Investigator, Veterans' Employment and Training Service (VETS); William R. Glisson, Assistant District Director – Atlanta, OFCCP; Terry R. Hankerson, Chief, Regulations Development & Evaluations Branch, OFCCP

**22) Legal & Practical Issues in Applicant Tracking**

Since the OFCCP's definition of an internet applicant became effective, applicant tracking issues have proliferated and present critical risk. What are the key technical, compliance and legal applicant tracking issues that many contractors don't become aware of until too late? How do you deal with over-counting of "applicants" resulting from use of most tracking systems? Or, are you undercounting? Are you tracking internal applicants and do you include them in your adverse impact analyses? How do you self-audit your disposition coding to defend your screening? What steps do you need to take to begin to correct issues? This session will drill into the legal and practical implications of managing applicant flow data in today's environment and provide you with a deeper understanding and alternative solutions for these critical issues.

**Presenter:** Valerie Hoffman, Chair of the Affirmative Action & Diversity Consulting Team and a Partner of Seyfarth Shaw LLP

**23) The Perils and Pitfalls of E-mail**

Although convenient and easy to use, e-mail can be problematic for employers. Issues to be explored include the following: Are employees entitled to be paid while working off the clock using their BlackBerrys? What obligations do employers have to preserve e-mails? What rights does an employer have to monitor employees' e-mail traffic? How is e-mail being used in litigation, both as a sword and as a shield? What should an employer consider when implementing an e-mail usage, text, or blogging policy? How is e-mail used during litigation? What is spoliation? How can an employer avoid the risk of a spoliation claim?

**Presenter:** Bennet Alsher, Partner/Attorney, Ford & Harrison, LLP

**24) AAP/EEO Quiz Bowl**

This fun and informative session will pit two teams, each represented by multiple federal contractors, in competition to see which team can be the fastest to accurately answer questions regarding the latest AAP/EEO issues and developments. At the conclusion of the competition, there will be an open Q&A incorporating questions posed by the audience. The AAP/EEO Quiz Bowl will be moderated by David Israel, Chairman of Pinnacle Affirmative Action Services and a partner with the law firm of Sessions, Fishman, Nathan & Israel.

**Presenter:** David Israel, Chairman, Pinnacle Affirmative Action Services

3:00 PM – 3:30 PM **Break & Exhibits**  
Corporate Sponsors: Honeywell and Johnson & Johnson

3:30 PM – 4:30 PM **Concurrent Sessions**

**25) DOL – Solicitor's Update on Compensation and Access Update**

The Solicitor's Office provides legal advice to and litigates on behalf of OFCCP. This session will provide an update on the current state of the law with regard to compensation discrimination, focusing on systemic cases. Additionally, the speakers will discuss the Agency's approach to contractors' denial of access.

**Presenters:** Stanley E Keen, Regional Solicitor; Channah S. Broyde, Counsel for MSHA and Discrimination Law and Beverly Dankowitz, Counsel for Litigation and Regional Coordination

**26) Understanding Misunderstandings: Making Generational Diversity Work**

Generational diversity is emerging as a significant dimension of people diversity in the workplace today. The challenge is getting people to understand one another by exploring differences in expectations, assumptions and language use. Bridging the age gap to build respectful working relationships can mean the difference between a work environment that clicks and one that clashes.

This interactive workshop allows members of the four generations to explore similarities and differences, identify potential areas of misunderstanding and think together about ways to work together effectively. This workshop will help to break down stereotypes and communication barriers across the generations, and will provide best practices and recommendations for creating effective multi-generational work environments.

This session will enable participants to:

- 1) Explore generational diversity in the workplace today
- 2) Engage in an interactive generational training exercise designed to get people talking and listening
- 3) Recognize patterns that influence workplace attitudes and expectations
- 4) Gain insight to understand and resolve generational misunderstanding in the workplace and avoid conflict

**Presenter:** Susan Woods, Henderson Woods, LLC and Lynette Chappell-Williams, Director of the Office of Workforce Diversity, Equity & Life Quality

**27) A Review of OFCCP's FY 2007 Enforcement Statistics: Lessons Learned for Federal Contractors**

OFCCP's enforcement efforts in fiscal year 2007 resulted in a record \$51,680,950 for 22,251 workers subjected to discrimination. The Center for Corporate Equality has analyzed the conciliation agreements and consent decrees behind these enforcement results, and will discuss their in-depth findings in this panel session. The Center for Corporate Equality's analysis provides a rare glimpse inside OFCCP's operations, particularly the agency's region-by-region enforcement practices. This panel will discuss these findings in detail, and provide federal contractors with important insights regarding future OFCCP enforcement practices.

**Presenters:** David Cohen and Eric Dunleavy from The Center for Corporate Equality and Louise Sheppard, CCDP, Prudential

**28) G-FIVE Panel**

A panel of prestigious corporations that have gone above and beyond the call of duty to recruit and retain veterans within their organizations will discuss what they did to receive the first round of Good Faith Initiative for Veterans Employment (G-FIVE) awards. They will share how veterans are valued in their companies and why they pursued the G-FIVE award. They will share best practices and offer great insight into developing strategies to attract and retain veterans. If you have ever contemplated enhancing your veteran outreach, this is a session you don't want to miss.

**Moderator:** Dorie Tuggle, President-CEO, Pearl Training Solutions LLC

**Panelists:** Laura Harlos, Manager, EEO & QA, Alaska Airlines; Melinda Bolen, Dispute Resolution & Compliance Office of the General Manager, WSI Corporation and Terry Hankerson, Chief, Regulations Development & Evaluations Branch, OFCCP

4:30 PM – 5:30 PM **Vendor Reception Exhibit Hall:**  
Corporate Sponsor: Boeing

7:15 PM  
7:30 PM – 11:30 PM **Board Busses to Gala**  
**GALA World of Coca-Cola**  
Corporate Sponsor: Wells Fargo  
Live Musical Entertainment: Infinity Show Band  
DJ Music: Black Pearl Entertainment Group  
Dress to be resort or business casual



# July 31

## Friday, July 31, 2009 — Conference Day 3

6:30 AM – 11:30 PM **Registration/Hospitality Desk**

6:30 AM – 9:00 AM **Breakfast**  
Corporate Sponsor: DirectEmployers Association

8:00 AM – 9:00 AM **NILG Board Meeting**  
NILG Board and Regional Director (and National Office Representatives) meeting

9:00 AM – 10:00 AM **Plenary Session**

### **Dramatic Changes in Disability Law: The ADA Amendments Act**

In this session, we will discuss the new ADA Amendments Act and its dramatic changes to the definition of "disability," including broad revisions to the definition of "major life activities," whether to analyze an individual as medicated, the meaning of "substantially limits" (both for cases arising before and after the effective date of the ADAAA), how long a condition must last in duration, and the expansive new definition of what it means to be "regarded as" disabled, including practical advice on avoiding "regarded as" claims.

**Presenter:** David Fram, Director ADA and EEO Services, National Employment Law Institute (NELI)

10:00 AM – 11:30 AM **Keynote Speaker: Soledad O'Brien**

### **Diversity: On TV: Behind The Scenes And In Our Lives**

In an ever-changing society in which more and more emphasis is placed on the diversity among America's people, it is important to recognize and discuss the growing numbers of immigrants to this country. Whether the topic is diversity in the media, educational opportunities for minorities, women in our workplace or mentoring, Soledad O'Brien examines the issues as a true world citizen.

**Presenter:** Soledad O'Brien, Anchor and Special Correspondent, CNN

11:30 AM **Closing Remarks**



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 ILG NATIONAL CONFERENCE  
 ATLANTA, GEORGIA - JULY 28 TO 31

# CNN OMNI HOTEL MAP



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## M2/International Ballroom Level

