

2011 ILG
NATIONAL CONFERENCE
new orleans
JULY 25 - 29, 2011

Tuesday, July 26, 2011 - Preconference Sessions (\$150)

- 8:00-9:00 **Continental Breakfast (pre-conference attendees only please)**
- 9:00 - 10:30 **Preconference Workshops Session 1**
- Preconference A: **SWARM District Directors from OFCCP**
- Preconference B: **EEO Analysis Bootcamp**
Dan Biddle from Biddle Consulting Group
This presentation will attempt to cover every fundamental statistical technique used in EEO analysis and compliance, including: adverse impact, utilization analyses, “tipping point” tests, multiple regression (for compensation analysis), and logistic regression (for advanced adverse impact analysis). Developing a core understanding of these topics is essential because virtually every practitioner who works in the EEO/AA compliance field needs to be familiar with these techniques.
- 10:45 - 12:15 **Preconference Workshops Session 2**
- Preconference C: **Deputy or National Office of OFCCP**
- Preconference D: **Real Questions, Real Answers – Real-time Audience Polling: Explores Gray Areas of Affirmative Action Planning**
Beth Ronnenburg from Berkshire Associates
In this interactive presentation, Berkshire’s VP of Client Services, Beth Ronnenburg, SPHR, will explore the gray areas of affirmative action compliance, answering those burning questions most HR professionals can't wait to ask. There are a number of areas within the industry where regulations and requirements vary in interpretation and implementation. With the use of handheld audience response units, Beth will analyze these types of compliance questions, using real-time data captured from the audience.
- 12:00-4:00 **NILG Board Meeting**
- 12:15 - 1:45 **Lunch (pre-conference attendees only please)**
- 1:45 - 3:15 **Preconference Workshops Session 3**

Preconference E: **Deputy or National Office of OFCCP**

Preconference F: **Affirmative Action 101 - Basic Foundations for Affirmative Action**

Norma Brito from Kairos Services Inc.

This workshop is designed to help HR professionals new to affirmative action as well as experienced HR professionals who want to better understand the basic requirements of a written affirmative action program and important concepts such as creating job groups, identifying feeder pools, availability, under-utilization, adverse impact, establishing and measuring goals and options for making your company look as positive as possible. You won't believe how easy these concepts are to understand after this workshop.

3:30 - 5:00 **Preconference Workshops Session 4**

Preconference G: **Deputy or National Office of OFCCP**

Preconference H: **Affirmative Action Works - Get The Company Buy-in and Make Your Plan Work**

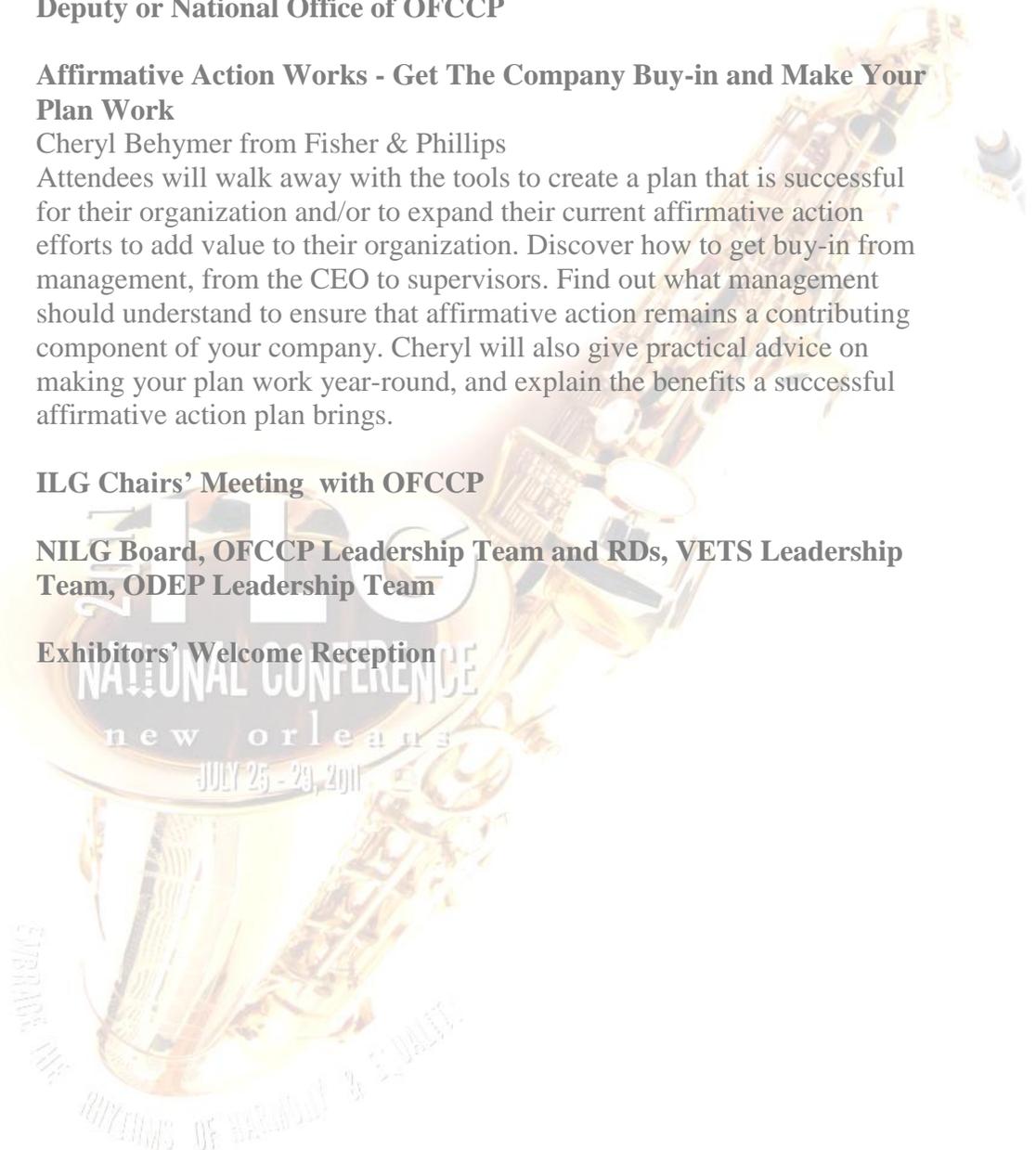
Cheryl Behymer from Fisher & Phillips

Attendees will walk away with the tools to create a plan that is successful for their organization and/or to expand their current affirmative action efforts to add value to their organization. Discover how to get buy-in from management, from the CEO to supervisors. Find out what management should understand to ensure that affirmative action remains a contributing component of your company. Cheryl will also give practical advice on making your plan work year-round, and explain the benefits a successful affirmative action plan brings.

4:00-5:00 **ILG Chairs' Meeting with OFCCP**

5:00-6:00 **NILG Board, OFCCP Leadership Team and RDs, VETS Leadership Team, ODEP Leadership Team**

5:30-7:00 **Exhibitors' Welcome Reception**



Wednesday, July 27, 2011 - Opening Day

6:30-8:00

Breakfast Buffet

8:00 - 9:30

Opening Ceremony: Welcomes by Mayor Mitch Landrieu & Conference Co-chairs Lynne Broussard & Valerie Vickers Speaker: Patricia Shiu, Director of the Office of Federal Contract Compliance Programs

10:00 - 11:00

Concurrent Sessions

Session 1:

Global Diversity - Managing the Balance Between Global Diversity Strategy and Local Compliance Requirements

Elizabeth MacGillivray from Mercer ORC Networks

This presentation is designed to enlighten the audience on the key success factors present in a diversity and inclusion strategy for a federal government contractor. The content of the presentation will be based upon Elizabeth Campbell's experience working with large federal government contractors and most recently a mid-sized law firm. The presentation will then move to address labor and employment law issues that impact AAP compliance and OFCCP audits, the risk or exposure associated with these issues, and how contractors can utilize diversity and inclusion strategy to mitigate the impact of such issues.

Session 2:

Recruiting and Retaining Military and Veterans

Chad Sowash from Direct Employers

The fog of war or the scent of battle is hard to fathom as are many of the trials our military must face, but imagine when the young men and women who bravely served our country return to this great nation as a civilian and find even more challenges during their job search. Learn about employer resources available to tap into the often overlooked or misunderstood source of talent in our military and veterans.

Session 3:

You Can't Un-ring the Bell... (How to Really Prepare For a Compliance Review)

David Fortney & Kathleen Raynsford from Fortney & Scott, Jill M. Smith from WorkPlace HR LLC

HR professionals responsible for affirmative action will receive practical tips and tools to maintain an audit-ready posture. The interactive session will include hands-on exercises where attendees will build a "to do" list that can help them achieve the state of audit "nirvana". The session will close with discussion on the importance of submitting a cohesive, complete and accurate memorandum with desk audit submissions that thoroughly explains

areas of concern.

Session 4:

A New Day for Pay Discrimination Enforcement

Mickey Silberman from Jackson Lewis

President Obama will make pay equity the hallmark issue of his administration. New compensation laws and increased OFCCP/EEOC focus on pay equity substantially increased potential employer liability. In this session, learn about compensation laws and practical implications for employers. Also, we will describe the EEOC's and OFCCP's "cutting edge" enforcement techniques on pay discrimination. Attendees will learn practical steps to conduct pay discrimination and self-audits to ensure pay equity and reduce exposure to claims of discrimination.

Session 5:

EEO and AAP Compliance for Your Hiring Practices

Fred Preis from Lemle & Kelleher

With today's numerous news stories describing million dollar jury verdicts and government findings against employers, it is evident that there are legal and practical pitfalls for the unwary who are seeking to hire productive employees. Failing to comply with EEO and AAP regulations can mean monetary disaster for a business as well as result in the hiring of an unsuitable job applicant. This workshop session will explore the stages of an efficient employment process that enhances organizational performance while reducing legal exposure.

11:15 - 12:15

Concurrent Sessions

Session 6:

Valuing Diversity and Inclusion From a Compliance Perspective

Elizabeth Campbell from Andrews Kurth

This presentation is designed to enlighten the audience on the key success factors present in a diversity and inclusion strategy for a federal government contractor. The content of the presentation will be based upon Elizabeth Campbell's experience working with large federal government contractors and most recently a mid-sized law firm. The presentation will then move to address labor and employment law issues that impact AAP compliance and OFCCP audits, the risk or exposure associated with these issues, and how contractors can utilize diversity and inclusion strategy to mitigate the impact of such issues.

Session 7:

Getting Direction & Taking Action - The GPS to Employing People and Veterans with Disabilities

Sheridan Walker from Hire Potential

This session will discuss a practical approach to outreach/recruiting, accommodating, and retaining current employees with disabilities. Participants will be guided through practical solutions and processes. Throughout the workshop a variety of tools and examples will be given.

Session 8: **Getting In Rhythm With OFCCP - Recent Significant Compliance Developments**
John Fox from Fox Wang & Morgan
Mr. Fox will provide his patented candid and thought-provoking reflections of what's going on at OFCCP. Misters Fox and Wang will catalogue the most recent significant developments which have occurred at OFCCP since the Las Vegas NILG. This presentation will describe in detail the compliance developments of significance; discuss those things the OFCCP either cannot report or is reluctant to reveal. The speakers will also suggest practical compliance tips which changed OFCCP development and which OFCCP is not in a position to suggest.

Session 9: **How Significant is Statistical Significance – A Practical Perspective**
Alissa Horvitz and Joshua Roffman from Littler
What does it really mean to have a statistically significant disparity? And perhaps more importantly, what does it not mean? After exploring these questions, the session will provide practical suggestions to contractors about the following: investigating statistically significant disparities as an action-oriented program; addressing statistically significant disparities in OFCCP compliance reviews; and how to ensure that your organization has the information it needs to investigate and explain areas that show statistical significance.

12:15 - 2:00 **Lunch: LT. General Russel Honoré**

2:15 - 3:15 **General Session: Regional Directors Panel, OFCCP Regional Directors**

3:15-4:15 **Concurrent Sessions**

Session10: **Academic Institutions as Federal Contractors – Exploring the Challenges in Compliance** Marilynn Schuyler from Schuyler Affirmative Action Practice
If you work in an academic environment, you are familiar with the areas in which compliance with OFCCP regulations present a challenge. This workshop will feature panelists who have been engaged in discussions on these issues over the past year. Hear how other human resource professionals at academic institutions have implemented the regulations. Participants will be invited to share their own experiences and pose questions to the panelists as part of the program.

Session 11: **Effective EEO Investigations - What to Look For, What To Do with Results, How to Respond**
Jacquelyn Schulte from Jacquelyn G. Schulte PLC
Do your EEO investigations feel like scenes from television's "Monk" – more drama and whodunit than identifying real problems and resolving them? In this presentation participants will learn a different approach to conducting EEO investigations, including what legal and other danger zones to look for, what action

should be taken in every case, and how to make an effective response to the EEOC charge. Participants will walk away feeling confident in both their investigations and outcomes.

Session 12: **Affirmative Action for People with Disabilities**

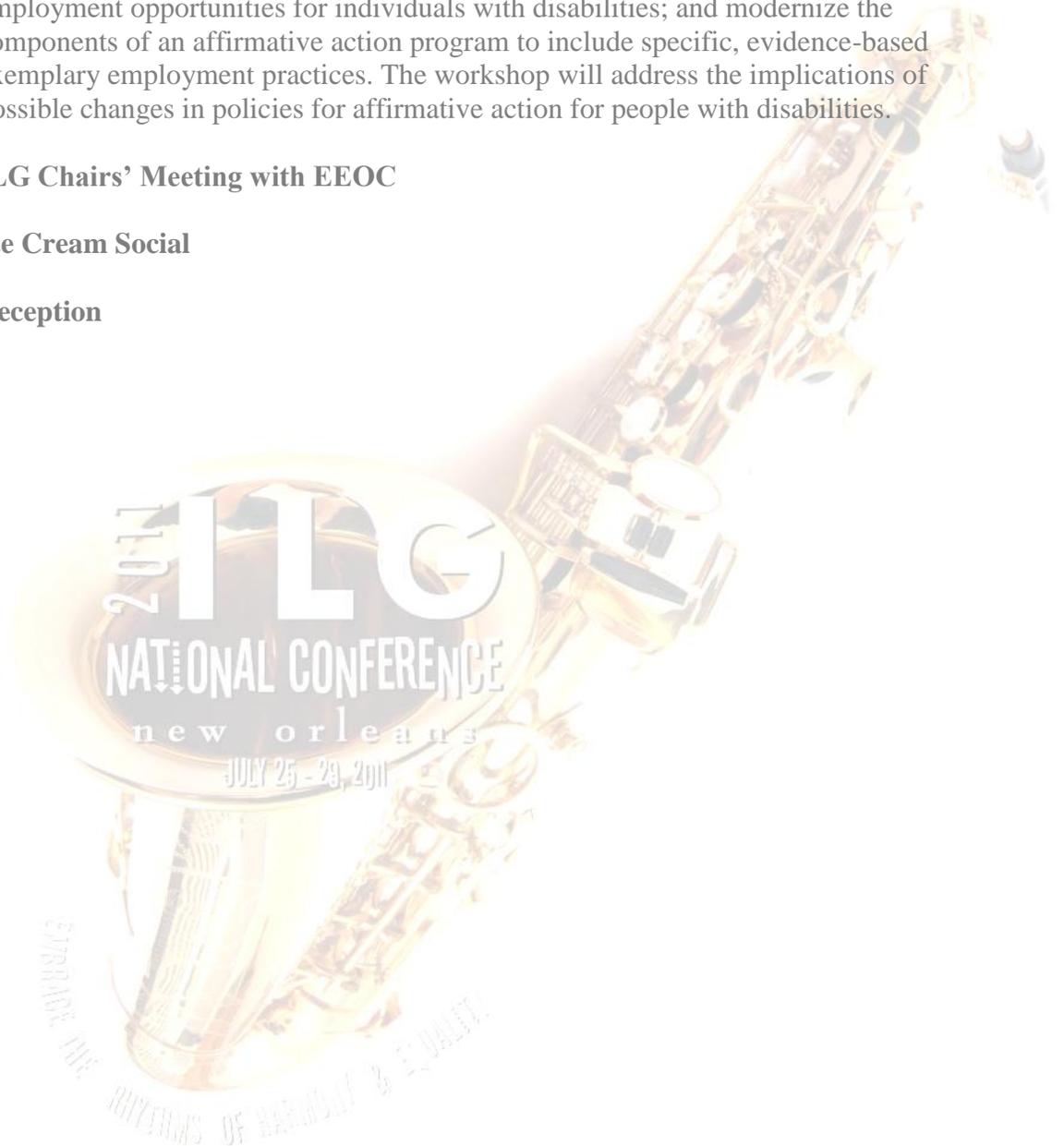
Dr. George Kettner from Economic Systems, Inc.

Section 503 of the Rehabilitation Act requires federal government contractors and subcontractors to take affirmative action to employ and advance in employment of qualified individuals with disabilities. The policies set out in the regulations implementing Section 503 are being evaluated to determine whether and how these regulations should be modernized as part of a comprehensive strategy to reduce employment and earnings gaps for people with disabilities. Section 503 regulations have not been substantively updated since 1996. Certain policy options are being considered to: define affirmative action and affirmative action programs with sufficient specificity to reflect action and result-oriented practices; modify the invitation to self-identify at the pre-offer-of-employment stage to increase employment opportunities for individuals with disabilities; and modernize the components of an affirmative action program to include specific, evidence-based exemplary employment practices. The workshop will address the implications of possible changes in policies for affirmative action for people with disabilities.

4:00-5:00 **ILG Chairs' Meeting with EEOC**

4:00-5:00 **Ice Cream Social**

5:00-6:30 **Reception**



Thursday, July 28, 2011

6:30-8:00 **Breakfast Buffet**

7:30-8:30 **NILG Board, ILG Chairs, OFCCP Regional Directors Breakfast**

8:00 - 9:30 **General Session: Jacqueline Berrien, EEOC Chair (invited)**

10:00 - 11:00 **Concurrent Sessions**

Session 13: **Be Prepared! How to Handle New and Emerging Issues in OFCCP Audits**

Valerie Hoffman and Leslie Solondz from Seyfarth Shaw

Learn about the recent and emerging trends in OFCCP audits from the contractor's perspective and how to mitigate risk in these areas. Are your practices in compliance? What do you need to know about requiring compliance by subcontractors, using temporary agencies and "temp-to-hire" placements, retaining staffing companies and headhunters? This informative session will give you a deeper understanding of these key issues and more, as well as region-by-region audit trends we are seeing.

Session 14: **Compensation**

Dr. Javaid Kaiser, Ph.D from the OFCCP

Session 15: **Insights from OFCCP's Online Enforcement Database**

Joe Lakis from Norris, Tysse Lampley & Lakis

The Department of Labor's "flagship" Open Government initiative provides access to detailed information on the OFCCP's audit activity, including when and where those audits are occurring, and how they are being closed. This workshop will examine how the source of that information – OFCCP's Online Enforcement Database – can be "mined" to identify past, present, and future trends in audit and enforcement strategies, and to help contractors prepare for their own upcoming compliance evaluations.

Session 16: **Employer Best Practices**

Michelle Maybaum from Qualcomm

Successful employment of people with disabilities and veterans continues to be a challenge for employers. This session is designed to provide a local employer's perspective on employing and retaining individuals with disabilities and veterans. Topics will include: best practice initiatives that can be easily adopted by employers, practical accommodations and an open forum for participants to share challenges, accomplishments and best practices.

Session 17: **Can You Catch PTSD - What HR Needs to Know About Recruiting Veterans with Disabilities**

Lisa Rosser from The Value of A Veteran

If military veterans in general are an under-tapped talent resource, veterans with disabilities are practically invisible to employers. In addition to the more common ability challenges (loss of limbs, vision, and/or hearing, cognitive impairment, and disfigurement) disabled veterans also have to overcome employers concerns regarding Post Traumatic Stress Disorder (PTSD). This session reviews the business case for recruiting veterans with disabilities, provides employer resources, and reviews disabled veteran sourcing options.

11:15 - 12:15 **Concurrent Sessions**

Session 18: **Staying Ahead with a Comprehensive Compliance Plan – Save the Complexities** (Panel) Mark Andrekovich from Maximus

Compliance can be comprehensive without being complex. From establishing a diverse workforce through fundamental outreach initiatives, to validating the work status of new employees through failsafe I-9 procedures, there's room for employers to add some practical tools to their HR "tool belt" that will help simplify and centralize HR responsibilities that fall under the compliance umbrella. Join our expert panel of specialists as they share their ideals of keeping compliant in current times.

Session 19: **Accelerating Advancement of People with Disabilities By Improving Management of Reasonable Accommodation Provision and Support**

Matt King from IBM

Current accommodation best practices are not consistently closing productivity gaps between employees with disabilities and non-disabled employees, leaving often invisible barriers to advancement of people with disabilities. Learn how IBM is improving and streamlining accommodation processes, generating new metrics for success, leveraging new tools designed by people with disabilities, and breaking new ground in the accommodation space all with the end of closing productivity gaps and increasing advancement rates while improving organizational efficiencies.

Session 20: **Enforcement Updates**

OFCCP Regional Solicitors Office (invited)

Session 21: **The Dangers of Social Media - How Employers Can Avoid the Pitfalls of Social Networks**

Dr. Lisa Harpe from Peopleclick Authoria

This webinar provides information on the legal dangers to employers of using social media, including a discussion of the laws enforced by both EEOC and OFCCP; how to avoid disparate treatment and disparate impact litigation;

recordkeeping requirements for federal contractors; recommendations for safely using these sources throughout your hiring process; how to address employee use and abuse of social media sites; and how to draft and implement effective social media policies.

12:15 - 2:00 **Lunch: Betty DeGeneres**

2:15 - 4:00 **Concurrent Sessions**

Session 22: **Navigating The Landscape**

(Panel) David Cohen from DCI Consulting Group

The world of equal employment opportunity (EEO) and affirmative action (AA) continues to change with the times. This change happens for a variety of reasons, including political leadership turnover in Washington D.C., new laws, and new enforcement policies. Federal agencies also adapt to deal with contemporary forms of discrimination, and courts continue to rule on controversial EEO cases where science and law necessarily intersect. The purpose of this presentation is to update the federal contractor community on a series of cutting edge EEO/AA topics (e.g., compensation enforcement, fatal flaws in employment testing, EEO/AA for disabled and veteran applicants, hot trends in OFCCP audits, relevant case law review, etc.). Toward that end, a panel of experts was organized, and includes experts from EEO law, Industrial-Organizational Psychology, and HR practice. The session will use a pre-determined question and answer format, and will also take questions from the audience.

2:15 - 3:00 **Concurrent Sessions**

Session 23: **The Use of Criminal Background Checks in Hiring Decisions - How to Comply with EEOC Regulations**

Dr. Stephen Bronars from Welch Consulting

Criminal background checks are an increasingly important factor in hiring decisions. This session provides a detailed guide to understanding how your company's background check policy complies with EEOC regulations by: 1) describing how to understand and interpret the information contained in failed background checks; 2) understanding EEOC regulations, court decisions and differences in state laws that impact the use of background checks; and 3) providing an approach for assessing whether employees with criminal histories are significantly more likely to experience poor job performance and disciplinary problems.

Session 24: **Ensuring Workers' Rights in the Midst of Increasing I - 9 and E - Verify Obligations**

Dan Siciliano from LawLogix Group

Join this interactive workshop to learn how employers across the US have been dealing with conflicting I-9 and E-Verify rules through advanced planning, legal analysis, and efficient electronic processes. During the session, we will examine recent case studies to highlight the challenges (both logistical and legal) in

submitting your workforce to E-Verify as well as the complex discrimination issues which inevitably arise.

Session 25: **Employment Tests - Right & Wrong**

Leigh Nason from Ogletree Deakins

In an effort to select and promote the best employees, many organizations use a variety of different employment related tests. Can employers rely on the results, however? The U.S. Supreme Court has commented on these tests, and what employers should do if the results have a disparate impact on individuals in a protected category. This session will examine the many issues employers need to consider.

5:30-6:45 **Reception**

6:45-7:15 **Parade Down Bourbon Street (comfortable shoes suggested)**

7:15-11:30 **House of Blues: Dinner & Dancing (casual attire suggested)**



Friday, July 29, 2011

- 7:30-9:00 **Breakfast Buffet**
- 8:00-9:00 **NILG Board Debrief Breakfast**
- 9:00 a.m. **Closing Session: Sandra Zeigler from the OFCCP**

