

# EMPLOYMENT PRACTICES COUNSEL, Inc.

*Your Employment Law and Human Resources Consulting Experts*

**Training Programs and  
Support Services**

The information contained in this brochure consists of general suggestions on how to address employment issues. It is not intended nor should it be construed as legal advice. Employers are strongly encouraged to contact their legal counsel for advice on specific issues.

# Table of Contents

<b>ABOUT US .....</b>	<b>3</b>
<b>OUR MISSION.....</b>	<b>4</b>
<b>COURSE DESCRIPTIONS.....</b>	<b>6</b>
MANAGEMENT DEVELOPMENT .....	6
THE BASICS – SEMINARS FOR MANAGEMENT AND NON-MANAGEMENT EMPLOYEES .....	9
HUMAN RESOURCES –COURSES FOR THE HR PROFESSIONAL OR ADVANCED MANAGERS .....	11
SPECIALIZED COURSES .....	12
<b>HUMAN RESOURCES SUPPORT SERVICES .....</b>	<b>14</b>
AFFIRMATIVE ACTION PLAN DEVELOPMENT .....	14
INVESTIGATIONS AND CASE MANAGEMENT SERVICES.....	15
HANDBOOK/POLICY DEVELOPMENT .....	16
CENTRALIZED INCIDENT REPORTING .....	16
PRE-EMPLOYMENT SCREENING.....	16



## OUR SERVICE PHILOSOPHY

At EPC we measure our success by more than just an ability to serve our clients' unique needs, but by our ability to equip our clients with the skills and tools necessary to build a better, more productive workforce, while avoiding employment practices liability.

Teamwork is one of the guidepost of all of our client relationships. EPC foster collaborations with each client so that we may work side by side to address complex legal matter and help each client achieve its business goals.

EPC offers each client a return on its investment by practices resource efficiency so that we can make a difference in each client's bottom line. EPC understands the value of time and money. We deliver the right solution at the right value for each client. In many respects, because of its unique nature EPC is able to offer clients' first-rate legal service through our consulting company at rates must less than traditional law firms. EPC offers a variety of rate structures including the traditional hourly rate, blended rates and flat fees to suit any clients budgeting needs.

### **Putting Our Experience In Your Hands**

The attorneys and human resources professionals of Employment Practices Counsel, Inc. have extensive experience in representing management in employment litigation matters as well as consulting with management to develop solutions to everyday problems. Because of our experience litigating employment matters, we understand the importance of preventive measures designed to limit liability. Our attorneys conduct educational seminars, lead investigations, prepare position statements, draft employment policies/procedures, litigate cases and counsel clients on employment law issues.



## OUR MISSION

Our mission is to help companies create an environment that achieves their desired business results. We provide educational seminars developed by our attorneys and human resources professionals to educate managers and employees. Our seminars will help you establish your defenses to claims of discrimination, harassment and other employment related liability.

Our seminars focus on issues such as:

- Management Development
- Harassment and Discrimination Avoidance
- Equal Employment Opportunity Issues
- The Employment Relationship
- Conducting Effective Investigations
- Privacy in the Workplace
- Diversity Management

In addition, we provide a variety of Support Solution to help employers ensure that they are in compliance with applicable state and federal laws. These services include:

- Affirmative Action Plan Development
- Investigation and Case Management Services
- Handbook, Policy, Procedure Development
- Employment Screening Services

Please take the time to review the information in this brochure. Once you have reviewed the brochure, we would welcome hearing from you to discuss how Employment Practices Counsel, Inc. can assist you in reducing your risk of exposure to employment practices liability.



## Training is No Longer an Option – It’s a Necessity

*“[L]eaving managers in ignorance of the basic features of [employment] laws is an extraordinary mistake for a company to make, and a jury can find that such an extraordinary mistake amounts to reckless indifference.” (Mathis v. Phillips Chevrolet, Inc. 7<sup>th</sup> Cir. 10/15/01).*

Organizations that seek to absolve themselves from liability for harassment and discrimination must do more than just educate – they must educate effectively!

Employment Practices Counsel, Inc. offers a variety of training solutions including:

- Live-in-Person Sessions
- Train-the-Trainer
- Web Based Training
- One-on-One Workshops
- Blended solutions



## **Course Descriptions**

Our team of legal and human resources experts have developed a series of educational courses that help employers communicate and reinforce appropriate standards of behavior and minimize the risk of legal liability.

Below is a general overview of the courses currently offered by Employment Practices Counsel, Inc. Our educational seminars, however, are custom designed to fit the needs of each client.

### ***Management Development***

#### **Performance Management**

Recommended for Executive, Middle and Front-Line Managers, Supervisors

Managers cite performance appraisals or annual reviews as one of their most disliked tasks. This program helps managers expand their focus beyond the performance appraisal or annual review and concentrates on the entire spectrum of performance management and development issues including employee performance development, training, cross-training, challenging assignments, and regular performance feedback

#### **Managing Change**

Recommended for Executive, Middle and Front-Line Managers, Supervisors

Change is inevitable, but it can provide your organization with a vital opportunity for improvement. This program is designed to help managers embrace change as a means of increased performance. Managers will cover many topics including conflict and stress management, communication skills, and team management for problem solving.

#### **Communicating For Success**

Recommended for Front-Line Supervisors, Managers and Executives

In today's complex and competitive business world, lucid and effective communication is essential. Through assessment, role plays and case studies, this course helps participants become better communicators so that they can build productive relationships in the workplace.



Participants have an opportunity to learn and practice their communication skills in a variety of different ways.

### **Interviewing for Success**

Recommended for Executive, Middle and Front-Line Managers, Supervisors

Effective interviewing is essential in today's work environment. Managers need to be able to ascertain whether or not a candidate is the right person for the job and has the skills and capabilities to be successful in the role. This course will help managers develop the skills to make the right hiring decisions - and avoid costly mistakes. Managers will learn to conduct selection interviews using behavioral competency interviewing; how to relax the candidate and keep the questions legal; and how to assess the candidate's competency by using a variety of questioning techniques.

### **Managing and Reducing Absenteeism**

Recommended for Middle and Front-Line Managers, Supervisors

This program is designed to help organizations understand the reasons for absenteeism and to help develop strategies to reduce employee absenteeism. Participant will cover topics such as the impact of employee absences the laws that impact an organization's ability to manage time away from work, predictors of employee absenteeism and strategies for reducing absenteeism

### **Preventing Aggression in the Workplace**

Recommended for Middle and Front-Line Managers, Supervisors

This course provides managers with an overview of the laws and their impact on the obligation to provide a hazard-free workplace. The course will also review how situations evolve as well as tools to help managers prevent and effectively intervene, to ensure safe and cost effective resolutions.

### **Investigation Basics 101**

Recommended for Front-Line Supervisors and Managers

Responding to employee complaints, performance issues and other incidents in the workplace is the responsibility of every manager who manages employees. How the manager responds to employee issues can have far reaching consequences. It can affect the outcome of a



grievance or arbitration in a unionized setting or even the outcome of a legal proceeding before an administrative agency or a judge and jury.

This course focuses on the practical aspects of any investigation and the basic skills needed to conduct an effective investigation.



## ***The Basics – Seminars for Management and Non-Management Employees***

### **Employment Law Basics for Managers**

Recommended for Executive, Middle and Front-Line Managers, Supervisors and Team Leaders

This course is designed to help managers recognize and understand basic employment law concepts so that they may be equipped with the skills to avoid and/or know how to address workplace issues that can lead to complaints, reduced productivity and in many cases litigation.

### **Harassment and Discrimination Avoidance Training for Managers**

Recommended for Executive, Middle and Front-Line Managers, Supervisors and Team Leaders

This course is designed to convey a clear understanding of what the law expects employers to know about detecting, resolving and preventing various forms of harassment including sexual harassment. Participants will learn to identify potentially offensive conduct and how their own actions and decisions can create liability. This course can help prevent serious legal consequences while providing the tools to build a more productive and profitable workforce. For those who have taken a harassment class in the past, a refresher course is available.

### **Sarbanes-Oxley – When the Whistle Blows**

Recommended for Executive, Middle and Front-Line Managers, Supervisors and Team Leaders

This program is designed to educate corporate managers about the rules and obligations governing workplace whistleblower's potential claims. Managers will review the policies and procedures required by the Sarbanes-Oxley Act and proper procedures for handling whistleblower claims.

### **The Employment Relationship: Avoiding the Pitfalls**

Recommended for Executive, Middle and Front-Line Managers and Supervisors

The hiring process is a critical step in solidifying a positive and productive employment relationship. Effective recruiting, proper screening and clear establishment of the terms and conditions of employment are crucial to avoiding potential liability. This program will assist managers in navigating the employment relationship.



## **Lawful Terminations and Retaliation Claim Management**

Recommended for Executive, Middle and Front-Line Managers and Supervisors

Lawsuits often arise from terminations because of the manner in which the process was handled. This course will review how to avoid legal landmines, the importance of ensuring that each termination decision is supported by facts and the repercussions of failing to treat employees consistently and appropriately during the termination conference.

## **Organizational Change and the Case for Diversity**

Recommended for Executive, Middle and Front-Line Managers and Supervisors

This program is intended to provide a comprehensive, practical foundation for valuing the differences that each employee brings to the workplace. This program can guide an organization through the development of an effective diversity initiative.

## **With All Due Respect – Diversity for Every Employee**

Recommended for non-supervisory employees

A respectful workplace is the responsibility of every employee. This course raises the awareness of each employee of his or her right to work in a respectful environment and obligation to accept differences of fellow employees and the value of diversity in the workplace.

## **Valuing Differences: A Managers Guide to Understanding and Promoting Diversity in the Workplace**

Critical to every workforce is a management team that understands and values the diversity of its employees. Managers who demonstrate an appreciation for the differences amongst employees are essential to a successful workforce. Helping managers define diversity and develop skills to help address issues that may arise within a diverse workforce can bring swifter resolution to issues and prevent loss of productivity and the legal ramifications that generally accompany inappropriate and illegal behavior in the workplace.



## ***Human Resources –Courses for the HR Professional or Advanced Managers***

### **Employment Law Fundamentals**

Recommended for HR Professionals and Managers

This course will take an in-depth look at state and federal employment laws and their impact on the workplace. Participants will explore Title VII, ADA, FMLA, ADEA, employment-at-will and other laws. Participants will review and discuss each area of the law ensuring their understanding of the scope of the laws and their obligations under the law.

### **Understanding HIPAA**

Recommended for HR Professionals and Managers

This program will equip managers with an understanding of the Health Insurance Portability and Accountability Act of 1996. This program will review what constitutes “personal health information,” best practices in complying with the privacy requirements of the Act and the consequences of non-compliance.

### **Taming the Three Headed Beast – ADA, FMLA and Worker’s Compensation**

Recommended for HR Professionals and Managers

This course will concentrate on reconciling the three leave provisions. Participants will review the state and federal laws and develop the skills to be able to determine which act applies and how to apply the law to each employee situation.



## ***Specialized Courses***

### **Conducting Effective Investigations**

Recommended for Internal Investigators

This program will equip managers with the skills to conduct effective internal investigations, by familiarizing them with different strategies to ensure that the company is properly positioned to defend against employment claims.

### **National Origin and Religious Discrimination – Post 9/11**

Recommended for HR Professionals and Managers

This course focuses on potential issues and challenges faced in the workplace and by Arab, Arab-American, Muslim and other employees as a result of recent world events. This course will review the law as it pertains to National Origin and Religious discrimination and the employer's obligation to detect and respond to these issues.

### **Strategies for Dealing with Violence in the Workplace**

Recommended for HR Professionals and Managers

Some form of workplace violence is reported daily in the United States. Employers must be aware of the threats that may exist in their workplace and know how to take reasonable steps to minimize the potential for harm to their employees. This course will cover how to recognize the "red flags," how to take proactive steps to prevent violence in the workplace and lawfully minimize the potential for liability.

### **Workplace Ethics**

This series, covering basic skills for every employee to skills for organizational leaders, is grounded in the principles of personal integrity and character and covers all of the major corporate compliance issues employees may face. This program helps build ethical skill and knowledge using practical guidance and real life scenarios.

### **Reducing and Managing Workplace Absenteeism**

Productivity loss due to absenteeism is a serious and growing challenge. In the United States the average cost per day to an employer when an employee does not show up for work is



approximately \$660. Are your employees really sick when they call in sick? Absenteeism puts additional strain on what are already very lean workforces. Employers are struggling to balance the needs for employees to have time off and the need to operate more efficiently in this global economy. This program is designed to help organizations understand the reasons for absenteeism and to help develop strategies to reduce employee absenteeism

### **Employee Privacy in the Workplace**

Recommended for HR Professionals and Managers

Technological advancements in the workplace are creating unique challenges for employers. Most employers provide e-mail, internet access and voicemail to their workforce. This course will help employers determine how best to balance the employee privacy interest with the employers' legitimate business interest in monitoring employees and accessing data.

### **Protecting Employee and Customer Privacy**

Recommended for HR Professionals, Managers and Employees with access to sensitive Information

In response to corporate scandals and the increase in identity theft Congress has passed numerous acts of legislation designed to protect sensitive information both for employees and consumer. The course is a review of legislation such as the Gramm-Leach-Bliley Act of 1999, The Fair Credit Reporting Act and Sarbanes Oxley.



## **Human Resources Support Services**

Staying abreast of and complying with increasingly complex employment laws and regulations can be difficult for any employer. Employment Practices Counsel, Inc. provides the following services to assist employers in navigating the compliance minefield:

### ***Affirmative Action Plan Development***

Whether you have limited time to complete your affirmative action plan or you are unfamiliar with the regulations regarding the completion of affirmative action plans, Employment Practices Counsel, Inc. can help!

We develop plans for both multi-site and single site businesses of all sizes. We can put together your entire AAP! Most plans can be completed without the expense of an on- site visit!

Employment Practices Counsel, Inc. will process your employment data and send preliminary reports for your review. The preliminary reports, which you have verified, and recruitment information are entered into our system. Your finished plan is then printed, bound and shipped to you for final approval. Instructions for implementing the plan and additional obligations as an affirmative action employer are included with the plan.

We stand behind our work at Employment Practices Counsel, Inc. We encourage our clients to call us if they have any questions about their plan, and especially if they are notified of an audit by the OFCCP. We will assist you in preparing for the audit and provide practical tips to help you pass your audit



## ***Investigations and Case Management Services***

Responding to employee complaints and concerns can make all the difference between receiving a lawsuit and not receiving a lawsuit. Employees who believe that their employers has listened to their concerns and responds are much less likely to file administrative agency charges and lawsuits than employees who do not believe their employers have taken the concerns and complaints seriously.

When it comes to documenting and investigating incidents in the workplace every organization needs an efficient and comprehensive system or program. Employment Practices Counsel, Inc. provides that system through its case management and investigative services. Through our case management program EPC can help you document activities from initial notification through final resolution. Our case management services can assist you in organizing cases, assigning cases to investigators, tracking progress, communicating with investigators, collecting documentation and compiling information in an easy to access convenient format.

Our investigators possess the training, experience, temperament and stature to conduct prompt and professional investigations of both internal employee complaints and formal discrimination charges filed with the EEOC, OFCCP or state agencies and commissions. Our investigators bring a wealth of legal experience to the table when conducting investigations. We are a true neutral third-party. The experience of our investigators makes them competent to testify at trial regarding their investigative methods and findings.

## ***Agency Responses and Position Statements***

The manner in which a response to an agency charge or complaint is drafted can often mean the difference between a dismissal of a charge at the agency level or protracted litigation. EPC attorneys have considerable experience before state and federal agencies including the Employment Security Commission, state human affairs or relations boards, Department of Labor, Equal Employment Opportunity Commission, National Labor Relations Board and Office of Federal Contract Compliance. At EPC we work with our clients to draft positions statements that fully represent the client's interest and put the client in the best position possible to obtain a favorable decision from the agency.



## ***Handbook/Policy Development***

Our consultants will work with you to ensure that your policies, procedures and handbooks are in accord with your company culture and that they comply with the most recent federal and state laws.

We review and revise existing policies, procedures and handbooks to minimize your exposure to lawsuits, while ensuring that your employees are given the guidance they need.

## ***Centralized Incident Reporting***

Employment Practices Counsel, Inc. offers its clients two different options for confidential, impartial, secure incident reporting:

- Web-based incident reporting, or
- Phone based incident reporting

This permits the client to decide which reporting method integrates best into its workplace environment and culture.

## ***Pre-Employment Screening***

Hiring is expensive and bad hiring decision can be costly. Failure to check the pre-employment history can open an employer up to significant liability if employees engage in bad behavior for which they have previous shown a propensity. Pre-employment screening is a proven way to reduce hiring risk, increase moral, minimize turnover and increase the company's investment in its employees. Employment Practices Counsel, Inc. can assist employers in obtaining criminal history, credit, previous employment, driving history and other prospective employee information to help employers make informed and wise choices in hiring.





EMPLOYMENT  PRACTICES  
COUNSEL, Inc.

North Carolina  
P.O. Box 25008  
Charlotte, NC 28229  
(704) 454-7183 *tel*  
(704) 631-4813 *fax*

Maryland  
10 N. Calvert Street, Suite 930  
Baltimore, MD 21202  
(410) 244-6263 *tel*  
(410) 347-3144 *fax*

[www.epcounsel.com](http://www.epcounsel.com)