

The Florida Bar Continuing Legal Education Committee and  
the Labor and Employment Law Section present

## Because Legal Practice Isn't Always a Day at the Movies: Health, Wellness, and a Welcoming Workplace for Lawyers and their Clients

COURSE CLASSIFICATION: INTERMEDIATE

Thursday, June 14, 2018, 2:15 p.m. – 5:15 p.m.

Course 2858R

Staff Contact: Angela Froelich (afroelich@floridabar.org)

2:15 p.m. – 2:45 p.m.

**Home Alone:** Flexibility, nondiscrimination, and work-life balance when employing remote workers; remote access as an accommodation under the ADA; flex time, what it means, how it works; avoiding wage and hour pitfalls.

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*Cathleen Scott, Scott Wagner & Associates, P.A., Jupiter*

2:45 p.m. – 3:05 p.m.

**Remember the Titans:** Diversity programs, EEO reporting requirements, and the realities of today's workforce.

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*Gregory A. Hearing, Thompson, Sizemore, Gonzalez & Hearing, P.A., Tampa*

3:05 p.m. – 3:15 p.m.

**Break**

3:15 p.m. – 3:45 p.m.

**Horrible Bosses:** Best practices for preventing and addressing harassment, in all its forms, in the workplace. Topics to be addressed include features of a non-harassment policy, the law



2018  
Annual  
Florida Bar  
Convention

Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600





## 2018 Annual Florida Bar Convention

Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600



regarding sexual favoritism (Can the boss promote his or her partner over more qualified candidates?), monitoring digital platforms for harassment, and the interplay between harassment and negligent hiring/supervision/retention.

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*Zascha B. Abbott, Sioli Alexander Pino, Miami*

3:45 p.m. – 4:05 p.m.

**The Intern:** Encouraging a healthy relationship between Millennials and Baby Boomers and avoiding age discrimination claims.

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*Robert S. Turk, Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A., Miami*

4:05 p.m. – 4:15 p.m.

**Break**

4:15 p.m. – 4:45 p.m.

**One Flew Over the Cuckoo's Nest:** Evaluating and accommodating mental health and mental disabilities in the workplace under the Americans With Disabilities Act; preventing and reacting to workplace violence (i.e., maintaining a safe workplace).

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*David W. Adams, Bennett, Jacobs & Adams, P.A., Tampa*

4:45 p.m. – 5:05 p.m.

**Wonder Woman and Superman:** A healthy balance of work, exercise, and engagement in outside activities are the makings of an invincible super-hero. The do's and don'ts involved with the creation and implementation of health and wellness programs (e.g., you can't require employees to take an exercise class off the clock).

**Moderators:**

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

**Speaker:**

*Jill S. Schwartz, Jill S. Schwartz & Associates, P.A., Winter Park*



## 2018 Annual Florida Bar Convention

Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600



5:05 p.m. – 5:15 p.m.

### Question and Answer Period

*Moderators:*

*The Honorable Alan Forst, Fourth District Court of Appeal, West Palm Beach*

*The Honorable Stephanie Ray, First District Court of Appeal, Tallahassee*

## Featured Speakers



**ZASCHA BLANCO ABBOTT** is with Sioli Alexander Pino, in Miami, Florida. She focuses her practice on the representation of public and private employers in labor and employment matters. Her experience includes defending employers in a variety of employment-related lawsuits, such as claims of discrimination, hostile work environment, breach of contract claims, constitutional violations, and retaliation claims. Ms. Abbott also defends employers in Fair Labor Standards Act and other wage and

hour cases. Her experience includes representing employers in claims under Title VII, the Florida Civil Rights Act, the Family Medical Leave Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the First Amendment, and the Equal Protection clause of the U.S. Constitution. She also provides training on discrimination and harassment free workplace issues and on labor and employment matters. Ms. Abbott is AV Preeminent Peer Review Rated by Martindale-Hubbell, and she currently serves as the Chair of Labor and Employment Law Section of The Florida Bar.



**DAVID ADAMS** is shareholder at Bennett Jacobs & Adams, P.A. in Tampa, Florida. Mr. Adams is a former practicing CPA and holds a Master's Degree in taxation. He attended the University of Central Florida, Harvard University, Bentley College, and Florida State University College of Law. Mr. Adams is active in The Florida Bar, currently serving as the Legal Education Director on the Labor and Employment Law Section Executive Council. He is Board Certified in Labor and Employment Law and regularly defends employers in a variety

of employment-related lawsuits, such as claims of discrimination, sexual harassment, hostile work environments, and retaliation claims. His experience includes representing employers in claims under the FLSA, Title VII, the Florida Civil Rights Act, the Family Medical Leave Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act. Mr. Adams regularly counsels clients on employment agreements, including non-competition covenants. He is admitted to practice in the United States Supreme Court, the United States District Court for the Northern, Middle, and Southern Districts, the United States Tax Court, and the United States Court of Appeals for the Eleventh Circuit.



## 2018 Annual Florida Bar Convention

Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600



**JUDGE ALAN O. FORST** was appointed to the Fourth District Court of Appeal in early 2013. Prior to this appointment, Judge Forst served as Chairman of the Florida Reemployment Assistance (Unemployment) Appeals Commission, as a law firm associate and partner, and at several federal government departments and agencies in Washington, D.C. Judge Forst was Chairman of The Florida Bar's Labor and Employment Law Section in 2008-09.



**GREGORY A. HEARING** is a shareholder with the management labor and employment law firm of Thompson, Sizemore, Gonzalez and Hearing, P.A. He has practiced management labor and employment law his entire career. He is a graduate of the University of the South, where he graduated magna cum laude in 1986, and currently serves on its board of trustees. He received his law degree from the Florida State University College of Law, cum laude, in 1989, where he served on the Florida State University Law Review. He is board certified in labor and employment law, civil trial, and education law.



**JUDGE STEPHANIE RAY** was appointed to the First District Court of Appeal in June 2011. Among her current professional activities, she is an adjunct professor at Florida State University College of Law, President of the First District Appellate American Inn of Court, member of the Executive Council of The Florida Bar Labor & Employment Law Section, and member of The Florida Bar Rules of Judicial Administration Committee and the Florida Supreme Court Standard Jury Instructions Committee (Civil). Judge Ray was formerly Chair of the Public Employees Relations Commission, which adjudicates public sector labor and employment disputes.



**JILL S. SCHWARTZ** is managing partner of Jill S. Schwartz & Associates, P.A., an AV rated labor and employment law firm. She has extensive experience representing both management and employees. The firm is active in the litigation of all employment matters, including discrimination, sexual harassment, retaliation, wage and hour disputes, employment contracts, whistleblower and False Claims Act cases, in federal and state courts. A Phi Beta Kappa graduate of Rutgers University and the University of Maryland School of Law, Ms. Schwartz is also a Florida Supreme Court Certified Civil Mediator and Arbitrator. In 2005, Ms. Schwartz became the first female attorney from Florida to be inducted into the College of Labor and Employment Lawyers. She is AV (top) rated by Martindale-Hubbell Peer Review and has been included in the "Bar Register of Preeminent Lawyers" since 1999. Ms. Schwartz has been listed in *Florida Trend's* "Legal Elite" and in *Florida Super Lawyers* (named one of the Top 50 Women Lawyers) since 2007. She has been listed in *The Best Lawyers in America*® since 2006 and has been honored as *Orlando Magazine's* "Lawyer of the Year" in labor and employment for the past several years. Ms. Schwartz has served as President of the Federal Bar Association, Orlando Chapter; Chair of The Florida Bar Labor and Employment Section; President of the National Employment Lawyers Association, Florida; Chair of the Orlando Bar Association,



## 2018 Annual Florida Bar Convention

Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600



Labor and Employment Section; and Chair of the Judicial Nominating Commission for the Fifth District Court of Appeals. Ms. Schwartz is a recipient of the Women's Resource Center's "Summit Award" for outstanding philanthropic contributions.



**CATHLEEN SCOTT** received a B.A. from Stetson University in 1993 and her J.D. from Southwestern University in Los Angeles, California in 1997. Ms. Scott is board certified by The Florida Bar in labor and employment law. She is the managing partner of Scott Wagner & Associates, P.A. She founded the firm in 1999 and has locations in Jupiter, West Palm Beach, and most recently Los Angeles, California. The seven-attorney firm practices in the areas of employment and health care. Ms. Scott specializes in representing employees and employers in administrative, state and federal proceedings in employment law matters. Ms. Scott also represents health care providers in order to assist with compliance in complex and everchanging laws. Ms. Scott was corporate counsel to her family's business, Gardens Urgent Care. She is a Licensed Certified Circuit Court Mediator. She is the owner and President of ARC Mediation. ARC Mediation has a roster of over 20 certified attorney / mediators and former judges with locations in Jupiter, West Palm Beach, Martin, Broward and Dade Counties. Ms. Scott is a Board Certified Labor & Employment lawyer, rated "A V" by Martindale-Hubbell, recognized as a "Super Lawyer" and "Rising Star" for the Super Lawyers publication, a member of The Florida Bar (Labor & Employment, Litigation, and Health Care sections) and the Bars of the Southern District of Florida, Middle District of Florida, Northern District of Florida, U.S. Court of Appeals for the Eleventh Circuit, and U.S. Supreme Court. She currently serves on The Florida Bar Labor and Employment Law Executive Council, she is the current CLE Director, and the past chair of the Labor and Employment Law Section of the Palm Beach County Bar, executive board member of the Florida Chapter of the National Employment Lawyers Association, and a member of the American Trial Lawyers Association, the American Bar Association (Labor and Employment and Litigation Sections), and is active in numerous non-profit activities at the state and local level.



**ROBERT S. TURK** is a Shareholder in the Miami office of Stearns Weaver Miller and Chair of the firm's Labor & Employment Department. He is Board Certified by The Florida Bar in Labor and Employment law. Mr. Turk has nearly 40 years of experience advising employers on all aspects of labor and employment law. He is a Fellow in the College of Labor and Employment Lawyers, a past Chair of The Florida Bar's Labor and Employment Law Section, and a past President of the Academy of Florida Management Attorneys. He is also actively involved with the South Florida Hospitality Human Resources Association. Mr. Turk is consistently recognized by top publications including *Chambers USA* (Ranked Band 1), *Florida Super Lawyers* and the *South Florida Legal Guide*, and was named as *The Best Lawyers in America's* Miami Labor Law - Management Lawyer of the Year in 2015 and 2018 and Miami Litigation - Labor & Employment Lawyer of the Year in 2012 and 2016. He lectures regularly to various legal and business groups and is the editor of and a contributing author to Stearns Weaver Miller's Labor & Employment Law blog BeLaborthePoint.com. He earned his J.D. from the University of North Carolina School of Law.



**2018  
Annual  
Florida Bar  
Convention**

**Hilton Orlando  
Bonnet Creek  
&  
Waldorf Astoria**

14100 Bonnet  
Creek Resort Lane  
Orlando, FL 32821  
(407) 597-3600

**CLE CREDIT**

General: 3.0 hours  
Mental Illness: .5 hours

**CERTIFICATION CREDIT**

Labor and Employment Law: 3.0 hours

