

# 2009 EXCEL CONFERENCE AGENDA

## (EXamining Conflicts in Employment Law) July 26-30, 2009

### Registration

Sunday, July 26, 2009  
2:00 – 6:00 PM

Monday, July 30, 2009  
7:00 – 8:30 AM

### Breakfast

7:00 – 8:30 AM (M-TH)

Hearings Prep Meeting (pre-registered only) Monday 8:00 AM

### PLenary WORKSHOPS

	Monday, July 27, 2009	Tuesday, July 28, 2009	Thursday, July 30, 2009
8:30	<b>Opening Workshop</b>	<b>ADA Case Update</b> Peggy Mastroianni	<b>Strategic Planning for EEO</b> Georgia Coffey
8:45	<b>EEOC Chair's Presentation</b> <i>The Honorable Stuart Ishimaru,</i> Acting Chair, Equal Employment Opportunity Commission		
9:30	<b>"New Orleans Presentation"</b>		
10:00	<b>BREAK</b>	<b>BREAK</b>	<b>BREAK</b>
10:30	<b>OPM Presentation</b> <i>The Honorable John Berry,</i> Director, Office of Personnel Management <b>EEO [ ]</b>	<b>EEO Case Update</b> Veta Hurst	<b>Strategic Use of Special Emphasis Programs</b> (Panel from BIG, FAPAC, FEW, SAIGE, IMAGE, AAPD) <b>Danny Garceau, Manuel Oliverez, J.</b> <b>David Reeves, Farook Sait, Sue</b> <b>Webster</b> <b>EEO [Dexter Brooks, Moderator]</b>
11:00	<b>Presentation – Panel</b> <i>The Honorable Christine Griffin,</i> Acting Vice-Chair, Equal Employment Opportunity Commission		
Noon			

### Workshop Sessions

Workshop Sessions provide a wealth of information for EXCEL participants. Workshops are on Monday and Tuesday afternoon, and all day Wednesday. Participants need to select one workshop from each of the sessions listed below.

The MD-715, Hearing Preparation and Mediation Track require separate approval and are limited to 40 people. The workshop sessions for each of the tracks are listed at the end of this agenda.

#### Legend

**SEP:** Special Emphasis Program

**REP:** Representative

**All**

**HEPM:** Hispanic Employment Prog. Mgr.

**Levels:** Basic, Intermediate & Advanced

**SES/MGR:** Senior Executive Service/Manager/Supervisor

**INV:** Investigator

**ADR:** Alternative Dispute Resolution

**Workshop Sessions**  
**Monday, July 27, 2009**

Section	Session 1 1:30 – 3:00	Session 2 3:30 – 5:00
A	<b>MD-715: Advanced Barrier Analysis Part I: Trigger Identification</b> <i>Lisa Guilmette, Mildred Rivera, Patricia St. Clair</i> <b>EEO [ ]</b> <b>Level: Intermediate</b>	<b>MD-715: Advanced Barrier Analysis Part II: Barrier Identification and Elimination</b> <i>Lisa Guilmette, Mildred Rivera, Patricia St. Clair</i> <b>EEO [ ]</b> <b>Level: Intermediate</b>
B	<b>Basic &amp; We Mean Basic Theories of Discrimination</b> <i>Andrew Culbertson</i> <b>EEO [ ]</b> <b>Level: Basic</b>	<b>Business Case for Diversity</b> <i>Shirley Davis, SHRM</i> <b>SES [ ]</b> <b>Level: Advanced</b>
C	<b>EEO Counselor Skills I</b> <i>Christopher Juge, Mona Read</i> <b>EEO [ ]</b> <b>Level: Basic</b>	<b>EEO Counselor Skills II</b> <i>Christopher Juge, Mona Read</i> <b>EEO [ ]</b> <b>Level: Basic</b>
D	<b>Damages Discovery</b> <i>Ernest Hadley, Gary Gilbert</i> <b>REP [ Beth ]</b> <b>Level: Basic</b>	<b>EEO and HR: Friend or Foe?</b> <i>Diane Crothers, Michael Reyes</i> <b>HR [ ], (State and Local Emphasis)</b> <b>Level: Intermediate</b>
E	<b>Workplace Bullying: Challenges Raised by Workplace Harassment, Hostile Work Environment, and Poor Managers in the Federal Sector</b> <i>Denise McKenney, Jennifer Ortiz</i> <b>ADR [ ]</b> <b>Level: Basic</b>	<b>Ethics for Attorneys</b>  <b>Ends at 5:30PM</b>  <b>REP [ Elizabeth Alston ]</b> <b>Level: Basic</b>
F	<b>AAPI – What Next?</b>  <i>Gazal Modhera , Farook Sait, Sharon Wong</i>	<b>Recruitment &amp; Retention: Are Effective Special Emphasis Programs (SEPs) Really Necessary?</b> <i>Janet Sellars</i> <b>SEP [ ]</b> <b>Level: Intermediate</b>
G	<b>2% by 2010: Strategies for Increasing Employment of People with Disabilities</b> <i>Dinah Cohen, Stephen King</i> <b>HR/EEO [ ]</b> <b>Level: Intermediate</b>	<b>Mock Deposition--Damages</b>  <i>Ernest Hadley, Gary Gilbert</i> <b>REP [ ]</b> <b>Level: Intermediate</b>
H	<b>MSPB Cases Update</b> <i>Sharon Jackson</i> <b>REP [ ]</b>  <b>Level: Intermediate</b>	<b>The New Math: Understanding Generational Value Systems</b> <i>Katrina Grider</i> <b>ALL [ ]</b> <b>Level: Advanced</b>
I	<b>Drafting Procedural Accept &amp; Dismissal Decisions</b> <i>Timothy Bladek</i> <b>[REP [ ]]</b> <b>Level: Intermediate</b>	<b>Hearing Prep</b>  <b>REP [ Kenneth Chu ]</b> <b>CLOSED SESSION</b>
J		

## Workshop Sessions

Tuesday, July 28, 2009

Section	Session 3 1:30 – 3:00	Session 4 3:30 – 5:00
A	<p><b>Who Ate My Lunch? Addressing the Cultural-Based Conflict in the Multicultural Workplace</b> <i>Kathy Emmenecker</i> ALL [            ] Level: Intermediate</p>	<p><b>Electronic Discovery</b> <i>Jeremy Wright</i> REP [            ] Level: Advanced</p>
B	<p><b>The Digital EEO Office</b> <i>Dann Determan, William Caldwell</i> EEO [            ] Level: Basic</p>	<p><b>Simply MD-715: Core Concepts &amp; Practical Applications</b> <i>Lori Grant</i> EEO [            ] Level: Intermediate</p>
C	<p><b>ADR Beyond Mediation</b> <i>Mina Raskin, Nicole Swann</i> ADR [            ] Level: Basic</p>	<p><b>Intense Conflict</b> <i>Erickka Bridgeford</i> ADR [            ] Level: Intermediate</p>
D	<p><b>How to Handle Mental Health Impairments in the Workplace: Balancing Issues of Behavior, Direct Threat and Reasonable Accommodation</b> <i>Kendra Duckworth</i> EEO [            ] Level: Intermediate/Advanced</p>	<p><b>Ethical Considerations in Mediation</b> *Ends at 5:30PM <i>Stanley Braverman</i> ADR [            ] Level: Basic-Advanced</p>
E	<p><b>Strategic Diversity Management: Personal Diversity Paradigm</b> <i>Roosevelt Thomas</i> ALL [            ] Level: Advanced</p>	<p><b>Attorney Fees &amp; Remedies</b> <i>Ernest Hadley, Gary Gilbert</i> REP [            ] Level: Intermediate/Advanced</p>
F	<p><b>Investigator Skills: Part I</b> <i>Ed McCaffrey</i> INV [            ] Level: Intermediate</p>	<p><b>Investigator Skills: Part II</b> <i>Ed McCaffrey</i> INV [            ] Level: Intermediate</p>
G	<p><b>Caregiver Discrimination</b> <i>Joan Williams</i> EEO/REP [            ] Level: Intermediate</p>	<p><b>Influence, Leadership and Communication: Are You Engaged in Best Practices?</b> <i>Arthur Matthews</i> SES [            ] Level: Advanced</p>
H	<p><b>Leadership Strategies and Effective Leadership</b> <i>Samuel Betances</i> SES [            ] Level: Advanced</p>	<p><b>Mixed Case Processing</b> <i>Sharon Jackson, Veronica Villalobos</i> EEO/REP [            ] Level: Intermediate</p>
I	<p><b>Drafting Effective Summary Judgment Motions</b> <i>Dennis McGuire, Marlin Schreffler, Diana Veilleux</i> REP [            ] Level: Basic-Intermediate</p>	<p><b>Hearing Prep</b>  REP CLOSED SESSION</p>

**Workshop Sessions**  
**Wednesday, July 29, 2009**

Section	Session 5 8:30 – 10:00	Session 6 10:30 – Noon
A	<b>Investigative Questions: The Why Behind the What of Investigations: Part I</b>  <i>Kathy Aram &amp; Myrick Bismarck</i> <b>INV [            ]</b> <b>Level: Advanced</b>	<b>Striving for Excellence and Achieving Results: How to Develop a Business Plan to Achieve a Model EEO Program Based on MD-715</b>  <i>Blaine Markuson, Michael Butkovich</i> <b>EEO [            ]</b> <b>Level: Intermediate</b>
B	<b>MD-715 Barrier Analysis Part I: Trigger Identification</b>  <i>Lisa Guilmette, Mildred Rivera, Patricia St. Clair</i> <b>EEO [            ]</b> <b>Level: Intermediate</b>	<b>Mentoring: Strategic Collaboration for Success</b>  <i>Dr. Patricia Taylor</i> <b>SES/MGR [            ]</b> <b>Level: Intermediate</b>
C	<b>Electronic Discovery</b>  <i>Jeremy Wright</i> <b>REP [            ]</b> <b>Level: Basic-Intermediate</b>	<b>Conflict Resolution Skills for Mediators</b>  <i>Nicole Swann</i> <b>ADR [            ]</b> <b>Level: Advanced</b>
D	<b>EEOC Form 462 Basics: Preparing the Report</b>  <i>Junish Aurora, Jamie Price</i> <b>EEO [            ]</b> <b>Level: Basic</b>	<b>Investigative Questions: The Why Behind the What of Investigations: Part II</b>  <i>Kathy Aram &amp; Myrick Bismarck</i> <b>INV [            ]</b> <b>Level: Advanced</b>
E	<b>Follow-up from 2008 EXCEL Conference: Hispanic Employment Program Manager's Summit</b>  <i>Carlton Hadden, Delia Johnson, Milton Belardo, Cyrus Salazar, Veronica Villalobos, Gene Ochoa-Sexton</i> <b>HEPM/SEP [            ]</b> <b>Level: Intermediate</b>	<b>HEPM Resources &amp; Best Practices</b>  <i>Milton Belardo, Cyrus Salazar, Sandovar, Harry Salinas</i> <b>HEPM/SEP [            ]</b> <b>Level: Intermediate</b>
F	<b>ADAAA-GINA</b>  <i>Christopher Kuczynski</i> <b>EEO [            ]</b> <b>Level: Intermediate</b>	<b>USERRA/VEOA</b>  <i>Sharon Jackson, Thomas Lanphear</i> <b>REP [            ]</b> <b>Level: Intermediate</b>
G	<b>Subtle Biases In Dispute Resolution</b>  <i>Ed McCaffrey</i> <b>ADR [            ]</b> <b>Level: Advanced</b>	<b>EEOC Form 462 Report and Furthering EEO Trend Analysis Efforts</b>  <i>Junish Aurora, Jamie Price</i> <b>EEO [            ]</b> <b>Level: Advanced</b>
H	<b>Measuring the Impact of Diversity</b>  <i>Dr. Patricia Taylor</i> <b>SES [            ]</b> <b>Level: Advanced</b>	<b>Effectively Using Discovery</b>  <i>Marlin Schreffler, Dennis McGuire, Diana Veilleux</i> <b>REP [            ]</b> <b>Level: Intermediate</b>
I	<b>Examining Witnesses for Results</b>  <i>Joseph Kaplan</i> <b>REP/EEO [            ]</b> <b>Level: Intermediate</b>	<b>Lessons Learned from Findings of Discrimination and Settlements</b>  <i>Kenneth Chu, Thais Mootz</i> <b>REP/EEO [            ]</b> <b>Level: Intermediate</b>

**Workshop Sessions**  
**Wednesday, July 29, 2009**

Section	Session 7 1:30 – 3:00	Session 8 3:30 – 5:00
A	<b>MD-715: Advanced Barrier Analysis Part II: Barrier Identification and Elimination</b> <i>Lisa Guilmette, Mildred Rivera, Patricia St. Clair</i> <b>EEO [            ]</b> <b>Level: Intermediate</b>	<b>Federal Sector Class Action: Hearing Stage</b>  <i>Cathy Harris, Joel Kravetz, David Pena &amp; Sharon Kelley</i>  <b>EEO/REP [            ]</b> <b>Level: Intermediate-Advanced</b>
B	<b>Basics of EEO for Managers &amp; Supervisors</b> <i>Delia Johnson, Stephen Shih, Thais Mootz</i> <b>MGR [            ]</b> <b>Level: Basic</b>	<b>Strategic Listening</b> <i>Erickka Bridgeford</i> <b>ADR [            ]</b> <b>Level: Intermediate</b>
C	<b>Providing Reasonable Accommodations</b> <i>Sharon Terrell-Lindsay, Kendra Duckworth</i>  <b>EEO [            ]</b> <b>Level: Intermediate-Advanced</b>	<b>HEPM: Town Hall Meeting</b> <i>Carlton Hadden, Delia Johnson, Cyrus Salazar, Gene Ochoa-Sexton, Sandoval, Harry Salinas</i>
D	<b>Managing Conflict: Negotiating for a Competitive Advantage</b> <i>Arthur Matthews</i> <b>REP [            ]</b> <b>Level: Advanced</b>	<b>Investigating Disability Claims after ADAA</b>  <i>Christopher Kuczynski</i> <b>INV [            ]</b> <b>Level: Intermediate-Advanced</b>
E	<b>Marketing Your EEO Program: Developing a Program of Zest and Effectiveness!</b> <i>Oliver C. Allen, Chrystal Young</i> <b>EEO/SES [            ]</b> <b>Level: Advanced</b>	<b>FAD Writing Workshop: Learning How to Write a FAD Like a Pro</b> <i>Veronica Villalobos</i> <b>EEO/REP [            ]</b> <b>Level: Intermediate</b>
F	<b>Avoiding Interviewing and Selection Pitfalls</b>  <i>Tracy Partee</i> <b>MGR [Mona ]</b> <b>Level: Intermediate</b>	<b>Ethics for Attorneys (CLE Credits-2 hours)</b> <b>Ends at 5:30PM</b>  <b>REP [Julie Brown White]</b> <b>Level: Intermediate</b>
G	<b>Employment Discrimination Protection for Sexual Orientation and Gender Identity</b> <i>Jamie Phillips</i> <b>ALL [            ]</b> <b>Level: Basic</b>	<b>SES &amp; Diversity</b>  <i>William Bransford</i> <b>SES [            ]</b> <b>Level: Basic – Advanced</b>
H	<b>Religious Accommodation</b> <i>Jeanne Goldberg</i> <b>EEO [            ]</b> <b>Level: Intermediate</b>	<b>How to Avoid being Named in an EEO Complaint</b> <i>Meeka Savage Drayton, Alan S. Frank, Tina M. Waddell</i> <b>MGR [            ]</b> <b>Level: Basic-Advanced</b>
I	<b>Hearing Prep</b>  <b>REP</b> <b>CLOSED SESSION</b>	<b>Hearing Prep</b>  <b>REP</b> <b>CLOSED SESSION</b>

**Workshop Sessions**  
**Thursday , July 30, 2009**

<b>Section</b>	<b>Session 9 8:30 – 10:00</b>	<b>Session 10 10:30 - Noon</b>
A	<b>Strategic Planning for EEO</b>  <i>Georgia Coffey</i>	<b>Strategic Use of Special Emphasis Programs</b> (Panel from BIG, FAPAC, FEW, SAIGE, IMAGE, AAPD) <i>Danny Garceau, Manuel Oliverez, J. David Reeves, Farook Sait, Sue Webster</i> <b>EEO   Dexter Brooks, Moderator]</b>
B	<b>Mediation Track Workshop</b>	<b>Mediation Track Workshop</b>