



EEOC
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**U.S. Equal Employment Opportunity Commission
Birmingham District Office**

Promoting EEO and Avoiding the Backlash of Noncompliance

June 13, 2024

8:00 am – 4:10 pm Central

In Person Event – No Virtual Options

Hotel Effie Sandestin

1 Grand Sandestin Blvd., Miramar Beach, FL 32550

AGENDA

- | Time | Presentation |
|-------------|---|
| 7:00 am | Registration Opens and Breakfast |
| 8:00 am | Opening Remarks
Bradley Anderson, District Director, EEOC Birmingham District Office |
| 8:10 am | The Promise and Perils of Artificial Intelligence in Employment Decision- making
Keith E. Sonderling, EEOC Commissioner, Washington, DC
Employers are using AI to make employment decisions at every stage of the job life cycle, from hiring, promotion, firing. AI-driven technologies have the potential to make the workplace more open, fair, and inclusive by eliminating unlawful discrimination from employment decisions. However, AI can also amplify workplace bias if systems are poorly designed or carelessly deployed. Commissioner Sonderling will discuss the implications of Artificial Intelligence and Machine Learning in employment decision-making. |
| 9:10 am | Break |

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Time Presentation

9:15 am **Disability Etiquette and Simulation and Assistive Technology Exhibit**
Bobbi Stephenson, Director of Business Relations, Alabama Rehabilitation Services
Daniel A. Spencer, Business Relations Consultant, READI-Net, Vocational Rehabilitation Service, Alabama

Etiquette matters! This panel will discuss why understanding communications with individuals with physical and mental disabilities is so important for creating inclusive and respectful workplaces. Participants will learn the preferred etiquette and manners of interacting and communicating.

10:15 am **Networking Break**

Assistive Technology Exhibit: View and learn about an array of accommodation possibilities and technology that could improve your workplace culture. This exhibit will be displayed throughout the day with experts on hand to answer your questions. The Exhibit is sponsored by Alabama Rehabilitation Services.

Ask the EEOC Q & A Booth: You have questions, we have answers! The EEOC Birmingham District Office leadership will answer your questions from the mediation to investigations and the litigation process.

10:35 am **EEOC Litigation Priorities**

Karla Gilbride, EEOC General Counsel, Washington, DC

There's a new General Counsel in town at EEOC, Karla Gilbride, and this is your chance to hear directly from her about current EEOC litigation priorities under her watch. Ms. Gilbride will discuss the kinds of discrimination cases that EEOC considers for filing in federal courts across the country, including those that address new and developing areas of the law that the Office of General Counsel is closely watching. This timely and informative session will provide you with useful tips on what to look for in your own workplaces.

11:35 am **Networking Lunch**

Assistive Technology Exhibit – Open

12:45 pm **Birmingham District Office Legal Updates**

Marsha Rucker, Regional Attorney, EEOC Birmingham District Office

This session will discuss recent litigation victories in the Birmingham District Office and provide the latest appellate employment law updates from the Supreme Court, and Fifth and Eleventh Circuits.

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Time Presentation

1:45 pm What's New in ADR and Federal Sector

Jacqueline Allen, ADR Coordinator, EEOC Birmingham District Office

Kurt Fisher, Administrative Judge, EEOC Birmingham District Office

This presentation will provide a snapshot of the Alternative Dispute Resolution (ADR) and the Federal Sector Administrative Hearing processes. You will learn about the role of our ADR Mediators and the benefits to participating in the mediation process. You will also hear from an EEOC Administrative Judge regarding the Hearings process, including a discussion of recent federal sector cases and decisions.

2:45 pm Break

3:00 pm Ask the Experts: Filing EEOC Charges of Discrimination

Doug Kauffman, Partner, Balch & Bingham, Birmingham, Alabama

Erika LaCour, Area Director, EEOC Mobile Local Office, EEOC Birmingham District Office

Leslie Palmer, Palmer Legal Services, NELA-AL Secretary / Treasurer

Marsha Rucker, Regional Attorney, EEOC Birmingham District Office

Linda Sales-Long, Deputy Director, EEOC Birmingham District Office
Moderator

This diverse panel of EEO experts will share their perspectives regarding the discrimination charge filing process. Hear from attorneys representing both respondents and charging parties. The panel will discuss current trends, charge filing updates, and the EEOC Portal, and answer your questions about the process, including the portal and up to litigation.

4:00 pm Closing Remarks

Teri M. Peters, Outreach and Education Coordinator, EEOC Birmingham District Office

Bradley Anderson, District Director, EEOC Birmingham District Office

4:10 pm Adjourn

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REGISTRATION FEE: \$425.00 per person

REGISTER HERE: [Birmingham In-Person Workshop](#)

HOTEL ROOM BLOCK: Hotel Effie Sandestin [Book your group rate for US EEOC MAIN](#) under "US EEOC MAIN" by Thursday, May 30, 2024

CREDITS:



"This program has been approved for 6.0 (HR (General) recertification credit hour(s) toward aPHR™, aPHRi™, PHR®, PHRca®, SPHR®, GPHR®, PHRI™, and SPHRi™ recertification through the HR Certification Institute. The use of this official seal confirms that this Activity has met HR Certification Institute's® (HRCI®) criteria for recertification credit pre-approval.



This program has been approved for 6.0 PDCs.

The U.S. EEOC is recognized by SHRM to offer Professional Development Credits (PDCs) for SHRM-CP® or SHRM-SCP® recertification activities.

CLE – seeking credit for AL, FL, MS.

Federal Counselor or Investigator Refresher credits have been approved (6 hours).

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PRESENTER BIOGRAPHIES



Jacqueline Allen, ADR Coordinator, EEOC Birmingham District Office

Ms. Allen has a long and distinguished career in Civil Rights. For over 25 years, she has passionately committed to resolving employment law conflicts for parties. Achievement is a part of Jacqueline's lexicon; she has completed multiple mediation training courses such as courses at the Harvard school of Negotiation as well as over 25 years of practical experience resolving matters making her an expert at understanding the mechanics of conflict with a unique ability to formulate programs that utilize alternative dispute resolution techniques to address unique and complex issues. As a graduate of the University of Miami and the University College of Law, Ms. Allen puts her education to use to help others.

An expert communicator, Ms. Allen has conducted many technical training events for businesses of all sizes, youth at work, panels, small and large business events etc. Ms. Allen has received the National Chair Honor Award, the Circle of Excellence Team Award, Most Merit Factor Awards, Birmingham Alternative Dispute Resolution Unit Team Award, and other awards each year too numerous to count. As a neutral bridge between employees and Management



Bradley Anderson, District Director, EEOC Birmingham District Office

Bradley A. Anderson has devoted his professional career to serving and protecting worker rights. He has served as the Birmingham District Director of the U.S. Equal Employment Opportunity Commission (EEOC) since June 2018. The Birmingham District has jurisdiction over Alabama, Mississippi (except 17 northern counties) and the Florida Panhandle. Bradley is responsible for the District's enforcement, mediation, litigation and outreach programs.

Under his leadership, the District found over 2,900 instances of discrimination and recovered more than \$72 million in total financials for over 11,600 victims of discrimination.

Prior to joining EEOC, Bradley served at the U.S. Department of Labor, OFCCP from 1995 – 2018. From 2012 – 2018, Bradley led the largest region (Midwest) in OFCCP to enforce equal employment and affirmative action laws for companies doing business with the federal government. Under his leadership, the Midwest Region negotiated nearly 70 discrimination settlements valued at approximately \$48 million in total financials for more than 40,000 victims of employment discrimination.

Bradley graduated from Illinois Wesleyan University in 1991 with a double major in Business Administration and Spanish. He served for two years in the U.S. Peace Corps as a Small Business Development Volunteer in Nicaragua.

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Kurt Fisher, Administrative Judge, EEOC Birmingham District Office

Kurt Fisher serves as an Administrative Judge in the EEOC's Birmingham District Office. Prior to joining the EEOC's Federal Hearings Unit, he spent eight years with the Commission as an EEOC Trial Attorney.

Administrative Judge Fisher graduated from Claremont McKenna College in California and from Samford University's Cumberland School of Law in Alabama. During law school, Administrative Judge Fisher worked as an intern in both the EEOC's Birmingham District Office and in Washington D.C. for former EEOC Commissioner Constance S. Barker.



Karla Gilbride, EEOC General Counsel, Washington, DC

Karla Gilbride was nominated by President Biden as General Counsel of the U.S. Equal Employment Opportunity Commission (EEOC) on January 3, 2023, and confirmed by the U.S. Senate on October 17, 2023, to a four-year term.

Gilbride joins the EEOC with over 15 years of experience litigating cases on behalf of workers and consumers. Previously, she worked at the non-profit organization Public Justice, where she served as co-director of the Access to Justice Project. In this role, she focused on eliminating structural barriers that make it more difficult for people to access justice through the civil courts.

Before joining Public Justice, Gilbride worked as an associate at Mehri & Skalet PLLC, where she litigated wage theft and employment discrimination cases, as well as consumer class actions. She also litigated cases filed under the Fair Housing Act. In addition, she spent three years at Disability Rights Advocates litigating disability discrimination class actions and representing disabled consumers before the California Public Utilities Commission.

In May of 2022, Gilbride won a significant victory in the fight against forced arbitration arguing before the U.S. Supreme Court in *Morgan v. Sundance, Inc.* Ultimately, the Supreme Court ruled 9-0 in her client's favor.



Doug Kauffman, Partner, Balch & Bingham, Birmingham, AL

Doug Kauffman is a partner in Balch & Bingham's Birmingham office and a member of the firm's Labor & Employment Practice. Doug helps employers manage their most valuable assets—their employees. For more than 20 years, he has counseled large and small employers, helping them stay up to date on the law, regulations, and best practices with respect to employment compliance. When issues arise in the workplace, Doug provides real-time solutions. He also handles complaints or audits by various government agencies, such as the EEOC, the Department of Labor, and the Immigration and Customs Enforcement, and he litigates all employment issues in court.

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Erika LaCour, Area Director, EEOC Mobile Local Office, EEOC Birmingham District Office

Erika LaCour is the Director of the Equal Employment Opportunity Commission's Mobile Local Office. She has more than 25 years of dedicated service in the field of investigative work with the Agency. Her career has been defined by a commitment to the mission of the EEOC which is working to prevent and remedy unlawful employment discrimination and advance equal opportunity. Throughout her career she held many roles, to include Investigator, Supervisory Investigator, Program Analyst and Office Director. In 2022, she received the Chair's Honor Awards for leadership.



Leslie Palmer, Palmer Legal Services, NELA-AL Secretary / Treasurer

Leslie Palmer is a solo practitioner practicing exclusively in Plaintiff's employment litigation. She is a 2011 cum laude graduate of Samford University's Cumberland School of Law where she served as a research editor on the Cumberland Law Review and was a member of the National Moot Court team. She has argued before panels of the 11th Circuit Court of Appeals. Leslie is a member of the National Employment Lawyers' Association, "NELA" and the Secretary/Treasurer of NELA-AL. Leslie is also on the board of the Alabama State Bar Labor and Employment Section. In March of 2023, Leslie and fellow NELA member Heather Leonard obtained over an \$800,000 verdict in the Middle District of Alabama on a retaliation case for an employee who was constructively discharged after complaining about a racially motivated hair grooming policy – dreadlocks.



Marsha Rucker, Regional Attorney, EEOC Birmingham District Office

Marsha Rucker is the Regional Attorney for the Birmingham District of the U.S. Equal Employment Opportunity Commission. Ms. Rucker manages and litigates cases to further the eradication of unlawful employment discrimination as well as development of the law under statutes EEOC enforces. Ms. Rucker began her career with EEOC as a trial attorney in the Birmingham Office in 2008 and became the Regional Attorney in December 2016. Prior to joining EEOC, Ms. Rucker was in-house counsel for two, large public housing authorities. Initially, Ms. Rucker was employed as a staff attorney with Cuyahoga Metropolitan Housing Authority ("CMHA"). Ms. Rucker later was a senior staff attorney for the Housing Authority City of Pittsburgh ("HACP"). Early in her career, Ms. Rucker was a staff attorney for Legal Aid Society of Cleveland.

Ms. Rucker is a 2019 and 2022 recipient of the Chair's Organizational Performance Award, the highest honor conferred within EEOC. Ms. Rucker received her Bachelor of Arts Degree from Duke University and her Juris Doctorate from University of Pittsburgh School of Law where she was a Patricia Roberts Harris National Fellow.

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Linda Sales-Long, Deputy Director, EEOC Birmingham District Office

Linda Sales-Long joined the U.S. Equal Employment Opportunity Commission (EEOC) as the Deputy Director of the Birmingham District Office in January 2015. During her tenure at the EEOC, Ms. Sales-Long has served as the Acting ADR Coordinator of the Birmingham District and most recently as the Acting District Director of the Dallas District of the Equal Employment Opportunity Commission.

Ms. Sales-Long has a long career in employment law. Prior to her appointment as Birmingham District Deputy Director, she held various positions with the Tennessee Valley Authority (TVA) and started her career as an attorney in the Office of the General Counsel. Ms. Sales-Long represented TVA management in Administrative and Federal District Court cases. During her TVA tenure, Ms. Sales-Long served as the Director of Equal Opportunity Compliance (EOC), the Senior Program Manager of Human Resource Policies, and the Senior Project Manager of Internal Compliance at TVA. Ms. Sales-Long is a graduate of the George C. Taylor School of Law at the University of Tennessee at Knoxville and completed the Learning Management for Accelerated Performers (LMAP) through Vanderbilt University where she earned a certification in Leadership.

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Keith E. Sonderling, EEOC Commissioner, Washington, DC

Keith E. Sonderling was confirmed by the U.S. Senate, with a bipartisan vote, to be a Commissioner on the U.S. Equal Employment Opportunity Commission (EEOC) in 2020. Until January of 2021, he served as the Commission's Vice-Chair. His term expires July of 2024.

Prior to his confirmation to the EEOC, Commissioner Sonderling served as the Acting and Deputy Administrator of the Wage and Hour Division at the U.S. Department of Labor. Before joining the Department of Labor in 2017, Commissioner Sonderling practiced Labor and Employment law in Florida. Commissioner Sonderling also serves as a Professional Lecturer in the Law at The George Washington University Law School, teaching employment discrimination.

Since joining the EEOC, one of Commissioner Sonderling's highest priorities is ensuring that artificial intelligence and workplace technologies are designed and deployed consistent with long-standing civil rights laws. Commissioner Sonderling has published numerous articles on the benefits and potential harms of using artificial intelligence-based technology in the workplace and speaks globally on these emerging issues.

Immediately before his confirmation to the EEOC, as Deputy and Acting Administrator of the U.S. Department of Labor's Wage and Hour Division, Sonderling oversaw enforcement, outreach, regulatory work, strategic planning, performance management, communications, and stakeholder engagement. The Division accomplished back-to-back record-breaking enforcement collections and educational outreach events during his tenure. The Wage and Hour Division administers and enforces federal labor laws, including the Fair Labor Standards Act, the Family and Medical Leave Act, and the labor provisions of the Immigration and Nationality Act.

Commissioner Sonderling also oversaw the development and publication of large-scale deregulatory rules and authored numerous Opinion Letters, Field Assistance Bulletins, and All Agency Memorandums. Additionally, he was instrumental in developing the Division's first comprehensive self-audit program, which collected more than \$7 million for nearly eleven thousand workers.

Before his government service, Commissioner Sonderling was a partner at one of Florida's oldest and largest law firms, Gunster. At Gunster, he counseled employers and litigated labor and employment disputes. In 2012, then-Governor Rick Scott appointed Sonderling to serve as the Chair of the Judicial Nominating Committee for appellate courts in South Florida. Sonderling received his B.S., magna cum laude, from the University of Florida and his J.D., magna cum laude, from Nova Southeastern University.

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Daniel Spencer, Business Relations Consultant, READI-Net, Vocational Rehabilitation Service, Alabama

Daniel Spencer is a Business Relations Consultant for the Alabama Department of Rehabilitation Service's Vocational Rehabilitation Business Relations Program - READI- Net (Resources for Employment and Disability Information). Daniel is responsible for developing and maintaining partnerships with business and industry, and federal contractors within Alabama, as well as nationally, in order to assist companies with their disability and inclusion needs, including the recruitment, employment, retention and advancement of individuals with disabilities. Daniel travels state-wide providing disability and employment related trainings to employer partners on such topics as Disability Etiquette, Disability Awareness, ADA, Return to Work/Stay at Work initiatives, Reasonable Accommodations, and Section 503 of the Rehabilitation Act. He received his Bachelor of Arts degree in Business Management from Talladega College.

He went on to attend DeVry University's Keller School of Management on the University's Educator Fellowship Program where he received his master's degree in Human Resource Management and his master's in Business Administration graduating with honors. Daniel started out working with students with disabilities as a Jointly- Funded Job Coach with Vocational Rehabilitation at Talladega High School where he worked there for more than 7 years. He went on to become the Business Relations Consultant for the Vocational Rehabilitation unit in Gadsden, Alabama

Bobbi Stephenson, Director of Business Relations, Alabama Rehabilitation Services



Bobbi Stephenson is the Director, of the Business Relations Program for the Alabama Department of Rehabilitation Services. Bobbi has a combined 16 years' experience helping Individuals with Disabilities achieve life goals through employment. Bobbi helps business and industry with their disability and inclusion efforts in the recruitment, employment, and retention of Individuals with Disabilities. Bobbi has a Bachelor's Degree in Communications from Western Illinois University.

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