



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

Promoting EEO and Avoiding the Backlash of Noncompliance

August 15, 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 **All You Should Know about Pregnancy and Disability Reasonable Accommodation**

Andrea R. Lucas, EEOC Commissioner, Washington, DC

The Pregnant Workers Fairness Act (PWFA) took effect on June 27, 2023, and the final regulation became effective on June 18, 2024. As only the second EEOC Commissioner to give birth during her tenure at EEOC, Commissioner Lucas is uniquely qualified to discuss this new and important civil rights law. She will share her perspective on the PWFA which requires covered employers to provide reasonable accommodations to qualified employees and applicants known limitations related to pregnancy unless the accommodation causes an undue hardship. She will also discuss hot topics and emerging issues related to disability accommodations under the Americans with Disabilities Act.

9:10 am Break

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Time Presentation

9:15 am **Disability Etiquette and Simulation and Assistive Technology Exhibit**

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

Etiquette matters! This session 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 **The Basics for Supervisory Training Associated with Medical Inquiries and Information**

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

During this session you will hear what new supervisors need to know and don't need to know about medical conditions. You will learn how to train your managers to respect confidentiality of medical information and understand common misperceptions about dealing with employees with medical conditions.

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Time Presentation

1:45 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.

2:45 pm Break

3:00 pm You've Got Questions, We've Got Answers: At the EEOC Leadership Panel

Kurt Fisher, Administrative Judge, EEOC Birmingham District Office

Barbara Fuller, Mediator, EEOC Birmingham District Office

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

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. 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

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 Monday, July 22, 2024

CREDITS:

HRCI – This program has been submitted to the HR Certification Institute for review.

SHRM – submitted for approval.

CLE – seeking credit for AL, FL, MS.

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

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PRESENTER BIOGRAPHIES

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.

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.

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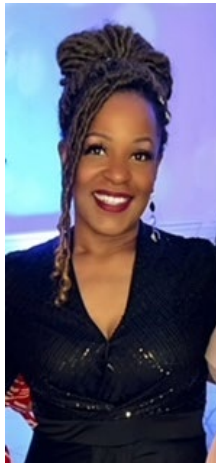


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PRESENTER BIOGRAPHIES



Barbara Fuller, Mediator, EEOC Birmingham District Office

Barbara Fuller has had a long and passionate career advocating for Civil Rights. For over 35 years, she has blazed trails while working for the Federal Government. With extensive experience in employment law, her career has taken her from her role as a Senior Litigation Paralegal Specialist with the Office of General Counsel of the United States Equal Employment Opportunity Commission (EEOC), to a Damage Expert on hundreds of systemic and class action cases across the country. She has become known as "The Closer" for her negotiation skills.

Barbara has worked on landmark cases like *EEOC v. Henry's Turkey*, a class action disability case in the District of Iowa with a jury verdict of \$240 million. She also worked on *EEOC v. Work Service, Inc.*, another major class case stemming from Henry Turkey's case. Barbara was intricate in the class action case, *EEOC v. Allied Aviation*; and *EEOC v. Sarah Lee*, a race discrimination case with a multimillion-dollar settlement.

Barbara's passion for negotiation and helping people led her to earn a Master's of Negotiation from Harvard Law School. Now based in the Birmingham District, the Texas native focuses on Alternative Dispute Resolution.



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.

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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.



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.

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Andrea R. Lucas, EEOC Commissioner, Washington, DC



Andrea R. Lucas was confirmed by the U.S. Senate to be a Commissioner on the U.S. Equal Employment Opportunity Commission (EEOC) in 2020. Her term expires in July 2025.

As part of her work educating employers, employees, and other stakeholders about the laws the EEOC enforces, Commissioner Lucas writes and speaks frequently about hot topics and emerging issues in employment law and civil rights, including corporate diversity programs; religious discrimination, accommodation, and inclusion; accommodations for pregnancy, childbirth, and related medical conditions; and disability accommodation.

Before her appointment to the EEOC, Commissioner Lucas was a member of the labor and employment and litigation practice groups of Gibson, Dunn & Crutcher LLP, and was based in the firm's Washington, D.C. office. While at Gibson Dunn, Lucas represented and advised employers and boards of directors on a wide variety of employment-related issues, including significant employment discrimination litigation, sexual harassment and other sensitive workplace investigations, and compliance with federal and state employment discrimination statutes. Commissioner Lucas has particularly deep experience counseling employers during large-scale voluntary and involuntary separation programs and related reorganizations to prevent discrimination on the basis of age and other protected characteristics.

Immediately before joining the Commission, Lucas extensively focused on providing COVID-19-related counseling to employers to help them keep their essential businesses operational or safely reopen their workplaces, while also protecting their employees' rights under federal and state employment and privacy laws.

Commissioner Lucas received her B.A., magna cum laude, from the University of Pennsylvania and her J.D. from the University of Virginia. Earlier in her career, she clerked on the United States District Court for the Eastern District of Virginia. Lucas is the mother of two young daughters and is only the second Commissioner to give birth during her tenure on the Commission.

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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.

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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PRESENTER BIOGRAPHIES



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

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