



# Representing Workers in Harassment & Retaliation Claims

**October 17 - 18, 2008**

**Crowne Plaza Chicago Metro Hotel  
Chicago, IL**

**Co-sponsored By  
Southern Poverty Law Center**



## About The Seminar

It has been more than twenty years since the U.S. Supreme Court first recognized, in *Meritor Savings Bank v. Vinson*, that Title VII encompasses workplace harassment claims. Sadly though, the prevalence of workplace harassment has hardly dissipated in those twenty years. Similarly, those who muster up the courage to complain all too regularly suffer fierce reprisals. **Representing Workers in Harassment & Retaliation Claims** will provide practitioners with the tools for enforcing these employees' rights. Experienced litigators will review significant developments in harassment and retaliation law. Our experts will share their best practice tips and strategies on counseling and case selection; the unique challenges presented by harassment based on multiple and intersectional characteristics; evidentiary issues likely to arise in harassment and retaliation cases; defeating summary judgment; successful mediation; identifying and litigating retaliation claims; maximizing your client's recovery; and much more. Concurrent breakout sessions will be offered to enable participants to tailor the program according to specified subject-areas of interest and experience levels.

The seminar is sponsored by the National Employment Lawyers Association (NELA), the largest professional membership organization in the country comprised of lawyers who represent workers in labor, employment, and civil rights disputes. NELA advances employee rights and serves lawyers who advocate for equality and justice in the American workplace. NELA and its 68 state and local affiliates have over 3,000 members who are committed to working on behalf of those who have been illegally treated in the workplace. NELA is pleased to be joined by the Southern Poverty Law Center (SPLC) in sponsoring this program. Through projects like Esperanza: The Immigrant Women's Legal Initiative, SPLC has been a leader in tackling the widespread problem of sexual abuse and harassment immigrant women face.

## Registration

Early-bird registration fee for the seminar is \$500 for NELA members and \$725 for non-members. Registration forms must be postmarked on or before September 12, 2008 to qualify for this rate. From September 13 to September 26, 2008 the registration fee is \$550 for NELA members and \$775 for non-members. Registration after September 26, 2008 and on-site (subject to space availability) is \$650 for NELA members and \$875 for non-members. A reduced fee of \$475 is available to NELA members who are staff attorneys of legal services, public interest, and government organizations. A special rate of \$275 will be offered to NELA Law Student Members. Daily registration of \$375 is offered for Friday, October 17 and \$325 for Saturday, October 18 to NELA members only. The full registration fee includes attendance, the course manual on CD-ROM, two continental breakfasts, a luncheon, refreshments, and a reception. Daily registration fees include attendance for the registered day, the seminar manual on CD-ROM, and all scheduled food functions. Only seminar participants who register on or before September 15, 2008 will be listed in the "Directory of Participants." The course manual on CD-ROM is available for separate purchase for \$75 per copy for NELA members, and \$200 for non-members. To order, complete the registration form in this brochure. Registration fees and the course manual can be paid by credit card (VISA or MasterCard), or check made payable to NELA. You may register and purchase CLE materials on-line at [www.nela.org](http://www.nela.org).

## Cancellation Policy

Registrants who cancel in writing on or before September 19, 2008 will receive a refund minus a \$50 administrative charge. No-show registrants and those who cancel after the September 19 cut-off date will not receive a refund. They will, however, receive a mailed copy of the course manual on CD-ROM.

## Continuing Legal Education Credit

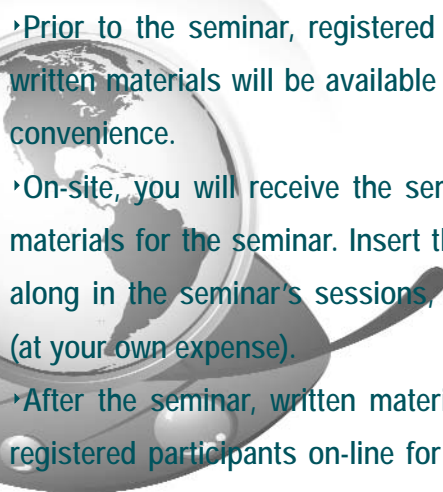
Registrants who wish to receive credit towards mandatory continuing legal education requirements or specialist certification should supply the necessary forms to the Registrar at the time of the seminar. NELA will provide certificates of attendance for the seminar, but registrants will be responsible for submitting the appropriate documents to their jurisdictions and for any filing fees associated with their CLE applications. This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 12.25 hours (based on 60 minutes). NELA certifies that this activity conforms to the standards for approved activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education. NELA is an approved continuing legal education sponsor in California, Pennsylvania, and Vermont.

## Hotel Accommodations

A limited block of rooms has been reserved at the Crowne Plaza Chicago Metro Hotel at a special rate of \$179 per night for single and double occupancy (plus applicable taxes). To make hotel reservations, call the Reservations Department of the Crowne Plaza Chicago Metro Hotel at (312) 829-5000. To ensure that you receive the group rate, identify yourself as a "National Employment Lawyers Association Fall Seminar Group" participant. A credit card or deposit equal to one night's stay is necessary to guarantee hotel reservations. Registrants are responsible for their hotel reservations.

**Reservations must be made by Friday, September 26, 2008** in order to be eligible for the seminar rate. The Crowne Plaza Chicago Metro Hotel is located at 733 W. Madison, Chicago, IL 60661.

In keeping with our 2008 New Year's resolution to "be greener" this year, the seminar will be "paperless." Registered participants will have three ways to access the written materials:

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- Prior to the seminar, registered participants will receive an e-mail announcing when the written materials will be available for download. You may print them out in advance at your convenience.
  - On-site, you will receive the seminar manual on CD-ROM, which will contain the written materials for the seminar. Insert the seminar manual on CD-ROM into your laptop to follow along in the seminar's sessions, or visit the hotel's business center to print them on-site (at your own expense).
  - After the seminar, written materials (including any late submissions) will be available to registered participants on-line for a limited time. This way you can continue to access the seminar's written materials after you get back to your office.
  - Visit [www.nela.org](http://www.nela.org) for the answers to "Frequently Asked Questions" (FAQs) about NELA's "paperless" CLE Programs.

## The Employee Rights Advocacy Scholarship Fund

The Employee Rights Advocacy Scholarship Fund is a project of The Employee Rights Advocacy Institute For Law & Policy ("The Institute"), NELA's related nonprofit public benefit organization. NELA and The Institute are committed to ensuring that NELA's nationally renowned continuing legal educational programs are accessible to those who would otherwise not be able to attend without financial assistance. In this regard, we encourage applications for full or partial scholarships from legal services, public interest and private lawyers who represent workers. Based on financial need, scholarship awards will cover the cost of the seminar registration fee, hotel expenses (room and tax for a maximum three-night stay) and/or travel.

To apply for a scholarship, send a letter on your employer's letterhead describing: (1) your interest, (2) the nature of your legal practice or the legal services you provide, (3) the workers you represent, (4) the need for financial assistance, and (5) any other information you wish us to consider. Your request must be accompanied by a completed scholarship application (see "Scholarship Application" in this brochure).

**Applications must be received no later than September 12, 2008.**

Please note the following:

- ▶ Preference will be given to applicants who provide direct legal services.
- ▶ Scholarships are not transferable.
- ▶ All applicants will receive notification that their application has been received, and whether it has been granted or denied. Those receiving scholarships will be sent written confirmation at least three weeks in advance of the seminar. Applicants who do not receive notification two (2) weeks before the seminar should contact NELA to inquire about the status of their application.
- ▶ Scholarships will not be awarded retroactively, and applications will not be considered after the deadline of September 12, 2008. Incomplete applications will not be considered.
- ▶ Scholarship recipients will receive payment after submitting receipts for eligible expenses. Scholarship recipients who do not attend the seminar will forfeit their scholarship award.

Send scholarship applications to the National Employment Lawyers Association, 44 Montgomery Street, Suite 2080, San Francisco, CA 94104, Attention: Scholarship Committee.

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Founded in 2008, The Institute advocates for employee rights by advancing equality and justice in the American workplace. In doing so, The Institute utilizes a multi-disciplinary approach in combination with innovative legal strategies, policy development, grassroots advocacy, and public education. The Institute's anticipated programmatic activities include:

- A National Litigation Strategy Project devoted to combating inequality and injustice in the workplace;
- The Employee Rights Advocacy Fellowship Program, which will provide law students and new lawyers the opportunity to work in private plaintiff's employment law firms across the country, thereby cultivating the next generation of employee rights advocates;
- The Employee Rights Advocacy Scholarship Fund, which will enable public interest, legal services and private lawyers who otherwise could not afford to attend NELA's renowned continuing legal educational programs to do so;
- Development of direct service educational programs and publications for underserved constituencies;
- Public education relating to eliminating mandatory arbitration of employment claims, abolishing the employment at-will doctrine, ensuring a fair and independent judiciary, and other workers' rights issues; and
- Non-partisan research and development of important issues affecting the American workplace.

# Representing Workers in Harassment & Retaliation Claims

Friday, October 17, 2008

- 7:30 a.m. - 8:45 a.m.                    **Registration & Continental Breakfast**
- 8:45 a.m. - 9:00 a.m.                    **Welcome & Opening Remarks**  
*Bruce A. Fredrickson, NELA President & Stefano G. Moscato, NELA Program Director*
- 9:00 a.m. - 9:30 a.m.                    **Best Practices: Ten Tips for Litigating Workplace Harassment and Retaliation Claims**  
*Speakers: Bruce A. Fredrickson, Ines Monte & Jeffrey L. Needle*  
*Moderator: Stefano G. Moscato*  
Our panel of experts will kick off the program with a "rapid fire" succession through their top ten tips for successfully litigating workplace harassment and retaliation claims.
- 9:30 a.m. - 10:15 a.m.                    **Strategies for Case Selection and Pre-Litigation Counseling**  
*Speakers: Patricia C. Benassi & Randolph H. Freking*  
Our speakers will offer ideas for effective intake procedures, case selection, and pre-litigation advice, and counseling clients who have been targets of workplace harassment and retaliation.
- 10:15 a.m. - 10:30 a.m.                    **Break**
- 10:30 a.m. - 11:15 a.m.                    **Representing Harassment Victims Who Are Still Employed**  
*Speakers: Penny Nathan Kahan & Ellen J. Messing*  
How should you advise your client if he or she continues to be employed at the workplace where he or she suffered harassment? This panel will explore the options that might be available to your client, including attempting to resolve the issue informally, using the company's internal complaint mechanisms, filing a charge with the EEOC, and initiating a lawsuit. They will also offer ideas for advising your client on how to cope with the ongoing harassment and how to satisfy the requirements set forth in *Faragher/Elzerth*. Ethics expert Ellen J. Messing will discuss the ethical implications that might arise in connection with your advice and counsel.
- 11:15 a.m. - 12:00 p.m.                    **Developing Compelling Themes in Workplace Harassment Cases**  
*Speakers: Jill R. Gaulding & Ines Monte*  
Developing a clear and consistent theme from the outset of your case is essential to its success. Our panelists will offer practical tips on developing compelling themes in harassment cases. They will also discuss how the intersection of gender and race or ethnicity might impact your theme development, considering factors such as how women of different races experience and respond to sexual harassment, and the need to expose unconscious stereotypes in intersectional harassment cases.
- 12:00 p.m. - 1:30 p.m.                    **Lunch – Roundtable Discussions**  
Seminar participants will have the opportunity to network and share ideas about topics related to this seminar. Faculty members will be assigned to moderate the tables, and seating will be on a first-come basis.
- 1:30 p.m. - 2:30 p.m.                    **CONCURRENT SESSIONS: Selected Topics in Workplace Harassment**
- Ethnic and National Origin Harassment**  
*Speakers: Sahar F. Aziz, Mónica Ramírez Guerrero & John C. Hendrickson*  
This panel will discuss the post-9/11 rise in harassment of individuals who are (or are perceived to be) Arab, and will explore the intersection of religion in these cases, both as it concerns the manifestation of the harassment and the particular role religion plays in how a Muslim victim might deal with this type of harassment. They also will examine the backlash immigrants have faced in the post-9/11 workplace, such as through pretextual English-only policies. Finally, they will explore strategies for taking on the mounting crisis concerning the sexual exploitation of low-wage immigrant women, including the development of immigration-status remedies for victims.
- Same-Sex Harassment**  
*Speakers: Margaret A. Harris & Robert E. McKnight, Jr.*  
In its landmark decision in *Oncale v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998), the U.S. Supreme Court held that sexual harassment need not necessarily involve conduct of a sexual nature or be motivated by sexual desire. As such, a same-sex harassment claim – such as where a female victim is harassed by another woman in such gender-specific terms as to make clear that the harasser is motivated by her hostility to the presence of women in the workplace – can be actionable under Title VII. Our panel will explore the courts' application of *Oncale*, including in cases where the harassment is targeted at gay, lesbian, bisexual and transgender employees.
- 2:30 p.m. - 3:30 p.m.                    **CONCURRENT SESSIONS: Strategies for Defeating Summary Judgment in Workplace Harassment Cases**
- Surviving Summary Judgment - Common Issues Plaintiffs Must Overcome**  
*Speakers: William R. Amlong & Lisa C. Stratton*  
This session is best suited for those with novice to intermediate-level experience in litigating harassment claims. The panel will examine the elements of a workplace harassment claim and will survey decisions concerning the showing necessary to satisfy those elements for purposes of summary judgment. Particular attention will be given to the *Faragher/Elzerth* affirmative defense and to challenging the effectiveness of the employer's investigation.
- Selected Advanced Issues Relating to Defeating Summary Judgment**  
*Speakers: David L. Lee & Paul W. Mollica*  
This session is best suited for those who have considerable experience in litigating harassment claims. The panelists will review significant case law developments affecting the ability of plaintiffs in workplace harassment cases to defeat summary judgment. They will discuss whether the plaintiff has a duty to use multiple avenues of complaint; under what circumstances an employer can be liable for harassment by the plaintiff's co-workers or for off-premises conduct; whether conduct not targeted at the plaintiff can be actionable; and the showing the plaintiff must make to survive the "consensual sex" trap.
- 3:30 p.m. - 3:45 p.m.                    **Break**
- 3:45 p.m. - 5:00 p.m.                    **Summary Judgment - Mock Argument**  
*Speakers: Noelle C. Brennan (for Plaintiff), Tom H. Luetkemeyer (for Defendant) & The Honorable Rebecca R. Pallmeyer*  
Lawyers will argue a summary judgment motion using a simulated fact-pattern. U.S. District Court Judge Rebecca R. Pallmeyer will preside and provide her critique of the arguments.
- 5:00 p.m. - 6:30 p.m.                    **Reception: Introducing The Employee Rights Advocacy Institute For Law & Policy**

Saturday, October 18, 2008

7:30 a.m. - 8:45 a.m.

Registration & Continental Breakfast

8:45 a.m. - 10:00 a.m.

Evidentiary Issues in Workplace Harassment Cases

Speakers: Dennis E. Egan, William E. Foote, Ph.D., ABPP & L. Steven Platt

Our panel of experts will discuss important evidentiary issues likely to arise in harassment cases, such as the admissibility of circumstantial evidence about corporate culture, evidence of unconscious bias and stereotyping, and evidence about the personality traits and characteristics of harassers; privilege issues relating to the employer's use of medical and psychotherapist records, tax returns, and records from prior employment; Rule 35 exams; and the admissibility of evidence relating to the victim's prior bad acts, prior propensity to complain/file charges/lawsuits, his or her sex life, and other attempts to put the victim on trial.

10:00 a.m. - 10:45 a.m.

Mediating Workplace Harassment & Retaliation Claims

Speakers: Magistrate Judge Susan Cox\*, William E. Hartgering & Michael J. Leech

Our panel of experienced mediators will offer helpful tips for the successful mediation of workplace harassment and retaliation claims. Particular attention will be given to mediating claims with no economic damages, such as where the plaintiff continues to be employed at the same salary level.

10:45 a.m. - 11:00 a.m.

Break

11:00 a.m. - 12:00 p.m.

CONCURRENT SESSIONS: Litigating Retaliation Claims

Common Issues in Retaliation Actions

Speakers: Justin D. Cummins & Gordon G. Waldron

This session is best suited for those with novice to intermediate-level experience in litigating retaliation claims. The panel will discuss the issues most likely to arise in a retaliation action. For example, what is the difference between "opposition" and "participation"? What constitutes a reasonable belief that the conduct complained of was illegal? What does the U.S. Supreme Court's *Burlington Northern v. White* holding tell us about what constitutes an actionable "adverse action"? What evidence satisfies the causation element?

12:00 p.m. - 1:30 p.m.

Lunch (On Your Own)

1:30 p.m. - 2:45 p.m.

U.S. Supreme Court Takes on Retaliation Actions

Speakers: Cynthia H. Hyndman & Richard T. Seymour

This term, the U.S. Supreme Court decided three cases affecting employees' protections against retaliation: *Engquist v. Oregon Dept. of Agriculture* (class of one claims); *Gomez-Perez v. Potter* (ADEA federal sector retaliation); and *CBOCS West, Inc. v. Humphries* (§ 1983 retaliation). Yet another – *Crawford v. Metropolitan Govt. of Nashville*, which addresses whether Title VII's anti-retaliation provisions protect an employee who complains of harassment during an interview conducted as a result of the employer's internal investigation of another employee's harassment claim – will be scheduled for oral argument this Fall. Our panel of Supreme Court experts will discuss the scope of these cases and their potential impact on harassment and retaliation litigation.

2:45 p.m. - 3:00 p.m.

Break

3:00 p.m. - 4:00 p.m.

CONCURRENT SESSIONS: Retaliation Claims Under "Other" Statutes

Untangling ADA & FMLA Retaliation Claims

Speakers: Justin S. Gilbert & Aaron B. Maduff

Both the ADA and the FMLA have strong anti-retaliation provisions. Our panelists will explore key topics such as the difference between FMLA interference and retaliation claims and available damages for ADA retaliation claims.

Update in Whistleblower Legislation

Speakers: Tom Devine\* & Jason Mark Zuckerman

Congress has recently enacted several whistleblower protection provisions, including protections for workers in the transportation sector and protections for employees of defense contractors. This panel will discuss these new laws and offer practical tips on representing clients at all phases of whistleblower retaliation cases – from the initial administrative complaint through litigation before an administrative law judge or in federal court.

4:15 p.m. - 5:15 p.m.

Damages: Maximizing Your Client's Recovery

Speakers: Elaine Charlson Bredehoff & Joshua Friedman

How do you make sure that your client is made whole for the workplace harassment and retaliation he or she suffered? This panel will share their strategies for making use of the myriad remedies available, including front and back pay, injunctive relief, and punitive damages. They also will touch upon the development of immigration-status remedies for victims of sexual assault and harassment.

Selected Advanced Topics

Speakers: Harris D. Butler, III, Douglas B. Huron & Jeffrey L. Needle

This session is best suited for those who have considerable experience in litigating retaliation actions. The panelists will examine how *Burlington Northern* has played out in the lower courts; the incongruous results of cases such as *Clark County School Dist. v. Breeden*, *Forman v. Small*, and *Jordan v. IBM*, which have created a Hobson's choice between complaining too early or too late; and employer liability in "cat's paw" cases, i.e., where a non-decision maker employee who bears discriminatory animus influences the decision maker to take an adverse action.

Retaliation Claims Against Governmental Employers

Speakers: Joseph V. Kaplan & Ralph E. Lamar, IV

Government employees who complain about workplace harassment or who report the corruption and abuses of their employers often find themselves fighting against a resourceful behemoth. Our panelists will share their tips for making use of the various statutory protections available to public sector employees.

*Early-bird registration ends Friday, September 12, 2008.*

Register on-line at [www.nela.org](http://www.nela.org).

# Faculty & Seminar Program Committee Members

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U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS  
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Chicago, Illinois

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Chicago, Illinois

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Chicago, Illinois

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Minneapolis, Minnesota

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Chicago, Illinois

**JASON MARK ZUCKERMAN, THE EMPLOYMENT LAW GROUP, PC**  
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San Francisco, California

**JEFFREY L. NEEDLE, LAW OFFICES OF JEFFREY NEEDLE**  
Seattle, Washington

## The Employee Rights Advocacy Scholarship Fund Application

To apply for a scholarship send a letter on your employer's letterhead describing: (1) your interest, (2) the nature of your legal practice or the legal services you provide, (3) the workers you represent, (4) the need for financial assistance, and (5) any other information you wish the Scholarship Committee to consider. Your request must be accompanied by a completed scholarship application. **Applications must be received no later than September 12, 2008.**

Name: \_\_\_\_\_

Firm/Organization/Agency/Law School: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_ Fax Number: (\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_ Number of Years in Practice/Year In Law School: \_\_\_\_\_

NELA Member?  Yes  No

Have you previously received a scholarship from NELA?  Yes  No

I am requesting a scholarship award for (please check all that apply). Please provide an estimated amount for transportation expenses.

- Registration Fee  
 Transportation Expenses (e.g., air fare, train fare, cab fare) Estimated Amount: \_\_\_\_\_  
 Hotel Expenses

I can only attend the seminar if I receive a scholarship for all of the expenses I checked above.

Yes  No

Please describe any previous participation in NELA and/or Southern Poverty Law Center programs and activities.

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Please provide any other information you would like the Scholarship Committee to consider in the space below.

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Send scholarship application to the National Employment Lawyers Association, 44 Montgomery Street, Suite 2080, San Francisco, CA 94104, Attention: Scholarship Committee.



# REGISTRATION FORM



## Representing Workers in Harassment & Retaliation Claims

October 17 - 18, 2008 • Crowne Plaza Chicago Metro Hotel • Chicago, IL

### NELA MEMBER REGISTRATION FEE

- \$500 NELA Member Early-Bird Registration  
(Postmarked On or Before September 12, 2008)
- \$550 NELA Member After September 12, 2008
- \$650 NELA Member After September 26, 2008 & On-Site
- \$475 Legal Services/Public Interest/Government Staff Attorneys  
(Must Be A NELA Member)
- \$275 NELA Law Student Member

DAILY REGISTRATION FEE:

<input type="checkbox"/> Friday, October 17, 2008	\$375
<input type="checkbox"/> Saturday, October 18, 2008	\$325

You may also register on-line at [www.nela.org](http://www.nela.org).

### NON-MEMBER REGISTRATION FEE

- \$725 Non-NELA Member Early-Bird Registration
- \$875 Non-NELA Member After September 26, 2008 & On-Site
- \$775 Non-NELA Member After September 12, 2008

Please list me as follows in the seminar's "Directory of Participants": (Type or Print Clearly)

Name \_\_\_\_\_ State/Bar No. \_\_\_\_\_

Firm/Organization \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_\_ Facsimile (\_\_\_\_) \_\_\_\_\_

E-mail \_\_\_\_\_

- Please update my NELA membership data with the above information.
- I am requesting CLE credit for this seminar and will supply the Registrar with the necessary forms and filing fees (CA, NY, PA and VT excepted).
- I am unable to attend the seminar, but wish to purchase the course manual on CD-ROM and enclose my payment (credit card or check).  \$75 NELA Member  \$200 Non-Member
- This is a paperless event! I am planning to bring a laptop computer to the seminar.
- Please check if you require special accommodations and/or vegetarian meals. Please describe your requirements: \_\_\_\_\_

I wish to pay by:

- CHECK. Enclosed is a check in the amount of \$\_\_\_\_\_ made payable to the National Employment Lawyers Association.
- CREDIT CARD. Please charge to my  VISA  MasterCard Name on Card \_\_\_\_\_  
Please Type or Print Clearly
- Card Number \_\_\_\_\_ Expiration Date \_\_\_\_\_
- Signature \_\_\_\_\_

Please send registration form and payment to the National Employment Lawyers Association, 44 Montgomery Street, Suite 2080, San Francisco, California 94104 (Tel: (415) 296-7629; Fax: (415) 677-9445). CD-ROMs will be shipped in November. A \$25 service charge will be assessed for all returned checks and declined credit card transactions. **Hotel reservations must be made directly with the Crowne Plaza Chicago Metro Hotel (312) 829-5000 or (800) 980-6429 by September 26, 2008.**

# Calendar of Events

Information & Registration On-line:  
[www.nela.org](http://www.nela.org)

## NELA Annual Conventions

**June 24 - June 27, 2009**

*NELA's 2009 Twentieth Annual Convention*

The Westin Mission Hills Resort  
Rancho Mirage, California

**June 23 - June 26, 2010**

*NELA's 2010 Twenty-First Annual Convention*

The Omni Shoreham Hotel  
Washington DC

**NELA** Advocates for  
Employee  
Rights <sup>SM</sup>  
National Employment Lawyers Association

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Firm/Organization: \_\_\_\_\_ \*Fax: \_\_\_\_\_  
 Address: \_\_\_\_\_ Web Site: \_\_\_\_\_  
 \_\_\_\_\_ E-Mail: \_\_\_\_\_  
 \_\_\_\_\_ Year Admitted to Practice & Bar Number: \_\_\_\_\_

\*Your fax number is used to communicate with you. By providing your fax number, you are giving written permission to receive notices and other related information from NELA that may be of interest to you by fax.

## Membership Categories

### Regular Membership

A Regular Member of NELA is any member of the bar in the United States who can certify that 51% or more of his/her employment related legal representation is on behalf of employees. Regular Members, in good standing, are eligible to vote and serve on NELA's Executive Board, deduct \$25 from their membership dues if they are a member of a recognized NELA Affiliate, and have access to NELANet.

- |   |         |  |        |  |        |
|---|---------|--|--------|--|--------|
| <input type="radio"/> Champion Member     | \$5,000 | <input type="radio"/> Attorney in Practice 10+ years                               | \$ 335 | <input type="radio"/> Legal Services Attorneys &             | \$ 235 |
| <input type="radio"/> Defender Member     | \$2,500 | <input type="radio"/> Attorney in Practice 5 - 9 years                             | \$ 310 | <input type="radio"/> Public Interest Organization Attorneys |        |
| <input type="radio"/> Advocate Member     | \$1,000 | <input type="radio"/> Attorney in Practice 1 - 4 years                             | \$ 235 |  |        |
| <input type="radio"/> Sustaining Member   | \$ 550  | <input type="radio"/> <i>And I am deducting \$25 from my NELA membership dues.</i> |        |  |        |
| <input type="radio"/> Contributing Member | \$ 450  | I am a member of the following NELA Affiliate: _____                               |        |  |        |

Name of NELA Affiliate

### Associate Membership

An Associate Member is any member of the bar of any state or country who is ineligible to join NELA as a Regular Member and who does not primarily or exclusively represent employers in employment matters. Associate Members are not eligible to vote for or serve on NELA's Executive Board. Associate Members do not have access to NELANet unless sponsored by a Regular Member of NELA.

- Associate Member \$ 310

### Paraprofessional or Law Student Membership

Paraprofessional or Law Student Members are not eligible to vote or to serve on NELA's Executive Board. They do not have access to NELANet unless sponsored by a Regular Member of NELA. Law Student Members must provide their educational institution or firm of employment:

Law School/Law Firm: \_\_\_\_\_

- Paraprofessional Member \$ 160  
 Law Student Member \$ 20

## Find-A-Lawyer: On-Line Web Site Listing

NELA is pleased to offer a great opportunity for our members only. NELA members can be listed on the public side of NELA's web site, [www.nela.org](http://www.nela.org) for only \$100 a year (**that's only \$8.33 a month!**). Your listing will include your name, firm name, address, telephone, fax, e-mail and web site. Potential clients can search for you geographically and by area(s) of concentration. With over 50,000 hits on [www.nela.org](http://www.nela.org) every month, this is an advertising opportunity that can't be missed! An additional address listing can be placed for only \$50 more per year (this is in addition to the \$100 annual fee).

**YES!** Please place my listing on the public side of [www.nela.org](http://www.nela.org) for one year. I understand this member service is in addition to my membership dues and can be renewed on my anniversary date.

- Enclosed is my check \$100     Yes! I would like an additional address listed. \$50 (in addition to the \$100 annual fee)  
 Charge my credit card \$100

## Payment Information (please type or print clearly)

- Enclosed is my check made payable to NELA  
 Please charge my credit card:     VISA     MasterCard  
 Card number: \_\_\_\_\_  
 Expiration date: \_\_\_\_\_  
 Name on card: \_\_\_\_\_  
 Signature: \_\_\_\_\_

You can further your support of NELA through contributions to:

### ***NELA's Employee Rights Legislative Fund***

This fund supports NELA's pro-employee rights lobbying activities. Your contribution is not tax-deductible.

### ***Sanctions Assistance Fund for Emergency Relief (SAFER)***

This fund provides, in appropriate cases, cash awards to cover attorney's fees and costs incurred by NELA lawyers defending against sanctions. Your contribution is not tax-deductible.

Please note that \$35 of your membership dues are not tax deductible as a business expense because they relate to NELA's lobbying expenditures (see Internal Revenue Code § 6033(e)) with the exception of Law Student Members.

Please send this form and your payment to the National Employment Lawyers Association, 44 Montgomery Street, Suite 2080, San Francisco, CA 94104, phone: 415.296.7629, fax: 415.677.9445, e-mail: [nelahq@nelahq.org](mailto:nelahq@nelahq.org), web site: [www.nela.org](http://www.nela.org).

Membership Dues: \_\_\_\_\_  
 NELA Web Site Listing: \_\_\_\_\_  
 Additional Address NELA Web Site Listing: \_\_\_\_\_  
 Employee Rights Legislative Fund: \_\_\_\_\_  
 SAFER: \_\_\_\_\_  
 TOTAL AMOUNT: \_\_\_\_\_



44 Montgomery Street  
Suite 2080  
San Francisco, CA 94104

# **Representing Workers in Harassment & Retaliation Claims**

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