



**For Immediate Release**

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## **Southwest Iowa ECI: Employee Documentation and Discharge in Iowa and Nebraska**

**COUNCIL BLUFFS, IOWA** – Performance management, discipline and discharge—along with the necessary documentation are headaches for managers and a source of liability and lawsuits for employers.

The Southwest Iowa Employers' Council (ECI) and Iowa Workforce Development will be hosting a training opportunity titled "Employee Documentation and Discharge in Iowa and Nebraska" on Wednesday May 18 from 9:00 am to 4:00 pm. This session will be held at the Hy-Vee Club Room, 2323 West Broadway, Council Bluffs, IA 51501. Check-in begins at 8:30 am.

Sometimes discharge is unavoidable. However, employers can minimize potential liability by implementing some basic procedures and by training supervisors on evaluating, disciplining, documenting and discharging employees. Employers should try to minimize the risk of liability, retain an element of control and maintain employee dignity in the process. Improperly handled discharges not only raise important legal issues, but also undermine employee morale and productivity.

Featured speakers will be Ann Holden Kendell and Megan Erickson, Attorneys with Dickinson Mackaman Tyler & Hagen PC, Des Moines. This training session is designed for human resource personnel and payroll professionals, business managers, line supervisors, controllers, accountants, legal paraprofessionals, attorneys and other interested parties. Due to the complex nature of this topic, businesses are encouraged to send multiple staff.

Program topics include:

- **Employment Laws Impacting the Discipline and Discharge Process**
  - ✓ Title VII, IA & NE Civil Rights Act, IA & NE Wage Payment Collection Act, FLSA, ADA, FMLA, Workers' Compensation
- **Avoiding Litigation—Building the Foundation for a Lawful Defensible Discharge**
  - ✓ Personnel Files, Performance Reviews, Disciplinary Reviews, File Memos, Legal Implications of Social Networking
- **Implementing Termination Decisions and Post-Discharge Considerations**
  - ✓ Arbitration Agreements, References, Access to Personnel Files, What to do when a Charge or Lawsuit has been filed against your company,
- **Restrictive Covenants and the Effect of Terminations**
  - ✓ Covenants Not to Compete, Non-solicitation Agreements, Confidentiality Agreements, Effect of Termination on Restrictive Covenants

Pre-registration is requested by Friday May 13<sup>th</sup> to Carol Morgan at 712-242-2131 or [carol.morgan@iwd.iowa.gov](mailto:carol.morgan@iwd.iowa.gov). There is a minimal registration fee to attend which covers meeting expenses and refreshments. Contact Carol for more registration details.

This program has been approved for 6.0 (General) recertification credit hours towards PHR, SPHR and GPHR recertification through the Human Resource Certification Institute (HRCI). Attorneys can request continuing legal education hours with the Office of Professional Regulation, Attorney Regulation Commission. A certificate of attendance will be provided at the training session.

## About the attorneys: Ann Holden Kendell and Megan Erickson

Ann Holden Kendell is a shareholder with Dickinson, Mackaman, Tyler & Hagen, P.C. She is a member of the firm's Employment and Labor Law Group, one of only three such practice groups in Iowa to earn their firm a "Band 1" ranking in the Labor & Employment area in the 2009 edition of *Chambers USA: America's Leading Lawyers for Business*. Ann practices primarily in employment law, including counseling employers on hiring, discipline, termination, discrimination and harassment issues, payroll and personnel policies, as well as employment litigation. Ann conducts management training concerning personnel issues and drug testing and has served as an investigator for clients regarding discrimination and harassment allegations. She often appears in front of administrative agencies, such as Iowa Workforce Development and the Iowa Civil Rights Commission, as well as state and federal courts on behalf of clients. Ann frequently speaks and writes articles, including thirty speeches on employment and litigation topics, as well as being the editor and contributor for "Hiring, Firing and Discipline for Iowa Employers," Association of Business and Industry HR Compliance Library (editions 2007 and 2008). She was named in the 2010 edition of *The Best Lawyers in America*<sup>®</sup> in the specialty of Labor and Employment Law.

Ann is a member of the Polk County, Iowa State (Member, Labor and Employment Section) and American (Member, Labor and Employment Section) Bar Associations. She is the past president of the Polk County Women Attorneys and has served on the PCWA Board in various capacities from 2000 - 2007.

Ann received her Bachelor of Science degree in history from Iowa State University in 1995 and her Juris Doctorate from Drake University Law School in 1998. She was admitted to the Iowa state bar, United States District Courts for the Northern and Southern Districts of Iowa and United States Eighth Circuit Court of Appeals in 1998. Ann clerked for Iowa Supreme Court Justice David Harris after her graduation in 1998 and has been in private practice since 1999.

Megan J. Erickson is an attorney at Dickinson, Mackaman, Tyler & Hagen, P.C., and is a member of the firm's Litigation and Employment and Labor Law practice groups, and she practices primarily in employment law and general litigation. Her employment law practice focuses on defending and advising employers in employment-related issues and disputes, including restrictive covenants, social media and other workplace/personnel policies, and discrimination, harassment, retaliation, and wrongful termination issues. She is a frequent author and speaker on employment-related topics, and she is the creator and principal contributor to Erickson's Social Networking Law Blog, [www.socialnetworkinglawblog.com](http://www.socialnetworkinglawblog.com). Megan has been quoted regarding legal implications related to social media in various publications and websites.

Megan is a member of the Polk County, Iowa State, and American Bar Associations. She is also a past board member of the Polk County Women Attorneys.

Megan received her Bachelor of Science with distinction in journalism (public relations) and sociology from Iowa State University in 2004. She received her Juris Doctorate with high honors from Drake University Law School in 2007, where she was an Opperman Scholar, a member of and published in the *Drake Law Review*, and received three CALI Excellence for the Future Awards/Top Academic Achievement Awards in Constitutional Law II, Civil Rights, and Constitutional Litigation. Megan also interned with the U.S. District Court for the Southern District of Iowa and the U.S. Court of Appeals for the Eighth Circuit.

Megan is admitted to the Iowa state bar and the United States District Courts for the Northern and Southern Districts of Iowa.

The Southwest IA Employers' Council is a local employer group supported by Iowa Workforce Development Region 13 including Harrison, Shelby, Pottawattamie, Mills, Cass, Freemont and Page counties, and is part of the statewide Employers' Council of Iowa system. All businesses, including Iowa, Nebraska and Missouri employers are welcome to attend ECI events. This employer's group addresses workforce issues, and provides both educational and networking opportunities for employers and human resource professionals. Contact Carol Morgan for more information about the Southwest Iowa ECI group.

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