

OTHER OPPORTUNITIES

- **Fundamentals of Employment Law**
Buffalo, NY – October 26, 2010
- **Workers' Compensation Law and Practice**
Syracuse, NY – November 9, 2010
Buffalo, NY – December 14, 2010
- **Landlord-Tenant Law**
White Plains, NY – November 16, 2010
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REFERENCE MATERIALS

Seminar Manual

The faculty has prepared a substantial reference work to accompany its presentation. This manual will serve as a valuable tool for future reference. You will receive the manual upon checking in at the seminar site. Its price is included in the registration fee.

Audio Recording

This seminar will be recorded, so if you cannot attend, or if you want to apply for home study credit (where available), you can order the audio recording and/or a reference manual from this program. Please use the registration form to order.

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FUNDAMENTALS OF EMPLOYMENT LAW IN NEW YORK:

Hiring & Terminating Employees in the Current Economy; Compensation Issues under FLSA/NY Wage & Hour; Sexual, Racial & Other Harassment in the Workplace; Employee Privacy in the Workplace; ADA & FMLA Update; Social Networking Sites & Employment-Related Decisions; Immigration Compliance Issues for Employers; and Basic Labor Law
PRESENTERS: John Bauer with Littler Mendelson; Joseph DeGiuseppe, Jr. with Bleakley Platt & Schmidt LLP; Salvatore G. Gangemi with Gangemi Law Firm, P.C.; Michael C. Schmidt with Cozen O'Connor; Kevin J. Harrington with Harrington, Ocko & Monk, LLP; and Jennaydra D. Clunis with Goldberg Segalla LLP

Seminar #10NY02065 ☐ Audio & Manual Set \$155 ☐ Audio only \$95 ☐ Manual only \$75

FUNDAMENTALS OF WORKERS' COMPENSATION:

Interplay Between Benefits; Temporary Benefits: Partial & Total; Case Law, Legislative Update & Overview; The Workers' Compensation Claim Claimant's Perspective; Permanent Disability Benefits: Partial & Total; and Worker's Compensation Defense's Perspective

PRESENTERS: Melissa A. Day with Watson, Bennett, Colligan, Johnson & Schechter; Peter J. Eisenhower with Lewis & Lewis, P.C.; Colleen M. Malchow with Lewis & Lewis, P.C.; Damon M. Gruber with Goldberg Segalla LLP; and S. Philip Unwin with Hamberger & Weiss

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EMPLOYMENT LAW UPDATE:

New Developments; Immigration Compliance Issues for Employers; Wage & Hour & FLSA; Sexual, Racial & Other Harassment; Privacy & Conducting an Internal Investigation; Protecting At-Will Employment; and FMLA & ADA Update & ADA/FMLA/WC Overlap

PRESENTERS: Lisa F. Joslin with Gleason, Dunn, Walsh & O'Shea; Phillip G. Steck and Kimberly G. Finnigan with Cooper Erving & Savage LLP; Meredith H. Savitt with Law Office of Meredith H. Savitt, P.C.; Frederick P. Korkosz with Law Offices of Alice K. Berke P.C.; and James T. Towne, Jr. with Towne, Bartkowski & DeFio Kean, P.C.

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Workers' Compensation Law & Practice

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White Plains – December 15, 2010

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- See inside for details*

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Workers' Compensation Law & Practice

With a View from the Bench



White Plains, NY
December 15, 2010

Presented by:

Troy G. Rosasco

- Turley, Redmond, Rosasco & Rosasco, LLP

Lee S. Braunstein

- The Law Offices of Lee S. Braunstein, P.C.

Barbara B. Levine

- Of Counsel

James M. McCarthy

- Of Counsel

Brian M. Mittman

- Markhoff & Mittman, P.C.

Daniel S. Elias

- Markhoff & Mittman, P.C.

(See complete biographies inside)



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- See inside for details.

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MEET THE FACULTY

BARBARA B. LEVINE, of counsel, was a partner at Sherman, Federman, Sambur & Levine. Prior to entering private practice, she served as a Workers’ Compensation Law Judge in New York State. Ms. Levine co-authored, along with James McCarthy, “Gradual Changes Have Silently Transformed the Adjudication of Workers’ Compensation Claims,” *NYS Bar Association Journal*, vol. 74, no. 8, October 2002. Ms. Levine is past president of the Injured Workers’ Bar Association of NYS, and co-founder of the Triangle Shirtwaist Factory Fire Memorial. She is a director and founding member of the NYS Workers’ Compensation Alliance and a member of the NYS Bar Association, WILG, the Nassau County Bar, and NYCOSH. Ms. Levine frequently lectures at CLE programs. She is admitted to practice before the Eastern and Southern Districts, and the U.S. Supreme Court. Ms. Levine earned her B.A. at State University of New York, Binghamton and her J.D. at Hofstra University School of Law.

JAMES M. MCCARTHY, of counsel, and a founding partner of McCarthy, Chechanover & Rosado, now Rosado, Chechanover & Bayrasli, concentrates his practice in workers’ compensation and Social Security disability. He is a member of the NYS Bar Association, the Workplace Injury Litigation Group, and NYCOSH. Mr. McCarthy is a founding director and NYC district representative of the NYS Injured Workers’ Bar Association, and a founding member of the NY Workers’ Compensation Alliance. He co-founded with Barbara B. Levine, the Triangle Shirtwaist Factory Fire Memorial and serves as its president. He has lectured frequently in professional education programs as well as conducted in-service training for unions and health care providers. Mr. McCarthy serves as an advisor on the NYS Medical Guidelines Task Force at the invitation of the NYS AFL-CIO. Mr. McCarthy earned his B.A. at Fordham University and his J.D. at Brooklyn Law School.

LEE S. BRAUNSTEIN, a member of The Law Offices of Lee S. Braunstein, P.C., practices in the areas of workers’ compensation law and Social Security disability law. He is a frequent presenter at professional education programs on workers’ compensation and Social Security issues. Mr. Braunstein is a member of the Nassau County and NYS Bar Associations and the NYS’s Workers’ Compensation Bar Association (board of directors). He is admitted to practice in New York, the U.S. District Court, Eastern and Southern Districts of New York, and the U.S. Supreme Court. He has served as Judge in Mock Trial Tournaments with the NYS Bar Association and the Suffolk County Bar Association. Mr. Braunstein earned his B.S.B.A., with high honors, at the University of Florida and his J.D. at New York Law School.

BRIAN M. MITTMAN, a partner in Markhoff & Mittman, P.C. in White Plains, practices in state, federal and longshore workers’ compensation, Social Security disability, long term disability, personal injury, accidents, and general litigation. He is a frequent presenter and author at professional education programs. Mr. Mittman is a member of the White Plains (board of directors), the Westchester County, the Mt. Vernon, the Westchester Women’s, and the NYS Bar Associations. He is on the board of directors for the Society of NYS’s Workers’ Compensation Bar Association, Inc., the Injured Workers’ Bar Association, and the NY Workers’ Compensation Alliance. He is a member of the Justice Louis Brandis Legal Foundation, the Jewish Lawyers Guild, the NY County Lawyers Association, the Coalition for Concerned Legal Professionals (CCLP), and the NYS Trial Lawyers Institute. Mr. Mittman earned his B.A., *cum laude*, at the University of Rochester and his J.D., *cum laude*, at Brooklyn Law School.

DANIEL S. ELIAS, a partner with Markhoff & Mttman, P.C. in White Plains, practices in workers’ compensation law, Social Security disability, labor law, medical malpractice, personal injury, and motor vehicle accidents for plaintiff. Mr. Elias has been a featured lecturer at the NYS Trial Lawyers Institute and the Westchester County Bar Association on workers’ compensation. He is admitted to practice in New York and serves on the board of directors of the Society of New York Workers’ Compensation Bar Association. Mr. Elias earned his B.A. at Harpur College—Binghamton and his J.D. at State University of New York, Buffalo School of Law.

TROY G. ROSASCO, a founding partner in Turley, Redmond, Rosasco & Rosasco in Ronkonkoma, handles workers’ compensation, Social Security disability, long term disability claims, and civil service disability pensions for injured workers. He is the editor and publisher of NY Disability Law Blog, *www.disabledworkerlaw.com*. Mr. Rosasco authored articles for *ABA General Practice Section Newsletter*, *Queens Lawyer*, *Nassau Lawyer*, and *Suffolk Lawyer* and co-authored “Legal Advisory” in *Warren, Gorman & Lamont’s Workers’ Compensation Guide*. He has been a guest on television’s *The Common Law* and radio’s *Your Legal Rights* and *Learning about the Law*. He has been quoted in the *NY Law Journal*, *Newsday*, the *NY Daily News*, and *AM-New York*. Mr. Rosasco has lectured at St. John’s Law School and Brooklyn Law School. He is a member of the New York and the New Jersey State Bars, the NYS IWBA, the National Organization of Social Security Claimant Representatives, the Nassau County and the Queens County Bar Associations, the Workplace Injury & Advocacy Group, and the American Trial Lawyers’ Association. He successfully argued in the 2nd Circuit Court of Appeals the leading seizure disorder case of *Brown v. Commissioner of Social Security*. Mr. Rosasco earned his B.S. at Cornell University School of Industrial & Labor Relations and his J.D. at St. John’s University School of Law.

WORKERS’ COMPENSATION LAW & PRACTICE

DATE: Wednesday, December 15, 2010
REGISTRATION: 8:00 a.m.
PRESENTATIONS: 8:30 a.m. - 4:30 p.m.
LUNCH: (on your own) 11:45 a.m. - 12:45 p.m.

LOCATION:
Crowne Plaza Hotel Downtown
66 Hale Avenue
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This seminar has been **approved** for **1.09 (0.92 Safety, 0.17 IH Ethics) CM Points** from the **American Board of Industrial Hygiene**.

This course may qualify for **0.6 points** for **Certified Safety Professionals**.

This seminar has been **approved** by the **Commission on Rehabilitation Counselor Certification (CRCC)**, the **Certification of Disability Management Specialists Commission (CDMS)**, and the **Case Manager Commission (CCMC)** for **6.5 clock hours**.

This seminar satisfies requirements for up to **8.0 hours** of **PACE Recertification credit** for **CLU, RHU, REBC, CLF and ChFC**.

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Workers’ Compensation Law & Practice

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- Attorneys
- Benefits Professionals
- Rehabilitation Specialists
- Safety Directors
- Business Managers
- WC Administrators
- Human Resource Professionals
- Insurance Claims/Risk Managers
- Occupational Health Nurses
- Anyone involved in the WC process

PROGRAM SUMMARY

It is essential to understand the fundamentals from which new developments emerge. Our presenters, accomplished and insightful speakers, have years of hands-on experience in their workers’ compensation practices. They will provide the information you need to know to handle cases through to a satisfactory conclusion. Regardless of your current level of expertise, you will benefit from this seminar. **Register today!**

SEMINAR AGENDA

- Ethics: Ethical & Professional Behavior**
- Practice Tips: Basic Definitions and Concepts**
 - Disabilities: temporary and permanent
 - Vocational rehabilitation benefits
 - Psychological injuries
 - Scheduled injuries and loss of use valuation
 - Average weekly wage
 - Medical care and choice of health care provider
 - Litigation process and procedures
 - Medical care and choice of health care provider
- Workers’ Compensation Issues**
 - The intake interview: what do you need to know?
 - Workers’ Compensation Board claim filing requirements: the employer and the WCB
 - Section 32 Agreements (WCL §32)
 - Medical examinations/evaluations (as applicable: IME, DME, AME, QME)
 - Third party claims
- Settlements**
 - History and applicability
 - Negotiation strategies
 - Social Security offset
 - Right to reimbursement
 - Employer’s prosecution of third party claims
 - Medicare
- Return to Work Issues**
 - Before Maximum Medical Improvement (MMI): same employer and different employer
 - After MMI/duty to rehire
 - ADA/EEO implications

VI. New York’s Permanency Guidelines

VII. View from the Bench

Sterling Education Services may alter the agenda due to circumstances beyond our control.