



2016 Primerus Global Conference
October 13 – 16, 2016

**Employment Law – Protecting Your Greatest Asset in a
Global Economy**

Thursday, October 13, 2016 (5:30 p.m. – 6:30 p.m.)

Presented by:

Moderator: Peter Bennett – The Bennett Law Firm, P.A. (Portland, ME)

Panelist: Gerardo Balboni – Krevolin & Horst, LLC (Atlanta, GA)

**Panelist: Connie Carrigan – Smith Debnam Narron Drake Saintsing & Myers, LLP
(Raleigh, NC)**

Panelist: Felipe Chapula – Cacheaux, Cavazos & Newton (Mexico City, Mexico)

- I. Misclassification of Employees as Independent Contractors (Connie Carrigan)
 - Evolution of Employment Relationship
 - Agency Interpretations of Employment Relationship
 - IRS test
 - DOL test
 - NLRB test
 - Impact of Joint Employment on Employment Relationship
 - State and Class Actions to Combat Employee Misclassification
 - Penalties for Misclassification
 - Best Practices
- II. The Signing of “White” or Protection Unions to Shield from Third Party Unions in Mexico (Felipe Chapula Almaraz)
- III. Essential Agreements for White Collar Employees (Gerardo Balboni)
 - Non-Disclosure Agreements
 - Trade Secrets



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- Confidential Information
- Personally Identifying Information
- Personal Health Information
- Non-Competition Agreements
 - Limits on Enforceability
 - Protectable Interest
 - Non-Competition covenant
 - Customer non-solicitation covenant
 - Personnel non-solicitation covenant
 - Trends in non-competes
 - Possible work arounds for California and other jurisdictions which prohibit non-competes