

TENNESSEE HUMAN RIGHTS COMMISSION

IN PARTNERSHIP WITH

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AND
THE TENNESSEE DEPARTMENT OF HUMAN RESOURCES

Presents



THE THRC

EMPLOYMENT LAW SEMINAR

Friday, November 4, 2022

8:30 a.m.- 3:00 p.m.

Tennessee State Library and Archives

Nashville, TN



Dear ELS Attendees,

I am delighted to welcome you to the 2022 Employment Law Seminar!

The Tennessee Human Rights Commission in partnership with the Equal Employment Opportunity Commission, and the Tennessee Department of Human Resources has brought together experts to facilitate conversations on resources and updates in employment law.

The goal of the seminar is to provide human resource professionals, and others with the knowledge necessary to support the latest best practices for anti-discrimination in the workplace.

We hope the information presented to you is valuable and relevant.

The mission of the Tennessee Human Rights Commission is to safeguard individuals from discrimination through education and enforcement.

Thank you for attending.

Sincerely,

Muriel M. Nolen

Muriel M. Nolen
Executive Director
Tennessee Human Rights Commission



Welcome to the 2022 Employment Law Seminar!

Within DOHR, our values include customer focus and data informed decision as we serve the State of Tennessee employees.

In partnering with the Tennessee Human Rights Commission, our customer, the goal of this annual event is to present relevant information and tools to support you in your day-to-day operations. We will share content that deal with current issues and situations in employment law that you as leaders may be facing or could potentially encounter.

We have speakers with important information to share with you, and I ask that you “Be Here Now,” giving your full attention to each subject matter as it is presented.

In closing, I would like to thank each of you for participating in our conference and bringing your expertise. You, as leaders, have the vision, knowledge and experience to help us pave our way into the future. You are truly our greatest asset today and tomorrow, and we could not accomplish what we do without your support and leadership.

Again, welcome and thank you for attending.

Sincerely,



Juan Williams
Commissioner
TN Department of Human Resources



THRC EMPLOYMENT LAW SEMINAR

AGENDA

Friday, November 4, 2022

TIME	TOPIC	PRESENTERS
8:30 a.m.	Registration & Continental Breakfast	Muriel M. Nolen - Executive Director, TN Human Rights Commission
8:50 a.m.	Welcome & Opening Remarks	Juan Williams - Commissioner, TN Department of Human Resources
9:00 a.m.	"Mediation: The Why, The How, The Workplace"	Deborah J. Wright - Independent Human Resources and Business Attorney
10:00 a.m.	"Root Out Built in Bias"	Sundi Wright - Human Resources Administrator- TN Dept. of Human Resources
10:45 a.m.	BREAK	
11:00 a.m.	"EEOC Updates"	Phillip Bornefeld - Nashville Area Director-U.S. Equal Employment Opportunity Commission (EEOC)
12:00 p.m.	LUNCH	
1:00 p.m.	"Employment Law 2022-2023 What's Trending?"	Kim Vance - Shareholder-Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
2:00 p.m.	"HR Nightmares"	Lesley Farmer - Deputy Commissioner and General Counsel, TN Department of Human Resources Melanie Koewler - Deputy General Counsel, TN Department of Human Resources
3:00 p.m.	Closing Remarks	Muriel M. Nolen

ELS PRESENTERS



DEBORAH J. WRIGHT

*Independent Human Resources and
Business Attorney*

Deborah J. Wright is an experienced and seasoned HR Attorney having spent decades in the field of HR and now employment law. Deborah has worked in HR for large and small companies and now independently advises and counsels businesses in the areas of HR and employment law.

Additionally, Deborah has acted as an advisor during EEOC inquiries and mediations, regularly conducts internal investigations and manages a variety of disputes as the mediator/neutral. In addition to being an attorney, Deborah is a Rule 31 listed Civil Mediator, has her PHR and SHRM-CP and is currently working toward her PhD in Industrial Organizational Psychology.



SUNDI WRIGHT

Human Resources Administrator Tennessee Department of Human Resources

Sundi Wright serves as a Human Resources Administrator for the Tennessee Department of Human Resources (DOHR). In her role, she provides strategic oversight and direction to the State of Tennessee's Diversity Programs. As the administrator, she provides direction and support to the enterprise's diversity strategy to attract, hire, and maintain a diverse workplace that reflects the State of Tennessee at all levels.

Prior to her current role, Sundi was the Diversity and Inclusion Program Manager for Consolidated Nuclear Security, LLC the management and operating contractor for The Pantex Plant and Y-12 National Security Complex. She has over 26 years of experience in the areas of human resources, with 9 years focused in the Diversity area. Sundi is retired from the United States Army.

Sundi is a trained Mediator, a Certified Facilitator, and a graduate of The Department of Defense Equal Opportunity Management Institute. She holds the Human Resources Certification Institute (HRCI) certification of Senior Professional Human Resources (SPHR). Sundi earned her master's degree in Human Resources Management and her bachelor's degree in Business Administration.



PHILLIP BORNEFELD

Nashville Area Director

U.S. Equal Employment Opportunity Commission

Phillip Bornefeld currently serves as the Director of the Nashville Area Office for the Equal Employment Opportunity Commission. He has been employed by the Commission since 2009 with assignments in Atlanta, Georgia and Nashville, Tennessee as an Investigator and Supervisory Investigator. Prior to joining the Commission, Phillip served four years with General Electric as a Manager of Shop Operations and as a Lean Six Sigma Black Belt in East Tennessee, and 11 years as an active duty Army Officer with tours in Iraq, Korea, Germany, and the USA.

Phillip has a master's degree from the Florida Institute of Technology in Logistics Management and a bachelor's degree from Texas A&M University in Speech Communication.



KIM VANCE

Shareholder

Baker , Donelson, Bearman, Caldwell & Berkowitz, P.C.

Kim Vance is a shareholder in the Labor & Employment Group at Baker Donelson's Nashville office. "Kim Vance has a 'very broad knowledge' of labor and employment law and is lauded for her 'hands-on' experience. She has extensive experience in HR and management training, in addition to noteworthy litigation experience." Chambers USA: America's Leading Business Lawyers 2018.

"Kim Vance is described by sources as 'a terrific problem solver.' She is noted for her impressive counseling and defense of management teams before the EEOC and the Tennessee Human Rights Commission." Chambers USA: America's Leading Business Lawyers 2013.

Ms. Vance "is commended for her breadth of experience and impressive client base." Chambers USA: America's Leading Business Lawyers 2012.

"Kim is unique. She has the mind of a business owner and the intellect of a great lawyer. This combination has benefited our company in very meaningful ways," said Joe Scarlett, Chairman and former CEO at Tractor Supply Company, where Ms. Vance formerly served as General Counsel.

In addition to defending companies in employment litigation, Ms. Vance's practice focuses upon:

- presenting in-house management training programs to reduce employment related legal risks for companies across the nation;
- counseling management clients through auditing human resources policies and practices to reduce legal risks;
- developing pre-litigation strategies to improve available defenses in preparation for litigation.

She has represented management clients in State and Federal Courts and in defense of administrative proceedings before the Equal Employment Opportunity Commission, State Human Rights Commissions, State Unemployment Commissions, Arbitrators, the National Labor Relations Board and the Department of Labor.



LESLEY T. FARMER
Deputy Commissioner & General Counsel
Tennessee Department of Human Resources

Lesley T. Farmer serves as the Deputy Commissioner and General Counsel for the Tennessee Department of Human Resources. In her capacity, she oversees all legal issues within the Department, offering counsel and advice to her agency, other state agencies and individuals on human resources and employment law matters. In addition, she leads matters dealing with departmental operations, fiscal, business process improvement and quality assurance, data management & organizational performance, communications and media relations, strategy, employee disciplinary appeals, workplace discrimination and harassment, records management, as well as the review of certain statewide employee transactions and legislative affairs.

Lesley previously served as the EEO Administrator and Deputy General Counsel for the Department. In this capacity, she offered advice and counsel to her agency and state agencies in the areas of employment law, ADA, FMLA, workplace discrimination, harassment, and investigations. Lesley has experience in state and federal civil rights laws, employment laws, and affirmative action.

Prior to joining the Department in February 2013, Lesley served as the Assistant General Counsel for Civil Rights for the Tennessee Department of Education (TDOE). Her responsibilities in that role included investigating civil rights complaints within Tennessee public schools K-12 and employment issues within TDOE. She also provided training, legal advice and technical assistance to TDOE and Tennessee school officials on school law, employment law, and civil rights matters, including assistance in creating the Tennessee Bullying Prevention Program in schools. Prior to joining TDOE in April 2007, Ms. Farmer worked for a private law firm in Memphis, TN practicing in the areas of criminal defense, family law, personal injury and general civil litigation.

Lesley earned her undergraduate degree from the University of Tennessee at Chattanooga and her law degree from the University of Memphis Cecil C. Humphrey's School of Law. She is a graduate of Lead Tennessee, Tennessee Government Executive Institute, the Department of Human Resources Executive Leadership Institute, and the Tennessee Bar Association's Leadership Law. She has also been trained as a Rule 31 Mediator.



MELANIE KOEWLER
Deputy General Counsel
Tennessee Department of Human Resources

Melanie Koewler serves as Deputy General Counsel for the Tennessee Department of Human Resources (DOHR), within the Office of the General Counsel.

Ms. Koewler previously served as the Director of DOHR's EEO/ADA Division, and as an attorney within the Division of Legal Services before that. She has been employed with DOHR since 2013.

A "War Eagle" girl from birth, Ms. Koewler grew up in Auburn, Alabama and earned her Bachelor's degree in Animal Science from Auburn University. She obtained her law degree from Faulkner University, Thomas Goode Jones School of Law in Montgomery, Alabama. While in law school, she served as both Senator and Treasurer of the Student Bar Association and sat on the Executive Council of the Board of Advocates. She was an active member of the Advocacy Program. Ms. Koewler is licensed to practice law in Tennessee and is a Rule 31 General Civil listed mediator and certified facilitator.

She is a 2015 graduate of DOHR's Next Level Leadership Academy, a participant in the Tennessee Government Leadership Black Belt Leadership Program (blue belt), a graduate of the 8th alliance of LEAD Tennessee, and a graduate of the 2019 Tennessee Government Management Institute (TGMI). Ms. Koewler serves as a mentor for both tnAchieves and Mentor Tennessee.

She lives in Clarksville, Tennessee with her husband, son, and two "fur babies": a small dog who thinks he's a "big" dog (named Zeus) and a fat cat (affectionately known as "Mustache" Max).

Thank you for attending the
2022 THRC Employment Law Seminar

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 **Department of
Human Resources**



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