Thanks to modern technology, the bank has the potential to access large amounts of information about its applicants and employees. However, it may also be exposed to liability if information-gathering practices are alleged to be improper. What information does the bank need to make effective employment decisions and enforce its legitimate policies? How can that information be obtained appropriately without drawing a legal challenge?

This presentation will offer practical guidance to banks as they navigate through this rapidly developing area.

**Highlights:**

**Topics include:**
- Use of criminal history in hiring: reconciling FDIA requirements with EEOC guidelines
- Moves to restrict the use of credit checks in employment
- FCRA; an old law attracting a new wave of litigation
- Medical inquiries: managing attendance under the ADA and FMLA; new AAP requirements for the disabled; HIPAA Privacy Rule and GINA
- Employee use of social media: how to craft a policy that protects the bank's interests without over-reaching
- Employee monitoring through GPS or other technology

**Audience:** This program is designed specifically for community bankers charged with the human resource function, but will be of value to all bankers involved in managing employees as well as senior managers and bank counsel.

**ICB:** Visit [http://www.icbmembers.org/login.aspx](http://www.icbmembers.org/login.aspx) for instructions regarding self-reporting. Estimated credits: 2.5 hours CRCM. Continuing Education Applied: 2 hrs. HRCI credit.

**About the Speaker**

Marian Exall practiced law with leading firms in Atlanta and in-house with the Home Depot. In 2001, she co-founded Employment Law Compliance, Inc. (ELC), where she devotes herself to a preventive practice, concentrating on human resources policy and program development, training, compliance assessments and dispute resolution for community banks. She is a frequent speaker to bankers across the country and writes on employment topics for publications, including the ABA Banking Journal, where she writes a blog called The Human Element. Marian is a graduate of the London School of Economics and obtained her J.D. with distinction from Emory University of Law. She is also certified as a Senior Professional in Human Resources.

**Contact Information**

For questions regarding the program, contact James Plunkett at jplunkett@nyba.com or call 212-297-1632, or visit [www.nyba.com](http://www.nyba.com)

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