



## The Florida Bar

651 East Jefferson Street  
Tallahassee, FL 32399-2300

John F. Harkness, Jr.  
Executive Director

850/561-5600  
www.FLORIDABAR.org

### MEMORANDUM

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To: Labor and Employment Law Section Executive Council Members  
From: Angie Froelich, Section Administrator  
Date: September 15, 2015  
Re: Agenda for Executive Council Meeting on September 17, 2015

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The Labor & Employment Law Section executive council meeting will take place on Thursday, September 17, 2015, at **5:00 p.m.** at the West Palm Beach Marriott, 1001 Okeechobee Boulevard, West Palm Beach, FL 33401, (561) 833-1234.

The agenda and supporting documents for this meeting are enclosed.

The conference call information is:

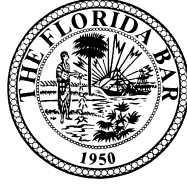
Toll-free number: 888-376-5050  
Conference Code: 1563821345 and #  
Customer Service: 866-640-5038

*Hotel Room Assignments:*

*EC Meeting: Polo D-E*  
*Reception: Courtyard (Backup: Polo F)*  
*Seminar: Salons A-C*

I look forward to seeing you in West Palm Beach.

Angie



## **AGENDA**

*Labor and Employment Law Section Executive Council Meeting  
West Palm Beach Marriott, 1001 Okeechobee Boulevard, West Palm Beach, FL 33401, (561) 833-1234  
Thursday, September 17, 2015 • 5:00 p.m. e.s.t. (Polo D-EI)*

**I. Call To Order** – Hon. Frank E. Brown, Chair

**II. Secretary/Treasurer Report** – Zascha Blanco Abbott

A. Consideration of Minutes – June 25, 2015 (**Attachment A**)

B. Financial Statement – June, 2015 (**Attachment B**)

**III. Committee and Subcommittee Reports**

A. Outreach Committee – Leslie Langbein

a. ABA Liaison Subcommittee – Cynthia Sass/Robert Turk

b. Law School Liaison Subcommittee – Freddy Perera/Cristina Velez

c. Judicial Outreach Subcommittee – Zascha Blanco Abbott/John D. Hoffman

d. Local/Voluntary Bar Association Liaison Subcommittee – Scott Atwood/Sacha Dyson

e. EEOC and FEPA Liaison Subcommittee – Kristen Foslid/Marquis Heilig/Cheyenne Costilla

f. NLRB and PERC Liaison Subcommittee – Nick Karatinos/Stephen A. Meck/Gregg Morton

g. Wage and Hour Administration Liaison Subcommittee Committee – Joseph G. Santoro/David Spalter

h. Membership Outreach Subcommittee – Leslie Reicin Stein/Lindsay Wagner

i. The Florida Bar Outreach Subcommittee – Sherril Colombo/Marlene Quintana

B. Long Range Planning Committee – Hon. Alan O. Forst/Hon. Robert Kilbride

C. Communications Committee – Hon. Stephanie W. Ray

a. Publications Subcommittee – Jay Lechner/Rob Eschenfelder

b. Website Subcommittee – Hon. Stephanie W. Ray/Brian L. Lerner

c. Social Media / Advertising Subcommittee – Cathleen Scott/Brian L. Lerner

D. Special Projects Committee – Marlene Quintana

a. Certification Standards Review Subcommittee – Sherril M. Colombo/Frank Brown

b. FLSA Procedures Subcommittee – Shane Munoz

**IV. Continuing Legal Education – Cathleen Scott**

- A. Effectively Litigating Employment Cases From Inception Through Trial – West Palm Beach Marriott, West Palm Beach FL – September 18, 2015
- B. 41st Annual Public Employment Labor Relations Forum – The Florida Hotel & Conference Center, Orlando FL – October 22-23, 2015
- C. Webinar Series –
- D. 16th Annual Labor & Employment Law Update & Certification Review Seminar – Orlando FL January 28-29, 2016
- E. Practice Before State Labor & Employment Law Agencies – University Center Club, Tallahassee, FL – April 1, 2016
- F. Advanced Labor Topics – Location TBD
- G. Presidential Showcase ? – June 2016 Annual Meeting

**V. New Business**

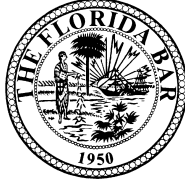
- A. Long Range Planning Retreat – Hon. Alan O. Forst/Hon. Robert Kilbride
- B. Practice Resource Institute – Kevin Johnson/Frank Brown
- C. Bar Section/Committee Liaisons – Frank Brown (**Attachment C**)

**VI. Chair’s Report**

**VII. Informational**

- A. 6:00 p.m. – 7:00 p.m. Reception • Courtyard

**VIII. Adjournment**



## MINUTES

*Labor and Employment Law Section Executive Council Meeting  
Boca Raton Resort & Club, 501 E. Camino Real, Boca Raton, FL 33432, (561) 447-3000,  
[www.bocaresort.com](http://www.bocaresort.com)*

*Thursday, June 25, 2015 • 5:15 p.m. e.s.t. • (Venetian I)*

### **I. Call To Order – Shane T. Munoz, Chair**

Chair Shane Munoz called the meeting to order. A quorum of the Executive Council was present either in person or by telephone.

### **II. Secretary/Treasurer Report – Hon. Frank E. Brown**

Frank Brown presented the minutes for the May 29, 2015 meeting. Upon motion by Ron Kilbride and second by Eric Holshouser, the minutes were approved without amendment.

Frank Brown reported that the financial statement for the month ending May, 2015 showed an operating profit this year to date of \$50,997, with revenues up around \$6,000 and expenses up around \$9,000 in the last month. Membership was up to 2,251.

### **III. Committee Reports**

#### **A. Outreach Committee**

##### **1. ABA Liaison Subcommittee – Cynthia Sass/Jennifer T. Williams**

No report

##### **2. Law School Liaison Subcommittee – Debbie Brown/Freddy Perera**

The subcommittee reported that all scholarships were awarded this year. The Section will recognize several of the recipients who will be present at the reception.

##### **3. Judicial Outreach Subcommittee – Zascha Blanco Abbott/John D. Hoffman**

The subcommittee filed a written report for the agenda.

**4. Local/Voluntary Bar Association Subcommittee – Scott Atwood/Sacha Dyson**

No additional report.

**5. EEOC and FEPA Liaison Subcommittee – Kristen Foslid/Marquis Heilig**

No additional report.

**6. NLRB and PERC Liaison Subcommittee – Nick Karatinos/Stephen A. Meck**

Gregg Morton reported that the Legislature’s bill on publication of agency final orders on the DOAH website was signed by the Governor and will be effective July 1, 2015.

Shane Munoz reported on Steve Meck’s condition. Stephanie Ray made a motion that the Section authorize the purchase of flowers for Steve up to \$250. Robert Eschenfelder seconded the motion, and it passed unanimously.

**7. Wage and Hour Administration Liaison Subcommittee – Joseph G. Santoro/David Spalter**

No additional report.

**8. Membership Outreach Subcommittee – Leslie Reicin Stein/Lindsay Wagner**

The subcommittee included a written report for the agenda, advising that Yvette Everhart completed a toolkit on Severance and Separation Agreements that has been posted to the Section website.

**9. Bar Leadership Outreach Subcommittee – Sherril Colombo/Marlene Quintana**

No additional report.

**B. Long Range Planning Committee – Hon. Alan Orantes Forst/Robert Kilbride**

Robert Kilbride reported that the Section’s “LEstserv” has had its technical problems resolved and encouraged members to use it.

**C. Communications Committee –**

**1. Publications Subcommittee – Jay Lechner /Rob Eschenfelder**

Rob Eschenfelder summarized the status of articles in progress, which include commitments for articles extending at least three issues into the new bar year.

Jay Lechner reported that the next issue of the Checkoff was being planned for a summer release date.

**2. Website Subcommittee – Hon. Stephanie W. Ray /Brian L. Lerner**

The subcommittee filed a written report for the agenda.

**3. Social Media/Advertising Subcommittee – Cathleen Scott/Brian L Lerner**

No additional report.

**D. Special Projects Committees –**

**1. Certification Standards Review Committee – Sherril Colombo/Frank E. Brown**

Frank Brown reported that the Subcommittee had spoken with Cathleen “Katy” Bell Bremmer, incoming Chair of the Labor & Employment Law Certification Committee, and invited Ms. Bremmer to discuss the status of the committee review of certification standards.

Ms. Bremmer reported that once it has finished addressing all pending certification files for the bar year, the committee would meet to review the survey and discuss potential modifications to the standards. Once it has done so, the committee will provide its recommendations to the Executive Council for our response and future joint discussions about modifications.

**2. FLSA Procedure Committee – David Spalter/Marlene Quintana**

No additional report.

**IV. New Business**

**A. College of Labor & Employment Lawyers** – Shane Munoz reported that Debbie Brown was elected to the College as the sole new inductee from Florida this year, and congratulated her on this significant accomplishment.

**B. Michael Higer** – Section Board of Governors Liaison Adam Rabinowitz introduced Michael Higer, a candidate for The Florida Bar President for 2017-18. Mr. Higer spent a few minutes discussing his background – partner in the Berger Singerman law firm in Miami, former chair of the Business Law Section – and his work with the Board of Governors, including several committees. Mr. Higer encouraged anyone with ideas or concerns regarding Board issue to feel free to contact him.

**C. Election of Officers and Executive Council Members** – Shane Munoz presented the proposed slate for the 2015-16 bar year. In particular, he noted that the Nominating Committee selected Cathleen Scott to serve as Legal Education Director, and nominated Gregg Morton to fill her seat on the Executive Council. Additionally, Tad Delegal elected not to return due to a desire to focus on his practice, and Shane introduced Jennifer Fowler-Hermes as the nominee to fill that seat. Upon motion by Robert Eschenfelder and second by Marlene Quintana, the slate was elected unanimously.

**V. Chair’s Report – Shane T. Munoz**

**A. Annual Awards and Recognitions** – Shane Munoz announced the following awards for service to the Section during the 2014-15 bar year:

**Program Chairs**

Gregg Morton		40th PELRF – Program Chair
Gina Cadogan		Litigating Employment Law Claims 50 Years After Title VII – Program Co-Chair
J. Ray Poole, Jr.		Litigating Employment Law Claims 50 Years After Title VII – Program Co-Chair
Robin S. Hankins		15th L&E Update & Certification Review – Program Co-Chair
Brian Koji		15th L&E Update & Certification Review – Program Co-Chair
Judge Stephanie Ray		Advanced Labor Topics 2015 – Program Co-Chair
James M. Craig		Advanced Labor Topics 2015 – Program Co-Chair
Judge Alan Forst		Presidential Showcase Program Chair

**Officers**

Zascha Abbott		Legal Education Director & 2014-15 Audio Webcast Series Program Chair
Robert S. Turk		Immediate Past Chair
Leslie W. Langbein		Secretary/Treasurer
Frank E. Brown		Chair-Elect
Shane T. Muñoz		Chair

**Editors**

Rob Eschenfelder		Florida Bar <i>Journal</i>
Jay Lechner		Checkoff

**Special Awards**

Hon. Stephanie Williams Ray	Volunteer of the Year Award
Stephen Meck	Lifetime Achievement Award
David Kornreich (posthumous)	Hall of Fame Inductee

**VI. Attendance:**

**Officers/Executive Council/Committee Chairs**

**In person:**

Shane T. Munoz  
Hon. Frank E. Brown  
Zascha Abbott  
Scott E. Atwood  
David E. Block  
Sherril M. Colombo  
Sacha Dyson  
Robert M. Eschenfelder  
Karen Evans  
Hon. Alan Orantes Forst  
Kristen Foslid  
Robyn S. Hankins  
Gregory A. Hearing  
Eric J. Holshouser  
Robert L. Kilbride  
Patrick Martin  
Freddy Perera  
Marlene Quintana  
Hon. Stephanie W. Ray  
Erika Deutsch Rotbart  
Cathleen Ann Scott  
Angie Froelich

**Phone:**

Robert S. Turk  
David W. Adams  
Deborah C. Brown  
F. Damon Kitchen  
Jay P. Lechner  
Brian L. Lerner  
Patrick Martin  
J. Ray Poole, Jr.  
Cynthia Sass  
Jill Schwartz  
Leslie Reicin Stein

**Members/Guests/Others**

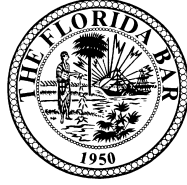
**Present:**

Adam Glenn Rabinowitz  
Michael Higer  
Lori Adelson  
Eula T. Bacon  
Alan Bradin  
Cathleen Bell Bremmer  
Gary Costales  
Yvette Everhart  
Jennifer Fowler-Hermes  
Michelle Jernigan  
Gregg Morton  
Carolay Vargas  
Lindsey Wagner  
Wynn Willard

**Excused:**

Leslie Langbein  
Steve Meck





## Labor & Employment Law Section

2014 – 2015

### FINAL JUNE 2015 Section – Financial Statement

<b>Beginning Fiscal Year Fund Balance</b>	<b>\$189,155</b>
Total Revenue	\$139,608
Total Expenses	(\$130,890)
Net Operations	\$8,798
<b>Ending Fiscal Year Fund Balance</b>	<b>\$197,953*</b>

*\*see attached statement of operations*

### Current Membership

Current Membership	2,030
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	YTD 12-13 Actuals	YTD 13-14 Actuals	YTD 14-15 Actuals	Budget
Total Labor & Employment Law =====				
31431 Sect Dues	76,200	77,440	78,840	77,000
31432 Affil Dues	720	760	900	730
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Total Dues Income Net	76,920	78,200	79,740	77,730
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32001 Registrations	0	6,722	0	0
32010 Legal Span On-line	0	0	5,988	0
32191 CLE Courses	43,057	16,239	43,604	30,000
32205 Compact Disc	0	1,077	6,463	0
32293 Sect Differential	6,524	3,400	3,700	7,000
32301 Course Materials	0	240	60	0
35201 Sponsorships	0	0	0	2,500
37991 Advertising Revenue	750	0	700	3,000
38499 Investment Alloc	9,897	21,286	-647	6,599
	-----	-----	-----	-----
Other Income	60,228	48,964	59,868	49,099
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<b>Total Revenues</b>	<b>137,148</b>	<b>127,164</b>	<b>139,608</b>	<b>126,829</b>
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36998 Credit Card Fees	21	135	115	15
51101 Employee Travel	2,889	3,862	3,806	4,330
61201 Equip Rental	0	603	0	0
71001 Phone/Direct	980	936	723	1,200
71005 Internet Charges	482	0	372	550
75102 1st Class & Misc Mai	0	6	0	0
75401 Express Mail	0	35	41	0
81412 Promo Mailing	0	802	0	0
84001 Postage	530	567	588	1,250
84002 Printing	227	425	407	800
84006 Newsletter	2,189	3,509	2,894	5,500
84007 Membership	0	0	0	250
84009 Supplies	174	197	311	250
84010 Photocopying	202	272	476	350
84051 Officers Travel Exp	139	250	0	500
84052 Mtg Travel Exp	17,043	25,021	21,708	22,500
84053 Out Of State Travel	0	0	0	1,000
84054 CLE Speaker Exp	9,514	0	521	10,000
84061 Reception	10,596	5,000	10,623	11,000
84069 Dinners	0	7,296	3,216	5,000
84101 Committee Exp	110	0	63	500
84103 Cert Committee Exp	1,336	1,858	2,445	2,000
84201 Board Or Council Mtg	5,616	5,999	4,810	5,600
84202 Annual Mtg	7,392	10,240	9,861	10,000
84205 Section Service Prog	312	5,751	1,986	3,000
84209 Retreat	0	0	0	11,000
84214 Long Range Planning	0	0	0	4,000
84256 Audio Taping/Tech	0	4,050	0	0
84301 Awards	4,066	5,662	6,708	7,000
84302 Scholarships	2,300	11,000	12,000	11,000

	YTD 12-13 Actuals	YTD 13-14 Actuals	YTD 14-15 Actuals	Budget
Total Labor & Employment Law =====				
84422 Website	3,481	3,114	4,010	5,800
84535 Chairs Conv	400	0	443	400
84701 Council Of Sections	0	300	300	300
84998 Operating Reserve	0	0	0	11,870
84999 Miscellaneous	44	0	78	500
86432 Time Taping Editing	0	1,738	0	0
88231 Spkrs Travel	0	841	0	0
88232 Spkrs Meals	0	130	0	0
88233 Spkrs Hotel	0	1,348	0	0
88239 Spkrs Oth Exp	0	357	0	0
88241 Outline Prt-Inhouse	0	693	52	0
88252 Course Credit Fee	0	0	0	150
88262 Mtg Meals	0	3,004	0	0
88265 Refreshment Breaks	0	3,364	0	0
88281 A/V Ctr Dup/Prod	0	140	70	0
-----				
Total Operating Expenses	70,043	108,505	88,627	137,615
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31433 Section Mgmt Fee	33,781	34,220	34,844	34,318
31435 Section Mgmt Fee Adj	-305	0	0	0
86431 Mtgs Admin	32	3,730	931	1,236
86532 Advertising News	0	2,471	0	0
86543 Graphics & Art	2,577	4,970	6,188	2,722
86623 Registrars	0	385	220	0
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Total TFB Support Services	36,085	45,776	42,183	38,276
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<b>Total Expenses</b>	106,128	154,281	130,810	175,891
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<b>Net Operations</b>	31,020	-27,117	8,798	-49,062
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<b>21001 Fund Balance</b>	185,244	216,265	189,155	219,983
-----				
Total Current Fund Balance	216,264	189,148	197,953	170,921
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\* \* \* \* \* End of listing \* \* \* \* \*

	YTD 12-13 Actuals	YTD 13-14 Actuals	YTD 14-15 Actuals	Budget
Total Labor/Emp Out of State =====				
Total Dues Income Net	0	0	0	0
32001 Registrations	0	6,722	0	0
32010 Legal Span On-line	0	0	4,990	0
32205 Compact Disc	0	1,077	6,463	0
32301 Course Materials	0	240	60	0
Other Income	0	8,039	11,513	0
Total Revenues	0	8,039	11,513	0
36998 Credit Card Fees	0	125	82	0
61201 Equip Rental	0	603	0	0
75102 1st Class & Misc Mai	0	6	0	0
75401 Express Mail	0	35	41	0
81412 Promo Mailing	0	802	0	0
84256 Audio Taping/Tech	0	4,050	0	0
86432 Time Taping Editing	0	1,738	0	0
88231 Spkrs Travel	0	841	0	0
88232 Spkrs Meals	0	130	0	0
88233 Spkrs Hotel	0	1,348	0	0
88239 Spkrs Oth Exp	0	357	0	0
88241 Outline Prt-Inhouse	0	693	0	0
88262 Mtg Meals	0	3,004	0	0
88265 Refreshment Breaks	0	3,364	0	0
88281 A/V Ctr Dup/Prod	0	140	70	0
Total Operating Expenses	0	17,236	193	0
86532 Advertising News	0	2,471	0	0
86543 Graphics & Art	0	609	0	0
86623 Registrars	0	385	220	0
Total TFB Support Services	0	3,465	220	0
Total Expenses	0	20,701	413	0
Net Operations	0	-12,662	11,100	0
Total Current Fund Balance	0	-12,662	11,100	0

	YTD 12-13 Actuals	YTD 13-14 Actuals	YTD 14-15 Actuals	Budget
C1693 2014 Adv Labor Topcs ~~~~~				
Total Dues Income Net	0	0	0	0
32001 Registrations	0	6,722	0	0
32010 Legal Span On-line	0	0	4,990	0
32205 Compact Disc	0	1,077	6,463	0
32301 Course Materials	0	240	60	0
Other Income	0	8,039	11,513	0
Total Revenues	0	8,039	11,513	0
36998 Credit Card Fees	0	125	82	0
61201 Equip Rental	0	603	0	0
75102 1st Class & Misc Mai	0	6	0	0
75401 Express Mail	0	35	41	0
81412 Promo Mailing	0	802	0	0
84256 Audio Taping/Tech	0	4,050	0	0
86432 Time Taping Editing	0	1,738	0	0
88231 Spkrs Travel	0	841	0	0
88232 Spkrs Meals	0	130	0	0
88233 Spkrs Hotel	0	1,348	0	0
88239 Spkrs Oth Exp	0	357	0	0
88241 Outline Prt-Inhouse	0	693	0	0
88262 Mtg Meals	0	3,004	0	0
88265 Refreshment Breaks	0	3,364	0	0
88281 A/V Ctr Dup/Prod	0	140	70	0
Total Operating Expenses	0	17,236	193	0
86532 Advertising News	0	2,471	0	0
86543 Graphics & Art	0	609	0	0
86623 Registrars	0	385	220	0
Total TFB Support Services	0	3,465	220	0
Total Expenses	0	20,701	413	0
Net Operations	0	-12,662	11,100	0
Total Current Fund Balance	0	-12,662	11,100	0

## **Labor and Employment Law Section Liaisons**

In the past few years, the Section has had some information liaison relationships with interested sections or committees of the bar. This year, we will expand and formalize the appointment of individuals who will be able to serve in that capacity with the imprimatur of the Section.

What does a liaison do? Depending on the organization, the functions may differ, but generally a liaison will either (1) represent the Section in major Florida Bar governance organizations, or (2) act as a go-between for the Section with the leadership of another section or committee to report on their activities that might be of interest to our Section, look for opportunities to collaborate on projects, and for this year in particular, to report on how that section or committee delivers content to its members or the bar, as the case may be.

The Officers have identified the following as sections or committees where a liaison might be beneficial, and in some instances, the *proposed* or confirmed\* liaison.

**Council of Sections** – Frank Brown\*/Leslie Langbein\*

**BLSE** – *Marlene Quintana*

**CLE Committee** – Zascha Abbott\*/Cathleen Scott\*

**Committee on Diversity and Inclusion** – Patrick Martin

**Federal Court Practice Committee** – *Sherril Colombo/Robyn Hankins*

**Administrative Law Section** –

**Alternative Dispute Resolution Section** – Lori Adelson\*

**Appellate Practice Section** – *Judge Alan O. Forst/Judge Stephanie Ray*

**Business Law Section** –

**City, County and Local Government Section** –

**Education Law Committee** – *Sacha Dyson*

**Entertainment, Arts and Sports Law Section** –

**Health Law Section** –

**International Law Section** –

**Workers Compensation Section** –

**Young Lawyers Division** –

**PRESIDENT**  
Gordon J. Glover  
Glover Law Firm  
1531 S.E. 36<sup>th</sup> Avenue  
Ocala, Florida 34471

**PRESIDENT-ELECT**  
Katherine Hurst Miller  
Cobb Cole  
149 S. Ridgewood Avenue, Suite 700  
Daytona Beach, Florida 32114

**IMMEDIATE PAST PRESIDENT**  
Michael Fox Orr

**YOUNG  
LAWYERS  
DIVISION**



**THE  
FLORIDA  
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**Appointed Members:**  
John Dicks, Tampa  
Santo DiGangi, West Palm Beach  
Nicole H. Fried, Ft. Lauderdale  
Ward P. Griffin, Washington, D.C.  
Gregory J. Hoag, St. Petersburg  
Jason Lambert, Palm Harbor  
G. C. Murray, Tallahassee  
Travis Mydock, St. Augustine  
Randall Richardson, St. Augustine  
Dwayne Robinson, Miami  
Travis Santos, Tampa  
Jacqueline Simms-Petredis, Tampa  
Sorraya Solages-Jones, Ft. Lauderdale  
Ashley Sybesma, Key West  
Celia Thacker, Kissimmee  
Lindsay Tygart-Havice, Jacksonville

July 28, 2015

**CIRCUIT REPRESENTATIVES**

<b>1st Circuit</b>	Adam White Pensacola
<b>2nd Circuit</b>	Benjamin J. Gibson Andrew D. Manko Tallahassee
<b>3rd Circuit</b>	Joe Joyce Live Oak
<b>4th Circuit</b>	Christian P. George Michael E. Lockamy Jacksonville
<b>5th Circuit</b>	Robert W. Batsel, Jr. Ocala
<b>6th Circuit</b>	Zackary T. Zuroweste Clearwater Kristina Feher St. Petersburg
<b>7th Circuit</b>	Robert Wohn, III Daytona Beach
<b>8th Circuit</b>	Jacob A. Rush Gainesville
<b>9th Circuit</b>	Eric R. Elms Karen L. Persis Jennifer A. Smith Orlando
<b>10th Circuit</b>	Chrystal Martin Thornton Lakeland
<b>11th Circuit</b>	Annika E. Ashton Lara Bueso Bach Brian Karpf Jeremy S. Korch Schuyler A. Smith Ethan Wall Miami
<b>12th Circuit</b>	Margaret Rowell Good Nishit V. Patel Sarasota
<b>13th Circuit</b>	Jill K. Bell Alexandra N. Haddad H. Web Melton Tampa
<b>14th Circuit</b>	Theodore R. Howell Panama City
<b>15th Circuit</b>	Stephanie Cagnet Luis Delgado, Jr. Matthew T. Ramenda West Palm Beach
<b>16th Circuit</b>	Alan A. Fowler Key West
<b>17th Circuit</b>	Valerie Barton Barnhart Estefania Nasielski Sue-Ann N. Robinson Cherine Smith Valbrun Ft. Lauderdale
<b>18th Circuit</b>	Michael A. Sasso Lake Mary Andrew B. Pickett Viera
<b>19th Circuit</b>	Paige Hardy Gillman Stuart
<b>20th Circuit</b>	Carlo Zampogna Naples John M. Miller Ft. Myers
<b>Out-of-State</b>	Eric Everson Worthington, OH Ryan Eastmoore LeBlanc San Francisco, CA Leslie Utiger Dallas, TX

**PROGRAM ADMINISTRATOR**  
Thomas V. Miller

Dear Section Leader:

On behalf of The Florida Bar Young Lawyers Division (“YLD”), we hope that your Section’s 2015-2016 term is off to a fantastic start! The YLD is very much looking forward to revamping our work with your Section over the coming months, and this letter is meant to inform you of the ways we can work together.

This year, the YLD is challenging each Section to implement at least one of the following initiatives (and hopefully all of them):

- Provide free or discounted Section membership dues for young lawyers;
- Develop a Young Lawyers Committee within your Section;
- Provide substantive material for the YLD’s website;
- Co-host a webinar with the YLD; or
- Establish and/or expand fellowships to reduce the cost for young lawyers to attend Section meetings.

We are also asking that you commit to having a liaison to the YLD. We believe that this connection will be critical to the success of building a bridge from young lawyers to your Section. We hope to offer opportunities for you Section to be more visible to young lawyers all across the state and having a designated individual to coordinate with us is the first step. Please send the contact information for your Section’s liaison to Jennifer A. Smith at [jennifersmith@southerntrialcounsel.com](mailto:jennifersmith@southerntrialcounsel.com).

Every month, we send out an e-newsletter to the almost 30,000 members of the YLD and Law Student Divisions. Such publications include important announcements regarding upcoming programming and recaps of past events. We are happy to include announcements important to your Section, such as information regarding membership drives or CLE programs about which our constituents should be aware. To have such information included in an upcoming YLD e-newsletter, please email your announcement to Kristina Feher at [KFeher@feherlaw.com](mailto:KFeher@feherlaw.com).

The YLD and Law Student Divisions have several thousand followers through our Facebook and Twitter accounts. Any information that you send us for publication in our e-newsletter can also be pushed out to our constituents through social media. If you are not already following the YLD on Facebook and Twitter, please do so, and encourage the other members of your Section to do the same, at: [www.facebook.com/floridayld](http://www.facebook.com/floridayld), @FlaBarYLD.

The YLD also presents monthly lunchtime webinars aimed at helping Florida's newest lawyers transition into the practice of law. If you would like to partner with the YLD on a webinar pertaining to your Section, please provide substantive content for your Section and a speaker, and the YLD will do the rest. Our webinars have generated thousands of views by young lawyers all over the state— young lawyers who could be converted into your Section members and leaders. Don't miss out on this opportunity to "get in touch" with young lawyers. If you are interested in such an opportunity, please contact Zack Zuroweste at [zackzuroweste@gmail.com](mailto:zackzuroweste@gmail.com).

Again, the YLD is very much looking forward to having a new and improved collaboration with your Section in 2015-2016, and hopes that you will not hesitate to let us know how we can best help you over the coming year. Please feel free to contact our Section Outreach Co-Chairs, Sue-Ann Robinson Caddy and Jennifer Smith, if you have any questions or if the YLD can assist you and your Section in any way.

Best Regards,

/s/ Gordon J. Glover  
YLD President 2015-16  
[gordon@gloverlawfirm.com](mailto:gordon@gloverlawfirm.com)

/s/ Sue-Ann Robinson Caddy  
Section Outreach Chair  
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/s/ Jennifer A. Smith  
Section Outreach Co-Chair  
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cc: Katherine Hurst Miller, YLD President-Elect  
Tom Miller, YLD Program Administrator  
Kristina Feher, YLD Newsletter Chair  
Zack Zuroweste, YLD Transition to Practice Chair



### Publications Subcommittee – Florida Bar Journal Report

- In the **April** Journal, the Section published its first 2015 article by Lori Mans and Evan Gibbs of the recent NLRB decision concerning unionization of student athletes.
- Our second article of 2015 appeared in the **May** Journal, featuring an article by Laura Mall on the 2014 Murphy Oil NLRB decision, impacting class and collective action waivers.
- Part I of Author Sacha Dyson’s article on judicial estoppel has been published in the **June** Journal.
- Part II of Ms. Dyson’s judicial estoppel article was published in the **July/August** Journal.
- Author Carlo Marichal’s article concerning the Private Sector Florida Whistleblower’s Act was published in the **September/October** Journal issue.
- I have submitted an article on behalf of author Nicole Dunlap on Pregnancy Discrimination cases after the *Young v. United Parcel Service* decision. This article is scheduled to appear in the **November** Journal issue.
- Author Lindsay Dunn has begun drafting an article concerning the Florida Public Whistleblower Act and recent related cases interpreting the First Amendment’s coverage of “whistleblowing” type acts in the public employment workplace. I expect delivery of this article in late September for a **December** Journal issue publication.

### **2016**

- Authors David Kalteux and Shane Munoz have begun drafting an article on the EEOC’s recent interpretation concerning discrimination based on LGBT status as constituting gender discrimination under Title VII. Expected delivery date for editing of this article is November, with hopeful publication in the **February** 2016 issue.

### **Special Issues**

- I have submitted for publication an article by Greg Hearing and Jeff Patenaude addressing technology’s impact on the practice of labor & employment law for the Bar’s **January** “special issue” of the Journal, devoted to technology topics.
- Author Lowell Walters is drafting a very interesting article concerning a new EEOC regulation prohibiting employer health plans from adopting tiers based on health outcomes as they would be “discriminatory” against disabled persons under Title I of the ADA. This article is targeted for a “special” Journal issue in **March** of 2016 focusing on health and wellness.

Our Section is doing very well with our Journal articles. For historical perspective over the years, our article counts were:

1997	1	2001	5	2005	4	2009	6
1998	5	2002	5	2006	5	2010	1
1999	5	2003	3	2007	4	2011	4
2000	5	2004	5	2008	4	2012	4

Upon taking over as Journal article editor in June of 2013, our final article count for that year was 4.

In 2014, the Section saw publication of 5 articles.

I am proud of our Section's efforts this year, as we're going to publish 7 articles in the Journal's 10 editions per year cycle!

And, as noted above, we already have 3 articles being worked on for 2016!

As the Council knows, I always like to have authors working on articles for the future, so please continue to refer authors with quality topics to me. I remain very grateful to our authors for their hard work and to the firms supporting their efforts to cause our Section to be active on the scholarly publication front.

This concludes my report to you and the Executive Council. Please let me know if you have any questions prior to the meeting.

Respectfully submitted,  
Robert Eschenfelder  
Section Journal Articles Editor