

**MINUTES OF THE LABOR AND EMPLOYMENT LAW SECTION
EXECUTIVE COUNCIL MEETING
OCTOBER 19, 2006**

- I. Call to Order – Cynthia Sass called the meeting to order at 5:00 p.m.

- II. Secretary/Treasurer Report
 - a. Consideration of Minutes – Jill Schwartz moved to approve the minutes from the last meeting. Shane Munoz seconded and the motion was passed.

 - b. Financial Statement – The Beginning Fiscal Year Fund Balance for the Labor and Employment Law Section was \$95,907, with a Current Fund Balance of \$140,808. Total revenue taken in was \$52, 012 and the total expenses paid out were \$6,111.

- III. Committee Reports –
 - a. Membership Outreach Committee – Attempts will be made to reach out to obtain new members and contact prior members to renew their membership. Currently, our section has 1,991 members.

ABA Liaison Subcommittee – Shane Munoz reported that the committee is attempting to coordinate a date for a joint seminar. The committee is working with other ABA committees. The goal is to have a program to be held at Stetson Law School. The Council discussed other settings, such as FAMU Law School.

Law School Liaison Subcommittee – Jonathan Oliff reported that there had been a follow up with the law schools to discuss scholarship availability. A telephone conference meeting will be held with the subcommittee within the next two weeks to discuss the matter further. Committee members discussed ideas to increase participation, and will brainstorm to develop a plan of attack and coordination with other committees.

Local/Voluntary Bar Association Liaison Subcommittee – Shane Munoz reported that the committee was on track to submit an article to the Checkoff, as well as coordinating speakers.

New Membership/Outreach Subcommittee – No report presented.

 - b. Long Range Planning Committee – Cary Singletary is working with the Special Projects Committee and the Sponsorship Committee regarding

long range plans. Damon Kitchen also indicated that he is working on an article for the Checkoff.

- c. Legal Education Committee – Alan Forst thanked Jeff Mandel on behalf of Eric Holshouser for presenting a great seminar. The certification seminar will be held, and chaired by Alan Gerlach and Susan Dolin. Karen Buesing and David Linesch will chair the Advanced Labor Topics to be held at the Don Cesar Hotel on May 11-12, 2007.

Continuing Legal Education Subcommittee – no report presented.

Current Legal Developments Subcommittee - no report presented.

Judicial Outreach Subcommittee – Jeff Mandel was recently appointed to this committee. No report presented at the meeting.

Publications Subcommittee – Frank Brown reported that the committee held its second meeting. An article will be written concerning the recent Supreme Court retaliation case for December. Articles are requested for January and February. Articles are preferably to be received by the beginning of November. The goal is to print the next issue of the Checkoff out by the end of the year.

Website Subcommittee – Alan Forst reported that there was a need for the subcommittees to submit reports to Marcus Snow to post on the site. Cynthia Sass congratulated Marcus on the great job that he has done on the website.

- d. Special Projects Committee – Leslie Stein reported that the committee met with the Long Range Planning Committee and the consensus is that they prefer not to enter into sponsorships. Cary Singletary reported that guidelines are needed for sponsorship and an objective criteria be created for sponsors. There was “spirited” discussion covering a wide range of opinion for and against sponsorships and advertising. There was significant opposition from the committee as to warrant the Executive Council’s input. Rob Sniffen expressed concerns with the problems with the advertising concept, and felt that it was too much work for a potentially small benefit.

Damon Kitchen discussed the differences between sponsorships and advertising. Cynthia Sass noted she is hesitant to proceed if the Board is not in agreement. If, however, the Board determines the idea to be viable, Committee guidelines will need to be created. Rob Sniffen agreed that a full discussion by the entire council was necessary. Damon suggested that not allowing attorneys to advertise would solve some of the issues. Don Ryce asked to further explore the objections. Alan Forst suggested

attorneys and mediators could be allowed to advertise, as we are the only ones reading our publications. Stephen Meck discussed the difficulties in defining what was “appropriate” in advertising, and noted that L & E is different from the Real Estate and Tax Sections.

Rick Johnson shared his experiences with his college newspaper. He indicated that we can accept or reject guidelines as we do not fall within the definition of a “public forum,” which enables the committee to have “vague” guidelines as to what is considered to be in “good taste.” Cynthia Sass suggested allowing want ads for associate positions on the website, which would not be costly Ray Poole felt that if someone wants to pay the costs, we should implement the concept if we can agree to it a fair way to implement the idea. Ray noted it would be helpful to have advertising, for example, like the mediator ads in the Bar News. Cynthia said she would work on obtaining getting the prices as to the ads. Rob discussed getting guidance and input from other sections. Leslie Stein suggested that we look at our publishing costs to determine the expenses.

Alan Gerlach recommended that the motion should be viewed as a directive to the committee to develop ways to implement the goal. Alan Forst moved to drop advertising and sponsorship altogether.

Jeff Mandel seconded the motion.
The motion was denied.

Alan Forst moved that the Special Projects Committee develop a pricing plan (for individual items and bundling) and general rules on the contents and guidelines regarding advertising and sponsorships. He noted we should consider lunches, the Checkoff, the website and primarily the directory. A report will be provided on the progress of the analysis at the February meeting. Don Ryce seconded the motion, which passed unanimously.

Cynthia Sass indicated that Angela Froelich noted that the Florida Bar has rules on advertising and sponsorship. Alan Forst stated that the ABA has extensive materials on this subject. The Special Projects Committee will meet prior to the February meeting to review this matter.

IV. New Business

- a. The Annual Florida Bar Convention will be held from June 27-30, 2007 at the Orlando World Center Marriot. The opportunity to participate in two seminars on various topics which was discussed. It was noted that it can be quite expensive. The issue was tabled until the next meeting. Steve Meck spoke in favor of the seminars, as well

as Frank Brown and Jill Schwartz. Steve Meck made a motion and Alan Forst seconded the motion.

V. Chair's Report

- a. Cynthia Sass reported that Hank Coxe indicated that almost all sections responded to proposed professionalism rule in the negative and had the same or similar objections as our section did.
- b. We will forward our objections to the Florida Bar.
- c. Labor/Tax Telephone Seminar – Cynthia Sass reported that three one (1) hour session seminars had been developed for the following dates and topics: (1) January 23, 2007 – tax implications and settlements; (2) March 20, 2007 – tax issues re: drafting employment agreements; and (3) May 22, 2007- tax issues relating to employee compensation issues. There will be the ability to attend with a password and materials will be available for downloading. The cost will be \$100 per individual participant or \$80 if additional individuals attend. CLE credits will be available.
- d. Angela's Blackberry and cell phone – the costs are \$.17 per telephone line and brochure costs. We will split Angela's cell phone bill with the International Law Section. The Cell phone will cost approximately \$127 a month (each section paying \$62.50), the Blackberry will cost a one time charge of \$300.

VI. Informational

- a. Reception will be held from 6:00 p.m. to 7:30 p.m.

VII. Next Executive Council Meeting

Thursday, February 15, 2007 – Rosen Plaza Hotel, Orlando
5:00 p.m. – 6:00 p.m. Labor & Employment Law Executive Council Meeting
6:00 p.m. – 7:30 p.m. Reception

VIII. A motion was made, seconded and passed to adjourn at 6:25 p.m.

Executive Council Members in Attendance:

Committee Chairs/Program Administrator in Attendance:

Member guests (sign-in sheet missing; some attendees may not be listed below):

Cynthia Sass
Jill Schwartz

Shane Munoz
Jonathan Oliff
Cary Singletary
Damon Kitchen
Alan Forst
Jeff Mandel
Frank Brown
Marc Snow
Leslie Stein
Rob Sniffen
Don Ryce
Steve Meck
Rick Johnson
Alan Gerlach