



MINUTES

*Labor and Employment Law Section Executive Council Meeting
Riverside Hotel, Himmarshee Ballroom
620 East Las Olas Boulevard, Ft. Lauderdale, FL 33301
Thursday, November 13, 2014 • 5:00 p.m. - 6:00 p.m. EST*

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 – Leslie W. Langbein/Hon. Frank E. Brown

Frank Brown presented the minutes for the October 23, 2014 meeting, which were approved without amendment.

Frank Brown presented the financial statement for the month ending October, 2014. The Section has revenues this year of \$92,122, and expenses of \$41,399. The largest chunk of the expenses is the Section Management Fee payable to The Florida Bar for staff support, assessed at the beginning of the year.

Leslie Langbein presented the proposed budget for the 2015-16 bar year and discussed some of the items. There were some questions about the projected CLE course revenue. Angela Froelich discussed some of the factors involved in determining net profit for CLE. Frank Brown mentioned that the lower amount for the 2013-14 year was due to the substantial expense for the Advanced Labor Topics in New Orleans, with numerous guest speakers.

After brief discussion of the budget, Brian Lerner moved approval of the budget, with David Adams seconding. The proposed budget passed without dissent.

III. Committee Reports

a. ABA Liaison Committee – Cynthia Sass/Jennifer T. Williams

Cynthia Sass reported that the Section had agreed to cosponsor the December 8, 2014 appearance in Tampa of the Department of Labor Solicitor's Office speaking on SOX and OSHA whistleblower claims. The ABA and Hillsborough County Bar Association will be cosponsoring also.

Legal Education Director Zascha Abbott asked that if Section members became aware of additional opportunities to work with the ABA as cosponsors for CLE, to contact her.

b. Law School Liaison Committee – Debbie Brown/Freddy Perera

The Committee included a written report for the agenda.

Debbie Brown discussed the Stetson College of Law Review Symposium scheduled for March 6, 2015 on workplace inequality. Rob Kilbride asked whether the Section should advertise or sponsor the event. After further discussion, and because the symposium appears to be advocating a particular point of view, it was decided that the Section would not be formally involved with the symposium, but members may wish to attend individually. Debbie Brown mentioned that Stetson could send out a mailer to Section members if they desired.

The Executive Council briefly discussed the proper approach to take to these types of events that may have a particular policy goal, but may be of interest to the Section members. The consensus was that the Executive Council should take these types of opportunities on a case-by-case basis. Zascha Abbott suggested that this type of event could at least be advertised on an email blast of non-Section-sponsored events that may be of interest to the membership.

Freddy Perera discuss the awarding of the annual law school scholarships. The Committee is discussing the possibility of having Committee members, Executive Council members, or other Section members present the awards to the students at their law schools in advance of the annual meeting, which many scholarship recipients are not able to attend.

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

Zascha Abbott reported that the judicial presentation in Hillsborough County has been rescheduled to January 2015.

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

Scott Atwood reported that the Committee was putting together a list of contacts in the various local bar associations throughout the state in order to facilitate communication with the associations. The Committee will also be looking for opportunities to cosponsor or to cross publicize events as appropriate.

e. EEOC and FEPA Liaison Committee – Kristen Foslid/Marquis Heilig

Kristen Foslid reported that she had reached out to the EEOC District Director regarding potential opportunities during the bar year.

f. NLRB and PERC Liaison Committee – Nick Karatinos/Stephen A. Meck

No report

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

No report

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

Lindsay Wagner reported that the Committee had completed the page on the website advising Section members how to get more involved in Section activities, including publications, CLE presentation opportunities and eventual leadership roles.

i. Bar Leadership Outreach Committee – Sherril Colombo/Marlene Quintana

Sherril Colombo reported that the newly formed Committee's focus will be on getting the Section involved in and notified about The Florida Bar activities and decision-making that affects the Section's members.

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

Robert Kilbride reported that the Committee had located a potential vendor for the proposed listserv for the website designed to provide real-time interaction between Section members on legal topics through the website. Brian Lerner has agreed to moderate the listserv.

Sherril Colombo asked about blogging capabilities for the website. Brian Lerner stated that we have an actively updated Sections News blog on the website.

Robert Kilbride reported that the Committee is still looking for a potential "Tech Czar" to coordinate the Section's various technology-driven services, including CLE, publications, website etc.

Judge Forst advised that he is working on a proposal on behalf of the Section for the Presidential Showcase CLE at the annual meeting for 2015. He pointed out that the Section's past programs have been well received.

k. Communications Committee – Cathleen Scott/Hon. Stephanie W. Ray

Publications Subcommittee – Jay Lechner /Rob Eschenfelder

Jay Lechner reported that the next issue of the CHECKOFF should be out by end of December. He advised that the subcommittee needs authors for the November e-blast and the December CHECKOFF issue.

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

Brian Lerner mentioned that the relevant developments regarding the website were being covered in other reports.

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

Cathleen Scott reported that advertising space is available for the Section website. Robert Turk's firm, Stearns Weaver, has purchased space on the website.

l. Special Projects Committees –

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

Sherril Colombo reported that she contacted Kathryn Piscitelli regarding meeting with the Labor and Employment Law Certification Committee to discuss potential modifications to the experience/practice requirements. The certification committee was busy completing exam preparation, but expects to be able to meet with the Section special committee in the spring.

FLSA Procedure Committee – David Spalter/Marlene Quintana

Marlene Quintana reported that the Committee had its first meeting. They worked on drafting a letter to the Chief Judges of each district to see if the judiciary is receptive to the idea of standardized procedures. Marlene mentioned that the Southern District has a project including some judges looking at this issue. Frank Brown mentioned that as an alternative to a set of standardized procedures, the Section could develop a manual, updated annually, with each judge's preferred procedure and standard orders, discovery, etc., similar to the manual developed by The Florida Bar Federal Court Practice Committee.

IV. New Business

a. Bar Liaisons – Shane T. Munoz

Shane Munoz introduced Lori Adelson of the Alternative Dispute Resolution section. Lori is the ADR Section's new liaison to Labor and Employment Section.

Lori spoke about the ADR's Section goal of working cooperatively with our Section in programs. The ADR Section helped sponsor our Section's Arbitration/Mediation CLE in Spring 2014

Scott Atwood is serving as our Section's liaison to the Young Lawyer's Division. Scott will be speaking at the YLD's Basic Employment Law Seminar in Tampa on December 4, 2014.

b. CLE – Zascha Abbott

Zascha Abbott reported on the upcoming seminars:

15th Labor and Employment Law Annual Update and Certification Review –

The spring update/certification review seminar is scheduled for January 29-30 at the Loews Portofino Bay Hotel in Orlando.

V. Chair's Report – Shane T. Munoz

Shane Munoz reported that the Florida Commission on Human Relations recently contacted Shane and Frank Brown about additional involvement with the Section. Shane advised that the Section would be very pleased to have a presence from FCHR in Section activities. Shane and Frank will have additional contacts with FCHR leadership regarding possible methods of involvement.

There being no additional business or Chairman's comments, the Executive Council adjourned.

VI. Attendance:

Officers/Executive Council/Committee Chairs

In person:

Shane T. Munoz
Hon. Frank E. Brown
Zascha Abbott
Robert S. Turk
David W. Adams
Scott E. Atwood
Sherril Colombo
Kristen Foslid
Jay Lechner
Brian L. Lerner
J. Ray Poole, Jr.
Erika Deutsch Rotbart
Angie Froelich

Phone:

Leslie W. Langbein
David E. Block
Deborah C. Brown
Sacha Dyson
Karen Evans
Robyn Hankins
Gregory A. Hearing
Eric J. Holshouser
Robert L. Kilbride
Patrick Martin
Jonathan Oliff
Freddy Perera
Marlene Quintana
Hon. Stephanie W. Ray
Cynthia N. Sass
Cathleen Scott
David H. Spalter
Lindsay Wagner

Section Members/Guests

Present:

Lori Adelson
George Bush, Jr.
Gina Cadogan
Lindsey Dunn
Jennifer Fowler-Hermes
Amanda L. Neff
Reid Wakefield

Excused:

Thomas A. Delegal III
Hon. Alan Orantes Forst
Stephen A. Meck
Leslie Reicin Stein