



MINUTES

*Labor and Employment Law Section Executive Council Meeting
Seminole Hard Rock Hotel, Hollywood • Thursday, March 13, 2014
5:00 p.m. - 6:00 p.m. • Meeting Room 3 & 4*

I. Call To Order – Robert S. Turk, Chair

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

II. Secretary/Treasurer Report – Frank E. Brown

a. Consideration of Minutes – January 30, 2014

Judge Alan Forst moved for approval of the minutes of the January 30, 2014 Executive Council meeting, with Chair-Elect Shane Munoz seconding. The minutes were approved by voice vote.

b. Financial Statement – February 2014

The Section financial statement as of end of February 2014 showed a current fund balance of \$268,994. Current Section membership is 2,068, an addition of 20 members since last meeting.

II. Committee and Subcommittee Reports

a. Outreach Committee –

ABA Liaison Subcommittee – Jennifer T. Williams

No report

Law School Liaison Subcommittee – Jonathan Oliff/Debbie Brown

The subcommittee provided a written report of their activities dated March 10, 2014, which included discussion of scholarship status, award criteria, and templates of letters to school and notifications to recipients. Jonathan Oliff reported that all of the state's law schools have been contacted and the subcommittee expects to fill all of their scholarships for the current bar year. The subcommittee has been compiling

a list of professors and student organizations that are relevant to the award so that the subcommittee has a direct contact list for each school. The subcommittee has undertaken the development of possible criteria for the award of the scholarship. Currently the criteria for awarding the scholarships are set by the individual schools.

Shane Munoz mentioned that he had talked to representatives of the Cooley Law School, FAMU and Stetson about the scholarships. Bob Turk also reported that he had contacted his schools and they expect to have recipients selected by March 31.

Bob Turk raised the issue for discussion for the Executive Council as to whether the Section should set criteria for the scholarships. Debbie Brown explained that the subcommittee has already established some criteria. The schools have the option of granting one \$1000 award or two \$500 awards, and they may be granted to a continuing student, or as a graduation award. There are no other mandatory selection criteria at this time.

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

Zascha Abbott reported that the subcommittee had another conference call since the last Executive Council meeting. The subcommittee has Judicial programs scheduled for Miami-Dade in May and in Hillsborough County in June.

EEOC and FEPA Liaison Subcommittee – Marquis Heilig / Kristen Foslid

Kristen Foslid reported that the subcommittee has met via conference call since last Executive Council meeting. They continue work toward setting up luncheon meetings between the employment law bar and EEOC staff in Miami and Tampa.

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

Gregg Morton reported that the 40th annual PELR seminar is scheduled for October 23-24 in Orlando. This year is the City, County and Local Government Section's turn to host and Mike Grogan will return in that capacity.

Wage and Hour Administration Liaison Subcommittee – Joseph G. Santoro

Bob Turk mentioned that Joe Santoro was working to arrange a phone-in conference between the Section members and Wage and Hour Division administrators in one of the Florida offices.

Membership Outreach Subcommittee – Leslie Reicin Stein/Robyn Rosignuolo

The Subcommittee provided a written report. Leslie Stein reported that they have not received any new toolkits since last meeting and are looking for individuals to prepare some. In particular, they are looking for toolkits for mediating labor cases,

arbitrating labor cases, and collective bargaining. Anyone interested should contact Leslie Stein or Robyn Rosignuolo.

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

The subcommittee provided a written report. Brian Lerner asked that Executive Council members not only join the Section’s Facebook and LinkedIn pages but also to post or link things on the page as they are always looking to add things to the page.

Cathleen Scott reported that the subcommittee has a videographer lined up for preparation of short videos. The subcommittee needs volunteers to present short (2 to 2.5 minutes) videos, on various topics for the Section.

b. Long Range Planning Committee – Robert L. Kilbride

Robert Kilbride reported on three issues that the committee has worked on since the last Executive Council meeting.

- 1) Tech Czar – the appointment of an individual to coordinate the technology functions of the Section, such as website, social media, electronic publications, etc.
- 2) Orientation for new members of the Executive Council – should the Section develop a program or resource of some kind for new members of the Executive Council to learn about the council’s functions, procedures and ongoing initiatives?
- 3) Increasing travel reimbursement for Executive Council members to increase in-person attendance at meetings

As to the issue of reimbursements, Rob commented that the current reimbursement amount is limited to \$250 per Executive Council member, which will not cover most of the expenses for an individual who has to travel to a meeting from out of town. He discussed the possibility of increasing the reimbursement amount so that members or their firms will not need to absorb so much of the cost. Bob Turk agreed to take this issue up under new business.

As to the issue of orientation for new Executive Council members, Greg Hearing and Bob Turk discussed some possible solutions, which included creating an orientation video, or adopting a “buddy system” to pair new members with a veteran member.

c. *Communications Committee – Cathleen Scott / Hon. Stephanie W. Ray*

Publications Subcommittee – Jay Lechner / Zascha Blanco Abbott / Rob Eschenfelder

Jay Lechner noted that the Section had released in *e-alert* every month this year. The next Checkoff is expected for publication in April – May. Several articles have already been received for that issue.

Rob Eschenfelder provided a written report for the Journal. Jennifer Fowler-Hermes has prepared an article on religious accommodation that is expected to be published in May, with an article on the Florida Arbitration Code from Ken Starr expected for the June issue.

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

The website committee provided a written report for the agenda.

d. *Special Projects Committee – Robert S. Turk*

Following up his prior discussions about his project for the year, Bob Turk announced that his office (Miami office of Stearns Weaver) is hosting a CLE with the NLRB, with Margaret Diaz and Pam Scott attending. The seminar is listed in the Section CLE activities. If this conference goes well, the Section would look to arrange a meeting in Tampa for the fall.

Certification Standards Review Subcommittee – Sherril Colombo

Sherril Colombo advised that the Certification survey would be released to the Section membership shortly, as approved in the January Executive Council meeting. The Subcommittee is deciding whether it will be distributed by listserve versus a mailing from The Florida Bar.

III. New Business

a. *Labor Section Hall of Fame – Theo Hamilton Nomination*

The nomination and biographical materials for Hall of Fame candidate Theo Hamilton were included in the program agenda. Greg Hearing moved to induct Theo Hamilton into the Hall of Fame, which was seconded by Damon Kitchen. The Executive Council voted unanimously to induct Theo Hamilton.

- b. *Navigating the World of ADR (1619R), March 13-14, 2014, Seminole Hard Rock Hotel & Casino, Hollywood – Leslie Langbein*

Leslie Langbein reported on the first day of the seminar covering mediation. The attendance is smaller than expected, but attendance is likely attributable to the difficulty in scheduling caused by the October date for the PELR seminar last fall.

- c. *Advanced Labor Topics 2014 (1693R), May, 2014, New Orleans, LA – Leslie Langbein*

Leslie Langbein reported that Rick Johnson and Arlene Kline are the co-chairs for the Advanced Labor Topics Seminar in New Orleans on May 16-17, 2014. The seminar will be held at the JW Marriott New Orleans Hotel on Canal Street.

- d. *Fall Seminars*

Leslie Langbein reported that, as indicated earlier, Gregg Morton will be co-chairing the PELR seminar with Mike Grogan in the fall. Ray Poole and Gina Cadogan will be co-chairing the Discrimination/Litigation seminar. The council discussed the timing for the discrimination seminar at some length. Leslie Langbein noted the difficulty in working around the October date of the PELR seminar. Frank Brown noted that in past years the seminar has sometimes been held in September, and that since 2014 is the 50th anniversary of the Civil Rights Act, we should make sure that we have an excellent program and strong attendance. Erica Rotbart mentioned that FELA traditionally has its annual seminar around Memorial Day, and there was also discussion about working around the Rosh Hashanah and Yom Kippur holidays. In the end, it was decided that Leslie and the co-chairs would explore what appeared to be the best time and date for the seminar.

- e. *Executive Council Reimbursements*

The Executive Council discussed the issue of the cost of travel for live attendance of council members to meetings and the limited amount of reimbursement currently available. At present, Executive Council members are limited to a maximum \$250 per meeting; the officers and program chairs are also entitled to a hotel reimbursement in addition to the \$250 maximum; and Certification and CLE committee members receive up to \$300 reimbursement. Several members, including, Scott Atwell and Rob Eschenfelder, noted the insufficiency of the reimbursement level to cover most of the cost of a travel if a member had to both drive or fly some distance and stay overnight to attend a meeting.

There was also discussion about the significant travel costs associated with Advanced Labor Topics, and concerns about attendance at that seminar. There was discussion of the possibility of providing complimentary registration for the Advanced Labor Topics Seminar for Executive Council members, but it was also

pointed out that this would impact our revenue-sharing responsibility with The Florida Bar.

Secretary/Treasurer Frank Brown noted that at present, the Section is projected to spend only about half of its currently budgeted amount for Executive Council member travel. He opined that a moderate increase to the reimbursement amount would not adversely affect this year's budget, and absent significant increase in reimbursement utilization, would likely not do so next year as well.

Bob Turk proposed consideration of increasing the reimbursements for Executive Council members to \$350 for all meetings at all seminars except Advanced Labor Topics. Advanced Labor Topics would be subject to a \$450 maximum. After discussion, Rob Kilbride moved adoption of these new limits, and Rob Eschenfelder seconded. The Executive Council voted unanimously in favor of the new caps.

IV. Chair's Report And Miscellaneous

Bob Turk mentioned the positive feedback he had received from the "Perfect Day" article he wrote for the Section website, and encouraged other members to write their own "Perfect Day" article up to 500 words in length for publication on the website.

There being no additional business, Marlene Quintana moved to adjourn. The motion was seconded by Robyn Hankins and passed unanimously.

V. Attendance:

Officers/Executive Council/Committee Chairs

In person:

Robert Turk
Shane Munoz
Hon. Frank Brown
Leslie Langbein
Sherril Colombo
Zascha Abbott
Tad Delegal
Karen Evans
Hon. Alan Forst
Kristin Foslid
Robyn Hankins
Marlene Quintana
Jay Lechner
Patrick Martin
Erika Rotbart
Cary Singletary
Angie Froelich

Phone:

Grier Wells
Scott Atwood
David Block
Debbie Brown
Robert Eschenfelder
Greg Hearing
Eric Holshouser
Robert Kilbride
Damon Kitchen
Brian Lerner
Jonathan Oliff
Ray Poole
Hon. Stephanie Ray
Cynthia Sass
Jill Schwartz
Cathleen Scott
David Spalter
Leslie Stein
Debbie Brown

Section Members/Guests

Present:

Yvette Everhart
Gregg Morton
Martin Soll
Jerome Tabas

Excused:

Steve Meck