

**MINUTES OF THE LABOR AND EMPLOYMENT LAW SECTION
EXECUTIVE COUNCIL MEETING
OCTOBER 18, 2007**

- I. **Call to Order** – Steve Meck called the meeting to order at 5:00 p.m.
- II. **Joint Executive Council Meeting** – The first 15 minutes of the meeting was a joint meeting of the Executive Council of the Labor & Employment Law Section and the Executive Council of the City, County and Local Government Section. Steve Meck thanked Mike Grogan and Jeff Mandel for their efforts as the Program Co-Chairs for the PERL seminar. Mr. Grogan indicated that there were approximately 50 attendees for the PERL seminar. All agreed that that was good attendance considering the circumstances with city, county and local governmental entities facing budget cutbacks. Mr. Grogan briefly discussed the desire to continue to have the PERL seminar in a central Florida location such as Orlando or Tampa. Mr. Mandel indicated that we should look for a more attractive venue in terms of cost. Mr. Meck indicated that he would get together with Mr. Grogan and Mr. Mandel to consider alternative locations offering lodging at a more reasonable price.

The immediate past Chair of the City, County and Local Government Section briefly spoke and thanked the Section for its participation in the PERL seminar.

III. **Secretary/Treasurer Report**

- A. **Consideration of Minutes** – Greg Hearing moved to approve the minutes from the September 27, 2007, meeting. Damon Kitchen seconded the motion and the motion passed unanimously.
- B. **Financial Statement** – The Beginning Fiscal Year Fund Balance for the Section was \$141,664 with a Current Fund Balance of \$206,549. The current membership for the Section is 2,009. There were no questions regarding the financial statement.

IV. **Committee Reports**

- A. **Membership Outreach Committee** – No formal report was given.
1. **ABA Liaison Subcommittee** – Ray Poole provided the report. Mr. Poole and Russ Hamilton will be meeting with the other members of the Subcommittee in the near future. In the meantime, Mr. Poole reported that he contacted Chris Meacham at the ABA Labor & Employment Law Section which has a State and Local Outreach Committee. He provided contact information regarding the possible opportunity to work together on projects in the future. Mr. Poole also reported that he had placed a call to

Karen Buesing about whether the Section could assist with the ABA Law School Trial Advocacy Program currently scheduled for November.

2. Law School Liaison Subcommittee – Jonathan Oliff provided the report. Mr. Oliff indicated that the Subcommittee is trying to put together a standard presentation to give to law schools regarding opportunities for labor and employment practice including a perspective from the defense, the plaintiff and traditional practices. Mr. Oliff indicated it would be next year before the Subcommittee would be able to make such presentations.
 3. Local/Voluntary Bar Association Liaison Subcommittee – Don Ryce provided the report. Mr. Ryce indicated that the Subcommittee is made up of only two members and indicated that more participation would be welcomed. Mr. Ryce reported that they have prepared a draft outline of a proposed seminar regarding lawyers as employers in order to try to become more relevant to local bar associations. He reported that the plan is to take the pre-packaged seminar to them to entice them to put it on with local speakers. All thought that that was a good idea.
 4. New Membership/Outreach Subcommittee – Patrick Martin provided the report. Mr. Martin indicated that Jon Stage is on the Subcommittee with him. Mr. Martin reported that he spoke with Joan Vecchioli about last year's subcommittee activities. Last year's subcommittee was not able to wrap up its work regarding an on-line survey. This year's subcommittee intends to get that on-line survey up and running.
- B. Long Range Planning Committee – Damon Kitchen provided the report. Mr. Kitchen indicated that there would be a dinner at the hotel that evening at 7:30 to discuss long range planning. Mr. Kitchen indicated that the Section Long Range Planning Retreat would be held on March 1, 2008, at the Disney Hilton immediately following the 8th Annual Labor & Employment Law Certification Review Seminar set for February 28 and 29, 2008.
- C. Legal Education Committee – Eric Holshouser asked for each of the Subcommittee Chairs to give reports.
1. Continuing Legal Education Subcommittee – Jill Schwartz provided the report. She indicated that the next seminar, the 8th Annual Labor & Employment Certification Review, is scheduled for February 28 and 29, 2008, at the Disney Hilton. Damon Kitchen and Susan Dolan are the Program Co-Chairs. Ms. Schwartz also indicated that the PERL seminar attendance was good.

2. Current Legal Development Subcommittee – Shane Muñoz provided the report. Mr. Muñoz indicated that the Subcommittee is looking for ideas for articles for The Checkoff and/or The Florida Bar Journal.
 3. Judicial Outreach Subcommittee – No formal report was given.
 4. Publication Subcommittee – Frank Brown and Sherril Colombo provided the report. Mr. Brown indicated that there are two articles set to go to press for The Florida Bar Journal but, after that, the pipeline is dry. He requested that new submissions be made as soon as possible. Ms. Colombo reported that the Subcommittee held their first meeting on October 8, 2007. The Subcommittee set the goal of having three editions of The Checkoff published by July 2008. The Subcommittee is working towards a December/January, March/April and June/July publication schedule. Assignments were made during the Subcommittee meeting and two members agreed to write articles for the next edition of The Checkoff. The next meeting of the Subcommittee is scheduled for November 12, 2007, at 4:30 p.m.
 5. Website Subcommittee – Marc Snow provided the report by written submission. Mr. Snow indicated that the Subcommittee is finalizing some updates to the website which should be completed shortly. By the completion of such work, the Committee and Subcommittee members, including their contact information, should be listed on the website. Mr. Snow requested that all Executive Council members check their committee and/or subcommittee designations to make sure that their name, address, telephone number and email address is listed correctly.
- D. Special Projects Committee – Leslie Stein reported that the Committee is looking for speakers and sponsors. Alan Forst questioned whether it would be appropriate to have a seminar at The Florida Bar Annual Meeting. Steve Meck indicated that he would discuss that in his Chair's report.
- E. Sanctions Committee and Sponsorship Committee – Cynthia Sass provided the report. She indicated that the Committee has been searching for sponsors and successfully landed Find Law to sponsor the lunch at the Certification Review Seminar. Additionally, the Committee has located a printer sponsor to print the materials for the Certification Review Course as well as a cocktail reception sponsor. Ms. Sass indicated that they are currently seeking sponsors for the Advanced Labor Topics Seminar and indicated that both Westlaw and Fowler White may provide sponsorships for that seminar. Finally, Ms. Sass indicated that, with regard to the Sanctions Committee, they were still working on a report to present to the Board of Governors.

V. New Business

A. The BOG Report – No formal report was given.

VI. Chair's Report

Steve Meck indicated that he has received a letter from The Florida Bar regarding the possibility of putting on a seminar at The Florida Bar's Annual Meeting in June, specifically as part of the Presidential Showcase. Mr. Meck stated that the Bar indicated that it would pay for the cost for the speakers on a pro-rata basis. He stated it was not apparent what that meant. Mr. Meck indicated that he would probably refer the question of such participation to the Special Projects Committee. Alan Gerlach stated that the Annual Meeting may conflict with the Multi-State Seminar and expressed some concern about participation in the Annual Meeting program. Mr. Meck indicated that the Bar has set a tight deadline for agreeing to participate in the Presidential Showcase – December 12, 2007. Leslie Stein questioned whether the Bar was asking for a full day seminar. Alan Forst indicated that the Bar typically wants participants to provide a seminar in a range of one to two hours during the Presidential Showcase. Damon Kitchen indicated that he received the same letter when he was Chair of the Section and the Bar was looking for a half day program. Mr. Kitchen indicated that the Section could commit to doing this but still not be selected to participate in the Presidential Showcase. Angela Froelich indicated that typically Sections do not make any profit from seminars held at the Annual Meeting because the Sections must bear the expenses unless the Presidential Showcase pays for them. Don Ryce questioned what would be the benefit to the Section. Mr. Meck indicated that he was not sure and would have to do some follow-up inquiry regarding this. Overall, the Section members present did not express enthusiasm for participating in the program.

Mr. Meck also indicated that he received a phone call from a partner at Fisher & Phillips regarding the death of a young lawyer who practiced in one of their Florida offices. The partner indicated that the young lawyer was a graduate of The University of Florida and questioned whether the Section would contribute to a memorial fund at The University of Florida for the lawyer. Jonathan Oliff indicated that he could talk to UF about this. Alan Forst indicated that he wants to explore honoring esteemed lawyers and suggested that perhaps an article could be placed in The Checkoff instead. No motions or resolutions were made regarding this issue.

Finally, Mr. Meck indicated that he received an email from Mike Tartaglia at the Bar requesting that the Section review the Bar website and inform the Bar whether the Section thought it was ADA compliant. Mr. Tartaglia suggested that the Section make its website ADA compliant as an example for the rest of the Bar. Mr. Tartaglia indicated that the request was aspirational only. Frank Brown indicated that some of the work that can be done on the website could be very expensive. Damon Kitchen questioned what, if anything, was non-compliant about the Section website. Mr. Meck indicated that, while

the request from the Bar was aspirational only, he would pass the request on to Marc Snow, as Chairman of the Website Subcommittee, for his input.

VII. Adjournment – Eric Holshouser moved to adjourn the meeting. Leslie Stein seconded the motion. The motion passed and the meeting adjourned at 5:45 p.m.

Executive Council Attendance:

Stephen A. Meck, Chair
Alan O. Forst, Chair-Elect
Gregory A. Hearing, Secretary/Treasurer
Eric J. Holshouser, Legal Education Chair
Jill Schwartz, CLE Chair (via conference call)
Cynthia Sass, Immediate Past Chair
Walter E. Aye (via conference call)
David E. Block (via conference call)
Frank E. Brown
Sherril M. Colombo (via conference call)
Scott A. Fisher (via conference call)
Alan M. Gerlach, Jr.
Cecil Howard
Patrick Martin
Shane T. Muñoz
Jonathan Oliff
J. Ray Poole, Jr. (via conference call)
Ronald M. Rosengarten (via conference call)
Donald T. Ryce, Jr.
Cathleen Scott (via conference call)
Cary R. Singletary
Leslie K. Reicin Stein
Archibald J. Thomas III (via conference call)

Committee Chairs (not members of the Executive Council):

None.

Guests:

Angela Froelich
Mike Grogan
Maureen Sikora
Chelsie Roberts
Jeff Mandel
Damon Kitchen
Terry Harmon

Rob Sniffen
Manny Anon, Jr.
Zascha Blanco Abbott

Requested Excused Absence

Wells S. Grier, Board Liaison
Richard E. Johnson
Leslie W. Langbein
Marguerite Longoria
Robert A. Miles
Marcus L. Snow
Michael P. Spellman

Unexcused Absences:

Courtney B. Wilson