

MINUTES OF THE LABOR AND EMPLOYMENT LAW SECTION
EXECUTIVE COUNCIL MEETING
HARD ROCK HOTEL & CASINO, HOLLYWOOD, FL
SEPTEMBER 11, 2008

I. **Call to Order** – Alan Forst (not “Frost”) called the meeting to order.

II. **Secretary/Treasurer Report.**

A. Consideration of Minutes – Minutes amended to read that Leslie Stein was at the June 19, 2008 meeting. Eric Holshouser moved to amend the minutes. The minutes were approved unanimously without further discussion.

B. Financial Statement – The financial statement was reviewed. The current fund balance is \$159,738. There were no questions regarding the financials.

III. **Committee and Subcommittee Reports:**

Alan Forst reported on the appointments to the committee positions:

A. Membership Outreach Committee – Chair is Scott Fisher.

ABA Liaison Subcommittee – Chair is Bill Cassidy who will make a presentation at the October meeting.

Law School Liaison Subcommittee – Chairs are Jonathan Oliff and Jason Vail.

Local/Voluntary Bar Association Liaison Subcommittee – Don Ryce continues as the Chair. This committee hosted one of the Bar President’s showcase CLE seminars at the Florida Bar’s Annual Meeting. Alan wants to try to put together inexpensive mini-seminars in Miami and Tampa, in cooperation with CABA and the Virgil Hawkins Chapter of the NBA and use these seminars for both outreach and to recruit new members for the Section.

New Membership/Outreach Subcommittee – Chairs are Patrick Martin and Chelsie Roberts, who is the Young Lawyers Division liaison to our Section. Alan wants more involvement from the Young Lawyers Division with the Labor and Employment Section.

B. Long Range Planning Committee – Chairs are Deb Brown, Cary Singletary and Walter Aye.

C. Legal Education Committee – Chair is Jill Schwartz.

Continuing Legal Education Subcommittee - Greg Hearing is the chair and is working with David Block on organizing Webinars.

Current Legal Developments Subcommittee – Chairs are Scott Atwood and Cathleen Scott. They will work with Shane Munoz on the Check-Off and Marc Snow on the website. Alan noted that we need more substantive information on the website, such as program materials. Marc requested that any updated contact information be sent to him.

Judicial Outreach Subcommittee – Chair is Jeannette Albo. Alan stated he would like more receptiveness from the Judges (wouldn't we all!).

Publications Subcommittee (Journal & Check-Off) - Frank Brown is Chair for the Journal and Shane Munoz is Chair for the Check-Off. The Officers previously agreed for an outside editor to proof the Check-Off at \$40 per page. The Check-Off will be sent out quarterly. Alan thanked Sherril for her work as editor and Check-off chair the past two years.

Website Subcommittee – Marc Snow is Chair.

D. Special Projects Committee – Chairs Alan Gerlach (Ali G.), Damon Kitchen and Leslie Langbein.

IV New Business

A. BOG Report – S. Grier Wells reported that the procedure to amend the Section's Bylaws requires the Florida Bar to conduct a first and second reading. The proposed amendments will also need to pass the rules and program evaluation. The first reading of the proposed Bylaws is in October.

B. Section Calendar – Attached to the Agenda as C-1. Alan thanked Dan Levine and Marguerite Longoria for putting together an excellent CLE seminar program, set to start the following day. Alan also reported that the next seminar is October 16th-17th at the Peabody Hotel in Orlando and Steve Meck will Co-Chair that seminar. For the Government Lawyer Seminar, tentatively scheduled for January 29, 2009, Ray Poole will Chair the event (update: Richard Johnson has subsequently volunteered to serve as co-chair). This seminar is less than a full day and is more cost effective for government lawyers to attend. Also, the seminar cost will apply towards membership to the Section. For the Certification Review scheduled February 26-27, 2009 in Orlando, it looks like we have a good rate for the hotel. The Chairs for the Certification Review are Susan Dolin and David Block. The Advanced Labor Topics seminar will take place May 1-2, 2009 in Washington, D.C. The Chairs for that event are Robert Turk and Cynthia Sass. We will have a DVD for the program.

C. Proposed Additional Changes to Section Bylaws – Attached to the Agenda as D-1 and D-2. Alan gave a report on the proposed amendments. Alan stated that the Florida Bar has a registration process for paralegals/legal assistants and that they typically need CLE credits. The addition of Human Resources Professionals was also discussed. Alan spoke with the President and President-elect of HR Florida and he thought it would be beneficial for their members and unaffiliated SHRM members to become affiliate members of the Section and attend our seminars. The addition of Law Firm Administrators was recommended because they need to know Labor & Employment laws.

Alan stated the idea is to make all three groups into Affiliate Members (without full voting rights) and allow them to attend seminars. Alan moved to amend the Bylaws changes reflected on D-1. Scott Fisher raised the concern of bringing non-lawyers into the Section, but did not object to them attending seminars. Scott stated this would constitute a substantial change for the Section as the proposed Affiliate Members are more defense-minded. Steve Meck shared Scott's concerns. Grier Wells was concerned whether a Florida Bar Section can have non-lawyers as members and noted that the

Florida Bar had made an exception for law students. Marguerite Longoria questioned whether we are marketing our seminars to these potential Affiliate Members and Alan responded that we are not currently doing so. Marguerite feels the addition of these members would water-down attorney presence. Bob Turk questioned whether we would need to tailor seminars to appeal to non-lawyers. Ray Poole questioned how our Section could police membership of SHRM. Steve Meck was concerned about policy considerations and advertising requirements. He was not sure if the Section would want to denigrate the attorney status of the Section membership. Also, the unauthorized practice of law was an issue. Alan Forst responded that he was merely proposing an expansion of our affiliate categories, with the desire of greater exposure of our programs and mo' money. Frank Brown questioned whether we could create Webinars to attract attorneys and non-lawyers alike. Frank noted that this raises a practical concern--how can the Section do one program that appeals to all?

Susan Dolin moved to table the issue until Grier Wells checks with the Florida Bar. Alan withdrew the motion and it was tabled to discuss at the next meeting. In the meantime, he will try and determine the Bar's position on the proposed Affiliate Membership.

There was a motion to make Alan Forst "the Grand High Exalted Mystic Ruler" of the L&E Section, for life. The motion passed with only Ali G. voting no (cause he's jealous).

V. Chair's Report

Alan Forst stated his priorities are to expand membership and outreach, with more CLE opportunities. He also wants a Section Directory with member pictures and more website information about the Section. And, he wants mo' money.

Jill Schwartz, David Block and Greg Hearing discussed Webinars. Four Webinars were planned initially. The goal is to have a monthly Webinar with the second or third program dedicated to advanced labor topics. Alan Forst wants to make mo' money so we can drop the price of seminars. He also wants the seminars more accessible. Cathleen Scott stated she receives information about Webinars via email and believes they are very successful. Alan stated we will start with about four Webinars and by the following year, the goal is to have them occur monthly.

The Section policy regarding reimbursement limitations was discussed. The program chairs need to know limitations on travel, meals, car rental, etc. The recent Tulane Multi-State Seminar reimbursement issue for speaker expenses was also referenced. Alan stated that reimbursement issues need to be addressed before the events with the speakers. Moving forward, Greg and Jill will make sure reimbursement information is provided to the speakers well in advance. The Section's continued sponsorship of the Tulane Multi-State Seminar will be examined by the Special Projects Committee, with a presentation at the next meeting.

Bill Cassidy stated that the ABA's EEO Committee's national conference is slated for Orlando on April 1st through 4th and that it is a good idea to obtain more

exposure of the Labor & Employment Section at the conference. He promised to provide additional information at the next EC meeting.

VI. Adjournment - Scott Fisher moved to adjourn and Susan Dolin seconded. The meeting was adjourned.

VII. Executive Council Attendance:

Alan Forst
Eric Holshouser
Sherril Colombo
Susan Dolin
Scott Fisher
Damon Kitchen
Daniel Levine
Marguerite Longoria
Shane Munoz
Donald Ryce, Jr.
Cathleen Scott
Robert Turk

By Phone:

S. Grier Wells
Jill Schwartz
Gregory Hearing
Richard Johnson
Ray Poole, Jr.
Leslie Stein
Cary Singletary
David Block
Cynthia Sass
Frank Brown
Rob Miles
Steve Meck
Marcus Snow
Alan Gerlach

Guests:

Angela Froelich, Administrator
Zascha Blanco Abbott
William Cassidy, Jr.
T. Nikki Elliott
Jeannette Albo (phone)
Stephanie Williams (phone)
Jason Vail
Scott Atwood (phone)
Rob Eschenfelder