

**FLORIDA BAR LABOR & EMPLOYMENT LAW SECTION
EXECUTIVE COUNCIL MEETING MINUTES
Hawk's Cay Resort, Duck Key, April 29, 2005**

I. Call to Order. The meeting was called to order at app. 5:15 by Section Chair Susan Dolin.

II. Secretary/Treasurer Report.* Damon Kitchen moved that the minutes from the February 26, 2005 meeting be adopted. Stan Kiszkiel seconded the motion. The minutes were adopted with the amendment that Leslie Langbein was absent at that meeting. The amended minutes were adopted without dissent. The members discussed the financial report in general.

The Secretary/Treasurer apologizes for any misspelling of names or omission of names. The "O" in Alan O. Forst stands for "oops!" In case I forget to so note in the minutes of the June meeting, I've really enjoyed serving in this position for two years and I'm privileged to have the opportunity to serve on this Section's EC, particularly as Secretary under Cathy Beveridge and Susan Dolin.

III. Committee Reports. Several committee and subcommittee representatives provided brief reports.

A. Membership Outreach Committee. Karen Buesing submitted a written report with respect to ABA Liaison. This report is attached to these Minutes.

B. Long Range Planning Committee. Cary Singletary drew attention to the Long Range Planning "Outcomes" report prepared following the Retreat in February. The Section Chair thanked Cary for his work in putting together the retreat.

C. Legal Education Committee. Chair Cynthia Sass thanked CLE Subcommittee Chair Steve Meck, as well as Advanced Labor Topics Seminar Chairs David Linesch and Michael Spellman for putting together a well-attended (50 attendees) and well-organized seminar. She noted that all of the year's seminars had made a profit. The Council agreed to schedule the next CLE seminar on September 9 in south Florida. There was agreement that we should seek to schedule this seminar in August in the future. Current Legal Developments Subcommittee Chair Jill Schwartz reported that her subcommittee held several meetings and intends to submit articles for publication. David Linesch reported that he unsuccessfully sought to get on the agenda of the Judicial College. He'll try again. In the meantime, the Judicial Outreach Subcommittee had sent certification materials on CD to the Chief Judges of the Circuit Courts. Publications Subcommittee Co-Chair Frank Brown reported that the Section will have an article on the ADEA Disparate Impact decision in the June Florida Bar Journal. Checkoff editor Scott Fisher added that the next issue is in the mail, with another issue planned prior to the June annual meeting. He suggested that the Legal Developments Subcommittee accept responsibility for preparing case notes for the Checkoff.

The Section Chair expressed an interest in taking another shot at a ListServe. She threw out the idea of experimenting with the ListServe by limiting it to the EC. She added that she was not sure that firing the Website Administrator would solve the problems that the Section had experienced with the website and the ListServe. It was noted that the EC had previously voted to fire the Website Administrator and that this had not transpired. The Chair-elect suggested that the Section solicit a proposal for a new webmaster before firing the present webmaster. Walter Aye agreed that we should have an alternative before firing the webmaster. The Section Chair added that Committee Chairs need to take responsibility for getting information on the website. To that end, the Chair-elect noted that he had prepared a list of tasks and deadlines for the 2005-06 Committee Chairs (attached to the Minutes). There was a consensus that the EC needed to solicit a website administration proposal. Walter Aye defended the appearance/layout of the current website (which an EC Committee had agreed upon). Walter asked that any gripes/suggestions regarding the website be directed to him or Marc Snow within the next 3 weeks. Walter reminded the EC members that the content of the website is the responsibility of the Section. Walter and the Secretary suggested that the next Chair appoint an individual to solicit and collect web information from the subcommittee and committee chairs. It was agreed to postpone a motion on the website until the next EC meeting. The final word on this issue went to Leslie Langbein, who suggested that when people join the section next year, they could indicate whether they chose to opt-in to the ListServe. Program Administrator Angela Froelich responded that she is working on the section membership form.

D. Special Projects Committee. Leslie Langbein stated that her committee is working on a policy with respect to Section financial contributions, such as (but not limited to) contributions toward memorial funds. She promised a policy proposal for June. The issue of law students as affiliate members had been tasked to the Law School Liaison Subcommittee. The SPC had discussed the issue of the unauthorized practice of law, and had failed to reach a consensus on how the Section should deal with this issue.

IV. New Business, Chair's Report and Adjournment. The Section Chair briefed the EC with respect to the issue of Section funding as a consequence of proposed Florida Bar Budget Amendments for 2006-07 Fiscal Year. The March 22, 2005 letter from Jerald Beer was discussed, point by point (the letter is attached to these minutes). Some time was spent on discussing the pros and cons of using the Bar to print Section material, particularly the Checkoff with some support for outsourcing the printing. The issue of Section dues was also discussed. It was noted that our dues have been \$25 since 1993. Cathy Beveridge moved that the dues be raised to \$40 effective for the 2005-06 Bar year. Cynthia Sass seconded. The motion passed with Alan Gerlach and Frank Brown in dissent. Chair-elect Damon Kitchen announced that he would be attending a May 12-13 Council of Sections Long Range Planning Retreat. At the suggestion of the Section Chair, Frank Brown moved that Damon and a second officer be eligible to receive up to \$300 in expenses for attending this meeting. Steve Meck seconded and the motion passed.

The Section Chair reported on the Nominating Committee's proposal. The Nominating Committee proposes the selection of Honorable Alan Orantes Forst for the position

of CLE Subcommittee Chair, replacing Steve Meck on the EC. Steve would become an officer, the Legal Education Committee Chair, replacing Cynthia Sass, who would become Section Chair-elect. Damon Kitchen would be the Chair. Eric Holshouser has been proposed as the Secretary/Treasurer, with Scott Fisher replacing Eric on the EC. The other EC members with terms expiring in 2005 would be reappointed to terms expiring in 2007. As there is a consensus that the CLE chair be appointed prior to the June annual meeting, the election of Honorable Alan Orantes Forst for the position of CLE Subcommittee Chair and EC member was moved by Leslie Langbein and seconded by Courtney Wilson. As balloons fell from the ceiling and the song "God Bless the USA" played, the motion passed unanimously. The other nominations will be addressed at the June meeting. The Secretary/Treasurer suggests that he be appointed to replace Eric Holshouser with a term expiring in 2006 and that Scott Fisher replace Steve Meck with a term expiring in 2007. Finally, in response to an inquiry from the Secretary/Treasurer (the best Secretary/Treasurer since Cathy Beveridge, other than Damon Kitchen), Frank Brown noted that he is working with the Annual Meeting Committee with respect to the Section's co-funding the Federal Judicial Roundtable at the 2005 Florida Bar annual meeting. Steve Meck made the motion to adjourn. It was seconded by Ron Rosengarten and passed without dissent. The meeting was adjourned at approximately 6:35 p.m.

Members in Attendance:

Susan Dolin
F. Damon Kitchen
Alan Forst
Cynthia Sass
Cathy Beveridge
Stephen Meck
Walter Aye
David Block
Frank Brown
Sherril Colombo
Alan Gerlach
Gregory Hearing
Stanley Kiszkiel
Leslie Langbein
Jeffrey Mandel
Stuart Rosenfeldt
Ronald Rosengarten
Donald Ryce
Jill Schwartz
Cary Singletary
Leslie Reicin Stein
Courtney Wilson

Excused or Unexcused Absences

Neil Chonin
Marilyn Holifield
Eric Holshouser
Cecil Howard
Robert Miles
Marcus Snow
Michael Spellman

Special Guests:

Program Administrator Angela Froelich
Scott Fisher
Shane Munoz
David Adams from Broad & Cassel
Marguerite Longoria from Burr & Smith