

**FLORIDA BAR LABOR & EMPLOYMENT LAW SECTION
EXECUTIVE COUNCIL MEETING MINUTES
Orlando World Center Marriott, June 23, 2005**

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

II. Secretary/Treasurer Report.* Steve Meck moved that the minutes from the April 29, 2005 meeting be adopted. Jeffrey Mandel seconded the motion. The minutes were adopted without dissent. The members discussed the financial report in general and the Secretary/Treasurer noted that the Council needs to address website expenditures.

*The now-former Secretary/Treasurer once again apologizes for any misspelling of names or omission of names over the past two years.

III. Committee Reports. Several Legal Education Subcommittee chairs provided reports. Chair Cynthia Sass reported that the Section made a profit on every CLE seminar during the year, including the Advanced Labor Topics Seminar. She also initiated a discussion of the judicial education initiative. Judge Barton of the 13th Circuit has requested a presentation and CD. He also made an inquiry regarding standardized jury instructions for state employment claims. Several Council members noted that standardization would be a good thing. Others were not so sure and most expressed it was unlikely that the courts would accept standardized instructions that differed from the Federal standardized instructions. Cynthia remarked that she would report that the EC had “mixed thoughts” on the issue. New CLE Chair Alan Forst provided some information about the September CLE seminar, and Steve Meck and Jeffrey Mandel discussed the October PELR seminar. Alan Forst also threw out the idea of providing a \$100 discount for the Hollywood seminar. Receiving no support from EC members, Alan withdrew the unofficial motion. Cynthia threw out the idea of a discount to seminar participants who register early. Publications Co-Chair Frank Brown reported that it had been a slow year for articles in the Journal. Website Subcommittee Chair Marc Snow initiated a discussion of the Section’s website. He declared that the problem with the website isn’t attributable to the web administrator. Marc noted that we’re not providing content or input to the Administrator and the Administrator was willing to revise the website per our instructions (editor’s note: on 8/16, Susan’s picture and message were still on the home page of the website and there was no up-to-date content). Frank Brown stated that he would mail some suggestions to Marc and agreed that better coordination between the publications subcommittee and the website subcommittee was necessary. Marc noted that the EC needs to put material on the website on a timelier basis. He also suggested putting the Listserve back in place for the EC. The members agreed that the EC needs a solid proposal with respect to the website from the subcommittee. In the meantime, suggested Alan (Ali G.) Gerlach, the Section needs to “unfire” the web administrator, as the EC voted to fire him at the February meeting. Section Chair Susan Dolin noted that our tabling this action item at the April meeting was sufficient. Marc reiterated that we need to provide the CLE schedule to the Administrator and initiate an EC Listserve.

IV. New Business. The Section Chair first noted that the Stetson seminar made a profit and the Section would co-sponsor this seminar again in July 2006. Section Chair-elect Damon Kitchen next briefed the EC regarding the Florida Bar's Board of Governors' budget proposal with respect to the Sections. A June 6 memo from the Bar President and Chair of the Budget Committee, addressed to Section Chairs and Chairs-elect, was submitted to the EC members (Exhibit C). Damon explained that the L&E Section was operating in the black and, notwithstanding the Bar's reduction in General and Administrative support, the Section would get a refund as it had historically consumed fewer services than it had contributed funds for. This was due to the fiscally conservative management practices of Treasurer Alan Forst (ok, he didn't say that). Damon noted that the increase in dues approved at the April meeting would go into effect in 2006, which is when the Bar's changes would go into effect. The main change next year (2006-07) is that the Section would be responsible for absorbing 80% of any CLE seminar losses (and pocketing 80% of any seminar profits). Damon added that he would make it a point to attend all Council of Sections meetings during the coming year. On a different note, Damon initiated discussion regarding a "request" for input from the EC regarding an initiative of the Equal Opportunities Law Section. That Section may be soliciting diversity pledges from law firms and agencies. The L&E Section's Board Liaison asked Damon for counsel as to whether a diversity pledge could create legal problems for law firms. Many EC members expressed views as to whether to respond to this "request." Ultimately, Cathy Beveridge suggested that Damon get a better understanding as to what he/the Section is being asked to provide and by whom and then make a decision as to how to proceed. Damon agreed that he would seek a written explanation as to what had been requested of the Board Liaison and, in turn, what he is requesting from Damon/the EC.

V. Chair's Report and Adjournment. The Nominating Committee reported on the nominations for officers and EC members. It was recalled that the EC had previously voted to accept the appointment of Alan Forst as CLE Subcommittee Chair. The Nominating Committee formally nominated Eric Holshouser for the position of Secretary/Treasurer, Steve Meck for the position of Legal Education Chair, Cynthia Sass for the position of Chair-elect, Susan Dolin for the position of Immediate Past Chair, and F. Damon Kitchen for the position of Chair. In addition, the following EC members were nominated for EC positions with terms expiring in 2007: David Block, Neil Chonin, Sherril Colombo, Alan (Ali G.) Gerlach, Gregory Hearing, Marilyn Holifield, Stanley Kiszkiel, Jeffrey Mandel, Stuart Rosenfeldt, Cary Singletary, and Leslie Stein. Scott Fisher was nominated to replace Steve Meck on the EC, with a term expiring in 2007. Finally, Alan Forst was nominated to complete the final year of Eric Holshouser's EC term. Alan (Ali G.) Gerlach moved that the above nominations/appointments be approved. Damon Kitchen seconded the motion and the above nominations/appointments were approved. The new Immediate Past Chair handed out program chair awards to the 2004-05 program chairs (Walter Aye/Susan Dolin for the Stetson Trial Skills Program; Jeffery Mandel/Steve Meck for PELR; Deborah Brown/Stanley Kiszkiel for Employment Discrimination Seminar; Carmen Johnson/Jill Schwartz for Certification Review; and David Linesch/Michael Spellman for Advanced Labor Topics). Ms. Dolin also provided the following individuals with tokens of recognition: Publications chairs Ray Poole, Scott Fisher, and Frank Brown; Legal Education Chair Cynthia Sass; CLE Chair Steve Meck; Chair-elect Damon Kitchen; and Program-Administrator Angela Froelich. New Chair Damon Kitchen presented Ms. Dolin with a glass gavel and a gift certificate. Finally, appreciation was noted by the EC for the substantial service

to the Section made by Cathy Beveridge, 2003-04 Chair, who was departing the EC. Eric Holshouser made the motion to adjourn. It was seconded by Cecil Howard and passed without dissent. The meeting was adjourned at approximately 6:30 p.m.

Members in Attendance:

Susan Dolin
F. Damon Kitchen
Honorable Alan Orantes Forst
Cynthia Sass
Cathy Beveridge
Stephen Meck
Frank Brown
Alan (Ali G.) Gerlach
Gregory Hearing
Marilyn Holifield
Eric Holshouser
Cecil Howard
Jeffrey Mandel
Robert Miles
Donald Ryce
Marcus Snow
Michael Spellman
Leslie Reicin Stein

Excused or Unexcused Absences

Walter Aye
David Block
Neil Chonin
Sherril Colombo
Stanley Kiszkiel
Leslie Langbein
Stuart Rosenfeldt
Ronald Rosengarten
Jill Schwartz
Cary Singletary
Courtney Wilson

Special Guests:

Program Administrator Angela Froelich
Scott Fisher (EC member in 2005-06)
Robert Eschenfelder
Ed McKenna