

**MINUTES OF THE LABOR AND EMPLOYMENT LAW SECTION  
EXECUTIVE COUNCIL MEETING  
FEBRUARY 17, 2007**

- I. Call to Order – Cynthia Sass called the meeting to order at 5:05 p.m.
  
- II. Secretary/Treasurer Report
  - A. Consideration of Minutes – Jill Schwartz moved to approve the minutes from the last meeting. Alan Gerlach seconded and the motion was passed.
  
  - B. Financial Statement – The Beginning Fiscal Year Fund Balance for the Labor and Employment Law Section was \$95,907, with a Current Fund Balance of \$140,897. Total revenue received was \$59,295 and the total expenses paid were \$14,305 Jill Schwartz reviewed the financial statement and indicated that membership had increased. Steve Meck motioned to approve the budget. Eric Holshouser seconded the motion and it carried.
  
- III. Committee Reports –
  - C. Membership Outreach Committee – Scott Fisher provided a report and informed the council that the committee has created a survey addressing what activities members are involved in (i.e. The Checkoff). Scott will meet with Joan’s committee to coordinate efforts for the membership drive.
    - 1. ABA Liaison Subcommittee – Shane Munoz attended the meeting telephonically. Shane indicated that he had completed a list of related ABA Committees involved in labor and employment law issues. Shane will also finalize a list of committees and individuals to increase networking opportunities. He is also working on a joint seminar with the ABA to be held at Stetson University.
  
    - 2. Law School Liaison Subcommittee – Jonathan Oliff and Alan Gerlach reported that a conference call was held with the subcommittee to increase information about the section within law schools. It was also reported that the committee may try to include the Scholarship committee as part of the outreach program. The committee members will contact various law schools to determine who will address specific geographical areas. Alan reported that we have been asked to co-sponsor the Twenty-Fifth Annual Multi-State Labor & Employment Law Seminar, June 27-30, 2007, at The Williamsburg Lodge & Conference Center, Colonial Williamsburg, Virginia. It is being put on by the Tulane University Law School in

cooperation with the Virginia Bar Association section on Labor Relations & Employment Law and The Florida Bar Labor & Employment Law Section. The seminar conflicts with Florida Bar meeting. However, the Committee feels that the seminar is a good idea. Leslie Langbein spoke in favor of doing the seminar. Steve Meck and Cynthia will speak at the seminar this year.

3. Local/Voluntary Bar Association Liaison Subcommittee – Greg Hearing reported that the first goal of the subcommittee was to send Mark Snow information regarding Voluntary Bar Association leaders to be included on the website. The second goal was to submit articles for Checkoff and/or the Bar Journal. Greg reported that the committee is on target to meet these goals. Mark Snow indicated that he will add Voluntary Bar leader information on the website and a “blurb” on the website that information that is posted will be for the current year. Therefore, it will be necessary to provide updated contact information on the heads of various Voluntary Bar Associations. The committee may also try to link to the Florida Bar website.

4. Long Range Planning Committee – Damon Kitchen discussed making the upcoming retreat family oriented and including governmental attorneys.

5. Legal Education Committee – Alan Forst deferred to the subcommittee chairs.

Continuing Legal Education Subcommittee – Congratulations go to Alan Gerlach and Susan Dolin for a successful certification seminar. Karen Buesing and Dave Linesch reported that An Advanced Labor Topics Seminar will be held on May 11<sup>th</sup> and 12<sup>th</sup> at the Don Cesar Resort. Next fall the Employment Litigation Committee will be chaired by Bob Turk and Melanie Damian in South Florida. The Trial Skills committee is attempting to find a sponsor.

The midyear meeting of the Florida Bar CLE Committee was held on January 18<sup>th</sup>. The policy on sponsors and exhibitors at seminars was refined to allow individual sections to have input on the process. The Committee discussed new technology for seminars (i.e. “live time”, cd’s, etc.). The committee had a discussion regarding the collaboration with other sections (i.e. Tax Section) in trying to increase ethics presentations in conjunction with the Henry Lattimer Center.

Our committee has been asked to co-sponsor a seminar on June 22, 2007 with the workers compensation section. Cynthia Sass is concerned if the committee co-sponsors in May, it may be a financial loss. The members discussed the option of co-sponsorship without contributing finances.

Angela Froelich indicated that we can sponsor in name only. Damon Kitchen made a motion to contribute speakers rather than contributing financial assistance. Eric Holshouser seconded the motion and same passed.

6. Current Legal Developments Subcommittee – Archie Thomas reported that the committee was working on a schedule to post legislative updates and recent court decisions on the website. A goal for the committee is to supply recent updates on a monthly basis for posting on the website. Mark Snow said he will post immediately. The committee also discussed the excellent job that Ray Pool did in compiling case notes for the Checkoff. Additionally, Ray’s committee may be better suited to assist with updates.

7. Judicial Outreach Subcommittee – There was no formal report given by Leslie Langbein. Leslie will contact Jill Schwartz regarding her prior work on the committee.

8. Publications Subcommittee – Frank Brown reported that the committee met on February 4<sup>th</sup> to put together information for the next Checkoff. Frank indicated that case notes are labor intensive, and requested assistance from Archie Thomas. Frank reported that the committee has Journal articles in the pipeline through the end of this year. Sherril Colombo reported that the latest edition of the Checkoff was just sent out and that articles for the April edition will be completed by the end of March. The next scheduled meeting is for the week of March 21<sup>st</sup>. Cynthia Sass and other members noted that the recent Checkoff publication was excellent.

9. Website Subcommittee – Mark Snow reported that he would like to expand the FAQ data base. He would like members to send FAQ’s to assist the younger practitioners and asked whether any committee would assist with this venture. Also, it was reported that the listserv can be used to get information disseminated on membership. Alan Forst asked if other sections had listserves. Angela Froelich confirmed that other sections did listserves. Mark Snow said the he would like to get a survey to the members of the committee to gauge interest and he will put the new Checkoff on the website. Mark Snow feels that he will only need one or two people to help with the website. Cynthia Sass reported that she will circulate and discuss the survey results at the next meeting.

D. Special Projects Committee – no formal report was given.

#### IV. New Business

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

V. Chair's Report

- a. Cynthia Sass reported that the first meeting of the Sanctions Committee was very productive. Judge Rodgers attended from Pensacola. Cynthia will contact other judges. There were also discussions on ideas on addressing discovery abuses and sanctions. Rick Johnson suggested a confidential process regarding discovery disputes (i.e. meet with a confidential neutral party to attempt to resolve issues before filing a motion). Leslie Langbein noted that the rules indicate that a mediator can be contacted telephonically once the mediator is appointed in a matter.
- b. Sponsorship Committee – Cynthia Sass reported that a meeting had been held and it was decided that the committee would do a sponsorship for a cocktail party or a lunch. Cynthia reported that the committee will approve Lexis or Westlaw. Cynthia indicated that the committee will set up a sponsorship for next year with a target goal of \$1,000.00.

Alan Forst is working with his local bar association on a directory and will update the committee on the status. Alan also suggested that a directory in late 2007 would increase section revenues and he will discuss ideas at the next meeting.

- c. Labor/Tax Telephone Seminar – Cynthia Sass reported that the first seminar that was held was very successful. There were 49 people in attendance at the seminar. She indicated it was also profitable. She suggested that a telephonic seminar with the Worker's Compensation Section might also be successful. Steve Meck received a great deal of positive feedback on this seminar.

VI. Informational

- a. A reception will be held from 6:00 p.m. to 7:30 p.m.

VII. Next Executive Council Meeting

Friday, May 11, 2007 – Don CeSar Beach Resort, St. Pete Beach

5:00 p.m. – 6:00 p.m. – Labor & Employment Law Executive Council Meeting  
6:00 p.m. – 7:00 p.m. – Reception  
7:00 p.m. – 9:00 p.m. - Dinner

VIII. A motion was made, seconded and passed to adjourn at 6:00 p.m.

Members in Attendance:

Cynthia Sass, Chair  
Stephen A. Meck, Chair-Elect  
Jill Schwartz, Secretary/Treasurer  
Alan O. Forst, Legal Education Chair (via conference phone)  
Erick J. Holshouser, CLE Chair  
F. Damon Kitchen, Immediate Past Chair  
S. Grier Wells, Board Liaison (via conference phone)  
Walter Aye (via conference phone)  
David E. Block  
Frank E. Brown (via conference phone)  
Sherril M. Colombo  
Scott A. Fisher  
Alan M. Gerlach, Jr.  
Greg Hearing  
Richard E. Johnson  
Leslie W. Langbein (via conference phone)  
Shane T. Munoz (via conference phone)  
Ray Poole (via conference phone)  
Ron M. Rosengarten (via conference phone)  
Donald T. Ryce  
Cary R. Singletary  
Marcus L. Snow, Jr. (via conference phone)  
Leslie K. Reicin Stein (via conference phone)  
Archibald J. Thomas III (via conference phone)  
Jonathan W. Oliff (via conference phone)  
Susan Dolin (via conference phone)  
Angela Froelich, Section Administrator

Excused Absences:

Robert A. Miles  
Michael P. Spellman  
Courtney Wilson

