



## MINUTES

*Labor and Employment Law Section Executive Council Meeting  
Ritz Carlton Sarasota, 1111 Ritz-Carlton Drive, Sarasota, FL 34236, (941) 309-2000,  
Friday, May 29, 2015 • 5:00 p.m. e.s.t. - 6:00 p.m. e.s.t. • (Mira Mar)*

### **I. Call To Order – Shane T. Munoz, Chair**

Chair Shane Munoz called the meeting to order. A quorum of the Executive Council was present either in person or by telephone.

### **II. Secretary/Treasurer Report – Hon. Frank E. Brown**

Frank Brown presented the minutes for the January 29, 2015 meeting, which were approved without amendment.

Frank Brown reported that the financial statement for the month ending April, 2015 showed an operating profit this year of almost \$54,000. The Section has generated significantly larger revenue from CLE programs in the current bar year as compared to this time last year.

### **III. Committee Reports**

#### **a. ABA Liaison Committee – Cynthia Sass/Jennifer T. Williams**

No report

#### **b. Law School Liaison Committee – Debbie Brown/Freddy Perera**

The Committee included a written report for the agenda.

#### **c. Judicial Outreach Committee – Zascha Blanco Abbott/John D. Hoffman**

Zascha Abbott reported that the Committee has a presentation scheduled for Key West on August 7, 2015. The presentation in Tampa remains planned, but the details are still being finalized.

**d. Local/Voluntary Bar Association Committee – Scott Atwood/Sacha Dyson**

Scott Atwood reported that the Committee has identified 167 local/voluntary bar associations throughout the State of Florida, obtained from a listserv created by The Florida Bar through its Voluntary Bar Liaison Committee. The TFB committee has a conference this July, and our liaison committee plans to provide information to the main bar committee regarding opportunities to work together on projects.

**e. EEOC and FEPA Liaison Committee – Kristen Foslid/Marquis Heilig**

No report

**f. NLRB and PERC Liaison Committee – Nick Karatinos/Stephen A. Meck**

Gregg Morton reported that the 41st Annual Public Employees Labor Relations Forum is scheduled for October 22-23, 2015, in Orlando, Florida.

**g. Wage and Hour Administration Liaison Committee – Joseph G. Santoro/David Spalter**

No report

**h. Membership Outreach Committee – Leslie Reicin Stein/Lindsay Wagner**

The Committee provided a written report. Leslie Stein reported that while they have several individuals committed to complete toolkits, those remain outstanding. She asked that if individuals sign-up for a particular topic, to please complete it.

**i. Bar Leadership Outreach Committee – Sherril Colombo/Marlene Quintana**

Sherril Colombo and Marlene Quintana reported regarding the May meeting of The Florida Bar's Board of Governors. The primary topic was the bar's initiative VISION 2016 focusing on technology issues. Technology will be a major emphasis at the annual meeting.

**j. Long Range Planning Committee – Hon. Alan Orantes Forst/Robert Kilbride**

Robert Kilbride reported that the Section's "LEstserv" is up and running with over 100 participants. He noted that there were some technical problems with signups at launch, and encouraged anyone who had not been able to sign up to do so again. Rob thanked Brian Lerner for his work as the moderator thus far.

Judge Forst reported on the Section's selection to present the Presidential Showcase Program at the annual meeting this year. The Section will be covering topics related to technology and labor and employment law for law firms.

Judge Forst also raised the question of whether the Section should conduct a Long-Range Planning Retreat this year, since it has been several years since the last one.

**k. Communications Committee – Cathleen Scott/Hon. Stephanie W. Ray**

*Publications Subcommittee – Jay Lechner /Rob Eschenfelder*

Rob Eschenfelder provided a written report for the agenda. He summarized the report by indicating that he needed just one more article to fill the rest of the slots for the calendar year. He also indicated that he had committed the Section for an article for the special issue of the Journal for January 2016 focusing on technology issues. Greg Hearing agreed to write an article on social media for that issue.

Jay Lechner reported that he needs more articles for the next issue of the CHECKOFF. Sherril Colombo volunteered to write an article on the EEOC's new wellness regulations. Bill Mitchell agreed to write an article on the ACA.

*Website Subcommittee – Hon. Stephanie W. Ray /Brian L. Lerner*

The subcommittee prepared a report for the agenda.

*Social Media/Advertising Subcommittee – Cathleen Scott/Brian L Lerner*

The subcommittee prepared a report for the agenda. Cathleen Scott mentioned that the Section is still in need of additional advertising for the website.

**l. Special Projects Committees –**

*Certification Standards Review Committee – Sherril Colombo/Frank E. Brown*

The Committee submitted a written report for the agenda. Frank Brown reported that the Labor and Employment Certification Committee had agreed to review the experience requirements internally and then be prepared to discuss potential changes with Section representatives in September. Sherril Colombo agreed to put together a summary of the results of the Section survey and to get feedback from the Executive Council as to what changes, if any, to propose.

*FLSA Procedure Committee – David Spalter/Marlene Quintana*

Marlene Quintana reported that she met with Chief Judge Moore of the Southern District regarding developing a standardized approach for FLSA settlements. Judge

Moore reported that there was a lot of resistance internally to accepting standardization. It does not appear feasible to get that court to accept a standard practice as a matter of local rule. The Executive Council discussed alternative approaches to assisting in the standardization of FLSA administration and settlement procedures, including further developing the questionnaires to the judges prepared by The Florida Bar Federal Court Practice Committee, or preparing a similar survey.

#### **IV. New Business**

##### **a. Hall of Fame Nomination: David Kornreich**

Jeffrey Mandel, a former partner of the late David Kornreich at Fisher and Phillips, spoke in support of his nomination of David for the Labor and Employment Law Section Hall of Fame. Jeff summarized David's career, with emphasis on his mentoring of labor and employment practitioners, and his service to the Section and the profession as a whole. Frank Brown also spoke in support of the nomination, commenting on David's professional courtesy and collegiality. The Executive Council voted unanimously to admit David Kornreich to the Hall of Fame.

##### **b. Standing Committee for Diversity and Inclusion Liaison: Patrick Martin**

Shane Munoz announced that Patrick Martin has been designated as the Section's representative on The Florida Bar Standing Committee on Diversity and Inclusion and will be serving on the Committee during the next bar year.

#### **V. Chair's Report – Shane T. Munoz**

Shane Munoz reminded everyone of the full schedule of events at the annual meeting in June. The Section will be presenting the Presidential Showcase on technology as it relates to labor and employment issues in law firms. After the Executive Council meeting, the Section will have a reception honoring its Hall of Fame and Scholarship award winners, and the Section will then cohost (with the Florida Chapter of The Federalist Society) a reception honoring the departing chief judges of the DCAs.

**VI. Attendance:**

**Officers/Executive Council/Committee Chairs**

**In person:**

Shane T. Munoz  
Hon. Frank E. Brown  
Zascha Abbott  
David W. Adams  
Scott E. Atwood  
Sherril M. Colombo  
Sacha Dyson  
Robert M. Eschenfelder  
Karen Evans  
Hon. Alan Orantes Forst  
Robyn Hankins  
Gregory A. Hearing  
Eric J. Holshouser  
Robert L. Kilbride  
Jay P. Lechner  
Marlene Quintana  
Hon. Stephanie W. Ray  
Cathleen Scott  
Leslie K. Reicin Stein  
Lindsey Wagner  
Angie Froelich

**Phone:**

Robert S. Turk  
David E. Block  
Deborah C. Brown  
Yvette Everhart (for Cynthia Sass)  
F. Damon Kitchen  
Brian L. Lerner  
Patrick Martin  
Gregg R. Morton (for Stephen A. Meck)  
Freddy Perera  
J. Ray Poole, Jr.

**Section Members/Guests**

**Present:**

Lori Adelson  
Steve Cheeseman  
Margaret Diaz  
Jennifer Fowler-Hermes  
Alan M. Gerlach  
Janet Klinker  
Jeffery E. Mandel  
Bill Mitchell  
Susan J. Willower

**Excused:**

Leslie W. Langbein  
Marquis Heilig