



# LABOR AND EMPLOYMENT LAW SECTION

## **CHAIR**

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## **CHAIR-ELECT**

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## **SECRETARY/TREASURER**

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## **IMMEDIATE PAST CHAIR**

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## **BOARD LIAISON**

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## **EXECUTIVE COUNCIL**

### **Terms Expiring 2020**

Ryan D. Barack, Clearwater  
Robert M. Eschenfelder, Fort Myers  
Karen Evans, Miami  
Chelsie J. Flynn, Orlando  
Kristen Foslid, Miami  
Jennifer Fowler-Hermes, Sarasota  
Hon. Robert L. Kilbride, Tallahassee  
Gregg R. Morton, Tallahassee  
Marlene Quintana, Miami  
Cristina Velez, Tallahassee

### **Terms Expiring 2021**

David E. Block, Miami  
Yvette D. Everhart, Tampa  
Richard E. Johnson, Tallahassee  
Jay P. Lechner, Spring Hill  
Brian L. Lerner, Fort Lauderdale  
Carlo D. Marichal, Plantation  
Patrick Martin, Miami  
Hon. Stephanie Williams Ray, Tallahassee  
David H. Spalter, Winter Park  
Leslie Reicin Stein, Tampa  
Lindsey Wagner, Jupiter

### **PAST CHAIRS**

Zascha Blanco Abbott, Miami  
Deborah C. Brown, Tampa  
Hon. Frank E. Brown, Tallahassee  
Sherril M. Colombo, Miami  
Hon. Alan Orantes Forst, West Palm Beach  
Gregory A. Hearing, Tampa  
Eric J. Holshouser, Jacksonville  
F. Damon Kitchen, Jacksonville  
Leslie W. Langbein, Miami Lakes  
Stephen A. Meck, Tallahassee  
Shane T. Muñoz, Tampa  
Cynthia N. Sass, Tampa  
Jill S. Schwartz, Winter Park  
Robert S. Turk, Miami

## **PROGRAM ADMINISTRATOR**

Angie Froelich  
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August 27, 2019

Re: Agenda – August 29, 2019 at **5:00 p.m. e.s.t.**

Dear Labor and Employment Law Section Executive Council Members and Committee Chairs,

The Labor & Employment Law Section executive council meeting will take place on Thursday, August 29, 2019, at 5:00 p.m. e.s.t. at the Offices of GrayRobinson, 301 E. Pine Street, Suite 1400, Orlando, Florida 32801.

The agenda and supporting documents for this meeting are attached.

Below are the call-in instructions:

Bridge Number: [1-407-418-6590](tel:1-407-418-6590) / Pin: 900880#  
Mobile friendly: [4074186590](tel:4074186590)..., [900880](tel:900880)#

There is a parking garage across the street from the office. There also is a public parking garage at the corner of Pine and Rosalind if needed.

## **SCHEDULE**

### **Thursday, August 29, 2019**

3:30 p.m. – 5:00 p.m.  
Long Range Planning Committee Meeting  
(Great Room, 14<sup>th</sup> Floor)

5:00 p.m. – 6:00 p.m.  
Labor Executive Council Meeting  
(Great Room, 14<sup>th</sup> Floor)



## **AGENDA**

### **Labor and Employment Law Section Executive Council Meeting** Offices of GrayRobinson, 301 E. Pine Street, Suite 1400, Orlando, Florida 32801

**Thursday, August 29, 2019**

**5:00 p.m. – 6:00 p.m.**

Call-in Number: 1-888-376-5050

Participant Code: 1563821345

- I. Call to Order and Introductions** – David W. Adams, Chair
  - A. Discussion of goals for year
  
- II. Secretary/Treasurer Report** – Scott Atwood, Secretary/Treasurer
  - A. Minutes – June 27, 2019 (**Attachment A**)
  - B. Preliminary June 2019 Financial Statement (**Attachment B**)
  
- III. Report of the CLE Director**
  - A. Webinar update
  - B. Live CLE update
  
- IV. Committee and Subcommittee Reports**
  - A. Long Range Planning Committee Report on Committee Structure
  
- V. New Business**
  - A. Upcoming Events
  - B. Section budget and fund balance
  
- VI. Next Executive Council Meeting**
  - A. **Thursday, October 17, 2019**  
  
5:00p.m. – 6:00 p.m. Executive Council Meeting  
6:00 p.m. – 7:30 p.m. Reception  
7:30 p.m. – 8:30 p.m. Reception in Chair’s Suite
  
- VII. Adjournment**

## MINUTES

### June 27, 2019 Executive Council Meeting

Labor and Employment Law Section, The Florida Bar  
Wyndham Grand Jupiter at Harbourside Place, Jupiter, FL

Cathleen Scott, Chair  
David Adams, Chair-Elect  
Robyn Hankins, Legal Education Director  
Hon. Alan Forst, Secretary-Treasurer  
Zascha Blanco Abbott, Immediate Past Chair  
Angela Froelich, Section Administrator  
Joshua Chilson, Board Liaison

Scott Atwood  
David Block\*  
Deborah Brown\*  
Hon. Frank Brown\*  
Sacha Dyson  
Robert Eschenfelder  
Karen Evans  
Yvette Everhart\*  
Chelsie Flynn\*  
Jennifer Fowler-Hermes\*  
Gregory Hearing  
Eric Holshouser  
Hon. Robert Kilbride  
Damon Kitchen\*  
Leslie Langbein\*  
Jay Lechner\*  
Brian Lerner  
Carlo Marichal\*  
Patrick Martin  
Steve Meck\*  
Gregg Morton\*  
Marlene Quintana  
Hon. Stephanie Ray  
Cynthia Sass\*  
Jill Schwartz\*  
David Spalter\*  
Leslie Reicin Stein  
Bob Turk  
Cristina Velez\*  
Lindsey Wagner

#### Guests

Lori Adelson  
Josie Bellamy  
Priscilla Hament  
Bob Kofman  
Angeli Murthy\*  
Peg Sauggs  
Michael Tanner  
Renee Thompson  
Maja Hartzell (FSU)  
Rohan Palmer (FAMU)  
Alan Persaud (FIU)  
Franklin Sandrea-Rivero (St. Thomas)  
Deanna Santo (UM)  
Sajmir Xhikola (Cooley)  
Scott Hawkins  
Chris Hammon  
Andy Hament

\*Appearing by phone

## **I. Call to Order**

Chair Cathleen Scott called the meeting to order at 5:05 p.m. Robyn Hankins did a roll call to determine EC attendance in person and by phone. Josh Chilson, Board Liaison, “reintroduced” himself and noted that he had been reappointed as Board Liaison for the coming Board year. He gave a brief review of some of the actions taken by the “Big Board” and then introduced Michael Tanner, a candidate for Florida Bar 2020-21 President-elect. Mr. Tanner then gave his introductory “pitch.” Later, during the Chair’s Report, the other candidate, Renee Thompson, gave her introductory pitch.

## **II. Secretary/Treasurer Report**

The April 12, 2019 Minutes were approved (Eschenfelder/Adams motion). Judge Forst stated that the Section was doing fine financially. As of May 31, the Section had spent about \$58,000 less than it had brought in. Judge Forst noted that the bill for the annual meeting, reception, gifts, Scott Atwood’s bar tab and scholarships still needed to be paid, but progress had been made with our fund balance.

## **III. Committee Reports**

Chair Scott referenced the written committee/subcommittee reports that were attached to the agenda. She noted that each committee/subcommittee had set goals at the beginning of the year and had been asked to report on the progress in meeting those goals.

**Website:** Brian Lerner announced that the new website is up and running, with a new look, a new logo, and updated content. The new logo will be on all Section material, including David Adam’s yacht (he couldn’t get the real thing, so he bought a bathtub replica). The vendor for the website is ELINK. Brian noted that it took eight months to get the website developed and running, “like giving birth” he said. The air then filled with thought bubbles over the heads of all the mothers in the room, but I digress. Brian thanked Yvette Everhart and Frank Brown for their assistance in editing content to be placed on the website. He noted that there is room for growth, with Section leadership having the ability to add content without relying upon the vendor to do so. He also mentioned the “great price” of about \$6000-7000. Brian noted that the Section would be paying a separate monthly pay for the vendor to host the site and keep it secure. In an update from last meeting’s minutes, Brian stated that the vendor assured him that the website is ADA compliant. However, there is an issue with ADA compliance and The Check Off that is being addressed.

#### **IV. Chair's Report**

Chair Cathleen Scott noted that it has been a great year, though she was exhausted, as her year in the captain's seat coincided with a busy professional year, two high school graduations, and knee surgery. Nonetheless, it was a "memorable and fun" year. She thanked everyone who helped her steer the ship. She gave a special notice of appreciation (and gift) to Section Administrator Angie Froelich, noting she served us while also being the Section Administrator for two other sections. A ten-minute standing ovation followed (kinda).

**Nominating Report:** Exhibit M of the agenda listed the proposed officers and E/C members. Eschenfelder/Hearing moved for adoption of the nominating committee's proposed slate, and the EC approved it. Next year's officers will be David Adams (Chair), Robyn Hankins (Chair-Elect), Sacha Dyson (Legal Education Director), Scott Atwood (Secretary/Treasurer) and Cathleen Scott (Immediate Past Chair). All of the EC members whose terms were set to expire in 2019 were reappointed for another two-year term. Lindsey Wagner was promoted from alternative EC member to full member, replacing Sacha Dyson. There is one EC slot for a term expiring in 2020 (replacing Scott Atwood) that was not (yet) filled.

#### **V. Adjournment**

Following the vote, Cathleen proposed that the meeting be adjourned. Moved by A/E or E/A. Meeting adjourned at 5:32. The Section then moved into the awards portion of the meeting.

#### **VI. Awards:**

**Volunteers of the Year:** Brian Lerner (website) and Robert Eschenfelder (archiving of the EC meeting minutes and editor of the Bar Journal articles). Cathleen also announced that an "Away Suitcase" was being awarded to officers and CLE chairs for their work in the past year: Atwood, Morton, Quintana, Cabassa, Sass, Hearing, Hankins, Forst, Abbott, Adams, Eschenfelder, Lerner and Marichal.

**Law School Scholarship:** Five of the scholarship recipients were on hand to receive a certificate and have their information projected on the screen. A \$1000 check was to be mailed to each recipient. Cathleen also included a pocket Constitution in the recipients' swag package. Judge Stephanie Ray made all but one of the presentations. Deanna Santo was presented her certificate by her father, a former New York Supreme Court Justice (he surprised her—highlight of the afternoon).

**Outgoing Chair gift:** New chair David Adams recognized Cathleen for her stewardship of the Section and gave her a Tumi backpack. David then announced, “I’m the captain now.”

**Hall of Fame:** There were five recipients of this posthumous honor this year. Robyn Hankins read the criteria for induction, including being pillars of the community and profession. The following individuals were inducted (with the name of the individual who introduced the induction noted in parentheses: Thomas Steele (Sacha Dyson); Alan Gerlach (Greg Hearing, filling in for Steve Meck); Bill Radford (Chris Hammon); Russ Hamilton (Bob Turk and Andy Hament); Margaret Cooper (Scott Hawkins). Family, friends, and former associates/partners were on hand for the HoF inductions. There is no physical HoF, but a copy of each HoF certificate is displayed on the Section’s website.

## **VII. Next Executive Council Meeting**

The next scheduled meeting, October 17, 2019, will be in conjunction with the 45<sup>th</sup> Annual Public Employment Labor Relations CLE Seminar, in Orlando.



**2018 – 2019**  
**Labor & Employment Law Section**  
**FINANCIAL STATEMENT**

**PRELIMINARY JUNE 2019**

|   |  |
|---|--|
| <b>Beginning Fiscal Year Fund Balance</b> | <b>\$99,944</b>                              |
| Total Revenue                             | \$138,252                                    |
| Total Expenses                            | (\$108,589)                                  |
| Net Operations                            | \$29,663                                     |
| <b>Ending Fiscal Year Fund Balance</b>    | <b>\$129,607*</b>                            |
|   | <i>*see attached statement of operations</i> |

**MEMBERSHIP**

|                    |       |
|--------------------|-------|
| Current Membership | 1,994 |
|--------------------|-------|

**THE FLORIDA BAR**  
**Labor and Employment Law Section**  
**Preliminary June 2019 Statement**

|   | FY 2016-17     | FY 2017-18      | PRELIMINARY<br>June<br>FY 2018-19 | FY 18-19<br>Budget | FY 19-20<br>Budget |
|---|----------------|-----------------|-----------------------------------|--------------------|--------------------|
|   | Actual         | Actual          |                                   |                    |                    |
| 3001-Annual Fees (member dues - \$45 increased from \$40 in 2018-19)      | \$80,080       | \$80,280        | \$90,890                          | \$90,090           | \$90,090           |
| 3002-Affiliate Fees (affiliate dues - AHC & Prof - \$40/Student - \$25)   | 860            | 920             | 880                               | 1,020              | 1,020              |
| <b>Total Fee Revenue</b>  | <b>80,940</b>  | <b>81,200</b>   | <b>91,770</b>                     | <b>91,110</b>      | <b>91,110</b>      |
| 3321-Registration-Webcast (section-sponsored InReach revenue)(zero'd out) |                |                 |                                   | 900                | 0                  |
| <b>Total Registration Revenue</b>   |                |                 |                                   | <b>900</b>         | <b>0</b>           |
| 3351-Sponsorships (sponsor or exhibitor revenue)                          |                |                 | 2,500                             | 0                  | 2,500              |
| 3391 Section Profit Split (Joint CLE 80-20 split with CLE Committee)      | 40,663         | (3,408)         | 33,380                            | 49,000             | 25,000             |
| 3392-Section Differential (Joint CLE Difference / member&non-member fees) | 3,300          | 3,518           | 4,138                             | 5,200              | 1,520              |
| <b>Other Event Revenue</b>  | <b>43,963</b>  | <b>110</b>      | <b>40,018</b>                     | <b>54,200</b>      | <b>29,020</b>      |
| 3561-Advertising (advertising in Checkoff/website)                        | 1,400          | 350             | 0                                 | 1,900              | 1,400              |
| <b>Advertising &amp; Subscription Revenue</b>                             | <b>1,400</b>   | <b>350</b>      | <b>0</b>                          | <b>1,900</b>       | <b>1,400</b>       |
| 3899-Investment Allocation (Bar's investment of section funds)            | 18,890         | 11,479          | 6,464                             | 11,197             | 6,404              |
| <b>Non-Operating Income</b>   | <b>18,890</b>  | <b>11,479</b>   | <b>6,464</b>                      | <b>11,197</b>      | <b>6,404</b>       |
| <b>Total Revenue</b>  | <b>145,193</b> | <b>93,139</b>   | <b>138,252</b>                    | <b>159,307</b>     | <b>127,934</b>     |
| 4131-Telephone Expense (phone-administrator receives partial stipend)     | 448            | 749             | 237                               | 800                | 500                |
| 4133-Internet Service ( wifi cancelled / zero'd out)                      | 448            | 367             | 168                               | 550                | 500                |
| 4134-Web Services (website - new website in 2018-19)                      | 8,768          | 8,031           | 10,238                            | 8,500              | 8,500              |
| 4301-Photocopying (copying) (zero'd out)                                  |                |                 |                                   | 165                | 0                  |
| 4311-Office Supplies (supplies, e.g. name badge holders)                  | 163            | 51              | 555                               | 400                | 300                |
| <b>Total Staff &amp; Office Expense</b>                                   | <b>9,827</b>   | <b>9,198</b>    | <b>11,198</b>                     | <b>10,415</b>      | <b>9,800</b>       |
| 5051-Credit Card Fees (Actual fees since fy 17-18)                        | 52             | 1,067           | 1,222                             | 600                | 475                |
| 5121-Printing-Outside ( Paid Editor / printing newsletter outside Bar)    | 2,800          | 4,832           | 3,246                             | 4,000              | 2,000              |
| <b>Total Contract Services</b>  | <b>2,852</b>   | <b>5,899</b>    | <b>4,468</b>                      | <b>4,600</b>       | <b>2,475</b>       |
| 5501-Employee Travel (staff travel per formula)                           | 3,829          | 5,763           | 3,150                             | 8,255              | 5,775              |
| 5531-Board/Off/Memb Travel (officer travel / out-of-state travel)         | 3,587          | 31,394          |                                   | 1,250              | 1,250              |
| 5599-Other Travel (meeting travel expense for council members)            | 16,174         | 13,151          | 12,130                            | 22,500             | 22,500             |
| <b>Total Travel</b>   | <b>23,590</b>  | <b>50,308</b>   | <b>15,280</b>                     | <b>32,005</b>      | <b>29,525</b>      |
| 6001-Post 1st Class/Bulk (mailing)  | 406            | 148             | 143                               | 500                | 300                |
| 6301-Mtgs TFB Annual Meeting (annual convention)                          | 12,713         | 15,602          | 2,747                             | 13,000             | 13,000             |
| 6311-Mtgs General Meeting (council mtgs / winter meeting)                 | 5,898          | 4,259           | 3,629                             | 5,600              | 3,000              |
| 6319-Mtgs Other Functions (Section retreat)                               | 4,756          | 16,915          | 212                               | 5,000              | 5,000              |
| 6321-Mtgs Meals (section dinners - Advanced Labor Topics)                 | 5,292          | 12,865          | 10,876                            | 10,000             | 10,000             |
| 6325-Mtgs Hospitality (section receptions)                                | 8,127          | 6,507           | 7,851                             | 10,500             | 10,000             |
| 6399-Mtgs Other (long range planning meetings)                            |                |                 |                                   | 5,000              | 5,000              |
| 6401-Speaker Expense (speaker exp not covered by CLE Committee)           |                | 189             |                                   | 5,000              | 2,000              |
| 6451-Committee Expense (LE cmte / cert cmte)                              | 1,634          | 168             |                                   | 2,000              | 1,500              |
| 6599-Brd/Off Other (chair's annual convention expenses)                   |                | 1,591           |                                   | 400                | 400                |
| 7001-Grant/Award/Donation (awards & plaques)                              | 5,551          | 4,550           | 6,299                             | 7,000              | 7,000              |
| 7011-Scholarship/Fellowship (law school scholarships)                     | 9,000          | 13,000          | 9,000                             | 12,000             | 12,000             |
| 7999-Other Operating Exp (operating reserve/miscellaneous)                | 2,724          | 174             |                                   | 550                | 550                |
| <b>Total Other Expense</b>  | <b>56,101</b>  | <b>75,968</b>   | <b>40,757</b>                     | <b>76,550</b>      | <b>69,750</b>      |
| 8021-Section Admin Fee (FY 18-19 amount is \$18 for paying members only)  | 35,438         | 35,420          | 36,367                            | 36,522             | 36,522             |
| 8101-Printing In-House (Bar's printshop - copies of agendas, etc.)        | 1,562          | 1,085           | 219                               | 300                | 1,325              |
| 8171-Course Approval Fee (section-sponsored CLE approval fee)(zero'd out) |                |                 |                                   | 150                | 0                  |
| <b>Total Admin &amp; Internal Expense</b>                                 | <b>37,000</b>  | <b>36,505</b>   | <b>36,586</b>                     | <b>36,972</b>      | <b>37,847</b>      |
| 9692-Transfer Out-Council of Sections (council of sections contribution)  | 300            | 300             | 300                               | 300                | 300                |
| <b>Total InterFund Transfers Out</b>                                      | <b>300</b>     | <b>300</b>      | <b>300</b>                        | <b>300</b>         | <b>300</b>         |
| <b>Total Expense</b>  | <b>129,670</b> | <b>178,178</b>  | <b>108,589</b>                    | <b>160,842</b>     | <b>149,697</b>     |
| <b>Net Income</b>   | <b>15,523</b>  | <b>(85,039)</b> | <b>29,663</b>                     | <b>(1,535)</b>     | <b>(21,763)</b>    |
| <b>2001-Fund Balance, Beginning (As of July 1)</b>                        | <b>169,457</b> | <b>184,983</b>  | <b>99,944</b>                     |                    |                    |
| <b>Fund Balance, Ending (As of June 30)</b>                               | <b>184,983</b> | <b>99,944</b>   | <b>129,607</b>                    |                    |                    |