



AGENDA

Labor and Employment Law Section Executive Council Meeting

**Rosen Plaza Orlando, Salon 5
Thursday, October 14, 2021
5:00 p.m. – 6:30 p.m.**

WIFI

**Connect to “Convention Wireless”
Access Code is RPGK7**

- I. Call to Order and Introductions** – Scott Atwood, Chair

- II. Hall of Fame Presentation** – Debbie Brown / Steve Meck
 - A. Bill Powers (**Attachment A**)
 - B. Jeff Carnes (**Attachment B**)

- III. Secretary/Treasurer Report** – Gregg R. Morton, Secretary/Treasurer
 - A. Minutes – June 10, 2021 (**Attachment C**)
 - B. Minutes – September 10, 2021 (**Attachment D**)
 - C. August 2021 Section Financial Statement (**Attachment E**)



Labor and Employment Law Section Executive Council Meeting, Cont.

IV. Committee and Subcommittee Reports

- A. CLE Schedule (**Attachment F**)
- B. Advanced Labor Topics 2022 (Washington, D.C.)
- C. Committees Reports (as necessary)

V. New Business

- A. Various

VI. Old Business

- A. Admin Support
- B. Free/Paid Webinars

VII. Next Executive Council Meeting

- A. January 27, 2022, 5:00 p.m. – 6:00 p.m.
Labor Section Executive Council Meeting
The Florida Bar Winter Meeting 2022
Rosen Shingle Creek Orlando

VIII. Adjournment



EXHIBIT A

★ HALL OF FAME ★

William E. Powers Inducted into Section Hall of Fame



Induction into The Florida Bar Labor and Employment Law Section Hall of Fame is a posthumous honor given to persons who had significant involvement in both the Section and the active practice of labor and employment law in Florida for a substantial portion of his or her career. We are pleased to honor William E. Powers, Jr. (1939–2020) as an inductee.

Bill Powers graduated from the University of Dayton and the Cleveland-Marshall College of Law and then obtained an LL.M. in labor law from the New York University School of Law. He began his legal career with the National Labor Relations Board in Cleveland, Ohio, before becoming General Counsel for the Florida Public Employees Relations Commission. He later served as its chair. Bill then entered private practice as a partner with a large firm prior to founding his own firm. He also served as General Counsel for the Florida Sheriffs Association. In all, Bill practiced law for forty years.

Bill was co-chair of the American Bar Association Committee on Government and Employment Law and was an adjunct professor at Nova College of Law and Florida State University. He was a charter member of the Stetson Law Center for Labor Management Disputes and served on the National Advisory Board of Cleveland State's Marshall College of Law. He was a frequent lecturer at seminars across the country and was inducted as a fellow into the College of Labor and Employment Lawyers.



EXHIBIT B

★ HALL OF FAME ★

William Jeffrey “Jeff” Carnes Inducted into Section Hall of Fame



Induction into The Florida Bar Labor and Employment Law Section Hall of Fame is a posthumous honor given to persons who had significant involvement in both the Section and the active practice of labor and employment law in Florida for a substantial portion of his or her career. We are pleased to honor Jeff Carnes (1947–2021) as an inductee.

Born in Kannapolis, North Carolina, Jeff Carnes received a B.S. in Business Administration and Economics from Catawba College in Salisbury, North Carolina, and his Juris Doctor degree from Stetson University College of Law. He began practicing labor and employment law in Tampa in 1993. He also served as a visiting and adjunct instructor at the University of South Florida from 1997 forward.

Before his law career, Jeff was an officer with the Tampa Fire Department and a member of IAFF Local 754, serving as executive board member, negotiation team member, and political director. He was President of the Bay Area Council of Firefighters and the 10th District Vice President of the Professional Firefighters of Florida. He was President Emeritus of the West Central Florida Industrial Relations Research Association. In addition to his membership in FTP/NEA and the AFL-CIO Lawyers Coordinating Committee, he served as Co-Chair of the Labor Relations Committee of The Florida Bar Labor and Employment Law Section.

His labor law practice provided counsel and representation to more than seventy bargaining units representing employees of public utilities, of government, and of industrial, construction and craft trades. He also wrote two books—*The Survivor’s Guide to a Successful Public Sector Union: Fire/Rescue Edition* and *Finding the Forest Without Any Trees*.



EXHIBIT C

Minutes of Labor & Employment Executive Council Meeting

June 10, 2021

via Zoom

Scott Atwood called the meeting to order and welcomed everyone by Zoom at 5:04 p.m. He announced that Robyn Hankins had an unexpected conflict and would join the meeting later if she could.

Mr. Atwood introduced Gary Lesser, president-elect designate, as a special guest. Mr. Lesser gave an update on the state of the bar and sends his regards from President Mike Tanner. He thanked the section for its work in a very challenging year. He appreciates that no one has been busier in this pandemic than labor and employment attorneys. President Tanner will continue the COVID task force at this time. Mr. Lesser also reported that President Tanner has announced a special committee on professionalism, which will study when and how to teach professionalism. Mr. Lesser also discussed the annual convention. The bar opted for a hybrid, mostly virtual annual convention this year. He expects that the bar will be back to a full, in-person convention next year and hopefully most of the COVID issues will be in our rearview mirror. He encouraged all attorneys to reach out to him with any issues or concerns.

Mr. Atwood introduced two other special guests. He first introduced Lorna Burton-Brown who is running for president-elect. Ms. Burton-Brown gave an overview of her experience and her platform. Mr. Atwood then introduced Scott Westheimer who also is running for president-elect. Mr. Westheimer gave an overview of his experience and his platform.

Sacha Dyson gave the Secretary/Treasurer's report and introduced the minutes from the May 20, 2021, meeting. After a motion was made and seconded, the meeting minutes were unanimously approved without any changes. Ms. Dyson then provided a financial report, which shows that the section continues to be in a good financial condition with a substantial fund balance due to the success of the virtual programs. There were no questions from the council members.

Mr. Atwood called for the committees and subcommittees to provide reports. There were no reports in addition to those written reports provided.

Mr. Atwood then gave the chair's report for the bar year. He thanked Robyn Hankins for her strong leadership this year under very difficult circumstances. He also thanked the committee chairs for their hard work this year and the value that they have added to the section and its members.

Mr. Atwood then recognized Judge Stephanie Ray to introduce and recognize the scholarship award recipients. Judge Ray and Cathleen Scott prepared a PowerPoint presentation highlighting the outstanding accomplishments of the students who have demonstrated an interest in labor and employment law. They recognized the 7 scholarship recipients in attendance at the meeting, including students from FAMU, Cooley, FSU, Stetson, and University of Miami.

Mr. Atwood congratulated the scholarship recipients and thanked the scholarship committee for its hard work in selecting these outstanding candidates.

Mr. Atwood then presented appreciation awards to the program chairs, journal and checkoff editors, and officers for their work this year. Mr. Atwood also announced the Volunteer of the Year – Gregg Morton – who devoted countless hours and work to organizing outstanding CLE programming in difficult and unusual circumstances. Mr. Atwood also honored and thanked Robyn Hankins in her absence.

Mr. Atwood proposed the slate of officers for next year, which included Scott Atwood (chair), Sacha Dyson (chair-elect), Gregg Morton (secretary/treasurer), and Yvette Everhart (legal education director). After a motion was made and seconded, the slate was approved by a unanimous vote. Mr. Atwood also recognized two members of the executive council (David Block and Jay Lechner) who are leaving the executive council this year. Mr. Block expressed his gratitude for his time on the executive council. With Messrs. Block and Lechner leaving the council and Ms. Everhart's election to legal education director, there are three vacancies on the executive council.

Mr. Atwood proposed the slate for the executive council next year, including three new members (Michelle Nadeau, Alicia Koepke, and Adam Chotiner). After a motion was made and seconded, the slate was approved by a unanimous vote.

Mr. Atwood then recognized Debbie Brown to make a presentation regarding a nomination to the Hall of Fame. Ms. Brown nominated William Jeffrey "Jeff" Carnes for inclusion in the Hall of Fame. She gave an overview of his outstanding accomplishments and his prolific contributions to the practice of labor law in Florida. After a motion was made and seconded, the nomination was approved by a unanimous vote. Mr. Atwood reported that all of the recent Hall of Fame nominees will be recognized at an upcoming, in-person meeting.

Mr. Atwood thanked all of the executive council members for their hard work this year. He expressed that this section has been and will continue to be a leader in the bar. He expects that the section will return to live programming as soon as it is possible to do so. Mr. Atwood discussed the anticipated schedule of activities for this year, including the PERLF seminar in October, the certification review and annual update in January, and a retreat in January or February. With respect to the retreat, he anticipates that it will be a Friday/Saturday meeting focused on long-term strategic issues, such as programming, engaging the section membership, and the future of the profession. He also is planning a meeting in late August or early September to commence the return to in-person events.

The meeting was adjourned at 6:00 p.m.

In Attendance

Scott Atwood
Lorna Brown-Burton
Scott Westheimer

Angie Froelich
Richard Johnson
Robert Eschenfelder

Adam Chotiner
Bob Turk
Brian Lerner

Debbie Brown
Chelsie Flynn
Cathy Howell
Cristina Velez
Cythia Sass
Danielle Hall
Danielle Weaver-Rogers
David Block
Damon Kitchen
Eric Holshouser
Erika Rotbart
Gregg Morton

Janeia Ingram
Jay Lechner
Jennifer Fowler-Hermes
Alan Forst
Stephanie Ray
Kristen Foslid
Lakisha Kinsey-Sallis
Leslie Stein
Leslie Langbein
David Spalter
Jill Schwartz
Lori Adelstein

Michelle Nadeau
Mikala Almeida
Marlene Quintana
Patrick Martin
Robert Kilbride
Ryan Barack
Yvette Everhart
Will Selfridge
David Adams
Lindsey Wagner
Sherril Colombo



EXHIBIT D



Labor and Employment Law Section Executive Council Meeting

Friday, September 10, 2021 Meeting Minutes

In Attendance:

Scott Attwood, Sacha Dyson, Gregg Morton, Yvette Everhart, Robyn Hankins, Lindsey Wagner, Judge Stephanie Ray, Eric Holshouser, Erika Rotbart, Ryan Barack, Debbie Brown, Adam Chotiner, Alicia Koepke, Shane Munoz, Michelle Nadeau, Leslie Stein, Carlo Marichal, Cynthia Sass, Cristina Velez, Cathleen Scott, Greg Hearing, Janeia Ingram, Bob Turk, Angeli Murthy, Sherill Colombo, Stephen Meck, Patrick Martin, Jeff Hammer, Jim Craig, Chelsie Flynn, Jill Schwartz, Karen Evans-Putney, David Adams, Zascha Abbott, Damon Kitchen, Lorna Brown-Burton, Jay Kim, Angie Froelich, Victoria Gray, Lakisha M. Kinsey-Sallis

I. Call to Order and Introductions – Scott Atwood, Chair

Scott Atwood called the meeting to order at 4:05 and welcomed the individuals who were attending live and via Zoom. Mr. Atwood had new members to the executive council introduce themselves: Adam Chotiner, Angeli Murthy, Michelle Nadeau and Alicia Koepke.

II. Secretary/Treasurer Report – Gregg R. Morton, Secretary/Treasurer

Approval of the minutes for the June 10, 2021, was deferred to the October executive council meeting. Mr. Morton was unable to give a report on the financial statement because he sounded like a chipmunk.

III. Committee and Subcommittee Reports

Yvette Everhart gave a review of the CLE calendar seminars and webinars for the upcoming year. A copy of the calendar was attached to the meeting agenda. Mr. Atwood noted that after being postponed last year because of COVID-19, the Advanced Labor Topics 2022 is slated for Washington, D.C. Mr. Atwood encouraged members to attend.

Trial Skills Academy Update – There was a general discussion of the prior planning that had taken place, with the recognition that plans were postponed because of COVID-19. David Adams and Rob Eschenfelder will be heading up efforts on the Trial Academy. If anyone is interested in participating they can contact David and Rob.

Judicial Outreach Report - Adam Chotiner included a report that was attached to the agenda and gave an additional oral report on his efforts with judicial outreach and the seminar that was put on for

judges detailing the state's newly adopted summary judgment standard that is based on the federal summary judgement standard. Mr. Chotiner thanked Judge Ray for her help in setting up the seminar. 300 judges attended the seminar. Mr. Atwood thanked Mr. Chotiner for his efforts.

Bar Journal Report – In addition to the attached report, Mr. Atwood encouraged interested authors to reach out to Rob Eschenfelder and provide articles. Mr. Atwood recognized our section as one of the most prolific when it comes to articles published in the Bar Journal.

Mr. Atwood stated that all committee chairs from last year would remain in place unless the chair of the committee no longer wanted to serve in that role. Anyone who did not want to continue on should contact Mr. Atwood. Mr. Atwood talked about his plans for more live meetings in the upcoming year.

Mr. Atwood introduced the Section's liaison to The Florida Bar's Board of Governors (BOG), Jay Kim. Mr. Kim is executive council member Brian Lerner's law partner. Mr. Kim gave a report on BOG activities including the provision of legal services, including ownership of firms by non-lawyers. The BOG will continue to review the issue a final report that will be voted on by the BOG. Mr. Kim said that the BOG has not made a specific recommendation on whether sections should be holding meetings in person or masking at meetings. BOG meetings are currently hybrid between live and virtual.

Mr. Atwood introduced Lorna Brown Burton who is running for President of The Florida Bar. Ms. Brown Burton spoke about her platform and where to access more information about her candidacy.

IV. New Business

Section Leadership Retreat – Mr. Atwood announced that he would like to have a long range planning session during the 2021-22 Bar year. One of the focuses of the long range planning session would be ways to get membership involved. Mr. Atwood referenced the wine tasting and cooking class that was scheduled to follow the executive council meeting and the fact that a number of non-EC section members had signed up to attend as an example of getting section members more involved. Mr. Atwood said he was thinking about February 2022 as the time period to hold the long range planning session and said that if anyone had ideas for smaller resorts that would be conducive for that type of meeting, they should let him know.

V. Next Executive Council Meeting

The next executive council meeting will be October 14, 2021, 5:00 p.m. – 6:30 p.m. at the Rosen Plaza in Orlando.

VI. Adjournment

The meeting adjourned at 4:57



EXHIBIT E



2021 – 2022
Labor & Employment Law Section
FINANCIAL STATEMENT

AUGUST 2021

Beginning Fiscal Year Fund Balance	\$343,572
Total Revenue	\$108,304
Total Expenses	(\$40,505)
Net Operations	\$67,799
Ending Fiscal Year Fund Balance	\$411,371*
	<i>*see attached statement of operations</i>

MEMBERSHIP

Current Membership	2,023
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THE FLORIDA BAR
Labor and Employment Law Section
For the Two Months Ending August 31, 2021

	August	YTD 2022	FY 21-22 Budget
3001-Annual Fees	7,155	87,660	91,395
3002-Affiliate Fees	120	1,000	1,065
Total Fee Revenue	7,275	88,660	92,460
3331-Registration-Ticket	265	265	-
Total Registration Revenue	265	265	-
3351-Sponsorships	-	-	2,500
3391 Section Profit Split	6,822	12,318	30,000
3392-Section Differential	45	270	4,800
Other Event Revenue	6,867	12,588	37,300
3401-Sales-CD/DVD	-	-	-
Sales, Rents & Royalties Revenue	-	-	-
3899-Investment Allocation	3,958	6,790	8,144
Non-Operating Income	3,958	6,790	8,144
Total Revenue	18,365	108,304	137,904
4134-Web Services	81	412	8,000
4311-Office Supplies	-	-	500
Total Staff & Office Expense	81	412	8,500
5051-Credit Card Fees	110	311	1,425
5121-Printing-Outside	-	-	4,000
Total Contract Services	110	311	5,425
5501-Employee Travel	-	-	6,698
5531-Board/Off/Memb Travel	-	-	1,000
5599-Other Travel	-	-	25,500
Total Travel	-	-	33,198
6001-Post 1st Class/Bulk	-	5	100

6301-Mtgs TFB Annual Meeting	-	-	5,000
6311-Mtgs General Meeting	10	10	3,500
6319-Mtgs Other Functions	-	-	8,000
6321-Mtgs Meals	-	-	12,000
6325-Mtgs Hospitality	-	-	8,000
6599-Brd/Off Other	-	-	500
7001-Grant/Award/Donation	-	1,506	7,000
7011-Scholarship/Fellowship	-	-	12,000
7999-Other Operating Exp	274	274	500
Total Other Expense	284	1,795	56,600
8021-Section Admin Fee	3,078	37,487	39,140
8101-Printing In-House	-	-	250
Total Admin & Internal Expense	3,078	37,487	39,390
9692-Transfer Out-Council of Sections	-	500	500
Total InterFund Transfers Out	-	500	500
Total Expense	3,553	40,505	143,613
Net Income	14,811	67,799	(5,709)
2001-Fund Balance, Beginning		343,572	343,572
Fund Balance, Ending		411,371	337,863



EXHIBIT F



LABOR AND EMPLOYMENT LAW SECTION 2021 – 2022 CLEs

October 14-15, 2021

[47th Public Employment Labor Relations Forum \(5567\)](#)

Live & Live Webcast

Rosen Plaza Hotel, Orlando

November 17, 2021

5594 Veterans Preference, Update on USERRA, and State Military Leave Statutes

Kathryn S. Piscitelli, Orlando

Matthew Hall, Hill Ward Henderson, Tampa

December 8, 2021

5595 Poaching Agreements

TBD

January 27-28, 2022

5598 22nd Labor and Employment Law Annual Update and Certification Review

Live & Live Webcast

The Florida Bar Winter Meeting, Rosen Shingle Creek, Orlando

February 9, 2022

5596 Union Formation

TBD

April 6-9, 2022

Advanced Labor Topics 2022

Live

The Madison Washington, D.C., A Hilton Hotel

May 22, 2022

5597 FLSA Update

TBD