



AGENDA

Labor and Employment Law Section Executive Council Zoom Meeting Thursday, January 14, 2021 / 5:00 p.m. – 6:00 p.m.

- I. Call to Order and Introductions** – Robyn S. Hankins, Chair

- II. Secretary/Treasurer Report** – Sacha Dyson, Secretary/Treasurer
 - A. Minutes – October 22, 2020
 - B. December 2020 Financial Statement and 2021-2022 Budget (**Attachment A**)

- III. Committee and Subcommittee Reports**
 - A. CLE update (**Attachment B**)
 - B. Publishing Recording of 4416 Wage and Hour Update (free Zoom Webinar)
 - C. Offering Additional Free Webinars
 - D. Advanced Labor Topics 2021(virtual)
 - E. Advanced Labor Topics 2022 (Washington, D.C.)
 - F. Trial Skills Academy Update
 - G. Committees Reports (as necessary) (**Attachment C**)
 - H. Bar Journal Report (**Attachment D**)

- IV. New Business**
 - A. Talking Points: Raising Section Dues and offering free CLE
 - B. Gary Lesser and Steve Davis, Candidates for Florida Bar President-Elect

- V. Next Executive Council Meeting**
 - A. Thursday, April 8, 2021 (tentative)

- VI. Adjournment**

EXHIBIT A

**THE FLORIDA BAR
LABOR AND EMPLOYMENT LAW SECTION
2021 - 2022 BUDGET**

	FINAL 2019-2020	DECEMBER YTD 2020-21	FY 20-21 Budget	PROPOSED FY 21-22 Budget
3001-Annual Fees	\$90,090	\$89,820	\$91,395	\$91,395
3002-Affiliate Fees	1065	\$1,120	\$1,050	\$1,065
Total Fee Revenue	\$91,155	\$90,940	\$92,445	\$92,460
3351-Sponsorships			\$2,500	\$2,500
3391 Section Profit Split	\$13,254	\$41,052	\$37,500	\$33,000
3392-Section Differential	\$4,833	\$765	\$4,200	\$4,800
Other Event Revenue	\$18,087	\$41,817	\$44,200	\$40,300
3401-Sales-CDs/DVDs		\$2,110		
3411-Sales-Published Materials		\$120		
Sales, Rents & Royalties Revenue		\$2,230		
3561-Advertising			\$1,200	\$
Advertising Revenue	\$	\$	\$1,200	\$
3899-Investment Allocation	(\$2,085)	\$28,958	\$6,601	\$8,144
Non-Operating Income	(\$2,085)	\$28,958	\$6,601	\$8,144
Total Revenue	\$107,157	\$163,945	\$144,446	\$140,904
4131-Telephone Expense				
4133-Internet Service				
4134-Web Services	3591	\$1,425	\$8,000	\$4,000
4311-Office Supplies	187	\$15	\$500	\$500
Total Staff & Office Expense	\$3,778	\$1,440	\$8,500	\$4,500
5051-Credit Card Fees	\$1,378	\$350	\$1,300	\$1,425
5121-Printing-Outside	3720	\$1,750	\$3,000	(old paid editor acct)
5131-Production Outside				\$4,000 paid newsletter editor
Total Contract Services	\$5,098	\$2,100	\$4,300	\$5,425
5501-Employee Travel	\$851		\$6,156	\$6,698
5531-Board/Off/Memb Travel		\$287	\$1,000	\$1,000
5599-Other Travel	\$11,309	\$350	\$25,500	\$25,500
Total Travel	\$12,160	\$637	\$32,656	\$33,198
6001-Post 1st Class/Bulk	\$28	\$107	\$150	\$100
6301-Mtgs TFB Annual Meeting			\$5,000	\$5,000
6311-Mtgs General Meeting	\$1,568		\$3,500	\$3,500
6319-Mtgs Other Functions			\$5,000	\$5,000

6321-Mtgs Meals			\$12,000	\$12,000
6325-Mtgs Hospitality	\$2,913		\$8,000	\$8,000
6399-Mtgs Other			\$3,000	\$3,000
6599-Brd/Off Other			\$500	\$500
7001-Grant/Award/Donation	\$3,145	\$460	\$7,000	\$7,000
7011-Scholarship/Fellowship	\$1,000	\$3,000	\$12,000	\$10,000
7999-Other Operating Exp	\$378	\$28	\$500	\$500
Total Other Expense	\$9,032	\$3,595	\$56,650	\$54,600
8021-Section Admin Fee	\$36,468	\$36,431	\$37,098	\$39,140 <i>\$19 per dues</i>
8101-Printing In-House	\$216		\$400	\$250
8121-Graphics & Art	\$625			
8141-Journal/News Service	\$425			
8171-Course Approval Fee	\$150			
Total Admin & Internal Expense	\$37,884	\$36,431	\$37,498	\$39,390
9692-Transfer Out-Council of Sections	300	\$500	\$500	\$500
Total InterFund Transfers Out	\$300	\$500	\$500	\$500
Total Expense	\$68,252	\$44,703	\$140,104	\$137,613
Net Income	\$38,905	\$119,242	\$4,342	\$3,291
2001-Fund Balance, Beginning	\$129,607	\$168,512		
Fund Balance, Ending	\$168,512	\$287,754	\$	\$

EXHIBIT B



SPRING 2021 LABOR CLE SCHEDULE

January 12, 2021 - Wage and Hour Webinar - Joanne Lambert and Aaron W. Tandy (Recording to be made available)

January 14-15, 2021 - 21st Labor and Employment Law Annual Update and Certification Review (Virtual)

February 10, 2021 - Webinar TBD

March 17, 2021 - NLRB Update Part II Webinar - Bob Turk & Lisa Berg

April 9, 2021 - Advanced Labor Topics (Virtual)

May 5, 2021 - Webinar TBD

June 9-12, 2021 - Annual Bar Meeting - Orlando Bonnet Creek (Live meeting! Hopefully...)

EXHIBIT C

Law School Liaison Committee

Report January 12, 2021

The committee has reached out to 12 schools for the scholarship funds. We have provided the 2021 Scholarship Flyer and set a deadline of **March 1, 2021**. We will continue to follow up to make sure we get ample interested candidates in order to select recipients. The attached includes a list of school and contacts:

Ave Maria School of Law	Naples	McGowan, Kevin <KMcGowan@avemarialaw.edu>
Barry University School of Law	Orlando	Amy Lefkowitz / ALefkowitz@barry.edu
Florida A&M University College of Law	Orlando	Claudine Beale, Asst. Director of Deveelopment and Alumni Affairs, claudine.beale@famu.edu or 407-254-3266
Florida Coastal School of Law	Jacksonville	Dr. Artley JArtley@fcsf.edu
Florida International University College of Law	Miami	<i>Michelle Pestaina / pestam@fiu.edu</i>
Florida State University College of Law	Tallahassee	Nancy Benavides / Nbenavid@law.fsu.edu
Nova Southeastern University Shepard Broad Law Center	Tampa	Janet Mosseri / mosseri@nova.edu
Stetson University College of Law	St. Petersburg	Kevin Hughes/khughes@law.stetson.edu
St. Thomas University School of Law	Miami Gardens	John Hernandez, Asst. Dean of Student Affairs (jhernandez@stu.edu)
Thomas M. Cooley Law School, Tampa Bay Campus	Tampa	Laura Bare barel@cooley.edu
University of Florida Levin College of Law	Gainesville	Erin Marie Carr / carr@law.ufl.edu
University of Miami School of Law	Miami	Greg Levy glevy@law.miami.edu and Diane Quick dquick@law.miami.edu



Scholarship Opportunity for Students Interested in Labor and Employment Law

Who is awarding this scholarship?

- The Labor and Employment Section of the Florida Bar

Who can apply for this scholarship?

- Current 2Ls and 3Ls
- Enrolled in a Juris Doctor degree-seeking program at a Florida Law School
 - students visiting from an out-of-state school are *not* eligible
- With a demonstrated interest in Labor & Employment Law

What is being awarded?

- \$1000 to one student *or* \$500 split between two equal candidates
- The scholarship check is accompanied by a recognition plaque from the Section

What must I do to be considered for the scholarship?

- Prepare a cover page that includes
 - Your contact information, school, and year (2L or 3L)
 - Completed & anticipated labor and employment related course work (identifying when courses were taken or will be taken)
 - Relevant professional experience (this can include job/intern placements for the summer of 2021)
 - Your involvement in school organizations (including Law Reviews and Journals) *and* any pro bono/volunteer activity

In lieu of the above you may submit a resume or CV, which is supplemented with your relevant course work

- A 250-500 word statement expressing your interest in Labor & Employment Law
- Your name should be on each page of your submission
- Your school name **MUST** be in the subject line of the email sent to CScott@scottwagnerlaw.com

When is the application deadline?

- **March 1, 2021**

When will I be notified?

- April 2021 - Candidates will be selected by the Law School Liaison Committee of the Labor & Employment Section of the Florida Bar and are subject to the approval of each candidate's Law School

Judicial Outreach Committee

I recently held a virtual meeting of the Committee, and then I separately spoke with Judge Ray, who is the only Judge on the Committee and who was unable to attend the virtual meeting. We discussed a plan to conduct a virtual program for state court Judges on the basics of labor and employment law. The program would be directed to Circuit Court Judges. We would like to offer judicial education credit as an incentive to attend, and Judge Ray has graciously agreed to assist with that, but it is currently unknown whether that will be feasible for otherwise practical.

The next step is for me to send an email to the Chief Judges in each Circuit to gauge interest. Depending on the response, the Committee also discussed a more limited program targeted to specific Circuits in the state.

Adam S. Chotiner

EXHIBIT D

Bar Journal Report

Chair Hankins and Executive Council Members,

In advance of the **January 14th 2021** Executive Council meeting, below please find my report of the last 12 months of the Section's Florida Bar Journal activities:

Authors Currently Working

- Author Alicia H. Koepke is writing an article on accommodating employees' mental disabilities during and after the pandemic, which she expects to submit for editing in time for inclusion in the **March/April 2021** Journal issue.
- Author Jacqueline M. Prats is writing an article on DE&I initiatives and reverse discrimination claims, which she expects to submit for editing in time for inclusion in the **May/June 2021** Journal issue.
- Leslie Langbein is writing an article on the "war on arbitration" which she expects to submit for editing in time for inclusion in the **July/August 2021** Journal issue.
- Author Tracey Jaensch is writing an article on the *Lynn Foods* FLSA case which she expects to submit for editing in time for inclusion in the **September/October 2021** Journal issue.

Articles Set to Publish

- N/A

Published in Last 12 Months

- The article *Calculating Economic Losses in Eleventh Circuit Employment Termination Cases* by Author Charles L. Baum II, Ph.D., Professor of Economics, Middle Tennessee State University, was published in the **January/February 2021** Journal issue.
- The article *Social Media and the Progressive Limitations on Public Sector Employees' First Amendment Right to Free Speech*, by authors Gregory A. Hearing, Don Slesnick, Daiquiri Steele, and Matthew A. Bowles was published in the **November/December 2020** Journal issue.
- The article *Loss in the Time of Corona: Evaluating WARN Obligations during a Pandemic*, by author Alicia Koepke was published in the **July/August 2020** Journal issue.
- The article "A Whistleblower Hidden in Plain Sight: When does an employee termination risk a False Claims Act filing?" by Robert Spohrer and Dave Rodziewicz was published in the **January/February 2020** Journal issue.

As always, I appreciate the helpfulness of the members of the Executive Council and Section overall in submitting article ideas and referring aspiring authors to me. Please let me know if you have any questions associated with my report.

Regards,
Robert Eschenfelder
Bar Journal Articles Editor