



CHALLENGE STRATEGY KNOWLEDGE RESULTS

The New York City
Conference on
**Labor Law and
Labor Arbitration**

Friday
December 3, 2010

LABOR ARBITRATION INSTITUTE

The New York City Conference on Labor Law & Labor Arbitration

Advice from your colleagues, going to the library, or surfing on the web can be productive. But learning from arbitrators is the most direct route. They face these issues every day and know the arguments for labor and management.

We invite you to New York City to learn with five of the top labor arbitrators in the country.

In addition to a stellar faculty, the Conference features

- up-to-date coverage on discipline/discharge and contract interpretation issues
- all new case studies
- a variety of formats that make the material come alive.

More information about the program is provided below. Plus, feel free to call or email us at customerservice@laborarb.com, with any question.

We welcome you to learn with the best in New York City.

Agenda

7:15-8:00 a.m.

Registration and Continental Breakfast

8:00-9:00 a.m.

■ Understanding Arbitrators and the Grievance Process

A funny thing happened on the way to the Arbitration Hearing Room. Witnesses changed their testimony, another theory entered the case, and the post-hearing brief fell flat. And then, the arbitrator issued a decision based on a contract provision or philosophy that was not argued. Learn how to make the grievance process fit the arbitration, and lead to a better case or one that should settle.

Arb. George Roumell

9:00-10:15 a.m.

■ Discipline & Discharge: Cases from 2010

Using actual cases, the arbitrators explain the principles and rules that apply in these cases: workplace threats,

sexual harassment, off-duty misconduct, subpar performance and other hot areas of discipline/discharge.

Panel: Arbs. Richard Adelman, George Roumell, Jack Tillem & Bonnie Weinstock

10:15-10:30 a.m. Break

10:30-11:00 a.m.

■ Rules of Evidence

The Federal Rules of Evidence impact every step of the grievance procedure. Even if the arbitrator admits evidence which would not be admitted into a courtroom, the Rules guide an arbitrator's weight of the evidence. An interactive discussion (including real cases) to explain the evidentiary principles and rules.

Arb. Richard Adelman

11:00-11:30 a.m.

■ Procedural Due Process

Due process is defined as fundamental fairness, but to know the parameters, you have to know the history of and the milestones in judicial and arbitration decisions. When are timelines strictly applied? When should management have to re-start the discipline process rather than add charges? When can management change its mind about the quantity of discipline? An

Conference Location & Registration

The Conference will be held at The Roosevelt Hotel. The Roosevelt is a prominent landmark situated on Madison Avenue and 45th Street in midtown New York City. Its historic heritage is reflected in the meticulously restored interiors, designed to capture the original 1924 architecture and offer modern-day amenities. Next to Grand Central Station, the Roosevelt is located in the heart of Manhattan. It is within walking distance of the Empire State Building, 5th Avenue shopping and the shows on Broadway. The list of things to do — from sports to arts — is endless and makes New York one of the must-see cities of the world. It is also a good time for business travel and staying the weekend for pleasure.

There are three ways to register: online (www.laborarb.com), fax or mail in the registration form below.

Tuition is \$395.00 but if you register before August 31, 2010, the cost is \$345.00. Tuition covers admission to all sessions, course materials, continental breakfast, and the afternoon break.

We welcome you to New York City, for a dynamic and practical education.



advice-filled lecture on these and similar points.

Arb. Bonnie Siber Weinstock

11:30 a.m.-12:00 Noon

■ **Rules & Remedies**

When management writes a rule, how do you judge its reasonableness before or during implementation? Where is the ceiling and floor for a disciplinary penalty on a proven rule violation? The speaker explains the governing principles in each area, and then illustrates with cases and in answering audience questions.

Arb. Jack Tillem

12:00-1:00 p.m. Lunch (on your own)

1:00-1:45 p.m.

■ **Discipline & Discharge: Advanced Issues**

Many cases present overlapping issues, or involve weighing two equal, but opposite, principles. For example, the rule violation is not serious, but it implicates public safety or some other liability upon the company. The union wants rehabilitation, while management believes that opportunity was lost by the employee. Or the union sees disparate treatment and management sees the treatment as being more fair to all other employees. This is a new session in which the panelists render a bench decision and then analyze the case.

Panel: Arbs. Adelman, Roumell, Scheinman, Tillem and Weinstock

1:45-2:30 p.m.

■ **Contract Principles for the Novice & Experienced Advocate**

Remembering legal principles is not easy, but in this lecture the cases and the analogies discussed will help you remember and apply them. The principles range from bargaining history to specialized definitions of terms to past practice.

Arb. Martin Scheinman

2:30-2:45 p.m. Break

2:45-3:45 p.m.

■ **Contract Interpretation Cases**

One of the best ways to learn contract law is to hear the

facts of a case, get a decision, and hear the rationale from the arbitrator. The arbitrator knows that in this setting, he or she has to be succinct and get to the heart of the case quickly. There will be a wide range of contract cases, leading to an advanced discussion of several legal principles and rules.

Panel: Arbs. Scheinman, Weinstock, Tillem, Roumell & Adelman

3:45-4:30 p.m.

■ **Current Labor Law Issues**

An update in several hot areas, including judicial review of last chance agreements, drug-testing, FMLA, workweek reductions, and furloughs. The course materials will cover the topics in-depth, but the speaker explains the significance of the latest decisions and what it means for labor and management.

Arb. George Roumell

4:30 p.m. Adjournment

CLE credits

This program has been approved for Continuing Legal Education (CLE) credit. For specific states not listed below, please advise us on the registration form.

To New York Attorneys:

Application for accreditation of this course or program in New York is currently pending. Please check our website for the current information.

The Labor Arbitration Institute's financial hardship policy is in accordance with the New York State Continuing Legal Education Board's policy.

To Pennsylvania Attorneys:

The Labor Arbitration Institute is an Accredited Provider of Continuing Legal Education under the rules of the Pennsylvania Supreme Court's Continuing Legal Education Board. This program is approved for 7.0 hours of substantive law, practice and procedure CLE credits.

This activity is also approved in other states as well, so please let us know on the registration form which state(s) you need credits.



This program has been approved for 7.0 recertification credit hours through the HR Certification Institute. For more information about certification or recertification, please visit the HR Certification Institute homepage at www.hrci.org.

The use of this seal is not an endorsement by HR Certification Institute of the quality of the program. It means that this program has met HR Certification Institute's criteria to be pre-approved for recertification credit.

Registration Options

1. Register Online at www.laborarb.com
2. Complete this form and mail to the Labor Arbitration Institute
3. Complete this form and fax to 507-645-2474

Labor Law & Labor Arbitration

Friday, December 3, 2010

The Roosevelt Hotel • 45 East 45th Street • New York, NY 10017 • 212-661-9600

www.theroosevelthotel.com

Name _____ Email _____

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Name _____ Email _____

Organization _____

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Telephone (include area code) _____

Privacy Policy: The email address you provide is only used by the Labor Arbitration Institute (LAI). LAI does not sell or share its email lists, or any customer lists.

TUITION \$395.00 (when you register after August 31, 2010)
 \$345.00 (when you are registering before August 31, 2010)

PAYMENT

Check Enclosed \$ _____

Credit Card Payment \$ _____

Card Number (VISA, MasterCard or American Express) _____

Exp. Date: _____ Cardholder Signature _____

Payment must accompany registration, unless other arrangements are made ahead. Please call the conference registrar at 507-663-1220 for details. Checks may be made payable to Labor Arbitration Institute.

HOTEL ACCOMMODATIONS

Accommodations at the Roosevelt may be secured by calling the hotel direct at 212-661-9600. We also recommend consulting internet travel sites or your travel agent for the best rates to serve your travel needs.

MISCELLANEOUS

I am an attorney and request CLE credits for the state of _____.
(New York and Pennsylvania attorneys receive CLE credit as noted on the inside page.)

I cannot attend, but please send me information on future conferences.

MAIL TO: Labor Arbitration Institute
 205 South Water Street
 Northfield, MN 55057

For more information, call 507-663-1220 or FAX number 507-645-2474

