

LABOR ARBITRATION INSTITUTE

**Labor Law and  
Labor Arbitration**

Thursday

**October 21, 2010**

**Philadelphia**



KNOWLEDGE PRESERVES JUSTICE  
CHALLENGE STRATEGY

# Labor Law and Labor Arbitration

Come to Philadelphia this fall to learn the latest developments on the important topics.

The teachers are among the top labor arbitrators in the country. They are also good speakers and have the breadth of experience to draw upon actual cases and bring a real-world aspect to the training.

The agenda below gives more detail. There is also information about staying overnight, tuition, continuing education credits, and more. Please call or email us ([customerservice@laborarb.com](mailto:customerservice@laborarb.com)) with any question. Your time is valuable and this conference will maximize the investment in your own training.

We welcome you to Philadelphia!



## Agenda

**7:15-8:00 a.m.**

**Registration & Continental Breakfast**

**8:00-8:30 a.m.**

### ■ Rules of Evidence

The Federal Rules of Evidence impact every step of the grievance procedure. When you interview witnesses, you have to consider the rules on relevance, competency and hearsay. In the arbitration hearing room, another complication is added: the arbitrator lets everything into the record, and then ignores any evidence that would have been inadmissible under the Rules. Keep up-to-date with this new lecture.

*Arb. Steve Wolf*

**8:30-10:00 a.m.**

### ■ Discipline & Discharge: Cases from 2010

Using actual cases, the arbitrators explain the principles and rules that apply in these cases: workplace threats, computer misuse, sexual harassment, off-duty misconduct, subpar performance and other hot areas of discipline/discharge.

*Panel: Arb. Walter De Treux, Joan Parker, George Roumell, John Paul Simpkins, Steve Wolf*

**10:00-10:15 a.m. Break**

**10:15-11:00 a.m.**

### ■ Serious Offenses

They are referred to as the cardinal offenses – theft, assault and sabotage, but it should be more accurately described as: Theft of a substantial amount, the unprovoked assault on a supervisor, and the intentional undermining of the employer's operation. Some add to this: gross insubordination (persistent refusal), drug-use in a safety-sensitive position, and off-duty misconduct involving moral turpitude. A new lecture on the elements and pitfalls in each kind of case.

*Arb. Walt De Treux*

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

### ■ Due Process Principle & the Affirmative Defenses

The principle of due process has existed for hundreds of years, but it continues to be refined based on court decisions, statutory protections and social standards. An interactive discussion of this important doctrine, plus advice about the affirmative defenses (disparate treatment, excuse, condonation).

*Arb. Joan Parker*

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

## 1:00-2:00 p.m.

### ■ Discipline & Discharge: Advanced Issues

The arbitrators issue bench decisions in a range of cases in which the facts are not the issue, but which legal or arbitral principle should prevail. A technician innocently brings an air gun to work, a driver upsets a customer, an employee wants to talk about their love life, but not to everyone and especially the grievant. The panelists explain how to cut through the issues.

*Panel: Arbs. De Treux, Wolf, Parker, Roumell & Simpkins*

## 2:00-2:45 p.m.

### ■ Contract Law

Knowing the principles of contract law is indispensable to any contract interpretation case. A fast-paced discussion of the most important principles.

*Arb. George Roumell*

## 2:45-3:00 p.m. Break

## 3:00-3:45 p.m.

### ■ Contract Interpretation & Past Practice

One of the best ways to learn is to hear the facts of a case, and have the arbitrator explain their decision if they had been the arbitrator in that case. The arbitrator knows that in this setting, he or she has to

be succinct and get to the heart of the case quickly. The cases we present to the panel are a wide range of contract cases, so the panel discusses many of the legal principles and rules.

*Panel: Arbs. Wolf, Simpkins, Roumell, Parker & De Treux*

## 3:45-4:30 p.m.

### ■ Direct & Cross-Examination Questions

Asking a question on direct is not just a matter of having the witness tell a story. And cross-examination is not the invasion of Europe. Advice for the novice and experienced practitioner.

*Arb. Wolf*

## 4:30 p.m. Adjournment

## Conference Location & Registration

The conference will be held at the Pennsylvania Convention Center, 1101 Arch Street, in the heart of Philadelphia. This city is one of the most popular cities of the country. The theaters, restaurants, jazz clubs, and shopping are among the best in the world, and just a short walk from your hotel or the Convention Center.

Philadelphia is also an easy travel destination. By car, the Convention Center is a few minutes from I-95. The Philadelphia International Airport is 10 miles away. SEPTA train line R-1 connects the airport directly to Center City and the Convention Center, along with Amtrak operating out of the 30th Street Station.

If you want to stay overnight, there are several hotels nearby. We list the nearest ones on the registration form.

For more about what is happening in Philadelphia, visit the website: [www.visitphilly.com](http://www.visitphilly.com).

The conference tuition of \$350 includes admission to all sessions, the course book on CD, the workbook, and all breaks. You can save \$75 if you register before July 30, because early enrollment tuition is \$275. See the registration form or visit us online at [www.laborarb.com](http://www.laborarb.com).



## Earn CLE or Continuing Education Credits

Attorneys and HR professionals can earn credit toward their licenses.

The number of credits for attorneys depends on the state. Please let us know on the registration form where you hold a license. (Most often, it is 7.0 CLE credits.)

This program has also 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](http://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](http://www.laborarb.com)
2. Complete this form and mail to the Labor Arbitration Institute
3. Complete this form and fax to 507-645-2474

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Pennsylvania Convention Center, Room 103 • 1101 Arch Street • Philadelphia PA 19107 • [www.paconvention.com](http://www.paconvention.com)

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**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**            \$350.00 per registrant (if registering after July 30, 2010)  
                             \$275.00 per registrant (if registered before July 30, 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

#### Hilton Garden Inn

1100 Arch St  
Philadelphia PA 19107  
215-923-0100  
[www.hiltongardenphilly.com](http://www.hiltongardenphilly.com)

#### Hampton Inn Convention Center

1301 Race St  
Philadelphia PA 19107  
215-655-9100  
[www.hamptoninn.com](http://www.hamptoninn.com)

#### Holiday Inn Express Midtown

1305 Walnut St  
Philadelphia PA 19107  
215-735-9300  
[www.ichotelsgroup.com](http://www.ichotelsgroup.com)

### MISCELLANEOUS

I am an attorney and request information on CLE credits for the state of \_\_\_\_\_.

*Pennsylvania attorneys please note: 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.*

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