

Registration Form

June 21, 2019



16th Annual Conference of the New England Consortium of State Labor Relations Agencies

Complete and mail registration form to:

Melinda Moz-Knight, Vermont Labor Relations Board, 133 State Street, Montpelier, VT 05633-6101.

Name _____
Prefix (Mr., Mrs., Dr., etc.) *First* *Last*

First Name Preferred on Badge _____ Title _____

Organization _____

Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____ E-Mail _____

Special Needs: If you require ADA accommodations, or have special dietary needs, please contact Robyn H. Golden at Robyn.Golden@rislrb.ri.gov.

Continuing Legal Education (CLE) credits are pending in New Hampshire, New York, Rhode Island, Vermont, and Maine.

Registration

Registration Fee: Early Registration -
(Postmarked by May 24, 2019) - \$175 per person
(Postmarked after May 24, 2019) - \$195 per person

Make checks payable to:
New England Consortium of
State Labor Relations Agencies

Federal ID #04-0285239 (*must be on the check*)

Registration fee includes all conference meals, breaks,
and materials.

For additional conference information, please contact:

Melinda Moz-Knight

Phone: (802) 828-2700 • Fax: (802) 828-2392

E-mail: melinda.moz-knight@vermont.gov

or

Robyn H. Golden

Phone: (401) 462-8771 •

E-mail: Robyn.Golden@rislrb.ri.gov

Hotel

Attendees must make their own reservations.

The Desmond Hotel Albany

660 Albany Shaker Road,
Albany, New York, 12211

For reservations, visit the hotel website at

www.desmondhotelsalbany.com/

Click on "Book Now" twice, enter dates of your stay,
then enter the group code "NEP," and click on
"search" or

call the hotel directly to customize your reservation at
(518) 869-8100

Mention the conference code **NEP**.

King Size; Single occupancy/double occupancy \$113.00
plus applicable tax • No Parking Fee

Many Amenities On Site including
heated indoor pool ♦ fitness center ♦ billiards room
Shuttle from Albany International Airport is available.

Cancellations and Refunds: Registration substitutions may be made at any time without charge. Refunds are subject to a \$25 administrative fee and will be issued for cancellations in writing received prior to June 1, 2019. No-shows and cancellations received after June 1, 2019 are subject to full conference registration fees.

Accommodations



The Desmond Hotel Albany
660 Albany Shaker Road
Albany, New York 12211
(518) 869-8100

Reservations

Directions for Reserving Guestrooms

Go to the hotel website: www.desmondhotelsalbany.com
In the upper right hand corner click on "Book Now"... a new page will appear... click "Book Now" again...
enter dates of your stay... then in the box below enter GROUP CODE - **NEP**.

or

Call the hotel at (518) 869-8100, ask for reservations, and state the GROUP CODE - **NEP**.

The group discounted rate will populate automatically, select your room type desired from the choices available.
If you prefer a different room type, call the hotel directly to customize your reservation.

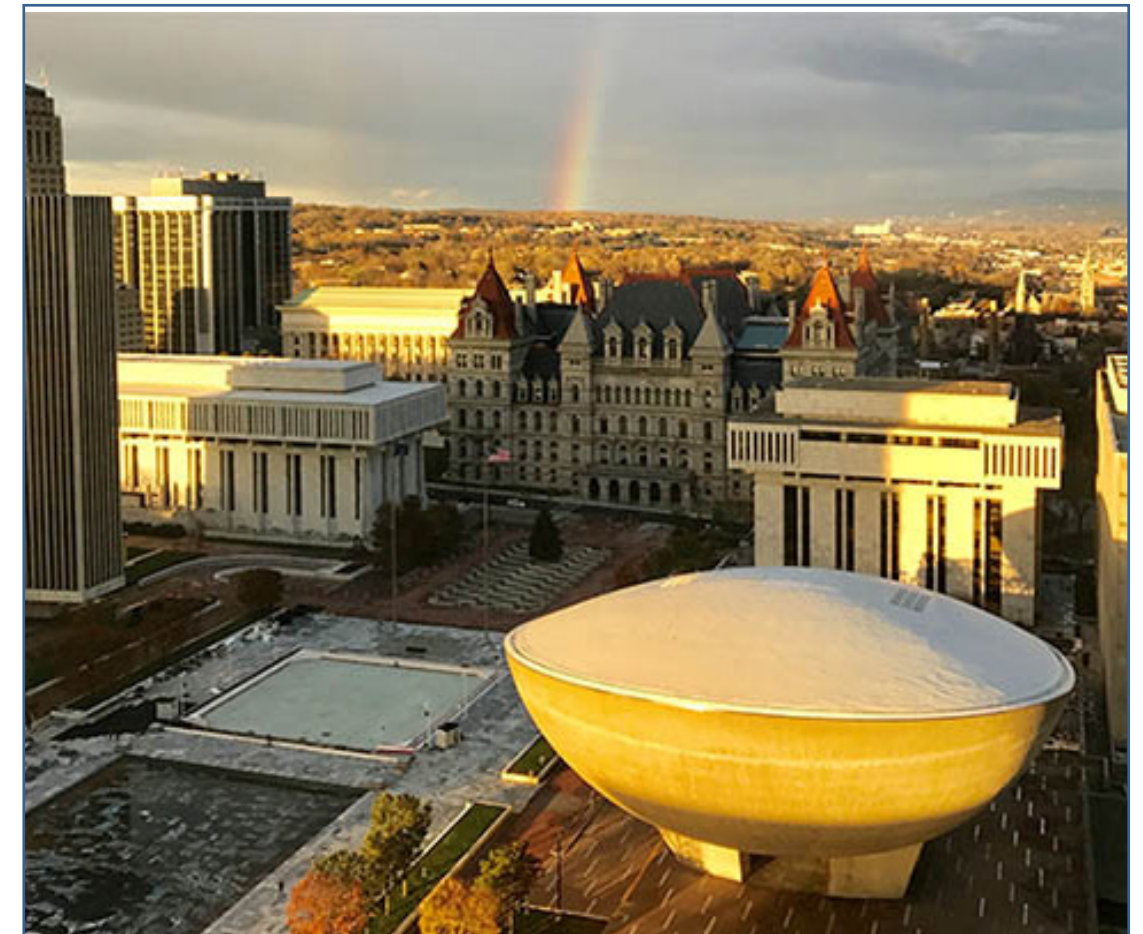


New England Consortium of State Labor Relations Agencies 16th Annual Conference



The Desmond Hotel Albany
Albany, New York
Friday, June 21, 2019

Discover the latest "game changing" factors impacting the new world of labor/management relations.





Sarah W. Cudahy, Esq. Keynote Speaker

Sarah W. Cudahy is the Executive Director and General Counsel of the Indiana Education Employment Relations Board.

Sarah began her legal career as a Judicial Law Clerk for Justice Theodore Boehm of the Indiana Supreme Court. She then worked in Chicago as a Labor & Employment Associate at Barnes & Thornburg LLP, and later at the Labor and Employment Law Firm of Laner Muchin, Ltd.

Sarah graduated Summa Cum Laude from Boston University with a B.A. in Education, Public Policy, and European Studies. She earned her law degree from Washington University in St. Louis.

Sarah currently serves as the Vice President of Professional Development for the Association of Labor Relations Agencies and is a government fellow for the American Bar Association Labor and Employment Law Section's State and Local Government Bargaining and Employment Law Committee.

Friday, June 21, 2019

8:00 a.m. - 9:00 a.m. **Registration**

9:00 a.m. - 9:10 a.m. **Welcome Address**

John F. Wirenius Chair, New York State PERB (NY)
Executive Director, New England Consortium of State Labor Relations Agencies

9:10 a.m. - 10:30 a.m. **Keynote Address**

"Lessons from the Midwest... What can the Survival of Collective Bargaining in Right-to-Work States Teach the Northeast?"

Speaker: Sarah W. Cudahy, Esq., Executive Director and General Counsel of the Indiana Education Employment Relations Board (IN)

Can the survival of collective bargaining in right-to-work states provide lessons to ameliorate the impact of the Supreme Court's Janus vs. AFSCME decision? Please join us for a presentation that has sparked the interest of countless individuals... a subject matter that will enlighten you by addressing the surprising stability of union membership in right-to-work states and the factors that may be keeping collective bargaining viable there. Might the same factors apply to *your* state in a post-Janus world?

10:30 a.m.- 10:45 a.m. **Break**

10:45 a.m.- 12:00 p.m. **Plenary Session**

"So Happy Together? The Care and Feeding of Healthy Collective Bargaining Relationships."

Speakers: Amy Lamontagne, Asst. Town Manager, Town of Falmouth (ME);
John Langan, Director, Office of Employee Relations, Commonwealth of Massachusetts (MA);
Alan McDonald, Esq., McDonald Lamond Canzoneri (MA)
James J. McGovern, III, Esq., Genova Burns LLC (NJ);
Sergeant Jeffrey Pardue, Falmouth Police Department, Falmouth (ME);
Steven P. Weissman, Esq., Weissman & Mintz (NJ);

Do they need "couples therapy" or can they work it out on their own? Pairs of panelists from both sides of the table will share their successes and challenges in creating and maintaining stable, productive and cooperative collective bargaining relationships as a means of avoiding and resolving labor disputes. Join us for what is sure to be stimulating discussion about the processes and results of negotiations and where they go from here.

12:15 p.m.- 1:30 p.m. **Lunch**

1:30 p.m. - 2:45 p.m. **Concurrent Workshops**

(A) "Sacked for Off-the-Clock Activity"

Speakers: Lori Caron Silveira, Esq., Shareholder, Adler Pollock & Sheehan, PC (RI),
Elizabeth Wiens, Esq., Gursky Wiens, Attorneys at Law, LTD (RI)

To what extent may an employer impose discipline for off-duty conduct? Can an employee be terminated for social media activity? What about use of medical marijuana or recreational pot or domestic violence incidents or other criminal activity? Participate in this interactive discussion focusing on the required nexus between off-duty conduct and the workplace that determines whether an employer may impose disciplinary action for "just cause."

Friday, June 21, 2019, continued

1:30 p.m. - 2:45 p.m. **Concurrent Workshops**

(B) "Not Your Grandparent's or Even Your Parent's Ethics... Legal Ethics in the Electronic Age... Ten Years Later..." (CLE Credit Available)

Speakers: Seth H. Greenberg, Esq., Greenberg Burzichelli Greenberg P.C. (NY);
Jeffrey W. Kastle, Esq., RI State Labor Relations Board (RI);
Christopher R. Scoville, Esq., Office of Robert T. Reilly, NY State United Teachers (NY);

Remember when a "friend" was someone you actually saw on a regular basis? And "friended" was a typo? The exponential spread of social media into all aspects of society has fundamentally changed how people interact and language itself. And legal ethics is not immune. Facebook, Twitter, Google, metadata and an arbitrator's blog are all things your grandparents, parents and *maybe even you*, have never heard of. Yet all offer tantalizing discovery opportunities and ethical pitfalls. This panel will discuss these issues and how modern social media impacts the longstanding ethical rules that govern the practice of labor law and interaction with clients, potential clients, adversaries and neutrals . . . And no "trolling" allowed.

(C) "Optimizing Mediation: Lessons From New York's Three Impasse Procedures"

Speakers: William Conley, Esq., Assistant Director of Conciliation, New York State PERB (NY);
Ron Dunn, Esq., Gleason, Dunn, Walsh & O'Shea (NY);
James E. (Jay) Girvin, Esq., Girvin & Ferlazzo, PC (NY);

Most seasoned advocates have their own well-honed techniques for getting the best result for their clients when contract negotiations end up in mediation. But what happens when mediation is governed by one of the three very different procedures under New York's Taylor Law (which established public sector collective bargaining in New York)? With different rules applying to school employees, first responders, and other public sector employees, different mediation techniques have evolved when the endgame is interest arbitration, fact finding or a legislative override. In this interactive session, a panel of highly experienced union and management advocates and an experienced mediator will discuss how the different endgames imposed by the Taylor Law changes tried and true mediation methods and ensures that the parties "bring the right tools to the table."

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

3:00 p.m. - 4:15 p.m. **Plenary Session**

"Post-Janus Litigation - Pending Constitutional and Legal Challenges - The Increasing Constitutionalization of Public Sector Labor Law"

Speakers: Timothy Casey, Esq., Massachusetts Assistant Attorney General (MA);
Joel Weisblatt, Esq., Chair, New Jersey PERC (NJ);
John Wirenius, Esq., Chair, New York State PERB (NY)

Has the Janus decision turned the First Amendment into a constitutional sword that will continue to stab at the heart of public sector unions? Is the exclusive representative doctrine about to be carried off on its First Amendment shield? Will non-members gain the right to write the next collective bargaining agreement and go to the union's summer outing? Join a distinguished group of panelists as they discuss post-Janus challenges to union exclusivity, pending class actions across the country seeking to recover pre-Janus fees, and the possible retroactive application of Janus under a new theory of reliance on the United States Supreme Court's precedents. Was Janus the beginning of the end of public sector collective bargaining? What's coming next?

Agency Representatives

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continued on next page