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LABOR ARBITRATION INSTITUTE

KNOWLEDGE RESULTS

Labor Law & Labor Arbitration

Tuesday

November 16, 2021

Boston

Labor Law and Labor Arbitration

The place to learn is where the teachers are in the top tier, the materials tackle the tough issues, your questions are answered, and the instruction is practical so you can put the training to use.

Come to Boston this Fall, and learn the latest developments in labor law and labor arbitration.

The agenda below gives more detail about what you will learn. There is also information about staying overnight, tuition, continuing education credits, and more. Please call or email us (customerservice@laborarb.com) with any question.

We welcome you to Boston to learn with the best.

Registration, Location & Visiting Boston

The conference will be held at the Hynes Convention Center, 900 Boylston Street, Boston (www.massconvention.com). The Hynes (and our Meeting Room 304) has all of the accoutrements of a conference center, with an excellent sound system and comfortable setting.

Parking facilities are listed on the Hynes Convention Center website (www.massconvention.com); plus there are several hotel parking garages within 1-3 blocks of the Hynes Convention Center.

For overnight accommodations, we recommend contacting your travel agent or in-house travel bureau.

Boston has events and activities for all ages and tastes. Check out the website, www.bostonusa.com for an easy-to-use listing of hotels, restaurants, shopping and tourist sites — all within walking distance of the conference location.

The conference tuition of \$425 includes admission to all sessions, course materials, and all breaks. You can save \$75 if you register before August 31. See the registration form or visit us online at www.laborarb.com.

Agenda

7:15-8:00 a.m.

Registration & Continental Breakfast

8:00-8:30 a.m.

■ Rules of Evidence

The following rules (from the federal Rules of Evidence) are important to understand because they are often applied in arbitration: relevance, hearsay, laying a foundation for a document, and circumstantial evidence. Whether you handle a case in the grievance procedure or at the arbitration hearing, this lecture will help you understand the case from a labor arbitrator's perspective.

Arb. Richard Adelman

8:30-9:30 a.m.

■ Evidentiary Issues

The panelists discuss actual cases in which the evidentiary issue was a key to the case. The discussion includes the theory and practical application of several Rules of Evidence. This is often rated the highest session of the conference because the issues come alive and so many cases are fact driven. Get your evidence into the record, and know when you must object.

Panel: Arbs. Richard Adelman, Jeff Cassidy, Harry Graham, Joan Parker & Beth Wolfson

9:30-10:00 a.m.

■ Due Process

The principle of due process is not easily defined, but arbitrators have consistently held that disparate treatment and lax enforcement are due process violations. And other violations can also put management's case in peril, such as delay in administering discipline and not interviewing the grievant before making a decision. A quick overview of the doctrine and then, a review of actual cases.

Arb. Joan Parker

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

10:15-11:30 a.m.

■ Discipline & Discharge: Hot Issues

We present recent cases to the panel on the difficult issues. The learning part is in hearing from each panelist, as they discuss the legal and arbitral principles. The subjects covered will be absenteeism, harassment (sex & race), subpar performance, and threats. These are close cases so the panelists may not always agree. This becomes another learning opportunity because it will affect your case preparation.

Panel: Arbs. Wolfson, Parker, Graham, Cassidy & Adelman

11:30 a.m.-12 Noon

■ Insubordination

If your workplace is one where requests are orders, and where employees already know the consequences for refusal, you have already met 2 of the 3 elements. The third one, whether there was a refusal, is trickier. An update on insubordination and the related doctrine of “obey now, grieve later.”

Arb. Jeffrey Cassidy

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

1:00-1:30 p.m.

■ Social Media

Some arbitrators advise employees to completely stay off social media when it comes to their employment. And some employers permit personal use of the internet at work, within general or specific limits. A lecture on the issues and likely resolution of discipline for rule violations and off-duty misconduct.

Arb. Beth Wolfson

1:30-2:15 p.m.

■ Contract Interpretation

Whether you're a novice or experienced practitioner, this lecture will give you many tips and strategies for arguing a case. The lecture covers some of the contract law maxims, but the focus is more on understanding how arbitrators decide contract interpretation cases..

Arb. Richard Adelman

2:15-3:00 p.m.

■ Contract Interpretation:Applying the Rules

The arbitrators discuss actual cases from this year. The cases are factually straightforward. And both sides have good arguments. We start with the simplest case and end with one of the most complex. All will give you a better understanding of this area of law.

Panel: Arbs. Parker, Wolfson, Adelman, Cassidy & Graham

3:00-3:15 p.m. Break

3:15-4:00 p.m.

■ Past Practice

One of the highest rated lectures ever given on this complex subject. Learn more about its application to your relationship, plus advice on how to terminate a practice.

Arb. Joan Parker

4:00-4:30 p.m.

■ Judicial & Arbitration Terms

The speaker explains these and other terms: without prejudice & precedent, double jeopardy, estoppel, make whole, status quo ante, and many more.

Arb. Harry Graham

4:30 p.m. Adjournment

Faculty

The faculty members are all highly respected labor arbitrators and teachers. **Richard Adelman** is a long-time labor arbitrator with a national practice. He was a teaching fellow at Stanford and an attorney in New York City. **Jeff Cassidy** joined the arbitrator ranks after a successful career as an advocate, so he understands the challenges which the parties face. **Harry Graham** is a distinguished labor arbitrator and professor who taught at Cleveland State University. **Joan Parker** taught at Rutgers University and is one of the nation's top labor arbitrators. And **Beth Wolfson** is a prominent labor arbitrator based in Boston, where she also taught at a university and a law school. All enjoy teaching and look forward to answering your questions.

Continuing Education Credits

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



This program is valid for 7.0 PDCs for the SHRM-CPsm or SHRM-SCPsm. For more information about certification or recertification, please visit

www.shrmcertification.org

This program has also been approved for 7 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 scan/email to: registrar@laborarb.com
3. Complete this form and fax to **507-645-2474** (or mail to address below)

Labor Law & Labor Arbitration

Tuesday, November 16, 2021

John B. Hynes Veterans Convention Center (Room 304)

900 Boylston Street • Boston, MA 02115 • www.massconvention.com

Name _____ Name _____

Title _____ Title _____

Email _____ Email _____

Name _____ Name _____

Title _____ Title _____

Email _____ Email _____

Organization _____

Address _____

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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: \$425.00 per registrant (if registering after August 31, 2021)

\$350.00 per registrant (if registered before August 31, 2021)

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

The Hynes Convention Center is within walking distance of several hotels, and one is connected. Boston Discovery Guide on the web is an excellent on-line resource for hotels in the Back Bay.

MISCELLANEOUS

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

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.