

Register online: laborarb.com

LABOR ARBITRATION INSTITUTE

Labor Law and Labor Arbitration

Wednesday

May 24, 2023

Cleveland

KNOWLEDGE RESULTS

CHALLENGE STRATEGY

Labor Law & Labor Arbitration

Spend a day with labor arbitrators who are good teachers and understand the practical side of the grievance procedure and the arbitration hearing. As a group, they have heard thousands of cases. They will cover the arbitral & legal principles in the areas of discipline and contract law.

The agenda below gives more detail. There is also information about staying overnight, tuition, and continuing education credits. Please email us (customerservice@laborarb.com) with any questions.

We welcome you to Cleveland. Your time is valuable and this conference will maximize the investment in your own training.

Agenda

7:15-8:00 a.m.
Registration and Continental Breakfast

8:00-8:30 a.m.

■ Evidence

The Rules of Evidence apply to every step, in that it affects investigation, admissibility at the hearing, and the weight that arbitrators give different kinds of evidence. This is refresher for the experienced practitioner and a good introduction for the new person..

Arb. Walt De Treux

8:30-9:30 a.m.

■ Evidentiary Issues

The panelists discuss the Rules in the context of actual cases. The issues are: relevance, hearsay, expert testimony and circumstantial evidence..

Panel: Arbs. Richard Adelman, Walt De Treux, Mark Suardi & Kathryn VanDagens

9:30-10:15 a.m.

■ Due Process

The principle of due process (also known as the doctrine of fundamental fairness) is rooted in civil and criminal law. Arbitrators are committed to ensuring that the hearing process is fair and the outcome comports with societal notions of fair play and justice. This session will cover the vagueness doctrine, disparate treatment, lax enforcement, delay in discipline, reasonable penalty, and much more.

Arb. Mark Suardi

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

10:30 a.m.-12:00 Noon

■ Discipline & Discharge

The faculty members discuss the principles and

Registration & Location

The conference will be held at the Intercontinental Hotel on the campus of the Cleveland Clinic. This facility is ideal for educational meetings. If you stay overnight, you will be steps away from the conference. For overnight accommodations, please check with the hotel's reservations department.

The cost is \$525, but if you register before February 28, 2023, the early enrollment rate is \$450. This fee covers admission to all sessions, the workbook and all breaks.



This is our classroom at the Intercontinental Hotel. Most days, the Conference Center is used by the Cleveland Clinic for continuing medical education. But each year at this conference, you can learn from the top labor arbitrators in an ideal educational setting.

laws in these hot areas: absenteeism, computer misuse, off-duty misconduct, sexual harassment, and workplace threats. They comment on actual cases and specifically, what the parties argued. This format makes the issues come alive and gives you immediate answers.

Panel: Arbs. VanDagens, Suardi, De Treux & Adelman

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

1:00-1:30 p.m.

■ **Marijuana**

The testing protocol for drug-testing is well-established, but now come the issues for medical and recreational marijuana. The old issues of impairment, cut-off levels and rehabilitation are now cast in a new light. A review of the current status and what labor arbitrators are doing.

Arb. Walt De Treux

1:30-2:00 p.m.

■ **Insubordination**

The three elements are straightforward, but problems arise in these areas: The culture is for the supervisor to issue requests instead of orders. The refusal is not out-right. The supervisor does not remind the employee of the consequences for refusing. Plus, does the health & safety exception apply? A new lecture on this age-old topic.

Arb. Richard Adelman

2:00-2:45 p.m.

■ **Contract Interpretation**

Whether you're a novice or an experienced practitioner, this lecture will give you an analytical structure for contract interpretation cases. And for the advanced, many nuggets of wisdom. Contract law is key to understanding the collective bargaining agreement.

Arb. Kathryn VanDagens

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

3:00-3:45 p.m.

■ **Contract Interpretation: Applying the Rules**

All new cases to illustrate how arbitrators reach a decision based on the legal principles. Both sides raise good arguments. And the discussion among the arbitrators can become spirited. This learning format is effective because you hear the arguments as they could be applied to your collective bargaining agreement, and about the arbitrators' decision-making process.

Panel: Arbs. Suardi, VanDagens, Adelman & De Treux

3:45-4:30 p.m.

■ **Past Practice**

In a new approach to the topic, the speaker walks us through two cases that illustrate the role of past practice and the interplay with contract interpretation principles.

Arb. Richard Adelman

4:30 p.m. Adjournment

Faculty

In alphabetical order, **Richard Adelman** is a highly sought-after labor arbitrator and umpire under several major agreements. He started his career at the NLRB and in private practice. **Walt De Treux** also practiced labor law before becoming a labor arbitrator. He is among the top tier of labor arbitrators in the country. **Mark Suardi** is one of the top labor arbitrators in the Midwest. He previously practiced law and taught as an adjunct professor. **Kathryn VanDagens** is a prominent labor arbitrator, after first practicing law and teaching at Michigan State University's law school. She is on numerous panels. All of the faculty members enjoy teaching and helping advocates who process grievances and prepare/present cases.

CLE and Continuing Education Credits

Attorneys and HR professionals can earn credit. The number of credits for attorneys depends on the state. Please let us know on the registration form (or the online form) where you hold a license. (Most often, it is 7.0 CLE credits.)

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 7.0 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 or email to registrar@laborarb.com

Labor Law & Labor Arbitration

Wednesday, May 24, 2023

InterContinental Hotel Cleveland • 9801 Carnegie Avenue • Cleveland, OH 44106 • 216-707-4100

intercontinentalcleveland.com

Name _____ Name _____

Title _____ Title _____

Email _____ Email _____

Organization _____

Address _____

City _____ State _____ Zip _____ Zip+4 _____

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:

\$450.00 per registrant (if registered before February 28, 2023)

\$525.00 per registrant (if registering after February 28, 2023)

PAYMENT

Check Enclosed \$ _____

To register with a credit card, please use our online registration system at www.laborarb.com

HOTEL ACCOMMODATIONS

A block of rooms has been reserved at the InterContinental Hotel, the site of the conference. The group rate is \$195 single or double occupancy. The room block is limited, so we recommend that reservations be made as early as possible (The group rate expires on April 22, 2023). Reservations can be made by calling the InterContinental at 1-216-707-4100 or 855-765-8709. Be sure to mention that you are attending the Labor Arbitration Institute conference in order to receive the discounted rate. There is also a link to the hotel on our website (laborarb.com)

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