



CHALLENGE STRATEGY KNOWLEDGE RESULTS

Labor Law and Labor Arbitration

Los Angeles
Thursday, January 11, 2024

LABOR ARBITRATION INSTITUTE

laborarb.com

Labor Law & Labor Arbitration

There are many ways to learn and stay up-to-date. But learning from arbitrators is the most direct route. They face the issues every day and hear the arguments from both sides.

In addition to a stellar faculty, the Conference features:

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

More information about the program is provided below. Please email us at customerservice@laborarb.com, with any question.

We welcome you to Los Angeles for a first-rate education and training.

Faculty

All of the faculty members are in the top tier of labor arbitrators. They are student-focused so you learn the material in a practical and dynamic way. They enjoy teaching and are committed to making this a genuine learning experience. In alphabetical order: **Christopher Cameron** is both a labor arbitrator and law professor (at Southwestern Law School, Los Angeles). He is on numerous panels. **Andrea Dooley** is a popular labor arbitrator based in San Francisco. She was previously a labor attorney at a large law firm and for a major corporation. **Juan Carlos Gonzalez** is an attorney and former FMCS commissioner. He has been a labor arbitrator for over 20 years and serves on several panels. **Yuval Miller** is a prominent labor arbitrator. He began his career practicing law at two law firms. **Joan Parker** is a long time labor arbitrator, serving as arbitrator or umpire under many national agreements. She is a professor (emeritus) at Rutgers University.

Agenda

7:15-8:00 a.m.

Registration & Continental Breakfast

8:00-8:30 a.m.

■ Rules of Evidence

When you investigate or process a grievance, the Rules of Evidence come into play. And there are two aspects: whether the evidence will be admitted and what weight it will be given by the arbitrator. Learn about the rules on relevance, hearsay, expert opinion, privileged communications and circumstantial evidence.

Arb. Joan Parker

8:30-9:30 a.m.

■ Evidentiary Issues

As a sequel to the lecture, the panelists discuss actual cases. The arbitrators rule as if they were the arbitrator in the actual case. The educational value is listening to their rationale and how the parties could have presented the evidence.

Panel: Arbs. Chris Cameron, Andrea Dooley, Juan Carlos Gonzalez, Yuval Miller & Joan Parker

9:30-10:00 a.m.

■ Evidence: Special Categories

When you rely on specific kinds of evidence, it's important to understand what arbitrators look for. A new lecture on Doctor's notes, Investigator's Reports, Videotape, Accident Reconstruction, and Expert Testimony in such areas as handwriting analysis and production standards.

Arb. Chris Cameron

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

10:15-10:45 a.m.

■ Contract Interpretation

This presentation provides a structure to understand contract law, plus practical advice on the maxims, the role of bargaining history and case strategy.

Arb. Andrea Dooley

10:45-11:15 a.m.

■ Contract Interpretation: Recent Cases

Building on the previous lecture, the panelists discuss actual cases. The cases are factually straightforward, and both sides have good arguments about the application of contract law principles. An engaging way to understand this area of law.

Panel: Arbs. Miller, Parker, Dooley & Gonzalez

11:15 a.m.-12:00 Noon

■ Past Practice

The speaker explains both how powerful and limiting the past practice doctrine is. For example,

it applies only to employee benefits, but what about quasi-benefits? When can a supervisor bind upper management or a local steward bind union leadership? How much do the business circumstances have to change, in order for the employer to get out from underneath a binding past practice? And when can a past practice prevail over clear language in the contract? This lecture will be eye-opening, and followed by short examples to illustrate the doctrine.

Arb. Joan Parker

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

1:00-3:00 p.m.

■ Discipline & Discharge:

Cases from 2022 and 2023

The arbitrators discuss the latest cases in these hot areas: harassment, job performance, workplace threats, absenteeism, marijuana, off-duty misconduct, and more. The arbitrators give a bench ruling and then discuss their rationale — an excellent way to learn how arbitrators apply the just cause provision.

Panel: Arbs. Dooley, Gonzalez, Miller, Parker & Cameron

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

3:15-3:45 p.m.

■ Witnesses: Advocate's Role

This is not an easy role: to choose the witnesses, prepare them, ask questions on direct, and then incorporate their testimony in your closing statement or post-hearing brief. Consider also how arbitrators decide credibility, view cases when a grievant doesn't testify, or when groups collude in their testimony, or when documentary evidence goes the other way. A new lecture on advocacy challenges.

Arb. Yuval Miller

3:45-4:30 p.m.

■ External Law

The arbitrators discuss actual cases in which external law was outcome determinative. Whether or not you have an anti-discrimination clause in your contract, arbitrators strive to harmonize a decision with what the law requires of employers and employees. For example,

an OSHA regulation can defeat an insubordination charge. A state law on sick leave can affect your absenteeism policy. Can a local law limiting parking spaces for climate and zoning overrule a past practice of free parking. These and other issues will be covered.

Panel: Arbs. Gonzalez, Miller, Parker, Cameron & Dooley

4:30 p.m. Adjournment

Register Early & Save

The cost is \$525, but if you register before October 15, 2023 the cost is \$450. This fee covers admission to all sessions, the workbook, and all breaks.

Earn CLE or Continuing Education Credits

Attorneys and HR professionals can earn credit toward their licenses and certification. 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 been approved for 7.0 recertification credit hours through the HR Certification Institute. For more information about certification or recertification, please visit www.hrci.org.



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



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.

Location

The program is at the Los Angeles Convention Center in downtown Los Angeles. The meeting room is Room 408 which is easily reached from the West Hall and West Hall Parking garage. The LA Convention Center is in the heart of downtown Los Angeles's legal, financial, government and retail district. It is just 15 miles from Los Angeles International Airport (LAX),

18 miles from Burbank Airport, and a short drive to major entertainment, sporting venues and cultural attractions, theme parks and Southern California beaches. In addition to easy highway access, the Center is within walking distance of the MetroStation and is serviced by DASH, downtown's commuter express. The convention center's website is www.lacclink.com.

Registration Options

1. Register Online at www.laborarb.com

2. Complete this form and scan to registrar@laborarb.com OR fax to 507-645-2474

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Los Angeles Convention Center (Room 408)
1201 S. Figueroa Street, Los Angeles, CA 90015
www.lacclink.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 \$525.00 per registrant (if registering after October 15, 2023)
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PAYMENT

Credit card payment is available by registering through our website, laborarb.com

Check Enclosed \$ _____

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

There are several hotels within a block of the Los Angeles Convention Center. Parking is available in the West Hall Parking garage at the Convention Center, so it is easy to drive in and out.

MISCELLANEOUS

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

The Labor Arbitration Institute certifies that this activity has been approved for MCLE credit by the State Bar of California in the amount of 7.0 hours. This activity is also approved in other states. Please let us know in which state(s) you hold a license.

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

MAIL TO: Labor Arbitration Institute
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For more information, call 507-663-1220 or FAX number 507-645-2474

