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# LABOR ARBITRATION INSTITUTE

## Labor Law and Labor Arbitration

Friday  
March 22, 2024  
St. Louis

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## Registration Options

1. Register online at [www.laborarb.com](http://www.laborarb.com)

2. Complete this form and mail to address below or scan / email to: [registrar@laborarb.com](mailto:registrar@laborarb.com)

## Labor Law & Labor Arbitration

Friday, March 22, 2024

Le Meridien Hotel - Clayton • 7730 Bonhomme Avenue • St. Louis, MO 63105

Name \_\_\_\_\_ Name \_\_\_\_\_

Title \_\_\_\_\_ Title \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

Organization \_\_\_\_\_

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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:** \$450.00 per registrant (if registering after December 15, 2023)

\$375.00 per registrant (if registered before December 15, 2023)

### Payment

☐ Check Enclosed \$ \_\_\_\_\_

For credit card payments, please use the online registration system ([laborarb.com](http://laborarb.com)). Payment must accompany registration, unless other arrangements are made ahead. Please email the conference registrar at [customerservice@laborarb.com](mailto:customerservice@laborarb.com) with any question. Checks may be made payable to Labor Arbitration Institute.

### Hotel Accommodations

A block of rooms has been reserved at Le Meridien St Louis (Clayton), the site of the conference. Conference attendees and everyone in their party are entitled to a group rate of \$170 for the evening before the conference.

To book a sleeping room, please use the hotel link, available on our website ([laborarb.com](http://laborarb.com)). The link is highlighted on the page that advertises this program (under Facilities Description). Go to [laborarb.com](http://laborarb.com), click on Conferences, then click on St Louis conference and scroll down to Facility Description and Hotel Accommodations. The hotel's link will be highlighted.

Please make your reservation as early as possible. The group rate will expire on February 21, 2024 or earlier, if the room block is exhausted. If you call, please call 866-912-4016.

### Miscellaneous

☐ I am an attorney and request CLE credits for the state of \_\_\_\_\_. The Labor Arbitration Institute is an accredited provider in several states. .

☐ 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.*

# Labor Law & Labor Arbitration

Every spring in St Louis, a group of top-tier labor arbitrators address the hot issues in labor law and labor arbitration. They enjoy teaching and look forward to answering your questions and making this a valuable day of education.

This one-day training features:

- updates on the legal and arbitral issues in discipline & discharge and contract cases.
- all new case studies
- a variety of formats that make the material come alive.

The agenda is printed below, but call us with any question or visit us on-line at [www.laborarb.com](http://www.laborarb.com).

We welcome you to St. Louis to learn with the best and to be prepared for your next case.

## Agenda

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

**Registration & Continental Breakfast**

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

### ■ Rules of Evidence

These Rules of Evidence (based on the FRE) 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 explain how arbitrators handle the issues of weight and admissibility.

*Arb. Steve Befort*

**8:30-9:30 a.m.**

### ■ Evidentiary Issues

Building on the previous lecture, the panelists discuss the evidentiary issues which arose in actual cases. This is a good way to understand the rules. In addition, the panelists rule on the objections which were made at the hearing and explain why they would have sustained or overruled the objection.

*Panel: Arbs. Steve Befort, George Fitzsimmons, Mark Suardi & David Vaughn*

**9:30-10:00 a.m.**

### ■ Due Process

The principle of due process is not easily defined. It is more than disparate treatment and lax rule enforcement. For example, a delay in administering discipline and not interviewing the grievant beforehand can put management's case in peril. A good overview of the doctrine as it applies in labor-management relations.

*Arb. Mark Suardi*

## Location & Registration Information

The conference will be held at Le Meridien Hotel in Clayton, MO. This hotel was the Sheraton Clayton before it was renovated and re-named. It is located in the center of the Clayton business district, minutes from Forest Park and downtown Saint Louis. If you want to make a weekend get-away, there are many attractions nearby, including Gateway Arch, Anheuser Busch Brewery, St Louis Science Center, Missouri Botanical Garden and much more.

The hotel is easy to reach, whether driving or flying-in. See photos and read more at the [Marriott.com](http://Marriott.com) website.

The conference tuition of \$450 includes admission to all sessions, course materials, and all breaks. You can save \$75 if you register before December 15, 2023. See the registration form or visit us online at [www.laborarb.com](http://www.laborarb.com)



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

### 10:15 a.m.-11:30 a.m.

#### ■ Discipline & Discharge

The latest cases illustrate the legal and arbitral principles in several hot areas: sexual harassment, insubordination, job performance, and workplace threats. The panelists issue a bench ruling and then individually explain their rationale. A dynamic and fast-paced way to understand the principles.

**Panel:** *Arbs. Fitzsimmons, Suardi, Vaughn & Befort*

### 11:30 a.m.-12:00 Noon

#### ■ Advocacy Strategies

The speaker talks about cases he has heard in the recent past. His advice on witness preparation, hearing strategies, direct & cross-examination techniques and closing arguments will assist you in case preparation, including when to settle your case.

**Arb.** *George Fitzsimmons*

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

### 1:00-1:30 p.m.

#### ■ Off-Duty Misconduct

Proving nexus - the connection between the grievant's conduct and the employer's interest - is management's burden. With social media and what people are willing to do off-duty have made the cases more difficult, even if the same principles apply. Learn more about the doctrine and why it is important to analyze the cases properly.

**Arb.** *David Vaughn*

### 1:30-2:15 p.m.

#### ■ Contract Interpretation

The speaker gives an analytical framework for understanding your own contract. The principles are well-established, but many have special application to the CBA. This framework can be used immediately in how you approach any contract dispute.

**Arb.** *Mark Suardi*

### 2:15-2:45 p.m.

#### ■ Contract Interpretation: Applying the Rules

Using the case method taught in law schools, we lay out the facts, the contract language, and the parties'

## 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 where you hold a license.



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arguments. Then, the arbitrators discuss the rationale of their decision. These are close cases and both sides have good arguments.

**Panel:** *Arbs. Suardi, Vaughn, Befort & Fitzsimmons*

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

### 3:00-3:30 p.m.

#### ■ Past Practice

It is one of the most mis-cited and mis-understood doctrines in labor relations. The elements are well-established and not controversial. The disputes arise when the doctrine is used in one of three ways: to help interpret ambiguous language in the CBA, fill-in the gaps, and create an independent provision as if it was in the CBA. This will be an eye-opening lecture.

**Arb.** *David Vaughn*

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

#### ■ Family and Medical Leave Act

This is one of the highest rated lectures ever given. The subject is approached by the problems, rather than a summary review of the law. The workbook chapter is also an invaluable resource.

**Arb.** *Steve Befort*

## 4:30 p.m. Adjournment