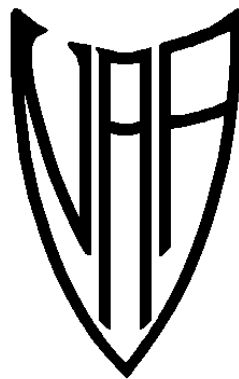


**National Academy of Arbitrators**

**2017 Fall Education Conference  
September 15 - 17, 2017**



**Four Seasons Miami  
1435 Brickell Ave  
Miami, FL 33131**

*Pre-Registration Copy as of July 21, 2017*

## **NAA 2017 FEC - Miami**

### **THE HOTEL**

The Four Seasons Miami is located at 1435 Brickell Ave, Miami, FL 33131. **The Academy's block of guest rooms at a special conference rate of \$199 is limited; rooms in our block will be available until August 8, 2017, or until our block is sold out, whichever occurs first.** Attendees will be eligible for the conference rate of \$199 for a single or double occupancy only as long as rooms in the Academy's room block remain available. Room reservations may be made by calling the Four Seasons Miami at 1-305-358-3535. All reservations have a seven day cancellation policy. **Please be certain to request that your reservation be assigned to the National Academy of Arbitrators' room block.** Contact the hotel directly for information/rates on suites. Each room reservation must be guaranteed by a first night's deposit either by check or a credit card acceptable to the Four Seasons Miami.

### **CONTINUING LEGAL EDUCATION**

Accreditation is being requested for this conference from states with mandatory continuing legal education requirements for attorneys. CLE forms will be available at the NAA registration desk. If you need more information, please contact Coordinator of CLE, Fredric R. Dichter.

### **COMMITTEE MEETINGS**

NAA committee meetings may not be held during conference activities, including ticketed meal functions. Committee or Regional Chairs who need meeting rooms at other times, and who have not already scheduled space with the NAA Operations Center, must contact the Operations Center as soon as possible (Telephone: (607) 756-8363, FAX: (607) 756-8365 or E-mail: [naa@naarb.org](mailto:naa@naarb.org)). Time and space has been reserved on Saturday (3:00 pm - 4:00 pm or 4:00 pm - 5:00 pm) for Committee and Regional meetings. This space is very limited and will be available on a first-requested, first-reserved basis.

## REGISTRATION FEE SCHEDULE

Each registration includes one non-transferable registrant ticket for the following events: Friday Dinner, Saturday Luncheon, and Sunday Breakfast. Tickets are available at an additional cost for spouse/companions/partners to attend all meal events. Spouse/Companion/Partner meal tickets are transferable; registrant tickets are not. Tickets will be collected.

Please return the enclosed registration form or register on the NAA Website, [www.naarb.org](http://www.naarb.org), at your earliest convenience.

**\$ 369 – Regular Registration Fee** for registrants whose form, accompanied by full payment, is postmarked July 22 through August 22, 2017.

**\$ 399 – Late Registration Fee** for registrants whose form, accompanied by full payment, is postmarked or hand-delivered after August 22, 2017.

Payment must accompany registration. Only those registrants whose full registration fees have been received at the NAA Operations Center by **August 22, 2017** will appear on the Participant List. No supplemental lists will be prepared.

**Only cancellations received by August 22, 2017 will be guaranteed a refund of the meeting fees and/or an abatement of unpaid costs, minus a \$100 processing fee.** Registrants who register and fail to attend will receive post-meeting invoices for their outstanding balances.

Please note: The Academy accepts American Express, Discover, MasterCard and Visa, and all fees are payable in U.S. Funds.

**Thursday, September 14, 2017**

- 1:00 p.m. – 5:00 p.m..... NAA Registration Desk
- 1:30 p.m. – 5:00 p.m..... Board of Governors
- 1:00 p.m. – 5:00 p.m..... CPRG
- 1:00 p.m. – 5:00 p.m..... Membership Committee
- 1:00 p.m. – 5:00 p.m..... Nominating Committee

**Friday, September 15, 2017**

- 8:00 a.m. – 5:00 p.m..... NAA Registration Desk
- 8:00 a.m. – 5:00 p.m..... Board of Governors
- 7:30 a.m. – 12:30 p.m..... New Member Orientation
- 9:00 a.m. – 5:00 p.m..... Nominating Committee
- 9:00 a.m. – 5:00 p.m..... CPRG
- 9:00 a.m. – 5:00 p.m..... Membership Committee
- 12:30 p.m. – 1:30 p.m..... New Member Luncheon  
*(By Invitation Only)*
- 6:00 p.m. – 7:00 p.m..... Opening Reception
- 7:00 p.m. .... Dinner

**Saturday, September 16, 2017**

**8:00 a.m. – 4:00 p.m.**..... **NAA Registration Desk**

**8:30 a.m. – 9:00 a.m.**..... **Plenary**

**Presidential Remarks:** Kathleen Miller  
NAA President  
*Ardmore, PA*

**Program Announcements:** Barry Winograd  
Program Chair  
*Oakland, CA*

**Arrangements Announcements:** Robert B. Moberly  
Host Chair  
*St. Augustine, FL*

**New Member Introductions:** Jules Bloch  
New Member Orientation Chair  
*Toronto, ON*

**9:00 a.m. – 10:15 a.m.**..... **Plenary**

**THE IMMOKALEE ARBITRATION AGREEMENT -  
DISPUTE RESOLUTION FOR LOW INCOME  
AGRICULTURAL WORKERS**

A few years ago, an organization of agricultural workers in Florida, although not formally in a union, nonetheless developed a program for expedited arbitration of workplace disputes using NAA members. What is the program and how is it going? Is it model for what can be done in a era of continuing decline in union density? The session will have commentary by Jeanne Wood, the moderator, and Walt DeTreu, NAA panelists under the agreement. Principal speakers will be Steve Hitov of the Coalition of Immokalee Workers and Douglas Smith of the Littler law firm, the individuals who led negotiations for the plan.

**Moderator:**

Jeanne Charles Wood, NAA  
*Pembroke Pines, FL*

**Panelists:**

Walt De Treux, NAA  
*Philadelphia, PA*

Douglas E. Smith  
Littler Mendelson  
*Seattle, WA*

Steven A. Hitov  
General Counsel  
Coalition of Immokalee Workers  
*Adelphi, MD*

**Saturday, September 16, 2017 (Continued)**

**10:15 a.m. – 10:30 a.m. .... Transition Break**

**10:30 a.m. – 11:45 a.m. .... Plenary**

**CLASS ACTION WAIVERS AND THE U.S. SUPREME COURT**

The U.S. Supreme Court has scheduled oral argument in three landmark cases to resolve a split between circuit courts of appeal over whether it is unlawful under the National Labor Relations Act for employers to require employees to waive their right to engage in concerted activity in the form of class or collective actions. In terms of potential impact, the decision, expected by June 2018, may be the most important workplace ruling of the court in decades. Lise Gelernter, the moderator, will be joined by Jackie Drucker to provide an update on the principal arguments and expectations for the cases. Stephen Hayford, from the NAA's amicus committee, will describe the position taken by the Academy in a brief to be filed with the court.

**Moderator:**

Lise G. Gelernter, NAA  
*Amherst, NY*

**Panelists:**

Jacquelin F. Drucker, NAA  
*New York, NY*

Stephen L. Hayford, NAA  
*Bloomington, IN*

**12:00 p.m. – 1:15 p.m. .... Luncheon**

Philip Miscimarra, chairman of the NLRB, will be the featured speaker for the luncheon at the FEC. Mr. Miscimarra, originally sworn in as a member of the NLRB in 2013, was designated the chairman in 2017. Mr. Miscimarra, a former management-side attorney in Chicago, will offer his insights about where the Board is headed. Dennis Nolan will provide the introduction at our luncheon.

**Introduction:**

Dennis R. Nolan, NAA  
*Saint Helena Island, SC*

**Speaker:**

Philip Miscimarra  
Chairman, National Labor Relations Board  
*Washington, DC*

**Saturday, September 16, 2017 (Continued)**

**1:30 p.m. – 2:45 p.m. .... Concurrent Session 1A**

**PAYMENT AHOY: NAVIGATING THE FEDERAL SECTOR  
PAY SYSTEM FOR ARBITRATORS**

This workshop session is designed to assist those arbitrators who get lost in the side tracks and dead ends of U.S. federal sector billing and payment practices. If a member has given up on handling these cases due to difficulties encountered in the past, perhaps it is time to take another look. Our navigators will be Jack Clarke, the moderator, and Alan Symonette. They will be assisted by Arthur Pearlstein, Director of Arbitration Services at the FMCS.

**Moderator:**  
Jack Clarke, NAA  
*Athens, GA*

<b>Panelists:</b> Arthur Pearlstein Director of Arbitration Services FMCS <i>Washington, DC</i>	Alan A. Symonette, NAA <i>Philadelphia, PA</i>
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**1:30 p.m. – 2:45 p.m. .... Concurrent Session 1B**

**DEVELOPMENTS AFFECTING UNION SECURITY AND  
UNION STRENGTH AT THE WORKPLACE -  
RIPE FOR EXPORT TO CANADA?**

A number of legislative and judicial changes are on the workplace horizon in the U.S., including new union security laws and a possible U.S. Supreme Court review of agency fees in the public sector. What changes are in store, and will Canada be affected by imports from the U.S.? Marty Malin, the moderator, will provide a descriptive overview of recent developments, along with Dan Nielsen revisiting his comments a few years ago about the unionized landscape in Wisconsin. Allen Ponak will join the session to offer insights about what has happened in Canada on these issues, and what might be ahead.

**Moderator:**  
Martin H. Malin, NAA  
*Chicago, IL*

<b>Panelists:</b> Daniel J. Nielsen, NAA <i>Lake Bluff, IL</i>	Allen Ponak, NAA <i>Calgary, AB</i>
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**3:00 p.m. – 4:00 p.m. .... Committee Meetings TBD**

**Sunday, September 17, 2017**

**7:45 a.m. – 8:45 a.m. .... Breakfast**

**9:00 a.m. – 9:15 a.m. .... Plenary**

**Presidential Remarks:**

Kathleen Miller  
NAA President  
*Ardmore, PA*

**2018-2019 Slate:**

Jeffrey B. Tener  
NAA Nominating Committee Chair  
*Skillman, NJ*

**9:15 a.m. – 10:30 a.m. .... Plenary**

**MUM’S THE WORD - OR NOT? A COMPARATIVE LOOK AT  
EVIDENTIARY PRIVILEGES AND MEDICAL RECORDS IN  
THE U.S. AND CANADA**

How do arbitrators in our two countries handle the involvement of attorneys, business agents, personnel representatives, and medical professionals when advocates probe the evidence in cases raising medical issues. What role do federal, state and provincial statutes play in governing the rules of privilege and privacy. Claude Ames, the moderator, and Hal Smith will offer insight from the U.S. side of the border, and Randi Abramsky and James Oakley will address Canadian experience.

**Moderator:**

Claude Dawson Ames NAA  
*Oakland, CA*

**Panelists:**

Randi Hammer Abramsky, NAA  
*Toronto, ON*

James C. Oakley, NAA  
*St. Johns, NL*

Lisa Salkovitz Kohn, NAA  
*Chicago, IL*

**10:30 a.m. – 10:45 a.m. .... Transition Break**



**Sunday, September 17, 2017 (Continued)**

**10:45 a.m. – 12:00 p.m. .... Plenary**

**THE SCIENCE OF SETTLEMENT**

What can you do when parties reach out asking for help to resolve a dispute? Susan Grody Ruben will moderate an all-star panel. The session includes Barry Goldman who will offer engaging thoughts, wit, and lasting lessons on the subject that were captured in his new book, *The Science of Settlement*. To round out the discussion, Canadian members who have substantial experience in a mediating role, Chris Albertyn and Jules Bloch, will provide comments and insights about such service.

**Moderator:**

Susan Grody Ruben, NAA  
*Cleveland, OH*

**Panelists:**

Christopher J. Albertyn, NAA  
*Toronto, ON*

Barry Goldman, NAA  
*Bloomfield, MI*

Jules Bloch, NAA  
*Toronto, ON*



**2017 FEC Program Committee**

Barry Winograd, *Chair*

Claude Dawson Ames	Ira B. Lobel
Jules Bloch	William McKee
Jack Clarke	Dennis R. Nolan
Lise G. Gelernter	Susan Grody Ruben
Edward Harrick	Jeanne Charles Wood

**2017 FEC Host Committee**

Robert B. Moberly, *Chair*

Linda S. Byars	William McKee
Fredric R. Dichter	Martin A. Soll
Paula Knopf	Jeanne Charles Wood
Mark I. Lurie	

Walt De Treux, *Ex Officio*  
David A. Petersen, *Ex Officio*

**Plan to Attend**

**2018 Annual Meeting**

May 23 - 26, 2018

The Fairmont Hotel Vancouver  
Vancouver, BC

**2018 Fall Education Conference**

October 26 - 28, 2018

Sheraton Austin Hotel at the Capitol  
Austin, TX

**2019 Annual Meeting**

May 29 - June 1, 2019

Loews Philadelphia Hotel  
Philadelphia, PA