



The Final FEC: Current Issues, Future Directions

Thursday, September 19, 2019

1:00 p.m. – 5:00 p.m.
NAA REGISTRATION DESK

1:30 p.m. – 5:00 p.m.
BOARD OF GOVERNORS MEETING

1:00 p.m. – 5:00 p.m.
CPRG MEETING

1:00 p.m. – 5:00 p.m.
MEMBERSHIP COMMITTEE MEETING

1:00 p.m. – 5:00 p.m.
NOMINATING COMMITTEE MEETING

Friday, September 20, 2019

8:00 a.m. – 5:00 p.m.
NAA REGISTRATION DESK

8:30 a.m. – 5:00 p.m.
BOARD OF GOVERNORS MEETING

7:30 a.m. – 12:00 p.m.
NEW MEMBER ORIENTATION

9:00 a.m. – 5:00 p.m.
CPRG MEETING

9:00 a.m. – 5:00 p.m.
MEMBERSHIP COMMITTEE MEETING

9:00 a.m. – 5:00 p.m.
NOMINATING COMMITTEE MEETING

12:00 p.m. – 1:30 p.m.
NEW MEMBER LUNCHEON (By Invitation Only)

2:00 p.m.
PORT OF SAVANNAH TOUR (Separate Fee)

As an informative and fun add-on to our program, we have arranged a tour conducted by the Port of Savannah, one of the largest shipping ports in the country. Plan to join this bus tour of the Port. Open to members and their guests. *Tour registration information to follow.*

6:00 p.m. – 7:00 p.m.
OPENING RECEPTION

7:00 p.m.
DINNER

Saturday, September 21, 2019

8:00 a.m. – 4:00 p.m.
NAA REGISTRATION DESK

8:15 a.m. – 9:00 a.m.
OPENING REMARKS

President, Program Announcements, Arrangements, Announcements and New Member Plenary Introductions

Presidential Remarks: Barry Winograd, NAA
NAA President
Oakland, CA

Program Announcements: Jeanne M. Vonhof, NAA
Program Chair
Chicago, IL

Host Announcements: Kathryn Durham, NAA
Host Chair
Atlanta, GA

New Member Introductions: Jules Bloch, NAA
NMO Chair
Toronto, ON

9:00 a.m. – 10:15 a.m.
JUST CAUSE IN THE WAKE OF THE “#METOO” MOVEMENT

Sexual harassment complaints have soared in the past few years. In this nuts-and-bolts session, we will apply just cause principles to issues arising in arbitration cases, including: assessing the credibility of “delayed” complaints and the reliability of evidence that may be years old; handling reluctant witnesses; applying “changing” standards to past behavior; special problems of majority-male workplaces; social media; appropriate discipline; zero tolerance policies and the impact of external anti-discrimination laws. The session will provide both American and Canadian perspectives on these issues.

Panelists: Sarah Crossley
Filion Wakely Thorup Angeletti
Toronto, ON

Saturday, September 21, 2019 (Continued)

Continued...JUST CAUSE IN THE WAKE OF THE “#METOO” MOVEMENT

Panelists: Julie Lenggenhager
Assistant Counsel
National Treasury
Employees Union
Chicago, IL

Jasbir Parmar, NAA
Toronto, ON

Jeanne M. Vonhof, NAA
Chicago, IL

10:15 a.m. – 10:30 a.m.
TRANSITION BREAK

10:30 a.m. – 11:45 a.m.
WHAT’S THE DOPE ON CANNABIS?

The legalization of cannabis has created significant issues for arbitrators. We will review the current state of testing for “use” and “impairment,” and what may be on the horizon. This session will explore the impact of the legalization of cannabis (recreational and medical) in the workplace, in both the United States and Canada. Samples, sadly, will not be provided.

Moderator: Kathryn A. VanDagens, NAA
Lansing, MI

Panelists: David Gaba, NAA
Seattle, WA

William A. Marcotte, NAA
Toronto, ON

12:00 p.m. – 1:15 p.m.
**LUNCHEON – UPDATE ON RECENT U.S.
SUPREME COURT ARBITRATION DECISIONS**

The American Supreme Court has issued several recent rulings regarding arbitration of workplace disputes. This short session, while you eat, will focus on how these decisions may affect employment and labor arbitration.

Moderator: Jeanne M. Vonhof, NAA
Chicago, IL

Panelist: Richard Bales, NAA
Akron, OH

Lise Gelernter, NAA
Amherst, NY

1:15 p.m. – 2:30 p.m.

CONCURRENT SESSION: VIDEO HEARINGS: A NEW OPTION FOR YOUR PRACTICE?

Administrative law forums and some courts have established telephonic and video conferencing options for conducting hearings. With the need to reduce costs and resolve disputes more efficiently, parties are considering options outside of the traditional hearing structure for labor arbitration. This panel will discuss the viability of conducting full arbitration hearings with the parties and the arbitrator in remote locations. We will discuss the opportunities and challenges associated with adopting this as an option for your practice. The FMCS is interested in this option, and will be participating in this session. A "how to" demonstration will be included.

Moderator: Jeanne Charles Wood, NAA
Pembroke Pines, FL

Panelists: Homer C. La Rue, NAA
Columbia, MD

Arthur Pearlstein
Director of Arbitration, FMCS
Washington, DC

M. Michal Rollins
Metropolitan Atlanta Rapid
Transit Authority (MARTA)
Atlanta, GA

1:15 p.m. – 2:30 p.m.

CONCURRENT SESSION: LABOR ISSUES IN SAVANNAH, GEORGIA’S FIRST CITY

Savannah is a colonial city, featuring stately historic squares. It also has a strong ethnic flavor, boasting the second largest St. Patrick's Day Parade in the country. The local economy is dominated by the Port of Savannah, and current labor issues at the Port reflect nationwide trends. Join us for a lively discussion with local labor leaders regarding current issues on the docks, as the Teamsters Union tries to organize and represent “port drivers,” who transport goods by truck off the docks for distribution throughout the Southeast. The question of whether the drivers are “independent contractors” or “employees” is a familiar issue in other parts of the country. The interests of the International Longshoreman Association (ILA), which represents employees who load and unload shipments going through the Port, also are involved in this issue, as hints of labor unrest at the Port may raise concerns that shippers will move their business to other competitor East Coast ports. Come hear how local labor leaders are addressing these issues.

Moderator: Philip A. LaPorte, NAA
Atlanta, GA

Saturday, September 21, 2019 (Continued)

Continued... CONCURRENT SESSION: LABOR ISSUES IN SAVANNAH, GEORGIA'S FIRST CITY

Panelists: Christi Hulme
President
Savannah Central Labor Council

Jerome Irving
Organizer
Teamsters Union, Local 728

Doug Williams
Financial Secretary
International Longshoreman's
Association, Local 2046

3:00 p.m. – 4:00 p.m.

COMMITTEE MEETINGS TBA

Sunday, September 22, 2019

7:45 a.m. – 8:45 a.m.

BREAKFAST

9:00 a.m. – 9:15 a.m.

Presidential Remarks: Barry Winograd
NAA President
Oakland, CA

2019-2020 Slate: Laura J. Cooper, NAA
Nominating Committee Chair
Minneapolis, MN

9:00 a.m. – 10:45 a.m.

MAINTAINING – OR RESURRECTING – AN ONLINE REPUTATION

This session was suggested by members who have suffered from negative publicity online. A consultant with nationwide experience will present options for maintaining a positive online presence, and for handling negative events. Our members will then examine whether and when members should consider taking action to protect their online reputations, and whether there are limits on what we can or should do, considering our Code of Professional Responsibility, and other ethical and professional standards. Members of our Committee on Professional Responsibility will participate in this session.

Moderator: Alan Symonette, NAA
Philadelphia, PA

Panelists: Susan Stewart, NAA
CPRG Chair
Toronto, ON

Davia B. Temin
President and CEO
Temin and Company

10:45 a.m. – 11:00 a.m.

TRANSITION BREAK

11:00 a.m. – 12:00 p.m.

CONCURRENT SESSION: DECISION WRITING – SOME DO'S, DON'TS, AND MAYBES

Some issues you might think about when writing an arbitration decision will be discussed in this session, including the use of a checklist, *dicta*, who is your audience, “magic” words, clarity and ease of understanding, helpful software, the use of templates – and more.

Panelists: Jack Clarke, NAA
Athens, GA

Barry Goldman, NAA
Bloomfield, MI

William E. Hartsfield, NAA
Dallas, TX

11:00 a.m. – 12:00 p.m.

CONCURRENT SESSION: CAN I? SHOULD I? ETHICS QUESTIONS FOR ARBITRATORS

A whole new set of scenarios will be presented by an experienced group of members. Discussion regarding how these issues are handled in Canada and the U.S. will highlight interesting differences in each country. Active discussion by audience members is not only encouraged – it's unavoidable.

Moderator: James S. Cooper, NAA
Boston, MA

Panelists: Sarah Kerr Garraty, NAA
Concord, MA

Christine A. Schmidt, NAA
Toronto, ON

Andrew M. Strongin, NAA
Takoma Park, MD

THE HOTEL

The Savannah Marriott Riverfront is located at 100 General McIntosh Blvd, Savannah, GA 31401. **The Academy's block of guest rooms at a special conference rate of \$178 is limited; rooms in our block will be available until August 14, 2019, or until our block is sold out, whichever occurs first.** Attendees will be eligible for the conference rate of \$178 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 Savannah Marriott Riverfront at 1-912-233-7722 or by using the following link (**Book your group rate for NATIONAL ACADEMY OF ARBITRATORS**). If making your reservations via phone, **please be certain to request that your reservation be assigned to the NAA 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 Savannah Marriott Riverfront.

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 guests to attend all meal events. Guest meal tickets are transferable; registrant tickets are not.

Please return the registration form or register on the NAA Website, www.naarb.org, at your earliest convenience.

Paid by July 22, 2019:

2019 Fall Education Conference \$375

Paid July 22 – August 30, 2019:

2019 Fall Education Conference \$400

Paid after August 30, 2019:

2019 Fall Education Conference \$425

Only cancellations received at the NAA Operations Center by August 23, 2019 will be guaranteed a refund of the meeting fees, minus a \$100 processing fee.

Please note: The Academy accepts Checks (U.S. Funds Only) and Credit Cards (American Express, Discover, MasterCard, and Visa).

CLE

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). Time and space has been reserved on Saturday (3:00 pm - 4:00 pm) for Committee and Regional meetings. This space is very limited and will be available on a first-requested, first-reserved basis.

PROGRAM NOTE

Members and the Academy's Regions are reminded that they can invite Non-Academy members to the conference by contacting the Operations Center which will then extend an invitation.

National Academy of Arbitrators

1 N Main St, Ste 412

Cortland, NY 13045

Phone: 607-756-8363

Fax: 607-756-8365

E-Mail: naa@naarb.org

**2019 Fall Education Conference
Program Committee – Savannah, GA**

Jeanne M. Vonhof, *Chair*

Randi Hammer Abramsky	Alan A. Symonette
Jack Clarke	Kathryn VanDagens
Philip A. LaPorte	Jeanne Charles Wood

Kathryn Durham, *Ex Officio*

**2019 Fall Education Conference
Host Committee – Savannah, GA**

Kathryn Durham, *Chair*

Linda S. Byars, *Member*

Walt De Treux, *Ex Officio*



Plan to Attend

2020 Annual Meeting
May 6 - 9, 2020
Grand Hyatt Denver
Denver, CO

2021 Annual Meeting
April 21 - 24, 2021
Marina del Rey Marriott
Marina del Rey, CA