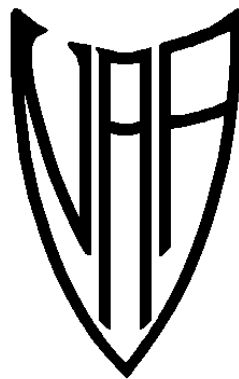


National Academy of Arbitrators

**2019 Fall Education Conference
September 20 - 22, 2019**



**The Final FEC: Current Issues,
Future Directions**

**Savannah Marriot Riverfront
100 General McIntosh Blvd
Savannah, GA 31401**

Thursday, September 19, 2019

- 1:00 p.m. – 5:00 p.m..... **NAA Registration Desk**
Boardroom B Foyer (Lobby Level)
- 1:30 p.m. – 5:00 p.m..... **Board of Governors**
Oglethorpe AB (Second Level)
- 1:00 p.m. – 5:00 p.m..... **Membership Committee**
Mercer (Lobby Level)

Friday, September 20, 2019

- 8:00 a.m. – 5:00 p.m..... **NAA Registration Desk**
Boardroom B Foyer (Lobby Level)
- 8:30 a.m. – 5:00 p.m..... **Board of Governors**
Oglethorpe AB (Second Level)
- 7:30 a.m. – 12:00 p.m..... **New Member Orientation**
Pulaski (Second Level)
- 10:00 a.m. – 5:00 p.m..... **CPRG**
Academy (Lobby Level)
- 9:00 a.m. – 5:00 p.m..... **Membership Committee**
Mercer (Lobby Level)
- 9:00 a.m. – 5:00 p.m..... **Nominating Committee**
Forsyth (Second Level)
- 12:00 p.m. – 1:30 p.m..... **New Member Luncheon**
(By Invitation Only) Plaza (Lobby Level)
- 6:00 p.m. – 7:00 p.m..... **Opening Reception**
Riverwalk (Lobby Level)
- 7:00 p.m. **Dinner**
Atrium (Lobby Level)

During dinner, Ted St. Antoine will be presented with an award for distinguished service and achievement in the field of arbitration.

Saturday, September 21, 2019

8:00 a.m. – 4:00 p.m...... **NAA Registration Desk**
Boardroom B Foyer (Lobby Level)

8:15 a.m. – 9:00 a.m...... **Plenary**
Savannah Ballroom B (Lobby Level)

Presidential Remarks: Barry Winograd
NAA President
Oakland, CA

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

Host Announcements: Kathryn Durham
Host Chair
Atlanta, GA

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

9:00 a.m. – 10:15 a.m...... **Plenary**
Savannah Ballroom B (Lobby Level)

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

Jasbir Parmar, NAA
Toronto, ON

Julie Lenggenhager
Assistant Counsel
National Treasury Employees Union
Chicago, IL

Jeanne M. Vonhof, NAA
Chicago, IL

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

Saturday, September 21, 2019 (Continued)

10:30 a.m. – 11:45 a.m...... **Plenary**
Savannah Ballroom B (Lobby Level)

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**
Atrium (Lobby Level)

**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

Panelists:

Richard Bales, NAA
Akron, OH

Michael Z. Green, NAA
Ft. Worth, TX

Lise Gelernter, NAA
Amherst, NY

Saturday, September 21, 2019 (Continued)

1:15 p.m. – 2:30 p.m..... Concurrent Session A
Pulaski (Second Level)

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

Panelists:

Christi Hulme
President
Savannah Central Labor Council

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

Jerome Irving
Organizer
Teamsters Union, Local 728

Saturday, September 21, 2019 (Continued)

1:15 p.m. – 2:30 p.m.Concurrent Session B
Savannah Ballroom B (Lobby Level)

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

Scott Miller
Legal Council, AFSCME
Chicago, IL

M. Michal Rollins
MARTA
Atlanta, GA

3:00 p.m. – 4:00 p.m.2020 Meeting Program Committee
Chatham (Second Level)

3:00 p.m. – 4:00 p.m.Arbitrationinfo.com Committee
Oglethorpe B (Second Level)

3:00 p.m. – 4:30 p.m.Membership Standards Committee
Reynolds (Second Level)

3:00 p.m. – 4:30 p.m.Research and Education Foundation
Johnson (Second Level)

**3:00 p.m. – 4:00 p.m.Supplement to “Fifty Years in the
World of Work” Committee**
Oglethorpe A (Second Level)

4:00 p.m. – 5:00 p.m.Internal Grievance Committee
Oglethorpe B (Second Level)

4:15 p.m. – 5:15 p.m.International Studies Committee
Franklin (Second Level)

4:00 p.m. – 5:00 p.m.Regional Chairs
Forsyth (Second Level)

Sunday, September 22, 2019

7:45 a.m. – 8:45 a.m.Breakfast
Atrium (Lobby Level)

8:45 a.m. – 9:00 a.m. Plenary
Savannah Ballroom B (Lobby Level)

Presidential Remarks: Barry Winograd
NAA President
Oakland, CA

2020-2021 Slate: Laura J. Cooper
NAA Nominating Committee Chair
Minneapolis, MN

9:00 a.m. – 10:45 a.m. Plenary
Savannah Ballroom B (Lobby Level)

**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

Sunday, September 22, 2019 (Continued)

11:00 a.m. – 12:00 p.m...... **Concurrent Session A**
Pulaski (Second Level)

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.

Moderator:

Jack Clarke , NAA
Athens, GA

Panelists:

Barry Goldman, NAA
Bloomfield, IL

William E. Hartsfield, NAA
Dallas, TX

11:00 a.m. – 12:00 p.m...... **Concurrent Session B**
Savannah Ballroom B (Lobby Level)

**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

Andrew M. Strongin, NAA
Takoma Park, MD

Christine A. Schmidt, NAA
Toronto, ON

2019 FEC Program Committee

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 FEC Host Committee

Kathryn Durham, Chair

Linda S. Byars

Philip A. LaPorte

Fredric R. Dichter

Lise G. Gelernter

Kathy L. Eisenmenger

Elizabeth C. Wesman

Non-Member

Howard Katzman

Walt De Treux, *Ex Officio*

Plan to Attend

2020 Annual Meeting/Members' Education Conference

May 6 – 9, 2020
Grand Hyatt Denver
Denver, CO

2021 Annual Meeting/Members' Education Conference

April 21 – 24, 2021
Marina del Rey Marriott
Marina del Rey, CA

