

# BLOCH REPORT IMPLEMENTATION COMMITTEE REPORT AND RECOMMENDATIONS

## INTRODUCTION

In mid-2017 our then-President Kathleen (Kathy) Miller formed a committee to review “the current state of the Annual Meeting” and to report findings and recommendations to the Board of Governors. The impetus for the Committee was the inescapable reality of declining membership numbers and the drop in membership and guest attendance at both the Annual and the Fall Education Meetings. The Committee was Chaired by Past President Richard Bloch and included five other distinguished members of the Academy.<sup>1</sup> After extensive deliberations and a carefully crafted survey of our membership, the Committee concluded that there should be “substantial changes from our standard procedures” and that “drastic change is urgently required.” As a result, the following recommendations were proposed to the Board of Governors:

1. Move to one 3-day meeting per year: Combine the Fall Education Conference with the Annual Meeting - structure and format to be determined.
2. Move from our current Memorial Day weekend meeting, seeking other appropriate dates.
3. Consult with professional site and meeting planners.
4. Revise the programming day to allow for more social interaction.
5. Replace the Friday night dinner/dance with other social events each evening.
6. Examine the prospects of funding and inviting major speakers.
7. Consider low-cost invitations for Labour/Management Representatives, Students, Interns, and New Arbitrators

The Board of Governors considered and approved all these recommendations at the 2018 Spring Annual Meeting in Vancouver and shared them with the membership.

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<sup>1</sup> The then-President-elect David Peterson, Past President Roberta Golick, Past President John Kagel, Past President Allen Ponak and the current Secretary/Treasurer Walt De Treux.

In June 2018, President Ed Krinsky appointed the authors of this Report to the “Bloch Report Implementation Committee,” or “BRIC.” We understand our mandate to be to advise the Board of Governors as to best implement the recommendations of the Bloch Committee’s Report. We also that mandate as an invitation to recommend ways to achieve the furtherance of the NAA’s goals, namely education and collegiality in the context of the labour and employment dispute resolution community.

Our process has been to review the Bloch Report, in both its specifics and its spirit, with a view toward offering suggestions and recommendations to future Board of Governors and Program Committees to rejuvenate and energize the NAA Annual Meeting. We have also been guided by the results of the membership survey done by the Bloch Committee. After a number of electronic and teleconference meetings and the exchange of emails, we offer the following unanimous conclusions and recommendations:

We wish to emphasize that none of the following should be read as a criticism of previous Program and Host Committees. They have dedicated themselves to their tasks and achieved a record of successful events. Nor do we wish to disparage many of the beloved traditions and practices associated with the NAA conferences. The traditional social activities and formats worked effectively for years. They created a framework that promoted professional growth and collegiality. They were one of the many attractions of NAA membership. However, times change and even the NAA must adapt to the changes that times dictate.

*They always say time changes things,  
but you actually have to change them yourself.  
- Andy Warhol*

The Bloch Committee advised that, “. . . the continued vitality of this organization requires a rejuvenated, energized annual meeting.” We are in complete agreement with that goal.

To achieve that goal we have considered several possibilities related to the format, timing, programming, location and social events of NAA meetings. Notably, we proceed from the recommendation of the Bloch Committee and the decision of the Board of Governors that concluded that it is no longer viable or appropriate to continue with both the Annual and the Fall Education Conferences (FEC) and that the FEC will be discontinued after 2019.

The good news is that there is strong support and participation in the NAA’s Regional Meetings. Accordingly, our Regional meetings have become very popular and effective.

However we also have to be realistic about the fact that the decline of unionization, the effect of the *Janus* decision, fiscal constraints in government agencies and the elimination of so many collective bargaining workforces have resulted in an inevitable drop in the number of NAA members and guests being able to attend our meetings. This has led to a significant decline in attendance.

The BOG accepted the Bloch Report’s recommendation to combine the best aspects of the Spring meeting with the Fall Education Conference. Principled labour relations are enhanced by the exchange of information between unions, management, and arbitrators. However, we also recognize the value of “members only” sessions on appropriate topics.

Accordingly, we recommend a program format that combines time for dialogue and social interactions with parties’ representatives and guests, as well as time reserved for programming limited to members and interns.

We have also endeavored to provide more free time for social, collegial and entertainment experiences. This entails allowing time for socializing, networking and simply enjoying each other's company. We are mindful that many members, non-member arbitrators, advocates, interns and guests also bring their partners/spouses/family to our events<sup>2</sup>. We hope to make them feel more welcome by recommending that the Program and Host Committees consider including spouse/guest activities, as has been done in the past. Members and other attendees might be more willing to come to an Academy meeting if they can bring their spouses/partners and/or families knowing there will be entertaining things for them to do (e.g., tours during the day, visits to museums, or whatever is of interest in the area) during the programmed sessions and meetings. These activities might entail additional charges that should be included as options on the registration forms.)

The Bloch Report recommended replacing the Friday night dinner/dance with other social events each evening. The dance was costly and many single or non-dancing folk felt alienated by this event. We are proposing a series of alternative social and networking events. (See Section O, below)

We have also given careful thought to the President's Dinner. This "tradition" began with Presidential breakfasts for former presidents. These breakfasts were discontinued shortly thereafter because of the early hour of the event. They were revived as an informal get-together for former presidents that soon grew to include current officers before it was open to everyone. The event was held on the Tuesday night before the Spring meeting. Ironically, it has become a victim of its own success. The chosen restaurants often had limited capacity, leaving some members and past presidents unable to secure seats. The cost of the event also became a disincentive to attendance, and reportedly disenfranchised some members who could not afford to attend the conference until programming

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<sup>2</sup> The Bloch Report noted that slightly more than half our Members attend meetings with their spouses/partners.

began. More recently, the event evolved into a financial expectation for the current Presidents to supply the wine. This is not an expectation that is either fair or necessary.

Accordingly, we recommend that the President's dinner be discontinued. In its place recommend the "re-branding" of the Wine and Cheese Reception into the "Presidential Welcoming Wine and Cheese Reception." This will be an opportunity for the President to introduce him/herself, welcome members and guests and to make appropriate announcements at some time before the reception ends.

We have been advised that the Executive Committee has begun utilizing professional "Event Planners" who have the knowledge, expertise and "buying power" to scout out, negotiate, and secure favourable hotel arrangements for our meetings. This promises to result in significant savings to the Academy, new and creative opportunities at the venues, as well as the opportunity to hold our meetings in more attractive facilities and locations. The Event Planners' services come at no cost to the Academy, as the hosting hotel absorbs the cost. Accordingly, we no longer require the tireless work of NAA volunteers who have taken on this often thankless task in the past. Therefore, our recommendations have factored in the assumption that we shall continue to use such professional services for future meetings.

The Academy has made great strides towards building a membership that better reflects the community we serve. This Committee is committed to serving that evolving need. While the NAA has encountered claims of being a group of predominantly elderly, white males, this characterization is no longer accurate. Over the last few decades, women and minorities have been elected to and served with distinction in the Academy's highest positions. The Academy now counts many distinguished female and minority arbitrators in its membership. Further, the Outreach Committee is working effectively to recruit

and foster new members reflective of the racial and cultural diversity of North American society.

With the Academy embracing changes to conference format, we are in a position to showcase the Academy and our members as a group that can lead by example - not just in word, but in action. To this end, it is critical that we do our utmost - individually and collectively - to ensure that conference programming and speakers are selected to foster and promote our commitment to excellence, opportunity, and diversity. Accordingly;

- Interns and Students must be encouraged to attend our meetings and welcomed upon their attendance.
- Panels and speakers must, wherever possible, reflect diversity in age, race and cultural backgrounds.
- Ensure that there are no barriers that impede speakers and/or registrants from attending and participating.
- Our meeting venues and podiums for speakers must be accessible to people with disabilities.
- Topics and commentary must be sensitive to the dangers of implicit bias and deal frankly with issues relating to discrimination in all its forms.

These considerations must be factors for the Program Committees when considering the recruitment and selection of speakers. It should also be the responsibility of the Board of Governors to ensure that these criteria are met.

By adopting these standards, the Academy should be able to move forward proudly with an enriched focus and enhanced reputation illustrative of our members' willingness and capacity to deal with the issues that are prevalent in modern labour and employment disputes. The recommendations that follow are designed to help create programs that should welcome, attract and inspire professionals from the broad and diverse community we serve.

Before turning to our recommendations, we wish to respectfully acknowledge the prior efforts by the Academy to anticipate the need to rejuvenate programming and the NAA itself. In 2004, the Organization Planning Committee (OPC) under the leadership of William Holly created a strategic plan to address similar problems to those that we face today, such as an aging NAA membership, a decrease in union membership and financial constraints resulting from declining meeting attendance<sup>3</sup>. Their Report was designed to ensure “the continuing viability of the Academy.” Many of the recommendations from the OPC’s work have been implemented and resulted in positive evolution for the NAA, (e.g. updating the NAA website and establishing the Outreach Committee). The OPG also formulated important “Objectives” that remain relevant today and should continue to serve as guidelines for the Academy. They are consistent with the objectives of this Report. They are as follows:

1. Adhere to the high principles contained in the NAA’s constitution and our mission statement.
2. Gain universal recognition as the leading labor-management and employment arbitration organization in the U.S. and Canada.
3. Gain universal recognition of NAA as the unquestioned leader in all employment-related arbitration (union and non-union) and as a key player in ADR in other fields.
4. Promote due process and fairness in the ADR process. Adopt a proactive strategy to influence ADR, not limited to traditional labor-management arbitration.
5. Increase cooperation with academic institutions and “sister” ADR organizations for the purpose of promoting the highest ethical standards in arbitration practice.
6. Promote and provide educational opportunities for all stakeholders in the labor-management and employment community.
7. Design, schedule and locate programs that work better and attract new and return attendance by members as well as guests at national meetings.
8. Maintain membership at current level (the second of the three membership options discussed in Section III.A.1.b, above).
9. Develop broader membership participation at national and Regional (local) meetings and in Academy activities and committees.
10. Encourage and develop new leadership.

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<sup>3</sup> <https://naarb.org/wp-content/uploads/2017/07/OPC-Report.pdf>

11. Attract highly regarded neutrals as members by making NAA membership more desirable.
12. Include all leading neutral labor-management and employment arbitrators among its members.
13. Make the NAA a diverse, friendly and meaningful organization for all.
14. Develop methods of re-establishing the value of participation and membership at the Regional (local) level and strengthen the Regional structure.
15. Create an organizational structure to better meet membership needs.
16. Use technology to improve communications and enhance organizational efficiency.

The OPG's analysis also identified some perceived weaknesses in the Academy that may have been pertinent at that time. This included the following observations:

- Objectives/recommendations identified by various special committees, appointed in the past several years, have not been implemented; reports are shelved; no structure exists for assuring or evaluating implementation of plans or recommendations.
- The NAA suffers from chronic "reinventing the wheel" syndrome.

We mention these comments for two reasons. First, we commend the current leadership for its commitment to ensure the implementation of the Bloch Report Recommendations. Our mandate as a Committee demonstrates the Board of Governor's determination to ensure the use of new and existing structures that will animate those recommendations. Secondly, we recognize that some (or many) of our recommendations may appear to "reinvent the wheel" because they do, indeed mirror some of the earlier, albeit still-relevant goals, findings and recommendations of the OPG. However, we trust that they will be perceived and adopted as new and improved "tire-craft" for a modernized NAA.

With the NAA having recognized the need and opportunity for change, we also recognize that there are many Academy traditions that continue to be popular and effective. Therefore, we have concluded that the NAA community would be better served by continuing some of our valued traditions and by implementing the following changes to our conference format:



- A. The Fall Education Conference** is to be combined with the Annual Meeting following the scheduled event for the Fall of 2019 in Savannah.
- B. Regional Meetings:** The Regions should be strongly encouraged to hold their meetings in the Fall or at least 30 days before or after the NAA Annual Spring conference unless there is an established tradition to hold a Regional meeting at a certain time of the year. The scheduling of Regional meetings should always be respectful of religious and national holidays and other local conferences/meetings held by related organizations.
- C. NAA Annual Conference:** The NAA Conference will be held in the Spring, between mid-April and mid-May. The scheduling of this meeting should be set by the Executive Committee, having respect for religious and national holidays and to avoid particularly expensive times of the year. The scheduling should also take into consideration any other conferences/meetings of similar organizations that might be held at that time or in the area of the chosen site/region.
- D. Governance:** The change to one meeting per year will require changes to be made to the scheduling of Board of Governors (BOG) and other committee meetings. Experience has shown us that the Board of Governors rarely requires the full day-and-a-half that has been allocated to Spring meetings in the past. Similarly, the CPRG and other committees rarely require the full amount of time that has been allocated to them for such meetings. Reserving time and rooms for longer meetings constitutes a significant cost to the NAA and a substantial loss to members who cede hearing days to attend them. We recognize that committee participation in the NAA is one of the best ways that we learn from each other and make new friends. We do not want to unduly restrict the opportunities for

Committees to meet and work together. However, there are many other ways to hold meetings and conduct business without the need for “in person” contact. Much work and many items can be dealt with before and after the Spring meetings via conference call, email exchange, and/or “virtual meetings” via services such as <https://free.gotomeeting.com/> or <https://zoom.us/>.

This Committee utilized <https://zoom.us/> and <https://docs.google.com/document/u/0/> to “meet,” discuss ideas and review drafts of this Report. We found these services to be very effective, free and an ideal way to achieve meaningful communication across the USA and Canada.

Therefore, to reduce costs, increase our efficiency and spare us a lot of travel time, expenses and “wear-and-tear”, we recommend as follows:

- a) Only the BOG, the CPRG, and the Membership Committees should meet on the day before the Annual Conference (i.e. on Wednesday) to conduct all their necessary business. Other committees should meet during the days of the Conference before or after the programmed sessions.
- b) Committee Reports shall be filed with the BOG at least 20 days prior to the Annual Conference.
- c) As much as feasible committee work and meetings should be conducted throughout the year via conference calls, emails, and other electronic services.
- d) The BOG should conduct a Fall meeting at the site and time of any Fall Regional Meeting. A second, less favourable alternative would be to hold the Fall BOG meeting at an airport hotel in a “hub city” to minimize costs of travel for the BOG members. If there is a request for a committee Chair to make an “in person” report to the BOG at its Fall meeting, such a request should be communicated to the Executive Committee at least one month prior to the Fall BOG meeting for consideration.
- e) If there is a need for the CPRG, the Membership Committee and/or Nominating Committee to hold an “in person” meeting in the Fall, such

meeting(s) should be held at the same time and place as the BOG Fall meeting. If any other committee(s) indicate the need to meet with the BOG in the Fall, their attendance should have the prior approval of the Executive Committee.

**E. Meeting Planning:** The Executive Committee should make the choice of meeting location, with the assistance of professional event planners. We understand that the Executive Committee has already successfully used the services of

ABA Leverage;

[https://www.americanbar.org/resources\\_for\\_lawyers/abaleverage.html](https://www.americanbar.org/resources_for_lawyers/abaleverage.html)

The event planners should be asked to consider the costs of providing AV equipment from within the site or from outside contractors where the site allows for such.

**F. Venues for Meetings:** Factors that the Executive Board (and Event Planners) should take into consideration when choosing Meeting venues:

- Does the city have an airport with convenient connections for travel from all points in the USA and Canada?
- Does the city have appealing cultural, dining, entertainment, sporting events, sporting activities that are accessible from the chosen hotel?
- Is the city located in a venue where collective bargaining is accepted?
- Is the hotel convenient to dining, shopping and cultural activities?
- Is the hotel unionized?
- Does the hotel have appropriate AV facilities or will it allow for independent AV services at a lesser cost?
- Will the cost of registration be affordable?
- Are the hotel/meeting rooms accessible to registrants and guests with mobility or other disability concerns?

- Will the events in the hotel be easily accessible to registrants and guests with mobility or other disability concerns?
- Does the hotel have appropriate facilities for the socializing recommended for the “Hospitality Room(s)” and Presidential Suite? (See Section O, below)
- Do the meeting options reflect movement among the most appealing locations for attracting attendants from the USA and Canada? Alternating from the eastern to western and/or northern to southern parts of the USA/Canada offers variety and interest for repeating attendees.
- Attention should be paid to the impact of the current exchange rates between the USA and Canada, and its potential for opening Canadian venues such as Toronto, Halifax, Montreal, Quebec City, Calgary or Edmonton.

**G. The Dinner Dance:** The Friday night dinner dance is to be replaced with any or some of the options set out below. (See Section O, below)

**H. Dine-Arounds:** The “Dine-Arounds” should be expanded because they provide a tried-and-true opportunity for members and guests to meet and mingle with new-found colleagues and old friends. The Host Committee should ensure that the choices offered in the Dine-Arounds would include a variety of culinary choices, ranging from casual dining spots to more formal and expensive restaurants. Consideration should be given to meeting member preferences by varying dinner times because some people will like to eat earlier while others would prefer a later dining time. The Host for each chosen spot should also take accessibility into account.

**I. Guest Sponsored Sessions:** Neither the Bloch Report nor this Committee supports the concept of guest-sponsored receptions. The neutrality of NAA members is integral to our professional identity and commitment. There are

risks of misperceptions that could be created from receptions sponsored by the unions/employers/law firms/organizations who appear before us. Nor is there a need for such functions. Instead, the Bloch Report recommended, and this Committee endorses consideration of Academy-sponsored hospitality rooms. This is discussed further in Section O, below.

**J. New Members:** As an organization, we take great pride in welcoming new Members into the Academy. It is important to help them feel comfortable at the meetings and to have them become better known to the labour relations community as a whole. Further, for growth and rejuvenation, we want to encourage other arbitrators to join the Academy. Therefore we recommend that:

- The President should identify the new members at the commencement of the second plenary session on Thursday morning by asking them to stand up so that they can be recognized by others in the audience. This would be in addition to, and not meant to replace, the new members' speeches and acceptance ceremony that will continue to be held during the Annual business meeting on Saturday afternoon.
- The Membership Committee should assign a "Meeting Mentor" to each new member to ensure that s/he is introduced to other members and assisted during educational and social functions.
- The Outreach Committee should be encouraged to invite prospective members to attend our Conference as interns or guests. Further, it should consider hosting a "Salon Session" for new or prospective members in one of the Hospitality Rooms. (See Section O, below.)

**K. Meeting Content:** Program Committees have and continue to work hard to mount interesting and "themed" programs. They have also been encouraged to recruit members and guest speakers for panel participation. Much success has been achieved.

The Program Committees and members are always looking for stimulating and creative programming. Attendees can legitimately expect to learn and be challenged by our sessions. Most importantly, at a time when collective bargaining and arbitration are existentially challenged, NAA meetings can and should provide a forum for thoughtful leadership, discussion and exploration of issues that could enhance understanding and appreciation of the role that arbitration plays in the resolution of labour relations disputes in a democratic society. At the same time, the NAA has an obligation to ensure the growth and health of our organization by giving greater recognition of the contributions that new members can bring to discussions by showcasing their talents to attendees. Therefore, the Board of Governors' has a responsibility to ensure the development and delivery of programs that are thought provoking, educational and meaningful. Therefore the Board of Governors should ensure that the Program Chair Handbook be updated so that it incorporates the following as minimum expectations:

i) For all sessions

- Special consideration should be given to recruiting new members or potential members as presenters or panelists to showcase their talents and to give them broader exposure in the profession
- Panels and speakers must, wherever possible, reflect diversity in age, race and cultural backgrounds.
- Disabilities cannot be considered as barriers for speakers or registrants. Accordingly, meeting venues and podiums for speakers must be accessible to people with disabilities.
- Topics and commentary must be sensitive to the dangers of implicit bias and deal frankly with issues relating to discrimination in all its forms.
- Session Chairs should be given and adhere to the Moderator's Guidelines, appended as Appendix A to this Report.
- Session Chairs should consider innovative methods of engaging the audiences, taking full advantage of technological advancements, as seen for example in <https://www.oncontracts.com/presentation-audience-vote-topic-order/>

- The Program Committees should consult the REF to learn of potential papers or research projects under consideration that might become the focus of a plenary, concurrent, or poster session.
- Thinking outside the “arbitration box.” There has been considerable popularity for sessions that are not directly related to labour and employment law. Examples are sessions on retirement, labour history, or art and literature related to arbitration. Therefore, creative topics should be encouraged that will attract speakers with expertise that could be of value to our work not only as arbitrators, but also as professionals who promote and educate in the broader field of dispute resolution. Some suggestions could include:
  - The Psychology of Decision Making
  - Effective Writing techniques or the Art of Narrative and Analysis
  - Effective Presentation Skills
  - Judicial Writing
  - Indigenous reconciliation techniques, such as healing circles; are they something that should be tried or considered in the workplace?
  - How to identify and overcome cultural differences in a hearing
  - What is the role of or the danger of considering body language in the assessment of the reliability of a witness?
  - Afterthoughts: was my decision “right” based on the evidence, but what actually happened?
  - What is the Truth? What is Proof?
  - Problems of perception, recollection and recitation
  - The “theatre” of adjudication - the importance of the tone, style and atmosphere during a hearing
  - Will artificial intelligence replace arbitration?
  - What issues keep (or should keep) arbitrators awake at night?
  - New ideas about mentoring and training new arbitrators
  - How do neutrals resolve labour disputes in other countries?
  - Implicit Bias – i.e. with Prof. Mahzarin Banaji, an Indian-American social psychologist at Harvard University
  - How to secure agreement or define the issue(s) in dispute and/or the scope of the grievance?
  - Effective decision writing

- Skill development in areas such as mediation or other ADR areas.

ii) For Plenary Sessions

- The rooms for plenary sessions should be fitted with large screens and AV equipment that will enable all of the audience to see the faces and hear the voices of all the speakers
- The Program Committee should ensure that sessions will be of value to all attendees. Therefore, topics should reflect issues that are of interest to or reflect both Canadian and U.S. issues.
- The Chair of each Plenary must be responsible for ensuring that the speakers prepare papers suitable for publication in the Proceedings and that are of sufficient depth to qualify for CLE credits. Anticipating the declining reliance on printed documents, such as the annual Proceedings we suggest that the BOG explore transition to on-line Proceedings once our commitment to BNA expires. This kind of change may affect the nature of presentations and should increase flexibility in programming.
- Panelists and speakers' papers should be made available for distribution to all registered attendees electronically at least one week prior to the Conference.
- Attendees are to be encouraged to read the papers prior to each session.
- Speakers should be strongly encouraged to engage the audience and advised against reading their papers aloud. Speakers should be limited to a 10-15 minute summary geared to stimulating panel and audience discussion and articulating, "take aways". To every extent possible, sessions should be interactive, involving questions and answers, table talk discussions or some form of thought-provoking communication. As appropriate, consideration should be given to encouraging speakers and panelists to think about audience "take-aways," such as, "How will this presentation affect your practice, either as an advocate or arbitrator?"
- Panel Chairs must be responsible for ensuring that panel members stay within prescribed time limits.
- All sessions must provide significant time for audience participation/questions to avoid the conclusion that our sessions are simply lectures or self-promoting events. Instead they should become opportunities for the robust interchange of ideas



- Presentations with AV effects are to be encouraged.
- Guest speakers/panelists should be recruited from the locality/region where the meeting is being held.
- Ideally guest speakers will be individuals with “name recognition.”
- Guest speakers must be knowledgeable in areas related to labour/employment arbitration or the practice of dispute resolution.
- Strong consideration should be given to inviting speakers with expertise in areas that relate to adjudication and labour disputes, such as psychologists, sociologists, medical professionals and specialists in effective decision writing.
- If speaker selection requires subsidy, the Program Committee could approach the REF for potential assistance.

### iii) Breakouts Sessions

- Industry specific sessions should be continued. New or different industries could be included.
- The “Canadian Issues” session should be continued.
- Poster sessions should continue to be encouraged. To this end, academics/graduate students in the field of or linked to labour/employment relations from the site city should be recruited to lead discussions on research or emerging topics of interest to those in our field. The REF should be consulted to see whether there is any research paper suitable for presentation as a poster session topic.
- The design and substance of each session should be suitable for CLE credits.
- At least one session should address issues related to Ethics and the Code of Professional Conduct.
- Consideration should be given to presentations related to the site’s labour history. For example, ‘Civil Rights’ in Memphis, the ‘Transit Strike’ in NYC, or ‘Amalgamation’ in Toronto.

**L. Length of the Meetings:** While we all have intellectual curiosity and a desire to enhance our professional skills, the evidence seems clear that conference attendants avoid sessions that start too early, require sitting through long readings by “talking heads”, have few breaks and end late in the afternoons. The problem is compounded by the difficulty in finding new, creative and exciting topics to lure attendants, particularly those who might want to bring their families. People also spend money to come to

conferences not only to learn new things and enhance their skills, but to make connections with other professionals. Networking is a valuable reason to come to an Academy meeting. Further, it is clear that many of our members and their families embrace the NAA meetings as an opportunity to enjoy friends, experience the venues and explore what the site city has to offer. Therefore, it has become apparent that programming must allow for more time other than programmed sessions. Registrants need time to attend to work, call family and to simply relax. Therefore, we propose the following shortened format to provide less strain and more free time:

**Wednesday:**

All day	BOG, CPRG, Nominating and New Member Committee Meetings
5:30 - 6:30	The President's Welcoming Wine and Cheese Reception

**Thursday: Sessions Open to all Registrants**

8:45 a.m.	Welcome from the President and Host Committee Chair
9:00 -10:15	Plenary 1
10:30 - 11:45	Plenary 2, commencing with the Announcement of New Members
12 - 1:30 p.m.	Distinguished Speaker Luncheon
1:45 – 3:00	Breakout Sessions
3:15 - 4:30	Fireside Chat
3:30 - 6:00	“Hospitality” Room(s) open (see below)
4:30 – 6:00	Committee Meetings
7:00 p.m. - 9:30	“Hospitality” Room(s) open (see below)
From 6:30 p.m.	Dine-Arounds
9:30 - ?	Presidential Hospitality Suite

**Friday: Sessions Open to all Registrants**

8:45 a.m.	Remarks from the President and Host Chair
9:00 -10:15	Plenary 1
10:30 - 11:45	Plenary 2
12 - 1:30 p.m.	President's Luncheon and Presidential Address
1:45 – 3:00	Breakout Sessions
3:15 - 4:30	Committee Meetings
3:30 - 6:00	“Hospitality” Room(s) open (see below)
7:00 p.m. - 9:30	“Hospitality” Room(s) open (see below)

7:00 p.m. Social Options - see below  
9:30 - ? Presidential Hospitality Suite

**Saturday: Open only to NAA Members and Interns**

9:00 - 9:30 a.m. New Member Introductions  
9:30 - 10:30 Plenary  
10:45 - 12 noon Breakout sessions  
12 - 1:00 Lunch on your own  
1:00 - 2:30 Membership Meeting  
2:30 BOG meeting cont'd (if required)

**M. Speaker Compensation:** Program chairs and committees have long had difficulties recruiting speakers from outside of the NAA willing to pay their own travel costs. We have offered only one night's hotel accommodations, the NAA meal(s) on the day they attend, "comped" their registration fees and given them our profound thanks. Despite this, the Academy has been fortunate enough to attract many experts, counsel, academics, and party representatives who have been exceedingly understanding and cooperative. However, with US unions facing mounting challenges and with cutbacks in university and public service budgets, we predict it will become increasingly difficult to recruit interesting speakers who will have to incur significant personal expenses to participate in our meetings. This will severely impede us from achieving the goals of our Conference given the fact that outside experts, advocates and the parties' representatives often will be exactly the speakers who will attract registration and ensure attendance.

Therefore, we recommend the following:

- a) Guest speakers for plenaries/panels and/or breakout sessions should be recruited by the Program Committee from the locale of the Annual Conference to the maximum extent possible and their conference fee should be waived.

- b) Similarly, the President should select the Distinguished Speaker for the Thursday luncheon, ideally from the locale of the Annual Conference. This speaker could be a journalist, leading academic, government official, jurist or author and should have “name recognition”. The Distinguished Speaker should speak on a topic of interest to attendees and that will enhance attendance. An honorarium should be offered. Further, or in the alternative, depending on the topic, the REF could be approached for financial assistance when the speaker’s topic is compatible with the REF’s mandate.
- c) To the extent required to fill-in our program, out-of-town guest speakers for plenaries/panels and/or breakout sessions should continue to have their conference fees waived and a one-night hotel stay paid by the Academy.
- d) Some thought should be given to providing a token of thanks to guest speakers on plenaries/panels or breakout sessions.
- e) If applicable, the REF could be approached to assist in the funding of speakers who are involved in REF projects or who can make a contribution to the programming that specially will benefit The Proceedings and the mission of the REF itself.
- f) When circumstances create an opportunity for a very thought-provoking and extraordinary individual to address the Annual Conference, the Executive Committee should exercise its discretion to offer special funding to make his/her attendance possible.

#### **N. Conference Fees for non-members**

One of the attractions of the Annual Conference for NAA members always has been the opportunity for members to meet and mingle with the parties in an informal and social atmosphere. This “networking” is of value to newer members and also provides chances for people to maintain existing friendships and professional relationships. However, as the Bloch Report

pointed out and as must be obvious to all, attendance from non-members has declined significantly in recent years. It is in the interest of positive labour relations to revive guest attendance. Proactive measures must be put in place. It is important that the Academy regain its preeminent standing at the forefront of the field and in our members' practices. Our hope is that the revised programming will attract attention. However, greater incentives must be considered.

Therefore, we recommend that the NAA offer significantly discounted conference fees to non-members to encourage attendance from non-member arbitrators as well as more attendance from unions, management and academe. As the Bloch Report suggests, a registration fee that covers the costs of meals might be a sufficient discount. Consideration should be given to further discounting early registration. The resulting fees should cover the cost of accommodating non-members' and guests' attendance, without putting too much (if any) extra financial burden on members' registration costs. The Executive Committee would have to determine the appropriate discounted rate that allows for cost recovery, but that is low enough to encourage increased registration.

Group discounts should also continue to be offered for multiple attendees from a single organization/firm/union/university/employer.

#### **O. The Social Aspects of the Annual Meeting**

One of the major benefits of NAA membership is its social aspect. Members and guests are welcome at these events. Arbitration is a wonderful profession. However, it is often lonely. This makes the chance to wine, dine and share experiences with colleagues ever more important to foster enduring friendships for our members, advocates, party representatives, non-member arbitrators, interns and their partners and families. With the discontinuance of the "dinner dance," newer and more diverse opportunities

must be put in place to appeal to a wider group and enable the social nature of our meetings. Several creative and collegial ideas have come forward and should be considered. For example:

- a) “The Hospitality Room(s)” - The host hotel should have comfortable “drop-in” room(s) where registrants, guests, speakers and partners can gather together in a casual atmosphere after programming is over. Ideally, the room(s) would be set up with several couches and variable seating arrangements to allow for various types of activities.

A cash bar and snacks would be an asset in such a room(s).

The space(s) should be made available from 3 - 6 p.m. and 7- 9:30 p.m.

Volunteer members could host activities in the afternoons from 3 - 6 p.m. such as:

- bridge games
- board games
- trivia games
- people available to explain how to use useful technology, such as “apps” or other “tech” issues, such as “the iCloud,” and scheduling tools
- travel ideas
- Wine tasting and/or Whiskey tasting

The 7 - 9:30 p.m. slot time in the same room could be used for entertainment, even though this may entail some extra cost to the participants. This period could entail the following formats:

- a labour themed movie, with popcorn being served
- a jazz group
- classical music ensemble, perhaps recruited from a local music academy
- a magic show
- a paint night
- a charity group activity, such as “Build-a-Bike”.

b) Off-Site Activities

The Host Committee should be encouraged to arrange activities that can be enjoyed in the evenings or during the daytime with any costs thereof borne by the participants. Such activities might include the following:

- private group bookings to site city unique facilities, such as museums or art galleries in off hours, such as occurred at the Field Museum in Chicago
  - tickets to musicals/opera/symphony
  - tickets to theatre productions
  - tickets to concerts
  - tickets to sports events
  - tickets to comedy or jazz clubs
  - golf/tennis sites
  - excursions to places of unique interest in the site city, such as an aquarium, zoo, art gallery, or site of labour history interest (i.e. National Civil Rights Museum in Memphis)
  - boat cruise
  - charity activity participation, such as Habitat for Humanity
  - anything else the Host Committee deems appropriate and attractive to attendees
- c) The Host Committee should re-institute the concept of arranging day-time activities for Members and Guests' spouses/partners/families, such as;
- guided tours of historic or areas of interest in the city
  - any of the activities listed above
- d) The Presidential Hospitality Suite - This lovely tradition of opening the Presidential Suite to attendants at 9:30 p.m. should be continued. The costs for the refreshments should be the responsibility of the NAA.
- e) The Program and Host Committees should assign an NAA member to each lunch table to ensure that introductions are being made, conversation is encouraged, and that people are being made to feel welcome and comfortable.
- f) The New Member Orientation Committee should assign a "meeting mentor" to each incoming member. This might help encourage new members to continue coming to NAA meetings if they feel as though someone is looking forward to seeing them there and helping them to get involved in committees and other Academy work.

## **P. Marketing and Promotion**

Advances in technology and social media have opened new vistas for reaching beyond our regular attendees. We recommend that the Program and Host Committees engage social media and any other appropriate means to promote our Annual Conference and Meeting. Consideration should be

given to creating a new committee to focus on marketing and promotion of the NAA Annual Conference through social media and other means. Alternatively, this could become part of the mandate of the Outreach Committee.

Being personally invited to an event can make a difference. All NAA members should be encouraged to promote the Annual Program by considering the following approaches:

- At hearings and other professional gatherings, such as LERA, members could share information about the Annual Meeting (dates, topics, presenters, location). Members could provide a link to the NAA website for the complete program or provide hard copies of the program to pass out, if those are available. Barring that, the Academy could produce a basic information sheet that Members could print and bring to functions, pointing to our website (and the online Proceedings) and announcing the meeting details.
- Encourage the Regions to invite interns and other non-Academy arbitrators in their area/region to attend. Perhaps the Outreach Committee could be instrumental here.
- Regions and individuals should contact non-active NAA members to advise them about the positive changes to Conference format and to encourage them to attend.

**Q. Recognition for attendance:** Attendance at our meetings is not a condition of membership. Yet, the Academy is enriched by the attendance of members and the contributions they make to discussions and the social aspect of these events. Regular attendance is a benefit to us all. Attendance signals a significant commitment to the Academy. This should be of interest to Presidents when recruiting Members for Committee work and to the Nominating Committee when it considers recommendations to elected offices. Therefore we recommend that NAA Operations begin to keep track of Members' attendance at our conferences. This information should be provided to Presidents and the Nominating Committees, upon request.



## CONCLUSION

We propose these changes to help resolve some of the present needs facing the Academy. We hope that their implementation will provide a pathway for the immediate future that results in renewal and growth for the NAA, its members, and the labour relations community we serve. They need not be viewed as a prescription for permanent change. We hope this reflective exercise becomes a recurring one and that future committees will come up with even more creative ideas that will maintain the NAA as a relevant and dynamic leader in our ever-changing field.

It is critical that the Academy leadership and the entire Academy membership understand that some of the new ideas that future Program and Host Committees will work and some will not. The success and failure of some ideas may be the result of timing or circumstances. Whatever the result, future Program and Host Committees should be encouraged to experiment and continue to strive to meet the purposes of our existence as set out in our Constitution.

All our comments and recommendations have been made within a background of profound respect and gratitude for the laudable achievements of previous Program and Host Committees. We also appreciate the limits of our own creativity and vision. Any other ideas that may arise that would stimulate attendance and enhance our profession should always be given serious attention. We regard this Report as a working document to be annotated as ideas are tried and we learn from experience.

As a Committee, we thank President Ed Krinsky and the BOG for the trust you have placed in us at this important juncture in the Academy's history.

Claude Ames  
Walt De Treux, *Ex Officio*  
Paula Knopf, *Chair*  
Daniel Nielsen  
Susan Grody Ruben

Christine Schmidt  
Andrew Strongin  
Maretta Comfort Toedt  
Barry Winograd, *Ex Officio*  
Arnold Zack

***Please see the next page for a brief summary of these recommendations***

## **SUMMARY OF RECOMMENDATIONS OF THE BLOCH COMMITTEE IMPLEMENTATION COMMITTEE**

1. The Fall Education Conference is to be combined with the Annual Meeting, commencing 2020.
2. The Regions should be strongly encouraged to hold their meetings in the Fall or at least 30 days before or after the NAA Annual Spring conference.
3. NAA Annual Conference: There should be only one NAA Conference per year, held in the Spring, between mid-April and mid-May.
4. The change to one meeting per year will require changes to be made to the scheduling of Board of Governors (BOG) and other Committee meetings, resulting in greater use of electronic meeting and communication services.
5. The Executive Committee should make the choice of meeting location, with the assistance of professional event planners, taking factors such as accessibility, attractiveness of the location and affordability into consideration.
6. The Friday night dinner dance should be replaced with many other social activities each day and night that will offer various options to all registrants, guests, spouses, and partners.
7. The “Dine-Arounds” should be continued and expanded.
8. Guest-sponsored receptions should not be held.
9. Special activities and personal attention should be given to New Members, potential new members, and Guests at each meeting.
10. The format of the programming has been changed, providing for shortened days and fewer sessions, commencing on Thursday and Friday for members, parties’ representatives, advocates, guests and interns. The sessions on Saturday morning will be open to Members and Interns only.
11. The BOG and the Program Committee are to be responsible for ensuring that the content of all plenary sessions will be interactive and provide content that will be of interest to or reflect both US and Canadian issues.
12. The Program Committee should recruit new members as presenters/speakers during sessions. Guest speakers should be recruited from the area where the Conference is being held to help contain costs and help attract attendance from the local area. Featured speakers ideally should have “name recognition” that will attract attendance and be able to provide valuable information to the registrants.
13. The NAA should lead by example by making conference venues and accommodation accessible to people with disabilities and by recruiting new members, speakers, and presenters who reflect the cultural and racial diversity of the community we serve and from which we are drawn.
14. Honoraria and/or tokens of thanks should be given to speakers.
15. The grantees of Research and Education Foundation could be considered as a resource for potential speakers. The REF could be considered as a funding source for a speaker of special interest.

16. Conference fees for non-members should be adjusted to encourage attendance of parties' representatives, advocates, interns, students, and non-member arbitrators. The fees should be determined on a cost-recovery basis.
17. The "social" aspect of the conferences/meetings should be enlivened, with various options open to all registrants, spouses/partners and families. These include the introduction of Hospitality Rooms within the site hotel, as well having the Host Committee offering/arranging optional activities throughout the days and nights.
18. The Program, Host Committees and Outreach Committees should engage social media and any other appropriate means to promote the timing and content of Conferences. Consideration should be given to whether or not a new committee could be formulated to be responsible for social media,
19. All members, as individuals, should be given the responsibility to promote attendance at the Annual conference to other members as well as potential new members, parties' representatives and advocates.
20. NAA Operations should begin to keep track of members' attendance at the conferences. This information should be made available and provided to Presidents and the Nominating Committees, upon request for purposes of selecting Members for committees or recommending them for elected offices.

## APPENDIX A

### **Guidelines for Moderators** **Prepared by Maretta Toedt** ***[Adapted to the National Context]***

1. If a panel has not already been assembled for your workshop, assemble a panel. If you are not sure who the “experts” are for your topic, ask other region members and advocates. Try to select panelists (ideally from the locale of the meeting) that are effective presenters as well as experts in the area. If you know of one expert on your topic, that expert may be able to recommend other expert panelists.
2. Remember, we strive to always present both the labor and the management perspective on the topic to be presented. Make sure your panel is balanced.
3. **Pre-game conference call:** Do not wait until the day of the workshop to meet with your panelists! Let the panelists know that you will be in touch with them at least 2-3 weeks prior to the conference for a conference call with all of the panelists. This may take the form of a conference call or skype call. At this point you can discuss topics or questions that you as moderator will ask them, order of presentation, whether the audience will be encouraged to ask questions, etc. This is important as it can help eliminate presentations that overlap or are disjointed because the panelists have not discussed with each other what they will be covering in their presentation.
4. Make sure your panelists know the following:
  - a. Date of the conference and time slot.
  - b. Who the other panelists will be
  - c. How much time each panelist will have (this may be a group decision)
  - d. The format to be used
  - e. The likely audience (e.g., union reps, labor relations professionals, attorneys, etc.)
5. Make arrangements to meet your panelists at the conference at a particular time so that you can get them to the proper room and let them get set up for their presentation.
6. Find out whether the panelist will be at the conference for any of the meals.
7. Find out whether the panelist will need any audiovisual equipment and let the arrangements chair know what is needed. This equipment costs extra money so be sure that it is needed.
8. Properly introduce each panelist. They are doing this at no charge (usually) except for the exposure for themselves and their organization or law firm.
9. Often workshop sessions end up being “talking heads,” with one panelist making a speech followed by another panelist making a speech. This is often very boring. During your pre-game conference call, discuss what format will be used. If you are the moderator, consider developing a series of questions that you can ask the panelists so that the presentation is more interactive. You may also want to consider having members ask planted questions so that the audience begins to participate in the discussion.
10. Leave time for audience questions.

11. Remind your panelists that the audience appreciates “take-aways.” Each panelist should be able to summarize “in 25 words or less” what the heart of his/her presentation was.
12. Encourage the panelist to bring a handout or paper or provide electronic access to materials for the audience. Any written materials can most likely be posted on the Region’s website, [www.naaswr.org](http://www.naaswr.org), which could be an incentive for a panelist to provide written or electronic materials.
13. Keep the panelists focused and moving through your agenda of topics to be covered.  
**End your workshop on time!**
14. **Don’t hog the limelight and don’t let one of your presenters hog the limelight.** It’s not all about you or him/her.
15. Do not forget to thank your panelists after the conference is over. A written note or at least an email to thank each presenter is appropriate.

NAA Member: \_\_\_\_\_

Name of Workshop: \_\_\_\_\_

Name of Panelist	Audio Visual Needs	Meals attending
1.		
2.		
3.		