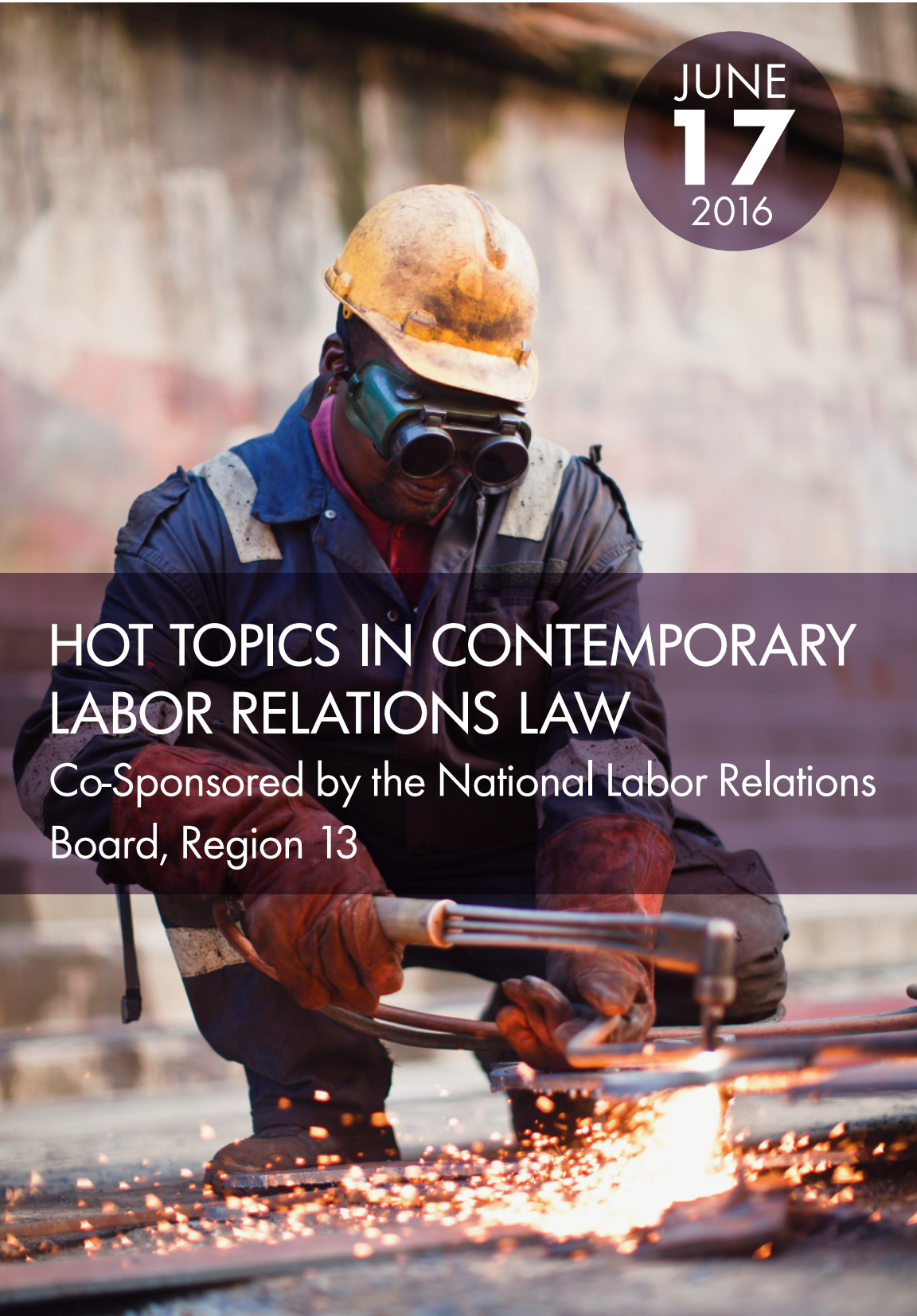




JUNE  
17  
2016

# HOT TOPICS IN CONTEMPORARY LABOR RELATIONS LAW

Co-Sponsored by the National Labor Relations  
Board, Region 13



# 3

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Chicago, IL 60661-3691

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# HOT TOPICS IN CONTEMPORARY LABOR RELATIONS LAW CONFERENCE

Back by popular demand, the Hot Topics in Contemporary Labor Relations Law Conference will give you the most recent developments on the evolving application of the National Labor Relations Act and highlight the employment issues arising in the new economy. For those new to the field, we have introduced a new nuts & bolts track. Concentrated succinctly into a one-day conference, get hands-on practical knowledge and 6.25 hours of CLE credit.

## CONFERENCE AT A GLANCE

**8:00am–8:45am**

**Registration**

**8:45am–9:00am**

**Welcome & Announcements**

**9:00am–9:45am**

**Keynote Address**

**The Unknown Challenges  
from Practitioner to Chief Counsel  
to Board Member**

**9:45am–11:00am**

**Opening Plenary Address**

**Labor Law in the New Economy**

**11:00am–11:15am**

**Break**

**11:15am–12:15pm**

**Concurrent Sessions**

- Who is the Employer?
- The R Case Process: Procedures and Impact of New Rules and Bargaining Unit Determinations after *Specialty Healthcare*
- Thinking Strategically: Employee Handbooks, Employer Policies, Social Media, and More

**12:15pm–12:30pm**

**Box Lunch Pick-Up**

**12:30pm–1:30pm**

**Luncheon Table Talks**

- Deferral to Arbitration after *Babcock & Wilcox*
- Unfair Labor Practice Mediation Project

- Bargaining Issues: Information Requests, Healthcare, and More

- Union Security and Right to Work Issues

**1:30pm–1:45pm**

**Break**

**1:45pm–2:45pm**

**Concurrent Sessions**

- Who is the Employee?
- Unfair Labor Practice Primer
- Arbitration and Class & Collective Action Waivers: The Ins and Outs of *D.R. Horton* and *Murphy Oil*

**2:45pm–3:00pm**

**Break**

**3:00pm–4:00pm**

**Concurrent Sessions**

- Remedies and Compliance
- Current Issues Involving Protected Activity: One Day Strikes and More
- Ethics: Who is the Client?

**4:00pm–4:15pm**

**Break**

**4:15pm–5:15pm**

**Closing Plenary Address**

**The Deregulatory First Amendment  
and the Workplace**

**5:15pm–6:15pm**

**Networking Reception**

This Conference is Co-Sponsored by the National Labor Relations Board, Region 13



# FACULTY AND PLANNING COMMITTEE

## FEATURED FACULTY



### KEYNOTE ADDRESS

#### **Kent Y. Hirozawa**

Board Member  
National Labor Relations Board



### OPENING PLENARY ADDRESS

#### **Richard F. Griffin, Jr.**

General Counsel  
National Labor Relations Board, Region 13



### CLOSING PLENARY ADDRESS

#### **Charlotte Garden**

Associate Professor  
Seattle University School of Law

## CONFERENCE PLANNING COMMITTEE

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NLRB, Region 13

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Chicago Federation of Labor

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#### **Joseph J. Torres**

Winston & Strawn LLP

#### **Emil P. Totonchi**

Teamsters Local 705

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#### **William A. Widmer III**

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& Barr Ltd.

#### **Thomas M. Wilde**

Vedder Price

#### **Adam C. Wit**

Littler Mendelson PC



## CONFERENCE FACULTY

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SmithAmundsen LLC

### **Gregory H. Andrews**

Jackson Lewis PC

### **Margaret Angelucci**

Asher, Gittler, & D'Alba Ltd.

### **Martin P. Barr**

Carmell, Charone, Widmer, Moss, & Barr Ltd.

### **Brian W. Bulger**

Cozen O'Connor

### **Lisa R. Callaway**

Engler, Callaway, Baasten, & Sraga LLC

### **Violet M. Clark**

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Cornfield & Feldman

### **Michele N. Cotrupe**

SEIU Local 1

### **Joshua Ditelberg**

Seyfarth Shaw LLP

### **Brian West Easley**

Jones Day

### **Stanley Eisenstein**

Katz, Friedman, Eagle, Eisenstein, Johnson, & Bareck PC

### **Pasquale A. Fioretto**

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NLRB, Region 13

### **Charlotte Garden**

Seattle University School of Law

### **Amy Moor Gaylord**

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NLRB, Region 13

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National Labor Relations Board

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NLRB, Region 13

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NLRB, Region 13

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Chicago-Kent College of Law

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Aramark

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Whitfield, McGann, & Ketterman

### **Paul W. Mollica**

Outten & Golden LLP

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NLRB, Region 13

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NLRB, Region 13

### **Christina Ortega**

NLRB, Region 13

### **Matthew T. Persons**

NLRB, Region 13

### **Dale Pierson**

IUOE Local 150

### **Thomas Porter**

NLRB, Region 13

### **Robin Potter**

Robin Potter & Associates PC

### **Paul Prokop**

NLRB, Region 13

### **Robert G. Reiter, Jr.**

Chicago Federation of Labor

### **Craig M. Rosenbaum**

Chicago Newspaper Guild

### **Richard L. Samson**

Ogletree, Deakins, Nash, Smoak, & Stewart PC

### **Catherine Schlabowske**

NLRB, Region 13

### **Jeanette C. Schrand**

NLRB, Region 13

### **Patricia Costello Slovak**

Schiff Hardin LLP

### **Mark L. Stolzenburg**

Vedder Price PC

### **Michael L. Sullivan**

Golberg Kohn

### **Sylvia L. Taylor**

NLRB, Region 13

### **Rosa M. Tiscareno**

Federal Mediation & Conciliation Service

### **Joseph J. Torres**

Winston & Strawn LLP

### **Emil P. Totonchi**

Teamsters Local 705

### **Christopher J. Williams**

Workers' Law Office PC

### **Adam C. Wit**

Littler Mendelson PC



"The sessions are incredibly impactful, down to earth, and very practical."

– Previous Attendee

# PROGRAM SCHEDULE JUNE 17, 2016

**8:00am-8:45am**

## Registration

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**8:45am-9:00am**

## Welcome & Announcement

**Peter Sung Ohr**, Regional Director, NLRB, Region 13  
**Martin H. Malin**, Professor of Law and Director, Institute for Law and the Workplace, Chicago-Kent College of Law

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**9:00am-9:45am**

## KEYNOTE ADDRESS

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### The Unknown Challenges from Practitioner to Chief Counsel to Board Member

**Kent Y. Hirozawa**, Board Member, National Labor Relations Board

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**9:45am-11:00am**

## OPENING PLENARY ADDRESS

---

### Labor Law in the New Economy

**Richard F. Griffin, Jr.**, General Counsel, NLRB, Region 13

#### Commentators:

**Brian W. Bulger**, Of Counsel, Cozen O'Connor  
**Christopher J. Williams**, Principal, Workers' Law Office PC

#### Moderator:

**Peter Sung Ohr**, Regional Director, NLRB, Region 13

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**11:00am-11:15am**

## Break

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**11:15am-12:15pm**

## CONCURRENT SESSIONS

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### Who is the Employer?

**Moderator/Panelist: Jeanette C. Schrand**, Supervisory Field Attorney, NLRB, Region 13

**Margaret Angelucci**, Shareholder, Asher Gittler & D'Alba Ltd.

**Pasquale Fioretto**, Partner, Baum, Sigman, Auerbach, & Neuman Ltd.

**Richard L. Samson**, Office Managing Shareholder, Ogletree, Deakins, Nash, Smoak, & Stewart PC

**Joseph J. Torres**, Partner, Winston & Strawn LLP

### The R Case Process: Procedures and Impact of New Rules and Bargaining Unit Determinations after *Specialty Healthcare*

**Moderator/Panelist: Daniel Nelson**, Assistant to the Regional Director, NLRB, Region 13

**Brian West Easley**, Partner, Jones Day

**Emil P. Totonchi**, General Counsel, Teamsters Local 705

### Thinking Strategically: Employee Handbooks, Employer Policies, Social Media, and More

**Moderator/Panelist: Andrea James**, Field Attorney, NLRB, Region 13

**George A. Luscombe III**, Attorney, Dowd, Bloch, Bennett, Cervone, Auerbach, & Yokich

**Mark L. Stolzenburg**, Attorney, Vedder Price PC

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**12:15pm-12:30pm**

## Box Lunch Pick-Up

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**12:30pm-1:30pm**

## LUNCHEON TABLE TALKS

---

### Deferral to Arbitration After *Babcock & Wilcox*

**Moderator/Panelist: Joyce Hofstra**, Supervisory Field Examiner, NLRB, Region 13

**Sang-yul Lee**, Partner, Locke Lord LLP

**Craig M. Rosenbaum**, Executive Director and General Counsel, Chicago Newspaper Guild

### Unfair Labor Practice Mediation Project

**Moderator/Panelist: Christina B. Hill**, Field Attorney, NLRB, Region 13

**Peter Sung Ohr**, Regional Director, NLRB, Region 13

**Rosa M. Tiscareno**, Commissioner, Federal Mediation & Conciliation Service





## Bargaining Issues: Information Requests, Healthcare, and More

**Moderator/Panelist: Matthew T. Persons**, Field Examiner, NLRB, Region 13

**Beverly P. Alfon**, Partner, SmithAmundsen LLC

**Violet M. Clark**, Partner, Laner Muchin Ltd.

**Michele N. Cotrupe**, Associate Counsel, SEIU Local 1

**Robin Potter**, Founding Partner, Robin Potter & Associates PC

## Union Security and Right to Work Issues

**Moderator/Panelist: Catherine Schlabowske**, Field Examiner, NLRB, Region 13

**Robert G. Reiter, Jr.**, Secretary-Treasurer, Chicago Federation of Labor

**Michael L. Sullivan**, Principal, Goldberg Kohn

**1:30pm-1:45pm**

**Break**

**1:45pm-2:45pm**

### CONCURRENT SESSIONS

#### Who is the Employee?

**Moderator/Panelist: Cristina Ortega**, Field Examiner, NLRB, Region 13

**Amy Moor Gaylord**, Partner, Franczek Radelet PC

**Marisel A. Hernandez**, Partner, Jacobs, Burns, Orlove, & Hernandez

**Jonathan D. Karmel**, The Karmel Law Firm

**Adam C. Wit**, Office Managing Shareholder, Littler Mendelson PC

#### Unfair Labor Practice Primer

**Moderator/Panelist: Lisa Friedheim-Weis**, Board Attorney, NLRB, Region 13

**Alan M. Kaplan**, Principal, Masuda Funai

**Terrance B. McGann**, Partner, Whitfield, McGann, & Ketterman

#### Arbitration and Class & Collective Action Waivers: The Ins and Outs of *D.R. Horton* and *Murphy Oil*

**Moderator/Panelist: Paul G. Hitterman**, Regional Attorney, NLRB, Region 13

**Joshua Ditelberg**, Partner, Seyfarth Shaw LLP

**Paul W. Mollica**, Of Counsel, Outten & Golden LLP

**2:45pm-3:00pm**

**Break**

**3:00pm-4:00pm**

### CONCURRENT SESSIONS

#### Remedies and Compliance

**Moderator/Panelist: Thomas Porter**, Compliance Officer, NLRB, Region 13

**Gregory H. Andrews**, Principal, Jackson Lewis PC

**Martin P. Barr**, Partner Carmell, Charone, Widmer, Moss, & Barr Ltd.

## Current Issues Involving Protected Activity: One Day Strikes and More

**Moderator/Panelist: Paul Prokop**, Supervisory Field Examiner, NLRB, Region 13

**Stanley Eisenstein**, Partner, Katz, Friedman, Eagle, Eisenstein, Johnson, & Bareck

**Joshua D. Holleb**, Partner, Klein, Dub, & Holleb Ltd.

## Ethics: Who is the Client?

**Moderator/Panelist: Sylvia L. Taylor**, Attorney, NLRB, Region 13

**Gilbert A. Cornfield**, Founding Partner, Cornfield & Feldman

**Scott A. Mayer**, Labor and Employment Relations Attorney, Aramark

**Dale Pierson**, General Counsel, IUOE Local 150

**Patricia Costello Slovak**, Partner, Schiff Hardin LLP

**4:00pm-4:15pm**

**Break**

**4:15pm-5:15pm**

### CLOSING PLENARY ADDRESS

#### The Deregulatory First Amendment and the Workplace

**Charlotte Garden**, Associate Professor of Law, Seattle University School of Law

**Commentators:**

**Lisa R. Callaway**, Partner, Engler, Callaway, Baasten, & Sraga LLC

**Wes Kennedy**, Founding Shareholder, Allison Slutsky & Kennedy PC

**Moderator:**

**Martin H. Malin**, Professor of Law and Director of the Institute for Law and the Workplace, Chicago-Kent College of Law

**5:15pm-6:15pm**

**Networking Reception**



"Speakers were both knowledgeable and informative while also being energetic and enthusiastic."

— Previous Attendee

# C-K SPOTLIGHT

## UPCOMING CLE CONFERENCES

May 19, 2016	35th Annual Federal Tax Institute Eligible for 7.0 hours of IL MCLE credit, 8.0 hours IL CPE credit
May 27, 2016	Beyond Bitcoin: Privacy, Money, Crime, and a Better Digital Currency ( <i>free!</i> ) Eligible for 5.5 hours of IL MCLE credit
June 9, 2016	35th Annual Conference on Not-For-Profit Organizations Eligible for 6.75 hours of IL MCLE credit, 8.0 hours IL CPE credit
July 14, 2016	Janders Dean Law Innovation Conference, by invitation only IL MCLE credit to be determined
September 15, 2016	34th Annual Federal Sector Labor Relations & Labor Law Conference IL MCLE credit to be determined
October 20, 2016	8th Annual Conference on Futures & Derivatives IL MCLE credit & IL CPE credit to be determined
October 28, 2016	Bi-Annual Midwest Arbitrators' Symposium, presented by the FMCS & Chicago-Kent College of Law IL MCLE credit to be determined
December 2, 2016	32nd Annual Illinois Public Sector Labor Relations Law Conference IL MCLE credit to be determined



### WHO SHOULD ATTEND?

- Attorneys
- Labor Relations Professionals
- HR Professionals
- Employment Law Professionals
- Union Business Representatives

### WHY ATTEND?

Both new and experienced practitioners will find this hands-on seminar immediately relevant, with tracks for the most recent advanced NLRA developments as well as the nuts & bolts basics. You will:

- Hear directly from the most prominent firm heads and government experts in the field
- Interact directly with each panel during Q&A
- Connect and learn from your industry peers

"Great conference; well-organized and informative. Glad I skipped another meeting to attend." – *Previous Attendee*





## NATIONAL LABOR RELATIONS BOARD REGION 13

Region 13 of the National Labor Relations Board conducts elections, investigate charges of unfair labor practices, and protect the rights of workers to act together, serving parts of Illinois and Indiana from its office in downtown Chicago. The Region has openings for legal externships and college internships for students interested in obtaining experience in labor law. All inquiries can be sent directly to Peter Sung Ohr, Regional Director, at [Peter.Ohr@nlrb.gov](mailto:Peter.Ohr@nlrb.gov).

New Address: Dirksen Federal Court House, 219 S. Dearborn St., Suite 808, Chicago, IL 60604

For more information, visit:

[www.nlrb.gov/region/chicago](http://www.nlrb.gov/region/chicago)

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## INSTITUTE FOR LAW AND THE WORKPLACE

Created in 1996, the Institute for Law and the Workplace at Chicago-Kent College of Law is a national center for research, training, dialogue and reflection on the law that governs the workplace. The institute serves as an intellectual home for the labor and employment law community in Chicago and nationally. It pools the resources of leading scholars and the professional community to train students and professionals, monitor workplace trends, and reflect upon issues confronting the labor and employment law community in a neutral academic setting.



## INSTITUTE FACULTY

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Assistant Dean Marsha L. Ross-Jackson

### **Director**

Professor Martin H. Malin

### **Assistant Director**

Professor Mary Rose Strubbe

### **Faculty**

Professor Howard C. Eglit

Professor Richard J. Gonzalez

Professor Laurie E. Leader

Professor César F. Rosado Marzán

Professor Henry H. Perritt, Jr.

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Get in front of your audience first-hand when you confirm your support as a session sponsor. Be everyone's favorite phrase when you become a Wi-Fi sponsor. These are just a couple of the opportunities available at this conference and others throughout the year. Contact Kelly Calvanico, CLE Director, at 312.906.5091 or [kcalvani@kentlaw.iit.edu](mailto:kcalvani@kentlaw.iit.edu) for further information.



# EVENT DETAILS

## CONTINUING EDUCATION CREDIT

<b>IL MCLE Credit</b>	6.25 hrs	1.0 hr ethics, pending approval
<b>PA MCLE Credit</b>	6.25 hrs	1.0 hr ethics, pending approval

## NEW THIS YEAR

**This Conference May Also Be Eligible For:**

<b>HR Certification Institute Credit</b>	Contact the Office of Continuing Legal & Professional Education for more information, <a href="mailto:cle@kentlaw.iit.edu">cle@kentlaw.iit.edu</a> .
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## CONFERENCE LOCATION

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A full tuition refund will be granted if received by May 20, 2016. Tuition, less a 25% cancellation fee will be granted if received between May 21, 2016 and June 10, 2016. No refunds will be granted if received after June 10, 2016, but a substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive access to the written materials. Email cancellation notices to [cle@kentlaw.iit.edu](mailto:cle@kentlaw.iit.edu).





## PRICING

<b>Check applicable box:</b>	Submitted on or before June 3 Downloadable Materials Only	Submitted on or before June 3, 2016 Hard Copy Book & Download Materials	Submitted after June 3, 2016 Downloadable Materials Only	Submitted after June 3, 2016 Hard Copy Book & Download Materials
<b>Regular</b>	<input type="checkbox"/> \$240	<input type="checkbox"/> \$265	<input type="checkbox"/> \$270	<input type="checkbox"/> \$295
<b>Group*</b>	<input type="checkbox"/> \$235	<input type="checkbox"/> \$260	<input type="checkbox"/> \$265	<input type="checkbox"/> \$290

\*To qualify for the group pricing you need only register 3 or more individuals at the same time, does not apply with other discounted rates.

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Firm/Company/Organization

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Please List Any Special Dietary Requirements or Accessibility Needs

CLE Credit?  Yes  No HRCI Credit?  Yes  No

Attorney Registration #

Registration Code (Enter characters appearing on the mailing label. Please enter this ID even if the label is addressed to someone else. Thank you!)

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Name on Card

Card Number

Expiration Date

CSV Code

Signature

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