

Thursday, May 17, 2018
National Academy of Arbitrators Presents:

**Labor Arbitration:
Preparing Your Case For Arbitration**

This program is designed to raise advocates knowledge about critical elements in arbitration issues. The interactive sessions are designed to hone advocates skills in spotting issues and determining the most optimal ways to establish their case.



Federal Sector: Arbitration - Law and Practice

This track is intended primarily for Federal Sector management and union representatives who will receive the following take-aways:

- ✓ Update and overview of current law impacting federal sector arbitration: including the Douglas Factors, Contract Issues and the Back Pay Act.
- ✓ Best practices in case preparation and presentation.
- ✓ Arbitrator and advocate ethics under the Code of Professional Responsibility.



The National Academy of Arbitrators programs are each limited to the **first 50** registrants. There will not be a waiting list.

No refunds after April 25, 2018. Substitutions are allowed.



Friday, May 18, 2018
39th FMCS Arbitration Symposium

Our Symposium provides an excellent opportunity for all members of the labor-management community and practicing arbitrators to review developments in labor and employment arbitration. Presentations and training are conducted by distinguished arbitrators, advocates, and attorneys.

The FMCS Arbitration Symposium costs \$175.00 per person, and includes a Continental breakfast, luncheon, and one coffee break. Registration after April 25, 2018 is \$225.00. Cash will **NOT** be accepted for registration fees. **There will be no registrations at the door.** No refunds after April 25, 2018. Substitutions are allowed.

For an additional fee of \$25.00, CLE credits are offered to attorneys for New Jersey, New York and Pennsylvania. One hour of Ethics is included only on Friday's 39th FMCS Arbitration Symposium program. **Applicant is required to sign-in and sign-out on the CLE attendance sheets on the day of the Symposium.**

Hotel Information

Hotel accommodations at the Golden Nugget Hotel are available for Wednesday and Thursday night at the reduced rate of \$95.00 per person plus taxes. Hotel reservations must be made by 5:00 pm, Tuesday, April 25, 2018, to receive the FMCS rate.

Individuals are responsible for booking their own hotel reservations directly with the Golden Nugget Hotel at 1-800-777-8477, option #3. You must identify yourself with Federal Mediation & Conciliation Service Symposium or group code, **AMED18**, to receive the FMCS rate.

Reservations that are cancelled less than 48 hours prior to check-in will result in one night's room and tax charges to be forfeited. Any reservations made after the contracted cut-off date are on a space availability basis at the current rack rate.

Hotel reservations and check-in require a valid credit card & ID.

Check-in time is after 4:00 pm.
Check-out time is 12:00 noon.

FMCS, LERA, and the NAA are NOT responsible for room charges, changes or cancellation fees.

Pre-Symposium Reception

All attendees are invited to a reception on Thursday, May 17th, from 6:00 pm - 7:15 pm.

For more information contact:
FMCS Commissioner Barbara Lichtman at 215-717-7500
or email blichtman@fmcs.gov

Registration form is included on the reverse side.

Friday, May 18, 2018

**39th FMCS ARBITRATION
SYMPOSIUM**



at the
Golden Nugget Hotel
1 Castle Boulevard
Atlantic City, NJ 08401-1991

Thursday, May 17, 2018

**The National Academy of Arbitrators
Presents:**

**Labor Arbitration:
Preparing Your Case For Arbitration**



**Federal Sector:
Arbitration - Law and Practice**



Federal Mediation & Conciliation Service Co-sponsors:

Labor and Employment Relations Association (LERA)
Philadelphia and New Jersey Chapters
&

National Academy of Arbitrators (NAA)
District of Columbia Mid-Atlantic Upstate New York Region
New York Western Pennsylvania



39th FMCS Arbitration Symposium
Registration Form

Check all that apply:

Thursday, May 17, 2018 (Only Choose 1)

Each NAA Session is Limited to 50 Registrants

- Preparing Your Case For Arbitration \$ 100.00
- Federal Sector: Arbitration - Law & Practice \$ 100.00

Friday, May 18, 2018

39th FMCS Arbitration Symposium

- Registration \$ 175.00
- Registration **after April 25, 2018** \$ 225.00

CLE CREDITS (Attorneys only) \$ 25.00

- Please Select From These States: NJ NY PA

Tuition waivers for CLEs are available for attorneys with limited financial means.

TOTAL REMITTANCE \$ _____

Registration / payments will not be taken at the door.

Pay via Internet: <http://www.leranj.ning.com>

OR

Make checks payable to and mail to:

FMCS Arbitration Symposium
1601 Market St, Suite 910
Philadelphia PA 19103-2329

Your Name: _____

Self or Organization: _____

Mailing Address: _____

E-Mail: _____

Phone: _____

Dietary Restrictions: _____

Tear Along This Line

Thursday, May 17, 2018

**National Academy of Arbitrators
Presents:**

**LABOR ARBITRATION:
Preparing Your Case For Arbitration**

- 8:00 am Registration & Continental Breakfast
- 8:30 am Introductions & *Getting off the Ground* Scenarios
- 9:30 am Review: *Just Cause* / Contract Interpretation
- 10:30 am Break
- 10:45 am Effective Use of the Grievance Procedure
- 11:45 am Case Preparation Guidelines - Developing the Theory I
- 12:15 pm Lunch
- 1:15 pm Case Preparation - Developing the Theory II
- 2:15 pm Break
- 2:30 pm Telling Your Story to the Arbitrator
- 3:30 pm Questions & Answers of the Arbitrators: What You Always Wanted to Ask
- 4:15 pm Closing Remarks / Evaluations
- 4:30 pm Adjourn



**FEDERAL SECTOR:
Arbitration - Law and Practice**

- 8:00 am Registration and Continental Breakfast
- 8:30 am Introductions [Faculty Panel]
Purpose, Expectations, Getting Off the Ground
- 9:45 am Break
- 10:00 am Arbitration: Law and Practice
Discipline [Douglas Factors], Basic Principles
- 11:00 am Evidentiary Issues of Proof: Opening Statements
Burden & Quantum of Proof
- 12:00 pm Lunch
- 1:00 pm Presenting theory through witnesses and exhibits
Formulation of Questions, Presenting Documents & Physical Evidence
- 2:00 pm Break
- 2:15 pm Presenting theory through witnesses and exhibits
[Continued, including closing statements]
- 3:15 pm Remedies: *Back Pay Act*, Attorney Fees
- 3:30 pm Introduction to Code of Professional Responsibilities
[Issues regarding disclosure and recusal]
- 4:30 pm Wrap up & Adjourn



**National Academy of Arbitrators
Presents:**

- Alan Symonette
- Ralph Colflesh
- Melissa H Biren
- Michele Miller-Kotula
- M David Vaughn
- Richard Adelman
- Haydeé Rosario
- Douglas J Bantle

Friday, May 18, 2018

39th FMCS ARBITRATION SYMPOSIUM

- 7:30 am **Registration and Continental Breakfast**
- 8:15 am **Welcome and Introductions**
D Scott Blake, Regional Director, FMCS, Philadelphia PA
Peter Donatello, Regional Director, FMCS, Woodbridge NJ
Barbara Lichtman, Commissioner, FMCS, Philadelphia PA
- 8:30 am **Drug Testing In The Age of Legalized Marijuana**
Presenter: Alan Symonette, Esq, NAA, Philadelphia PA
Panelists: Pamela Jeffrey, Esq, Levy Ratner, New York NY
Kathryn M Lipp, Esq, Berenzweig Leonard, McLean VA
- 9:30 am **How The Arbitrators Rule - Panel 1**
Moderator: Barbara Lichtman, Commissioner, FMCS, Philadelphia PA
Panelists: Scott E Buchheit, Esq, NAA, Haddonfield NJ
Sheila S Cole, Esq, NAA, Delmar NY
Gerard Gomez, FMCS Arbitrator, Norwell MA
Michele Miller-Kotula, NAA, Washington PA
- 10:30 am **Break**
- 10:45 am **Mandatory Fees After Janus**
Moderator: Joel M Weisblatt, Esq, NAA, Skillman NJ
Panelists: Mark S Ruderman, Esq, Ruderman, Horn & Esmerado, Springfield NJ
Alaine Williams, Esq, Willig, Williams & Davidson, Philadelphia PA
- 11:45 pm **Lunch**
FMCS Arbitration Update
Arthur Pearlstein, Director of Arbitration Services, FMCS, Washington DC
- 1:15 pm **How the Arbitrators Rule - Panel 2**
Moderator: Martin Callaghan, Commissioner, FMCS, Boston MA
Panelists: Dennis J Capagna, Esq, NAA, White Plains NY
Francis Donald O'Brien, FMCS Arbitrator, Newport RI
Mariann E Schick, Esq, NAA, Philadelphia PA
Andrew M Strongin, Esq, NAA, Takoma Park MD
- 2:15 pm **Effective Advocacy: How Not To Lose**
Presenter: Joan Parker, Esq, NAA, Villanova PA
Panelists: Bill Massey, Esq, Gladstein, Reif & Meginniss, New York NY
Louis J Cannon, Esq, Baker Hostetler, Washington DC
- 3:15 pm **Ethics For Arbitrators and Advocates: Web Searching**
Moderator: Homer C La Rue, Esq, NAA, Baltimore MD
Panelists: Cyril F Coombs, Esq, Ass't General Counsel, Dominion Energy Services Inc, Richmond VA
Devki K Virk, Esq, Bredhoff & Kaiser, Washington DC
- 4:15 pm **Closing Remarks**
- 4:30 pm **Adjournment**