

New England Consortium of State Labor Relations Agencies 12th Annual Conference



Western New England University School of Law

Friday, July 20, 2012

Learn from experts how employers, unions and labor relations neutrals are confronting the major issues impacting labor relations during these challenging economic times.





Thomas A. Kochan Keynote Speaker

Keynote Speaker, Thomas A. Kochan is the George M. Bunker Professor of Work and Employment Relations at MIT's Sloan School of Management and Co-Director of the MIT Institute for Work and Employment Research. In 1973, he received his Ph.D. in Industrial Relations from the University of Wisconsin. Since then he has served as a third-party mediator, fact finder, and arbitrator and as a consultant to a variety of government and private sector organizations and labor-management groups. Professor Kochan has done research and published numerous books on a variety of work and employment topics. Professor Kochan is a Past President of both the International Industrial Relations Association and the Industrial Relations Research Association (IRRA). Thomas currently serves as a member of the Advisory Board of the Massachusetts Department of Labor Relations.

Friday, July 20, 2012

8:30 a.m. - Registration
9:30 a.m.

9:30 a.m. - Welcome Address
9:45 a.m. Marjorie Wittner, Esq., Executive Director, NECSLRA

9:45 a.m. - Plenary Session
11:45 a.m. **Central Falls, Rhode Island – “Bankruptcy, Bargaining and Beyond” Are the actions of the “littlest city in the littlest state” and its unions in the face of bankruptcy an anomaly or a blueprint for other fiscally-troubled municipalities?**

Speakers: Joseph Andriole, V.P. RI State Association of Fire Fighters; **Gayle Corrigan, MBA/CPA**, President, Municipal Management Solutions, Inc.; **Chris Curley, Esq.**, City of Central Falls; **William Delaney, Esq.**, Delaney DeMerchant & Heitke LLC; **J. Michael Downey**, President, RI Council 94, AFSCME, AFL-CIO; **Diane Finkle, Esq.**, Winograd Shine Land & Finkle; **Carly lafrate, Esq.**, Law Offices of Carly lafrate; **Matt McGowan, Esq.**, Salter McGowan Sylvia & Leonard, Inc.; **Michael Ursillo, Esq.**, Ursillo, Teitz & Ritch, LTD., **Harris Freeman**, Moderator, Associate Professor, WNE.

In August 2011, Central Falls, Rhode Island filed for bankruptcy protection under Chapter 9, as well as motions that sought to reject collective bargaining agreements with its police, fire and municipal unions. A plenary panel featuring the major union, management and financial players will discuss the City's unprecedented bankruptcy filing and the critical role collective bargaining played throughout the crisis. Please join us for this riveting discussion of what really happened and what lies ahead for Central Falls and other New England towns and cities struggling with similar issues.

12:00 noon- 1:15 p.m. Lunch
Keynote Address
Fostering Collaborative Approaches to Public Sector Innovation and Reform in Massachusetts - A Bargaining Model for the New Millennium

Speaker: Thomas A. Kochan, Professor of Work and Employment Relations at MIT's Sloan School of Management and Co-Director of the MIT Institute for Work and Employment Research.

The efforts to eliminate public sector bargaining in several mid-western states have sent shockwaves across the country. Those who believe in the value of collective bargaining may need to demonstrate that innovations and improvements in public services can be better achieved by utilizing the best features and state-of-the-art tools of collective bargaining and labor-management relations. Professor Kochan will be discussing the progress to date of a multi-stakeholder effort to enhance collective bargaining in Massachusetts.

Friday, July 20, 2012, continued

**1:30 p.m.-
2:45 p.m.** **Concurrent Workshops**

(A) “Ethical Perception” - What Labor Lawyers Must Contemplate Before Representation

Speaker: Judith A. McMorrow, Professor of Law, Boston College Law School (CLE credit available)

Can you really wear two hats? How much pressure is on an attorney fulfilling dual roles? Ethical issues can arise for a labor attorney directly involved at all stages of the collective bargaining relationship when it comes time to represent the client at an arbitration or unfair labor practice proceeding. Please join this interactive session to explore how the Rules of Professional Conduct address the ethical questions that can surface from these dilemmas, including attorneys acting as witnesses, protecting client confidentiality, and representing both an employee organization and its individual members or an employer and its employees.

(B) Arbitrator’s Perspective - “The Hearing - Before, During & After”

Speakers: Sharon Henderson Ellis, Arbitrator, National Academy of Arbitrators. **Gary Altman**, Arbitrator, National Academy of Arbitrators. **Garry Wooters**, Arbitrator, National Academy of Arbitrators.

Co-sponsored by National Academy of Arbitrators

“Preparation... Presentation... Argument... the three elements to a successful arbitration award.” Please join this interactive discussion detailing how best to lay the groundwork for your upcoming arbitration cases. A panel of well-respected and experienced arbitrators will provide an insiders’ view of how to proceed through a successful arbitration.

**3:00 p.m. -
3:15 p.m.** **Break**

**3:15 p.m. -
4:15 p.m.** **Plenary Session**

“Workplace Equality and the Challenge to Public Sector Bargaining: Some Lessons from Wisconsin”

Speaker: Richard Michael Fischl, Professor of Law at the University of Connecticut

For a host of reasons, lawyers and legal academics who specialize in work law issues tend to treat “antidiscrimination law” and “labor law” as discrete subject matter areas, and in no small part as a result of that convention, media coverage of work law controversies tends to follow suit. These challenges, if successful, could have major effects on equal employment opportunities. Professor Fischl’s presentation will attempt to bring those effects into focus and will, in particular, highlight the stakes for working women.



**Richard Michael Fischl
Plenary Speaker**

Richard Michael Fischl is a Professor of Law at the University of Connecticut. After graduating from Harvard Law School in 1978, he spent four years with the Division of Enforcement Litigation at the NLRB and a year with the California Agricultural Labor Relations Board. In 1983, he joined the law faculty at the University of Miami, where he taught until his appointment at the University of Connecticut in 2006. He has offered American work law courses as a visiting professor at the Yale and Cardozo Law Schools, and has taught comparative labor law courses at University College London and Eberhard-Karls-Universität in Tübingen, Germany. His scholarly work has appeared in *Columbia Law Review*, the *Berkeley Journal of Employment & Labor Law*, *Law & Social Inquiry*, the *New York University Review of Law & Social Change*, and numerous other law journals.

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Accommodations



The Springfield Marriott

2 Boland Way
Springfield, MA 01115
Toll Free (888) 236-2427

Hotel Reservations

Be sure to mention that you are part of the New England Consortium of Labor Relations Agencies Conference to secure the proper rate.



Directions to the Springfield Marriott
www.marriott.com/hotels/maps/travel/bdlma-springfield-marriott/

Registration Form

July 20, 2012



12th Annual Conference of the New England Consortium of State Labor Relations Agencies

Complete and mail registration form to:

Melinda Moz-Knight, Vermont Labor Relations Board, 133 State Street, Montpelier, VT 05633-6101.

Name _____
Prefix (Mr., Mrs., Dr., etc.) *First* *Last*

First Name Preferred on Badge _____ Title _____

Organization _____

Address _____

City _____ State _____ Zip _____

Telephone () _____ Fax () _____ E-Mail _____

Special Needs: If you require ADA accommodations, or have special dietary needs, please contact Robyn H. Golden at rgolden@dlt.ri.gov.

Continuing Legal Education (CLE) credits are pending in New Hampshire, New York, Rhode Island, Vermont, and Maine.

Registration

Registration Fee: Early Registration -
(Postmarked by June 29, 2012) - \$95 per person
(Postmarked after June 29, 2010) - \$115 per person

Make checks payable to:
New England Consortium of
State Labor Relations Agencies

Federal ID #04-0285239 (*must be on the check*)

Registration fee includes all conference meals, breaks, and materials. Must be postmarked no later than June 29, 2012.

For additional conference information, please contact:

Melinda Moz-Knight

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E-mail: melinda.moz-knight@state.vt.us

or

Robyn H. Golden

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Hotel

Springfield Marriott Hotels and Resorts,
Springfield, Massachusetts
Attendees must make their own reservations.

A block of rooms has been reserved. To make reservations, call 1 888-236-2427 by June 28, 2012. Mention the conference name (see top of form).

Check-in: 4:00 p.m

Check-out: 12:00 noon

Standard room (1 king size bed) - single occupancy \$99*

Double room (2 double beds) - double occupancy \$99*

* plus applicable tax

Parking:

Self Parking - \$14 one-day fee per car.

Visit the hotel's web site at:

www.marriott.com/hotels/travel/bdlma-springfield-marriott/

Cancellations and Refunds: Registration substitutions may be made at any time without charge. Refunds are subject to a \$25 administrative fee and will be issued for cancellations in writing received prior to June 29, 2012. No-shows and cancellations received after June 29, 2012 are subject to full conference registration fees.