Labor Law and Labor Arbitration

Thursday
September 3, 2015
Minneapolis
The place to learn is where the teachers are among the top tier of labor arbitrators, the materials are complete, the key questions are answered, and the instruction is practical so you can put the training to use.

Come to Minneapolis this fall, and learn the latest developments in labor law and labor arbitration.

Still another reason to attend is the faculty. Walt De Treux is an umpire under several high profile collective bargaining agreements. Law professor Steve Befort is editor of the ABA Journal of Labor & Employment Law and a popular labor arbitrator. Jeff Jacobs is a former union and management attorney, and a well-known arbitrator. John Remington is a distinguished professor of labor relations and labor arbitrator. Christine Ver Ploeg is a law professor and one of the longest serving labor arbitrators in the Midwest. Together, they draw on their decades of experience and give comprehensive answers and analysis.

The agenda below gives more detail about what you will learn. There is also information about staying overnight, tuition, continuing education credits, and more. Please call or email us (customerservice@laborarb.com) with any question.

We welcome you to Minneapolis to learn with the best.

## Agenda

### 7:15-8:00 a.m.
Registration & Continental Breakfast

### 8:00-8:45 a.m.
#### Witnesses: Supervisors & Grievants
 Arbitrators make findings of fact based largely on witness testimony. And they have expectations about witnesses in light of common sense and life experience. The speaker is a prominent labor arbitrator in Philadelphia. He will introduce you to an array of witnesses and explain why they were or were not credible.

*Arb. Walt De Treux*

### 8:30-10:00 a.m.
#### Discipline & Discharge: Cases from 2015
 Knowing the legal and arbitral principles is the first part of our teaching goal. The second is teaching how to apply them in real cases. The cases and arbitrators’ discussion will be in these hot areas: workplace threats, sexual harassment, off-duty misconduct, absenteeism, and safety violations.

*Panel: Arbs. Steve Befort, Walt De Treux, Jeff Jacobs, John Remington, and Christine Ver Ploeg*

### 10:00-10:15 a.m. Break

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**Conference Location & Registration**

The Conference will be held at the Minneapolis Convention Center, a first-class facility with comfortable meeting rooms and an excellent sound system. There is also plentiful parking and our classroom is near the two main entrances. There will be signs posted, and it will take less than 5 minutes to walk from your car. The nearest hotel is under 10 minutes walking, door to door.

The conference tuition of $325 includes admission to all sessions, course materials, and all breaks. You can save $75 if you register before May 1, because early enrollment tuition is $250. See the registration form or visit us online at www.laborarb.com
10:15-10:45 a.m.  
**Due Process**  
In the discipline interview, do you ask the employee first what they know or disclose what you already suspect? Can you discipline a group? Does a simple announcement about a penalty erase lax enforcement? Is it disparate treatment for one employee to receive harsher treatment because his violation led to more damage than another employee’s violation of the same rule? A new lecture followed by short answer senarios.  
*Arb. John Remington*

10:45-11:15 a.m.  
**Computer & Internet Misuse**  
The doctrine is fast evolving, and it involves Section 7 rights, notions of privacy both in statute and caselaw, the breadth of the employer’s rules, and due process. Hear this new lecture and stay up-to-date.  
*Arb. Jeff Jacobs*

11:15 a.m.-12:00 Noon  
**Computer Misuse: Cases**  
The panelists debate the most interesting cases from 2014 and 2015. They range from short suspensions to discharge. All involve a violation of the employer’s policy, but do all merit the level of discipline imposed?  
*Panel: Arbs. Befort, De Treux, Jacobs, Remington & Ver Ploeg*

12:00-1:00 p.m. Lunch (on your own)

1:00-1:30 p.m.  
**Job Performance**  
Is it first inability or job neglect? Was the measurement of performance fair? What is reasonable in the duration and quality of retraining (coaching, on-line, team, etc.)? A review of the factors and the likely outcome.  
*Arb. Walt De Treux*

1:30-2:00 p.m.  
**Contract Interpretation**  
The speaker walks through the key contract law principles and the key elements of the past practice doctrine. These are the ones you must know, and then, have more than a working knowledge of them. A new format which combines the arbitrator’s wisdom and a good learning model.  
*Arb. Christine Ver Ploeg*

2:00-2:45 p.m.  
**Contract Law: Applying the Rules**  
Follow along with the panel (and play arbitrator) in a series of interesting cases, summarized so the discussion goes immediately to the crux of the dispute. This is an excellent way to learn about the ancient maxims, the application of bargaining history, and mutual intent.  
*Panel: Arbs. Remington, Ver Ploeg, Jacobs, De Treux & Befort*

2:45-3:00 p.m. Break

3:00-3:30 p.m.  
**Past Practice**  
This is an advanced session. The panelists discuss, in the context of actual cases, these aspects of the doctrine: the present versus prescribed way of doing business; which circumstances must exist before one department can have a past practice but not other departments in the same bargaining unit. And finally, a past practice that affects a major versus minor employee benefit.  
*Arbs. Ver Ploeg, Remington, & Jacobs*

3:30-4:30 p.m.  
**Update on the ADA and FMLA**  
No two employment-related laws have spawned as many court and arbitration decisions in the last two decades. The speaker is an expert in the area and a highly regarded law professor and labor arbitrator.  
*Arb. Steve Befort*

4:30 p.m. Adjournment

**CLE Credit & HR Credit**

Attorneys and HR professionals are eligible to receive credit for this conference. CLE credit is based on 7 hours. If you are an attorney, please indicate on the registration form in which state(s) you hold a license.

This program has been approved for 7 recertification credit hours toward PHR, SPHR and GPHR certification through the HR Certification Institute. For more information about certification or recertification, please visit the HRCI website at www.hrci.org

The use of this seal is not an endorsement by HR Certification Institute of the quality of the program. It means that this program has met HR Certification Institute’s criteria to be pre-approved for recertification credit.
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Thursday, September 3, 2015
Minneapolis Convention Center
(Meeting Room 200)
1301 Second Avenue South
Minneapolis MN 55403
www.minneapolisconventioncenter.com

Name __________________________________________ Name __________________________________________
Title __________________________________________ Title __________________________________________
Email _________________________________________ Email _________________________________________
Organization ___________________________________________________________________________________________
Address _______________________________________________________________________________________________
City____________________________________________  State_________  Zip_________________ Zip+4 ______________
Telephone (include area code) __________________________________________________________

PRIVACY POLICY: The email address you provide is only used by the Labor Arbitration Institute (LAI). LAI does not sell or share its email lists, or any customer lists.

TUITION: $325 per registrant (when registering after May 1, 2015)
$250 per registrant (when registered before May 1, 2015)

PAYMENT
☐ Check Enclosed $________________
☐ Credit Card Payment $________________
   Card Number (VISA, MasterCard or American Express) ___________  ___________  ___________  ___________
   Exp. Date:___________________; Cardholder Signature ____________________________________________________

Payment must accompany registration, unless other arrangements are made ahead. Please call the conference registrar at 507-663-1220 for details. Checks may be made payable to Labor Arbitration Institute.

HOTEL ACCOMMODATIONS
For overnight accommodations, we recommend the following hotels which are close to the Minneapolis Convention Center, the site of the conference. (The Hilton and Hotel Ivy are just two blocks away and on the skyway system).

Minneapolis Hilton • www.hilton.com • 1001 Marquette Avenue, Minneapolis MN 55403 • 612-376-1000
Holiday Inn Express • www.hiexmpls.com • 225 So. 11th Street, Minneapolis MN 55403 • 612-341-3300
Hotel Ivy • www.thehotelivy.com • 201 So. 11th Street • Minneapolis, MN 55403 • 612-746-4600

MISCELLANEOUS
☐ I am an attorney and request CLE credits for the state of ______________________.
☐ I cannot attend, but please send me information on future conferences.
☐ I am interested in on-line training. LAI has launched a new service at www.LaborLive.org

Registration Options
• Register online at www.laborarb.com
• Complete this form and scan/email to registrar@laborarb.com
• Complete this form and fax to 507-645-2474
• Complete this form and mail to:
  Labor Arbitration Institute
  205 Water St S
  Northfield MN 55057
• For more information, call 507-663-1220