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THE TREASURER'S TAKE



I hope this finds you and your family safe and healthy during these challenging times. In past newsletters, my fellow officers, [**David Borgen**](#), [**Alan Symonette**](#) and [**Arlene Steinfield**](#), eloquently portrayed their messages about recent events. With so much happening in the world right now, and as the national conversation about inclusion, racial justice, diversity and COVID-19 continues, there is a lot to overcome. We can all dwell on the negative, or choose to be positive and seize on opportunities. Perhaps now is the perfect moment to reinforce and advance the College's principles and mission.

In a recent conversation with a young labor and employment lawyer, she expressed how isolated she feels starting her law career remotely.

She feels deprived of the camaraderie and in-person mentoring she envisioned would naturally accompany her early years of practice. In assuring her that she would not miss out and encouraging her to seize all opportunities, it highlighted for me that, now more than ever, it is incredibly important as Fellows to embrace the College's core principles and mission.

As seasoned attorneys, we suddenly find ourselves unsophisticated and sometimes struggling with the changes accompanying our new reality. Special thanks to the College, and those Fellows who spearheaded recent webinars, for providing us with access to programs on how to conduct virtual mediations, arbitrations and depositions. While we focus on our own practice and serving our clients in this new world, it is important to not forget the young attorneys who will look back at their early years of practice perhaps having never met their mentors in person or worked in an office. As law firms assist young associates through this difficult time, we must remind ourselves how important it is to be good stewards of the College's principles and mission. As Fellows, we owe it to young attorneys to impute our knowledge and skills at a time they need us most. And we owe it to young attorneys to guide and encourage them to embrace standards of professionalism and civility. Perhaps as Fellows, we need to dig deeper to solidify our mission and principles for those who are just beginning their careers. No attorney should be left behind when it comes to that for which we stand.

I recently asked my 92 year old father, who has been isolated without visitors for almost five months, how he is doing. He responded: "You just have to keep a positive attitude, and I am positive I have an attitude". I encourage all of us to remain steadfast in our positive attitude. I feel fortunate to have close friends in the College, from all constituencies, who help with mine. With the passage of time, as we may all feel more isolated, please make sure you assist not only the young associates, but stay connected with other Fellows. Please also contact our new inductees to make them feel welcome. After all, collegiality is, in large part, what the College is about.

Lisa B. Moss
Treasurer

GET READY FOR A ONE OF A KIND ANNUAL INDUCTION

Class 
of 2020 

While the pandemic has made it impossible for us to gather together in person this fall, we will still induct all members of the Class of 2020 in a virtual ceremony that will take place on Saturday, November 14th. Invitations will be mailed soon inviting all Fellows to join us for what we hope will be a once in a lifetime event! Tuxedos or ball gowns are optional this year, but no need to catch a flight or book a hotel.

Family, friends and even neighbors can enjoy this special occasion as well, presenting a unique opportunity to share the traditional ceremony which recognizes annually the most esteemed practitioners in our field.

The program component of the in-person dinner will be live streamed on a virtual platform and include remarks from CLEL President **David Borgen**, the recognition of this year's Law Student Writing Competition Winner and the traditional presentation of the past president's gift (which will be given to **John Runyan**). This will be followed by a video introduction of all new inductees and conclude with the formal swearing in of the Class of 2020. In addition, we are working on a few surprises for the new Fellows and for those who turn in to view this unique celebration.

So, please mark your calendars for Saturday, November 14 at 8:00 pm (EST) and be on the look out for your invitation to join us as we attempt to create a memorable event in a year we would all love to forget!

BE A PRODUCER OF THE COLLEGE'S NEXT DOCUMENTARY - MEMPHIS SANITATION STRIKE

For more than ten years, the annual dinner book has offered Fellows and their firms an opportunity to salute friends and colleagues by publishing expressions of support and congratulations for members of the new class of Fellows. This keepsake is traditionally distributed in November to all attendees at the black-tie induction celebration, and all proceeds from those messages directly support the College's Video History Project (VHP). Started in 2000, the VHP is an impressive compilation of interviews with pioneers in the fields of labor and employment law, women's rights, and ERISA to name a few. This year, the donations will be specifically earmarked for the Memphis Sanitation Strike documentary.

The documentary focuses on the 1968 strike presenting an excellent and rare opportunity to analyze the importance of state agencies in the resolution of both public sector representation and bargaining impasse disputes. This documentary will highlight the challenges that can result if there is no such agency as was the situation in Tennessee in 1968. The film will also look at the abysmal working conditions experienced by over 1,200 sanitation workers, most of whom were African American, which drove their efforts to seek union representation, and ultimately led to the tragic assassination of Dr. Martin Luther King, Jr. While there have been many films about the events surrounding the strike, the

College's documentary features the unique interviews of those on the frontline of the labor dispute and highlights the importance of dispute resolution mechanisms then and today.

The nationwide protests, sparked by the death of George Floyd in Minneapolis, have inspired a movement that will hopefully change the course of decades of past discrimination and injustice against communities of color. This makes completing the Memphis documentary even more compelling and important. We encourage all Fellows to make a donation, which will go directly towards the completion of the film, in honor of an individual member of the Class of 2020, to the entire class, or simply to express your ongoing support for the College. In addition to appearing in the dinner book, you or your firm will be acknowledged in the completed film as a producer corresponding to your donation.

An order can be found [here](#) with details on this unique opportunity to assist the College in the completion of one of its most important endeavors.

NOMINATION NEWS FOR CLASS OF 2021

The open period for nominations starts on September 1st and while most Fellows wait to submit their applications until shortly before the February 1st deadline, there are some changes to the forms and procedure this year that warrant this special message. All forms were recently updated, which means you cannot use a form from previous years. Please check and be sure that you are using, or sharing with a nominee, forms that indicate a revision on **8/15/20**. This can be found in the bottom right hand corner.

One important change to note is that both nominators are now required to submit his/her own Part A/Nominator Form. Previously, nominators were only asked to submit an individual statement in support of the nominee.

In addition, we are now asking both nominators and nominees to confirm that the entire application has been reviewed by all parties for completeness and thoroughness.

Nominator and Nominee forms can be accessed here.

[Part A/Nominator Form](#)

[Part B/Neutral Form](#)

[Part B/Advocate Form](#)

[Part B/Law Professor](#)

CLEL WEBINARS ADDRESS VIRTUAL PRACTICES IN THE ERA OF COVID-19

Congratulations to the task force responsible for our COVID webinar series! All four programs were well attended and well received by Fellows and colleagues. With thanks to the moderators, panelists and organizers, these presentations offered current and relevant information for practitioners as we transition to a virtual workplace during the pandemic, and possibly beyond. Special thanks to **Seyfarth Shaw LLP** who sponsored the CLE portion and to **US Legal Support** who provided the webinar platform and technical support. None of these webinars would have been possible without both!

For those who were unable to view these programs when they originally aired, links to videos and materials can be found on the College website. Video links are also included below.

- June 30 – [*Best Practices for Remote Labor & Employment Depositions*](#)
Featuring: Fellows **Doug Dexter**, **Loren Gesinsky**, **Melissa Woods** and Greg Cassin (US Legal Support).
- July 14 – [*Virtual Mediations*](#)
Featuring: Fellows **Evan Spelfogel**, **Carla Brown**, **Ariel Cudkowicz**, **Martin Wickliff** and Denis Engel (Colleran O'Hara & Mills).
- July 23 – [*Discussion with Victoria Lipnic, EEOC Commissioner*](#)
Featuring: Fellows **Darrell Gay**, **William Frumkin**, **John Hamlin** and **Gwynne Wilcox**.
- July 28 – [*Virtual Labor and Employment Arbitration: The Good, The Bad and The Ugly*](#)
Featuring: Fellows **Mark Gaston Pearce**, **Homer La Rue**, **Alfred Feliu**, **Amy Gaylord** and **Robert Paul**.

Materials from all College programs and regional meetings can also be found [here](#).

SPOTLIGHT ON FELLOWS

- Fellow **Graham J. Clarke** (pictured right) recently presented (virtually) two papers to the Law Society of Ontario. [Canada's Best Expedited Labour Arbitration Regime](#) highlighted the railway industry's success in pleading multiple grievances per day. Late Honorary Fellow **Ted Weatherill** and Fellow Emeritus **Michel Picher**, who held the position of Chief Arbitrator for a combined 43 consecutive years, contributed enormously to that success. The employment law paper, [The CLC's Revised Unjust Dismissal Regime: Key Practice Points](#), examined the "just cause" protection for non-union employees working in the relatively small jurisdiction the Constitution grants to Canada's federal government.



- Fellow and College Board Member, **Lori Ecker** (pictured left), has been named by *The Best Lawyers in America* as its 2021 "Lawyer of the Year" for Employment Law – Individuals in Chicago, IL. Fellow **Ann Frumholz** (pictured right) was named "Lawyer of the Year" for Employment Law – Individuals in Pasadena, CA. *Best Lawyers* selects the top five percent of practicing lawyers in the US to be recognized in its rankings. Only a single lawyer in each practice area and designated metropolitan area is honored as "Lawyer of the Year," making this accolade particularly significant.



- Congratulations to Fellow **Alan Epstein** (pictured left) who has been selected as a "Labor and Employment Star" by *Benchmark Litigation*, which identifies leading US attorneys and firms at the local and national levels. *A* was chosen based on factors including recent representative cases, philanthropic work, involvement in professional organizations, and work background.

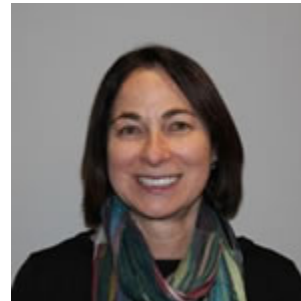
- Fellow **Eric Iskra** (pictured right) had an article published on COVID 19 employment law claims in the ABA publication *Business Law Today* titled [Rise in Employment Law Claims: Knowing the Risks and the Long-Term Legal Implications Anticipated from the COVID-19 Pandemic](#).





- *The Daily Journal* has named Fellow **Daren Lipinsky** (pictured left) to its "Top Labor & Employment Lawyers" list for 2020. The California legal newspaper published the list in a special report issued on July 15, 2020..

- Congratulations to Fellow **Lisa Moss** (pictured right) who was recently honored by the Associated Fire Fighters of Illinois, at its 43rd Biennial Convention, with the passage of a *Resolution* recognizing her contributions to its membership through her years of providing legal services.



- Fellow **Martin Malin** (pictured left) appeared on WGN-TV (based in Chicago) on July 14 to provide expert commentary on worker's compensation and COVID-19 at work. Professor Malin teaches at Chicago-Kent College of Law and is Co-Director of the Institute for Law and the Workplace. You can watch the interview [here](#).

- Congratulations to Fellow **Mike Posner** who, along with his daughter Michaela Posner (both pictured right), was recently featured in an *ABA Journal* article. Mike has been a longtime LEL Section member and Michaela pretty much grew up attending Section mid-winter meetings and council meetings regularly, having attended her first meeting in 1997 at the age of six months. Fast forward to 2019, when Michaela was elected to serve as the law student at-large member on the Board of Governors, which means she also serves as a voting member of the House. Mike is a Section delegate to the House of Delegate, and as such he reports to the Board so in his words, "It has taken me a lifetime to get to the House of Delegates, and now I have to answer to my daughter." Read the full article [here](#).



- Fellow **Rick Warren** (pictured left) was featured in an article for *One Day University* which focused on how restaurants are navigating the pandemic. Read the full article [here](#).

IN MEMORIAM

The College mourns the recent passing of Fellows **M. Timothy Boe** and **William H. Bruckner**.



Fellow **Tim Boe** passed away after a long illness on July 2nd. He was 71. Tim, who was inducted a Fellow in 1997, spent forty years of his 46-year career with the Rose Law Firm in Little Rock, AR where he concentrated on workplace health and safety law in the final decades of his career. For seventeen years, he served as a Commissioner for the Arkansas Alternative Dispute Resolution Commission. Tim's strong belief in equal access to justice and in the dignity of all persons was evident in his service on the Board of Directors for Arc of Arkansas. He was a mentor to young lawyers and a valued advocate and friend to his clients. Tim was survived by his wife Susan and daughters Elaine Ruth and Vivian. His full obituary can be viewed [here](#).



Fellow **Bill Bruckner** passed away on July 21st at the age of 81. Inducted in 1999, Bill began his law career in public service, accepting a position with the Honors program for the NLRB. Upon entering private practice, he 'switched sides' to represent employers and individuals in labor disputes and litigation, and along with two colleagues, founded one of the nation's first labor and employment boutique firms. Bill was in the first class of labor and employment lawyers certified by the Texas Board of Legal Specialization and was active in the ABA Labor and Employment Law's Practice and Procedure Committee. He is survived by his wife of 59 years, three daughters, their husbands and five grandchildren. Click [here](#) to view his obituary.

Members of the College strive to promote achievement, advancement and excellence in the practice of labor and employment law. These Fellows distinguished themselves as leaders in the field, and the College was proud to have been able to call them Fellows.

COLLEGE LOGO IS A SIGN OF DISTINCTION

Fellows are encouraged to include the College logo on their website or as part of their email signature block. Two different formats are available for download - .jpg or .eps. Please contact [Susan Wan](#) if you would like a logo file in a different format.

[Download jpg File](#)

[Download eps File](#)

THE COLLEGE OF LABOR & EMPLOYMENT LAWYERS

1997 Annapolis Exchange Parkway

Suite 300

Annapolis, MD 21401

(410) 972-4711 Telephone

(410) 972-4701 Fax

www.laborandemploymentcollege.org

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