American Bar Association
Section of Labor & Employment Law

Railway & Airline Labor Law Committee
Midwinter Meeting

March 8-10, 2006
L'Auberge Del Mar
Del Mar, California

Wednesday, March 8

6:00 p.m. - 7:30 p.m. **Welcome Reception and Registration (***Pacific Terrace***)**

Thursday, March 9

7:30 a.m. - 8:30 a.m. **Registration and Continental Breakfast (***Crosby Terrace***)**

8:30 a.m. - 8:45 a.m. **Welcome by Committee Co-Chairs (***Crosby Ballroom***)**

Mary L. Johnson, General Counsel
National Mediation Board

Jeffrey A. Bartos
Guerrieri, Edmond, Clayman & Bartos

John J. Gallagher
Paul Hastings Janofsky & Walker

8:45 a.m. - 9:00 a.m. **Remarks of Section Chair**

Charles A. Werner, Chair
Schuchat, Cook and Werner, St. Louis, Missouri

9:00 a.m. – 9:30 a.m. **Remarks from Officials of the National Mediation Board**

Ed Fitzmaurice, Member
Harry Hoglander, Member

9:30 a.m. - 9:45 a.m. **Break (***Crosby Terrace***)**

9:45 a.m. – 10:30 a.m. **The State of the Unions**

- The future of the AFL-CIO
- Impact on rail and air representation

Mitchell M. Kraus, TCIU
Bill Bon, BMWE

10:30 a.m. - 11:45 a.m. Voter Secrecy and Internet Voting
Chao v. Allied Pilots Association

Mary L. Johnson, National Mediation Board
Rachel Janger, O'Melveny & Myers
David Dean, James & Hoffman
Dan Hilderbrand, CC Complete

11:45 a.m. – 12:00 p.m. **Break (***Crosby Terrace***)**

12:00 p.m. – 1:00 p.m. **Preemption Under the RLA**

- Complete preemption—recent cases
- *Garmon* preemption doctrine
- American Airlines strategies for dealing with contract claims in state court

Tom Reinert, Morgan, Lewis & Bockius
Dan Elliot, UTU

1:00 p.m. - 6:00 p.m. **Optional Activities**

6:30 p.m. – 9:00 p.m. **Reception and Dinner**
Del Mar Brigantine Restaurant
3263 Camino Del Mar
858/481-1166

<u>Friday, March 10</u>

7:30 a.m. - 8:30 a.m. **Continental Breakfast (***Crosby Terrace***)**

8:30 a.m. - 9:45 a.m. **Secondary Picketing (***Crosby Ballroom***)**

- Atlas and Polar Air Litigation
- Recent litigation involving CSX/NS/AMFA/BLET/UTU
- ABX - NLRB

Robert A. Siegel, O'Melveny & Myers
Marcus C. Migliore, ALPA
Heidi Gunst, Akin Gump
Roland Wilder, Baptiste & Wilder

9:45 a.m. - 10:00 a.m.	**Break (***Crosby Terrace***)**
10:00 a.m. -- 11:15 a.m.	**Moratorium and Duration Clauses: Questions of Timing**

- UTU/Rail Carriers
- Northwest/AMFA
- ABX/IBT

Clint Miller, UTU
Ralph Moore, Morgan, Lewis & Bockius
Carla Siegel, IAM
Scott Smith, ABX

11:15 a.m. – 11:30 a.m.	**Break (***Crosby Terrace***)**
11:30 a.m. – 12:30 p.m**.**	**Bankruptcy and Benefits**

Tom Jerman, O'Melveny & Myers
James L. Linsey, Cohen Weiss & Simon

12:30 p.m. - 1:00 p.m.	**Section Business**

** Book signing by the Senior Editors of the second edition of *The Railway Labor Act*

- Plans for Future Meetings