### Employee Rights & Responsibilities Committee Co-Chairs

<table>
<thead>
<tr>
<th>Management</th>
<th>Max G. Brittain, Jr.</th>
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<tbody>
<tr>
<td></td>
<td>Brittain, Sledz, Morris &amp; Slovak</td>
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<tr>
<td></td>
<td>140 South Dearborn Street, Suite 500</td>
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<tr>
<td></td>
<td>Chicago, Illinois 60603</td>
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<td>Phone: 312/346-4515</td>
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<thead>
<tr>
<th>Union</th>
<th>Richard A. Williams, Jr.</th>
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<tr>
<td></td>
<td>Williams &amp; Iverson, P.A.</td>
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<td></td>
<td>1220 Landmark Towers, 345 St. Peter Street</td>
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<td></td>
<td>St. Paul, Minneapolis 55102</td>
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<td></td>
<td>Phone: 651/848-0280</td>
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<tr>
<th>Plaintiff</th>
<th>Arnold H. Pedowitz</th>
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<tr>
<td></td>
<td>1501 Broadway, Suite 800</td>
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<tr>
<td></td>
<td>New York, New York 10036</td>
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<td>Phone: 212/403-7321</td>
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<tr>
<th>Public</th>
<th>Adele Rapport</th>
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<td></td>
<td>E.E.O.C.</td>
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<tr>
<td></td>
<td>477 Michigan Avenue, Suite 865</td>
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<tr>
<td></td>
<td>Detroit, Michigan 48226</td>
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<td></td>
<td>Phone: 313/226-6701</td>
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### Program Co-Chairs

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<thead>
<tr>
<th>Management</th>
<th>Barbra L. Davis</th>
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<tr>
<td></td>
<td>Paul, Hastings, Janofsky &amp; Walker</td>
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<td></td>
<td>555 South Flower Street</td>
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<tr>
<td></td>
<td>Los Angeles, California 90071</td>
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<td>Phone: 213/683-6308</td>
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<tr>
<th>Plaintiff</th>
<th>Loretta T. Attardo</th>
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<tr>
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<td>Attardo and Miller</td>
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<tr>
<td></td>
<td>222 Essex Street</td>
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<td></td>
<td>Salem, Massachusetts 01970</td>
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<td>978/745-2828</td>
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### Announcing:

#### Mediation Training Program

**Tuesday, March 23**

**12:30-5:30 p.m.**

**Holiday Inn Airport Hotel**

**West Palm Beach, Florida**

This event is co-sponsored by the Employee Rights & Responsibilities, Equal Employment Opportunity and Alternative Dispute Resolution in Labor Law Committees.

The program will be conducted by nationally recognized experts in mediation training. Through lively, interactive presentations and break-out sessions, they will explore both the theory and real-life dynamics of mediating employment disputes.

The training will assist attendees to become qualified for the EEOC mediation program and in becoming effective advocates.

The registration fee is $25 for those also attending the Midwinter Meeting of the Committee and includes lunch and meeting materials. However, if you are only interested in attending the Mediation Training Program, the registration fee is $50.

Call the Section Office at 312/988-5813 to receive a registration form. Or, complete the enclosed registration form for the Committees Midwinter Meeting and check off the appropriate box.

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**Wednesday, March 24, 1999**

**9:00 a.m.**

**Registration** (open all day)**
9:30-10:30 a.m.  **Meeting of Committee Co-Chairs & Program Co-Chairs**

10:30-11:15 a.m.  **Meeting of Subcommittee Co-Chairs**

11:20-12:25 a.m.  **New Member Orientation & Buffet Lunch**
Welcoming remarks, introduction to the Committee, description of subcommittees.

12:30-12:45 p.m.  **Welcome, Introductions & Announcements**
Max G. Brittain, Jr., Management Co-Chair
Richard A. Williams, Jr., Union Co-Chair
Arnold H. Pedowitz, Plaintiff Co-Chair
Adele Rapport, Public Co-Chair
Barbra L. Davis, Program/Management
Loretta T. Attardo, Program/Plaintiff

12:45-1:15 p.m.  **Noteworthy Developments in Employment Law**
Speaker:
Ralph Baxter

1:15-2:30 p.m.  **Anatomy of a Layoff**
Selection of Employees for a Mass Layoff. Implementation of a Layoff, Including Use of Incentive Programs, Outplacement and Special Litigation and Ethical Issues.
Moderators:
Robin Potter, Plaintiff
Gail Holtzman, Management

Guest Speaker:
Thomas Shea, Right Management Co.

Speakers:
Gary Eidelman, Management
Paul Starkman, Management

2:30-3:15 p.m.  **Medical Privacy in the Workplace** - An Update on the ADA, Common Law, Constitutional, Statutory, Ethical and Regulatory Issues.

Speakers:
Craig M. Cornish, Plaintiff
Mark G. Flaherty, Management
Mark N. Mallery, Management

3:15-3:30 p.m.  **BREAK**

3:30-4:20 p.m.  **Between a Rock and a Hard Place:**
Difficult Issues Involving EAPs - Legal, Practical and Ethical

Moderator:
T. J. Wray, Management

Speakers:
Darlene Vorachek, Plaintiff
Dana Deane, Management
Robert Zielinski, Management
Edward J. Reeves, Management

4:20-4:30 p.m.  **Publication Subcommittee Report**
Speakers:
Jonathan Ben-Asher, Plaintiff
John Husband, Management

4:30-5:30 p.m.  **Accommodate or Terminate:** How far does an employer have to go in accommodating an employee with psychiatric disabilities who engaged in misconduct or exhibited performance problems?

Speakers:
Adele Rapport, Public
Linda Edwards, Management

7:00 p.m.  **Welcome Cocktail Party**

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**Thursday, March 25, 1999**

8:30 a.m.  **Spouse & Guest Program** (advance registration)

7:00-8:00 a.m.  **Continental Breakfast**

7:15-8:00 a.m.  **Breakfast Caucuses**
A.  In-House and Management Lawyers:
Thursday, March 25, 1999

10:20-10:30 a.m. BREAK

10:30-10:55 a.m. Effect of Mergers and Takeovers on Non-Compete Agreements
Speakers:
David J. Carr, Management
Catherine Adams, Management
Arnold H. Pedowitz, Plaintiff

10:55-11:55 a.m. Legal Update on ADR, Including Recent Corporate Experience
Speakers:
James Adler, Management
Pearl Zuchlewski, Plaintiff

Panel Moderator:
Lou Kushner, Plaintiff

Guest Panelists:
Russell Porter, ALCOA
Richard L. Hurford, MASCO

Friday, March 26, 1999

7:00-8:00 a.m. Continental Breakfast
7:15-8:00 a.m. Breakfast Caucuses -- Participants to attend two of the three following programs:

Session I
- A. Administration & Litigation of Healthcare Plans
  Speakers:
  Erin Sweeney, Management
  Richard Lehr, Management
  Terry Price, Management
  James Zalewski, Management
  Susan Martin, Plaintiff

Session II
- 8:20-9:05 a.m. Richard Lehr, Management
  - Legislative Update: Focus on Electronic Monitoring and other Newsworthy Issues
    Speakers:
    Denise D. Clemow, Management
    Larry Michaels, Management
    Brad Yamauchi, Plaintiff
  - EPLI: Is it taking over?
    Moderator:
    Richard Moon, Management
    Speaker:
    Theos McKinney, III, Management
    Maureen Binetti, Plaintiff

9:10-9:15 a.m. Introduction of Mini-Trial, Focus Group Concept and Arbitrator

9:15-12:15 p.m. Mini Trial Before Focus Group and Arbitrator
  Arbitrator: Marc D. Greenbaum
  Focus Group Leader: Rick Fuentes
  Economic Expert: Jerome E. Staller
  Psychiatric Expert: Martin G. Allen
  Advocates --
  Plaintiff: Michael Roitman
  Ellen Messing
  Robert Kraus
  Maureen Binetti
  Management:
  Mark Mallery
  Gregory Palmer
  Sheldon Sandler
  David Barton
  Denise D. Clemow
  Elizabeth Lang-Miers

1:00-1:15 p.m. Panel Discussion among Arbitrator and Mini Trial Participants

1:15 p.m. Golf & Tennis Tournaments & Deep Sea Fishing (advance registration)

7:00 p.m. Friday Caribbean Festival

Saturday, March 27, 1999

7:00-8:00 a.m. Continental Breakfast

7:50-8:25 a.m. Breakout Session -- Participants attend one of the following two programs:

A. Arbitration & Union Employees: When is arbitration an exclusive remedy?
   Speakers:
   Roger Weber, Management
   L. Steven Platt, Plaintiff/Union

B. Ethics: Discussion of Ethical Issues Arising from Mini Trial Fact Pattern
   Speakers:
   Gretchen Winter, Management
   Lonny Dolin, Plaintiff
   Guest Speaker:
   Professor Patrick Longan, Stetson University College of Law

9:30-11:30 a.m. BREAKS AS NEEDED

12:15-1:00 p.m. Arbitrator Rules from Bench

Donald J. Gasiorek
Saturday, March 27, 1999

8:30-9:30 a.m.  **Media & Employment Litigation:**
How do lawyers deal with the press: Strategy issues and ethical considerations

Speakers:
Charles S. Mishkind, Management
Nathan A. Goldberg, Plaintiff

Guest Speaker:
Benjamin F. Kincannon, Fleischman-Hillard, Inc.

9:30-10:30 a.m.  **Presentation of Focus Group Results**

10:30-10:45 a.m. **BREAK**

10:45-11:15 a.m.  **When Can A Nontarget Be A Victim:**
Questions of Standing

Speakers:
Niall A. Paul, Management
William Smith, Plaintiff

11:15-11:45 a.m.  **Internet Subcommittee:**
Discovery Assistance on the Internet

Speakers:
Kevin L. Carr, Management

Guest Speaker:
Judith Marrs, LEXIS/NEXIS

11:45-12:00 p.m. Committee Business Meeting and Wrap-Up Session

**Note:** Program agenda subject to change without notice.

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Arrangements have been made for several events to take place during our stay in Florida. Be sure to register for all the programs you are interested in by returning the enclosed registration form.

If you have any questions regarding the events, call Pat Meek of Leisure Travel at 800/451-8231.

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**Employee Rights & Responsibilities Committee**

**SUBCOMMITTEES**

The Committee has 15 subcommittees developed to address specific areas of jurisdiction. A major responsibility of these subcommittees is to prepare and present annual reports for the Committee’s midwinter meeting.

The subcommittees are as follows:

- Alternatives to Litigation
- Contingent Work Force
- Drug & Alcohol Abuse
- Employee Privacy & Collateral Torts
- Employment at Will
- ERISA & Employment Benefits Litigation
- Ethics in Litigation
- Health, Disability & Leaves of Absence Issues
- Insurance
- Legislative Developments
- Membership
- Proprietary Info./Trade Secrets/Covenants
- Publications
- Technology
- Trial Advocacy
- Worker Dislocation Issues

If you are interested in participating on one or more of these important subcommittees, please contact the Section Office at 312/988-5813.