Wednesday, February 20

7:30 a.m. – 8:30 a.m. Newcomers Breakfast with the Board and General Counsel (Acacia VII)

(9:30 a.m. – 11:00 a.m. – Spouse/Partner/Guest Breakfast – Acacia IV-VI)

7:30 a.m. – 8:30 a.m. Registration and Continental Breakfast (Royal Palm Foyer)

8:30 a.m. – 8:45 a.m. Welcome, Introductions, Council Liaison Report (Royal Palm VI-VIII)

David Prouty, General Counsel, UNITE HERE – Union & Employee Co-Chair
Jonathan Kane, Pepper Hamilton LLP – Employer Co-Chair
James R. LaVaute, Blitman & King LLP – Section Chair
Gordon E. Krischer, O’Melveny & Myers – Employer Council Liaison
Leonard Page, Klimist McKnight Sale McClow and Canzano – Union & Employee Council Liaison

8:45 a.m. – 9:15 a.m. Review of Letter to National Labor Relations Board / General Counsel
The “letter” reviews a number of critical and timely procedural issues impacting practice before the NLRB and encompassing the investigation and processing of representation and unfair labor practice matters at every level of the administrative and judicial process. The materials that form the basis for the presentation at this session are the result of a year-long process beginning in each of P&P’s geographical regions throughout the country and culminating in a national meeting with the National Labor Relations Board in Washington, D.C.

9:15 a.m. – 10:15 a.m. “R” Case / **C Case Updates With Emphasis on Procedural Issues
This program will offer a timely and thought-provoking review of new and important unfair labor practice and representation cases issued by the NLRB and/or Administrative Law- judges during 2007.

John E. Higgins, Jr. – Deputy General Counsel, NLRB
Barry J. Kearney – Associate General Counsel, NLRB

10:15 a.m. – 10:30 a.m. Break
10:30 a.m. – 12:00 p.m. Neutrality Agreements and Voluntary Recognition under Dana
A discussion of the practical and procedural issues raised by this controversial decision.

Brent Garren, Senior Associate General Counsel, UNITE HERE – Union
Jonathan E. Kaplan, Kiesewetter Wise Kaplan Prather – Management
David A. Kadela, Littler Mendelson – Moderator

12:00 p.m. – 12:30 p.m. Update from Federal Mediation & Conciliation Service:
Recent Collective Bargaining and Mediation Efforts

Arthur F. Rosenfeld, Director, Federal Mediation & Conciliation Service

12:30 p.m. Women’s Lunch (All Invited) (Palm Terrace Pool)

6:00 p.m. – 7:30 p.m. Welcome Reception (Palm Terrace Pool)

Thursday, February 21

7:00 a.m. – 8:00 a.m. Continental Breakfast (Royal Palm Foyer)

7:00 a.m. – 8:00 a.m. Regional Co-Chair Breakfast (Acacia VII)

8:00 a.m. – 9:00 a.m. Rights of Non-Union Employees and Obligations of Non-Union Employers Under Sec. 7 (Royal Palm VI-VIII)

Samuel Estreicher, Professor, NYU School of Law

9:00 a.m. – 10:00 a.m. NLRB General Counsel Response to Committee’s Issues
The General Counsel and his staff will present and address a number of current significant procedural issues impacting the union and management bar practicing before the Agency in dealing with the Agency’s processing of representation petitions and unfair labor practice charges and complaints throughout the Agency’s various regions and the General Counsel’s office.

Ronald E. Meisburg, General Counsel, NLRB
John E. Higgins, Jr., Deputy General Counsel, NLRB
Richard A. Siegel, Associate General Counsel, NLRB

10:00 a.m. – 11:00 a.m. NLRB Response to Committee’s Issues
This session involves presentations by the NLRB’s Chairman, Members and the Executive Secretary regarding significant/timely procedural issues involving the Board’s present and anticipated handling of a number of procedural issues of concern to members of the union and management bar who practice before the Board.

Wilma B. Liebman, Board Member, NLRB
Peter C. Schaumber, Board Member, NLRB
Lester A. Heltzer, Executive Secretary, NLRB

11:00 a.m. – 11:15 a.m. Break
11:15 a.m. – 12:15 p.m.  Minority Recognition and the Members Only Contract: A Revival in the Wings?
Can and should the Board require recognition and bargaining with minority unions? A spirited discussion of the issues raised by the NLRB GC opinion in Dicks Sporting Goods and the Steelworkers’ rulemaking petition.

Charles J. Morris, Professor Emeritus, SMU Dedman School of Law – Pro
Samuel Estreicher, Professor, NYU School of Law – Con
Barry J. Kearney, Associate General Counsel, NLRB – Moderator

1:00 p.m.  Golf Outing (Naples Grande Golf Club)

6:30 p.m. – 9:00 p.m.  Reception and Dinner (Orchid Ballroom)

Friday, February 22
8:00 a.m. – 9:00 a.m.  Continental Breakfast (Royal Palm Foyer)

8:00 a.m. – 9:00 a.m.  How to Take a Case Before the NLRB Editors’ Breakfast Meeting (Acacia VII)

9:00 a.m. – 9:15 a.m.  Book Editors’ Report to the Committee (Royal Palm VI-VIII)

9:15 a.m. – 10:15 a.m.  Legislative Responses to the NLRB: EFCA and RESPECT
The presentations will focus on practical issues raised by the proposed legislation and the potential challenges that will be faced by the Board and General Counsel.

Nancy Schiffer, AFL-CIO – Union
Russell Gunter, Cross, Gunter, Witherspoon & Galchus, P. C. – Management
Richard A. Siegel, Associate General Counsel, NLRB – Moderator

10:15 a.m. – 11:15 a.m.  Remedies
Extraordinary remedies, attorneys’ fees, and reinstatement issues arising from recent “salt” cases.

Allison Beck, General Counsel, IAMAW – Union
Jennifer Platzkere Snyder, Blank Rome LLP – Management
Lester A. Heltzer, Executive Secretary, NLRB – Moderator

11:15 a.m. – 11:30 a.m.  Break

11:30 a.m. – 12:30 p.m.  Ethical Issues in Representation Cases
A candid discussion by highly experienced practitioners of the ethical challenges confronting counsel in contested union representation campaigns.

Leonard Page, Klimist McKnight Sale McClow and Canzano – Union
I. Harold Koretzky, Carver Darden Koretzky Tessier Finn Blossman & Areaux LLC – Management
Robert S. Giolito, Spivak Lipton LLP – Moderator
Saturday, February 23
8:00 a.m. – 9:00 a.m. Continental Breakfast (Royal Palm Foyer)

9:00 a.m. – 10:00 a.m. Election Procedures (Royal Palm VI-VIII)
How fares the state of industrial democracy? A discussion of new issues confronting practitioners in contested elections and a frank assessment of the demands for change.

Susan Davis, Cohen, Weiss and Simon – Union
Molly Eastman, Seyfarth Shaw LLP – Management
Lafe E. Solomon, Director, Office of Representation Appeals, NLRB – Moderator

10:00 a.m. – 10:15 a.m. Break

10:15 a.m. – 11:30 p.m. P&P Town Hall Meeting
1. Review of 2008 program – feedback, suggestions for next year, etc.
3. CLE Conference–Denver and beyond–P&P participation
4. Fall Regional meetings–utility, suggestions for improvement, etc.
5. “Letter-writing” meeting and follow up with NLRB
6. Other Committee activities and possibilities:
   a. Liaison reports
   b. More discussion with NLRB
   c. Increase diversity/attract new members
   d. Other matters