

IN THIS ISSUE

- [THE PRESIDENT'S PERSPECTIVE](#)
- [MEET THE NEWEST MEMBERS OF THE BOARD OF GOVERNORS](#)
- [A SHERO FOR US ALL](#)
- [2018 CANDIDATES REVIEW](#)
- [SAN FRANCISCO IS CALLING](#)
- [PACIFIC COAST LABOR AND EMPLOYMENT LAW CONFERENCE](#)
- [SPOTLIGHT ON FELLOWS](#)
- [IN MEMORIAM](#)

THE PRESIDENT'S PERSPECTIVE

Let me start by saying what an honor and privilege it is to be the College's twenty-second President. I look forward to serving in this role along with a committed and talented board and officers -- Immediate Past President [**Norman Brand**](#), Vice President [**John Runyan**](#), Secretary [**David Borgen**](#), and Treasurer [**Alan Symonette**](#). We could not do it without the assistance of our Program and Events Administrator Jen Motley and our dedicated, level-headed and amazing Executive Director, Susan Wan.



You can become active in the College in many ways, including by serving on committees, organizing and attending regional programs, participating in outreach activities and much more. While you will be hearing more about opportunities in the coming months, in the meantime, if you are interested in becoming more involved, please let Susan Wan or me know.

One thing we can all do is serve as champions of civility. We read or hear stories daily in newspapers, on television, on social media and elsewhere revolving around a lack of civility (or worse). A 2017 survey on Civility in America conducted by Weber Shandwick and Powell Tate, with KRC Research, found that three-quarters of Americans believe that incivility has risen to crisis levels. The report suggests that Americans take the “civility challenge” and each of us take a closer look at actions and evaluate whether our behavior might have a deleterious impact on others.

As members of the College, we have all taken on the “incivility challenge.” We take an oath when we are inducted as Fellows, which includes a commitment “to advancing the College’s ideals of civility and professionalism.” We also agree to conduct ourselves in accordance with the College’s Principles of Civility and Professionalism (http://www.laborandemploymentcollege.org/pdfs/Principles_of_Civility.pdf). While these serve “as guidance for Fellows when dealing with clients, opposing parties, their counsel, the courts, other adjudicators, arbitrators, mediators and neutrals, and the general public,” these principles extend beyond that to our everyday life. As leaders in our profession, we have a unique opportunity to set an example for others.

Lynne Deitch
President

MEET THE NEWEST MEMBERS OF THE BOARD OF GOVERNORS

Jean Kamp (top right) and **Luella Nelson** (lower right) are the newest members of the Board of Governors. Jean is Associate Regional Attorney for the Chicago District of the Equal Employment Opportunity Commission, supervising the legal units in the Commission’s Milwaukee and Minneapolis offices. Luella practices as an arbitrator, mediator and fact finder, primarily in labor-management and employment disputes. Members of the Board of Governors, which consists of sixteen Fellows representing all four disciplines, serve two three-year terms. The immediate Past President serves as the 17th member of the Board for a term of one year.



On January 1st, **Lynne Deitch** became the twenty-second President to serve the College. **John Runyan**, **David Borgen** and **Alan Symonette** assumed the three other slate positions – Vice President, Secretary and Treasurer, respectively. Profiles of all Board Members can be found on the College’s [website](#) and contact information can be found in the front



of your directory. We hope this will make it easier to contact any of them should you have a question or concern.

A SHERO FOR US ALL

*This article was written by Michaela Posner, Cornell University School of Industrial and Labor Relations, Class of 2018, and daughter of Fellow, and former Board of Governors member, **Michael Posner***

Justice is commonly personified as a blindfolded woman holding balanced scales. It symbolizes the principle of “equal justice under the law,” engraved on the Supreme Court, where justice is served regardless of race, sex, national origin, color, religion, or sexual orientation. However, the law has frequently left women and minorities behind, including their representation in the Court. Nine Caucasian men sat on the Bench for 138 years, and continued to be comprised of only men for an additional fourteen years. The “sex of justice” as I will call it, has been excluded from many aspects of society because of our “frailty” and because it was “God’s will” that there be different spheres of work, where “men make, apply, and execute the laws...as an almost axiomatic truth.” *Bradwell v. State*, 83 U.S. 130 (1872).

Growing up around the College and ABA, I’ve seen the legal profession as one of collegiality, compassion, and understanding. It was only natural that my hero be someone who embodied these qualities, and dedicated her legal career to helping those traditionally seen as “disadvantaged,” as I aspire to do with my career. However, in addition to being a good lawyer and respected colleague, there are additional challenges that women face, including striking the delicate balance between firm and pushy. I have often struggled to find this balance, but can look to the grace, wisdom, and patience of Justice Ginsburg as a guiding example.

From an early age, I was drawn to being an attorney because I thought it would allow me to be a warrior for justice and equality. I believed that our judicial system would protect “the little guy” against uneven playing fields, and look out for the interests and liberties of everyday Americans. Recent Supreme Court rulings have brought me disappointment, and led me to think that if I were a wealthy male of Anglo-Saxon descent and a *Fortune 500* CEO, then perhaps I would benefit from the Court’s rulings. Yet, no matter how grim the future may seem, Justice Ginsburg’s dissents are a flash of hope on the horizon. They are a reminder that we can make tomorrow a better day, that equality and respect are of utmost importance, that we should treat our fellow Americans with compassion and understanding instead of hatred or exclusion when we are different, that discrimination on the basis of sexual orientation is not permissible, and workers should not be starved of all avenues for collective action as we confront the gig economy.

For the weekend of the meeting, I was supposed to be at Princeton for a club conference, but jumped at the chance to be my father’s “plus one” to the College programming

involving Justice Ginsburg. During the conversation between the Justice and Bill Kilberg, I was in awe listening to the Justice, as she carefully chose her words when commenting on significant cases where she was an advocate or a Justice. The timing couldn't have been better, since I had just read many of the cases she discussed for my Discrimination Law class. I was fortunate enough to catch a glimpse of the Justice as she was escorted away by Secret Service, the petite but fierce woman whose decisions and dissents have brought hope to so many Americans. At the induction dinner that same evening, I had no idea that I was sitting directly behind the Justice until it was pointed out to me! It was at that moment the "OMG" thought took over all my mental faculties.

As a Los Angeles native, I don't get star-struck very easily, but I was overcome with excitement and joy when I was introduced to the "Notorious RBG." Students at Cornell rightfully see Justice Ginsburg as one of our two most famous and influential alumni, the other being Bill Nye. She lives her life with love and compassion, and dedicated her career as an advocate to fighting against discrimination that stems from gender stereotypes, to support men as parents and women as workers. Her brilliant opinions and famous dissents convey a deep desire for equality, and the belief that all Americans are deserving of respect and dignity.

In our brief conversation, the Justice and I spoke about Cornell, our (soon-to-be) shared alma mater. It was only fitting, because it was the common ground on which Fellow (and alum) Bill Kilberg introduced me. However, I also made sure to thank the Justice, as I felt I was standing next to a divine being. As a young woman and an aspiring attorney, I've experienced sexism in my academic career, from those who mistakenly believe that women cannot or should not be lawyers. However, I have endured far less than those who came before me. Even though the U.S. has a long way to go towards eradicating discrimination, we have come a long way and would not be where we are today if it were not for Justice Ginsburg and the tough women who fight discrimination with her.



There is an adage that advises to never meet your heroes because you'll always be disappointed, lest they have feet of clay. In my humble opinion, Justice Ginsburg has her feet solidly on the ground. As for the adage, I must respectfully dissent.

2018 CANDIDATES REVIEW

The processing of candidates for the Class of 2018 has begun. We are continuing to seek input from all Fellows by asking you to review the [complete list of candidates](#) whose nominations have been placed before the Circuit Credentials Committees and, if applicable, call, write or email the [chairperson of the Circuit Committee](#) responsible for vetting the candidate with your comments, positive or negative. The opinions of our Fellows are an important element in deciding who is to be offered membership and they will be used as a part of the Circuit Committee deliberations and the Board's review of all candidates. It is vital that if you have an opinion, you make it heard. Positive feedback from Fellows could be the determining factor for a candidate who looks good on paper, but is not known by any of the committee members. A listing of the chairpersons for all Circuit Committees, along with contact information, is also attached for your convenience.

If you prefer to complete a reference form, you can do so using the link included here, <http://www.laborandemploymentcollege.org/reference-form.php>, or by completing the [attached document](#) and returning to the appropriate chairperson.

The Credentials Committees will submit their recommendations to the Board of Governors for final determination by April 23, 2018, and ask that you be mindful of this date if you intend to submit any comments.

As always, if you have any questions regarding a candidate, or the process, please do not hesitate to call Susan Wan or myself.

SAN FRANCISCO IS CALLING

The College of Labor and Employment Lawyer's 23rd Annual Induction Dinner will take place on Saturday, November 10th in The Pavilion at One Market Plaza, San Francisco, CA. Comprised of two landmark office towers with available retail space, One Market Plaza is one of the most prominent buildings in the San Francisco skyline. Information on hotel room blocks will be available on our web site in the coming months and invitations will be mailed in late August.



PACIFIC COAST LABOR AND EMPLOYMENT LAW CONFERENCE

For over 50 years, the King County Bar Association's Labor & Employment Law section put on a two-day CLE each spring with speakers from around the country on the current issues for labor and employment practitioners. It's a major event in the local L&E community, with close to 300 attendees. This year's program includes a presentation from recent NLRB Chairman **Phil Miscimarra**, as well as panels on the fissured workplace, trends in pay equity, and a timely discussion of responding to and litigating harassment claims against top executives. The [attached brochure](#) and the website at <http://www.pacificlaborlaw.com/> show the full agenda for the Pacific Coast Labor & Employment Law Conference on April 26 & 27, 2018, in Seattle.

Please note that discounted early registration closes on March 1. Also, a "first time attendee" 25% discounted registration is available to a limited number of lawyers working at non-profits, in the public sector (government attorneys) or as solo practitioners.

If you're able to take advantage of this CLE opportunity, registration is online at <http://www.regonline.com/51stPCLELC>. Seattle would be glad to welcome you for a visit, and believe it or not, we occasionally even order up sunny skies and flowers in late April if you make a weekend of it.

SPOTLIGHT ON FELLOWS

- Fellow **Charles B. Baldwin** was re-elected to the position of Managing Director at Ogletree Deakins. Baldwin has served in this role since 2014.
- Fellow **Louis P. Britt III** was elected to the Executive Committee at FordHarrison.
- Fellow **Samuel J. Cordes** recently joined the firm of Rothman Gordon in Pittsburgh, PA.
- Fellow **Linda Correia** was named a **Changemaker** by the DC Bar in the February 2018 issue of *Washington Lawyer* for her work fighting retaliation in discrimination cases. Read the complete article [here](#).
- Fellow **Judge Bernice B. Donald** was honored by the Town of Mason, TN as one of three African-American women trailblazers from West Tennessee at its first Black History program.

- Fellows **Timothy H. Howlett** and **Stuart M. Israel** (photo right) received the State Bar of Michigan Labor and Employment Law Section's **2018 Distinguished Service Award**.



- Fellow **Randel K. Johnson** has joined Seyfarth Shaw as a partner in its Washington, DC lobbying branch.
- Fellow **Jonathan D. Karmel** recently published a book titled *Dying to Work: Death and Injury in the American Workplace*. Read the summary [here](#).
- Fellow **Robert D. Manfred, Jr.** was officially enshrined into the **Little League Hall of Excellence** in honor of his dedication to the growth of youth baseball and softball, his commitment to pursuing excellence and his positive influence as a role model to aspiring Little Leaguers.
- Fellow **Garry G. Mathiason** had an article titled [AI's Transformational Role in Making HR More Objective While Overcoming the Challenge of Illegal Algorithm Biases](#) published in the latest issue of *The Journal of Robotics, Artificial Intelligence & Law*.
- Fellow **Thomas P. Murphy** has joined Jackson Lewis PC's Washington, DC Region office as a Principal.

- Fellow **Cynthia E. Nance** (photo right) was announced as one of five awardees of **The Margaret Brent Women Lawyers of Achievement Award**, established by the ABA Commission on Women in the Profession in 1991. This award recognizes and celebrates the accomplishments of women lawyers who have



excelled in their field and have paved the way to success for other women lawyers.

- Fellow **John F. Ring** was nominated by President Trump to be a Member of the National Labor Relations Board, pending US Senate confirmation.
- Fellow **Don Slesnick** oversaw the 84th Capital One Orange Bowl as the Committee's 79th President and Chair.
- Fellow **Jennifer Platzkere Snyder** joined the Board of Directors of Beyond Celiac, a leading patient advocacy organization serving the 2.5 million Americans with celiac disease.
- Fellow **Maurice Wexler** received the **Judge Jerome Turner Lawyers Lawyer Award** from the Memphis Bar Association. It is the highest and most prestigious award given by the Memphis Bar Association.

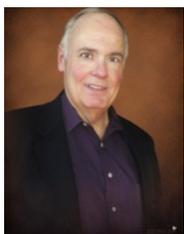
IN MEMORIAM

The College mourns the recent passing of the following Fellows.

John Ferguson – Mr. Ferguson passed away on December 26, 2017 at the age of 77. A member of the Class of 2006, he spent his entire career at the National Labor Relations Board after graduating from the University of Chicago Law School. As the Associate General Counsel, Division of Enforcement Litigation, he oversaw attorneys responsible for the litigation in federal and state courts. He was a gentle man, known for his intellectual prowess and executive leadership. John's outstanding achievements were recognized when he was awarded the **President's Meritorious Rank Award** and the ABA's **Mary C. Lawton Outstanding Government Service Award**. A link to his obituary can be found [here](#).



David Petersen – A member of the Class of 2006, Mr. Petersen passed away on February 3, 2018 at the age of 66. A dedicated labor arbitrator, he was an active member of the National Academy of Arbitrators, having served for 15 years as the Executive Secretary Treasurer. He was scheduled to assume the role of President this May. David also served for several years on the College's 3rd Circuit Credentials Committee, tasked with vetting the nominees for admission, a job that he took serious and considered important, much like how he approached anything he did. A memorial service will be held during National Academy of Arbitrators' Annual Meeting in Vancouver this May. [Click here](#) for a link to his obituary.



James Adler – A well respected arbitrator/mediator with a nationally prominent career,

Jim passed away on February 8, 2018 after a long battle with multiple myeloma. He was days away from his 82nd birthday. Jim is survived by his wife, Sara, who is also a Fellow of the College. Jim and Sara were both admitted to the College in 1997. He earned his law degree from the University of Michigan, subsequently clerking for two Supreme Court Justices. A partner at Munger Tolles & Olson and Irell & Manella before retiring to work as a mediator/arbitrator, his great nonprofit passions were Bet Tzedek Legal Services and the PLATO Society of Los Angeles, a lifelong learning organization. A link to his obituary can be found [here](#).



Herbert Segal – A member of the inaugural class of Fellows in 1996, Mr. Segal passed away on February 8, 2018 at the age of 94. Known as the ‘King of Kentucky labor lawyers,’ he practiced for sixty years representing workers in all industries including waiters, electrical workers, machinists, librarians, government workers, firefighters, police, autoworkers, and more. He graduated from the University of Virginia Law School in 1948, after serving in World War II, and went on to enjoy a well-respected career as a labor lawyer, being involved in landmark cases, serving as the head of the ABA Labor & Employment Section, and earning a reputation for being a diehard defender of the union institution. His full obituary can be found [here](#).



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