

Registration Information
Grievances, Arbitration & Past Practices
September 23-25, 2020
The Flamingo, Las Vegas

Registration Visit us at www.LRIS.com, email us at info@LRIS.com or call us at (503) 282-5440.

Fees Registration fees are \$795 per person; \$695 per person if three or more attend from the same organization. Registration fees include attendance, lunch on the first two days of the seminar, all seminar materials, and a hospitality reception on the first evening.

Cancellation Policy Reservations may be canceled up to ten days prior to the seminar with a full refund. Cancellations made within ten days are subject to a \$150 fee. Substitutions may be made at any time.

HOTEL INFORMATION

To make arrangements, use the link on the seminar tab at www.LRIS.com or call the hotel directly and request the group rate for this seminar. A limited number of rooms are available at these rates on Friday and Saturday nights, so book early if you plan to stay over. Reservations must be made by August 31, 2020. Reservations received after this date will be on a space-available basis only and at the prevailing rate.

The FLAMINGO

3555 Las Vegas Blvd. South
Las Vegas, NV 89109

For the Flamingo, use Group Code SFGAP0. Room rates Tuesday through Thursday nights are \$125 per night, plus a \$35 resort fee and 13.38% tax. Rates Friday and Saturday nights are \$155 plus resort fee and tax.

LINQ HOTEL

(Adjacent to The Flamingo)
3535 Las Vegas Blvd. South
Las Vegas, NV 89109

For the LINQ, use Group Code SQGAP0. Room rates Tuesday through Thursday nights are \$109 per night, plus a \$35 resort fee and 13.38% tax. Rates Friday and Saturday nights are \$139 plus resort fee and tax.

SEMINAR MATERIALS

Each attendee will receive a handbook containing extensive written materials pertaining to each of the subjects addressed.

P.O.S.T. CERTIFICATION

Peace Officer Standards and Training (P.O.S.T.) credits may be available on a state-by-state basis. If you would like information on your state, please contact Seminar Coordinator Claire Cowan at (503) 282-5440 or Claire@LRIS.com prior to the seminar.

CLE CERTIFICATION

LRIS has been approved as a CLE provider by the State Bar of California. This program will qualify for 12.5 hours of MCLE credit by the State Bar of California. If you require certification from any other state, please contact Seminar Coordinator Claire Cowan at (503) 282-5440 or Claire@LRIS.com at least 30 days prior to the seminar.

PRSRT STD
US POSTAGE
PAID
PORTLAND OR
PERMIT NO. 262

**GRIEVANCES, ARBITRATION
& PAST PRACTICES**
Las Vegas, Nevada
September 23-25, 2020

A three-day seminar for all labor organizations, personnel directors, and attorneys involved in public sector labor relations.

"I'm always impressed with LRIS seminars. The topics are relevant and the presenters are knowledgeable and interesting."

Justin Smith, Omaha Police Officers' Association



**GRIEVANCES, ARBITRATION
& PAST PRACTICES**



September 23-25, 2020

**The Flamingo
Las Vegas, Nevada**

"Substantively, I am always impressed with the speakers and information. Even though I've been to multiple LRIS seminars, I always learn a lot. Best conference for public safety unions out there."

Sue Brown, Iowa State Police Officers Council



3021 NE Broadway
Portland, OR 97232-1810
(503) 282-5440

www.LRIS.com • info@LRIS.com

AT A GLANCE

- » Recent Legal Developments in Public Safety Labor
- » Past Practice and its Impact on Bargaining
- » Social Media Rules and Free Speech Issues
- » How an Arbitrator Looks at Grievances
- » Principles of Just Cause and Disciplinary Grievances

WEDNESDAY, SEPTEMBER 23, 2020

9:00 Recent Developments In Public Safety Labor Issues

Recent developments from around the country in the area of public safety labor relations.

- Recent court decisions and laws enacted by Congress.
- Recent changes in state public sector bargaining laws.
- Discussion of the ADA, the FMLA, physical fitness plans, sexual discrimination, the *Garrity* Rule, the *Weingarten* Rule, and affirmative action.
- A review of national trends on wages and benefits.

*Will Aitchison, Attorney at Law, Public Safety Labor Group, LLP;
Executive Director, LRIS.*

10:30 The Impact Of Past Practice On Collective Bargaining

- The two ways that a past practice is important: In interpreting a collective bargaining agreement, and in limiting an employer's ability to make changes in rules and operations.
- The continuing nature of the duty to bargain and how past practices can require mid-contract negotiations.
- The topics that are mandatory for bargaining, including hours of work issues, disciplinary standards and proceedings, civilianization, staffing, residency, and more.
- The elements that make a past practice binding, and the steps an employer must follow to make changes in past practices.

Will Aitchison.

12:00 Lunch (Included in registration)

1:00 The Impact Of Past Practice On Collective Bargaining (continued from the morning)

2:00 Basic Principles Of Grievances And Arbitration

- A discussion of sample grievance procedure language.
- A discussion of what is grievable and what is not.
- The details necessary on a grievance.
- Time limits in a grievance procedure.
- The advisability of grievance meetings rather than written processing.
- Selecting arbitrators.
- The basics of how an arbitration hearing is conducted.
- The finality of arbitration decisions.
- The relationship between grievance procedures, unfair labor practices, and lawsuits in court.

Will Aitchison.

4:00 Adjournment

4:15 Hosted Reception

THURSDAY, SEPTEMBER 24, 2020

9:00 The Special Case Of Social Media

- The negotiability of social media rules.
- The First Amendment, labor law principles, and off-duty social media use.
- The types of social media speech likely to be protected and unprotected, and why.
- How arbitrators consider social media questions.

Anil Karia, Attorney at Law, Public Safety Labor Group, LLP.

10:30 A Grievance And Arbitration Checklist

- The goals of the checklist are to ensure that all possible relevant issues are researched and considered, and to provide a vehicle for evaluation of the merits of a grievance.
- Topics on the checklist include Bargaining History, Past Practice, Historical Contracts, Prior Arbitration Decisions, Other Grievance Resolutions, and more.

Anil Karia.

12:00 Lunch (Included in registration)

1:00 How An Arbitrator Looks At Grievances

- When an arbitrator will look beyond the language to determine the meaning of the contract.
- The types of evidence considered in interpreting contracts, including bargaining history, past practice, and evidence of practices under other contracts.
- From an arbitrator's perspective, the factors that make a past practice binding.
- The interpretation aids arbitrators use in interpreting and applying contract language.
- How arbitrators decide who has the burden of proof, and how much proof is necessary.
- The rules of evidence in arbitration, including issues of hearsay and relevance.
- The decision-making process – what's convincing and what is not.

Margaret Brogan, Arbitrator and Mediator, Philadelphia, PA.

4:00 Adjournment

FRIDAY, SEPTEMBER 25, 2020

8:30 Principles Of Just Cause And Disciplinary Grievances

A point-counterpoint discussion featuring management and labor perspectives:

- The 12 elements of the requirement of just cause for discipline and how they arise in public safety disciplinary grievances.
- Principles covered will include progressive discipline, disparate treatment, the burden of proof in disciplinary cases, the need for clear and understandable work rules, the timeliness of disciplinary action, and proportionate punishment.

*Harry Stern, Managing Principal, Rains Lucia Stern St. Phalle & Silver, PC.
Keri-Lyn Krafthefer, Attorney at Law and Equity Partner, Ancel Glink.*

11:30 Adjournment

What Attendees Of Last Year's Grievances & Arbitration Seminar Think:

- » "Great course! As a lawyer, I thought it was relevant, practical and very up-to-date information. One of the most helpful CLEs I have ever attended. Nice work!" Joseph Mallet, Mallet Law Offices, PLLC., Boise, ID
- » "In today's dynamic and tumultuous environment, a simple insufficiency of knowledge of this profession could prove catastrophic to an individual police officer. LRIS serves to enhance the required knowledge officers must possess to survive and prosper." James Butler, Des Moines Police Gold Braid Association, IA
- » "I would advise others to attend this training and will sign up for future LRIS seminars. The addition of the topic of social media was a good idea." Sam Byrd, Seattle Police Officers Guild, WA
- » "This has been a great experience for me as a new union rep. All blocks of instruction are relevant and current." Anthony Young, Port Authority Detectives Endowment Association, NY
- » "As a new executive board member, this seminar was very helpful and provided me with good information and resources to better myself and help me along." Brian Dembinski, Omaha Police Officers' Association, NE