



**THE SOUTHWEST REGION
OF THE
NATIONAL ACADEMY
OF ARBITRATORS**



and

THE HOUSTON, TEXAS CHAPTER OF

LEBA

LABOR AND EMPLOYMENT RELATIONS ASSOCIATION

Present the 2010 Program:

“Labor Relations in Transition”

Featured Guest Speaker:

George H. Cohen, Director

Federal Mediation and Conciliation Service

Program Includes -

The 33rd Annual Labor Management Conference

The 11th Annual Arbitrator Training Session

The 8th Annual Advocate Training Program

The LERA Dinner and Program

March 25 – March 27, 2010

Hobby Airport Hilton

Houston, Texas

NAA Southwest Region
Advocates and Arbitrators Training Programs
Thursday, March 25, 2010

BUILDING ARBITRATION ADVOCACY SKILLS

An Interactive Program for Advocates

9:30 a.m. – 4:45 p.m.

(Includes breaks at 10:45 and 2:30 as well as lunch at noon.)

Program Coordinator:

T. Zane Reeves, Ph.D., NAA

Professor Emeritus, University of New Mexico

Presenters:

John Sass, Esq., NAA	Framing the Issue and Opening Statements
Carl C. Bosland, Esq., NAA	Handling FMLA Issues in Arbitration
Kathy Eisenmenger, Esq., NAA	Last Chance Agreements and Related Issues
Don Petersen, Ph.D., NAA	Quits, Rescission, and Constructive Discharge
Dan Jennings, Ph.D., NAA	“What Happens When the Parties Leave the Room?”
William McKee, Ph.D., NAA	“Principled Advocacy”: A Prescription for Success
Michael B. McReynolds, NAA	Differences in Labor and Employment Arbitration
John Sass, Esq., NAA	“Cross-examination and Exposing Lying Witnesses”
Patrick Halter, NAA	Anonymous Questions: Arbitrators in the “Hot Seat”

ENHANCING LABOR ARBITRATION SKILLS

An Interactive Program for Experienced and Newly-Established Arbitrators

9:30 a.m. – 3:30 p.m.

(Includes break at 10:45 as well as lunch at noon.)

Program Coordinators and Presenters:

I. B. Helburn, Ph.D., NAA

Diane Dunham Massey, Esq., NAA

This track is for current neutrals only. Small groups will engage in round-table, interactive discussion of difficult cases involving contract interpretation and discipline in both the private sector and public sectors. Ample time will be set aside for discussions of specific concerns raised by those in attendance.

THURSDAY NIGHT SOCIAL & LERA DINNER MEETING

*The New Director shares his views on plans for the Agency’s goals
and initiatives over the next few years*

5:00 p.m. – 8:30 p.m.

5:00 p.m. – 6:00 p.m.

LERA Registration & Social Hour (Cash Bar)

6:00 p.m. – 7:00 p.m.

Dinner

7:00 p.m. – 8:00 p.m.

Speaker: George H. Cohen, Director, F.M.C.S.

**NAA Program Friday
March 26, 2010**

8:00 a.m. – 9:00 a.m. **Registration**

9:00 a.m. – 9:10 a.m. **Opening Remarks**

Don E. Williams, Esq., NAA
Chair, Southwest Region, NAA

9:10 a.m. – 10:30 a.m. **Plenary Session**

Is There an EFCA in Your Future?

Moderator: I. B. Helburn, Ph.D., NAA

Presenters:

Arnold M. Zack, Esq., NAA
Lecturer in Dispute Resolution, Labor and
Worklife Program, Harvard University
George H. Cohen, Director
Federal Mediation and Conciliation
Service

A top-down assessment of the challenges that face
Unions, Employers and Arbitrators under the
provisions of the proposed Employee Free Choice Act.

10:30 a.m. – 10:45 a.m. **Break**

10:45 a.m. – 12:15 p.m. **Plenary Session**

***The Use and Abuse of “Past Practice” in
Labor Arbitration***

Presenter: John Sass, Esq., NAA

A useful discussion of what “past practice” is and
how it can be properly used in various kinds of cases.

12:15 p.m. – 2:00 p.m. **Luncheon Meeting**

Speaker:

William H. Holley, Jr., Ph.D.
President, NAA
Professor Emeritus, Auburn University
Auburn, Alabama

Early Afternoon Workshops

2:15 p.m. – 3:30 p.m.

1. Grievance Mediation: Making it Work

Moderator: Paul Barron, Esq., NAA

Panelists:

Steve Fischer, FMCS Commissioner
John Harris, FMCS Commissioner
Shawn Reynolds, Labor Relations Manager,
BP Texas City Refinery
James Guajardo, Refinery Chair,
USW Local 13-1
David Jankowski, Refinery Vice Chair,
USW Local 13-1
Craig Mason, Hourly Refinery Training
Coordinator, USW Local 13-1
Jim Kane, Director of Labor Relations,
CSC Applied Technologies, Houston
Preston Brown, Directing Business
Representative, IAMAW,
District Lodge 37

This workshop offers a plethora of perspectives on how
the Parties can overcome mistrust of the process and
make it work in practice.

2. Postal Arbitration: Time for Change?

Moderator: Carl C. Bosland, Esq., NAA

Panelists:

Chris Jordan, Labor Relations Manager,
USPS, Western Area
Charles Reynolds, Southern Regional Director,
National Postal Mail Handlers Union
Kathy Baldwin, National Business Agent,
National Association of Letter Carriers
James Oliver, Labor Relations Specialist,
USPS, Southwest Area
Sam Lisenbe, National Business Agent,
American Postal Workers Union

This workshop will include a frank assessment of how
“business as usual” may not work in the challenging
new environment of the Postal Service and its Unions.

**3. The Mores of Ménage à Trois: Ethical
Considerations in Tripartite Arbitration**

Moderator: Francis X. Quinn, Ph.D., NAA

Presenter: Molly Bargenquest, V.P. of Case
Management, AAA, Dallas, TX

3:30 p.m. – 3:45 p.m.

Break

Late Afternoon Workshops

3:45 p.m. – 5:00 p.m.

1. Public Safety Employer – Employee Cooperation Act of 2009

Moderator: Ruben R. Armendariz, NAA

Panelists:

John Burpo, Combined Law Enforcement Associations of Texas
Robert Navarro, Esq., Denton, Navarro, Rocha & Bernal, Harlingen, Texas

This workshop will explore diverse views on this *revolutionary* proposal for federal legislation that provides collective bargaining rights for all public safety officers employed by States and their local government entities.

2. Interactional Justice: Moving Away from the “Judge Judy and Executioner” Approach to Labor Arbitration

Moderator/Presenter:

Mark Sherman, Ph.D., L.L.M., NAA

Presenters:

Kevin Wooten, Ph.D., UHCL
Lori LaConta, Esq., Mediator, Arbitrator

The distinction between Procedural and Substantive Justice is fundamental to Arbitral decision making. However, in recent years, the concept of “Interactional Justice” has gained acceptance as the *third* critical dimension to fairness in Arbitration. This interactive workshop will illustrate how Advocates and Arbitrators can focus on behaviors that improve interpersonal respect and deference and thereby enhance satisfaction with the justness of labor arbitration.

3. Agency Update

Moderator: Don E. Williams, Esq., NAA

Panelists:

Vella Traynham, Director, Arbitration Services, FMCS, Washington, DC
Andrew Barton, Regional Vice President, AAA, Houston, TX

Key Managers from the AAA and the FMCS review emerging trends and policies that impact their clients.

Saturday Morning March 27, 2010

10:00 a.m. – 12:00 p.m.

An Interactive Discourse for Postal Service Managers, Union Representatives, and Arbitrators

Convener: I. B. Helburn, Ph.D., NAA

Following on from Friday afternoon’s workshop, this traditional Saturday session gives all stakeholders an “open mike” to vent their feelings and concerns about any aspect of Postal Arbitration.

CLE CREDITS (INCLUDING ETHICS)

Continuing Legal Education Credit has been requested from the State Bars of Texas and Oklahoma. The actual hours of CLE are pending approval by the State Bars of Texas and Oklahoma. Attendance forms will be available at the registration table. Included are the following:

.5 hours Ethics for Thursday Advocate Training,
.5 hours for Thursday Arbitrator Training; and
1.25 hours for Friday Ethics Workshop.

LOCATION

Hilton Houston Hobby Airport
8181 Airport Boulevard
Houston, Texas 77061
(713) 645-3000 (phone)

HOTEL RESERVATIONS

The Hotel has reserved a block of rooms at the group rate of **\$89.00** plus tax. All reservations should be received by the hotel not later than March 9, 2010. Any reservation requests received by the Hotel after March 9, 2010, are subject to space and rate availability. Check-in time is 3:00 p.m. For call-in reservations, call (713) 645-3000 and provide Group Code NAA. The toll-free number is 1-800-HILTONS. Ask for the Hilton Houston Hobby Airport and provide Group Code NAA to receive the **\$89** special base rate.

TRANSPORTATION

The Hilton Hobby Hotel provides free shuttle transportation to and from Hobby Airport.

NAA PROCEEDINGS

Volumes 1 through 58 of *The Proceedings of the National Academy of Arbitrators* are now available on the Academy's website (www.naarb.org).

REGISTRANT INFORMATION

Please Register by March 15, 2010

NAME _____

NAME _____

NAME _____

NAME _____

NAME _____

Organization _____

Street _____

CITY _____ ST _____ ZIP _____

PHONE _____

EMAIL _____

REGISTRATION FEES CALCULATION

FOR (cost per person):

Thur. Daytime Training Only:

Advanced Advocacy \$120

Arbitrators Training \$120

LERA Thursday Evening (group discount does not apply) \$45

Friday Sessions only \$120

Thursday and Friday Daytime Sessions (discounted package) \$220

Early Bird (Th. & Fri. Daytime Sessions) before March 15, 2010 \$210

If 4 or more from same organization, subtract \$10 per person (ex LERA) -\$10

TOTAL ENCLOSED

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CREDIT/DEBIT CARDS NOT ACCEPTED

Make checks payable to: Southwest Region NAA

No refunds after March 22

Mail or FAX to:

Elvis Stephens, NAA

P.O. Box 424221

Denton, TX 76204-4221

Phone (940) 382-3087

Fax (940) 382-4507

Email: elvisstephens@verizon.net

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Southwest Region
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Denton, TX 76204-4221**

Return Service Requested



TO: