

Grievances, Arbitration, & Past Practices

September 21-23, 2022

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. Reservations must be made by August 20, 2022. 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
(888)373-9855 Group Code: SFGAP2

Room rates Tuesday through Thursday nights are \$119 per night, plus taxes and fees. A limited number of rooms are available on Friday and Saturday night for \$149, so book early if you plan to stay over the weekend.

The LINQ

3535 Las Vegas Blvd. South
Las Vegas, NV 89109
(866)523-2781 Group Code: SQGAP2

Room rates Tuesday through Thursday nights are \$99 per night, plus taxes and fees. A limited number of rooms are available on Friday and Saturday night for \$139, so book early if you plan to stay over the weekend.

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 Claire@LRIS.com 30 days prior to the seminar.

CLE CERTIFICATION

LRIS has been approved as a CLE provider by the State Bar of California. This seminar qualifies for 12.5 hours of credit by the State Bar of California. If you require CLE from any other state, please contact Seminar Coordinator Claire Cowan at Claire@LRIS.com 30 days prior to the seminar.

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GRIEVANCES, ARBITRATION & PAST PRACTICES

Las Vegas, Nevada

September 21-23, 2022

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

"I really enjoyed all three days of training. I am new to union leadership and this training has provided me with invaluable information to take back to my members."

Kyle Libra, Albany Police Association, OR



GRIEVANCES, ARBITRATION & PAST PRACTICES



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Las Vegas, Nevada

"I had high expectations for this seminar and those expectations were exceeded. Fairly balanced between labor and management."

Karen Tracy, City of Billings, MT



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

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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 21, 2022

9:00 Recent Developments In Public Safety Labor Issues

Recent developments from around the country in the area of public safety labor relations, including:

- Trends in wage and fringe benefit settlements in public safety agencies.
- One year later: How mandatory vaccination litigation has fared.
- Common FLSA issues, including mistakes in calculating the overtime rate.
- Police reform legislation and how it can impact all public safety employees.
- Employee privacy rights in cell phones, flash drives, GPS trackers, and other electronic equipment.

*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: 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 22, 2022

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's not.

Margaret Brogan, Arbitrator and Mediator, Philadelphia, PA.

4:00 Adjournment

FRIDAY, SEPTEMBER 23, 2022

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.

Robert Wexler, Attorney at Law and Partner, Rains Lucia Stern St. Phalle & Silver, PC.

Keri-Lyn Krafthefer, Attorney at Law and Equity Partner, Ancel Glink.

11:30 Adjournment

What Attendees Of Our Last Grievances & Arbitration Seminar Think:

- » “A lot of great knowledge was passed on that will benefit our union. I anticipate sending other members in the future.” John Onorad, MAP Chapter 96, Hoffman Estates, IL
- » “It was my first seminar on this subject. It was extremely informative and definitely a 'must' seminar.” Roland Aguirre, San Antonio Firefighters Assn. Local 624, TX
- » “Always a great source of information, LRIS puts me to work as I apply what I have learned and who I've met.” John Rosser III, Dept. of Corrections Labor Committee, DC
- » “All of the instructors were overwhelmingly engaging, well-rounded, informative and helpful.” Tom Brady, Norfolk Co. Sheriff's Office, Dedham, MA
- » “Such a great course with very useful information for labor unions.” Shane Tuell, FOP Lodge 93, Tulsa, OK