

Continuing Legal Education



36TH ANNUAL
ILLINOIS PUBLIC SECTOR
LABOR RELATIONS LAW CONFERENCE

36TH ANNUAL

ILLINOIS PUBLIC SECTOR LABOR RELATIONS LAW CONFERENCE FRIDAY, DECEMBER 4, 2020

Join Illinois labor lawyers and labor relations specialists at this annual can't-be-missed event. This year's conference is a full-day online webinar. Register to gain real-time access to the key decision-makers who will shape the future of Illinois' public sector and earn up to 6.25 hours of Illinois MCLE credit hours.

*An additional 20 hours of CLE credit can be earned by post-conference viewing of the alternate concurrent sessions, at no additional cost.

CONFERENCE AT A GIANCE

8:30am-10:00am

Welcome + Opening Plenary Session
The Covid-19 Pandemic and Public
Sector Labor Relations

10:00am-10:15am

Break

10:15am-11:30am
Concurrent Sessions

- K-12 Education
- Higher Education
- Law Enforcement
- Firefighters Forum
- Health Care
- Navigating the Maze of Leaves in a Pandemic

11:30am-11:45am Break

11:45am-1:00pm
Concurrent Sessions

- IELRA Developments
- Interest Arbitration
- Funding and Collective Bargaining
- Ethics and Civility Across Tribunals
- Return to Work Privacy and Constitutional
- Nuts & Bolts of Discipline

1:00pm-1:30pm

Break

1:30pm-2:45pm

Concurrent Sessions

- IPLRA Developments
- Steering the Process through Uncharted Waters:
 Remote Hearings, Bargaining and Mediation
- Nuts & Bolts of Bargaining
- Sharing and Access to Information
- Pension Consolidation

2:45pm-3:00pm

Break

3:00pm-4:15pm

Concurrent Sessions

- Ethics Mental Health Issues: Coping Skills for the Pandemic and Beyond
- Marijuana and the Workplace
- Police Reform and Labor Relations

All sessions are pre-recorded video content along with real-time speaker interaction available via live chat room throughout each session.

This conference is presented in cooperation with the Illinois Labor Relations Board and the Illinois Educational Labor Relations Board



CONFERENCE FACULTY

OPENING PLENARY PANEL



Steven Greenhouse Author and Journalist



Ralph Martire
Executive Director
Center for Tax
and Budget
Accountability



Laurence Msall President Civic Federation

FEATURED FACULTY



David Amerson Staff Attorney PB&PA of Illinois



Margaret Angelucci Shareholder Asher, Gittler & D'Alba



Carlos S. Arevalo
Partner
SmithAmundsen LLC



William R. Atwood Executive Director Illinois Firefighters' Pension Investment Fund



Melissa Auerbach Partner Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich



Gary L. Bailey Attorney Illinois FOP Labor Council



James Baird
Partner
Clark Baird Smith
LLP



Thomas S. Bradley Partner Laner Muchin



Lisa R. Callaway Partner Engler Callaway Baasten & Sraga,



Chelsy A. Castro Psychotherapist and Consultant Castro Jacobs Psychotheraphy & Consulting



Jeanne Charles
Arbitrator and
Mediator
National Academy
of Arbitrators



Nicholas Christen Strategic Research Director Illinois Federation of Teachers



Robb B. Craddock Senior Director-Labor and Employee Relations University of Illinois, Urbana-Champaign



Jules I. Crystal Labor Arbitrator and Mediator



Tamara L.
Cummings
General Counsel
Illinois FOP Labor
Council



Bryan Diemer Attorney International Union of Operating Engineers, Local 150, AFL-CIO



Stanley Eisenhammer Partner Hodges, Loizzi, Eisenhammer, Rodick & Kohn, LLP



Joshua M. File Partner Katz, Friedman, Eisenstein, Johnson, Bareck & Bertuca



Laura M. Finnegan Partner Baum Sigman Auerbach & Neuman, Ltd.



Jane Flanagan Deputy General Counsel Office of Illinois Governor JB Pritzker



Larry Frank
Director of
Educational Policy
and Research
Illinois Education
Association-NEA



Felicia Frazier Managing Partner Odelson Sterk Murphey Frazier McGrath, Ltd.



Michael Frisch Senior Advisor and Legal Counsel Office of the Mayor, City of Chicago



Angela Fyans-Jimenez Deputy Corporation Counsel City of Bloomington, IL



Timothy E. Guare Senior Counsel Hodges, Loizzi, Eisenhammer, Rodick & Kohn, LLP



Angie Cowan Hamada Shareholder Allison, Slutsky & Kennedy, P.C.



Marisel A. Hernandez Partner Jacobs Burns Orlove & Hernandez



Brad Jansen
Deputy General
Counsel, Labor &
Employment Division
Chicago Transit
Authority



CHICAGO-KENT COLLEGE OF LAW

Alice J. Johnson Executive Director Illinois Nurses Association



David A. Johnson Partner Franczek P.C.



Keith A. Karlson Staff Attorney Metropolitan Alliance of Police



Helen J. Kim General Counsel Illinois Labor Relations Board



Jill D. Leka Partner Clark Baird Smith LLP



Jerry J. Marzullo Founding Partner Puchalski Goodloe Marzullo, LLP



Susan M. Matta Shareholder Asher, Gittler & D'Alba



Anthony L. McGee Vice President and Business Agent Teamsters Local



P.C. McNamara Senior Attorney Chicago Transit Authority



Thomas M. Melody Partner Klein, Thorpe, and Jenkins, Ltd.



Martha Merrill
Director of Research
and Employee
Benefits
AFSCME Council 31



Scott D. Miller Staff Attorney AFSCME Council 31



Melissa Mlynski Senior Director of Human Resources University of Illinois, Springfield



Jill P. O'Brien Partner Laner Muchin



Trisha A. Olson General Counsel Illinois State Board of Education



Karl R. Ottosen Managing Partner and Shareholder Ottosen, DiNolfo, Hasenbalg & Castaldo, Ltd.



Robert Paszta Associate General Counsel International Union of Operating Engineers, Local 150



Thomas J. Pleines Attorney Law Office of Thomas J. Pleines



Sarah Pratt Public Access Counselor Illinois Attorney General's Office



Brian E. Reynolds Arbitrator



Thomas H. Riley, Jr. Executive Director, Labor and Special Counsel University of Illinois System



Sylvia Rios General Counsel Illinois Education Association - NEA



Bianca Saviano
Deputy General
Counsel
Teamsters Local 700



Robert J. Scherschligt Legal Counsel Teamsters Local Union No. 916



Brian D. Schwartz
Deputy Executive
Director and
General Counsel
Illinois Principals
Association



Melissa D. Sobota Partner Franczek P.C.



Kimberly Stevens Executive Director Illinois Labor Relations Board



Rick V. Stewart, Jr. Founding Principal Hesse Martone



Ellen Maureen Strizak General Counsel Illinois Educational Labor Relations Board



Chuck Sullivan
President
Associated Fire
Fighters of Illinois



Robin Ward Retired In-House Counsel Village of Arlington Heights



Torrick Ward
Deputy Director of
Labor Relations
Cook County

CONFERENCE FACULTY



John J. Weathers Commissioner of Mediation Federal Mediation & Conciliation Service



Dennis Weedman Partner Robbin Schwartz



Richard A. White, Executive Director Illinois Police Officers' Pension Investment Fund



Stephen A. Yokich Partner Dowd, Bloch, Bennett, Cervone. Auerbach & Yokich



Danial Zapata General Counsel Service Employees International Union, Local 73

CONFERENCE PLANNING COMMITTEE

Emily Aleisa

Chicago-Kent College of Law

Temikorede Bennett

Cook County Health & Hospitals System

Victor E. Blackwell

Illinois Educational Labor Relations Board

David Born

Federal Mediation & Conciliation Service

Jeff Brown

Indianapolis Public Transportation Corporation

Lisa R. Callaway

Engler, Callaway, Baasten, & Sraga LLC

Kelly Anne Keeler Calvanico

Chicago-Kent College of Law

Gilbert A. Cornfield

Cornfield & Feldman

Tamara Cummings Illinois FOP Labor Council

Joel D'Alba

Asher Gittler & D'Alba Ltd.

Cynthia DeCola

Hodges, Loizzi, Eisenhammer, Rodick & Kohn LLP

Stanley Eisenstein

Katz, Friedman, Eagle, Eisenstein, Johnson, & Bareck PC

James C. Franczek, Jr.

Franczek PC

Philip H. Gerner III

Robbins Schwartz

Marisel A. Hernandez

Jacobs, Burns, Orlove, & Hernandez

A. Lynn Himes

Himes, Petrarca & Fester Chtd.

Helen J. Kim

Illinois Labor Relations Board

Ronald Kramer

Seyfarth Shaw LLP

Robert C. Long

Littler Mendelson PC

Martin H. Malin

Chicago-Kent College of Law

Jerry J. Marzullo

Puchalski Goodloe Marzullo, LLP

Susan M. Matta

Asher Gittler & D'Alba

Melissa Mlynski

University of Illinois-Springfield

Joseph T. Moriarty

Board of Education-City of Chicago

John J. Murphy

Himes, Petrarca & Fester Chtd.

Michael Newman

AFSCMF Council 31

Jill P. O'Brien

Laner Muchin, Ltd.

Karl R. Ottosen

Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.

Robert Paszta

International Union of Operating Engineers, Local 150

Giacomo A. Pecoraro

Illinois Association of Chiefs of Police, Retired

Sylvia Rios

Illinois Education Association, NEA

Tyson Roan

SEIU Local 73

Marsha Ross-Jackson

Chicago-Kent College of Law

Kathy Shaevel

Illinois Federation of Teachers

Sean M. Smoot

Policemen's Benevolent & Protective Association of IL

Kimberly Stevens

Illinois Labor Relations Board

Joseph E. Tilson

Cozen O'Connor

Roxana Underwood

Clark Baird Smith LLP

Chenika Veal

Chicago-Kent College of Law

Robin Ward

Village of Arlington Heights (retired)

Jacalyn J. Zimmerman

Arbitrator, National Academy of Arbitrators

PROGRAM SCHEDULE

8:30am-10:00am

WELCOME + OPENING PLENARY SESSION

The Covid-19 Pandemic and Public Sector Labor Relations

The Covid-19 pandemic has upended workplaces throughout the state and across the country. The resulting recession has greatly strained state and local budgets. 2020 also renewed focus on racial inequities in the workplace and society. The panel will discuss all this and what lies ahead for public sector labor relations.

Steven Greenhouse, Author and Journalist

Ralph Martire, Executive Director, Center for Tax and Budget Accountability

Laurence Msall, President, Civic Federation

Moderator: Martin H. Malin, Professor of Law and Director, Institute of Law and the Workplace,

Chicago-Kent College of Law

10:00am-10:15am

BREAK

10:15am-11:30am

CONCURRENT SESSIONS—SELECT ONE

K-12 Education

The panelists will address the following:

- March 2020 to Present: How Much "Normality" Can We Continue to Have?
- Return to School: Where are the Metrics?
- Educator Liability in a Covid-19 Environment
- E-Learning & Teacher Concerns
- Teacher & Administrator Evaluation & Remediation During Covid-19
- Licensure & Teaching Flexibility During Covid-19

Trisha A. Olson, General Counsel, Illinois State Board of Education

Sylvia Rios, General Counsel, Illinois Education Association-NEA

Brian D. Schwartz, Deputy Executive Director and General Counsel, Illinois Principals Association

Higher Education

The disruptive influence of COVID-19 on higher education in Illinois can be examined on multiple levels. This panel of organizational leaders will share critical information on the significant and broad impact of the pandemic on institutional leaders and faculty, state policy leaders and college students. Final questions for discussion will focus on how higher education has responded, and what the future might hold.

Thomas H. Riley, Jr., Executive Director - Labor and Special Counsel, University of Illinois System **Stephen A. Yokich**, Partner, Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich

Law Enforcement

With COVID-19 cases spiking across the country, first responders are some of the most vulnerable. The panel will discuss the many labor issues surrounding COVID 19 and Law Enforcement such as: HIPPA and Privacy Concerns balanced against public safety/Officer's "Right to Know"/Attorney General Opinions/Litigations Outcomes/PEDA, PSEBA, Disability Pension and FFCRA/ Workers Compensation/ Hazard Differential Pay and distinction between workplace and off duty exposure/ Quarantines and Mandatory Testing.

David Amerson, Staff Attorney, Policemen's Benevolent & Protective Association of Illinois **Felicia L. Frazier**, Managing Partner, Odelson Sterk Murphey Frazier McGrath, Ltd.

David A. Johnson, Partner, Franczek P.C.

Keith A. Karlson, Staff Attorney, Metropolitan Alliance of Police

Firefighters Forum

This panel will discuss the initial impact on daily operations, the ways unions and employers worked together, and the initial impact on negotiations; the Continuity of Operations Plan (COOP); and the longer-term impact on bargaining, and how to address these types of issues moving forward.

Angela Fyans-Jimenez, Deputy Corporation Counsel, City of Bloomington, IL

Susan M. Matta, Shareholder, Asher, Gittler & D'Alba

Karl R. Ottosen, Managing Partner and Shareholder, Ottosen, DiNolfo, Hasenbalg & Castaldo, Ltd. Chuck Sullivan, President, Associated Fire Fighters of Illinois



Health Care

Panelists representing the union-side and management-side of healthcare will discuss the impact of COVID-19 on healthcare workers and labor relations. Topics that will be discussed include mid-term bargaining, hazard pay, personal protective equipment, worker infections and deaths and public initiatives to help healthcare workers.

Alice J. Johnson, Executive Director, Illinois Nurses Association Torrick Ward, Deputy Director of Labor Relations, Cook County

Navigating the Maze of Leaves in a Pandemic

The panelists will address the following:

- Overview of FFCRA and related leave issues;
- · ADA and reasonable accommodation challenges;
- Negotiating leave and related issues; and
- The impact on workers' compensation, PEDA, PSEBA

Lisa R. Callaway, Partner, Engler Callaway Baasten & Sraga, LLC
Thomas M. Melody, Partner, Klein, Thorpe, and Jenkins, Ltd.
Bianca Saviano, Deputy General Counsel, Teamsters Local 700

Daniel Zapata, General Counsel, Service Employees International Union, Local 73

11:30am-11:45am

BREAK

11:45am-1:00pm

CONCURRENT SESSIONS-SELECT ONE

IELRA Developments

This panel will review highlights of the Illinois Educational Labor Relations Board's decisions from the previous year.

Nicholas Christen, Strategic Research Director, Illinois Federation of Teachers

Melissa Mlynski, Senior Director of Human Resources, University of Illinois-Springfield

Ellen Maureen Strizak, General Counsel, Illinois Educational Labor Relations Board

Interest Arbitration, A Year in Review: The Impact of COVID and More

You will hear an overview of all of the interest arbitration decisions that were rendered in 2020, with commentary from an experienced and well versed panel that includes a neutral arbitrator, a union attorney and a management attorney. You will also learn about the impact of the COVID pandemic on these decisions as well as predictions regarding how the pandemic may impact future bargaining and interest arbitration.

Tamara L. Cummings, General Counsel, Illinois FOP Labor Council Timothy E. Guare, Senior Counsel, Hodges, Loizzi, Eisenhammer, Rodick & Kohn, LLP Brian E. Reynolds, Arbitrator

Funding and Collective Bargaining

The session will focus on the funding (or lack of funding) on local governmental bodies and its impact on collective bargaining in a world turned upside down by a global pandemic. The panelists will discuss the skills and techniques necessary to understand budgets and financial projection and bring that understanding to bear at the bargaining table so the parties can reach agreement.

Stanley Eisenhammer, Partner, Hodges, Loizzi, Eisenhammer, Rodick & Kohn, LLP Larry Frank, Director of Educational Policy and Research, Illinois Education Association-NEA Martha Merrill, Director of Research and Employee Benefits, AFSCME Council 31 Rick V. Stewart, Jr., Founding Principal, Hesse Martone

Ethics and Civility Across Tribunals

In this session, the panel will explore ethical and civility issues related to various tribunals and layers of participation in the labor relations process, including arbitration, negotiation, and labor board proceedings. Given increased reliance on electronic communication and virtual substitutes for in-person interaction, this session will explore some of the unique ethical and civility concerns raised by the new ways we interact in 2020 and beyond. The session will also provide examples of these issues in action from real-world experience and provide some insight into best practices for navigating them.

Scott D. Miller, Staff Attorney, AFSCME Council 31

Kimberly Stevens, Executive Director, Illinois Labor Relations Board

Dennis L. Weedman, Partner, Robbin Schwartz

PROGRAM SCHEDULE

Return to Work Privacy and Constitutional Issues

Bringing employees back to the workplace in the midst of the COVID-19 pandemic raises a host of potential constitutional and privacy issues. This panel will provide an overview of the relevant law in this area and its application in the context of the pandemic. Panelists will also highlight the state's approach to return to work and certain resources available to employers and employees to assist in navigating these issues.

Melissa Auerbach, Partner, Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich Thomas S. Bradley, Partner, Laner Muchin Jane Flanagan, Deputy General Counsel, Office of Illinois Governor JB Pritzker

Nuts & Bolts of Discipline

This "Nuts and Bolts" session on discipline in labor arbitrations consists of an overview of the arbitrator selection process, preliminary evaluation, hearing considerations and potential issues. The panelists will also discuss the process and procedures to be followed by counsel representing labor and management as well as input from the arbitrator's perspective. The session will conclude with a review fact scenarios for purposes of illustration.

Carlos S. Arévalo, Partner, SmithAmundsen LLC Jules I. Crystal, Labor Arbitrator and Mediator

Joshua M. File, Partner, Katz, Friedman, Eisenstein, Johnson, Bareck & Bertuca

Marisel A. Hernandez, Partner, Jacobs Burns Orlove & Hernandez

1:00pm-1:30pm

BREAK

1:30pm-2:45pm

CONCURRENT SESSIONS—SELECT ONE

IPLRA Developments

The panel will provide a summary of all ILRB and court decisions issued in the past year concerning the Illinois Public Labor Relations Act and will discuss several significant decisions and rulings. The Board's General Counsel will also provide an overview of the Board's structure and administrative performance as well as recent amendments to the Act.

Gary L. Bailey, Attorney, Illinois FOP Labor Council

James Baird, Partner, Clark Baird Smith LLP

Helen J. Kim, General Counsel, Illinois Labor Relations Board

Steering the Process through Uncharted Waters: Remote Hearings, Bargaining and Mediation

The panelists will discuss best practices and provide practical advice for participating in hearings, bargaining and mediation remotely.

Jeanne Charles, Arbitrator and Mediator, National Academy of Arbitrators

Angie Cowan Hamada, Shareholder, Allison, Slutsky & Kennedy, P.C.

Melissa D. Sobota, Partner, Franczek P.C.

John J. Weathers, Commissioner of Mediation, Federal Mediation & Conciliation Service

Nuts & Bolts of Bargaining

The panel will outline and review the various steps, processes and dynamics involved in successful collective bargaining negotiations in the public sector. The session will be focused on the new practitioner and the skills necessary to be a productive member of a bargaining team. The panel will also share insights gleaned from their wide-ranging collective bargaining experience over the years.

Margaret Angelucci, Shareholder, Asher, Gittler & D'Alba

Robb B. Craddock, Senior Director - Labor and Employee Relations, University of Illinois, Urbana-Champaign

Anthony L. McGee, Vice President and Business Manager, Teamsters Local 700 Jill P. O'Brien, Partner, Laner Muchin

Sharing and Access to Information

The panelists will address the following:

- The impact of COVID-19 on the Freedom of Information Act and Open Meetings Act
- The ability of in-house attorneys to collect fees under FOIA
- · The practical impact of SB 1754's changes to FOIA and the IPLRA



Who is a "commercial" requester under FOIA?

Robert Paszta, Associate General Counsel, International Union of Operating Engineers, Local 150, AFL-CIO

Sarah Pratt, Public Access Counselor, Illinois Attorney General's Office Robin Ward, Retired In-House Counsel, Village of Arlington Heights

Pension Consolidation

This panel will consist of a background discussion of Article 3 (Police) and Article 4 (Fire) pension funds in the State of Illinois moving into the 2019/2020 legislation consolidating those pension funds for investment purposes. The executive directors of each fund will give an update of what has taken place with those funds and the panel will discuss the interplay between the consolidated funds and the local pension boards. The panel will then discuss the next steps for each fund in terms of the movement of billions of dollars from the local funds to the consolidated funds.

William R. Atwood, Executive Director, Illinois Firefighters' Pension Investment Fund Jerry J. Marzullo, Founding Partner, Puchalski Goodloe Marzullo, LLP Richard A. White, Jr., Illinois Police Officers' Pension Investment Fund

2:45pm-3:00pm

BREAK

3:00pm-4:15pm

CONCURRENT SESSIONS—SELECT ONE

Ethics - Mental Health Issues: Coping Skills for the Pandemic and Beyond Participants in this session will learn:

- · Why lawyers are a vulnerable population during the pandemic and beyond;
- · Essential cognitive and behavioral coping skills for living, working and feeling better; and
- Critical communication skills for helping their teams, coworkers, and loved ones cope in the pandemic and beyond.

Chelsy A. Castro, Psychotherapist and Consultant, Castro Jacobs Psychotherapy and Consulting

Marijuana and the Workplace

The panelists will discuss what if any impact Illinois' recreational marijuana law has had on public employers with "safety-sensitive employees," grounds and methods for marijuana testing in the work-place, the increasing popularity of medical marijuana and CBD products and how that increase will implicate existing drug testing policies. They will also provide an update on relevant arbitration awards concerning marijuana and the public workplace.

Bryan Diemer, Attorney, International Union of Operating Engineers, Local 150, AFL-CIO Brad Jansen, Deputy General Counsel-Labor & Employment Division, Chicago Transit Authority P.C. McNamara, Senior Attorney, Chicago Transit Authority Robert J. Scherschligt, Legal Counsel, Teamsters Local Union No. 916

Police Reform and Labor Relations

In Chicago, since the video of the Laquan McDonald shooting was released, there have been several efforts to change the rules and procedures of the Chicago Police Department. Under the Illinois Labor Relations Act, an Employer must provide notice and an opportunity to bargain, and bargain over any changes in policy that impact terms and conditions of employment, absent a waiver of those bargaining obligations. There have been several unfair labor practice cases that have been brought against the City of Chicago because of the City's decision not to bargain. Illinois legislature like others across the country have proposed legislative changes. The panelists in this session will discuss the legislative responses, the policy changes that have been considered and/or enacted and the union's responses to those policy changes.

Laura M. Finnegan, Partner, Baum Sigman Auerbach & Neuman, Ltd.

Michael Frisch, Senior Advisor and Legal Counsel, Office of the Mayor-City of Chicago

Jill D. Leka, Partner, Clark Baird Smith LLP

Thomas J. Pleines, Attorney, Law Office of Thomas J. Pleines

EVENT DETAILS

PRICING

Illinois Public Sector Labor Relations Law Conference 2020

General	Group (5-9)	Group (10+)
\$199.00	\$150.00	\$99.00

^{*}To qualify for the group pricing you need only register between 5 and 9 individuals OR 10 or more individuals at the same time.

REGISTER ONLINE

CKCLE.CE21.COM

CONTINUING EDUCATION CREDIT

IL MCLE Credit	6.25 hrs*	2.5 hr ethics, pending approval
Other CLE Credit	Up to 20.0 hrs*	On-Demand
Other States CLE Credit	States to be determined	Pending Approval

^{*}An additional 20 hours of CLE credit can be earned by post-conference viewing of the alternate concurrent sessions, at no additional cost.

QUESTIONS? CANCELLATIONS? WE ARE HERE TO HELP! CONTACT THE OFFICE OF CONTINUING LEGAL EDUCATION

CONTACT US: EMAIL cle@kentlaw.iit.edu | PHONE 312.906.5090