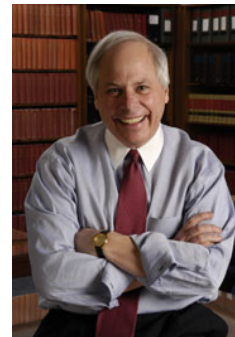


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THE SECRETARY'S STORIES

In his February column in this space, College President **Norm Brand** invited us to send him our stories about how “civility works.” Norm lamented the decline in civility in public discourse—which if anything, has only worsened since his column was published—and reminded us of the challenge which such ubiquitous indecorum represents to the goal of promoting civility within our own profession. Vice-President **Lynne Deitch** shared her own heart-warming story of her first argument before the Fourth Circuit in the June issue. Here are mine.



I first want to tell you about a Detroit attorney named Reginald Turner. Reggie has an impressive resume. He is not only a partner at Clark Hill, a well-respected national firm, but he has also served as/on 1) law clerk to a Justice of the Michigan Supreme Court; 2) White House fellow during the Clinton administration; 3) President of the State Bar of Michigan and the National Bar Association; 4) Delegate to the ABA House of Delegates; 5) Board of Directors of the Lawyers Committee for Civil Rights under Law; 6) Michigan State Board of Education; 7) City of Detroit Board of Ethics; and 7) Boards of Directors of the Detroit

Institute of Arts, United Way of Southeastern Michigan and the Community Foundation of Southeastern Michigan.

Significantly, Reggie's resume is not the most impressive thing about him. Even more impressive is the professionalism and civility which he has consistently demonstrated during his thirty years in the practice. He treats everyone with respect. He rarely raises his voice. Both personally and professionally, Reggie is a gentle man in every sense of the word. I should know—I have sat across from him at the bargaining table.

I am proud to say that I nominated Reggie for election to fellowship in the College and he will be among those inducted at our Annual Induction Dinner in Washington, D.C. All of his references had the same story to tell that I have shared with you. One, in fact, remarked that when confronted with an ethical dilemma, her immediate thought was "what would Reggie do?"

My second story concerns a grievance which I arbitrated on behalf of a labor organization in the fall of last year. It involved a female Sergeant in a small police department who was discharged after she complained that she had been passed over for promotion because of her gender. The small municipality was represented by an experienced attorney from one of Detroit's large, employer-side firms.

During the process of preparing for the arbitration hearing, the employer's attorney had been communicating by email with both me and the department's Chief of Police, who, after being promoted over her, had made the decision to discharge the grievant. Mistakenly, opposing counsel sent me an email, with attachments, which was clearly intended for his client. I knew this as soon as I saw the opening line - "Runyan has really stepped into it this time" - in response to one of my arguments to the arbitrator. The email also appeared to contain attorney-client privileged communications regarding grounds for cross-examining the grievant at the arbitration hearing. Worse yet, opposing counsel had copied both the grievant and a union representative on the email.

Before I even received an apologetic telephone call from opposing counsel a few minutes later, I knew what I had to do. I immediately emailed the grievant and the union representative and asked them to delete the email without reading it. I also destroyed the email which I had received without printing out a copy. The arbitration hearing, although lengthy, was conducted with great professionalism on both sides—a tone perhaps set by my response to the misdirected email—which was commented upon by the arbitrator. The grievant skillfully handled her cross-examination without the benefit of reading the privileged communication and was reinstated with full back pay. She also successfully pursued an EEOC charge with respect to denial of the promotional opportunity.

As **David Borgen** likes to say, "Civility works!" Please send President Brand your own stories of civility and professionalism. Also, please make arrangements to attend the

Annual Induction Dinner so that you can join us in honoring Reggie Turner and the 78 others like him who will be inducted into the College on November 11.

John Runyan
Secretary

WELCOME TO THE NATION'S CAPITAL 22ND ANNUAL INDUCTION DINNER



Invitations have been mailed for the College's 22nd Annual Induction Dinner, which will take place on Saturday, November 11 at the [Ronald Reagan Building/International Trade Center](#) in Washington, DC. Designed by the renowned architectural firm of Pei Cobb & Freed, the dazzling glass and steel framework of the Atrium is an iconic part of the DC experience. Located on historic Pennsylvania Avenue with a majestic view of the Capitol building, guests will be within walking distance of the White House, Smithsonian Museums and many historical sites and cultural organizations.

Room blocks are available at the following hotels, all of which are conveniently located with walking distance of the Reagan Building. There is a city-wide convention in Washington DC the week of the College dinner, so don't wait long to reserve your room!

JW Marriott – Room rate of \$279

<https://aws.passkey.com/event/49113427/owner/559/landing?gtid=313875aa7671e02a15521e1c840d6eb9>

The Willard Hotel – Room rate of \$299

<https://www.intercontinental.com/redirect?path=hd&brandCode=ic&localeCode=en®ionCode=925&hotelCode=WASHA&PMID=99801505&GPC=CQO&viewfullsite=true>

The W Hotel – Room rate of \$300

<https://www.starwoodmeeting.com/events/start.action?id=1707140797&key=2C09F2F5>

The [ABA Labor and Employment Law Section](#) also has a room block at the Washington Hilton Hotel. Please check the Section's website for more information. Other hotel options are listed on the College website at <http://laborandemploymentcollege.org/upcoming-events>.

DINNER BOOK MESSAGES

This year's class of Fellows comprises seventy-nine distinguished lawyers, academicians, mediators, arbitrators, and government officials who will be recognized and honored at the Annual Induction Dinner. A memorable occasion for all, the dinner celebrates the outstanding achievements of our newly-elected class from around the country and Canada. The annual dinner book offers Fellows, and their firms, a special opportunity to salute friends and colleagues by publishing expressions of support and congratulations in a commemorative program that will be distributed to all attendees on the evening of November 11. We encourage Fellows to send a message or congratulatory greeting (with your tax-deductible contribution) to individual members of the Class of 2017, to the entire Class or to simply express your ongoing support for the College. Click [here](#) for the order form.

Proceeds from the dinner book continue to help fund the College's **Stephen E. Tallent Video History Project**. Last year, we raised over \$20,000. As a result, we completed the interviews of several labor and employment law icons, including Supreme Court Justice Ruth Bader Ginsburg, and Fellow **John Higgins**, and we recorded a women's rights and labor and employment law discussion featuring Fellow **Janice Goodman**, Susan Deller Ross and Fellow **Mary O'Melveny**. The Video History Project also includes three completed films. Visit the College website to learn more about the Video History Project and to view clips of all interviews.

View a clip from [Justice Ruth Bader Ginsburg's](#) VHP interview.

FELLOWS' HAPPY HOUR IN THE BIG APPLE

The annual CLEL happy hour continues to be a popular event and this year's event did not disappoint. Held at Tanner Smith's, close to the ABA Labor & Employment Law Section's headquarters at the Hilton Midtown New York on August 11th, almost seventy Fellows, LEL Council members and their guests gathered for great food, great drinks and great comradery – truly the definition of a 'happy hour'!



REGIONAL PROGRAMS

UPCOMING EVENTS

- A [reception](#) for the newest 6th Circuit Fellows of the Class of 2017 will be held on Tuesday, September 19th at the Detroit offices of Varnum LLP. Fellow [Kathleen Bogas](#)'s firm, Bogas & Koncius, PC, is also a co-sponsor of this event which provides an opportunity for Fellows to congratulate the new members in a smaller and more

personal setting prior to the annual induction dinner. If you are interested in hosting one in your city, please contact [Susan Wan](#).

- The Annual 7th Circuit Fellows' Program for Law Students will take place on October 20 and 21, starting with a networking reception on Friday evening, and followed by an all-day program at Winston and Strawn on Saturday. This very successful program offers Fellows the opportunity to interact and share their experiences in the LEL field with law students in two different settings. This year's morning session will focus on Labor and Employment Law in the Trump Administration, touching on issues such as immigration, EEO, wage hour and benefits as well as initiatives at the state and local level. In the afternoon, Fellows will talk about the different types of practices in the LEL field, with the addition of a new topic this year - how to stand out and be noticed in the hiring process. Fellows also interact with students over lunch, offering sage advice and guidance. We hope to see many of you attend and give back as part of the College's "Leadership for Greater Purpose" mission. Please contact [Susan Wan](#) if you are interested in attending or participating in this program.

SPOTLIGHT ON FELLOWS

- *The Best Lawyers in America* included Fellow [Larry Casey](#) on this year's list.
- Fellow [Jerome A. Diekemper](#) was listed in the June 19, 2017 issue of *Missouri Lawyers Weekly*, as the Best Independent Arbitrator (tie) and the second Best Independent Mediator (tie) in the State of Missouri.
- Fellow [William J. Emanuel](#) was nominated by President Trump to be a Member of the National Labor Relations Board, pending US Senate confirmation.
- Fellow [Samuel Estreicher](#) had an article published in *Bloomberg View* about older adults in the workforce. Read the article [here](#).
- Fellow [Genie Harrison](#) was selected as **Top Female Attorney of the Year** for 2017 by the International Association of Top Professionals (IAOTP), for her outstanding leadership and commitment to the Legal Industry.
- Fellow [John V. Jansonius](#) was honored by The State Bar of Texas with the **Outstanding Director** award for his service as a member of the Board of Directors. The award recognizes John's contributions as a Board member during his three-year term which ran from 2014 to 2017.

- With more than 400 attendees, Fellow **Jay Roth** was honored by the Directors Guild of America for his many years of dedicated service during his retirement celebration at the DGA Theatre, which featured a 90-minute [tribute](#).
 - Fellow **Maurice Wexler** was published in *The University of Memphis Law Review*. The article, titled **The Survival of the Intentionality Doctrine in Employment Law: To Be or Not To Be?**, can be read in its entirety [here](#).
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IN MEMORIAM

The College mourns the recent passing of Fellow **Earle Shawe**.

Earle Shawe, inducted as a Fellow in 1999, passed away on June 30 at the age of 104. Mr. Shawe received his law degree in 1934 from the University of Virginia at the age of 21. He was hired as one of the NLRB's first attorneys when the Board was founded in 1935, and in 1941, he became the youngest regional attorney when he moved to the Board's Baltimore office. After litigating high profile cases for five years, he resigned and opened his own firm and although he intended to represent unions, a momentous victory for the Baltimore Graphic Arts Association propelled him to the management side. In 1951, the firm of Shawe & Rosenthal was formed and continues to operate today in Baltimore. Mr. Shawe's son, Stephen, continues his father's legacy and in 2004 became a Fellow of the College as well. A link to his obituary can be found [here](#).



Members of the College strive to promote achievement, advancement and excellence in the practice of labor and employment law. Mr. Shawe has distinguished himself as a leader in the field, and the College was proud to have been able to call him a Fellow.

CLEL LOGO

Fellows are encouraged to include the College logo on their website. Please contact [Susan Wan](#) for a downloadable file or download the logo.



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The views expressed herein are not necessarily those of The College of Labor and Employment Lawyers, Inc.