

LEADERSHIP FOR GREATER PURPOSE

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PRESIDENT'S FAREWELL ADDRESS

Like George Washington, the Father of our Country, I have refused to seek another term so this will be my last communication as your President (you may have guessed that my decision was strongly encouraged by the President-Elect!).

First and foremost, I wish to offer a sincere “thank you” to each of you for allowing me the honor of serving the College for the past six years on the Board of Governors. During that time I have gained a greater respect for the work of our organization and for the wealth of legal knowledge, experience and talent that is represented amongst our Fellows. In a short twenty years, we have become a respected voice in the legal community especially in matters of labor and employment law, professionalism and civility. The Board is proud of our accomplishments during the past year, but readily acknowledges that nothing would have been possible without the dedicated service of those leaders who have preceded us on this important mission.



2015 has witnessed a total overhaul of our website; the continued improvement of the e-newsletter content; the continuation of our law student writing competition (in conjunction with

the ABA Section of Labor & Employment Law); the conduct of regional meetings and CLE presentations; the gathering of more video interviews for our invaluable collection of historical labor law material archived at Cornell University; the conduct of an inspirational ceremony and entertaining banquet at the Constitution Center in Philadelphia; and the nominating, credentialing, electing, and inducting of a brand new class of outstanding Fellows.

While we celebrate another successful year, we should not overlook a great challenge that lies ahead --- diversifying our ranks. The solution to this challenge is complicated because we are a fellowship based on careers in our field of twenty or more years and a nominating process which demands certain accomplishments both within and without the profession (all of which take many years). In other words, we are not, by design, an organization for younger attorneys (the most diverse segment of our profession), and, therefore, diversity is a goal which cannot be achieved instantaneously. Additionally, we are faced with a growing lopsided ratio of management lawyers to union/employee lawyers. The richness of our College is diminished without a meaningful mix of the different constituencies that comprise the universe of "labor and employment law". We may not have an immediate answer, but we must keep these issues in mind as each one of us considers candidates for future nomination.

I cannot conclude without recognizing the dedicated service and exceptional efforts of your Board – each member has contributed greatly to the College's success. Special recognition is appropriate to our departing Governors who have spent the last six years toiling on behalf of the Fellows: Nancy Bornn (we have shared some harrowing adventures in service to the College); Michael Posner (we have been partners in representing the union "side of the house" for almost two decades within the ABA and the College); and Bernie Siebert (he has been an unflappable leader in heading up the Board's Credentials Committee for several years – a most difficult and demanding position). Special "thanks" to Past President John Higgins who continues to be the inspiration behind the accomplishments of the Stephen E. Tallent Video History Project. The Executive Committee has been my source of inspiration during our year together: Lynne Deitch (Treasurer), Norm Brand (Secretary), Bill Kilberg (Immediate Past President) and last, by no means least, Alan Epstein (Vice President). You can be assured that Alan is fully prepared, willing and able to carry the College to new heights of accomplishment and positive notoriety.

It goes without saying, but say it I must; there would be no College were it not for the extraordinary leadership of our Executive Director, Susan Wan. She has been the glue that has held our organization together over the past twenty years and continues to insure that the business aspects of the College are handled in an efficient, effective and professional manner. She has been ably assisted by her Program & Events Coordinator, Jennifer Motley.

Everyone has mentors in different aspects of their life. For many years, my "spiritual guidance counsellors" in the area of service to the profession have been Bob Dohrmann and Joel D'Alba (both Past Presidents) – I hope I've made them proud.

As we go forward, let us not lose focus on our Mission Statement which, in part, states: “To promote achievement, advancement and excellence...[and]...To establish by example high standards of professionalism and civility...” all of which leads us to our College motto: “Leadership for Greater Purpose”!

Don Slesnick

20TH ANNUAL INDUCTION DINNER

Nearly 500 Fellows and their guests attended the **20th Annual Induction Dinner** in Philadelphia last month. Set against the backdrop of the stunning National Constitution Center, Fellows walked the red carpet and enjoyed a photo opportunity with Ben Franklin as they arrived. Museum exhibits were open for viewing and Signers' Hall provided wonderful photo opportunities for guests. This year, the College inducted 72 Fellows who came from 27 states (including our first Idahoan Fellow), the District of Columbia, and two Canadian Provinces - Ontario and British Columbia. In his State of the College remarks, President Don Slesnick touched on many accomplishments that had taken place this year, including numerous regional activities, the completion of five more interviews for the Stephen E. Tallent Video History Project, the law student writing competition and the establishment of the College’s social media presence. He also recognized those Board Members whose service will come to an end this month - Bernie Siebert, Nancy Bornn and Mike Posner – and presented them with a plaque signifying their dedication and contributions over the last six years. Fellow Adele Rapport was acknowledged for her tireless work on regional programming in Chicago, including the ethics CLE program for government attorneys she started over five years ago. Stephanie Richards, the first place winner in this year’s [Law Student Writing Competition](#), traveled from Spokane, Washington to receive her award from College Secretary Norman Brand. Ms. Richards will graduate from Gonzaga University School of Law next May in the school’s inaugural accelerated program. And finally, after a delicious dinner and seasonal desserts, the Class of 2016 was formally, and loudly, welcomed as new Fellows of the College. The NCC, adorned with flags from the fifty US states, overflowed with pride as past president Bill Kilberg swore in the newest Fellows to rousing applause at the end of the evening. In closing, all Fellows were invited to become active, involved and contributing members of the College, which ultimately elevates the practice of labor and employment law. Next year, the 21st Annual Induction Dinner will take place in the Grand Ballroom of Chicago’s [Navy Pier](#). We look forward to seeing you there!

Pictures of this year’s dinner can be viewed and purchased using the following link - visit <http://www.enjoyphotos.com>. The username is **induction2015** and the password is **12345**.



George Washington and Don Slesnick



Stephanie Richards, Law Student Writing Competition Winner, and husband Steve Richards



Class of 2015



Cynthia Nance and Maurice Wexler



(L to R) Nancy Bornn, Theresa Traber, Sue Ann Van Dermiden, Cathy Balin and Karen



(L to R) David Jones, Ron Taylor, Steve and Nancy McCown, and Dennis Morikawa



Adele Rapport and Don Slesnick



Peter Meyers, Bill Powers, and John Roche



Bill Powers, Jennifer Poltrock, Bob Smith, Mark Olsen, Karen Powers, Gary Bailey, Catherine Humphrey, Don Slesnick, John Roche, Linda Olsen, Sheldon and Susan Sandler



From left – Evan Spelfogel, Brian and Dana Easley, Philip Miscimarra, John Ferguson, Gwynne Wilcox, Susan Davis, Karen and Ed Fernbach and Jan Duffy

NEW COLLEGE WEBSITE

The College of Labor and Employments Lawyers has launched a redesigned web site. After months of preparation, we are pleased to present a new site with easier access to information for our Fellows and the community at large. It is still located at <http://laborandemploymentcollege.org/> so be sure to visit the site often for the latest news from the College.

Fellows are also reminded to forward any news or links with information on accomplishments, honors, awards or recognitions for posting on the website and our other social media outlets – **Twitter**, **LinkedIn** and **FaceBook**. Please don't hesitate to contact Susan Wan with any questions.

CLASS OF 2016 APPLICATIONS

It is once again time to submit nominations for the next class – the Class of 2016! **Applications will be accepted through Monday, February 1, 2016.** The submission of an application is the first, and most important, step in the process, and it is the responsibility of each nominator to ensure that materials are complete, detailed and comprehensive when submitted. Otherwise, the candidate may be at risk of not receiving favorable consideration. If you plan to nominate a candidate this year, please visit the College’s website and read in its entirety the important information on the nomination process. A link to such information can be found on the College website (<http://www.laborandemploymentcollege.org/membership/nominations>) or by contacting [Susan Wan](#).

2ND CIRCUIT REGIONAL MEETING

On Tuesday evening, December 1, 2015, Fellows from the Second Circuit and Northern New Jersey convened for their semi-annual meeting to discuss “Equal Employment Opportunity: The Latest Judicial, Administrative and Legislative Developments.” The event was hosted by Fellow Kathleen M. McKenna and her Proskauer firm and moderated by Regional Program Chair for the College Evan J. Spelfogel of Epstein Becker & Green, P.C.

Guest Speakers included Kevin Berry, New York District Director of the United States Equal Employment Opportunity Commission (EEOC); Helen Diane Foster, Commissioner of the New York State Division on Human Rights (NYS DHR); and Carmelyn P. Malalis, Chair and Commissioner of the New York City Commission on Human Rights (NYCCHR). The event also featured as panelists Fellows Wayne Outten of Outten & Golden, LLP and Jill Rosenberg of Orrick, Herrington & Sutcliffe, LLP. Approximately forty-five Fellows and guests attended the event, joined by several others attending by telephone call-in.

Read the complete article [here](#) and view meeting materials [here](#).

11TH CIRCUIT ANNUAL CORAL GABLES PROGRAM

The 11th Circuit Regional Committee will hold its [5th Annual Program](#) Event at the beautiful Biltmore Hotel in Coral Gables on Saturday January 23, 2016. A three part program is planned this year featuring the following topics and speakers:

(1) ***The Current Washington Scene on Labor Issues*** will feature Lynne Rhinehart, AFL-CIO General Counsel, Randal Johnson, Senior Vice President, Labor, Immigration and Employee Benefit at the US Chamber of Commerce, and a Capitol Hill expert from the House Education and the Workforce Committee.

(2) ***ADA/Website Accessibility*** will focus on the new wave of litigation developing under Title II and III of the ADA attacking the accessibility of websites of private companies and government. Fellow Cynthia Sass along with technology expert, and CIO of the Year, Eric Singleton will be joined by Rebecca Bond, Chief of the Disability Rights Section for the Civil Rights Division of the Department of Justice for a discussion on the recent cases, settlements, and how to come into compliance as best as possible.

(3) ***Protecting Your Most Valuable Asset: Your Cognitive Ability*** is an interactive program designed to empower lawyers to connect more joyfully with one another. Debra Norwood, LAUGHTER LAWYER USA, is an attorney who also is a resilience trainer, writer and motivational speaker. She has designed an unconventional conflict resolution model that incorporates principles of mindfulness, brain health, and therapeutic humor and laughter to help acquire trust-building, anger management and conflict resolution skills enabling attorneys to become more empathic and mindful in every aspect of their dealings with the courts, opposing counsel and clients.

The beautiful Biltmore Hotel will once again host the program and will be followed by lunch Saturday afternoon. Rooms at the Biltmore are available at the rate of \$279 a night. [This room block expires on December 30th so reserve your room now.](#) Information and a registration form can be found [here](#). Please contact Susan Wan (swan@laborandemploymentcollege.org) or Jen Motley (jmotley@laborandemploymentcollege.org) if you have any questions.

THANK YOU TO OUR DONORS

The Board of Governors would like to acknowledge the following Fellows and firms for their generous contributions to the **STEVE E. TALLENT VIDEO HISTORY PROJECT** in 2015. Your support is vital to the continuation of this very important project.

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LETTER TO THE EDITOR FROM A NEW FELLOW

CLEL WORKS!

I was deeply honored to be inducted into The College of Labor and Employment Lawyers "CLEL" in Philadelphia, and the congeniality of all the people I met was truly a joy.

I would like to tell you a short story of my very first CLEL experience:

I represent a company which hired a competitor's executive, who had a non-compete, etc. I was dealing with a lawyer in New York at the Proskauer firm, trying to avoid thermonuclear war, without much success.

I arrived in Philadelphia on Wednesday, and on Thursday morning, I sent an email to this attorney, but I received an auto-reply, stating he was in Philadelphia. I emailed, and asked what he was doing in Philly, assuming he was attending the ABA Conference. John Barry responded he was being inducted into CLEL. I replied, "Small world!"

The next day we got together in a room at the hotel, put both clients on a speaker phone, and settled the matter. What a joy! ... and that is how it is supposed to work.

Which leads me to my next point; at the seminar led by Alan Epstein on Saturday, he suggested lawyers pick up their phone and call opposing counsel as a courtesy at the beginning of a case. About fifteen (15) years ago, an old-time lawyer I was dealing with from Arizona came to see me in San Diego; he was in town anyway, and thought it would be best if we could meet face to face. The case, of course, settled.

I do not remember that lawyer's name, but since that day, if I do not know opposing counsel, have always called and asked to stop by. Sometimes we just "shoot the breeze," sometimes we talk about the case. But I have to tell you that I have probably filed and opposed less motions in the last fifteen (15) years than any other employment attorney in San Diego. It works. Try it.

Very truly yours,

Harvey C. Berger
POPE, BERGER, WILLIAMS & REYNOLDS, LLP
Class of 2015

SPOTLIGHT ON FELLOWS

- Fellow **Susan M. Benton** has joined the Chicago law firm Butler Rubin Saltarelli & Boyd LLP as a partner, where she will concentrate her practice in labor and employment law. In addition to her legal practice, Benton serves as a Trustee for The Field Museum and is Chair of its Repatriation Committee and a Member of its Science Action and Collection Committees.
- Fellow **Nancy S. Shilepsky** was inducted by **Massachusetts Lawyers Weekly** into the *Top Women of Law Circle of Excellence*. Each year, **Massachusetts Lawyers Weekly** honors women who have made tremendous professional strides and demonstrated great accomplishments in the legal field, highlighting women who are pioneers, educators, trailblazers and role models. Ms. Shilepsky was inducted on October 28, 2015.
- Fellows **Charles Shanor**, an Emory Law professor, and retired King & Spalding partner **Lane Dennard** worked to establish Emory Law's student-run Volunteer Clinic for Veterans in 2013. The clinic has handled 119 cases, which have resulted in \$2.5 million in benefits awarded to its clients. So far, 79 Emory Law students and 51 lawyers have volunteered. The clinic's mission is to assist veterans with legal issues, with a focus on service-connected disabilities and pension claims before the VA. The clinic pairs students with volunteer attorneys to provide free legal representation. Despite the slow-moving process of claims before the VA, the clinic has already prevailed in 20 cases, including four cases before the U.S. Court of Appeals for Veterans' Claims. These cases have included claims before the VA for service-connected post-traumatic stress disorder (PTSD), traumatic brain injury (TBI) and other physical and mental injuries.
- Fellow **Theresa M. Traber** was recently appointed to a judgeship in the Los Angeles County Superior Court by California Governor Edmund G. Brown Jr.
- Fellows **James Baird** and **Joel D'Alba** were recipients of the *2015 Distinguished Service Award* presented by the LERA's Chicago Chapter on December 9, 2015 during their holiday party.
- Fellow **Joe Tilson**, co-chair of Cozen O'Connor's Labor & Employment Department, has been elected to the board of directors of the Chicago Chapter of the Federal Bar Association, effective immediately. In addition to co-chairing Cozen O'Connor's Labor & Employment Department, Tilson also serves as one of the co-managing partners of the firm's Chicago office and serves as Vice-Chair of the ABA Section on Labor & Employment Law and President-Elect of the Wage & Hour Defense Institute.
- Fellows **Lori Ecker**, **Thom Cope**, and **Joe Yastrow** were interviewed for an article in the December issue of the *ABA Journal* titled "Employers and Workers Grapple with Laws Allowing Marijuana Use". Read the article [here](#).

- Fellow **Robert M. Goldich** was awarded with the *Outstanding Leadership Award* from Family Services of Montgomery County on November 17 at their annual recognition event. The event honors outstanding community partners. "The most significant contribution Bob has made to Family Services over the years is his carefully considered guidance on some of the most sensitive and complex issues our agency has faced during his tenure both as a member of the Board and as President," stated Mark Lieberman, executive director of Family Services, during the award presentation speech.
- A profile of Fellow **Wayne Outten** appeared in *Bloomberg BNA's Daily Labor Report*. The full article can be viewed by clicking [here](#).
- *Law 360* conducted an exclusive interview with Fellows, and NLRB Chairman, **Mark Gaston Pearce** and Member **Philip A. Miscimarra** about the controversy surrounding the board's August Browning-Ferris decision. <http://www.law360.com/articles/723231/exclusive-nlr-members-expect-more-on-franchise-issue>
- Fellow **Larry Cary** penned an article for *Labor Press* titled "Much is at Stake for our Democracy in the Next Election". The full article can be viewed by clicking [here](#).
- Fellow **Walt Auvil** co-authored an article titled "Rule 30(b)(6) at 45: Is It Still Your Friend?" in a recent issue of the *American Bar Association Section of Litigation Pretrial Practice and Discovery* newsletter. The full article can be viewed by clicking [here](#).

IN MEMORIAM

The College mourns the loss of four Fellows in recent months.

Fellow **Jordan Rossen** (photo right) passed away on November 3. Inducted in the inaugural class of 1996, Mr. Rossen was appointed to a position in the UAW's legal department by UAW President Walter Reuther in 1964. He became general counsel for the union in 1983 under President Doug Fraser and served in that role until 1998.

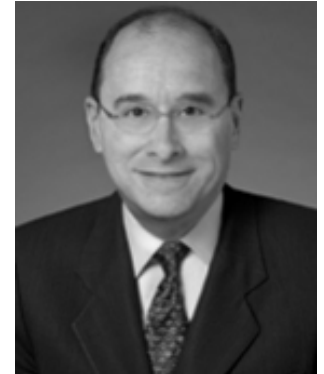
<http://www.freep.com/story/money/business/2015/11/04/former-uaw-top-lawyer-jordan-rossen-dies/75157268/>





Fellow **Bruce Sattler** (photo left) passed away on December 2. Inducted in the Class of 2001, Mr. Sattler is remembered as one of the foremost advocates for civil rights in Colorado. He was a leader in the American Civil Liberties Union (ACLU) of Colorado for 45 years, holding many positions including serving on the National ACLU Board of Directors, the Colorado Board of Directors, its legal panel and personnel committee. Memorial contributions may be made to: the ACLU Foundation of Colorado, 303 E. 17th Ave., Ste 350, Denver, CO 80203; and Leland Stanford Junior University, PO Box 20028, Stanford, CA 94309. <http://aclu-co.org/4985-2/>

The College also mourns the recent passing of Fellow **Jeremy Sherman** (photo right). Inducted in 2004, Mr. Sherman was a partner at Seyfarth Shaw in their Chicago office. Charitable donations can be made in his name to the American Brain Tumor Association, Suite 550, 8550 W. Bryn Mawr Avenue, Chicago, IL 60631.



Emeritus Fellow **Jonathan Kane** (photo left) passed away on December 17th. Inducted as a Fellow in 2004, Mr. Kane was a partner with Pepper Hamilton LLP until his retirement and served as the chair of their Labor & Employment Law Practice Group. He was a tireless advocate for military personnel and helped establish the Veterans Affinity Group at Pepper. After suffering a stroke in 2012, Mr. Kane entered the Fighting Back Program, which assists individuals who have suffered life-changing illness or injury, and began rehabilitation. In recognition of his hard work during his rehabilitation, and the support he gave to others facing similar circumstances, Jon was recognized by Fighting Back with a Recipient's Award. A [link](#) to the award is attached.

Members of the College strive to promote achievement, advancement and excellence in the practice of labor and employment law. All three of these men distinguished themselves as leaders in the field, and the College was proud to have been able to call them Fellows.

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