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REIMAGINING THE WORKPLACE

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CONFERENCE AGENDA

Agenda

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July 12, 2022

▼ Opening Plenary- NLRB Update

11:00 AM-12:15 PM

Opening Plenary



Jennifer Abruzzo
General Counsel
National Labor Relations
Board



Javier Ramirez
Deputy Director for Field
Operations
FMCS



Jessica Rutter
Associate General
Counsel
NLRB

National Labor Relations Board Update on Recent Initiatives featuring General Counsel Jennifer Abruzzo.

Break 1

12:15 PM-1:00 PM

▼ Labor Arbitration: A View from the Top

1:00 PM-2:00 PM

Arbitration



Homer La Rue
President
National Academy of
Arbitrators



Arthur Pearlstein
Director of Arbitration
FMCS

A Presentation by the President of the National Academy of Arbitrators (NAA)

Homer LaRue, NAA President, will offer his perspective on the most important developing issues in the practice of labor arbitration. Included among the topics of greatest interest to the NAA are efforts to increase diversity among neutrals.

▼ Reframing the Future of Work for Women

1:00 PM-2:00 PM

DEIA



Stephanie Collier
Commissioner
FMCS



Moira Lethbridge
Principal
Lethbridge & Associates
LLC

The pandemic has highlighted the unique challenges women face to meet the demands of both work and family life. In this session, two FMCS mediators and the

author of "Savvy Woman Success in 5 Minutes A Day" will review the current and emerging picture for working women with a focus on questions like: How can women make informed decisions about their future of work? and How should unions and employers collaborate to explore options and test new ways of solving the challenges faced by working women and their workplaces?

✓ The New Federal-Sector Perspectives on the Future of Labor Relations

1:00 PM-2:00 PM

Federal Sector



Tim Curry
Deputy Associate
Director, Accountability
and Workforce Relations
OPM



Carrie Foster
Commissioner
FMCS



Kathy Hall
Commissioner
FMCS



Richard Loeb
Senior Policy Counsel
AFGE

What does navigating labor relations in the federal sector look like today? What will federal-sector labor relations look like tomorrow and beyond? This panel of labor and management leaders from the federal sector will share their perspectives and their outlook on the current state of federal-sector labor relations and the future that beckons.

✓ The Great Resignation or Simply an Overdue "Renegotiation"?

1:00 PM-2:00 PM

Hiring/Retention



Barbara Baker
Commissioner
FMCS



Jessica Garcia
Assistant to the President
Retail, Wholesale
Department Store Union
(RWDSU), UFCW



Priscilla Horde
Commissioner
FMCS



Harry Katz
President
International Labor and
Employment Relations
Association (ILERA)



G. Roger King
Senior Labor and
Employment Counsel
HR Policy Association



Dr. Patricia Campos
Medina
Executive Director
The Worker Institute,
ILR-Cornell University

A panel discussion presented by labor and management leaders and a leading professor of industrial and labor relations on the roots of the Great Resignation, creative ways to attract and retain employees in the new labor market, and other pressing implications of this phenomenon for employers and unions.

Break 2

2:00 PM-2:30 PM

✓ Secrets of Arbitrator Selection

2:30 PM-3:30 PM

Arbitration



Dave Gaba
Arbitrator and Mediator
Compass Law Group PS
Inc.



Arthur Pearlstein
Director of Arbitration
FMCS



Shianne Scott
Arbitrator/Principal
Scott Dispute Resolution

The FMCS Director of Arbitration and leading arbitrators look at less talked-about elements in the labor arbitrator selection process, including games parties play, mistakes they make, and insights into making the best choices.

✓ Beyond the Executive Orders: Implementing Lasting Change in Diversity, Equity, Inclusion & Access

2:30 PM-3:30 PM

DEIA



Laquetta Jones
Diversity, Equity, Inclusion and Access



Sarah Cudahy
General Counsel and



Digchow
Civil Rights Director
FMCS



Senior Advisor
FMCS



Wendy Doernberg
Attorney Advisor
Equal Employment
Opportunity
Commission



Lisa Henderson
Regional Director
NLRB



Steve Shih
Associate Administrator,
Diversity and Equal
Opportunity
NASA

Beyond the Executive Orders: Implementing Lasting Change in Diversity, Equity, Inclusion, and Accessibility (DEIA)

Many both within and outside the federal government are aware that there are DEIA policies, but not the detail and extent of these Executive Orders. This session will provide an overview of the various equity-based federal executive orders and federal government success stories. FMCS Senior Advisor/Counsel and the Director of Equal Employment Opportunity at FMCS will co-moderate a panel from the federal sector who will discuss best practices for creating, implementing, and maintaining successful equity plans with input from participants.

✓ **14 Methods for Dealing with Conflict: Why Do We Overestimate Our Ability to Deal With Conflict?**

2:30 PM-3:30 PM

Dispute Resolution



Tom Melançon
Commissioner
FMCS



Ligia Velázquez
Commissioner
FMCS

Using a highly interactive approach, FMCS facilitators and workshop participants will share their collective wisdom regarding how they approach conflict, and how their colleagues and partners around them respond to that approach. We'll explore a conflict resolution assessment tool (that has been in use successfully for almost 40 years!) that seeks to measure the accuracy of our perceptions of *how we deal with conflict*. We will also introduce proven techniques that allow you – as a negotiator, advocate, or neutral – to recognize when the other party's perception of their own approach to managing conflict might be impeding resolution. We'll examine how people's tendency to overestimate their ability to handle conflict has a profoundly negative impact on parties involved in collective bargaining and other negotiations.

✓ **Inflation at Work: How Ongoing Inflation is Impacting American Industrial Relations**

2:30 PM-3:30 PM

Negotiations



Bill Dirksen
Board Member
WorkRise



Lou Faiola
Commissioner
FMCS



Harry Katz
President
International Labor and
Employment Relations
Association (ILERA)



Richard Maroko
President
Hotel and Gaming Trades
Council, AFL-CIO

Prominent labor and management representatives will examine rising inflation and the extent and duration of its effect on labor negotiations.

Break 3

3:30 PM-3:45 PM

✓ **Plenary - How Collective Bargaining Can Help Achieve Gender Equity in Professional Sports & Beyond**

3:45 PM-4:30 PM

Closing Plenary



Meghann Burke
Executive Director
National Women's Soccer
League Players
Association



Tori Huster
President
National Women's Soccer
League Players
Association



Javier Ramirez



Liz Shuler



Deputy Director for Field
Operations
FMCS



President
AFL-CIO



Deborah R. Willig
Managing Partner
Willig Williams Davidson

Summary details to be updated.

July 13, 2022

✓ Opening Plenary - The Way Out: How to Overcome Toxic Polarization

11:00 AM-12:15 PM

Opening Plenary



Peter T. Coleman
Lecturer; Exec. Dir.
Advanced Consortium on
Cooperation, Conflict &
Complexity in the Earth
Inst
Columbia University
School of Professional
Studies

Summary details to be updated.

Session Pre-Reading: <https://time.com/6133380/us-avert-civil-war/>

Break 1

12:15 PM-1:00 PM

✓ Cognitive Biases in Negotiations and Conflict Resolution

1:00 PM-2:00 PM

Dispute Resolution



Valerie Harragin
Principal, FMCS Institute
FMCS



Dave Moora
Commissioner
FMCS

FMCS experts explore biases such as loss aversion, anchoring, and attribution error, and their influence on decision-making in collective bargaining and other disputes.

✓ Building Bridges of Hope and Understanding: Facilitating Difficult Conversations

1:00 PM-2:00 PM

Dispute Resolution



Jennifer Disotell
Executive Manager, NW
District
FMCS



Ligia Velázquez
Commissioner
FMCS

A conversation is a place to find understanding and to become understood. Over the past few years, providing spaces and places to improve understanding has become more important than ever. Join us as we walk you through ways that you can help others find a safe place to voice their concerns in hopes of creating more inclusive, peaceful resolutions.

✓ Increase in Union Organizing in the Non-Profit Industry

1:00 PM-2:00 PM

Labor/Management



Sally Klingel
Director of Labor-
Management Relations
Programming
Scheinman Institute on
Conflict Resolution -
Cornell School of
Industrial and Labor
Relations



Amanda Posson
Senior Policy Analyst
Every Texan



Amy Smoucha
Coach and Consultant
Listening Tree
Consulting

The non-profit industry has been among the fastest growing areas of organized labor in the past few years. The reasons for this growth have many similarities to the growth of organized labor in the 1940s. Experts from the non-profit sector will discuss this history and relate it specifically to the present day, including the corresponding increase in need for FMCS services (then and now).

✓ The Final Offer in Contemporary Collective Bargaining: The Negotiator's Perspective

1:00 PM-2:00 PM

Negotiations



Ariel Avgar
Associate Dean for Outreach and Professor
Cornell University ILR School



Amanda Bundick
Partner
Eberle & Bundick



Ruthie L. Goodboe
Co-Chair, Traditional Labor Relations Practice Group
Ogletree Deakins



Zachary Hebert
Assistant General Counsel
United Steelworkers



Fulton Miklos
Commissioner
FMCS



Joseph Quinn
Member
Cozen O'Connor

The words, "final offer", when uttered at the bargaining table, have a profound impact on the negotiation process. The final offer may provide the framework for a recommended tentative agreement – or it might precipitate strategies that dramatically escalate the conflict toward lockout, strike, or unilateral implementation. Moderated by Ariel Avgar, Associate Dean for Outreach and Professor at Cornell University ILR School, this session features panelists from both labor and management and will examine the strategic effects of a final offer on the collective bargaining process and what labor practitioners must consider if they are still hoping for a successful outcome.

Break 2

2:00 PM-2:30 PM

✓ Diversity: Beyond the Numbers

2:30 PM-3:30 PM

DEIA



Barbara Baker
Commissioner
FMCS



Vanessa Bullock
Commissioner
FMCS



Brittney Howard
Commissioner
FMCS



Brady Roberts
Commissioner
FMCS

A diverse workforce does not *automatically* create a workplace that favors inclusion and equity. This session will challenge participants to look beyond employment statistics and examine input and decision-making within an organization.

✓ Federal Services Impasses Panel (FSIP): The First 300 Days in the Biden Administration

2:30 PM-3:30 PM

Federal Sector



Wynter Allen
Member
Federal Service Impasses Panel (FSIP)



Jeanne Charles
Member
Federal Service Impasses Panel (FSIP)



Howard Friedman
Member
Federal Service Impasses Panel (FSIP)



Edward F. Hartfield
Member
Federal Service Impasses Panel (FSIP)



Martin Malin
Chairman
Federal Service Impasses Panel (FSIP)



Arthur Pearlstein
Director of Arbitration
FMCS



Pamela Schwartz
Member
Federal Service Impasses Panel (FSIP)



Tamiko Watkins
Member
Federal Service Impasses Panel (FSIP)

Join FSIP Chair Martin Malin and his colleagues as they review the functions and activities of the Panel with a focus on how things have changed since the prior administration.

✓ Where the Rulings Meet the Road

2:30 PM-3:30 PM

Labor/Management



David Cook
President
UFCW Local 655



A. John Harper
Shareholder
Littler



Timothy Kohls
Director of Labor
Relations
Allina Hospitals &
Clinics



Latonya Smith
Commissioner
FMCS



Emil Totonchi
Associate General
Counsel
International Union of
Operating Engineers,
Local 150

Where the Rulings Meet the Road: How Recent Labor Decisions, Rules, and Memos Are Impacting and Will Continue to Affect the Bargaining Table

This panel includes an FMCS mediator and prominent negotiators from both management and labor to discuss how new NLRB decisions, rules, and NLRB General Counsel memos are impacting decisions at the table. Topics will include remedies, the definition of an employee, and joint employers.

✓ Surviving the Covid-19 Pandemic: What Have We Learned?

2:30 PM-3:30 PM

Labor/Management



Louis Jamerson
Executive Director
Fresno Teachers
Association



Rosanna Mendez
Executive Director
SEIU Local 121RN



Lora Unger
CEO
Pasadena Symphony
Association



Jimmy Valentine
Commissioner
FMCS

This is a panel discussion with healthcare industry experts. The Covid-19 pandemic has wreaked havoc on our healthcare industry, healthcare workers, and public health infrastructure. The panel will shed additional light on this predicament by addressing these questions: 1) How do we deal with the physical, emotional, and psychological tolls on frontline healthcare workers? 2) Are there lessons learned or best practices that have emerged from dealing with the pandemic that will apply, even beyond the healthcare industry? 3) What impact did the pandemic have on collective bargaining negotiations? and 4) How should we prepare for the next pandemic?

Break 3

3:30 PM-3:45 PM

Break

✓ Closing Plenary - U.S. Secretary of Labor and Closing Remarks

3:45 PM-4:30 PM

Closing Plenary



Javier Ramirez
Deputy Director for Field
Operations
FMCS



Martin J. Walsh
Secretary of Labor
U.S. Department of Labor

U.S. Secretary of Labor Marty Walsh with closing remarks by Javier Ramirez, Deputy Director FMCS.

