



NEW YORK STATE ASSOCIATION OF
**MANAGEMENT ADVOCATES FOR
SCHOOL LABOR AFFAIRS**
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41ST ANNUAL SUMMER CONFERENCE

JULY 15-18, 2018

SUNDAY JULY 15

PRE-CONFERENCE

8:30 - 9:30 **Continental Breakfast** *(provided as part of program)*
Program Registration

9:30 - Noon **Communication and Labor Relations – with Board, with Community and with Staff**
Presenter *Andrew Lalonde, Esq., Coordinator of Labor Relations, Madison-Oneida BOCES*

- Communications with the Board during negotiations
- Communications with the public
- Communications with staff in light of Janus

Noon - 1:00 **Lunch** *(provided as part of program)*

1:00 - 3:00 **Diversity, Inclusion and Elimination of Bias (CLE credit) and Ethics**
Presenters *Douglas Gerhardt, Esq., Partner, Harris Beach PLLC*
Jacinda H. Conboy, Esq., General Counsel, NYS Council of School Superintendents

This session works to make your client services most effective. Topics include:

- Hiring practices to attract a diverse workforce
- Benefits of a diverse team
- Financial cost of losing attorneys
- Generational differences

Beginning in 2018, attorneys are required to have at least 1 credit hour in this new CLE program rule [[22 NYCRR 1500.2\(c\)-\(g\)](#)] that addresses diversity, inclusion and elimination of bias. The content of this session is designed to satisfy this requirement.

In addition, we will address attorney ethics, including professionalism, making the practice of law manageable, and some tips for having a work-life balance.

5:00 - 7:00 **President's Reception**
SPONSORED BY: *Harris Beach PLLC*
Ferrara Fiorenza PC

8:00 - 8:45 Welcome and Registration**8:45 - 10:15 Janus Case and Its Implications for Negotiations and Employee Relations in New York State**

Presenters *Al Riccio, Former MASLA Executive Director*
Ron Longo, Esq., Senior Counsel, Keane & Beane, PC
Tony Brock, Esq., Labor Relations Specialist, Capital Region BOCES

In anticipation of the Supreme Court's decision in the Janus case, we will spend the morning talking about the implications of the case for collective bargaining in New York schools by:

- Looking at the decision from an historical perspective
- Breaking the decision down to see what it means in the context of the Taylor Act
- Discussing how the unions are working to protect themselves without agency fees

10:15 – 10:30 BREAK**10:30 - Noon School Security and Employee Rights**

Presenters *Erin O'Grady-Parent, Esq., Partner and Anthony J. Fasano, Esq., Associate*
Guercio & Guercio, LLP

- What are the bargaining implications of security measures?
- What are the rights of employees as we strengthen security measures?

Noon - 1:00 Lunch (on your own)**1:00 - 2:30 Sexual Harassment and the #MeToo Movement**

Presenter: *Christa Richer Cook, Esq., Member, Bond, Schoeneck & King PLLC*

The #MeToo movement has exposed allegations of sexual harassment in a wide range of environments and, not surprisingly, has made its way to public school districts. At the same time, the US Department of Education's Office for Civil Rights ("OCR") has reported a substantial increase in the number of sexual violence and sexual harassment complaints that it has received from the elementary and secondary schools. The legal landscape in this area is now uncertain in light of the Trump Administration's rollback of OCR's guidance on how sexual violence and sexual harassment should be handled. This presentation will cover:

- overview of Title IX and OCR's enforcement of school districts' responsibilities to respond to sexual harassment complaints
- strategic tips for investigating sexual harassment complaints
- proactive approaches to limiting liability

2:30 – 2:45 BREAK

SPONSORED BY: *Hogan, Sarzynski, Lynch, DeWind & Gregory, LLP*

2:45 - 3:30

Recruiting and Retaining Millennials – Issues for Negotiations

Presenters Jennifer Heckathorn, Asst Supt, Instructional Support Services, OCM BOCES
Mark Pettit, Director of Labor Relations, OCM BOCES

Who are the Millennials and what do they value? Do contracts negotiated for baby boomers address the needs of the teachers and employees we are hiring now? This will be a conversation about the expectations of a changing workforce and how we need to address these issues when negotiating benefits, salaries and working conditions.

3:30 – 4:30

Addressing the New York Curve Balls

Presenters Dave Cirillo, Esq., Director of Staff Relations, West Genesee Central School District
Dominic D’Imperio, Esq., Director of Employer-Employee Relations, Jeff-Lewis BOCES
Kevin Harren, Esq., Labor Relations Specialist, Capital Region BOCES

Whether it is the State Legislature and the Governor or the Courts, we keep having Labor Relations curve balls sent our way. This presentation will break down the pitch and help you handle the questions that arise from all the unexpected changes that we get tossed our way, including:

- **State Minimum Wage Law** – our obligations when the increases affect union and substitute employee rates of pay
- **Family Leave** – what is the new law and how do we respond if the union raises it at the bargaining table
- **Substitute Notices** – do we need to give a reasonable assurance every time there is a holiday
- **Cancer Screening** – what are the new obligations and what does it cover
- **Changes in the 180-Day School Year** – what issues do we need to be aware of

5:30

Dinner and Event

SPONSORED BY: Costello, Cooney & Fearon, PLLC
Keane & Beane, P.C.

8:45 - 10:30

Political Discourse in Public Schools-Complex Issues without Simple Rules

Presenter Jay Worona, Esq., NYS School Boards Association

- Public schools can limit the exercise of free speech rights within their buildings and grounds, including expressions of political solidarity. But what if school officials want to allow or even engage in such speech? When and what limitations might be appropriate? To whom could they apply? Understand better the legal issues involved.

10:30 – 10:45 **BREAK**

SPONSORED BY: *Guercio & Guercio, LLP*

10:45 -Noon **Off Duty Conduct and Employee Discipline**

Presenters *Melinda Burdick Bowe, Esq., Partner and Christopher M. Militello, Esq., Associate
Costello, Cooney & Fearon, PLLC*

- What do we do when our employees are smoking legal pot in Massachusetts and a Board member sees them?
- When is off duty conduct a disciplinary issue?

Noon – 1:00 **LUNCH** (on your own)

1:00 - 2:00 **Legal Update**

Presenter *John Lynch, Esq., Hogan, Sarzynski, Lynch, Dewind, & Gregory, LLP*

The annual update on court cases, Commissioner’s decisions and legislation that affect school district labor relations.

2:00 - 3:00 **Human Rights Law and Accommodations**

Presenter *Charles Symons, Esq., Ferrara Fiorenza PC*

- Overview of legal requirements regarding disability-related accommodations
- Strategic tips for negotiating the “interactive process”
- Do’s and Don’ts

TBA / Golf **MASLA Annual Golf Tournament**

Contact Douglas Gerhardt in advance (approximately \$50 extra per player)

Dinner On your own

9:30 - 11:00 **Annual Business Meeting**

1. Treasurer’s Report
2. Director Election
3. 2019 Conference Location