



# 2019 Public Sector Employment Law Seminar

Conducted by:  
**CLARK BAIRD SMITH LLP**



## *Featuring the Following Plenary Sessions:*

### **If You Were the Arbitrator, How Would You Rule?**

Sharpen your skills in this interactive session, in which you will be given the facts relating to contract interpretation and disciplinary grievances, hear oral arguments from CBS attorneys, and then be asked how you would rule and why. Each case will be followed by insights and analysis from noted Illinois arbitrator **Michelle Camden, Esq.** In addition to her arbitration practice, Ms. Camden is Deputy Director for Public Safety at Northwestern University's Center for Public Safety, where she leads four of the Center's divisions: Management Training, Crash Investigation, Police Training, and Transportation Engineering. She teaches federal employment law, discipline, civil liability, and internal conflict in employee relations in the School of Police Staff & Command Program. Arbitrator Camden also served for six years as in-house counsel for the Illinois FOP Labor Council.

**Fastest 40 Minutes** – Back by popular demand. CBS LLP attorneys will present two-minute updates on a number of current labor relations and employment law issues.

**Collective Bargaining Trends and Issues** – **Bob Smith** will review recent Illinois and National public sector collective bargaining trends and issues (including a post-*Janus* update).

## *And, your choice of two breakout sessions:*

Each registrant plans a unique curriculum by selecting two unique breakout sessions described on the next page. Registrants are then assigned to one breakout class in the morning, and the other in the afternoon.

**Approval is being sought for 6 hours of: CLE credit for attorneys,  
as well as HRCI and SHRM recertification credits**

**Friday, March 1, 2019**

**8:30 a.m. – 4:30 p.m.**  
(Registration begins 7:45 a.m.)

***Ask the Attorney Reception Follows***

**Drury Lane Theater & Conference Center  
100 Drury Lane  
Oakbrook Terrace, IL 60181**

**SPACE IS LIMITED – THIS PROGRAM GENERALLY SELLS OUT – REGISTER EARLY**

## **Breakout Class Descriptions:**

Each registrant will rank topics in order of preference on their registration form. (*Classes will be assigned in order of receipt; registrants will be contacted if their top two choices are no longer available.*) Registrants will receive a reminder of their final class assignments at program registration.

- **Interest Arbitration Update: What Matters Most to Interest Arbitrators These Days?** – Interest arbitration results are one of the key predictors of possible contract settlements, even if your bargaining unit does not include police officers or fire fighters. With an uncertain economy and a new governor, keeping an eye on bargaining and interest arbitration trends is more important than ever before. How are arbitrators deciding disputes over wages, insurance, and other key bargaining issues? What factors most influence their decision making? Arbitrator Michelle Camden will join the panel for both the morning and afternoon sessions as they review recent arbitration trends and respond to questions from the floor.
- **The Language of Collective Bargaining: How One or Two Word Changes Can Change Everything** – Words matter. Indeed, in collective bargaining, the specific verbiage you include in your contract may really, really matter if you find yourself before a grievance arbitrator. For a layoff, does our contract require you to follow seniority and lay off the most junior affected employee? Or, does seniority control only where skill and ability “are equal” or “relatively equal”? Can you unilaterally change certain insurance benefit levels if the new coverage is “similar,” or “substantially similar” to the old coverage? Does it really matter? This session is designed for the more experienced bargainer and will address the importance of selecting the right word or words for your collective bargaining contract
- **Labor Hurdles to Controlling Pension and Other Legacy Costs in the Protective Services** – Public employers face a major dilemma: public safety is one of the core functions of local government, but public safety legacy costs are spiraling out of control as a result of unfunded mandates at the State level. The likelihood of help from Springfield is uncertain at best. This session will review contract language and benefits that impact your retirement benefit costs, and explore whether an employer can reduce its pension obligations by the creative exercise of its appropriations powers. We will review other creative options, including consolidation, outsourcing, and privatization of services. One long-time labor leader has said that municipalities will soon have no choice but to consider the “B word” -- Bankruptcy. We will discuss why bankruptcy might be a solution for some struggling communities, and the legal hurdles that must be overcome to pursue that option.
- **Managing Leaves of Absence** – Illinois’ new military leave law, the Illinois Service Member Employment and Re-Employment Rights Act (ISERRA), contains several important legal changes applicable to public employers. These changes must be understood and wholly respected in order to properly treat those in military service or who have just left that service. In addition to military leave, the session will also explore applicable legal requirements that come into play when an employee suffers an injury, be it work related or otherwise. The legal obligations facing an employer can be confusing and sometimes in conflict. The program will explore an employer’s legal options when an employee reports an injury and requests sick leave, family medical leave, or some other form of contractual or statutory leave time off from work.
- **Emerging Rules & Regulations Governing Guns, Marijuana, and Workplace Violence** – Year after year, Illinois seems to be implementing new laws and regulations related to concealed carry, legalizing drugs and workplace safety. How does a public sector employer balance these new trends against its need to maintain a safe workplace and minimize liability? What can an employer do to lessen the adverse impact at the workplace in the face of changing societal rules and regulations? This breakout session will discuss recent legislative changes, including new legal developments that we anticipate during the start of the Pritzker Administration (e.g. the potential legalization of recreational marijuana). Then, we will discuss best practices and policies, how to respond and react to related workplace issues, on and off-duty misconduct, and whether such issues might touch upon anti-discrimination and disability laws.
- **Conducting Workplace Investigations in an Era of Increased Public Scrutiny** – Workplace investigations have always been tough ... they have become so much more difficult with increased public scrutiny from an invigorated press and the #metoo movement. How does public scrutiny change the manner in which you conduct an investigation?



**IPELRA 2019 ELS  
March 1, 2019**

**A G E N D A**



- 7:45 – 8:30 am      Registration & Continental Breakfast
- 8:30 – 8:45 am      WELCOME  
                                 IPELRA President, Leslie Rienzie-Barry, SPHR, SHRM-SCP
- 8:45 – 10:30 am    Plenary Session: **IF YOU WERE THE ARBITRATOR, HOW WOULD YOU RULE?**  
                                 PRESENTED BY: James Baird  
                                 GUEST ARBITRATOR: Michelle Camden
- 10:30 – 10:45 am    Break
- 10:45 – Noon        AM BREAKOUT SESSIONS
- Noon – 1:15 pm     Lunch
- 1:15 – 2:30 pm     PM BREAKOUT SESSIONS
- 2:30 – 2:45 pm     Break
- 2:45 – 4:30 p.m.    Plenary Sessions:  
  
                                 **FASTEST 40 MINUTES** – Presented by CBS LLP Attorneys  
  
                                 **COLLECTIVE BARGAINING TRENDS AND ISSUES**  
                                 Presented by: Robert J. Smith, Jr.
- 4:30 – 6:00 pm     ASK THE ATTORNEY RECEPTION – An opportunity to follow-up with the  
                                 speakers and network with your colleagues.

**Scheduled Clark Baird Smith LLP Presenters:**

**R. Theodore Clark  
James Baird  
Robert Smith  
Jill Leka  
Yvette Heintzelman  
James Powers**

**Benjamin Gehrt  
Abigail Rogers  
Roxana Underwood  
Kelly Coyle  
Paul Denham**

# REGISTRATION INFORMATION

**Registration:** Advance registration is **required** and must be submitted by **February 15, 2019**.

First registered, first selected for choice of sessions.

***Registration is limited to non-union human resource and management professionals, department directors and/or municipal administrators and management attorneys.***

<b><u>Registration Fees:</u></b>	Members	\$195
If you are not sure of your membership status, please contact Debi Stensland	Organizational Associates of Members (OAM)*	\$195
	<i>*OAMs are other employees of the same employer as a current IPELRA member. The OAM rate is available online <u>only</u> when the OAM is registered by the member.</i>	
	Non-Members	\$225

**Volume Discount:** The 6<sup>th</sup> and beyond registrants from the same employer are eligible to receive a \$20 discount off the applicable registration fee. Please coordinate within your jurisdiction in order to claim applicable discounts during the registration process. ***Online registrants: Please contact Debi Stensland (ipelra1978@gmail.com or 847-378-7711) for a coupon code before registering.***

**TO REGISTER ONLINE:** You may now register online and pay via credit card or request an invoice to pay via check. Please visit the web page for 2019 ELS on [www.ipelra.org](http://www.ipelra.org) for instructions and a link to online registration. Those registering online will receive a follow-up survey via email requesting their breakout preferences. Please watch for the survey and complete it promptly in order to be assigned your preferred breakout sessions. *Online registration closes February 15, 2019.*

**TO REGISTER VIA EMAIL / FAX:** Payment via check only -- Complete the enclosed Registration Form and Invoice and email or fax as indicated on the form (for payments by check only). The form serves as the payment invoice.

**Confirmations:** Registration confirmations will be emailed to registrants beginning on or about February 1, 2019. If we are unable to assign you to your top two breakout class choices, you will be assigned the next lowest ranked class(es). Should this occur, IPELRA will inform you via email. ***Deadline for cancellation is February 22, 2019. Cancellations received after that date will be considered nonrefundable.***

**Overnight Accommodations:** IPELRA has arranged for a block of rooms at the **Hilton Chicago/Oak Brook Suites**, 10 Drury Lane, Oakbrook Terrace, Illinois, for the night of Thursday, February 28, 2019 at the base rate of \$129 (plus applicable taxes). The Hilton is right next door to Drury Lane Theater and Conference Center. Check-in time is 4:00 p.m.; Check-out is 12:00 p.m.

For reservations, please contact the hotel directly: **Ph: 1-800-Hiltons (445-8667) – ask for the IPELRA room block.** ***Housing deadline is February 10, 2019*** -- after this date rooms are subject to availability.

**Dietary Restrictions:** The registration fee includes continental breakfast and lunch. If you have specific dietary restrictions, please contact Debi Stensland (847-378-7711 / [ipelra1978@gmail.com](mailto:ipelra1978@gmail.com)) as soon as possible prior to the Seminar.



Illinois Public Employer Labor Relations Association

**REGISTRATION and INVOICE**

2019 Public Sector Employment Law Seminar  
(March 1, 2019)



Name \_\_\_\_\_

Title \_\_\_\_\_

Employer \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_ Phone \_\_\_\_\_

E-Mail (**required** for confirmation) \_\_\_\_\_

To Register--Return to:  
Debi Stensland  
IPELRA  
6133 N. River Road  
Suite 1120  
Rosemont, IL 60018  
[ipelra1978@gmail.com](mailto:ipelra1978@gmail.com)  
Ph: (847) 378-7711  
Fx: (847) 378-7070  
FEIN # 362996101

I have the following dietary restrictions/allergies: \_\_\_\_\_

**REQUIRED: PLEASE RANK AT LEAST 4 CLASSES IN ORDER OF PREFERENCE – 1 and 2 BEING YOUR MOST PREFERRED CLASSES**  
YOU WILL BE NOTIFIED IF YOU DO NOT RECEIVE YOUR TOP TWO CHOICES / CLASS SCHEDULES WILL BE DISTRIBUTED AT CHECK-IN

	Interest Arbitration Update
	The Language of Collective Bargaining: How One or Two Word Changes Can Change Everything
	Labor Hurdles to Controlling Pension and Other Legacy Costs/Protective Service
	Managing Leaves of Absence
	Guns, Marijuana, and Workplace Violence
	Conducting Workplace Investigations in an Era of Increased Public Scrutiny

<b>Registration Fee:</b> <i>(please check as appropriate)</i>		<b>Payment Due By March 1, 2019:</b>	
<b>Category-Pls. Check One</b>	<b>Amount</b>	Registration:	\$ _____
____ Member	\$195	Less Volume Discount*	(\$ _____)
____ Organizational Associate	\$195	<b>TOTAL DUE:</b>	\$ _____
____ Non-Member	\$225	____ Check (Made Payable to IPELRA) Enclosed	
<b>*Volume Discount:</b> 6 <sup>th</sup> and further registrants from the same employer receive a \$20 discount on applicable fee		____ Faxing/Emailing form, check to follow	

TO REGISTER: You may now register online and pay via credit card or request an invoice to pay via check. Please visit the web page for 2019 ELS on [www.ipelra.org](http://www.ipelra.org) for instructions and a link to online registration. *Online registration closes February 15, 2019.* Or, to register via email/fax (payment via check only), use this Registration Form and Invoice.

**Cancellation Policy:** All cancellation requests must be submitted in writing and received by February 22, 2019 to qualify for a refund. An administrative fee based on current per person costs may be deducted.

**Cancellations received after February 22, 2019 are non-refundable. No-shows are non-refundable.**