STATE BAR OF MICHIGAN
LABOR AND EMPLOYMENT LAW SECTION

MINUTES OF COUNCIL MEETING
October 14, 2014

A meeting of the State Bar of Michigan's Labor and Employment Law Section was held on October 14, 2014, at the offices of Sommers Schwartz, PC in Southfield, Michigan.

PRESENT: Dan Swanson, Brian Koncius, Susan Hiser, Gloria Hage, Rob Boonin, Gail Cober, Gary Francis, Joe Girolamo, Allyson Miller, Sam Morgan, David Radtke, John Runyan, Jennifer Salvatore, and Richard Warren.

PRESENT BY TELEPHONE: Michelle Crockett, Mike Shoudy

ABSENT: Jeff Fraser

The meeting was chaired by Dan Swanson, Chair of the Council. The new members (Rich and Allyson) introduced themselves. Current members introduced themselves as well.

1. **Approval of Agenda:** The Council approved the Agenda.

2. **Approval of Minutes:** The September 18, 2014 Council Meeting minutes were presented. Rob moved for their approval and John supported the motion. The Minutes for the meeting were approved as submitted. The minutes from the Annual Meeting will be presented next month.

3. **Treasurer's Report**: Susan/Gloria gave the Treasurer's Report. SBM is in the process of conducting its year-end financials to close out Fiscal Year 2013-2014. Therefore, no financials have been received yet. They will be presented once received from the State Bar.

4. **Chair's Report**:

a. **Council Member Notebooks**: Dan passed out Council Member Notebooks and went through its contents.

b. **Meeting Schedule:** Dan proposed having a couple evening meetings (6:00-8:00 p.m.). This would allow more flexibility in our schedules and would allow for guest speakers, such as the LELS Liaison from SBM. SBM is anticipating rolling out a new website, so might be useful to have our liaison go through it with us. Rob pointed out it that having occasional evening meetings would also allow Don, our Social Media contractor, to meet everyone. The Council was receptive to this proposal.

c. **Committees:** Dan put together Committees based on input from Council members. A few new Committees were formed. The new Committee assignments are included in the Notebooks.

d. **Demographics:** The wave of SBM members is getting older. This has been an issue throughout the SBM. Our Section, as well as others, is seeking ways to become more relevant to incoming members. We want to continue making efforts to ride the wave and attract new members to our Section.

e. **Strategic Plan (Priority #1):** Dan discussed this with other Chairs at the SBM this summer. In addition to our current programming, we need to assess our goals for the future and reassess our events in the context of our goals. We are looking to form a Strategic Planning Committee and put

something together to discuss at our next meeting. We are looking at a 3-year plan; though it can be adjusted. We will look to members outside our Council to help with the planning. We would like the Strategic Planning Committee to meet within next 30 days, and report back at the November meeting.

- Questions/Comments:
    1. John thinks having a younger lawyer from this Committee come to our Council meetings is a great idea. Also, what services can we provide to members from their desks, so they don't have to take up time from work/personal life to attend our programs? Dan noted that Webinars have been very successful; proposed doing a webinar with a combined mediation/arbitration format.
    2. Rob likes these ideas; raised the question of where the webinars come from? Not Communications committee. Many questions regarding partnering, charging, etc. Will bring people from out of the local area.
    3. Brian noted that it makes sense to structure another Committee to figure out these details, perhaps a Webinar Committee. Dan asked if people are interested in being a part of this Committee. Rob volunteered to oversee the Committee. Gary and Brian will help out from the Communications side.

f. **Webinar Committee (Priority #2)**: Dan proposed coordinating our efforts with Lawnotes, Social Media, and the e-Newsletter under the umbrella of a Communications Committee. We have some outstanding newer attorneys working on our e-Newsletter; we should attempt to integrate them into the Communications Committee. Other Sections have done this successfully.

- Questions/Comments: There is a concern that the notion of a "farm" team to our Council will further the perception of cliques. We should develop a "bench" that consists of more than just the younger members of the Section. It should include members of all ages/experience levels who want to be more involved, including those who just don't know lawyers from other firms. Susan agreed. Several people have been asking for ways to get involved.

5. **Membership Committee:** Joe presented on the Membership Committee. Susan noted that the Non-Lawyer membership form in the Notebook is an old form. Gary or Richard will send update the form and email it around to everyone. Joe presented the following applicants for membership:

- Tracy Risner, HR Director, Heartland
- Paul Engles, HR Director, City of Battle Creek
- Jill Block, Business Office Manager, Grand Rapids Employees Independent Union
- William Smith, HR Director, Charter Township of Clinton
- James Palmer, Arbitrator/Mediator, ADR Neutrals, LLC

Motion by Brian to approve these applications. Seconded by Gloria. Approved by a vote of the Council.

6. **Specialty Bar:** Michelle reported that registration is up to 44 attendees. We will get the final list from SBM on Friday. Michelle will get there early to set up. Dan and Michelle will make some welcoming remarks. This event is intended to be a "meet and greet." We are encouraging Council members to attend. Michelle will follow up with affinity Bar leaders. They have agreed to forward information to their members about signing up for our section.

Rob suggested that if people join from this group, they be given a mentor. The mentor could invite them to the Holiday party and perhaps we could comp their attendance. Wolverine, Striker, Asian-Pacific Group, Oakland County Bar, and Greg Conyers, who heads up diversity initiative at SBM, have all been very helpful. Brian noted that we should define the goals of the Mentoring program. Susan will reach out to the Membership Chair of ABA Employee Rights & Responsibility Committee to see if they have any mentoring protocols in writing.

Gottfreid Seminar – Gary will make a membership pitch at Gottfreid Seminar.

7. "**Making Your Case" Event:** Gary reported on the "Making Your Case" event. We have a location secured. He has spoken with the panelists. We will use a panel format to talk about technological devices, apps to use in practice. Others will speak to the legal implications of using these in your practice. The panel is to

include Adam Forman, David King, Courtney Nichols, and Brian Koncius. We will make calls to attorneys in area to bring people from their firms. The date is November 12 at Emagine Theater in Royal Oak. Registration is at 4:30 p.m. The event will last for 2 hours with appetizers and drinks following.

8. **Holiday Party:** Sam reported on the Holiday Party. It is scheduled for December 11 at the Birmingham Country Club. Sam will get with Gail and Joe on a date for a conference call to coordinate details. He will also speak with Kelly at BCC. If the cost is the same, we will charge $45 per person, which will include 2 drink tickets. We will reuse the same format as last year. We will seek out performance of the Cat's Pajama's.

Sam sought approval from the Council for 2 e-blasts, a mailer, and a gift of liquor to the members of the band, which is what we did last year. The mailer should go out the 2nd week in November, the e-blasts 2 weeks before the event. ***A Motion to approve was made by John, seconded by Rob. Approved by a vote of the Council.*** John proposed moving the Council meeting to the day of the party. Dan said we would play it by ear, depending on the Strategic Planning Committee.

9. **Mid-Winter Meeting:** Mike presented on the Mid-Winter meeting. It will be a one-day format, held on Friday, January 23, 2014, beginning at 1:00 p.m. The education program will come first. The Committee is planning the program, including the Distinguished Service Award and Speaker. Elinore Holmes Norton,

former Chair of EEOC and Congresswoman form DC, was proposed as a speaker. ***A Motion to approve the typical e-blasts and mailers on the schedule that we used last year was made by Mike, seconded by Jen. Approved by a vote of the Council. Mike also moved to approve the contract with the DAC and pay the DAC the initial deposit.*** (We saved some money by going with a one-day event (overall commitment reduced by $5,000). The DAC has raised some prices. We have to sign a general contract to begin with. The actual meal isn't settled yet. We paid out approximately $13,000 for this event last year. We may raise the price next year, but will hold it the same for this year). ***Seconded by Gloria. Approved by a vote of the Council. Motion by John to approve a back-up speaker, $2,500 plus travel expenses (travel, room, food), Clay Risen. Seconded by David. Approved by a vote of the Council.*** Jen noted that the SpringBoard Committee planning meeting will likely be a lunch meeting, preceding the event. *(Minutes hereafter taken by Brian Koncius).*

10. **Distinguished Service Award:** Gloria is chair of this committee. She suggested an e-blast to invite nominations from the section, giving the criteria and list of past recipients and asking for a short paragraph regarding why the nominee is deserving. Rob noted that this idea was specifically rejected a number of years ago for various reasons. ***Motion made to approve an e-blast to invite nominations by Brian with support from Sam. Vote of approval.***

11. **Social Media Update:** Brian noted that he and Dan were continuing to work on a new direction and focus for Communications more generally. A meeting of the members of the e-Newsletter group is set for Brian's office on October 20th to discuss the overarching Communications ideas and goals. Further, we are working to invite Don Kline to one of our dinner meeting to meet him and discuss the Social Media, its use, relevant metrics and set a course moving forward. Jen suggested that we continue to inform people of these tools at events.

12. **E-News Update:** Dan discussed the September edition of the e-News and noted that it came in it at a much lower cost than the inaugural edition due to the initial setup costs and we can expect a lower cost to produce this moving forward. The e-News committee is working to prepare the next edition for November.

13. **Old Business** – No formal report was provided.

14. **New Business** – No formal report was provided.

15. **Adjourn** – The next meeting was scheduled for November 17, 2014 at 6:00 p.m. Location TBD.

Respectfully submitted,

Susan H. Hiser

Susan Hartmus Hiser
Council Secretary