



THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW

[www.cailaw.org](http://www.cailaw.org)

*46th Annual Course on*  
**LABOR LAW AND**  
**LABOR ARBITRATION**

THE CENTER FOR AMERICAN  
AND INTERNATIONAL LAW  
PLANO, TEXAS

"The best CLE I've ever attended. It's very hard to find a quality CLE on this topic. I will recommend to others."

"Very comprehensive. Great facilities and knowledgeable speakers. I really enjoyed it..."

— 2007 participants



*April 22-25, 2008*

- ▶ A mock pre-election representation hearing conducted by the Region 16 NLRB staff
- ▶ An arbitration workshop
- ▶ A luncheon with Les Heltzer, Esq., Executive Secretary of the National Labor Relations Board
- ▶ This national program will FULLY satisfy the Texas Board of Legal Specialization requirement for 24 hours of NLRA credit for the current application filing period

- ▶ Register early and save
- ▶ 25.0 hours of MCLE Credit and 2.0 hours of Ethics available





The Center for American and International Law offers this intensive basic course on labor law and labor arbitration, emphasizing the legal framework within which employers, unions, and individual employees pursue their interests. It is designed to be a practical guide for the practice of labor law.

## **LABOR LAW**

Most of the program features instruction on the basic aspects of labor law, with concentration on the National Labor Relations Act and collective bargaining contracts negotiated under the Act. Included in the broad range of topics are:

- The Representation Process and Union Recognition
- Employee Rights
- Negotiation of Collective Bargaining Agreements
- Enforcement of Collective Bargaining Agreements, Including No-Strike Clauses
- Economic Pressure Including Strikes, Boycotts and Lockouts by Unions and Employers
- Investigations, Hearings and Trials: Preparation, Settlement and Conduct

## **LABOR ARBITRATION**

The last section focuses on the process of arbitrating grievance disputes under collective bargaining agreements. Among the topics discussed are:

- Selecting the Arbitrator(s)
- Arbitrability — Substantive and Procedural
- Differences Between Arbitration and Judicial Proceedings
- Contract Interpretation Techniques
- Bargaining History and Past Practice
- Discharge and Discipline Issues
- Arbitration Advocacy

## **FEATURING**

- A Mock Pre-Election Hearing conducted by the Region 16 NLRB Staff.
- An Arbitration Workshop conducted by Experienced Advocates and Arbitrators.
- Luncheons With Cynthia Nance and Les Heltzer.

### **Conference Chair**

#### **Douglas E. Ray**

Dean and  
Professor of Law  
The University of Toledo  
College of Law  
Toledo, Ohio

visit us today at [www.cailaw.org](http://www.cailaw.org)



## Lecture Outlines and Reference Book:

All participants will receive a brief outline at the beginning of the course. The principal text is *Understanding Labor Law*, 2005 Edition, co-authored by Douglas Ray, the Chair of this program. It, too, will be distributed at the time of registration and is included in the price of the course.

There will be a 20 minute break each morning and each afternoon.

# TUESDAY

## APRIL 22, 2008

### 8:30 REGISTRATION AND CONTINENTAL BREAKFAST

#### 9:00 THE REPRESENTATION PROCESS:

The NLRA and NLRB: NLRA coverage; the election process including petitions, access to property, election prerequisites, appropriate bargaining units, voter eligibility, and post-election proceedings.

##### Christopher Ruiz Cameron

Professor and Associate Dean  
Southwestern University Law School  
Los Angeles, California  
Co-Author *Labor Management Relations: Strikes, Lockouts and Boycotts* (Thomson/West)

### 12:00 LUNCH RECESS

#### 1:00 THE REPRESENTATION PROCESS (CONTINUED):

Pre-election activity and employee rights, employer and union interference with the election process, unlawful discrimination and discharge issues, bargaining orders, voluntary recognition, and employer domination and unlawful assistance issues.

##### Professor Cameron

### 4:00 PICKETING AND STRIKES FOR RECOGNITION

##### Douglas E. Ray

Dean and Professor  
University of Toledo  
College of Law  
Toledo, Ohio

### 5:00 RECESS

### 5:00 WELCOMING RECEPTION

Hosted by The Center for American and International Law

# WEDNESDAY

## APRIL 23, 2008

### 9:00 THE REPRESENTATION PROCESS IN PRACTICE:

Members of the National Labor Relations Board's Region 16 staff will present a mock pre-election hearing focusing on the representation hearing process. The discussion will include pre-hearing preparation, identification of common issues, common mistakes, the role of the hearing officer, and the presentation of evidence.

##### Moderator - Ofelia Gonzalez

Supervisory Field Examiner  
Region 16, NLRB  
Fort Worth, Texas

### 11:45 LUNCH (PROVIDED)

##### Cynthia Nance

Dean  
University of Arkansas School of Law  
Fayetteville, Arkansas

### 1:00 NLRB INVESTIGATIONS, HEARINGS AND TRIALS IN UNFAIR LABOR PRACTICE CASES

##### Timothy Watson

Attorney  
NLRB  
Fort Worth, Texas

### 2:30 ETHICS AND PROFESSIONAL RESPONSIBILITY IN A LABOR LAW AND LABOR ARBITRATION PRACTICE (Ethics: 3 - 5 P.M.)

##### Philip K. Lyon

Lyon & Phillips, PLLC  
Nashville, Tennessee  
Jasper, Arkansas

##### Cynthia Nance

Dean  
University of Arkansas School of Law  
Fayetteville, Arkansas

##### Yona Rozen

Gillespie, Rozen, Watsky, Motley & Jones, P.C.  
Dallas, Texas

### 5:00 RECESS



# THURSDAY

APRIL 24, 2008

**8:30 ECONOMIC PRESSURE I:**  
Legal status of strikes and picketing, rights of strikers, unprotected concerted activities, employer responses to concerted activity, lockouts, unlawful strikes and picketing.

**G. William Baab**  
Baab & Denison  
Dallas, Texas

**Arthur T. Carter, Esq.**  
Haynes and Boone  
and  
Adjunct Professor  
SMU Dedman School of Law  
Dallas, Texas

**11:00 ECONOMIC PRESSURE II:**  
Secondary activity, corporate campaigns, consumer picketing and handbilling.

**Dean Ray**

**11:45 LUNCH (PROVIDED)**  
*Inner Workings of the NLRB*  
**Les Heltzer, Esq.**  
Executive Secretary  
National Labor Relations Board  
Washington, D.C.

**2:00 ECONOMIC PRESSURE II (continued)**

**Dean Ray**

**2:30 NEGOTIATION OF COLLECTIVE BARGAINING AGREEMENTS:**  
Majority rule and exclusive representation, good faith concepts generally, duty to furnish information, unilateral action, subjects of bargaining, mid-term bargaining; and duration of bargaining duty.

**Marion G. Crain**  
Paul Eaton Professor of Law  
University of North Carolina School of Law  
Chapel Hill, North Carolina  
Co-Author, *Labor Relations Law*

**5:30 RECESS**

# FRIDAY

APRIL 25, 2008

**9:00 TRENDS IN 21st Century Collective Bargaining - The Key 2007 Decisions**

**Arthur B. Smith Jr.**  
Ogletree, Deakins  
Chicago, Illinois  
Co-author *Employment Discrimination Law* (LexisNexis 2006); *Construction Labor Relations* (Commerce Clearing House)

**11:00 ENFORCEMENT OF THE COLLECTIVE BARGAINING AGREEMENT**  
Court enforcement of the promise to arbitrate grievances; enforcement of no-strike clauses; and judicial review of labor arbitration decisions.

**Dean Ray**

**12:00 LUNCH BREAK**

**1:00 INTRODUCTION TO LABOR ARBITRATION INCLUDING THE GRIEVANCE PROCESS:**  
Discussion of the labor arbitration process and standards for decision including burdens and standards of proof, discharge and discipline matters, seniority and promotion matters, contract interpretation and other arbitration advocacy.

**Dean Ray**

**2:30 LABOR ARBITRATION WORKSHOP:**  
A discussion on such issues as: what arbitrators look for; the selection of an arbitrator; what's involved in the pre-hearing stage; preparation for hearings; and the conduct of hearings. This discussion will center around a hypothetical discharge case involving potential workplace violence.

**5:00 RECESS**



**Local Wi-Fi is available in our courtroom, tiered classroom and lobby areas of The Center.**

## FOUR WAYS TO REGISTER

### ONLINE

www.cailaw.org  
credit card only

### FAX

972.244.3401  
credit card only

### MAIL

The Center for American and  
International Law  
5201 Democracy Drive  
Plano, TX USA 75024  
check or credit card

### PHONE

972.244.3400 or  
800.409.1090  
8:30am-5:00pm CST  
credit card only

PAYMENT MUST ACCOMPANY REGISTRATION

## GENERAL INFORMATION

**HOUSING:** The cost of housing is not included in the tuition. However, rooms (in limited number) have been reserved at the Embassy Suites, 7600 John Q Hammons Dr., Frisco, TX 75034. Call 972.712.7200 or 1-800-Embassy or you can make your room reservation online at www.cailaw.org. A reduced room rate of \$145 per night + 13% occupancy tax is available if you advised the hotel that you are attending this program. The last day to obtain this special rate is March 24. The hotel will provide a complimentary shuttle to and from The Center upon availability. For your convenience, you may wish to consider renting a car.

**NONDISCRIMINATION POLICY:** The Center for American and International Law does not discriminate on the basis of race, color, sex, religion, national origin, age, disability, veteran status or any other protected status in educational activities, scholarship programs or admissions.

**MCLE CREDIT:** This course has been approved by the State Bar of Texas for 25.0 hrs. of MCLE credit, including 2.0 hours of ethics. Course ID Number: 900039375. Sign-in sheets and/or certificates of attendance will be available for ALL states.

**SPECIALIZATION:** We anticipate both of the following credits from the Texas Board of Specialization: 1) certification and recertification in Labor and Employment Law; 2) 24 hr. NLRA requirement for the current application filing period.

## REGISTRATION

### LABOR LAW AND LABOR ARBITRATION

April 22-25, 2008

	Received by April 8	Received after April 8
Regular Tuition	<input type="checkbox"/> \$1095	<input type="checkbox"/> \$1145
Member Tuition*	<input type="checkbox"/> \$945	<input type="checkbox"/> \$995
Government Employee	<input type="checkbox"/> \$995	
I can not attend, but want to order the materials notebook and tapes)	<input type="checkbox"/> \$995	

\*Member of The Center for American and International Law

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City, State, Postal Code \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

### PAYMENT INFORMATION

► Credit Card Registrations may be faxed or e-mailed

Check enclosed payable to: The Center for American and International Law  
Credit Card:  Mastercard  VISA  AMEX  Discover

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Name on card \_\_\_\_\_

Billing address (if different than above address) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature \_\_\_\_\_

### WEB

**CANCELLATION POLICY:** Tuition less a \$50 cancellation fee will be refunded upon receipt of written cancellation received by April 8. After this date, no refunds, but substitution of attendees for this program will be permitted. Registrants not entitled to a refund will receive the course materials. Email: cburkel@cailaw.org.



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5201 DEMOCRACY DRIVE  
PLANO, TX USA 75024  
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**PLEASE NOTE:** The Center for American and International Law utilizes outside mailing lists. If you receive a duplicate of this announcement, please pass it along to an interested colleague.



## SEE INSIDE FOR COURSE SCHEDULE



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*"Well organized, highly qualified speakers, well worth time  
and money and learned a tremendous amount..."*

*—2007 participant*