

# Message from the Outgoing Section Chair

By Seth H. Greenberg



“And do as adversaries do in law, Strive mightily, but eat and drink as friends.”

*The Taming Of The Shrew,*  
Act 1, Scene 2

Professionalism and collegiality are hallmarks of the legal bar. They are also the signature characteristics of a bar association, and are the reasons why many of us joined. Our Section has thrived

because we foster relationships among our members. CLE programs, academic periodicals, and vendor discounts may be among the extra benefits members receive. But the real value of our Section is the professional community it creates, our group think approach to the law and legal practice, and the personal friendships that develop from active participation.

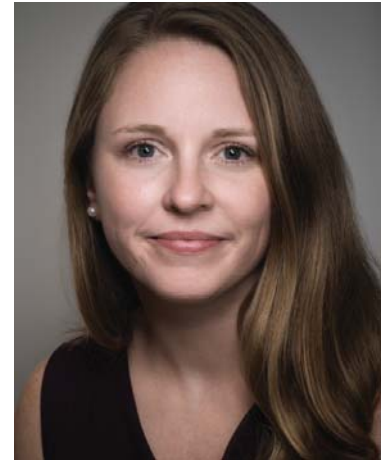
As Section Chair, I have sought to re-energize our committee system and to explore different ways to grow our membership. If bar associations, and our Section in particular, are to remain relevant in 2018 and beyond, I believe we must always keep our focus on what we were looking for originally when we joined NYSBA. Younger and newer attorneys may not care about the insurance discounts that come along with bar association membership (though they should). Rather, they want mentorships, networking, and writing opportunities, the same benefits we sought when we first joined and what we continue to seek as more experienced attorneys. Law students and newly admitted attorneys want to be integrated into our committee work now. And we must embrace this energy and take risks, as risky as a group of lawyers can be at least.

At our last Executive Committee meeting, I issued the same challenge to our Section’s leadership that motivator Sean Corville issued to me and my friends when we ran our first Tough Mudder (a 10 to 12-mile obstacle course team challenge)—“When was the last time you did something for the first time?” It is the same challenge I issue to all of you. Whether you are a law student, newly admitted attorney, or more experienced practitioner, I urge you to: Show up! Volunteer! Mentor! Serve on a committee! Write! Network! Organize a program! And, yes, make lifelong friends! Along the way, I promise you

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# Message from the Incoming Section Chair

By Cara E. Greene



Robert F. Kennedy said, “Lawyers have their duties as citizens, but they also have special duties as lawyers. Their obligations go far deeper than earning a living as specialists in corporation or tax law. They have a continuing responsibility to uphold the fundamental principles of justice from which the law cannot depart.” As busy labor and employment law practitioners, it is easy to become so focused on the work that is on our desks (or computer screens) that we lose sight of our broader role in society. Active participation in the Labor and Employment Law Section reacquaints us with that role and provides us with tools to serve both our clients and society.

The mission of the New York State Bar Association is consistent with Kennedy’s vision—attorneys who serve their clients and the broader good. The mission of NYSBA is (1) to cultivate the science of jurisprudence; (2) to promote reform in the law; (3) to facilitate the administration of justice; (4) to elevate the standard of integrity, honor, professional skill and courtesy in the legal profession; (5) to cherish and foster a spirit of collegiality among the members of the Association; (6) to apply its knowledge and experience in the field of law to promote the public good; (7) to promote and correlate the same and similar objectives in and among the bar organizations in the state of New York and in the interest of the legal profession and the public; (8) and to uphold and defend the Constitution of the United States and the Constitution of the state of New York.

NYSBA’s mission is fulfilled in our Section through excellent CLE programming; networking opportunities; monitoring of legislation; skills training for new attorneys; diversity fellowships; and public interest efforts, among other things. I encourage you to take full advantage of all that the Section has to offer—join a committee, sign up for a CLE or webinar, write an article for the *Journal*, participate in our online community, and come to beautiful Montreal, Quebec, October 12-13, 2018 for our Fall Meeting. Then take what you have learned back to your practices and use it to both help your clients and keep society moving forward.

Thank you for the opportunity to serve as your chair this coming year.

Cara E. Greene

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that your business will grow and you will have a more personally fulfilling legal career.

Over the course of the last year, our Section has focused on many initiatives. We continue to produce timely and insightful CLE programs. This journal, along with our other publications, offers great analyses of important legal topics. Our website has valuable resources and our online *Communities* platform affords members the ability to push information out and to seek input from thousands of practitioners in the labor and employment community throughout the State. We continue to sponsor law school and trial academy programs. Our Executive Committee members are becoming more engaged in the national and state conversations directly impacting workplace matters, influencing the legislative priorities of NYSBA. Diversity and leadership development remains a top priority, including a renewed focus on mentoring. We are in the early planning stages of an arbitration academy program that we hope will debut in 2019. And we are expanding our networking opportunities every chance we can.

**This Spring 2018, the Labor and Employment Law Section has planned and/or is co-sponsoring:**

- Complimentary Webinar: *Legal & Practical Considerations in Mediating Wage and Hour Cases* (go to our Section's website at [www.nysba.org/laboremployment](http://www.nysba.org/laboremployment)).

**Recent Spring 2018 Labor and Employment Law Section events or co-sponsored events:**

- Young Lawyers Section Trial Academy: April 4th – 8th (Cornell Law School, Ithaca).
- *The Taylor Law @ 50*: May 10th – May 11th (The Desmond Hotel, Albany).
- *Employment Law for the General Practitioner and Corporate Counselor*: June 4th (Manhattan, also available live via webcast) and June 14th (Albany).

Plus, this baseball season, the Section intends to host networking/membership events at Mets and Yankees games (yes, you read correct!). Section members will have the chance to attend the games at no charge!

Don't miss out on our many great programs and so many opportunities! Join the Section now and, if you are already a member, become more active.

Finally, it has been a great privilege and honor to serve as Section Chair this past year. I am extraordinarily grateful to all members of the Executive Committee for their dedication and service. Thank you to Section Secretary Monica Skanes for all your help and for agreeing to wear multiple "hats" on the EC. To Beth Gould, our Section Liaison, there are no words to express how much I, and the entire Section, appreciate all of your dedication and service to our Section. Thank you! You have been integral to our

successes and always the voice of reason—we will dearly miss you! We wish Beth all the best of luck as she moves on to her next venture. I look forward to working with our Chair-elect Cara Greene and all of you to do my part in continuing to improve upon Section services and benefits.

**With great appreciation,  
Seth Greenberg  
Section Chair**

**2018 Annual Meeting Retrospective**

Our Annual Meeting took place January 25-26, 2018 in midtown Manhattan. On Thursday afternoon, three of our committees hosted special programs. In its annual tradition, the Committee on Labor Relations hosted the Regional Directors from the National Labor Relations Board's three New York State Regional Offices in its program *Up Close and Personal with the NLRB*, where they were also joined by the NLRB's General Counsel. The ADR Committee presented *FLSA Claims—A Plaintiff and Management Perspective on How to Effectively Mediate These Claims*, where panelists examined differences in forums, opening statements and their efficacy, pet peeves of practitioners, class action issues, and settlement concerns unique to FLSA cases. In *Something Funny Happened on the Way to Litigation: Court and Agency Sponsored Mediation*, the EEO Committee presented a discussion of court and agency-annexed mediation, focusing not just on the nuts and bolts of each program, but also the similarities and differences, and what they are doing to improve chances of an early settlement. A thank you to EC member Jill Rosenberg and her firm, Orrick, for hosting Thursday's event.

On Friday, the Section's annual business meeting, CLE program, and luncheon were held at the New York Hilton. Topics covered at plenary sessions included: *Key Issues Relating to the Art (and Science) of the Settlement*; *Changes on the Front End: Revolutions and Evolutions in Hiring Practices*; and *Avoiding Ethical Traps in Sexual Harassment Investigations*. There were also breakout workshops related to ERISA, "Off-the-Clock" Litigation, Motion Practice in Arbitration, and Labor Relations Issues in Higher Education.

Our keynote luncheon speaker was Gillian Thomas, Esq., Senior Staff Attorney, ACLU Women's Rights Project, and author of *Because of Sex: One Law, Ten Cases, and Fifty Years That Changed American Women's Lives at Work*. Every registrant of the Annual Meeting, whether or not he or she attended the luncheon, received a copy of this great book. Ms. Thomas' speech was timely and provided some great legal and anecdotal stories that help put our current climate in the appropriate context.

A big "thank you" to our program co-chairs, moderators, speakers, and sponsors for making this program a huge success! I hope you can all join us at our many other networking Section's Fall Meeting in Montreal, from October 12-14, 2018.