

# NEW YORK STATE BAR ASSOCIATION

## Labor and Employment Law Section Annual Meeting

FRIDAY, JANUARY 30, 2015 The New York Hilton Midtown, 1335 Avenue of the Americas, New York City	
<b>Program</b> 8:30 a.m. to 12:30 p.m. Regent, Sutton South & Center, 2nd Floor	<b>Ticketed Luncheon</b> 12:30 p.m. Sutton North, 2nd Floor

### IMPORTANT INFORMATION

**Under New York's MCLE rule**, this program has been approved for a total of 4.0 credit hours in the area of professional practice for experienced attorneys only. This meeting will not qualify for credit for newly admitted attorneys because it is not a basic practical skills program.

**Discounts and Scholarships:** New York State Bar Association members and non-members may apply for a discount or scholarship to attend this program, based on financial hardship. ***This discount applies to the educational portion of the program only.*** Under that policy, members of our Association or non-members who have a genuine basis of hardship, if approved, can receive a discount or scholarship, depending on the circumstances. Due to NYS Ethics regulations, employees of NYS and certain large municipalities are not eligible for discounts. Requests for discounts or scholarships ***must be received by January 14, 2015.*** For more details, please contact Catheryn Teeter at New York State Bar Association, One Elk Street, Albany, New York 12207 or cteeter@nysba.org.

### SECTION CHAIR

**Ronald G. Dunn, Esq.**  
Gleason Dunn Walsh & O'Shea  
Albany

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### PROGRAM CO-CHAIR

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Formato, Ferrara & Wolf LLP, LLP  
Rochester

**8:30 - 8:45 a.m. Business Meeting and Introductory Remarks - Ronald G. Dunn, Esq., Section Chair**  
**Presentation of Lifetime Achievement Award to Former Section Chair, Michael I. Bernstein, Esq. of Bond, Schoeneck & King PLLC, New York City**

**8:45 - 10:00 a.m. Plenary Session One - Marjorie Gootnick Memorial Lecture:**  
***Retaining and Promoting Women and Minorities in the Legal Profession: Getting It Right***

**Moderator:** **Wendi Lazar, Esq.,** Outten & Golden, LLP, New York City

**Panelists:** **Lauren Stiller Rikleen, Esq.,** Author, *You Raised Us - Now Work With Us: Millennials, Career Success, and Building Strong Workplace Teams* and *Ending the Gauntlet: Removing Barriers to Women's Success in the Law*; Executive-in Residence, Boston College's Center for Work & Family in the Carroll School of Management; Founder, Rikleen Institute for Strategic Leadership, Boston, MA

**Michele Coleman Mayes, Esq.,** Chair, ABA Commission on Women in the Profession; Former Executive Vice President & General Counsel for the Allstate Corporation; Vice President and General Counsel, New York Public Library, New York City

**Carlos Dávila-Caballero, Esq.,** Former Assistant Dean, Career Development & Diversity Initiatives, Tulane University Law School; Board Member, Association of Law Firm Diversity Professionals; Director of Diversity & Inclusion, Cleary Gottlieb Steen & Hamilton LLP, New York City

**10:00 - 10:15 a.m. Coffee Break**

**10:15 - 11:30 a.m. Plenary Session Two**  
***One Toke Over the Line: Medical Marijuana and Other Drug Related Issues in the Workplace***

**Panel Chair:** **Geoffrey Mort, Esq.,** Kraus & Zuchlewski, LLP, New York City

**Panelists:** **Nathaniel G. Lambright, Esq.,** Blitman & King LLP, Syracuse  
**Kathleen McDermott,** Owner and Director, Hiatus Consultants, LLC, Syracuse  
**Corinne Carey, Esq.,** New York Civil Liberties Union, Albany  
**Hillary L. Moreira,** Bond, Schoeneck & King, PLLC, Garden City

**11:30 - 11:40 a.m. Break for Concurrent Workshops - (Choose One)**

**11:40 - 12:30 p.m. Workshop A**  
***Look Before You Leap - Pre-Litigation Discovery in State and Federal Courts***  
Proactive informal discovery in the form of collecting client info., examining publicly available documents, making FOIA and/or FOIL requests, etc. can reduce costs, streamline litigation and foster settlement. Use of discovery under CPLR 3102 and disclosure under Fed. R. Civ. P. 26 will also be discussed.

**Moderator:** **Judith A. LaManna, Esq.,** Arbitrator and Mediator, Syracuse

**Panelists:** **Tracy R. High, Esq.,** Sullivan & Cromwell, New York City  
**Pearl Zuchlewski, Esq.,** Kraus & Zuchlewski, LLP, New York City



- 11:40 - 12:30 p.m.** Workshop B  
***Eye In the Sky: Employee Surveillance Issues in the Public Sector***
- Panel Chair/ Moderator** **Kim D. Moore-Ward, Esq.**, Chief Regional Director, New York State Public Employment Relations Board, Brooklyn
- Panelists:** **Stuart S. Waxman Esq.**, Thomas, Drohan, Waxman, Petigrow & Mayle, LLP, Hopewell Junction  
**Dina Kolker, Esq.**, Stroock & Stroock & Lavan LLP, New York City
- 11:40 - 12:30 p.m.** Workshop C  
***OFCCP Developments: What Federal Contractors Need to Know in 2015***  
 What's new in OFCCP audits and enforcement, affirmative action plan compliance and data collection and submission.
- Moderator:** **Jill L. Rosenberg, Esq.**, Orrick Herrington & Sutcliffe LLP, New York City
- Panelists:** **Diana S. Sen, Esq.**, Northeast Regional Director, Office of Federal Contract Compliance Programs, New York City  
**Larry P. Malfitano, Esq.**, Bond, Schoeneck & King, PLLC, Syracuse
- 11:40 - 12:30 p.m.** Workshop D  
***Disabilities in the Legal Profession***  
 Obstacles to joining the profession: LSAT, bar exam accommodations; intrusive medical inquiries for state bar admission, e.g., new NYS requirement, disclosure of mental health treatment and diagnoses. Disability and diversity. Workplace accommodations for lawyers with disabilities. Panelists share personal experiences as LWDs.
- Moderator:** **Rachel J. Minter, Esq.**, Law Office of Rachel J. Minter, New York City
- Panelists:** **Kathryn Carroll, Esq.**, St. John's University, New York City  
**Stephanie Woodward, Esq.**, Director of Advocacy, Center for Disability Rights, Inc., Rochester  
**Anat Maytal, Esq.**, Baker Hostetler LLP, New York City
- 12:30 - 2:00 p.m.** **Ticketed Luncheon** — Sutton North, 2nd Floor.  
**Sponsored by PRACTICAL LAW, A THOMSON REUTERS LEGAL SOLUTION**  
**Guest Speaker:** Former Chief Judge, State of New York and Court of Appeals; Of Counsel, Skadden, Arps, Slate, Meagher & Flom, LLP, **JUDITH S. KAYE**
- 2:00 - 3:00 p.m.** **Section Committee Meetings** — Beekman Parlor, 2nd Floor



**Accommodations for Persons with Disabilities:** NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full and equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Catheryn Teeter at 518-487-5573.



For overnight room accommodations, please call the New York Hilton Midtown at 1-800-445-8667 and identify yourself as a member of the New York State Bar Association. Room rates are \$259.00 for single/double occupancy. Reservations must be made by Monday, December 22, 2014. You can also reserve your overnight room on the web at [www.nysba.org/15accomm](http://www.nysba.org/15accomm).



For questions about this specific program, please contact Catheryn Teeter at 518-487-5573. **For registration questions only, please call 518-487-5621. Fax registration form to 518-463-5993.**

## Labor and Employment Law Section

**Friday, January 30, 2015**  
**New York Hilton Midtown**  
 1335 Avenue of the Americas  
 New York City

**Morning Program – 8:30 a.m.**  
 Regent, Sutton South & Center, 2nd Floor

**Ticketed Luncheon – 12:30 p.m.**  
 Sutton North, 2nd Floor