

Speaker Biographies

Taylor Law at 50

May 10, 2018 | 10:45 a.m.-12:00 p.m.

Plenary Two:

The Potential Legal and Legislative Ramifications
of *Janus v. AFSCME*

JOHN H. GROSS

Mr. Gross is a graduate of the Cornell School of Industrial Labor Relations and the Cornell Law School. He has been actively involved in representing school districts, colleges, nonprofit organizations and municipalities in matters involving municipal law, education law, public sector labor law, employment law and corporate matters as general and labor counsel for over forty years. In addition to having an active court litigation and appellate practice, Mr. Gross frequently litigates appeals before the Commissioner of Education, teacher tenure discharge tribunals, the State Division of Human Rights, labor, commercial and construction arbitration tribunals, the courts, and the New York State Public Employment Relations Board. He has negotiated scores of labor contracts during the past thirty-five years. He has represented chief school officers including a Chancellor of the City School District of the City of New York and several Superintendents of large city school districts throughout the country. Mr. Gross has addressed numerous organizations and has participated in a great number of seminars and instructional programs concerning municipal law, public sector labor relations, labor negotiations and education law. In addition, Mr. Gross has taught courses on the subjects of education law, collective bargaining, and labor law. He has served as an adjunct professor with New York University and as a member of the faculty of the Cornell University Industrial and Labor Relations Program in New York City. Mr. Gross served as President of the 3,500-member Suffolk County Bar Association. He has been a member of the New York State Bar Association House of Delegates, its statewide Nominating Committee, and has served as Suffolk County Bar Association's delegate to the American Bar Association. He is a member of the Suffolk, Nassau and Westchester County Bar Associations and the American Bar Association. He served as Chairperson of the New York State Bar Association Alternative Dispute Resolution Committee. In 1999, New York State Chief Judge Judith Kaye appointed him a founding member of the New York State Judicial Institute on Professionalism in the Law. Mr. Gross continues as a board member of that organization. He is the Treasurer of the New York State Fair Trial-Free Press Conference. He has served for several years as a member of the House of Delegates and the Finance Committee of the New York State Bar Association. Mr. Gross was a member at large of the New York State Bar Association Executive Committee and thereafter served for three years as the Vice President of the State Bar Association for the Tenth Judicial District. Mr. Gross is counsel to the Suffolk County Bar Association and has represented the New York State Bar Association. He is counsel to the Suffolk County Board of Ethics. He is President of the New York Bar Foundation, the philanthropic arm of the New York State Bar Association.

Mr. Gross is married and resides in Northport. He served as an officer in the United States Army, Military Police Corps. Mr. Gross is the Senior Managing Partner of Ingerman Smith, L.L.P.

JUDY RIVLIN

Judy Rivlin is AFSCME's General Counsel. She is a long-time Union attorney: before joining AFSCME, Judy served as the Associate General Counsel of the United Mine Workers of America for more than 20 years, and with the Sheet Metal Workers before that. She is also an experienced mediator who serves as a volunteer mediator for the federal district court in Washington, DC.

Judy began her legal career in the federal government working at both the NLRB and the Occupational Safety & Health Review Commission. Over her career, Judy has developed experience in a wide range of issues arising in both private and public-sector labor-management relations, as well as internal union affairs.

Judy received a B.A. with Honors, from Grinnell College in Grinnell, Iowa, and her law degree from Washington University School of Law in St. Louis, Missouri.

CHARLOTTE GARDEN

Charlotte Garden is an expert in labor law and the regulation of work & workers. She is an Associate Professor at the Seattle University School of Law, where she teaches Labor Law, Constitutional Law, Appellate Litigation and Legislation & Regulation. She is also the Litigation Director at the School's Korematsu Center for Law & Equality.

Professor Garden's scholarship focuses on the intersection of work/labor law and the Constitution. Her articles have appeared in the Emory Law Journal, Boston University Law Review, George Washington Law Review, Fordham Law Review, William & Mary Law Review, and the Harvard Civil Rights-Civil Liberties Law Review. She regularly writes opinion and analysis pieces for non-academic audiences at popular outlets such as The Atlantic, SCOTUS blog, Salon and the blog of the American Constitution Society. Her legal analysis has been featured in the mainstream media, on platforms such as the New York Times, APR's Marketplace, Bloomberg News, the Washington Post, The Nation, and Politico. Professor Garden is a co-author of a Labor Law casebook, with collaborators Seth Harris, Anne Marie Lofaso, and Joe Slater. She also regularly authors amicus briefs in cases affecting unions and workers, most recently in *Janus v. AFSCME*, *Vergara v. California*, *Friedrichs v. California Teachers Association*, *M&G Polymers USA, LLC v. Tackett*, and *Harris v. Quinn*.

Before joining Seattle University, Professor Garden was a teaching fellow in the Appellate Litigation Clinic at Georgetown University Law Center, where she argued cases before the Fourth and D.C. Circuits. Professor Garden then clerked for Judge Thomas L. Ambro of the U.S. Court of Appeals for the Third Circuit. A graduate of NYU School of Law and McGill University, Professor Garden also spent several years in practice as a public interest litigator.

From 2005-2008, she was an associate at the union-side labor law firm Bredhoff & Kaiser, PLLC in Washington, D.C. Before that, she was a guardian ad litem at the Children's Law Center in Washington D.C., and held the Abraham Fuchsberg Fellowship at Public Citizen Litigation Group.

WILLIAM A. HERBERT

William A. Herbert is a Distinguished Lecturer and Executive Director of the National Center for the Study of Collective Bargaining in Higher Education and the Professions at Hunter College, City University of New York.

Bill's scholarship and teaching focus on labor law, history, and policy. He is a co-editor of the book Lefkowitz on Public Sector Labor and Employment Law and he has published and lectured on public sector labor history, collective bargaining, and other subjects.

Prior to joining the Hunter College faculty, Bill was PERB's Deputy Chair from 2007 to 2013. Before his tenure at PERB, Bill practiced labor and employment law before PERB, NLRB, and state and federal courts. For close to two decades, he worked directly with Jerry Lefkowitz.

DANNY DONOHUE

CSEA President Danny Donohue is one of the most influential and well-respected leaders in the American labor movement. Donohue was the first Long Islander elected to a CSEA statewide office when he won a five-way race for Executive Vice President in 1988. In 1994, he became CSEA's 23rd Statewide President.

Under Donohue's leadership, CSEA has been at the forefront of many public policy issues, including fair and responsible budgets, workplace safety and health, affordable prescription drug coverage, preserving quality health care and improving public education. Donohue has also significantly strengthened the union's role and influence in both the AFL-CIO and AFSCME, where he serves with distinction as an International Vice President. The union has grown stronger under Donohue's presidency, achieving unprecedented organizing success in the public and private sectors and today maintains a membership nearly 300,000 strong.

Donohue has long been active in the State Employees Federated Appeal and has helped to raise millions of dollars for United Way and other charities. Under his leadership, CSEA was recognized as the 1999 recipient of the Governor's Community Service Award. Donohue also serves on the Board of the International Foundation of Employee Benefit Plans and has received numerous awards and honors over the years, including the New York State Martin Luther King Institute's Leadership Award, Irish Northern Aid's James P. Connelly Award and the NYCOSH (New York Committee for Occupational Safety and Health) Award. Most recently, Donohue was awarded the Governor Hugh L. Carey award by the Irish American Heritage Museum for his contribution as a highly respected and generous community leader.