

MEMORANDUM

To: Executive Committee
New York State Bar Association

From: Al Feliu, Chair, Labor and Employment Law Section
John Gaal, Chair-Elect, Labor and Employment Law Section

Date: May 31, 2012

Re: Labor and Employment Law Section By-Law Modification

Our Section has been asked for an explanation as to why our Executive Committee unanimously voted to amend our By-Laws to create a District Representatives Committee with Co-Chairs serving as voting members, in place of continuing all 13 individual District Representatives as voting members of the Executive Committee. The new District Representative Committee has as its members all 13 District Representatives who are invited to attend Executive Committee meetings as non-voting members.

Two principle reasons prompted this decision.

First, our Executive Committee has long felt that our District Representatives were somewhat unfocused and not contributing at a level equal to the Chairs of many of our other substantive and administrative committees. Moreover, 13 votes on the Executive Committee members constituted a significant number of votes for members whose contributions were uneven. It is also worth noting that despite the size of our Section, there are some districts with less than a handful of Section members and it seemed quite inequitable to confer upon a District Representative with limited responsibility the same power to influence the direction of the Section as the Chairs of substantive or administrative committees with a substantially greater workload and significantly more responsibility and more active involvement. By appointing two energetic and focused Co-Chairs of the District Representative Committee the Executive Committee was looking to give the District Representative function greater direction and effectiveness.

Second, our Executive Committee had become far too large. There were too many voting members doing too little work. The decision to organize the District Representative function into a committee was intended to continue to provide that function with a strong voice in the leadership of the Section while giving it a more focused and hopefully effective voice. We repeat that all District Representatives are encouraged to attend and have input in the actions of our Executive Committee, just not as voting members except for the two Co-Chairs who can vote their interests.

It is also worth noting that our restructuring to make a more effective Executive Committee was not limited to simply reevaluating the role of the District Representatives. We restructured a number of Committees and in other ways reduced the size of the Executive Committee to better meet the Section's needs. The District Representative restructuring was but one piece (albeit an important piece) of that overall restructuring.

Please let me know if any further information is required.