

October 13, 2008
Labor and Employment Law Section Council
Meeting Minutes

The meeting was called to order at approximately 12:15 p.m. at the offices of Clark Hill in Birmingham, Michigan.

In Attendance: Daniel Bretz, Jeffrey Donahue, Darcie Brault, David Calzone, Robert Boonin, Timothy Howlett, Dan Swanson, Andrew Nickelhoff, Niraj Ganatra, Stuart Israel, Larry Murphy, Barry Goldman, Dennis Boren, Brad Glazier, Megan Norris **Absent:** George Wirth, Robert Palmer, Joseph Starr

1. **Approval of Agenda.** The Agenda was approved.
2. **Approval of Minutes.** Jeff Donahue moved for approval of the Minutes for the September 8, 2008 meeting and the corrected Annual Meeting minutes. Larry Murphy seconded. The Minutes were approved.
3. **Treasurer's Report.** Darcie Brault provided the Treasurer's report, as George Wirth is absent (excused). The partial, un-audited financial report for August month-end was distributed. Darcie reported that George stated there probably will be no financial information available from the State Bar for the November meeting as they will be spending the end of October and most of November closing their books, doing their audit and opening the 2009 year books. He should therefore have a lot of financial information to present at the December meeting.
4. **Chair's Report.**
 - a. **Introduction of New Members.** Dan Bretz introduced the new members of the Council, noting their areas of practice/expertise and welcoming them to the Council: Niraj Ganatra, Brad Glazier and Barry Goldman.
 - b. **Resource Book.** Dan Bretz distributed new resource books for each Council Member, pointed out various features; demographics, survey, etc. Jeff Donahue volunteered to bring the "results" from the survey next time. It was also suggested that the survey results could be posted on the website.
 - c. **2008-2009 Calendar and Agenda.** Dan Bretz directed the members' attention to the Calendar and Agenda.
 - d. **Committee Assignments.** Dan Bretz "suggested" committee list discussed. ICLE scholarship committee may be an add-on. Jeff Donahue volunteered to assist Rob Boonin now that Sue Ellen Eisenberg is no longer a Council Member. If anyone wants to switch an assignment, please talk to Dan Bretz.
 - e. **Status of Bylaw Amendment.** Dave Calzone reported on the by law amendment. Dave advised that the Council ought to take another vote as the earlier council vote could arguably be "nullified" by the process. Dave recommended that the Board of Commissioners be presented with the by law amendment and a new Council

action/recommendation to increase the dues from \$30 to \$35. **Motion:** Megan Norris moved to increase section dues from \$30 to \$35. The motion was supported by Larry Murphy. Brad Glazier requested a discussion of the rationale. Dan Bretz recapped the rationale and the history of the Council's recent attempt to raise dues. The motion was passed by voice vote with one "nay" registered by Jeff Donahue.

5. Annual Meeting Report

Jeff Donahue reported that the annual meeting went well, the accommodations were good, the food excellent, though somewhat expensive. The educational program was well received as gleaned from the surveys. There were approximately 70-78 attendees.

Darcie Brault reported that she spoke to Becky Hunter who estimated the total costs through the SBM at \$5,781.17, plus \$1,155 for outside expenses, e.g. copies, award, etc. The total expenses were \$6,936.17 thus far, unsure whether all items captured at this time. \$500 promised from ADR section; Jeff Donahue will follow up to ensure we are credited.

Some discussion about how to improve for next year. Limit to beer and wine to decrease costs. Smaller panels also suggested.

6. December Holiday Reception: Deb Gordon has already begun the planning. Joe Starr and Barry Goldman are members of the committee.

- a. **Speaker:** Past speakers have included Gerald Myers, David Cole, Steve Tobacman. Suggestions: David Cole (reprise), Brian Dickerson, Herschel Fink.
- b. **Location and Date:** Townsend; the Council selected 12/11/08 by consensus.
- c. **New lawyer initiative:** discussion of "bring your associate" discount per last year's success. Combine new/young lawyer spring seminar planning committee to occur just prior to this event. Dave Calzone suggested involving Brian Koncius.

7. Mid-Winter Meeting

- a. **Distinguished Service Award:** Megan Norris and Tim Howlett had some responses. Nominations are open until November 1.
- b. **Selection of Speaker;** Darcie Brault reported that Peter Hart has not yet responded to inquiries, also made inquiry re: Nate Silver (www.fivethirtyeight.com creator). Neither of the pollsters are responding, perhaps because otherwise occupied. Plan is to wait through the election, with Phil Dines an available, acceptable alternate. Darcie is authorized to select from these three before the next meeting.

- c. **Ticket Price:** Budget is set for \$37,500. Council discussed the ticket price, no action to raise the ticket price at this time. Question put re: whether to upcharge for steak. There was discussion of having two drink tickets; one for the cocktail party and one for the afterglow, to encourage attendance at the afterglow. Suggestion that some scheduled “event” at the afterglow might attract more people to it, e.g. music, live band.
- d. **Saturday Program Agenda:** Rob Boonin distributed a draft of the mid-winter meeting schedule, January 30 and 31, 2009. Dennis Boren noted that everyone was welcome to attend the NLRB Region 7 meeting on Friday at 3:30 pm. Rob took suggestions for speakers for the two panel discussions for Saturday’s educational program. The Council discussed the topics. All agreed should be publicity re: no t-shirts or denim for the Saturday program due to DAC rules (upon pain of admittance denied).
- e. **Publicity:** Save the date going in Lawnotes.

8. **Lawnotes.** November 1, 2008 is the deadline for the next issue.

9. **Old Business.** None.

10. **New Business.** None.

11. **Next Meeting Date and Location:** November 10 at 12 p.m., location: Clark Hill offices in Birmingham. (Next to the Birmingham Theater on South Old Woodward, just south of Maple).

12. **Adjourn**

Dated: October 13, 2008

Darcie R. Brault; Secretary

Labor and Employment Section