

LABOR AND EMPLOYMENT LAW SECTION ANNUAL REPORT 2004-2005

The Labor and Employment Law Section enjoyed another successful year of providing first rate programs and services for Section members and others interested in labor and employment law.

The Section's annual business meeting, followed by an educational program, was held in conjunction with the State Bar's Annual Meeting in September 2004. Council Member Jeff Donahue, with assistance from Council member George Wirth put together a program that was timely and informative. Michael Shoudy spoke on the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and John Koryto made a presentation on Immigration Law for Employment Lawyers. The program concluded with a demonstration on qualifying an expert under *Daubert*. United States Magistrate Judge Joseph G. Scoville presided over a panel with Cary McGhee, Robert Palmer and Kiffi Ford. A reception followed.

At the brief business meeting that preceded the educational program, Section officers and Council members were elected from the slate presented by the Section's nominating committee, chaired by Tom Brady. The following persons were elected: James M. Moore, Chair, Deborah L. Gordon, Vice-Chair, Michael K. Lee, Secretary and David B. Calzone, Treasurer. Council members who were elected or reelected to second terms were Richard M. Whiteman, Kathryn VanDagens, George N. Wirth, Kiffi Y. Ford, David Rhem, Kathleen Bogas, Daniel D. Swanson, and Darcie R. Brault. The following persons remained on the Council finishing the second year of their two year terms: Daniel J. Bretz, Stanley C. Moore, III, Brent D. Rector and Jeffrey S. Donahue. The outgoing Chair, David Khorey, assumed ex-officio status.

The Section continued its support of the Bernard Gottfried Memorial Labor Law Seminar at the Wayne State University Law School, held on October 14, 2004, paying the registration fee for eleven law students who attended.

Section Vice Chair Deb Gordon has been instrumental in organizing mini-seminars for the Section in the last few years. They have been well-received by Section members. On December 15, 2004, some 80 lawyers attended the mini-seminar held at the Townsend Hotel in Birmingham. A "Discovery Extravaganza" featured presentations by Dan Bretz, Andrea Roumell Dickson, Donna Donati, Robert Palmer and former Judge Pamela Harwood.

The Section's Mid-Winter Meeting was held on January 28 and 29, 2005 at the Ypsilanti Marriott. The program committee consisted of Council members Dan Bretz, Stan Moore and Dave Calzone. At the Friday evening dinner, over 220 attendees heard from Jay Carney, Time Magazine's Washington Deputy Bureau Chief. The highlight of the program was the presentation of the Section's Distinguished Service Award to Carl Ver Beek of Varnum Riddering in Grand Rapids. Carl's many achievements were recounted by two long-time friends, George Roumell and Tom Barnes.

On Saturday morning, there was standing room only for the educational program that included a updates on Michigan Employment Relations Commission case law by Jeff Donahue, and National Labor Relations Act decisions by Stan Moore as well as Dan Bretz' summary of developments in equal employment opportunity law. U.S. District Court Judge Gerald Rosen made an informative and entertaining presentation on evidentiary issues for employment lawyers. The program concluded with a panel discussion on the intersection of the Family

Medical Leave Act, the Americans with Disabilities Act and workers' compensation law with Dave Calzone, Megan Norris, John Runyan, Dan Swanson and Adele Rapport.

The Section continued its sponsorship of ICLE's Labor and Employment Law Institute, held at MSU's Management Education Center in Troy on April 14-15, 2005. This was the 30th anniversary program and under the guidance of ICLE Education Director and former Section Chair Shel Stark, the program included a number of Section members as presenters. One highlight, certainly for veteran Section members, was a panel that offered reflections on developments in this area of the law over the last three decades. One obvious change was the breadth of the law; the first program was entitled "Public Sector Labor Law and Collective Bargaining" and, at the time, the Section was known as the Labor Relations Law Section.

The Section has continued to operate a Listserv under the tutelage of webmaster and former Council member David Kotzian. Section members continue to be encouraged to use this resource. And no recounting of the Section's activities would be complete without mention and praise for the Section's quarterly journal, *Labor and Employment Lawnotes*. Under long-time editor and ex-Council member Stuart M. Israel, *Lawnotes* has established and maintained high standards for insightful articles, scholarship and, not incidentally, humor. Stuart is ably assisted by associate editor John G. Adam.

As my term as Chair comes to any end, I wish to express my sincere appreciation for the many contributions of Council and Section members without whom the many valuable and successful Section endeavors would not be possible much less as successful as they have been. The willingness of busy practitioners to give of their time and talent speaks highly of the Section's membership and bodes well for the Section's future.

James M. Moore, Chair