

2024 Oregon Labor Law Conference

Summary of Classes

9:00 AM – 9:50 AM

Keynote Presentation

Making the NLRB Work for Workers -- (*David Rosenfeld/Caren Sencer, Weinberg Roger & Rosenfeld*)- The Trump-era NLRB left workers out in the cold with many terrible decisions favoring employers and corporate interests. David and Caren, two of the most knowledgeable union attorneys practicing before the NLRB, explain how the labor movement can continue pushing the NLRB to act as a powerful force supporting workers, unions, and collective action. And since public sector labor boards often follow NLRB precedent, their ideas can also support improvements in the law for public sector unions and workers. Join us as we write a new playbook for building union and worker power.

10:00 AM – 10:50 AM

Oregon Employment Relations Board Update (*ERB Chair Adam Rhynard; ERB Member Shirin Khosravi; ERB Member Benjamin O'Glasser*) – For anyone in the public sector in Oregon, or anyone with bargaining units in the public sector, this class is essential. Learn from the ERB how and why to use the ERB. Also get an update on new developments in ERB case law.

National Labor Relations Board Update (*NLRB Subregion 36 Officer-in-Charge, Jessica Dietz*) -- Learn about NLRB processes and recent important NLRB decisions and rule changes from the past year. This is also an opportunity to ask questions of a Local NLRB staff manager and learn about how to be successful before the NLRB.

11:00 AM – 12:20 PM

Building Trades Labor Law: Basics and Refresher (*Daniel Hutzenbiler, McKanna Bishop Joffe, LLP*). State and federal labor laws present unique twists and turns for employees and unions working and organizing in building and construction industries. Becoming aware of and staying informed about these differences is critical. Dan will provide an overview and discussion of some of the basics of labor law that apply only (or at least primarily) to unions in the Building and Construction Trades.

Federal and Oregon Leave Laws (*Liz Joffe, McKanna Bishop Joffe LLP*) – Liz reviews the basics of federal and Oregon leave laws and new developments, including Oregon's Paid Family and Medical Leave Insurance (PFMLI) program, which started January 1, 2023. Liz's handy reference chart for leave questions has guided union leaders for decades. If you have ever had questions about leave issues, you won't want to miss this class.

12:30 PM – 1:20 PM

Lunch with Oregon's New Labor Commissioner

Enjoy lunch while hearing from the Commissioner Oregon's Bureau of Labor & Industries **Christina Stephenson**. Commissioner Stephenson will speak about her plans for strengthening wage, hour, leave and apprenticeship standards in Oregon and about the work she's undertaken in her first year as Commissioner. There should be time for questions from the audience.

2024 Oregon Labor Law Conference – Summary of Classes (Cont.)

1:30 PM – 2:20 PM

Offensive Bargaining- Part I (*David Rosenfeld, Weinberg Roger & Rosenfeld*) -- Too often unions do not have a big-picture strategy that will guide them in their negotiations with tough employers. Many employers give unions short shrift in response to information requests. Others simply march toward impasse. Learn from the person who wrote the book on how to avoid impasse, prevent employers from withdrawing recognition, and achieve a fair contract. David will cover all the basics and will also introduce new strategies based on recent decisions from the NLRB. This is Part 1 of a two-part class.

Arbitration Nuts & Bolts (*John Bishop*) – Learn important basic strategies for preparing grievances for arbitration, and the tactics you can use to succeed at hearing -- whether you are assisting your legal counsel or handling the case yourself. This class will be led by a veteran labor lawyer who has been assisting private and public sector unions with their grievances and arbitration cases for decades.

2:30 PM – 3:20 PM

Offensive Bargaining- Part II (*David Rosenfeld, Weinberg Roger & Rosenfeld*)— This is Part 2 of a two-part class continuing from the previous session.

Effective & Safe Union Communications (*Rich McCracken, McCracken Stemerman & Holsberry*) – Unions can say anything they want about anyone, anytime, anywhere -- as long as it is “truthful.” Truth is in the eye of the beholder, which can mean judges and juries who may be hostile. Understanding how to communicate safely while at the same time being effective is the subject of this discussion, which will cover libel and slander, secondary pressures, trademark and copyright, and securities law. Rich McCracken, our presenter for this class, notes that no one following his advice on how to create effective and safe union communications has ever been sued successfully for libel or slander.

3:30 PM – 4:20 PM

Organizing through Card Check/Neutrality Agreements (*Rich McCracken, McCracken Stemerman & Holsberry, LLP*) -- Card check/neutrality agreements have proved to be the most effective means of union organizing over the past 35 years. Rich McCracken first developed such an agreement in 1988 and has since negotiated hundreds of them. Rich will present on what these agreements contain, how they work and are enforced, and how to get them.

NLRB Elections & Organizing (*Caren Sencer, Weinberg Roger & Rosenfeld*) – The number of union elections are on the rise nationwide. The NLRB has recently changed its rules on election processing and also created opportunities for new organizing tactics through its recent *Cemex* decision. Join Caren for a cutting-edge update on new organizing and election strategies to help grow your union and bring new workers into the labor movement.