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The NLRB: The Times
They Are A-Changing—Again
2019 NLRB Update

DATE AND LOCATIONS:
DEC 4 | 8:30AM - 4:45PM

- Cleveland
- Cleveland Metropolitan Bar Association
One Cleveland Center, 1375 East 9th Street, 44114
- Columbus
- Ohio State Bar Association, 1700 Lake Shore Dr., 43204
- Fairfield
- Receptions Conference Center North, 5975 Boymel Dr., 45014
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- Hilton Garden Inn, 6165 Levis Commons Blvd., 43551



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DEC 4



The NLRB: The Times
They Are A-Changing—Again
2019 NLRB Update



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Thomas J. Wiencek, Esq.; Mercy Health; Akron
Alan L. Zmija, Esq.; Seven Hills

PROGRAM AGENDA

8:00 Registration/Continental Breakfast

8:25 Introduction/Welcome/Opening Remarks
John S. Marshall, Esq.; Marshall and Forman, LLC; Columbus
Chair, Ohio State Bar Association Labor and Employment Law Section

8:30 Updates from National Labor Relations Board Regions 8 and 9
Patricia Nachand, Regional Director, Region 25, National Labor Relations Board; Indianapolis, Indiana and Interim Director, Region 9; Cincinnati
Iva Y. Choe, Esq.; Regional Attorney, Region 8, National Labor Relations Board; Cleveland

9:00 Identifying Employee Activity: Concerted, Protected, Both or Other?

- Walmart
- Alstate Maintenance LLC
- Electrolux
- And more

Region 8: Nora F. McGinley, Esq.; Supervisory Field Examiner, National Labor Relations Board; Cleveland
Union: Pamela Newport, Esq.; Branstetter, Stranch & Jennings, PLLC; Cincinnati
Management: Thomas M. Seger, Esq.; BakerHostetler LLP; Cleveland

10:00 Break

10:15 Am I an Employee, and if I Am, Who’s My Employer?
The continuing evolution of independent contractor/joint employer definitions
Region 8: Gregory Gleine, Esq.; Supervisory Attorney, National Labor Relations Board; Cleveland
Union: Timothy J. Gallagher, Esq.; Schwarzwald McNair & Fusco LLP; Cleveland
Management: William A. Nolan, Esq.; Barnes & Thornburg LLP; Columbus

11:00 Deflating the Rat and the Fat Cat: Are they Protected as Speech or Unprotected Corporate Harassment?
Region 8: Rudra Choudhury, Esq.; Supervisory Attorney, National Labor Relations Board; Cleveland
Union: Jessica Rutter, Esq.; Assistant Director, Legal Department, American Federation of Teachers (AFT); Washington DC
Management: Jeffrey R. Vlasek, Esq.; BakerHostetler; Cleveland

12:00 Lunch (provided)

12:30 Rules, Rules, and More Rules? Rulemaking and Other Developments in Representation Under the Act

- Employee v. student status
- Charter/religious schools
- Issue organizing
- Election issues
- Rulemaking per August NPRMs

Management: Philip A. Miscimarra; Former Chair, National Labor Relations Board; Partner, Morgan Lewis; Washington DC
Union: Kristin S. Watson, Esq.; Cloppert, Latanick Sauter & Washburn; Columbus

1:15 Hot Topics, Including:

- Access issues
- Mandatory arbitration
- Collective bargaining
- Post-CBA issues
- DFR

Region 9: Eric A. Taylor, Esq.; Supervisory Attorney, National Labor Relations Board; Cincinnati
Union: Julie C. Ford, Esq.; Doll Jansen and Ford; Dayton
Management: George S. Crisci, Esq.; Zashin & Rich Co., LPA; Cleveland

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2:15 Break

2:30 General Counsel Update with Q & A
NLRB: Alice B. Stock, Esq.; Deputy General Counsel, National Labor Relations Board; Washington DC
Management: Nelson D. Cary, Esq.; Vorys, Sater, Seymour and Pease LLP; Columbus
Union: Joseph E. Kolick, Esq.; General Counsel, International Union of Painters and Allied Trades, AFL-CIO (IUPAT); Hanover, Maryland

3:30 A View from the Board
John F. Ring, Esq.; Chairman, National Labor Relations Board; Washington DC
Facilitator: G. Roger King, Esq.; HR Policy Association; Washington DC

4:45 Program Concludes



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