



Public Employer Labor Relations Advisory Service

28th Annual Training Conference

Penn Stater Conference Center Hotel
215 Innovation Boulevard
State College, Pennsylvania
March 17 – 19, 2010

Public Sector Labor Law & Personnel Management Training

Who Should Attend:

Municipal Managers • Elected Officials • Solicitors • Police Chiefs
Personnel & Finance Directors • Risk Administrators

Highlights:

- Back to Basics Track
- Repeated Sessions
- The Year in Review
- Trends in Collective Bargaining
- Pension Update
- And much more...



PELRAS is a service program of the Pennsylvania League of Cities and Municipalities and is generously sponsored by:



pennsylvania
GOVERNOR'S CENTER FOR
LOCAL GOVERNMENT SERVICES





Public Employer Labor Relations Advisory Service

28th Annual Training Conference

Wednesday, March 17

9:00 a.m. – 4:00 p.m.

9:00 a.m. – 10:30 a.m.

9:30 a.m. – 9:45 a.m.

9:45 a.m. – 10:00 a.m.

GENERAL SESSION

10:00 a.m. – 11:00 a.m.

GENERAL SESSION

11:00 a.m. – 12:00 noon

GENERAL SESSION

12:00 noon – 1:00 p.m.

1:00 p.m. – 2:15 p.m.

WORKSHOP 1

WORKSHOP 2

WORKSHOP 3

2:15 p.m. – 2:30 p.m.

2:30 p.m. – 4:00 p.m.

GENERAL SESSION

5:00 p.m. – 6:30 p.m.

For over 27 years, PELRAS (Public Employer Labor Relations Advisory Service) has been at the forefront of labor relations training and counsel for municipal leaders throughout Pennsylvania. Experienced and dedicated legal representation, combined with specialized accredited training, an online wage and benefits survey, and a bi-monthly newsletter make PELRAS membership an essential tool in effective labor relations management.

Registration

Continental Breakfast

Welcome

*John A. Garner, Jr., Executive Director, Pennsylvania League of Cities and Municipalities
David M. Sanko, Executive Director, Pennsylvania State Association of Township Supervisors
Richard Schuettler, Deputy Executive Director, Pennsylvania League of Cities and Municipalities*

PELRAS Advisory Committee Update

A look into the PELRAS Advisory Committee, including an update on Survey Navigator.
Speaker: George Wolfe, PELRAS Advisory Committee Member, Manager, Lower Paxton Township

The Year in Review: Labor and Employment Potpourri

A quick review of the latest developments in municipal labor and employment law.
Speakers: Patrick J. Harvey, Esq., Kenneth M. Jarin, Esq., and John P. McLaughlin, Esq., Ballard Spahr, LLP

Trends in Collective Bargaining

This session will provide a round-up of the status of wage and benefit packages during the last year and the hot topics in bargaining.
Speakers: Richard D. Miller, Esq., and Michael A. Palombo, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

Buffet Lunch

Winning Strategies for Negotiations and Interest Arbitration*

Discuss negotiation and interest arbitration strategies that work in controlling the ever escalating costs of wages, pensions and health care benefits. Join a panel of attorneys and an economic expert for an interactive discussion on how municipalities can achieve their collective bargaining goals.
Speakers: Patrick J. Harvey, Esq. and John P. McLaughlin, Esq., Ballard Spahr, LLP, and Vijay Kapoor, The Kapoor Company

The Public Side of Personnel Actions

You are always told simply to respond “No comment” to inquiries about personnel matters. Why? Is there really a “legal” downside? When can you set the record straight? When can you be forced to say more than you want even if simply in response to a RTK request?
Speakers: Vicki L. Beatty, Esq., Robert E. Durrant, Esq., and Neva L. Stanger, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

Social Networking, Blogs, Tweeting and Texting

This session will look at managing your workforce and updating your policies in light of the latest technology. In 2010, your municipality must be prepared not only to manage usage of municipal issued computers, cell phones and Blackberrys but also ready to deal with the complex issues raised by social networking sites and blogs.
Speakers: Katharine A. Crawford, Esq. and Mary Theresa Metzler, Esq., Ballard Spahr, LLP

Networking Break

Ask the Arbitrators – Red Light or Green Light

Interact with a panel of arbitrators as they rule on real life grievances. Our arbitration panel will listen to fact patterns, each arbitrator will switch on a red light for denial or green light for granting a grievance, and then they will explain how they reached their decisions. Learn how to present your best grievance or interest arbitration case, and have your questions answered by experienced arbitrators.
Speakers: Patrick J. Harvey, Esq., and John P. McLaughlin, Esq., Ballard Spahr, LLP and Vicki L. Beatty, Esq., and Michael A. Palombo, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

Cocktail Reception

Sponsored by Ballard Spahr, LLP, and Campbell Durrant Beatty Palombo & Miller, P.C.

*Repeated Session

Thursday, March 18

7:30 a.m. – 8:30 a.m.

BREAKFAST SESSION

7:30 a.m. – 4:00 p.m.

7:30 a.m. – 9:00 a.m.

8:30 a.m. – 9:30 a.m.

WORKSHOP 1

Legal Ethics for Solicitors and Labor Counsel

This session will discuss legal ethics issues for attorneys representing municipalities.

Speakers: Representatives from both Ballard Spahr, LLP, and Campbell Durrant Beatty Palombo & Miller, P.C.

Registration

Continental Breakfast

Your Top Ten Police Questions Answered*

Who controls the schedule? How and when can I use part-timers? What if an officer has criminal charges filed against him? Can I set a quota for traffic stops? Should we get a dog? What authority does the Mayor/Manager/Council have over the department?

Speakers: Vicki L. Beatty, Esq., and Robert E. Durrant, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

WORKSHOP 2

Back to Basics: Measure Twice, Cut Once – Building Your Successful Discipline Case*

Discipline is a necessary aspect of proper management, but it is too often a trap for the unwary, and can result in a significant expenditure of both time and money, particularly if not done properly. It is not enough to be represented by counsel at an arbitration or in a lawsuit. At that point, it is often too late to correct the problem. Join attorneys from Ballard Spahr, LLP, in an entertaining session as they walk through real life discipline vignettes and discuss how employees can be legally and appropriately disciplined.

Speakers: Geoffrey D. Bruen, Esq., William K. Kennedy, Esq., and Thomas D. Rethage, Esq., Ballard Spahr, LLP

WORKSHOP 3

Winning Strategies for Negotiations and Interest Arbitration*

Discuss negotiation and interest arbitration strategies that work in controlling the ever escalating costs of wages, pensions and health care benefits. Join a panel of attorneys and an economic expert for an interactive discussion on how municipalities can achieve their collective bargaining goals.

Speakers: Patrick J. Harvey, Esq. and John P. McLaughlin, Esq., Ballard Spahr, LLP, and Vijay Kapoor, The Kapoor Company

WORKSHOP 4

Back to Basics: Civil Service Hiring

With a backdrop of the legal “dos and don’ts” a testing (particularly in light of the Supreme Court’s decision in *Ricci*) this session will be a “discussion” of civil service testing – understanding what you are testing (Is it for supervisory skills or someone who can memorize a book? Is it just for physical fitness?); designing a test that actually predicts the success of an applicant for the positions (either entry level or promotional); and should you even bother to do some types of testing (i.e. physical agility testing)?

Speakers: Christopher P. Gabriel, Esq., and David E. Mitchell, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

9:30 a.m. – 9:45 a.m.

9:45 a.m. – 10:45 a.m.

WORKSHOP 1

Networking Break

Your Top Ten Police Questions Answered*

Who controls the schedule? How and when can I use part-timers? What if an officer has criminal charges filed against him? Can I set a quota for traffic stops? Should we get a dog? What authority does the Mayor/Manager/Council have over the department?

Speakers: Vicki L. Beatty, Esq., and Robert E. Durrant, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

WORKSHOP 2

Health Care Reform: What It Means For You

Congress and the Obama Administration have embarked on the most ambitious effort to reform the U.S. health care system in over a decade. The end result will have significant implications for employers, who currently provide health insurance benefits to nearly 60% of all Americans. This session will address the basic health care reform changes, as well as their current and future impact on public sector employers in Pennsylvania.

Speakers: Jonathan Calpas, Esq., and Brian M. Pinheiro, Esq., Ballard Spahr, LLP

WORKSHOP 3

Reasonable Accommodation Workshop

This session will provide practical guidance on real life ADA scenarios, explaining the steps required as part of the interactive process and how to arrive at the best result. Speaking of an interactive process – this is a workshop, so come prepared to roll up your sleeves and get involved.

Speakers: Brian P. Gabriel, Esq. and Neva L. Stanger, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

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Speakers: Geoffrey D. Bruen, Esq., William K. Kennedy, Esq., and Thomas D. Rethage, Esq., Ballard Spahr, LLP

Thursday, March 18 continued

10:45 a.m. – 11:00 a.m.

Networking Break

11:00 a.m. – 12:00 noon

WORKSHOP 1

Back to Basics: Solving Your Toughest Heart and Lung Problems

Review policies, practices and strategies for addressing the most difficult Heart and Lung problems. Join in an interactive discussion and review of Heart and Lung policies and practices addressing Heart and Lung Hearing Bodies, benefit accrual issues, contractual Heart and Lung language, terminating Heart and Lung benefits, medical treatment, light duty issues and more.

Speakers: Patrick J. Harvey, Esq. and Thomas D. Rethage, Esq., Ballard Spahr, LLP

WORKSHOP 2

Managing in a Down Economy*

This session will focus on the options available to municipalities when it comes to managing a workforce in the face of decreased revenues and increased expectations. Short of full blown layoffs and even contracting out, how and when can you consider rolling furloughs, reduced work weeks, and contract give backs? Do your collective bargaining agreements, municipal codes and the federal laws limit your options, or are you not being creative enough? Is there any benefit to considering (dare we say) Act 47?

Speakers: Richard D. Miller, Esq., and Michael A. Palombo, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

WORKSHOP 3

Somebody's Watching Me!

Discuss the legal and practical issues of monitoring your employees, including video monitoring, computer and phone usage monitoring, GPS tracking and more.

Speakers: Geoffrey D. Bruen, Esq., and Katharine A. Crawford, Esq., Ballard Spahr, LLP

WORKSHOP 4

Open Records Act Update

With a year of Open Records Office decisions under our belt, what, if anything, have we learned?

We know you want to comply with the law, but are there areas where you need to be sure to protect the rights of your employees or others as well? We will take a look at those areas where the answers are not as simple as they look.

Speakers: Brian P. Gabriel, Esq., and Paul N. Lalley, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

12:00 noon – 1:00 p.m.

Buffet Lunch

1:00 p.m. – 2:30 p.m.

WORKSHOP 1

"I Won't Be in Today" – The Interplay of Employee Rights under the ADA and FMLA

2009 marked a banner year for employee rights in the areas of disability and leave rights. Congress and the DOL expanded the FMLA, including a complete overhaul of the regulations and the introduction of new military family leave benefits. In addition, Congress expanded the rights of disabled workers through the ADA Amendments Act. The EEOC has issued proposed regulations under the ADA Amendments Act. The FMLA and the ADA present complex compliance issues for employers. In this session, we will explore these issues in light of these recent changes in the law, including disability vs. serious health condition; eligibility issues; the role of essential job functions and job descriptions; leave and other forms of reasonable accommodation; undue hardship and direct threat.

Speakers: Shannon Farmer, Esq., Rebecca L. Massimini, Esq., and Brian D. Pedrow, Esq., Ballard Spahr, LLP

WORKSHOP 2

Managing in a Down Economy*

This session will focus on the options available to municipalities when it comes to managing a workforce in the face of decreased revenues and increased expectations. Short of full blown layoffs and even contracting out, how and when can you consider rolling furloughs, reduced work weeks, and contract give backs? Do your collective bargaining agreements, municipal codes and the federal laws limit your options, or are you not being creative enough? Is there any benefit to considering (dare we say) Act 47?

Speakers: Richard D. Miller, Esq., and Michael A. Palombo, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

WORKSHOP 3

Back to Basics: What Does it Mean to Have a Bargaining Unit and Who is Included in the Unit?

There is a lot of confusion about the difference between a bargaining unit and a union, who can be organized and who cannot, and what is the proper "make-up" of a bargaining unit. Topics covered will include:

- (1) Who is a confidential employee?
- (2) Who is a supervisor/first-level supervisor?
- (3) Who is management (particularly in police and fire departments)?
- (4) Who is a police officer?
- (5) Who is a security guard?
- (6) Under what law are first responders able to be organized?
- (7) Can elected officials who also work for the municipality be members of a bargaining unit?
- (8) Joint employers.
- (9) One Person Units.
- (10) Should code enforcement officers ever be in a unit?

Speaker: Bruce D. Campbell, Esq., and Christopher P. Gabriel, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

*Repeated Session

Thursday, March 18 continued

2:30 p.m. – 2:45 p.m.

Networking Break

2:45 p.m. – 4:00 p.m.

GENERAL SESSION

Pension Update

Just as municipal pension plans are experiencing an unprecedented funding crisis and municipal revenue is on the decline, the Pennsylvania Legislature enacted new pension legislation, Act 44 and Act 51. Join two experienced pension counsel for a discussion on what your municipality should be doing to take maximum advantage of Acts 44 and 51, including the new rules relating to Deferred Retirement Option Plans (DROPs); how the decisions you make under Act 44 could impact your municipality's finances in the future; what your municipality should be doing to comply with Act 51; and how your municipality should be approaching employee benefit and compensation issues in light of the new legislation.

Speakers: John P. McLaughlin, Esq., Ballard Spahr, LLP, and Richard D. Miller, Esq., Campbell Durrant Beatty Palombo & Miller, P.C.

Friday, March 19

8:15 a.m. – 9:00 a.m.

Continental Breakfast

8:15 a.m. – 11:30 a.m.

Registration

9:00 a.m. – 10:00 a.m.

GENERAL SESSION

It Was Just a Matter of Time: Dealing with Your Problem Employee

You are often told that you don't have what you need to terminate an employee "this time." So how do you make it stick the next time? This topic will be explored by demonstrating tried and true methods for ensuring that the employee either gets the hint this time or doesn't get away with it next time.

Speakers: Attorneys from Campbell Durrant Beatty Palombo & Miller, P.C.

10:00 a.m. – 10:15 a.m.

Networking Break

10:15 a.m. – 11:15 a.m.

GENERAL SESSION

The Worst Day of Your Life: HR Lessons to be Learned from the Movie "Office Space"

The movie is fictional, but the scenarios happen every day. The cult classic *Office Space* features scenes that play out in real-life workplaces – and offer good lessons for HR professionals and employers. In the *Worst Day of Your Life: HR Lessons from "Office Space,"* the presenter will use movie clips as a segue to a discussion of key HR topics, including managing difficult employees, motivation and discipline, wage payment practices, employee classification, terminations and inventions, solicitation and distribution, and workplace violence. With a creative approach, this session presents practical information from the legal perspective in an entertaining and very humorous manner.

Speakers: Katharine A. Crawford, Esq., and William K. Kennedy, Esq., Ballard Spahr, LLP

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QUESTIONS?

*Please contact the Pennsylvania League of Cities and Municipalities
at 800-922-8063 or 717-236-9469.*

NOT A PELRAS MEMBER?

Now is the ideal time to begin your membership and enjoy the benefits of PELRAS year-round. Savings realized through program benefits often cover the cost of membership.

MEMBERSHIP BENEFITS INCLUDE:

- Comprehensive, accredited training in virtually every area of public sector labor law and human resource management.
- Participation in a Wage & Benefit Survey that provides members with online access to a fully interactive database of municipal employee wage and benefits information.
- Substantial discounts on registration fees for both the PELRAS annual conference and fall regional workshops.
- Access to the PELRAS attorneys through the Quick Call Consultation Service.
- Reduced rates for legal services obtained through the PELRAS partnering law firms.
- Timely briefings on key issues through the bi-monthly newsletter, the *PELRAS Update*.

ANNUAL MEMBERSHIPS START AT JUST \$450

For more information, please contact:

Jean Pugh, Director of Group Business Programs,
Pennsylvania League of Cities and Municipalities,
800-922-8063 or jpugh@plcm.org.

CONTINUING EDUCATION CREDITS

Continuing education credits apply to selected PELRAS sessions through the following programs:

Elected Officials Leadership Training and
Local Government Risk Management Certificate
*Pennsylvania League of Cities and Municipalities
Certificate Program*

Continuing Legal Education
*Pennsylvania Supreme Court Continuing Legal
Education Board*

Professional Development
*Association for Pennsylvania Municipal
Management Certificate Program*

HOTEL INFORMATION



PENN STATER CONFERENCE CENTER HOTEL

215 Innovation Boulevard
State College, PA 16803-6603

Reservations: 800-233-7505
FAX: 814-863-5002

The Penn Stater Conference Center Hotel serves as the host property for the 2010 PELRAS Annual Training Conference.

Attendees who require overnight accommodations should make arrangements directly through the hotel at www.pshs.psu.edu, 800-233-7505 or 814-863-5000.

The Pennsylvania League of Cities and Municipalities has reserved a limited number of guest rooms at the reduced rates of **\$108/single and \$118/double**. Reservations must be made by February 24.

Directions can be found at www.pshs.psu.edu.

When making reservations, please indicate that you are with the Pennsylvania League of Cities and Municipalities/PELRAS. Please use reservation code: PAR0316.

In-room internet access and on-site parking are available.

Additional guest rooms have been reserved at The Nittany Lion Inn, 200 West Park Avenue, 800-233-7505 or www.pshs.psu.edu, Reservation code: PAR0316, room rate \$108/single and \$118/double. Room block expires February 24.

*All sessions at the PELRAS 2010 Annual Training Conference
are hosted by attorneys from the firms of:*



Public Employer Labor Relations Advisory Service

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215 Innovation Boulevard • State College, Pennsylvania
MARCH 17 – 19, 2010

REGISTRATION

Name: _____ Badge name: _____

Title: _____

Municipality/Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ First Time Attendee

In case of emergency, contact: Name: _____ Phone: _____

Special Dietary/Accessibility Needs (Please specify): _____

	PELRAS Member Rates		Non-Member Rates	
	1st attendee	Additional Attendee	Municipal	Other
Regular (by March 1)	<input type="radio"/> \$125	<input type="radio"/> \$175	<input type="radio"/> \$375	<input type="radio"/> \$500
On-site (or after March 1)	<input type="radio"/> \$150	<input type="radio"/> \$200	<input type="radio"/> \$400	<input type="radio"/> \$550
Course Materials on Disk:	<input type="radio"/> Attendee (available for pick up at conference) \$50 <input type="radio"/> Non-attendee (available to PELRAS members - only after March 19) \$100			

PAYMENT INFORMATION *Convenient On-line Payment Option*

- ① ON-LINE REGISTRATION AVAILABLE at WWW.PLCM.ORG
 HAVE YOUR CREDIT CARD AND ID NUMBER READY (ID Found On Your Address Imprint)
- ② Check enclosed (Payable to PLCM – Manager Training)
- ③ Please charge my: Visa MasterCard Discover

Card #: _____

Exp. Date: _____ Security Code: _____

Billing Address: _____

Name as it appears on card: _____

**PLEASE COMPLETE
and RETURN PAYMENT to:**
 Pennsylvania League of Cities and Municipalities
 414 North Second Street
 Harrisburg, PA 17101
 Or Fax to: 717-236-9493

**No registrations
will be processed
without payment.**

Need To Know...

Conference registration fee includes all program materials, continental breakfasts, buffet lunches, breaks and the Wednesday evening reception.

Substitutions are accepted without advance notice.

Refunds (less a \$25 administrative fee) will be given for written cancellations postmarked by March 1. No refunds will be given after this date.

A limited number of rooms have been reserved for overnight accommodations at the Penn Stater Conference Center Hotel. Please make reservations directly through the hotel. Details on page 6.

Pennsylvania League of Cities and Municipalities

Center for Municipal Development

414 North Second Street

Harrisburg, PA 17101

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Pennsylvania League of Cities and Municipalities*

John A. Garner, Jr., Executive Director

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