



New York University 62nd Annual Conference on Labor

Center for Labor and Employment Law

NYU School of Law

June 4-5, 2009

**LABOR AND EMPLOYMENT LAW INITIATIVES AND PROPOSALS
IN THE OBAMA ADMINISTRATION**

Conference Agenda

*All sessions will be held in Greenberg Lounge, Vanderbilt Hall, NYU School of Law,
40 Washington Square South, New York, NY 10012.*

15 hours of CLE credit including 2 hours of ethics/professionalism

Thursday, June 4, 2009

8:15-8:45 Registration and Continental Breakfast

8:45-9:00 Welcome

Prof. Samuel Estreicher (NYU Law)

9:00-10:00 Part One. Administrative Reform

Moderator: Jerome Kauff (Kauff McGuire)

Administrative Law Reforms for the NLRB

Presenter: Prof. Deborah Malamud (NYU Law)

Commentators: Hon. Celeste Mattina (NLRB, Region 2)
Laurence Gold (Bredhoff & Kaiser)
Paul Salvatore (Proskauer Rose)

10:00-10:15 Break

10:15-11:15 Improving the Administration of Labor Law without Statutory Change

Presenter: Prof. Samuel Estreicher (NYU Law)

Commentators: Hon. Wayne Gold (NLRB, Region 5)
Laurence Gold (Bredhoff & Kaiser)
Paul Salvatore (Proskauer Rose)

11:15-12:15 Part Two. Changing the Voting Rules

Moderator: Hon. J. Michael Lightner (NLRB, Region 22)

Presenter: Prof. Benjamin Sachs (Harvard Law)

Commentators: Hon. Sarah Fox (former NLRB member;
Bredhoff & Kaiser)
Tom Jerman (O'Melveny & Myers)
Lee Seham (Seham Seham Meltz & Petersen)

12:30-2:00 Part Three. Luncheon Debate: "Resolved, the Employee Free Choice Act Should Become Law"

Moderator: Prof. Lance Liebman (Columbia Law)

Pro: Jonathan Hiatt (AFL-CIO)

Con: Andrew Kramer (Jones Day)

2:00-3:30 Part Four. Card-Check Certification and Interest Arbitration: The Canadian Experience

Moderator: Ron Shechtman (Pryor Cashman)

Presenters: Roy Heenan (Heenan Blaikie)
David Lawrence (NYU Law)

Commentators: Michael Delikat (Orrick)
Anton Hajjar (O'Donnell Schwartz)
William Herbert & Richard Curreri (NYS PERB)
Gene Orza (Major League Baseball Players Assn.)

3:30-3:45 Break

3:45-5:00 Part Five. Revisiting Labor Law Preemption of State Law

Presenter: Prof. Henry Drummonds (Lewis & Clark)

Commentators: Fred Braid (Holland & Knight)
Eugene Eisner (Eisner & Associates)

5:15-7:00 Reception

Featuring Book Signing and Informal Remarks: Steven Greenhouse (*New York Times*) on his new book, *The Big Squeeze: Tough Times for the American Worker* (Alfred Knopf)

Friday, June 5, 2009

8:00-8:30 Registration and Continental Breakfast

8:30-9:45 Obama Administration Healthcare Initiatives

Presenter: Steve Wetzell (Health Care Policy Roundtable)

9:45-11:00 Part Six. Antidiscrimination Initiatives

Moderator: Prof. Kerri Stone (Florida International Law)

Using Testers to Combat Employment Discrimination

Presenter: Prof. Michael Yelnosky (Roger Williams Law)

Commentator: Dean Silverberg (Epstein, Becker)

Reforming Age Bias Law

Presenter: Prof. Michael Harper (Boston Law)

Commentator: Michael Peterson (HR Policy Assn.)

11:00-11:15 Break

11:15-12:20 Part Seven. Employment Law Initiatives

Moderator: Robert Whitman (Seyfarth Shaw)

Paycheck Fairness Legislation

Presenter: Prof. Sharon Rabin-Margalioth (NYU Law; IDC)

Commentator: John Fullerton (Sullivan & Cromwell)

Commentator (on executive compensation issues): Wayne Outten
(Outten & Golden)

Using Disclosure to Regulate Employment

Presenter: Prof. Cynthia Estlund (NYU Law)

Commentators: Mark Brossman (Schulte Roth)
Wayne Outten (Outten & Golden)

12:30-2:00

Lunch

Speaker: Hon. Stuart Ishimaru, Acting Chair, Equal Employment Opportunity Commission

Introduction: Pearl Zuchlewski (Kraus & Zuchlewski)

2:00-3:00

Part Eight. Employment and Consumer Arbitration

What do the Data Show?

Presenter: Prof. Alexander Colvin (Cornell ILR)

Commentator: Prof. Zev Eigen (Northwestern Law)

3:00-3:15

Break

3:15-5:15

Part Nine. Ethical Issues for In-House and Transactional Employment Lawyers

Presenter: Zachary Fasman (Paul Hastings)