38th Annual
FEDERAL SECTOR LABOR RELATIONS
& LABOR LAW CONFERENCE
38th Annual
FEDERAL SECTOR LABOR RELATIONS & LABOR LAW CONFERENCE

Join top government officials & policy makers, world-class management-side attorneys & union representatives, and leading academics for a focused day of learning about the future of the federal workplace and workforce.

CONFERENCE AT A GLANCE

8:00am–8:15am 12:45pm–1:00pm
Welcome & Announcements Break

8:15am–8:45am 1:00pm–1:30pm
Responding to the Pandemic with Policies and Flexibility State of the MSPB

8:45am–9:45am 1:30pm–2:30pm
Policies and Flexibilities during the Pandemic: Lessons Learned from Union and Agency Perspectives MSPB Update and Best Practices

9:45am–10:00am 2:30pm–2:45pm
Break

10:00am–11:00am 2:45pm–3:45pm
Essential Workers at the Front Lines During the Pandemic Concurrent Sessions

11:00am–11:30am 3:45pm–4:00pm
EEO Emerging Issues and Case Processing

11:30am–11:45am 4:00pm–5:00pm
Break Absence Due to Illness: Navigating Sick Leave and FMLA

11:45am–12:45pm 5:00pm–5:45pm
Concurrent Sessions Closing Plenary Session

■ Mental Health Issues: Coping Skills for the Pandemic and Beyond
■ The 2020 Election Season Is Here: What Every Federal Employee Needs to Know About the Hatch Act

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CONFERENCE FACULTY

Laura Albornoz  
Acting Director, Office of Regional Operations  
U.S. Merit Systems Protection Board

Jim Bailey  
National Executive Vice President  
National Treasury Employees Union

Kevin A. Calamoneri  
Deputy General Counsel, Field Operations  
U.S. Postal Service

June Wallace Calhoun  
Administrative Judge  
U.S. Equal Employment Opportunity Commission

Mark Carter  
Chairman, U.S. Federal Service Impasses Panel  
, Federal Labor Relations Authority

Chelsy A. Castro  
Psychotherapist and Performance Coach  
Castro Jacobs Psychotherapy and Consulting

Jeanne Charles  
Arbitrator and Mediator  
National Academy of Arbitrators

Daniel R. Fine  
Administrative Judge  
U.S. Merit Systems Protection Board

Barbara I. Haga  
President  
Federal HR Services, Inc.

Erica Hamrick  
Deputy Chief, Hatch Act Unit  
U.S. Office of Special Counsel

Dan J. Kaspar  
Deputy Director, Field Operations & Organizing  
National Treasury Employees Union

Katherine Beaumont Kern  
Administrative Judge  
U.S. Merit Systems Protection Board

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Professor of Law and Co-Director, Institute for Law and the Workplace
Chicago-Kent College of Law

David R. Lidow
Administrative Judge
U.S. Merit Systems Protection Board

Jeff A. Rosenblum
Assistant General Counsel for Labor, Employment and Administration
Federal Deposit Insurance Corporation

Mary L. Senoo
Administrative Judge
U.S. Merit Systems Protection Board

Dorothy L. Moran
Administrative Judge
U.S. Merit Systems Protection Board

Emil P. Totonchi
Commissioner
Federal Mediation and Conciliation Service

D. Brent Pope
Deputy General Counsel, Legal Operations
Office of the General Counsel, U.S. Department of Veteran Affairs

Don Villar
Secretary-Treasurer
Chicago Federation of Labor

Michael Rhoades
Administrative Judge
U.S. Equal Employment Opportunity Commission

Georgia Vlahos
Administrative Judge
U.S. Merit Systems Protection Board

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PROGRAM SCHEDULE  SEPTEMBER 10, 2020

8:00am-8:15am
Welcome & Announcements

8:15am-8:45am
Responding to the Pandemic with Policies and Flexibility
Mr. Kirk will share how Employee Services (the Federal government’s human resources policy division) provided federal agencies with real-time guidance regarding several complex COVID-19 human resources issues and challenges. In addition, Mr. Kirk will provide examples of how ES equipped federal agencies with the necessary human resources tools and flexibilities to aid their COVID-19 pandemic response efforts.

Dennis Dean Kirk, Associate Director, U.S. Office of Personnel Management

8:45am-9:45am
Policies and Flexibilities during a Pandemic – Lessons Learned from Union and Agency Perspectives
This session will focus on unique and unforeseen workplace issues that have arisen during the pandemic. The panelists will discuss leave flexibilities, reporting requirements, safety precautions and more, as well as resulting discussions between labor and management.

Jim Bailey, National Executive Vice President, National Treasury Employees Union
Jeff A. Rosenblum, Assistant General Counsel for Labor, Employment and Administration, Federal Deposit Insurance Corporation

9:45am-10:00am
Break

10:00am-11:00am
Essential Workers at the Front Lines During the Pandemic

Kevin A. Calamoneri, Deputy General Counsel, Field Operations, U.S. Postal Service
D. Brent Pope, Deputy General Counsel-Legal Operations, Office of General Counsel, U.S. Department of Veterans Affairs
Don Villar, Secretary-Treasurer, Chicago Federation of Labor

11:00am-11:30am
EEO Emerging Issues and Case Processing
This session will provide an EEO federal sector overview, update on case law and case processing and tips from the bench.

June Wallace Calhoun, Administrative Judge, U.S. Equal Employment Opportunity Commission

11:30am-11:45am
Break

11:45am-12:45pm
CONCURRENT SESSIONS

Ethics - Mental Health Issues: Coping Skills for the Pandemic and Beyond
Participants in this session will learn:
• Why lawyers are a vulnerable population during the pandemic and beyond;
• Essential cognitive and behavioral coping skills for living, working and feeling better; and
• Critical communication skills for helping their teams, coworkers, and loved ones cope in the pandemic and beyond.

Chelsy A. Castro, Psychotherapist and Performance Coach, Castro Jacobs Psychotherapy and Consulting

The 2020 Election Season is Here: What Every Federal Employee Needs to Know About the Hatch Act
This session will provide a detailed look at the prohibited and permitted activities under the Hatch Act, which governs the political activity of federal employees. Special attention will be placed on novel issues, including those related to widespread telework during the pandemic, emerging trends the Office of Special Counsel observed during and since the last election cycle, and recent disciplinary action cases.

Erica Hamrick, Deputy Chief, Hatch Act Unit, U.S. Office of Special Counsel

12:45pm-1:00pm
Break
1:00pm-1:30pm
State of the MSPB

Although the Merit Systems Protection Board has been without a quorum for more than three years, that does not mean that nothing has been happening at the agency. Hear how the agency continues to advance its mission, its current status, how it has dealt with adjudication during the pandemic, and trends in its case law.

Laura Albornoz, Acting Director, Office of Regional Operations, U.S. Merit Systems Protection Board

1:30pm-2:30pm
MSPB Update and Best Practices

This presentation will offer a legal update on law applied by the Board and thoughts on best practices when litigating a Board appeal.

Moderator: Daniel R. Fine, Administrative Judge, U.S. Merit Systems Protection Board
Katherine Beaumont Kern, Administrative Judge, U.S. Merit Systems Protection Board
Mary L. Senoo, Administrative Judge, U.S. Merit Systems Protection Board
Georgia Vlahos, Administrative Judge, U.S. Merit Systems Protection Board

2:30pm-2:45pm
Break

2:45pm-3:45pm
CONCURRENT SESSIONS

Responding to the Pandemic: Remote Hearings and Mediations

Panelists will discuss conducting video conference hearings and share best practices for managing a fair and efficient arbitration hearing

Jeanne Charles, Arbitrator & Mediator, National Academy of Arbitrators
David R. Lidow, Administrative Judge, U.S. Merit Systems Protection Board
Michael Rhoades, Administrative Judge, U.S. Equal Employment Opportunity Commission
Emil Totonchi, Commissioner, Federal Mediation and Conciliation Services

Creative Dispute Resolution in the Shadows of the Executive Orders

The panelists will examine the impact of Section 5 of Executive Order 13839, which instructs agencies not to agree when settling a case to “erase, remove, alter or withhold from another agency” information contained in OPFs and EPFs concerning an employee's conduct or performance. The discussion will further include creative solutions parties have reached given these constraints.

Dan J. Kaspar, Deputy Director, Field Operations & Organizing, National Treasury Employees Union
Dorothy L. Moran, Administrative Judge, U.S. Merit Systems Protection Board
Jocelyn Richards, Deputy Assistant General Counsel, Personnel Law and Administrative Litigation, Office of the General Counsel, U.S. Department of Energy

3:45pm-4:00pm
Break

4:00pm-5:00pm
Absence Due to Illness: Navigating Sick Leave and FMLA

This session will cover employee eligibility for use of leave for illness and related medical situations under 5 USC 63. Uses of the leave, notice and certification requirements, limits on how much leave may be used, and interpretation of the term “serious health condition” will be addressed.

Moderator: Martin H. Malin, Professor of Law and Co-Director, Institute for Law and the Workplace, IIT-Chicago-Kent College of Law
Barbara I. Haga, President, Federal HR Services, Inc.

5:00pm-5:45pm
Closing Plenary Session

This session will cover:

• Best operating practices during the pandemic
• Progress on achieving FLRA strategic goals
• Trends in labor law

Mark Carter, Chairman, U.S. Federal Service Impasses Panel, Federal Labor Relations Authority

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EVENT DETAILS

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Federal Sector Labor Relations & Labor Law Conference 2020

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*An additional 2 hours of CLE credit can be earned by post-conference viewing of the alternate concurrent sessions, at no additional cost

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