



**46<sup>th</sup> ANNUAL SYMPOSIUM – PRELIMINARY PROGRAM\***  
**Hilton Crystal City Hotel, Arlington, VA**  
**April 11 - 12, 2019**

**Thursday, April 11, 2019**

8:00 AM Registration Opens. Coffee and Breads

8:30 AM Welcome: Ed Cahoon, SFLERP President

**8:45 AM - 10:15 AM Workshops A**

**A-1 FMLA Compliance Update 2019**

This workshop will provide a review of current statutory, regulatory and caselaw developments to ensure compliance with the Family and Medical Leave Act.

*Carl Bosland, Author on Family & Medical Leave Act Issues*

**A-2 Workstyles and Generational Diversity.**

Workshop participants will learn about four different work style profiles and will take a survey to recognize your own work style. The program will focus on participants appreciating other work styles in their unit, understand the impact of work stress on each style and fully embrace the concept of adapting and flexing to other work styles in order to diminish workplace conflict impacts based on work style differences. There will be tips for improving such flexibilities and better communications between work styles and incorporating the Platinum Rule at work: Treat others the way they want to be treated. In addition, the program covers the priorities and perspectives of the five generations in order to promote understanding and awareness and provides tips about communication and collaboration between work generations. Participants will better understand the impact of having all five generations working together in the workplace, will increase personal competency in understanding and communicating with all the generations in order to increase organizational effectiveness and meet the changing needs of your work units. *Michael Stein, BVA*

**A-3 Management Rights in Bargaining & Arbitration**

Section 7106 of the Federal Service Labor-Management Relations Statute (5 U.S.C. § 7106) provides for numerous management rights, as well as certain exceptions to those rights. It also is one of the most complicated provisions of law that management representatives, union representatives, and neutrals encounter in the federal sector. This session will provide an overview of how management rights arise when negotiating collective-bargaining agreements and participating in the grievance-arbitration process, including a discussion of recent Federal Labor Relations Authority decisions concerning management rights. *Joshua Brown and Emily Sabo, FLRA*

**10:30 AM - 12:00 PM**

**Workshops Series B**

**B-1 New Developments in Employee Relations**

This workshop examines the latest developments in case law from the Merit Systems Protection Board. *Michael Bogdanow, MSPB*

**B-2 Managing Employees with Mental and Psychiatric Disability**

The Federal Government is supposed to be a “model” employer when it comes to the employment of persons with disabilities. This session will examine issues such as: reasonable accommodations for persons with mental disabilities, access to medical information, and when can an agency properly require an employee to submit to a medical examination. The session will also examine how an agency can and should act when questions of job safety arise. *Joseph V. Kaplan, Passman & Kaplan*

**B-3 A Mid-Term Performance Appraisal for the Trump Administration Labor Relations Program: A Union Perspective**

Union side practitioners evaluate the major aspects of the Administration’s LR program after two years. *Jeff Friday, NFFE; Michael McAuley, NTEU; Ibidun Roberts, AFGE*

**12:00pm - 1:30pm**

**Annual Awards Luncheon**

The Margery Gootnick Labor-Management Cooperation Award  
SFLERP Lifetime Achievement Award: Arbitrator Charles Feigenbaum

**1:30pm - 3:00pm**

**Workshops C**

**C-1 Perspectives on the Recent Presidential Orders on Federal Labor Management Relations**

This workshop will review recent presidential orders, put them into the context of the changing nature of federal sector labor-management relations, and offer competing perspectives about the philosophies and merits of these decisions. *Randy Erwin, NFFEE; Andres Grajales, AFGE; and Marick Masters, Labor@Wayne*

**C-2 Sick Leave Hot Spots**

This workshop will answer questions about the aspects of sick leave that seem to be the most troublesome for employees, managers, and HR practitioners. The workshop will cover sick leave for incapacitation, including how long it can last, documentation requirements, and the actions that can follow. The session will also identify the important aspects of the use of sick leave for family care and bereavement, including the limits on how much can be used in a leave year and documentation requirements. Procedures for dealing with suspected sick leave abuse will also be addressed. *Barbara Haga, Federal HR Services, Inc.*

**C-3 EEOC Case Update**

This workshop provides participants with the latest developments in case law from the Equal Employment Opportunity Commission. *EEOC Staff*

*Continues on next page...*

**3:15pm - 4:45pm**

**Workshops D**

**D-1 FLRA Annual Case Law Update**

This workshop will provide the latest developments in case law from the Federal Labor Relations Authority. *Murray Duncan and Anna Molpus, FLRA*

**D-2 Affinity Bargaining**

The Federal Mediation and Conciliation Service is using their innovative “Affinity Bargaining” model to move parties to a problem-solving approach to collective bargaining. Considering neuroscience principles, FMCS moves participants from a spontaneous emotional mind-set to a problem-solving state of mind. Using flip charts, post-it notes and other visual aids, the Affinity Bargaining Model actively engages parties to construct a zone of possible agreement. The FMCS will discuss this approach and explore its application to all aspects of collective bargaining and beyond. *Javier Ramirez, FMCS*

**4:45pm – 6:00pm**

**Reception**

**Friday, April 12, 2019**

**8:00am – 8:45am**

**Coffee and Breads**

**8:45am - 10:15am**

**Workshops E**

**E-1 Unacceptable Performance in 2019**

The Trump administration has placed particular emphasis on building accountability for performance into the Federal service. Both the 2017 OMB directive and EO 13839 issued in 2018 contain provisions to ensure that managers have what they need to take action on unacceptable performance. This workshop will focus on the requirements for actions under both 5 USC Chapter 43 and 75. The session will cover the definition of unacceptable performance and how agency appraisal systems control when performance action can be taken. Requirements for a bona fide opportunity to demonstrate acceptable performance will be reviewed. The session will address appropriate use of disciplinary procedures to deal with performance and will also include a review of how issues of disability fit into performance actions. *Barbara Haga, Federal HR Services, Inc.*

**E-2 FSIP Year in Review**

In this workshop some of the Federal Service Impasses Panel’s most significant cases from the past year will be discussed, providing participants with a better understanding of the Panel’s processes and reasoning through the study of specific impasses. *Hon. Mark Carter, FSIP Chairman; Dan Duran and Merritt Weinstein, FSIP*

**E-3 Living with the Grievance Process**

This workshop will answer questions about the grievance process and give you the tools you need to ensure that your grievance process is effective in resolving workplace disputes. You will understand how to properly evaluate grievances, conduct a grievance meeting, develop an appropriate grievance response and ensure that your grievance process is fair, transparent and effective. *Domenic Murgo, CFPB*

**10:30am – 12:00pm**

**Workshops F**

**F-1 Federal Sector LR/ER Jeopardy: From the Basic to the Byzantine**

Three contestant-teams will test their knowledge of Federal sector labor and employee relations in this unique game. In classic Jeopardy style, answers to basic, bizarre, byzantine and esoteric Federal Sector LR/ER subjects are grouped in categories and ranked by difficulty. The contestant teams must respond with the correct question! Through Jeopardy, Double Jeopardy and Final Jeopardy the contestant-teams will be awarded points. First, second and third place prizes will be awarded at the end of the game. *Sean J. Rogers, Arbitrator/Mediator; Michele Gonsalves, DLA*

**F-2 Case Presentation & Evidence at Federal Sector Arbitration Hearings**

This workshop addresses pertinent evidentiary questions and best practices in case presentation (from an arbitrator's perspective) at arbitration hearings in the federal sector. The panel of experienced arbitrators will focus on increasing the skills of advocates who arbitrate these cases by engaging in scenario-based discussions. Audience participation will be part of the presentation. Bring your smartphone or tablet! *Sarah Miller Espinosa, Arbitrator/Mediator; Lana S. Flame, Arbitrator/Mediator; Barry Shapiro, Arbitrator; Gail R. Smith, Arbitrator/Mediator*

**F-3 Legislative Update**

This workshop highlights the most important legislative initiatives of the 116th Congress that affect Federal employees in the field of labor and employee relations. *Matthew Biggs, IFPTE*

**12:00pm – 1:15pm**

**Keynote Luncheon**

**Speaker: Hon. Richard Giacolone, Director-Nominee, FMCS**

**1:30pm - 3:00pm**

**Closing Plenary**

**Managing the Fallout of Government Shutdowns**

*Speakers: Eugene Freedman, NATCA; Marick Masters, Labor @Wayne; Robert Tobias, American University*

**3:00pm – 3:30pm**

**SFLERP Annual Membership meeting**

*\*Program subject to change.*