



NEW YORK STATE ASSOCIATION OF  
MANAGEMENT ADVOCATES FOR  
SCHOOL LABOR AFFAIRS, INC.

40<sup>TH</sup> ANNUAL SUMMER CONFERENCE

JULY 16-19, 2017

SUNDAY JULY 16

PRE-CONFERENCE

**8:30 - 9:30**      **Continental Breakfast** *(provided as part of the program)*  
**Program Registration**

**9:30 - Noon**      **Creative Approaches to Negotiations**

**Presenters**      *Kevin Flanagan, Director of the Office of Conciliation, NYS PERB*  
*Terry Dougherty, Superintendent of the Hancock Central School District*  
*Dominic D'Imperio, Director of Employer-Employee Relations, Jeff-Lewis BOCES*

**Moderator**      *Mark Pettitt, Director of Labor Relations, OCM BOCES*

How can we make negotiations more rewarding and effective? In this program we will look at creative strategies at the negotiations table from the perspectives of a mediator, a superintendent and a labor relations professional, all with extensive experience in the field. Discussion will include:

- Using Facilitated Intensive Negotiations to make positional bargaining better
- Data gathering and sharing to improve transparency and trust between the parties
- Communicating with your Board and your employees during the bargaining process

**Noon - 1:00**      **Lunch** *(provided as part of the program)*

**1:00 - 3:00**      ***Two programs offered at this time, please see below***

**Navigating Negotiations, Ethics and the Law**

**Presenters**      *Douglas Gerhardt, Esq., Partner, Harris Beach PLLC*  
*Jacinda H. Conboy, Esq., General Counsel, NYS Council of School Superintendents*

This program is practically based, designed to address complex ethical issues labor law practitioners face as public sector labor negotiators. A two-team panel of experienced attorneys will present issues found in negotiations, mediation, contract disputes and arbitration. Through these real life scenarios the panel will examine the ethics of decision making tying in provisions of New York State's Code of Ethics including the applicable disciplinary rules applicable to each scenario as well as strategies for explaining the application of these rules to clients who are very often non-lawyers.

The content of this course is designed to satisfy 1.5 CLE Ethics Credits and will be submitted for that credit.

## **The Importance of Relationships in the Workplace**

**Presenter:** Michael Hynes, EdD, Superintendent of Patchogue-Medford Schools

This discussion will focus on the People Principles that work. The importance of relationships, trust and respect in the workplace are paramount for any organization to grow and evolve. There are many techniques and common sense approaches one can do in order for your team to maximize their talents and reach their potential. As John Maxwell once said, "Nobody cares how much you know unless they know how much you care."

**5:00 - 7:00**      **President's Reception**

## **MONDAY JULY 17**

## **MASLA CONFERENCE PROGRAM**

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**8:00 - 8:45**      **Welcome and Registration**

**8:45 - 10:30**      **What We Know After Six Months of Trump ... and What We Can Expect Next**

**Presenters**      *Jay Worona, Esq., NYS School Boards Association*  
*Justin Petrarca, Esq., Scariano, Himes and Petrarca*

What is the Trump agenda and what will it mean for public sector employers? After six months we will have some direction, but what can we expect over the next three and a half years? Our two prognosticators will bring us up to speed and then look over the horizon to see what is next. This will be a fun and informative conversation.

**10:30 – 10:45**      **BREAK**

**10:45 - Noon**      **Annual Legal Update**

**Presenter**      *Shannon K. Buffum, Esq., Harris Beach PLLC*

An annual update on court cases, Commissioner Decisions and legislation that affect school district labor relations.

**Noon - 1:00**      **Lunch (on your own)**

**1:00 - 2:00**      **Freedom of Religion in School**

**Presenter**      *John Lynch, Esq., Hogan, Sarzynski, Lynch, Dewind, & Gregory, LLP*

This session will focus on religious use of school property, religious displays, curriculum issues, access to information on the internet and teachers' rights regarding freedom of religion and the district's ability/obligation to address concerns when necessary. The presentation will also provide the historical background for the debate over religion and public education.

**2:00 – 2:15**      **BREAK**

**2:15 - 3:30**

**Topics in Healthcare**

**Presenters** *Allison Dunn, Senior Vice President, OneGroup NY, Inc.*  
*Dave Cirillo, Esq., Director of Staff Relations, West Genesee Central School District*

What are the next steps in negotiating health insurance cost containment and how have changes in Washington and Albany affected our ability to continue working on this issue at the bargaining table? Topics will include:

- The ACA after Trump
- Step Therapy and recent NYS Legislation
- Prior Authorization and other cost containment tools
- What we can do to prepare for health insurance negotiations
- Other cost-containment options

**3:30 – 4:30**

**Litigating Claims for Unemployment Benefits**

**Presenter** *William Kang, Esq., Keane & Beane, P.C.*

Employee costs do not end upon resignation or termination. This presentation will examine what Unemployment Administrative Law Judges and the Unemployment Board consider when determining whether a former employee is entitled to unemployment benefits and will discuss strategies and best practices when handling claims for unemployment benefits, starting with the employee's separation from service through the unemployment hearing and appeals process.

**5:30**

**Dinner and Event**

**TUESDAY JULY 18**

**MASLA CONFERENCE PROGRAM**

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**8:45 - 10:30**

**Transgender Faculty in Our Schools, the Legal and Personal Landscape**

**Presenter** *Dusty Radar, Teacher*

Mr. Rader is a nationally known speaker on transgender issues. The focus of his presentation will be the ways administrators, staff and students approach the issue of transgender students and teachers in the educational setting.

**10:30 – 10:45**

**BREAK**

**10:45 -Noon**

**How Employees are Using G-Suite for Education – Everything You Did NOT Want to Know, and How to Manage Staff Usage**

**Presenter** *Michele Jones, Esq., School Attorney, Capital Region BOCES*

G-Suite for Education is cloud-based collaborative software that allows multiple users to communicate and exchange ideas in the cloud. It's a free application that educators and students love to use. The following items have been identified as potential risks in the support and use of G-Suite applications:

1. Data Breach: loss of personally identifiable information, also known as PII
2. Lack-of-control: users of G-Suite may post and exchange information that is not-suitable because of its protected status
3. Potential violations of the following laws: FERPA, HIPAA, COPPA, CIPA, Section 508 of the Rehabilitation Act, PPL and TEACH Act

This session will focus on good practices to structure staff usage to mitigate the risk of data breaches, staff misuse and violation of federal and state laws

**Noon – 1:00**      **LUNCH** (on your own)

**1:00 - 2:30**      **Employees and Criminal Matters – Working Effectively with the Police, DA and BOE**

*Presenter*      *Andrew LaLonde, Coordinator of Labor Relations, Madison-Oneida BOCES*  
*Sean Richard Sterling, School Attorney, Jeff-Lewis BOCES*

School officials are routinely confronted with what their roles, obligations and responsibilities are when interacting with law enforcement agencies in an educational setting. Issues such as CPS investigations in a school; the role of the school resource officer (SRO); student searches and seizures; the use of and access to the internet and social media by students and staff, in and outside of school, and its impact in a school setting; Family Court proceedings; student and employee disciplinary actions. This program is designed to address the interaction of school officials and law enforcement in New York, recent changes in law and regulations that impact school officials, and discuss how school officials might best address these issues.

**2:30 - 3:30**      **Shared Services and Transferring Functions and Programs**

*Presenter*      *Erin O’Grady-Parent, Esq., Guercio & Guercio, LLP*

- Review recent case law regarding Civil Service transfers
- Discuss current statewide issues
- Review takeback/takeover rules for instructional staff
- Discuss recent case law relating to seniority and PEL rights.

**TBA / Golf**      **MASLA Annual Golf Tournament**

Contact Douglas Gerhardt in advance (approximately \$50 extra per player)

**Dinner**      On your own

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**WEDNESDAY JULY 19**

**MASLA CONFERENCE PROGRAM**

**9:30 - 11:00**      **Annual Business Meeting**

1. Treasurer’s Report
2. Director Election
3. 2018 Conference Location