



January 2021 Monthly Meeting

Attendees:

Tina Aiken
Bradley Medlin
Kelli Schmidt
Jacob Metzger
Sarah Morehead
Angela Hayes
Jillian Cutler
Amy Menzik
Mariya Khilyuk

Not Present:

Chiedza Nziramasanga
Cassandra Lenning
Elyse Maffeo

WSBA Rep Not Present

Bryn Peterson – present until 10 AM
Eleen Trang – WSBA – not present

Young Lawyer Liaison

Sarah Burke – not present

AGENDA

1. 21st Annual Labor & Employment CLE

- **Location: Washington State Convention Center or Webcast**
WSBA is not willing to sign contracts at this time due to the pandemic. So that is causing an issue, but we'll pick a date.
- **Date: Thursday, November 18, 2020**
The week prior on Thursday is Veteran's Day and the following week is Thanksgiving week, so that week was chosen and there was debate about Thursday versus Friday.
- **Ideas for panels and speakers:**
 - We should have a judge and an ethics panel. Judge Erlick is well-liked and received good reviews. Now doing arbitration and mediation and WANs so may be easier to schedule. (There are currently five federal judge positions open, so it is anticipated we will have some new appointments.) Brad will reach out to Judge Erlick.
 - Wage and hour issues - we did a lot of paid family leave, but there were issues here were changes regarding salary limits.
 - Remote working and issues: tax implications, multi-state issues and worker comp, etc.
 - DOL – new final rule to clarify independent contractor status under FLSA
 - Revisit issue of employee speech outside of work/off duty conduct

2. 2021 Mini-CLE Ideas

- **Topic: Vaccines and Employment Issues** - Brad motioned and Jillian seconded. It was unanimous that we should do a CLE on this topic.
 - Recent EEOC guidance says it can be required, but there have to be accommodations for health conditions that make it dangerous, religion, and “strongly held personal beliefs”, and then assess risk to others.
 - Workers comp (if employers sponsor),
 - Work time for the vaccine
 - How employers might sponsor it
- **Volunteers:**
 - Tech/CLE person: Angie or Kelli
 - Organizers: Jillian will reach out to Jamal Whitehead for an EEOC connection. Brad can help organize but may not be a moderator, Kelli will look at EEOC contacts.
 - Moderator: let’s see who our speaker is and who has the best relationship with them.
- **Dates: After discussion. We need to put in a request to hold dates.** Kelli will email CLE@wsba.org to find out about dates in spring/April.

3. East of the Mountain CLE

- **Topic: Issues with cross-border employment issues with Idaho citizens.** This was agreed upon by all present.
- **Volunteers:** Angie and Amy M are our east of Washington folks and they will confer with each other about organizers, moderators, and tech person.
- **Dates:** After discussion. We need to put in a request to hold dates. Kelli will email CLE@wsba.org to find out about dates in spring/April.
- **Topics:** Late September or October is when the Federal Bar will have theirs and we often pair with that to have a social mixer and such. But, if it is going to be web-based, we can have a different date and avoid conflict and overload.
- **Locations:** Webinar or ?

4. 2021 Annual Retreat

- **Date:** let’s consider this in late-spring, May-ish.
- **Location:** We can look at Zoom or maybe doing it in an outside location.
- **Coordinators:** Tina and Sarah volunteered for this
- TMA send Doodle poll for dates in May, Thurs or Fri afternoon

5. L&E Executive Committee Officer Terms and Election

- Eleen was not able to join us.
- Our bylaws provide that officer terms run October 1 to September 30, which coincides with the Bar and other sections. Our Exec Comm has been electing officers to serve calendar year terms (Jan 1 to Dec 31). Exec Comm needs to decide whether to amend bylaws or change timing of Exec Comm officer elections. A copy of current bylaws is attached.
- Plan to elect officers at April meeting

- **We need a three-person nominating Committee one member of which cannot be an executive committee member:** Agreed Angie, Mariyah (and Leslie was suggested)
- **2021 Officers – March to May Election**

Per Bylaws, Article VI, 6.1.b. Elective Offices. Officers. Nominations and elections for open officer positions will be held between March and May each year. Officers serve a one year term in the specified office and shall serve simultaneously as executive committee members. The executive committee may nominate officers from the existing executive committee or officers may be nominated in an alternative process; however, any person not already an elected member of the executive committee must be elected to the executive committee through its ordinary procedures before serving as an officer.

POSITION	CURRENT HOLDER	NEXT ELECTION
Chair	Tina Aiken (Jan 2020)	(March-May) Spring 2021
Secretary	Kelli Schmidt (Jan 2020)	(March-May) Spring 2021
Treasurer	Mariya Khilyuk (Jan 2020)	(March-May) Spring 2021

Current executive committee members, please give some thought to running as an officer.

6. At-Large Elections – per Bylaws, Elective Offices.

We have an opening on our Group 2 for our Public Sector Defense Counsel position, so we need to make an interim appointment.

Per Bylaws Article VI, 6.5 Interim Appointments. The executive committee will appoint, by majority vote, members to fill vacancies on the executive committee. When a member is appointed to fill a vacancy in an unexpired term, the member will do so until the next annual election when an individual will be elected to serve the remainder of the vacated term.

Per Bylaws Article VI, 6.1.a., At-Large Executive Committee Members. Nominations and elections for open At-Large executive committee positions will be held between March and May each year. Each of the thirteen elected positions on the executive committee shall be for a three-year term with three positions expiring each year.

GROUP 3		
POSITION	CURRENT HOLDER	NEXT ELECTION
Public Sector Defense Counsel	Sarah Morehead – planning to rotate off	2021
Labor Union Counsel	Bradley Medlin – will run again	2021
Plaintiff Counsel	Jillian Cutler – Brad will reach out	2021
Defense Counsel	Angela Hayes	2021

GROUP 1		
POSITION	CURRENT HOLDER	NEXT ELECTION
Plaintiff Counsel	Chiedza Nziramasanga	2022
Defense Counsel	Tina Aiken	2022
Defense Counsel	Mariya Khilyuk	2022
Neutral	Kelli Schmidt	2022

GROUP 2		
POSITION	CURRENT HOLDER	NEXT ELECTION
Plaintiff Counsel	Cassandra Webster Lenning	2023
Public Sector Defense Counsel	Vacant	2023
Defense Counsel	Amy Mensik	2023
Labor Union Counsel	Elyse Maffeo	2023
Labor Union Counsel	Jacob Metzger	2023

7. Standing Committees

- Communications and Website (2020 Sarah Morehead). Sarah agreed that she would continue in 2021.

- Summer Grantee Committee (2020 Sarah, Elyse, Mariya). Sarah, Elyse, Mariya
- Mini-CLE Committee: for 2021, Kelli, Brad, Angie, Tina, and Jillian
- East-of-the-Mountains Committee (2020 Angie). As discussed above, Angie and Amy will handle this for 2021.

8. Approval of November 2020 minutes

9. Other Items: Tina will send a Doodle poll for the retreat date.