

**Speaker Bios**

The Legacy of the Obama NLRB

Friday, October 21, 2016

**Robert M. Archer**

**Robert Archer** is the Managing Partner of Archer, Byington, Glennon & Levine, LLP (“ABGL”). Mr. Archer is very active in representing labor and employee benefits clients in the building trades entertainment and service industries. Bob has achieved national attention as an attorney in areas such as ERISA administrative and compliance issues, sophisticated construction labor issues such as guidance and counseling on project labor agreements and mergers of employee benefit plans.

Bob’s expertise is not limited to labor and employee benefits in the multiemployer area. As Working Chair of the ERISA Advisory Council, an elite group appointed by the U.S. Secretary of Labor, he was responsible for preparing a report on Section 401(k) revenue sharing and related compliance issues, as well as recommending various fiduciary areas for the U.S. Secretary of Labor in the aftermath of the Pension Protection Act.

Bob served as an Attorney, Supervisory Attorney and Deputy Regional Attorney at the National Labor Relations Board from 1972 until 1980. He began his career in law as a Legal Assistant, Organizer and Collective Bargaining Coordinator for the Eastern Conference of Teamsters/International Brotherhood of Teamsters, where he worked from 1965 until 1970. Mr. Archer was a Captain in the United States Army from 1970 to 1972.  Prior to founding ABGL, Bob was a Senior Labor Partner at Meyer, Suozzi, English & Klein, P.C. where he also served as a long-term member of the Management Committee of the firm.

In March 2006, Bob was appointed by the U.S. Secretary of Labor, Elaine L. Chao, to the U.S. Department of Labor’s ERISA Advisory Council. In his tenure, as a member of the ERISA Advisory Council, he was Co-Chair of the Council’s Working Group on Prudent Investment Processes, as well as the Chair of the Working Group on the Fiduciary Update of the Pension Protection Act and 401(k) Revenue Sharing.  As noted in his service on the Secretary of Labor’s ERISA Advisory Council, he has prepared a Report on Prudent Investment Practices and Chaired the Council’s Report on PPA Fiduciary Update and 401(k) Revenue Sharing.

Bob is rated “AV” by Martindale-Hubbell, the highest level in professional excellence and ethics.

Bob earned his J.D. at Georgetown University Law School and his B.S.F.S. at University School of Foreign Service.

**Marshall B. Babson**

**Marshall Babson** is counsel in the Labor & Employment Department in the New York and Washington offices of Seyfarth Shaw LLP. A former Member of the National Labor Relations Board (NLRB), Mr. Babson’s practice focuses on all aspects of labor relations, including litigation, counseling and arbitration.

His labor experience includes:

* Proceedings before the NLRB, EEOC and U.S. Department of Labor;
* Strategic planning in mergers & acquisitions regarding union and non-union workforces;
* Collective bargaining agreements and negotiations, including strikes and lockouts;
* Labor arbitration;
* Wage and hour, OSHA disputes and personnel matters; and
* Title VII and employment-at-will litigation.

While serving as a member of the NLRB, Mr. Babson participated in many important cases, including John Deklewa & Sons, which set forth new rules for pre-hire agreements in the construction industry, Indiana and Michigan Electric Co.,which established guidelines regarding an employer’s duty to arbitrate post-contract expiration grievances, and Fairmont Hotel, a union access case which involved clarifying the balance between private property rights and Section 7 rights under the National Labor Relations Act.  He was also active in the initiation of rulemaking proceedings in the health care industry.

Mr. Babson was called upon to testify before President Clinton’s Dunlop Commission regarding the status of U.S. labor laws and before Congress regarding proposed labor and employment legislation. He recently testified before the U.S. Senate HELP Committee regarding the NLRB General Counsel’s proposed new rule regarding joint employers.

Mr. Babson has been engaged in counseling employers regarding the acquisition, consolidation and reorganization of unionized and nonunionized businesses, the negotiation of international labor agreements, and the renegotiation of several industry collective bargaining agreements.

Mr. Babson is a member of the Board of Directors of the U.S. Chamber Litigation Center, the U.S. Chamber of Commerce’s public policy law firm, and also serves on the Litigation Center’s Labor Law Advisory Committee.  He is on the Board of Advisors of the Institute for Law and Economics at the University of Pennsylvania.  Mr. Babson is a Founding Fellow of the College of Labor and Employment Lawyers, and Chambers USA recognizes him as a leader in labor and employment law, noting that he is “one of the deans of the traditional labor law bar” and "has an encyclopedic knowledge of labor law."

Mr. Babson earned his J.D. at Columbia University School of Law and his B.A. from the University of Pennsylvania.

**Esta R. Bigler**

**Esta Bigler** is the Director of Cornell University ILR’s Labor and Employment Law Program. She develops forums and conferences on critical and evolving labor and employment law issues and teaches in Ithaca and NYC. A graduate of the Cornell ILR School and Georgetown University Law Center, Ms. Bigler began her career as a field attorney with the NLRB. She then moved to Vladeck, Waldman, Elias & Engelhard, where she represented unions in all phases of labor law and represented plaintiffs in Title VII litigation. Returning to public service, she was the deputy director/general counsel of NYC’s Bureau of Labor Services, which enforced the equal employment opportunity requirement in city contracting. Ms. Bigler is a member of the NYC Bar Association, Labor and Employment Committee; the American Bar Association, Section of Labor and Employment Law; and the NYS Bar Association, Labor and Employment Law Section. She was the 2006 Recipient of the Alice H. Cook and Constance F. Cook Award, for commitment to women's issues and for improving the climate for women at Cornell.

**Peter D. Conrad**

**Peter D. Conrad** is a Partner at Proskauer. He began his legal career as a trial attorney and hearing officer at the National Labor Relations Board. He joined Proskauer’s Labor & Employment Law Department in 1980 and became a partner in 1986. He has represented employers in numerous industries (including health care, higher education, financial services, trucking, pharmaceutical, petrochemical, telecommunications, legal services, publishing, retail, broadcasting, entertainment, hotel and professional sports) in the full range of unfair labor practice and election proceedings before the NLRB. In the nearly 30 years that Peter has handled matters at the NLRB, he has confronted virtually every issue that a labor lawyer practicing in this area could expect to see, from the straightforward discharge for union activity, to the most complex secondary boycott, successorship and refusal-to-bargain situations, representing some of the firm’s most prestigious clients.

The remainder of Peter’s time is devoted to the related areas of union avoidance and corporate campaigns (defending employers against organizational activity in its many forms), as well as arbitration, negotiation, and litigation under collective bargaining agreements. Although primarily engaged in a more traditional labor relations practice, Peter also represents companies in employment discrimination cases (before state and federal administrative agencies and in the courts), workers’ compensation and unemployment insurance proceedings, and general client counseling in all areas of labor relations and employment law.

The clients that Peter represents on a regular basis include T-Mobile USA, United Parcel Service, Consolidated Edison Company of New York, Barneys New York, Delaware North Companies, Castle Oil Corporation, and Otis Elevator Company, to name a few.

As a member of the interdepartmental Sports Law Group, Peter also has done work over the years for the National Basketball Association, the National Hockey League, Major League Baseball and the Major Indoor Soccer League, primarily in matters pending at the NLRB, including the 1995 attempted decertification of the National Basketball Players’ Association and the much more recent season-long lockout by the NHL in 2004/2005.

Peter has been a member of the faculty of the Practising Law Institute since 1987, speaking on the labor and employment law aspects of “Acquiring or Selling the Privately Held Company.”

Peter received both his J.D. and B.A. from State University of New York at Buffalo.

**Michael A. Curley**

In founding and leading Curley, Hurtgen & Johnsrud LLP, Managing Partner, **Michael Curley** brings more than 30 years of experience in advising clients throughout the country and around the world with regard to labor and employment law matters. In those years, he has litigated numerous high-profile cases before the National Labor Relations Board, at FINRA, in various arbitration forums, and in state and federal courts located throughout the country.

Mr. Curley has broad experience in all aspects of labor and employment law, with extensive experience and expertise in: employment discrimination law (including Title VII, the ADEA, the ADA, and the various state and local laws addressing employment discrimination and harassment); traditional labor law (including collective bargaining, administration of collective bargaining agreements, grievance and arbitration, and proceedings before the National Labor Relations Board); wage and hour; restructurings and layoffs (including WARN); wrongful discharge; breach of contract matters; the Family and Medical Leave Act; manager and employee training; litigation avoidance; and counseling with regard to all of these areas.

Mr. Curley has expertise and decades of experience in the entertainment, financial services, trucking, and airline industries. He has served as lead counsel in numerous high-profile litigation matters in those industries, and has also been lead counsel in numerous collective bargaining negotiations and NLRB proceedings. Mr. Curley also has considerable experience in the representation of foreign companies doing business in the United States, having served for many years as outside U.S. labor and employment counsel for companies headquartered in Japan, the United Kingdom and Germany.

Mr. Curley is recognized as one of New York's leading labor and employment lawyers. He has received recognition by Chambers USA (Tier One every year since 2003), [Michael Curley - Labor & Employment New York - Ranked 1](http://www.chambersandpartners.com/Usa/Firms/183733-36801/147724), PLC Which Lawyer, Best Lawyers, and New York Super Lawyers. In addition, Mr. Curley earned an AV rating by Martindale-Hubbell.

Mr. Curley joined O'Melveny & Myers in that firm's Los Angeles office in 1983, and he has focused exclusively on labor and employment law for the past 25 years. In 1988, he moved to the O'Melveny & Myers New York office, where he was elected to the partnership in 1990 and where he became head of the O'Melveny & Myers New York labor and employment practice group in 1991. In 2002, Mr. Curley joined Morgan, Lewis & Bockius, and shortly after that he became the leader of the Morgan Lewis New York labor and employment practice group. In 2005, Mr. Curley moved to Philadelphia and took on an office in the Morgan Lewis Philadelphia labor and employment group while still maintaining his primary client and practice focus in New York.

Mr. Curley is a 1983 graduate of Villanova University School of Law, where he was a member of the Order of the Coif and the Villanova Law Review. He graduated from Drexel University with a B. S. in Accounting in 1980.

**Susan Davis**

**Susan Davis** is a partner at Cohen, Weiss and Simon LLP. She joined the firm in 1982 and became a partner in 1992.

Ms. Davis specializes in the representation of national and local labor unions in all aspects of collective bargaining, mergers and affiliations, organizing, strategic planning and internal union governance.

Prior to joining Cohen, Weiss and Simon LLP, Ms. Davis was a clerk for the Honorable Constance Baker Motley in the U.S. District Court for the Southern District of New York.

Ms. Davis is a fellow of the College of Labor and Employment Lawyers, the national union co-chair of the American Bar Association’s Section on Labor and Employment Law Committee on Practice and Procedure under the National Labor Relations Act and a member of the Board of Directors of the American Arbitration Association. Ms. Davis was named as a Super Lawyer for Employment and Labor Law on the New York Metro 2014 Annual List of *Super Lawyers*, one of the Top Women Attorneys in the Metro New York area by The New York Times in March, 2016 and one of the Top Attorneys of North America in 2016.  Ms. Davis was a 2013 Peggy Browning Fund Honoree.

Ms. Davis serves on the AFL-CIO Lawyers Advisory Panel and is an Advisory Board Member of the Cornell University ILR School.

Ms. Davis has written for and lectured extensively at bar association, attorney and union meetings on a variety of issues facing unions and their members.

She graduated with honors from the University of California at Berkeley in 1976. She received a law degree with high honors from Rutgers University in 1981, winning the West Publishing Company’s annual jurisprudence award and leading the Rutgers moot court team to the American Bar Association’s national moot court finals.

**Louis P. DiLorenzo**

**Louis DiLorenzo** has practiced labor and employment law for more than 35 years and is a Managing Member of Bond, Schoeneck & King.

Louis represents employers and management in all aspects of labor and employment law. His areas of experience include collective bargaining, workplace investigations, NLRB proceedings, labor audits, supervisory training, wage and hour issues, arbitration, jury trials in both state and federal courts, wage incentive plans, OFCCP audits and proceedings, employment litigation before the EEOC and the Human Rights Division and alternative dispute resolution techniques. Louis also serves several insurance companies as pane counsel (e.g., AIG and Chubb) with respect to employment litigation matters. From 2002-2004, he served as General Counsel and Secretary to Agway, Inc., a Fortune 500 Company.

Louis co-authored the article, “Employers’ Settlement Agreements with Departing Employees Under Attack,” *FDCC Quarterly*, Vol. 57 No. 3 (spring 2007). He also co-authored a complete guide for business managers and HR professionals written in plain English, *What Every Business Manager and HR Professional Should Know About…Federal Labor and Employment Laws*, and a two-volume treatise, *Corporate Counseling* (1988); he was also a contributing author to *Public Sector Labor Law* (1988). Louis is is on the editorial board of the two-volume treatise, *New York Civil Practice Before Trial* (2001). He has authored and co-authored numerous articles on various labor and employment law topics. Louis’ published articles include: “Enforcing Employer-Employee Arbitration Agreements After *Circuit City*,” 18 *Fordham University Law Journal* 27 (2001); “Forging a Strategy to Combat Sympathy Strikes,” 29 *Syracuse Law Review* 847 (1978); “Mid Term Bargaining Over Unit Work Transfers,” 45 *CCH Labor Law Journal* No. 7 (1994); “The Growing Menace: Violence in the Workplace,” 67 *New York State Bar Journal* No. 1 (Jan. 1995); “Civility and Professionalism,” 68 *New York State Bar Journal* No. 1 (Jan. 1996); “Workers’ Compensation Discrimination in New York: Is It Really La Dolce Vita?” 32 *New York State Bar Journal* 220 (June 1982); “Employer Liability for Sexual Harassment After Ellerth and Faragher,” 6 *Duke University Journal of Gender Law and Policy* No. 1 (1999); two articles on Title IX and intercollegiate Athletics, 6 *Journal of College and University Law* 61 (1980); “Screening Applicants for a Safer Workplace,” *HR Magazine* (March 1995); “After-Acquired Evidence in Employment Discrimination Cases,” 19 *New York State Bar Association Labor and Employment Law Newsletter* No. 2 (1994); and “Employer’s Responsibilities Under 1986 Immigration Act and COBRA,” *The CPA Journal* (May 1988). In May of 1996, Louis was interviewed extensively in a *Forbes Magazine* cover story on sexual harassment. In their January 2003 issue, the *Corporate Legal Times* described him as the “Great Negotiator.” He was also featured in the United Educator’s video “Sexual Harassment in Academia: No Real Winners,” and has been quoted in several publications including *Business Week*.

**Kathy Drew King**

**Kathy Drew King** is the Regional Attorney for Region 29 of the National Labor Relations Board in Brooklyn, NY. She began working at the National Labor Relations Board in 1992 as a Field Attorney in Region 29. Prior to her appointment as Regional Attorney, she had been serving as a Supervisory Attorney in the Brooklyn, NY office.

Ms. King graduated with honors from Howard University in 1979 with a B.A. in Economics. She received her J.D. with honors from Howard University School of Law in 1982. Ms. King began her legal career in 1982 as a Law Clerk to the Vice Chairman of the Interstate Commerce Commission. From 1983 until 1991, she worked as an Attorney with the U.S. Merit Systems Protection Board in Washington, DC. She worked in the Office of the Appeals Counsel, the Office of the Vice Chair and the Office of the General Counsel. In 1984 through 1985 she was a Teaching Fellow at the Howard University School of Law, where she taught a first-year law school course in legal research and legal writing. From 1991 through 1992 she served as the Associate Executive Counsel with the U.S. Department of Labor Benefits Review Board.

Ms. King has served as an Adjunct Instructor at the District of Columbia School of Law (now the David A. Clarke School of Law, University of the District of Columbia) and at St. Joseph’s College in Brooklyn, NY, where she taught nursing students a course entitled “Health Care Law”. She was admitted to the Bar of the District of Columbia in 1982.

**Karen P. Fernbach**

**Karen Fernbach** was appointed Regional Director of the Manhattan Regional Office (Region 2) in 2011. Ms. Fernbach began her career with the NLRB in 1977 as a Field Attorney in the Manhattan office.  She remained in this position until she was appointed Supervisory Attorney in 1985, and Regional Attorney in 1998, in the Manhattan Office.

Ms. Fernbach received her undergraduate degree from the State University of New York at Albany in 1973 and her J.D. degree from St. John’s University School of Law in 1977.

**Richard F. Griffin, Jr.**

**Richard Griffin, Jr.** was sworn in as General Counsel of the National Labor Relations Board on November 4, 2013 for a four year term. Prior to becoming General Counsel, Mr. Griffin served as a Board Member from January 9, 2012 through August 2, 2013.

Mr. Griffin previously served as General Counsel for International Union of Operating Engineers (IUOE).  He also served on the board of directors for the AFL-CIO Lawyers Coordinating Committee, a position he held since 1994.  Since 1983, he has held a number of leadership positions with IUOE from Assistant House Counsel to Associate General Counsel.  From 1985 to 1994, Mr. Griffin served as a member of the board of trustees of the IUOE’s central pension fund.  From 1981 to 1983, he served as a Counsel to NLRB Board Members.  Mr. Griffin holds a B.A. from Yale University and a J.D. from Northeastern University School of Law.

**Leah Z. Jaffe**

**Leah Jaffe,** a career NLRB employee, is Regional Attorney for Region 2, New York, NY. She assists Regional Director Karen Fernbach in the enforcement and administration of the National Labor Relations Act in Manhattan, the Bronx and several counties North of New York City. Ms. Jaffe succeeded David E. Leach III, who was promoted to his current position of Regional Director for Region 22, Newark, N.J.

Ms. Jaffe graduated from Cornell University in 1980 with a B.S. in Industrial and Labor Relations. She received her J.D. from Fordham University in 1983.  During Law School and for two years after graduation, Ms. Jaffe served as law clerk at the NLRB’s Division of Judges in New York.   After taking a hiatus from the practice of law to raise her three young children, she returned to the Agency at the Regional Office in Manhattan, New York as a Field Attorney in 1989.   She was later promoted to Supervisory Field Attorney in 2001 and then to Deputy Regional Attorney in 2011.

**Lauren McFerran**

**Lauren McFerran** was sworn in as Member of the National Labor Relations Board on December 17, 2014 for a five year term ending on December 16, 2019. Ms. McFerran was confirmed by the Senate on December 8, 2014.

Previous to her appointment to the NLRB, Ms. McFerran served as Chief Labor Counsel for the Senate Committee on Health, Education, Labor, and Pensions (HELP Committee) and had also served the Committee as Deputy Staff Director. She began on the HELP Committee as Senior Labor Counsel for Senator Ted Kennedy and Senator Tom Harkin in 2005 and served in that capacity until 2010. Before her work in the United States Senate, Ms. McFerran was an associate at Bredhoff & Kaiser, P.L.L.C. from 2002 to 2005. She served as a law clerk for Chief Judge Carolyn Dineen King on the United States Court of Appeals for the Fifth Circuit from 2001 to 2002. Ms. McFerran received a B.A. from Rice University and a J.D. from Yale Law School.

**Walter (Terry) M. Meginniss, Jr.**

**Terry Meginniss** is a partner at Gladstein, Reif & Meginniss. Over the past two decades, has had primary responsibility for the firm’s work with unions in the transportation and property services industries. He has also represented various healthcare unions. Since 2010, he has served as general counsel for SEIU 32BJ. From 2005-2009 he served as general counsel to TWU Local 100. Mr. Meginniss has been involved in every aspect of legal work in the labor-management field, including litigation in federal and state courts and before federal, state, and local administrative bodies, as well as in collective bargaining negotiations, arbitration and interest arbitration.

Prior to joining the firm Mr. Meginniss worked for Gordon & Schechtman, a New York City labor firm, and as a staff attorney for the National Employment Law Project. In 1982, he left NELP to join Gladstein, Reif & Meginniss. Mr. Meginniss has contributed to a number of publications, including the chapter “Preemption,” in National Labor Relations Act: Law & Practice (Matthew Bender 1998); the chapter “Legal Developments Reflecting Unions’ Concerns with Drug and Alcohol Testing,” in Aids And Drug Abuse In The Workplace: Testing And Other Legal-Medical Issues(Prentice Hall 1987); and sections of The Initiation And Litigation Of Discrimination Cases Against State And Local Governments: A Primer (National Employment Law Project, 1981). He speaks frequently at labor conferences, to bar committees and at law schools. Mr. Meginniss served as a member of the Civil Rights Committee of the Association of the Bar of the City of New York from 1990 through 1993, and he has served as a member of the Board of Directors of NELP from 1993 to the present.

Mr. Meginniss graduated from New York University Law School in 1977. He received his undergraduate degree from Johns Hopkins University in 1974 where he was elected to Phi Beta Kappa. For many years, he has been included in Best Lawyers in America, and, more recently, in Super Lawyers. He has an AV Preeminent Peer Rating in Martindale-Hubbell.

**Philip A. Miscimarra**

**Philip Miscimarra** was sworn in as a Member of the National Labor Relations Board on August 7, 2013 for a term that expires on December 16, 2017. Mr. Miscimarra was nominated by President Obama on April 9, 2013 and was approved unanimously by the Senate Committee on Health, Education, Labor and Pensions on May 22, 2013. He was confirmed by the Senate on July 30, 2013.

Mr. Miscimarra previously was a labor and employment law partner with Morgan Lewis & Bockius LLP in Chicago, and he was a Senior Fellow in the Center for Human Resources at the University of Pennsylvania’s Wharton Business School. He is the author or co-author of several books involving labor law issues, including The NLRB and Managerial Discretion: Subcontracting, Relocations, Closings, Sales, Layoffs, and Technological Change (2d ed. 2010) (by Miscimarra,Turner, Friedman, Callahan, Conrad, Lignowski and Scroggins); The NLRB and Secondary Boycotts (3d ed. 2002) (by Miscimarra, Berkowitz, Wiener and Ditelberg); and Government Protection of Employees Involved in Mergers and Acquisitions (1989 and 1997 supp.) (by Northrup and Miscimarra); among other publications. Before joining Morgan Lewis in 2005, Mr. Miscimarra was a labor and employment attorney with Seyfarth Shaw LLP in Chicago (1987-2005); Murphy Smith & Polk PC in Chicago (now the Chicago office of Ogletree, Deakins, Nash, Smoak & Stewart, PC) (1986-87); and Reed Smith Shaw & McClay (now Reed Smith LLP) (1982-1986).

Mr. Miscimarra received his Juris Doctor from the University of Pennsylvania Law School; a Masters in Business Administration from the University of Pennsylvania’s Wharton Business School; and a Bachelor of Arts degree, summa cum laude, from Duquesne University.

**James G. Paulsen**

**James Paulsen** was appointed Regional Director of the Brooklyn Regional Office (Region 29) in 2011.  Mr. Paulsen began his career with the NLRB in the Agency’s Division of Advice and then worked as a Field Attorney in the Manhattan and Brooklyn Region Offices (Regions 2 and 29).  He was appointed Supervisory Attorney in the Manhattan Regional Office. He was named Deputy Assistant General Counsel in the Division of Operations-Management in 1996. From 1999 to 2011, he served as an Assistant General Counsel, in the Division of Operations-Management, with oversight over eight Regional Offices. In Operations, he helped to coordinate General Counsel policy on utilization of Section 10(j) injunctive relief, chaired the Field Quality Committee and was a lead on the development of NxGen, the NLRB’s case management system. Mr. Paulsen received a Presidential Rank Award for distinguished service as a Senior Executive.  For six months in 2002, Mr. Paulsen also served as the Acting Regional Director of the New Orleans Regional Office (Region 15).

Mr. Paulsen graduated with honors from Davidson College in 1974. He was awarded his J.D. degree from the University of Florida Law School, where he graduated first in his class in 1976. During law school, he also served as the Editor-in-Chief of the University of Florida Law Review. He was a member of Senior Executive Service since 1999.

**Mark Gaston Pearce**

**Mark Pearce** was appointed a Board Member of the National Labor Relations Board by President Barack Obama in March of 2010. The appointment was confirmed by the Senate on June 21st of that year, and in August, 2011 President Obama designated Mark Chairman of the Board.

Born in Brooklyn, New York, Mark is a graduate of Cornell University and State University of New York at Buffalo Law School. He is a former partner and co-founder of the Buffalo, NY labor and plaintiff side law firm of Creighton, Pearce, Johnsen & Giroux, and served as a certified mediator for the Federal District Court, Western District of New York. His legal experience prior to private practice includes fifteen years with the National Labor Relations Board Buffalo Regional Office representing the Agency as a field attorney and district trial specialist. By appointment of the Governor of NYS, Mark also served as a Board Member of the New York State Industrial Board of Appeals, as well as the NYS Commission to Increase Diversity in State Government, and the Amistad Commission. He is a Fellow of the College of Labor and Employment Lawyers, and a member of both the New York State and American Bar Associations. His past work for other lawyers and the community includes Board membership of the Erie County Bar Foundation; President of the Volunteer Lawyers Project of Erie County; Board directorship of the AFL-CIO Lawyers Coordinating Committee; Member of the Eighth Judicial District of the State of New York Committee on Character and Fitness and District Representative on the Executive Committee of the Labor and Employment Law Section of the New York State Bar Association.

Mark taught for many years as adjunct faculty for Cornell University School of Industrial Labor Relations extension program. He has lectured and given Continuing Legal Education presentations for the American Bar Association, the New York State Bar Association, the AFL-CIO, Cornell University, and numerous labor and management groups. Mark has received recognition and awards from the Minority Bar Association of Western NY; Buffalo and Rochester New York Chapters of the Coalition of Black Trade Unionists; the Coalition for Economic Justice; the Employment Justice Center of Washington, DC; and several other community and labor organizations. In his spare time Mark, who is an accomplished artist, enjoys oil painting and listening to bebop jazz.

**Nicole Cuda Pérez**

**Nicole Pérez** has been representing labor unions, individuals, non-profits, and employee benefits funds in various industries including entertainment, health care, education, transportation, construction, and communications since she joined the firm in 2001.  Prior to joining the firm, she was an associate of the firm Hughes, Hubbard & Reed LLP and served as a law clerk to the Division of Judges of the National Labor Relations Board.

Nicole is an active member of the American Bar Association’s Labor and Employment Law Section.  She is currently serving as Program Co-Chair of the Section’s Development of the Law Under the NLRA Committee and is an Associate Editor of The Developing Labor Law.

Nicole’ publications include, “Too Many Arbitrators Do Spoil the Soup: NLRB Charges Filed by Non-Unionized Employees Should Not Be Subject to Mandatory Pre-Dispute Arbitration Agreements,” *The Labor Lawyer*, Volume 23, Number 3, Winter/Spring 2008 (23 Lab. Law. 285 (2008)) and Associate Editor of The Developing Labor Law.

Nicole received her law degree from Columbia Law School and her undergraduate degree, with honors, in Industrial and Labor Relations from Cornell University.

**Daniel J. Ratner**

**Daniel Ratner** (George Washington University, B.A., 1969; New School University, M.A., Economics, 1973; Brooklyn Law School, J.D., 1982) is a senior partner at Levy Ratner. He began his career in labor with twelve years as an organizer for 1199SEIU and the UAW. His legal career has spanned over 25 years, during which time he has represented a variety of unions in the profit and not-for-profit sectors, including the SEIU, Teamsters and the UAW. He currently serves as General Counsel to 1199SEIU, representing over 300,000 healthcare workers.

Ratner has litigated labor disputes extensively before the NLRB and the federal courts. He was a member of the AFL-CIO national litigation team that established the health care bargaining unit rules through NLRB rule making and subsequent litigation up to the United States Supreme Court. He has participated in national oral arguments before the NLRB on the issues of RN supervisory status [*Providence Alaska Medical Center*, 1996 NLRB Lexis 440 (July 10, 1996), 1997 NLRB Lexis 755 (Sept. 15, 1997), 1999 NLRB Lexis 914 (May 5, 1999)], independent contractor status [*Dial-A-Mattress Operating Corp.*, 326 NLRB 884 (1998)], and joint employee status of agency workers [M.B. Sturgis, Inc., 331 NLRB 1298 (2000)]. He is responsible for the legal victory that initially established the right of graduate teaching assistants to organize under the NLRA in *New York University*, 332 NLRB 1205 (2000).

Ratner has extensive negotiating experience in the profit and not-for-profit sectors. Among the agreements he has bargained is the master contract between 1199SEIU and the League of Voluntary Hospitals, a multi-billion dollar contract covering approximately 150,000 workers in over 100 hospitals and nursing homes.

**Eric P. Simon**

**Eric Simon** is a Principal in the New York City, New York, office of Jackson Lewis P.C. He has over 30 years of experience representing employers in a number of different industries in the greater New York metropolitan area and throughout the United States.

Mr. Simon is actively involved in the long-term health care industry in New York, representing more than 25 for-profit and not-for-profit nursing and rehabilitation facilities. He has successfully negotiated contracts with 1199 SEIU United Healthcare Workers East and other unions in the health care field covering thousands of employees. Mr. Simon also represents clients in the satellite television distribution, developmental disabilities services, home care, document storage and security, and trucking industries.

Mr. Simon’s practice areas include traditional labor law areas such as collective bargaining, labor arbitration, union organizing advice, and representation and unfair labor practice proceedings before the National Labor Relations Board. He has successfully represented clients in employment discrimination matters before federal and state courts and administrative agencies. He also provides advice and counsel to clients regarding personnel decisions, the administration of employer policies and procedures, the development of employee handbooks, employment applications, wage and hour issues, disability management, discrimination, and related matters.

Mr. Simon earned his J.D. at New York University and his B.A. at Cornell ILR.

**Shelly Skinner**

**Shelly Skinner** is Ethics Counsel at the National Labor Relations Board. She joined the Agency in 2007 as a Field Attorney in Region 11, Winston-Salem. She continued her work as a Field Attorney in Region 15, New Orleans; Region 5, Washington Resident Office; and Region 10, Birmingham Resident Office. Since 2013, she has been working in the Agency’s Ethics department, where she provides ethics guidance and conducts ethics training for Agency employees. Ms. Skinner was a Government Fellow with the ABA Section of Labor and Employment Law in 2011 and 2012. She received her undergraduate degree and law degree from The University of Texas.