THE COLLEGE OF LABOR & EMPLOYMENT LAWYERS

Fall 2001 Newsletter
Vol. 3 No. 4

INSIDE THIS ISSUE:

President's Perspective 2

Video History Project Completes Second Shoot 2

College's Video History Producer Wins National Award 3

Fellows Commentary:

Genetic Testing: A Protected Activity? 4

Layoffs – Can Lawyers Help to Soften the Blow? 6

Spotlight on Fellows

Harold Datz 8

Stephen Pepe 9

Sorrell Logothetis 10

SEVENTH ANNUAL INDUCTION DINNER TO BE HELD IN WASHINGTON, DC

The Seventh Annual Induction Dinner is scheduled to be held Sunday, August 11, 2002 in Washington, DC. Fellows, their guests and the soon-to-be-inducted honorees will be invited to attend an evening of celebration and gourmet food at The Ronald Reagan Building and International Trade Center. Home to more than 5,000 federal employees, the Ronald Reagan Building is the largest government building in Washington, DC. In addition, the building houses a premier conference and event center, executive office space and an array of dining facilities. The Atrium, which will be the setting for the evening's festivities, is a 9,800 square foot room capped by a skylight of an acre of glass. A terrazzo and granite floor, majestic columns and a grand staircase complete this magnificent venue.

The Federal Triangle area, the last vacant piece of land on Pennsylvania Avenue between the Capitol and the White House, has seen significant development in the past century. Called "the plague spot of Washington" in a 1890's newspaper article, this area was home to more than fifty saloons and 109 brothels sitting side-by-side with offices of the city's four daily newspapers and its leading banks, theaters and hotels. In the early 1900's, city planners launched a campaign to resurrect the neighborhood and by the late 1920's Congress had authorized purchase of the land for government buildings. The great surge of construction that followed yielded eight monumental buildings between 6th Street and 15th Street, NW. By the mid-1930's, however, the country was deep in the Depression and building stopped for lack of money. What was to have been the Federal Triangle's Great Plaza was left with only a memorial fountain to Oscar Straus, diplomat and Secretary of Commerce and Labor. The rest of the site was paved over and used as a parking lot for more than fifty years. Archaeological work prior to excavation for the Ronald Reagan Building uncovered more than 250,000 remnants of more than a century of daily life, as well as parts of a petrified tree believed to be 65 million years old.

Mark your calendar now for what is sure to be a memorable summer night in Washington, DC. A mailing, scheduled for the beginning of the year, will serve as a reminder and provide relevant information.

PRESIDENT'S PERSPECTIVE

At such times, we must reflect upon the role that we, as Fellows of the College, can play in meeting the challenges that confront us.

The year has been a tumultuous one for our nation. The attack of September 11 has brought tragedy to some of our fellow citizens and danger to the country. At the same time, it has brought forth acts of heroism by those who safeguard our security, empathy for those who have suffered losses, and rededication to the democratic principles by which we live.

At such times, we must reflect upon the role that we, as Fellows of the College, can play in meeting the challenges that confront us. First, we must act in ways that uphold our national values. For us, that means the fostering of respect for the rule of law. Our College demands that we respect the law and that we counsel our clients to play by the rules. We can argue about what those rules are or should be, but in the end, we counsel obedience to the law, and respect for its institutions.

Second, we must be civil in our dealings with our fellow lawyers and our treatment of clients and opponents. Our College requires the highest standards of civility, as a matter of morality and decency.

Third, we must honor the past. Our national values are rooted in time-tested principles, and they achieve fruition through the lives of the men and women who have turned those values into a working reality. Our College, through its video history project and other means, seeks to honor those on whose shoulders we stand.

Fourth, however difficult it may be in these times of stress, we must continue to do the every-day things that we have always done. At work, this means counseling clients, settling disputes and advocating positions. Away from work, this means loving our families, enjoying our friends and pursuing our hobbies, sports and interests. If we fail to do those things, our enemies have won. Our College, through its educational and social activities, pursues these goals. In addition, it honors those who live full and virtuous lives. We must continue those traditions.

To be sure, the College was not founded as an antidote in time of national stress. However, the fundamental values for which the College stands can help to guide us through these days of difficulty.

Under any circumstance, it would be an honor to serve as President of the College. But, especially in this time of tumult, it has been particularly gratifying. The College endures and it grows stronger, even as the nation that we serve endures and grows stronger. I look forward to many years of future association with the College.

VIDEO HISTORY PROJECT COMPLETES

Chief Judge U.W. Clemon of the US District Court for the Northern Alabama became the second subject of the College's Video History Project. Shot in Birmingham, Alabama on October 19th, Judge Clemon's chambers was the setting of this second video and Board of Governors' member William L. Robinson acted as interviewer. Throughout the five-hour interview, Judge Clemon was animated and compelling, speaking movingly of his background, his private practice, his legislative career as an Alabama State Senator and his judicial career as the first African-American to be appointed to the Alabama federal bench.

Judge Clemon's commitment to civil rights and labor law was born out of childhood experiences that shaped his vision of using the law to "right wrongs." A Columbia Law School graduate, he returned to Birmingham to set up his own practice, where he championed the underdog. He litigated many high profile cases against such companies as the Pullman Company and US Steel, where he fought to right the insidious pattern of discrimination against African-American workers. Eventually, his litigation against US Steel

CONTINUED

resulted in a consent decree, which brought about the restructuring of jobs at US Steel's Fairfield plant. Nine major steel companies subsequently agreed to restructure their jobs and departments as well, giving increased opportunities to African-Americans, women and other minorities.

In 1973, Clemon was elected to the Alabama legislature, where in his second year he was made chair of the powerful Rules Committee by the Lieutenant Governor. Remembered as a man who accomplished much during his time in the legislature, he is also remembered for his unique filibustering technique – quoting Shakespeare from memory, sometimes for hours. Clemon spent seven years in the legislature before being elected in 1980 by President Carter to be the first African American to serve as a federal judge in Alabama. Having now served for twenty years, Chief Judge Clemon has dealt with a wide variety of cases.

The five hours of footage from this videotaping will be used in a variety of ways, furthering the College's intention of capturing on film the history of labor and employment law in all its vast expanses. Chief Judge Clemon's rich history, which includes his background in civil rights and discrimination issues, brings one more layer of substance to this important and worthy project. Several Fellows are now in line for production including Honorary Fellow William Usery, Fellows Emeritus Buddy Cooper and Bill Mitch as well as Norton Come and Elliot Bredhoff.

PRODUCER OF COLLEGE'S VIDEO HISTORY PROJECT WINS NATIONAL AWARD

TheCollege's Video History producer, Carol M. Rosenbaum, has won a 2001 Aegis Award for the recent video she wrote/produced/directed: *African-American Women CAN Beat Breast Cancer*. This is the second national award for this production: the first was a Bronze Telly. The Aegis Award is Ms. Rosenbaum's 10th national award.

The Aegis Awards are the video industry's premier competition for peer recognition of outstanding video productions. *African-American Women CAN Beat Breast Cancer* won highest honors for excellence in writing and production in the category of "training/education". The Telly Award also honors productions of the highest quality and is one of the most sought-after awards in the TV, commercial and video industry, with 14,000 entries annually.

In recent years, Carol M. Rosenbaum won a Telly for her TV Public Service Announcement A Blanket of Warmth (produced for the Utility Emergency Services Fund) and for Maria's Story, a healthcare docu-drama. She also won a Robert F. Kennedy Journalism Award for her TV news series, Poverty Has A Woman's Face.

Ms. Rosenbaum is an independent video writer/producer with more than twenty years' experience in creating tapes - from script to screen - for the pharmaceutical industry, corporations, television and not-for-profit groups. Clients include: GlaxoSmithKline, Wyeth-Ayerst, Aventis, Quest Diagnostics, The Rothman Institute of Pennsylvania Hospital, Medical College of Pennsylvania, American Association for Clinical Chemistry, Subaru of America, American Bar Association, Ernst & Young, Carelift International, WPVI-TV (ABC), Philadelphia Young Playwrights Festival, PhilaPride, City of Philadelphia.

FELLOWS COMMENTARY

* * * * *

By Charles L. Fine

GENETIC TESTING: A PROTECTED ACTIVITY?

By Charles L. Fine*

Opponents to genetic testing contend that denying employment on the basis of genetic factors may have a disproportionate or disparate impact on selected racial and ethnic groups.

One of the employee tests utilized by private sector employers is the genetic screening. Currently, approximately two percent of private sector employers in the United States engage in some form of genetic testing. However, it is anticipated that this figure will increase over the next several years; unless, of course, laws are enacted that prohibit its use. Is genetic testing discriminatory because the test results may have a greater impact on minorities? Does it constitute an invasion of privacy? Can the results be used for other than job-related purposes? Should genetic testing become a protected activity?

Generally, the purpose for genetic testing is to determine the susceptibility of individuals to workplace hazards. Employers using the testing process do so on the basis that the tests help prevent certain occupational diseases by identifying individuals who are unusually susceptible.

Genetic testing seeks information about genes, gene products or inherited characteristics that may derive from an individual or a family member. There are, generally, two types of genetic screening that have been used by private sector employers. The first type is cytogenetic testing, which involves testing for chromosome breakage in order to determine if the employee has been exposed to chemicals or toxins. This test is usually applied to employees as opposed to applicants for employment. The second test, which is the most controversial type of genetic test screening, involves the testing of healthy employees or applicants in order to determine their susceptibility to toxins.

Opponents to genetic testing contend that denying employment on the basis of genetic factors may have a disproportionate or disparate impact on selected racial and ethnic groups. They argue that certain genetic traits that are concentrated in particular ethnic groups have been linked to occupational diseases. For example, sickle-cell anemia, which is found in individuals of African or Middle Eastern descent and in approximately eight percent of African-Americans, have been associated with diseases caused by benzene and other nitro-amino compounds.

On the other hand, employers using genetic screening point out that the association of certain genetic traits and the susceptibility to occupational diseases has a direct job-related basis and, therefore, constitutes a "business necessity." The job relatedness involves the obligation under federal and state laws to warn employees of potential workplace hazards. After all, various laws require employers to provide a safe workplace and to reduce potential liability for occupational illnesses or injuries.

Opponents to the testing also point out that it violates the constitutional rights of privacy under the constitutions of those states. However, as with other privacy rights, applicants and/or employees may waive the right of privacy. Applicants and employees may be asked by the employer to sign a release or consent form allowing the testing to take place. The release or consent form is quite similar to the form used for drug testing.

In order to combat the ease with which employers may obtain access to genetic information, states have begun to enact laws that make it unlawful for an employer to refuse to hire or who discharges or otherwise discriminates against an individual on the basis of genetic information. Five states prohibit employers from engaging in any genetic testing of employees. These are Connecticut, Maine, Oklahoma, Rhode Island and Texas. Eight other states prohibit the testing unless the employee signs an authorization of consent. Even then, the testing has to be related to a workers' compensation matter or to determine the susceptibility or level of exposure to potentially toxic chemicals or potentially toxic substances in the workplace. These are the states of Florida, Iowa, New Hampshire, New Jersey, New Mexico, New York, Oregon, and Wisconsin. Most states that have genetic testing legislation prohibit the disclosure of the test results and pro-

CONTINUED

hibit the employers, and the laboratories used, from selling, distributing, or using the results for any reason other than the job-related purpose.

With regard to the federal government, in 2000, President Clinton signed Executive Order 13145, which prohibits federal employers from requiring or requesting genetic tests as a condition of employment. This Executive Order applies only to U.S. governmental departments and agencies. It is not applicable to private sector employers or those doing business with the government. However, legislation has been proposed in Congress that would prohibit employers from requiring, requesting, collecting, or purchasing genetic data for hiring, promotion, or compensation matters. The legislation was first introduced in 1999 in a bill entitled "Genetic Nondiscrimination In Health Insurance and Employment Act."

In July 2000, the EEOC issued its policy guidance on Executive Order 13145: *To Prohibit Discrimination In Federal Employment Based On Genetic Information*. The policy guidance pointed out that the Executive Order did not create any new enforceable rights for Executive branch applicants and employees. Rather, the guidance pointed out that genetic information has been protected under Section 501 of the Rehabilitation Act of 1974, as amended, 29 U.S.C. § 12102(2). Also, according to the EEOC, when Congress amended Section 501 in 1992, it intended the standards of Title I of the ADA to be applicable to all complaints of non-affirmative action employment discrimination. In this regard, the protected genetic information is to include: (1) information about an individual's genetic tests; (2) information about the genetic tests of an individual's family members; or (3) information about the occurrence of a disease, or medical condition or disorder in family members of the individuals. According to the EEOC, a genetic test includes the analysis of human DNA, RNA, chromosomes, proteins, or certain metabolites in order to detect disease-related genotypes or mutations. This means that genetic testing includes not only the examination of DNA itself but also of other substances that provide information about the condition of an individual's DNA. *See* EEOC Compliance Manual, section 902:0045. Despite these guidance statements, however, there has been very little legal action involving genetics and the laws. At least one reported case went against the EEOC position.

Although genetic screening is still quite new, the courts and state legislatures are beginning to set the boundaries for permissible genetic screening.

In *EEOC v. Woodbridge Corp.*, 124 F. Supp. 2d 1132 (W.D. Mo. 2000), the court held that the private sector employer who subjected its job applicants to a physical examination in order to determine whether or not they were likely to develop carpal tunnel syndrome did not violate the ADA. The court found that the tests were job related because the individuals were applying for production jobs that required excessive repetitive work and were not precluded from applying for other jobs.

Although genetic screening is still quite new, the courts and state legislatures are beginning to set the boundaries for permissible genetic screening. Labor laws, privacy laws, health and safety laws, and discrimination laws may all pose problems for genetic testing. In any event, it appears to be just a matter of time before federal legislation is enacted and/or before the rest of the states enact laws or amend their anti-discrimination laws to prohibit genetic testing.

**Mr. Fine, a partner in the law firm of Littler Mendelson in Phoenix, Arizona, was inducted as a Fellow of the College in 1997.*

LAYOFFS – CAN LAWYERS HELP TO SOFTEN THE BLOW?

INTRODUCTION

Now, more than ever, employment/labor lawyers are consulted by corporate management concerning upcoming layoffs and reductions in force. Lawyers typically review the notice and selection process, notification letters, severance packages, release agreements, and many other details. Lawyers, both inside and outside counsel, often contribute suggestions concerning policy. They are also consulted concerning compliance with various applicable laws, e.g. Warn Act, federal and state anti- discrimination laws, OWBPA and state wrongful termination laws. The purpose of this article is to suggest the kind of advice, that the employee advocacy community hopes management will take to heart with respect to layoffs. Borrowing from David Letterman, I proffer this checklist of ten points for review.

Is the purpose of the layoff a solely Wall Street-driven stock price objective to maximize profits to the highest level or is the layoff absolutely necessary because of serious economic problems?

1. Is the layoff really necessary? Are there any reasonable alternatives, for example, cutting non-workforce costs such as travel, advertising, and consultants? Other possible alternatives include work sharing, hiring freeze, shorter hours, shorter work weeks, voluntary separation packages, compulsory vacations and leaves of absence. Is the purpose of the layoff a solely Wall Street-driven stock price objective to maximize profits to the highest level or is the layoff absolutely necessary because of serious economic problems? Companies should consider training current employees for the skills necessary for the future rather than laying off current employees and hiring strangers to the company. Advance discussions with employees and/or their union about business problems that may elicit suggestions on ways to avoid layoff.

2. Should the layoff be categorized as possibly temporary with the possibility of recall? Business conditions may improve in the next few months or foreseeable future. Advising employees that they are valued important workers who may, if business conditions improve, be rehired, would be a morale booster and also give the employees some guide to their job search.

3. What about notice to employees? Of course, employees subject to the WARN Act, where there are mass layoffs of one-third of the workforce or over 500 employees, or a plant closing involving 50 or more employees, receive 60-day notice or pay in lieu of notice. The practice of secrecy and surprise notification – with literally no warning - is not only unfair but also creates unnecessary emotional distress and deep resentment which may contribute to litigation. Unfortunately, many employers still utilize the practice of notification at four p.m. on Friday, "pack your personal belongings at once", with an HR representative standing by, ready to escort the employee to his/her car. Employees want to leave with their heads high, with pride and dignity. They want to finish the job at hand, have time to help their replacement, and say goodbye to coworkers. Generally, departing employees want to show management they are good workers who care about their performance and their loyalty to the company, even if the employer no longer wants or needs them.

4. The selection process, which determines who stays and who goes, should be nondiscriminatory and based on objective criteria. Management lawyers are accustomed to review of layoff decisions – often after-the-fact, when it is difficult to revise decisions. Statistical disparities, e.g. a much larger percentage of older (over age 40) employees targeted than in the existing workforce, is an obvious signal that age discrimination may have contributed to the process. Lawyers should pay special attention to the treatment of protected groups, e.g. minorities and the disabled. Seniority or length of service should be utilized as the basis of the selection decision if qualifications are relatively equal.

5. Many layoffs are economically defensible and necessary. The important issue is what kind of severance package should be offered? The employer should always provide severance pay – in a lump sum if possible, so that the employee can obtain unemployment

CONTINUED

compensation which may be unavailable where the pay is spread out over normal pay periods. The amount of severance pay should usually be based on years of service. Employers should consider a special premium for older employees, over age 40. At least three months salary should be paid to all employees with over one year of service. All employees with 20 years or more of service should get at least one year of severance pay. After a minimum time period the amount of severance pay can be reduced when the employee gets a job making comparable pay. The employer should continue life and health insurance and other medical benefits for a reasonable period, e.g. the length of the severance period or six months whichever is greater or until the employee gets another job providing comparable health insurance. Older employees, e.g. over 50, should receive health benefits for up to one year. Insurance can be provided by the company making COBRA payments.

It is important that employers provide opportunities for laid off employees to obtain training and education in other fields so they can maintain their income level, rather than be forced into lower rated jobs.

6. Companies should consider training and education tuition allowances. Many employees have, for the benefit of the company, focused skills on narrow functions solely related to the company's unique product which have little value to other employers. It is important that employers provide opportunities for laid off employees to obtain training and education in other fields so they can maintain their income level, rather than be forced into lower rated jobs. Employees need help in getting new jobs. Professional outplacement service and other job hunting assistance should be an important ingredient of every severance package. Further, employers should encourage management officials to make every effort to use their personal contacts to help find jobs. Reference letters setting forth the employee's work record and qualifications are always helpful. When appropriate, managers should be advised to give a good reference, in writing or by phone, to prospective employers.

7. Employers should pay attention to special situations. Employees with disabilities or other physical and mental health problems may be eligible for and deserve special assistance. Some employees need a few extra months service to qualify for retirement benefits and stock option vesting requirements. Employers should cooperate to help, particularly when the employees have many years of service.

8. There is a growing practice of giving "enhanced" severance pay over and above "normal" severance pay, if the employee signs a full release of all legal rights. Such releases are often inherently coercive, unless the employee has taken the opportunity to review the situation with a lawyer and has access to the relevant facts concerning the employer selection process. What is most important is giving long-term employees a particularly generous package. While it may be true that recently hired, young, short service, "free agent" employees, do not expect loyalty or job security, the expectations of older employees with over ten years of service should be recognized.

9. Performance related dismissals, of course, raise different issues. For long service employees with 20 plus years of service, companies often feel it is more humane to label their dismissal as an economic layoff, thus enabling them to receive severance pay and unemployment compensation. In all events, it is cruel to deny severance pay to a long time employee merely because the employee, at a particular moment in time, does not fully measure up to company performance standards. The purposes of severance pay – to help an employee in difficult times and to reward past service – are not served by such a heartless approach.

10. Reorganizations and resultant downsizings may be necessary, in the short run, to improve earnings. However, companies should regard the decision as a trade-off involving substantial payments to those laid off. Substantial severance packages are absolutely necessary to help those laid off through the difficult transition period and as a recognition of past service. Such is the practice in Western Europe. Humane and caring concern by managers, human resource professionals, and outplacement specialists is of equal importance. Much of the anger felt by victims of layoffs is often due more to the manner than the fact of termination. Typical is a recent client's complaint: "Not even an individual exit interview or a thank you after 26 years of my life." Fair and compassionate treatment of those who are laid off sends a positive message to the remaining workforce and is good for their morale.

CONTINUED

CONCLUSION

Layoffs can have a devastating economic and emotional impact. Management should do all that is possible to avoid or cushion the blow. Lawyers should exercise the opportunity to influence employer decision-making. Companies will often, but not always, take their lawyer's advice. Treating the departing employee with dignity and respect will prevent lawsuits. Fair notice and selection procedures, generous severance packages, and respectful, compassionate concern will improve employee morale, public relations, and will be good for business. Since September 11, our nation once again is united as in World War II. How we treat our workforce in these special times should reflect our new spirit of cooperation and community. Lawyers have an important role.

** Paul H. Tobias is an attorney with Tobias, Kraus & Torchia in Cincinnati, Ohio. He was inducted as a Fellow in the inaugural class of 1996 and is the founder of National Employment Lawyers Association (NELA).*

SPOTLIGHT ON FELLOWS

FOCUS ON THE PRESIDENT

Harold Datz Finishes His Service

A Charter Fellow of the College, Harold Datz assumed the presidency in January 2001 from Vicki Lafer Abrahamson. He is a career employee of the National Labor Relations Board and a longstanding very active member of the Labor and Employment Law Section of American Bar Association.

Harold joined the NLRB in 1965 as an attorney in Washington, DC in the Regional Advice branch. Two years later, he transferred to the Pittsburgh Regional Office where he served as a trial attorney. He returned to Washington in 1970 as a Supervisory Attorney in the Regional Advice Branch.

The following year, he was appointed Deputy Assistant General Counsel in the Division of Operations-Management, with supervisory responsibility for seven regional offices. He was then promoted to Deputy Associate General Counsel in the Division of Advice, and in 1975, became head of the Division where he served in that capacity for 15 years. During that period, he provided legal advice, on behalf of the General Counsel, to NLRB Regional Directors in cases involving novel and complex issues. In November 1990, he became Chief Counsel to former Board Member John N. Raudabaugh. Since then, he has been Chief Counsel to former Members Charles Cohen and John Higgins. He is currently Chief Council to NLRB Chairman Peter Hurtgen.

Harold achieved an enviable record in his service to the Labor and Employment Law Section of the ABA. He was for many years the Public Co-Chair of the Committee in the Development of the Law Under the NLRA. He then served two four-year terms as a Member of the governing Council of the Section.

Harold has served as an adjunct professor of law at Georgetown Law School and American University Law School. He is well known all over the country as a clear and articulate speaker on the subject of labor law. Harold is always in demand as a speaker and he has earned a well-deserved reputation for his willingness to assist in labor law conferences.

A native of Jacksonville, Florida, Harold was elected to Phi Beta Kappa, and received his B.A. degree in political science, with honors, from the University of Florida in 1960. He received a Woodrow Wilson Fellowship and

The Newsletter Committee continues to strongly encourage all Fellows to submit for publication any hon-ors, accom-

CONTINUED

pursued graduate studies at the University of Chicago. He was a recipient of a Florida Bar Scholarship to attend law school at the University of Florida. He served on the University of Florida Law Review, and received his degree from the University in 1963. He is a member of the Florida and District of Columbia bars.

Harold has been the recipient of the President's Meritorious Rank Award for Senior Executives. Recipients are chosen by the President on the basis of distinguished federal service.

Harold has many activities outside of labor law. He is an avid bicyclist, a cross-country skier, hiker and squash player, having cycled and hiked all over the world.

* * *

Stephen Pepe Prepares To Take The Reins

Stephen Pepe, a management side lawyer in Newport Beach, California, will become the next President of the College on January 1, 2002, succeeding Harold Datz. Steve's distinguished legal career representing employers in all the significant areas of labor and employment law is now into its fourth decade. Remarkable for this day and age, Steve's entire career has been at O'Melveny & Myers, first in Los Angeles and then in the firm's Newport Beach office. Steve is a former Chair of the firm's Labor And Employment Law Department. He is also an original member of the Board of Governors, serving since its inception in 1996.

Steve attended Montclair State College and received his J.D. from Duke University where he was an editor of the Duke Law Journal. He is a life member of the Board of Visitors of Duke Law School and a Trustee of Montclair State University Foundation.

Moving from the east coast to the west coast to begin his legal career, Steve has represented employers throughout the nation in a variety of industries, including newspapers, healthcare, manufacturing, consumer products, and the gaming and horseracing industry. Active in the Labor and Employment Law Section of the American Bar Association throughout his career, he was the founding Management Co-Chair of the Section's Committee on Employee Rights and Responsibilities. Steve is a frequent lecturer on labor and employment subjects in numerous ABA and professional programs and seminars. He has also been very active in the Southern California business community and involved in important pro bono activities. He is a member and former Chair of the Employers Group Legal Committee, a former member of the L.A. County Bar Association's Indigent Criminal Defense Appointments Committee, and a former Director of a major Southern California pro bono organization, Public Counsel.

Complimenting Steve's many other professional activities, he is a prolific author. He co-authored *Avoiding and Defending Wrongful Discharge Claims*, Clark, Boardman, Callahan; *Designing Fair Hiring and Termination Compliance Program* (Volume 9), Clark, Boardman, Callahan; *Privacy in the Workplace*, Employers Group; and *Defamation in the Work Place*, M. Lee Smith Publishers.

As a life-long wine aficionado, Steve has served for many years as a wine judge at the prestigious Los Angeles County Fair. In his spare time, he and his wife, Cathy Hagen, also a labor and employment law partner at O'Melveny & Myers and College Fellow, enjoy spending winters at their family ranch and wine business in San Ynez, California, raising Dalmatians and being devoted grandparents.

Sorrell Logothetis Named Chair of ABA's Section of Labor and Employment Law

Sorrell Logothetis was been elected Chair of the American Bar Association's Section of Labor & Employment Law for a one year term which commenced at the close of the ABA Annual Meeting in August 2001. Mr. Logothetis is the Senior Partner in the Dayton law firm of Logothetis Pence and Doll and specializes in the representation of labor unions and employees in the private and public sections. He has served as general counsel for the Ohio Conference of Teamsters since 1976.

Mr. Logothetis, a graduate of the Georgetown Law Center, has served the past year as Chair-Elect of the Section. Previously, he had served for ten years on the Council (governing body) of the Section. Elected to the College as Founding Governor in 1996, Mr. Logothetis is also a member of the Ohio and the American Bar Foundations.

The ABA Section of Labor and Employment Law has more than 23,000 members who work in all aspects of the legal specialty. By design, Section initiatives and committees are co-chaired by lawyers representing management, union, plaintiff and neutral interests.

* *

The College of Labor & Employment Lawyers
1050 Connecticut Ave., NW
Suite 900
Washington, D.C. 20036
(202) 955-8225 Telephone
(202) 467-0539 Facsimile