

Friday, October 23, 2020

9:15 a.m. Opening Remarks
Jose Klein

9:30 a.m. Key Note Address
Lanaya Irvin, *President of Center for Talent Innovation*



The system of prejudice that Black professionals experience and how employers can build more equitable, inclusive cultures for Black employees.

10:30 a.m. Break

10:45 a.m. Collective Bargaining Agreements and Police Accountability
Jennifer Sung (Moderator), Anil Karia, Ashlee Albies, and Kathy Peck

11:45 a.m. Lunch

1:00 p.m. COVID-19 Essential Workers and Disparate Impact on People of Color and Vulnerable Populations
Deborah Riddick, Nargess Shadbeh, Cinna'Mon Williams

2:00 p.m. Break

2:15 p.m. Case Law Update
Caitlin Mitchell, Lisa Vickery, Iván Resendiz Gutierrez, and Aruna Masih

3:15 p.m. Break

3:30 p.m. Coping in a Crisis: The Impacts of Covid-19 and Racial Injustice on Mental Health and Substance Use
Rosemarie Hemmings, PhD LCSW

4:30 p.m. Closing Conversation
Cameron Whitten

5:00 p.m. Wrap-up
Jose Klein

5:10 p.m. Program Adjourns

Speaker Bios follow ...

9:15 a.m.-5:10 p.m.
Pacific Daylight Time (PDT)

ZOOM conference
Access details will be sent to registrants.

Participants must register by noon on **Wednesday, Oct. 21.**

CLE credits: 5.5, including 2 General, 2.5 Access to Justice and 1 Mental Health

\$50 Law Students
(contact the CLE Service Center to register)

\$50 New Lawyers
(admitted after 1/1/2019)

\$120 Labor & Employment Law Section Members
(enter code SLE220SM at checkout to receive discount)

\$175 Regular Registration

Registration includes electronic course materials.



Need help with your registration?

Call or email the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413, or cle@osbar.org.

A Call to Action — Speaker Bios

1. KEY NOTE

LANAYA IRIVIN, President of Coqual

Lanaya is a global business executive and thought leader in workplace diversity, equity, and inclusion. She spent more than a decade at Bank of America Merrill Lynch, where she led strategic initiatives in global equities, managed client relationships, and led multinational teams. Most recently, Lanaya was head of business development for the Skimm—a millennial-focused news media company with 7 million daily subscribers.

Lanaya has extensive diversity leadership experience in corporate and nonprofit organizations. Since 2013, she has co-chaired the Human Rights Campaign’s Business Advisory Council. She also sits on the board of directors for the New York City Anti-Violence Project, a nonprofit that provides counseling and advocacy services to survivors of LGBTQ hate violence. At Bank

of America Merrill Lynch, she served as a co-chair of LEAD, a 35,000-member employee network dedicated to growing, attracting, and retaining female talent. She also was a founding executive member of OPEN Finance, a consortium of LGBTQ leaders advancing inclusion across Wall Street. In 2015, she mobilized more than 30 financial services firms to sign onto a U.S. Supreme Court amicus brief in support of federal marriage equality.

Lanaya is a frequent speaker on authenticity, race, gender, LGBTQ inclusion, and inclusive leadership in the workplace. Her thought leadership has been featured in Newsweek, the Wall Street Journal, the Financial Times, Business Insider, Forbes, Marketplace, and CNBC. She earned her undergraduate degree from the University of California and holds an MBA from the University of Texas, McCombs School of Business.

2. COLLECTIVE BARGAINING AND POLICE ACCOUNTABILITY

JENNIFER SUNG (Moderator), Employment Relations Board

Jennifer Sung currently serves as a member of the Employment Relations Board. Before joining the Board, she was a partner at McKanna Bishop Joffe, LLP, where she represented labor organizations and employees in civil litigation, arbitration and agency proceedings, contract negotiations, policy development, and professional licensing matters. Jennifer also worked for several years as a labor and employment attorney at Altshuler Berzon LLP, based in San Francisco, where she gained significant experience in class action and constitutional litigation. Jennifer served as a law clerk to Judge Betty Binns Fletcher of the United States Court of Appeals for the Ninth Circuit and completed a Skadden Fellowship at the Brennan Center for Justice at NYU School of Law, where she helped community organizations to advance economic justice policies. Before becoming a lawyer, she worked for several years as a union organizer, helping workers win union representation primarily through National Labor Relations Board elections. Jennifer is a graduate of Oberlin College and Yale Law School.

J. ASHLEE ALBIES, Albies & Stark LLC

Ashlee Albies has been practicing civil rights and employee-side employment law since 2005. She has devoted her legal career to providing zealous advocacy for clients who have been harmed by discrimination, retaliation, and unfair treatment by an employer or by the

government. She is past chair of the Portland chapter of the National Lawyers Guild and of the Oregon State Bar Civil Rights Section, and currently serves on the Bureau of Labor and Industries’ Oregon Council on Civil Rights. Ashlee was part of a legal team honored with the 2010 “Law for the People Award” by the National Lawyers Guild, and has been recognized by SuperLawyers. She has presented at many public forums and continuing legal education seminars about employment law, the First Amendment, free speech, creative uses of the law, trial advocacy, and civil rights litigation. She is a partner in the firm Albies & Stark LLC.

ANIL KARIA, Public Safety Labor Group

Anil is a founding member of the Public Safety Labor Group. He has been practicing law since 2006. For the first three years of his legal career, he worked at a prominent Portland commercial law firm. He began practicing union side labor law in July 2009. Anil specializes in representing law enforcement associations and guilds in Oregon, Washington, and Alaska in all aspects of their labor relations, including day-to-day counsel, negotiations, arbitrations, unfair labor practice proceedings, civil litigation, and critical incident response. He is general counsel for police association and guilds of all sizes, including the Portland Police Association. He has bargained many labor agreements and has participated in numerous arbitrations on their behalf. He has also responded to over 50 officer involved shootings and in-custody deaths.

A Call to Action — Speaker Bios

Anil graduated from Reed College in Portland, Oregon in 1999 with a BA in Philosophy. He obtained his law degree from the University of Oregon School of Law in 2006. Anil is a frequent speaker for the Labor Relations Information System, University of Oregon LERC program, the Washington Council of Police and Sheriffs (WACOPS), and the Oregon Labor Law College. He also provides tailored training to our clients on topics ranging from shop steward basics to recent developments in the law.

KATHY PECK, Peck Rubanoff Hatfield

Kathy Peck graduated Phi Beta Kappa from Washington State University and received her law degree from Willamette University College of Law. She is licensed to practice law in Oregon and Washington.

Kathy is a well-known lecturer on employment law topics and has published articles for the Oregon State Bar, the Oregon Law Institute, the Bureau of Labor and Industries, the American Arbitration Association and a variety of other organizations. She has also taught employment discrimination as an adjunct professor at Willamette University College of Law. In 2017, Ms. Peck was awarded the National Public Employer Labor

Relations Association's (NPELRA) Pacesetter award for excellence in the field of public sector labor relations. She also received the Oregon Public Employer Labor Relations Association (ORPELRA) award of excellence in 2016 acknowledging her longstanding dedication and achievement in the development of positive labor-management relations.

She is one of 15 Oregon attorneys and less than 1500 attorneys nationwide to be inducted into the College of Labor & Employment Lawyers. She has been recognized by Chambers USA as one of America's Leading Lawyers in employment law and was selected by her peers to be included in "The Best Lawyers in America." She has also been selected by Oregon Super Lawyers and the Portland Monthly as one of the metro area's "recommended" attorneys for every year since inception.

Martindale-Hubbell Bar Register of Preeminent Women lawyers selected Ms. Peck for the inaugural edition exclusively for women attorneys who have received the highest possible rating in both legal ability and ethical standards. She is rated AV, the highest rating available by Martindale-Hubbell, for over 20 years.

3. COVID-19 ESSENTIAL WORKERS AND DISPARATE IMPACT

DEBORAH RIDDICK, RN JD, Government Relations Director, Oregon Nurses Association

Deborah Riddick has spent her career expanding patients' access to health care and bringing stakeholders together to raise communities' health standards. She has extensive experience practicing as a direct-care registered nurse and as a nurse educator. She has also shaped public health policy as an analyst and director of health policy for state and local organizations including the Michigan State Legislature, Blue Cross Blue Shield, the Camden Coalition of Healthcare Providers and the School-Community Health Alliance of Michigan.

Deborah is a licensed registered nurse in multiple states and a founding member of the HHS/OMH Great Lakes Regional Health Equity Council.

Deborah joined ONA in 2018.

NARGESS SHADBEH, Director for the Farmworker Program, Oregon Law Center

Nargess Shadbeh is the Director of the Farmworker Program at the Oregon Law Center. Over the past three decades she has focused her legal practice on improving the lives and working conditions of agricultural workers

in Oregon together with the farmworkers themselves and her dedicated colleagues at the legal aid programs statewide.

Cinna'Mon Williams, MBA, Director of Education and Workforce Development, Urban League of Portland

Cinna'Mon Williams is the Director of Education and Workforce Development for the Urban League of Portland. Cinna'Mon has been with the organization for several years in various capacities and has demonstrated an unwavering commitment to serving the needs of the community. In her current role, she directs the work of the youth and families, workforce and employment and small business programs. Before joining the Urban League, Cinna'Mon acted as the Assistant Director of Contracts and Equity at Home Forward with responsibility and oversight of all the agencies equity, inclusion and diversity programs, goals and deliverables. During her time with Home Forward, she advocated both internally and externally on behalf of communities of color, formed the agencies Inclusion Council, acted as the Equity lead on several award winning housing projects and helped to diversify the workforce. Prior to that, Cinna'Mon was with Metro Regional Government and acted as the primary point of contact for their equity programming. She was a

A Call to Action — Speaker Bios

founding member of the agencies Diversity Action Team, which was the catalyst for the robust equity work that is currently being done at Metro, helped the agency set and achieve diversity contracting goals and acted as a liaison with the Minority, Women-owned and Emerging Small business community. Cinna'Mon has represented the needs of communities of color for close to 30 years

and has been actively involved as an advocate for equity within the community throughout this time. Cinna'Mon's educational background includes an undergraduate degree in Business with a concentration in Leadership and a Master in Business Management (MBA) with a concentration in Management.

4. CASE LAW UPDATE

CAITLIN MITCHELL,
Johnson Johnson Lucas & Middleton

Caitlin Mitchell has advocated for the rights of women, children, and workers for more than a decade. At Johnson Johnson Lucas & Middleton, she specializes in employment law and civil rights litigation. Prior to joining the firm, Caitlin was a staff attorney at Youth, Rights & Justice (YRJ) in Portland, where she represented children and parents in juvenile dependency proceedings in the trial court and on appeal; she also worked on class-action litigation on behalf of children in Oregon's foster care system and drafted proposed legislation in support of the rights and interests of parents and children. Prior to law school Caitlin was a counselor and community educator at a sexual assault crisis center in Connecticut, where she worked with survivors of violence and taught classes on topics including sexual harassment in the workplace. Caitlin also has experience working with low wage immigrant workers on wage theft claims.

Caitlin graduated from Yale Law School in 2012. She earned a B.A. in English and Women's Studies from Yale University in 2006, graduating cum laude. She has clerked for Justices Adrienne C. Nelson and Martha L. Walters on the Oregon Supreme Court. In addition to working at JJLM, Caitlin is an adjunct professor at Lewis and Clark Law School, where she teaches Children and the Law. She is also a member of the Oregon Trial Lawyers Association amicus committee.

IVÁN RESENDIZ GUTIERREZ,
Miller Nash Graham and Dunn, LLP

Iván (pronounced "ee-v-AA-n") is a litigation and appellate attorney on the firm's appellate, education, and employment and labor relations practice teams. Iván is known for handling complex cases and situations, providing practical advice, and finding creative solutions for clients from such diverse industries as education, energy, and manufacturing.

Iván advises employers, including higher education institutions, on knotty employment-related issues including discrimination, harassment, retaliation, unemployment insurance benefits (including shared

work benefits), and wage-and-hour compliance, and on preparing employment documents such as employment agreements, handbooks, and other workplace policies. Iván also helps higher education institutions navigate the federal and state antitrust laws and works with them to establish safeguards to minimize risk of antitrust scrutiny.

Iván also defends public and private employers on a wide range of employment and commercial matters before state and federal courts and administrative agencies, including appeals, breaches of contract, class actions, employment discrimination, harassment, retaliation, wrongful termination (as well as other tort claims), and ERISA litigation.

Iván is a regular speaker and author on employment law, diversity, and litigation topics. He has been recognized by national, state, and local organizations, including the Hispanic National Bar Association's "Top Lawyers Under 40" Award, *Oregon Super Lawyers* Rising Stars, Best Lawyers: Ones to Watch, and the Oregon State Bar President's Diversity & Inclusion Award.

Before joining Miller Nash Graham & Dunn, Iván clerked for the Honorable Lynn R. Nakamoto at the Supreme Court of Oregon and the Oregon Court of Appeals.

ARUNA MASIH, Bennett Hartman Attorneys at Law

Aruna Masih regularly represents employees, labor unions, and joint labor-management trust funds in state and federal courts and before the administrative agencies charged with enforcing employee civil rights and labor rights. Since 2003, she has represented the PERS Coalition of unions and public employees in their fight to preserve retirement benefits before the legislature and the courts. She has testified as an expert witness on the subject of public pensions and represented public employees in all the major PERS cases decided by the Oregon Supreme Court since 2003.

Aruna currently serves as the Chair of the Oregon State Bar's Advisory Committee for Diversity and Inclusion and Vice President of the South Asian Bar Association of Oregon. She has previously served as Chair of the Labor & Employment Section Executive Committee, Co-Chair of

the Oregon Minority Lawyers Association, Auction Chair of the Oregon Women Lawyers Foundation, and on the Board of Directors of the Oregon Women Lawyers.

Aruna was born in New York to a Punjabi, Indian father and British mother. When she was six- months old her parents moved back to India to work at a rural, mission hospital in Punjab. “My brothers and I called the hospital campus home for fifteen years and attended Woodstock School, an international boarding school up in the Himalayas.” She returned to the United States when she was in high school.

LISA VICKERY, Fisher Phillips

Lisa Vickery is a partner at Fisher Phillips, where she works out of the firm’s Portland office. Lisa’s practice focuses on representing public and private sector

employers in labor negotiations, labor arbitrations, and administrative hearings. Lisa has successfully litigated unfair labor practice charges before the National Labor Relations Board and state labor boards. She also advises and provides training to employers on the interpretation of collective bargaining agreements and other labor matters.

Lisa has an extensive background in traditional labor law. Prior to joining Fisher Phillips, she worked as an associate counsel at an international union and represented public- and private-sector labor organizations at boutique labor firms in Washington, D.C. During law school, Lisa was awarded a Peggy Browning Fellowship and clerked at the International Brotherhood of Teamsters through that program. Her prior experience gives her valuable insight into how unions approach bargaining and contract administration.

5. COPING IN A CRISIS:

The Impacts of Covid-19 and Racial Injustice on Mental Health and Substance Use

ROSEMARIE HEMMINGS, PHD LCSW, OHSU

Dr. Hemmings is an assistant professor in community dentistry and director of social work at Oregon Health Sciences University. She is developing and teaching an innovative inter-professional curriculum related to social determinants of health within the school of dentistry. Additionally, Dr. Hemmings directs the social work program, which includes masters of social work interns from Portland State University, Arizona State University and Simmons University who provide social work interventions to patients within the dental clinic, and residency program. As a social worker for some 30 years, she has seen the psychological impact of socioeconomic status on who gets their oral health needs met.

Additionally, as a public health practitioner, she knows the impact of access issues related to oral health insurance, oral health practitioners and affordable oral health care on marginalized populations. Dr. Hemmings states that one of the greatest rewards of being at a school of

dentistry is being able to help educate dental students about the human factor(psychological and social) related to the oral health of their patients both now and in their future practice.

Education

- M.S.W., 1988, New York University
- Ph.D., 2016, Walden University
- Certifications:
 - Structural Family Therapy
 - Licensed Clinical Social Worker
 - Motivational Interviewing
 - Chronic Pain Management

Honors and awards

- OHSU Diversity, Equity and Inclusion Champion finalist 2018

6. CLOSING CONVERSATION

CAMERON WHITTEN

Cameron Whitten (all pronouns) is a community activist, small business owner, and nonprofit executive.

At the age of eighteen, Cameron worked themselves out of youth homelessness in Portland and has spent the past decade giving back to the very same community that was here when they needed it the most. They have

a Bachelor’s of Economics from PSU and are currently enrolled as an MBA student at Willamette University.

Cameron recently served as the Executive Director of Q Center, and is the founder of racial justice nonprofit Brown Hope and the Black Resilience Fund. They serve on the Board of Directors of local nonprofits such as REACH CDC, Venture Portland, and Pioneer Courthouse Square.