As the National Labor Relations Board approaches its 75th anniversary, its continued vitality has been questioned. It has operated with only two members since December 28, 2007. Two calendar years have passed, and yet there are few signs that the public or the workforce has noticed. Is this a temporary matter, or has one of the original New Deal agencies lost focus? If it has, what should the Board do to reinvigorate its traditional role as the primary regulator of private-sector labor relations?

We welcome you to our 2010 Symposium to discuss these issues, hosted by the Law Review at the Florida International University College of Law. The gathering brings together a small, select group of nationally-renowned scholars, government officials, and practitioners to present and discuss potential changes in national labor relations law, as well as structural and administrative reform that could, without change to the existing statutes, improve the efficacy of the NLRB.

Presented By:
The FIU Law Review
**SCHEDULE**

**Friday, March 26th**

8:00 a.m. - 9:15 a.m.  Breakfast at Florida International University College of Law

9:15 a.m. - 11:45 a.m.  Panel I  
**Structural and Administrative Reform under the Existing NLRA**  
**Moderator:** Howard M. Wasserman, Professor of Law, FIU College of Law

**Jennifer Hill,** Esq., Florida Immigrant Advocacy Center  
**Topic:** Can Unions Adopt Worker Center Strategies?  
**Commentator:** Joan M. Canny, Of Counsel, Morgan Lewis & Bockius

**Jeffrey M. Hirsch,** Associate Professor of Law, University of Tennessee College of Law  
**Topic:** Defending the NLRB: Improving the Agency’s Success in the Federal Courts of Appeals  
**Commentator:** Andrew M. Kramer, Partner, Jones Day

**Anne Marie Lofaso,** Professor of Law, West Virginia University College of Law  
**Topic:** The Vanishing Employee  
**Commentator:** David L. Gregory, Professor of Law, St. John’s University School of Law

**Jeffrey S. Lubbers,** Professor of Practice in Administrative Law, American University College of Law  
**Topic:** The Potential of Rulemaking by the NLRB  
**Commentator:** Ediberto Román, Professor of Law, FIU College of Law

11:45 a.m. - 12:00 p.m.  Break

12:00 p.m. - 2:00 p.m.  Lunch  
**Speakers**  
**Dean R. Alexander Acosta,** FIU College of Law & Former Member, NLRB  
**Wilma B. Liebman,** Chairman, NLRB

2:00 p.m. - 4:30 p.m.  Panel II  
**Changes in Board Law Under the Existing NLRA**  
**Moderator:** Kerri L. Stone, Professor of Law, FIU College of Law

**Matthew T. Bodie,** Associate Professor of Law, Saint Louis University School of Law  
**Topic:** Mandatory Disclosure in the Market for Union Representation  
**Commentator:** Harold (Harry) A. Maier, Resident Officer, NLRB Miami

**James J. Brudney,** Newton D. Baker-Baker & Hostetler Chair in Law, The Ohio State University Moritz College of Law  
**Topic:** Private Injuries, Public Policies: Adjusting the NLRB’s Approach to Backpay Remedies
Commentator: Marshall B. Babson, Partner, Hughes Hubbard & Reed

Catherine L. Fisk, Professor of Law, University of California-Irvine School of Law
**Topic:** The Role of the Judiciary When the Agency Confirmation Process Stalls: Thoughts on the Two-Member NLRB
**Commentator:** Thomas Mead Santoro, Partner, Jackson Lewis

Michael C. Harper, Professor of Law, Barreca Labor Relations Scholar, Boston University
**Topic:** A New Board Policy on Deferral to Arbitration: Acknowledging and Delimiting Union Waiver of Employee Statutory Rights
**Commentator:** Thomas Brudney, Field Attorney, NLRB

John Sanchez, Professor of Law, Nova Southeastern University Law School
**Topic:** Two’s Company, But Is it a Quorum?
**Commentator:** Dennis P. Walsh, Deputy General Counsel, Federal Labor Relations Authority

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**Saturday, March 27th**

8:00 a.m. - 9:00 a.m. **Breakfast**

9:00 a.m. - 10:15 a.m. **Panel III**
**Structural and Legal Reform: The Discussion Continues**
**Moderator:** Kerri L. Stone, Professor of Law, FIU College of Law

Samuel Estreicher, Dwight Opperman Professor of Law, New York University School of Law
**Topic:** Improving the Administration of the National Labor Relations Act Without Statutory Change
**Commentator:** Peter Schaumber, Member, NLRB

Paul M. Secunda, Associate Professor of Law, Marquette University Law School
**Topic:** The Contemporary “Fist Inside the Velvet Glove”: Employer Captive Audience Meetings Under the NLRA
**Commentator:** Peter Schaumber, Member, NLRB

10:15 a.m. - 10:30 a.m. **Break**

10:30 a.m. - 11:15 p.m. **Final Presentation**
**Peter Schaumber, Member, NLRB**
**Topic:** The Act at 75: Golden Age or Ready for Retirement?

11:15 a.m. - 12:15 p.m. **Reflective Discussion**

12:15 p.m. - 1:30 p.m. **Lunch**
The FIU Law Review wishes to thank Dean R. Alexander Acosta and Professor Kerri L. Stone for their assistance and guidance in planning the 2010 Labor Law Symposium.
Florida International University College of Law is rapidly gaining a distinguished national reputation. The College of Law champions a curriculum that prepares students for ethical and effective practice of law in an increasingly global and multicultural world. The curriculum not only includes a comprehensive presentation of the courses traditionally offered at nearly all U.S. law schools, but also builds on the parent university's distinction in its international programs by incorporating into the curriculum important developments in the globalization of both public and private law. Founded in part to increase opportunities for underrepresented groups in the legal profession, the College of Law has a student body that represents the diversity for which South Florida is celebrated and the intellectual vigor for which FIU has become known. Recognizing the importance of a solid grounding in the skills and values of the profession, the College of Law offers a balanced academic program including both doctrinal and clinical education. As the first journal in FIU College of Law history, the FIU Law Review is committed to facilitating the College of Law’s growth and impact in the legal community. A symposium-focused law review, the Law Review composes many issues with articles addressing a particular area of the law, with authors often participating in a live symposium before publication.

REGISTRATION: There is a $50 per guest registration fee. Please send payments to the attention of Marsha Walker at Florida International University College of Law, University Park Campus, Rafael Diaz-Balart Hall, Miami, Florida 33199. Please make checks payable to FIU College of Law. Please include the name(s) of any guests with the payment, along with any applicable firm, business or association name. For questions please contact Marsha Walker at (305) 348-8374.

CLE Credit: CLE credit approval is pending. The registration fee for CLE credit will be $150 (this includes the $50 registration fee). Please send payments to the attention of Marsha Walker at Florida International University College of Law, University Park Campus, Rafael Diaz-Balart Hall, Miami, Florida 33199. Please make checks payable to FIU College of Law. Please include the name(s) of any guests wishing to receive CLE credit with the payment along with any applicable firm, business or association name. For questions please contact Marsha Walker at (305) 348-8374.

DADE COUNTY BAR ASSOCIATION: The FIU College of Law and the FIU Law Review wish to thank the Dade County Bar Association for co-sponsoring this event.