

January 21, 2016

Dear WSBA Sections Policy Workgroup Members:

I am writing as the Chair of the Labor & Employment Section, and on behalf of the Section's Executive Committee. We understand the Labor & Employment Section is one of the largest and fast-growing sections.

Respectfully and while we have no doubt the Workgroup and WSBA staff are well-intentioned, we oppose the Workgroup proposals, both in terms of process and substance.

Regarding process, only recently were we aware that before the holidays, in October 2015, a WSBA Workgroup was convened by the then-Board of Governors to review and propose potentially dramatic changes to how the WSBA Sections program operates or functions. On New Year's Eve (12/31/15), we understand the Workgroup issued draft policy proposals that would dramatically alter the Sections program. And now, there is a very short time being afforded to comment about the proposals.

In addition, there are no Section leaders on the Workgroup. There are 28 sections in the Bar representing various practice areas and fields of interests and, in general, the most active volunteers in the Bar. I understand at least 18 Sections oppose your recommendations. And I expect other Sections, who have not voiced their objections, are unaware of the proposals or unable to respond to them in the short time frame allotted for doing so.

As to the substance of your proposals, our objections include the following:

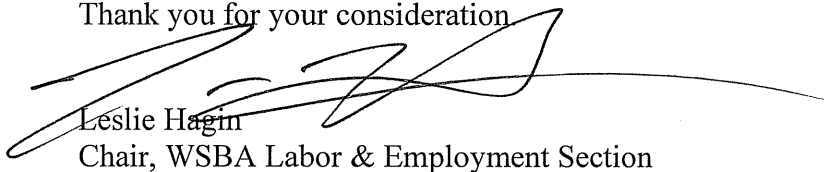
- Pooled financial resources. Currently each Section operates its own budget, and a portion of each Section member's section membership fee goes directly to this fund for programming specifically of interest and benefit to Labor & Employment practitioners. The Workgroup proposes to pool all section resources. On this approach, individuals' Labor & Employment membership fees and Section annual and mini-CLE dues would be used to fund activities of any and all other Bar section(s).
- Forfeiture of financial reserves. Through careful planning and a great deal of hard work over the years to increase our membership, make our annual CLE revenue-generating programs successful, and responsibly manage the money in our Section's accounts, our Section leadership has built up the Labor & Employment Section's accounts to ensure continued outreach and growth of membership, and continuity of excellent programming and other services to our Section members. This has allowed us, for example, to bring mini-CLE and networking opportunities to the membership state-wide – that is, including “East of the Mountains” (beyond merely Puget Sound) – at no additional cost to members; to sponsor labor-specific programs and networking opportunities at no additional cost to members, and to improve and expand our annual CLE programming. By way of further example, it has allowed us to provide grants for law school students each year, allowing them to serve in labor and employment summer internships. As we read the Workgroup's proposal, our Section's funds would be forfeited and placed in a one pooled fund for all sections.

- Lost autonomy. Volunteer Section leadership currently has some important autonomy in our budgeting and programming decisions. On the Workgroup’s proposal, these decisions would be subject to approval or veto by the WSBA staff. The proposals would also impose a “one-size-fits-all” governance matrix on all Sections – so, for instance, the Secretary and Treasurer roles on the Executive Committee would be combined into one person; and the executive committee members, already voted on by the Section membership, could not decide who should hold the officer positions in the most efficient manner, and based on who on the executive committee has actually shown themselves most willing and able to perform each officer role. Such proposed changes would overburden some members of the Section’s executive committee (in a large section like ours, we need a treasurer and a secretary, and it needs to be two people), and impair good succession planning specific to each Section.

We are concerned that these proposals, if enacted, will zap the initiative and energy of people on the Section leadership committees, hinder our ability to operate efficiently for the benefit of the members of the Section, and squelch the desire of people to volunteer their time and energy to serve in any Section leadership roles – all to the detriment of the Section’s memberships and the Bar.

In short, the Section of Labor & Employment opposes the process and the proposed policies advanced by the Workgroup. Membership in sections and section leadership is completely voluntary. And each section’s needs and interests are quite different. We believe it is common sense that individual’s membership dollars and energies should, in fact, go towards the sections they have elected to join. We are also very concerned about the lost autonomy over our programming and the finances we have worked so hard to develop and responsibly manage. The Labor & Employment Section is composed of and run by labor and employment lawyers. We do not believe the Bar’s staff understands the challenges we face better than we ourselves do.

Thank you for your consideration



Leslie Hagin
Chair, WSBA Labor & Employment Section