

NELANY Executive Board Meeting
September 9, 2021 at 6 pm
By Zoom/Telephone
Minutes by Nicole Salk

Attendees: Marjorie, Nicole G., Jacob, Cyrus, Harvey, Patricia, Magdalena, Nicole S.,
Rebekah and Roseni

Quorum: Yes (8)

I. Call to Order

Meeting was called to order at 6:04 pm

II. Meeting Minutes

A. August Meeting Minutes

Consensus decision made that Patricia will reach out to the member who made a complaint regarding the judiciary committee regarding the Board decision's on the complaint.

Board approved suggestion by Harvey that when the board comes out of executive session, the meeting note just needs to reflect that a decision was made.

Cyrus offered the following changes which were approved by the board:

"We are now getting callers to fill in a questionnaire online. After that, we want to start using a virtual receptionist" will change to "We are now working on a form to use to get callers to fill in a questionnaire online. After that, we want to potentially explore using a virtual receptionist to answer the phone calls that do not go to the online questionnaire"

III. Officers' Reports

A. President Report, Marjorie

Marjorie reported that in August email addresses were set up @nelany.com for all Board members and only about half of the Board has logged in with passwords to get access to Google Workspace and to keep Board communications separate from our work emails. Marjorie shared that Google Workspace is up and running. Marjorie asked the Board to utilize Workspace to upload meeting documents and NELA documents for review and to upload our reports no later than 3 days before the meeting.

B. 1st Vice President Report, Laurie - no report

C. 2nd Vice President Report, Nicole - no report

D. Secretary Report, Amy - no report

E. Treasurer Report, Jacob

Jacob reviewed P & L for August 2021. Jacob reports that August was not a good month. There was very little income and the bulk of this income came from a NELARS fee and there are monthly recurring expenses. Jacob reported that there was an increase in the bookkeeping fee because we filed taxes last month. The PPP loan has still not been officially forgiven and the report assumes that we don't have to pay it back. Jacob requests that the report be accepted subject to audit which was approved by the Board.

Board went into executive session at 6:24. No board votes.

F. DEI Report, Cyrus

Cyrus reported that NELA/NY's current DEI goal is to have at least 2 members of a historically underrepresented group (HUG) on panels. We have exceeded that goal for every panel based on the current policy. However, this is based on their appearance not self-reporting which is the best we can do without more info. The DEI Committee is working towards coming up with a new DEI policy to present to the Board.

Cyrus shared that on page 10 of the DEI report is a letter from NELA National to JAMS about the racist views of former Judge Richard Neville who was, until recently a JAMS neutral put out in an email. The letter also includes steps that JAMS should take as a result of this incident. Adam Klein from Outten and Golden asked how to increase diversity of JAMS neutrals and suggested that JAMS should pay a salary for a year to a diverse candidate as opposed to a fellowship.

Cyrus reported that Sonal has stepped down as chair of DEI Committee as she is currently the treasurer for NELA/St. Louis. Nominations for a new DEI Chair are requested.

Cyrus noted that one of the speakers for the upcoming fall conference, Tsedale Melaku, requested a speakers' fee and we negotiated Cyrus and Sonal instead buying 38 of her book "You Don't Look Like a Lawyer: Black Women and Systemic Gendered Racism" which will be given to the first 38 registrants to the conference.

Cyrus reminds the Board about the upcoming CLE: Starting Your Own Employment Practice on Sept. 14 and encourages folks to get the word out. 48 people have registered.

Cyrus pointed to his DEI report for September where he proposes three different options/proposals for statements from the Board re treatment of staff, members, and or both. Option two regarding treatment of staff is passed by the Board. That option is as follows:

“The Board would like to make the following statement regarding our members’ treatment of our staff:

We expect that members will treat NELA/NY employees with dignity and respect. This expectation arises from our central mission as an employee rights organization to “promote the interests of employees,” including ensuring that all employees, including

NELA/NY employees, are treated fairly. Abusive or harassing language or conduct towards NELA/NY employees is not permitted.

The Board has the authority to revoke the membership of a member for “cause.” Please be aware that this Board views harassing or abusive language or conduct by NELA/NY members towards NELA/NY employees as conduct that can, in extreme situations, result in the suspension or termination of NELA/NY membership.”

The Executive Committee will decide how to respond when an inquiry from memberships is made as to what necessitated the need for the passage of this policy.

IV. Executive Director Report

A. Vendor Audit. Roseni reported that merchant processor maintenance fees were being charged to the organization but were hard to understand and recognize. Roseni is trying to get more information. She now knows who it is and tried to get Chase to address it but Chase says they cannot go back more than 60 days. The monthly charges are \$43 and \$59 per month respectively. Tricia states that, in total, it is \$7,000-\$8,000. Roseni states that these charges go back to 2009. These fees are described as merchant processor fees and they are now cut off. Marjorie states she would like to see how much we can get back from Chase and from the processing companies themselves. Roseni will investigate.

B. Gala 2021. Roseni reported that Strangeways will not refund the deposit unless there is a lockdown because of COVID. Strangeways was approved as long as the deposit was refundable. Patricia is confused because we approved it subject to getting out of it because of a COVID issue and a total lockdown is not what we voted on. Marjorie shared that its a \$250 deposit and that's it; that \$10,000 is due on the date of the event. and we can cancel up to the week before. However, after a review of the contract, it appears that a fee would be owed if we cancelled for anything other than a lockdown. Committee needs to negotiate better terms that would allow it to be refundable since that what was voted on and authorized by Board. Roseni also reported that she checked in with Paul Tobias' family and friends and the Exec. Director from NELA/National and everyone says yes we should do a tribute to him and people are willing to give their time.

C. Board Giving Commitment. Roseni encourages Board members to do fundraising - either give or get \$1,000 in fundraising.

D. Google Platform. Roseni states she wants to address that the switch to the google platform was a problem for her and there were not clear instructions on how to deal with it. She states that if the Board would like to make such a big move with how she works, she needs to be included and that an email be sent to her.

V. Board Committee Reports

A. Membership Committee

Marjorie states that volunteers are needed and to please contact her regarding the membership process for attending NELA/NY Board meetings.

B. Communications and Marketing Committee.

Roseni is working on a newsletter and getting input from Lindy.

C. Programming Committee

1. Conference Committee. Jacob reported that registration is open. Locksley had circulated a proposal for a technology vendor. Jacob moved for approval of \$3,500 in expenses for the technology vendor for the Fall conference as set forth in Locksley's report. The motion was discussed. Motion for \$3,500 in conference committee report fails. Motion for the committee to spend up to a \$1,000 passes.

D. Finance Committee, no report

E. NELARS Committee, no report

VI. Announcements

A. NELA Nite: Starting Your Own Practice: September 14, 2021, 6-8 PM

B. NELA Nite: Part 2, Second Generation Claims: October 27, 2021, 5:30-7:30 PM

C. Board Officer Position and Board Vacancies

VII. Adjourn

The meeting was adjourned at 7:31 pm.