

2025 Arbitration and Labor Relations Conference Session Descriptions

Bonus Session! Interest Based Bargaining Training Max Hallfrisch and Dave Luckey

Are you tired of doing negotiations the same old way? Have you ever finished negotiations and felt that nobody in the room understood what you were saying? What if there is a way to turn the “Us vs. Them” atmosphere into one of collaboration and teamwork? If you answered yes to any of these questions, we can help! Join our trained and experienced Mediators as they walk us through the Interest Based Bargaining process (IBB) and explain the benefits of this approach.

IBB is a collaborative approach to resolving labor and management disputes. Through the process, parties proactively identify durable solutions to outcomes at the bargaining table. Agreements are based on mutual and individual interests rather than positions. This approach emphasizes problem solving and enables mutual gain outcomes.

Whether you are new to the world of Labor Relations or an experienced Management or Union professional, this session will provide you with valuable tools to improve your collective bargaining experience going forward. Don’t miss this amazing training opportunity. You have nothing to lose, everything to gain!

Benefits of Working Relationships in Collective Bargaining Rende MacKay, Jason Small, Quint Nyman, Kerry Davant

In this session our panel of Labor and Management professionals discuss the importance of working relationships in Labor Relations. Discover how Unions, Employers, and the Public can benefit from positive Labor Management Relationships. Just how important relationships are in today’s Labor Relations? Can Labor and Management really get along? Is it more beneficial to build a relationship and/or partnership? Join us as we explore how a good working relationship can improve your negotiations, communications, contract administration, and grievance process!

Nine Ways to Become a Better Negotiator and Advocate Kathy Fragnoli

Join this informative and entertaining session as attorney, mediator, arbitrator and author Kathy Fragnoli shares secrets from her 35 years of experience in ADR to help YOU become a better negotiator and advocate.

Marijuana; an Arbitrator’s View on Drug Testing Policy Cases Jeff Jacobs

Wondering how to navigate the realities of bargaining for a drug testing policy in Montana? This session provides an arbitrator’s view on cases involving drug testing policies and explores the obligations of both Labor and Management when developing and negotiating drug testing policies.

How Cases Are Won (Or Lost) In The Preparation Howell Lankford, Audrey Eide, and Todd Lyon

Do you have an issue you can't resolve? Have you exhausted all avenues to settle, and Arbitration is your next step? Have we got the session for you! Come listen to Arbitrators Howell Lankford and Audrey Eide discuss the best ways to prepare for Arbitration and maximize your efforts in both in-person and virtual Arbitrations.

Montana Marijuana Update, What Doesn't Fly With Your Supply (Continued)

Jean Faure and Nate McConnell

The use and legalization of marijuana in Montana isn't going away. Use of legal products outside of employment has created challenges for employers but there still is a "no fly" zone under Montana law. Join Attorneys Jean Faure and Nate McConnell as they update us on the ongoing challenges of Montana's legalization of Marijuana. This session will include a discussion on statutory provisions and protections, their impact on employers, and best practices in navigating this brave new world.

Arbitrator's View on Violations of Due Process

Jeff Jacobs

We've all heard of Due Process violations, but have you ever wondered what those look like from an Arbitrator's perspective? Join us for this informative session as Arbitrator, Jeff Jacobs, walks us through important considerations for both Labor and Management when addressing Due Process issues in Arbitration. This discussion will break down procedural Due Process and include an Arbitrator's view on how violations of Due Process can affect the outcome of your arbitration.

Tales From the Trenches

Howell Lankford

Join us for this interactive session as Arbitrators share interesting and unique "tales from the trenches" of the Arbitration process. In this open session we will invite all the Arbitrators in attendance to introduce themselves and share their experiences. Arbitrator Howell Lankford will serve as moderator for this lively and informative session.

IBB Success Stories

Jenny Weigand, Rachel Schillreff, Dan Rispens, Erwin Garcia

Are you tired of the same old way of Bargaining? Are you looking for a different way to communicate and work together during negotiations. Do you find yourself negotiating the same issues year after year? Maybe Interest Based Bargaining could help you put some new tools in your toolkit for bargaining.

While traditional bargaining focuses on positions, IBB focuses on the interests and concerns of both parties to reach a solution.

In IBB, the parties work side by side to identify the problem, understand each other's concerns, and reach a mutually agreeable solution. Join us as our panel of Labor and Management Representatives share with you, their honest "hands on" experiences with IBB and how it can transform your negation experience!

We will review the basic concepts of the IBB model and then we will turn to our panelists from the East Helena Schools, Billings Public Schools and MFPE to share their successful experiences using IBB.

Cultivating a Sustainable Culture at Work

Jason Slead

Is the grass greener on the other side? The revolving door of employees leaving current jobs in search of “something better” makes new talent recruitment a never-ending process for employers. This process consumes valuable resources which could be redirected to grow and strength the organization. What is at the heart of this revolving door? Is the grass really greener somewhere else?

What if there was something we could do to help retain talented employees, rather than wasting time and resources on recruitment? Come listen to Jason Slead. Communications Director for the Department of Revenue, discuss how to cultivate a sustainable culture in your workplace and retain valuable employees.

Fact Finding and Interest Arbitration: Winning Strategies from Negotiation through Hearing

Yuval Miller, Cindy Walker, and Tim Hoover

How can parties best prepare for Negotiation, Factfinding, and Interest Arbitration? With a century of combined experience, our esteemed moderator and panelists—Arbitrator/Mediator Yuval Miller, Management Attorney Cindy Walker, and IAFF Field Service Representative, Tim Hoover—will highlight bedrock principles and creative, reliable strategies. Come prepared for a lively discussion on comparator asymmetry, volatile economics, recruitment & retention, and other key concepts relevant to all collective bargaining and interest proceedings.

Deep Dive into Complicated ULP Charges.

Elizebeth Kaleva and Matt Thiel

Don't miss this opportunity to join our Labor and Management Experts as we journey into the depths of Unfair Labor Charges. In this session, Attorneys Elizebeth Kaleva and Matt Thiel will examine the complicated issues that can arise when parties navigate the uncertain waters of ULP allegations and violations.

Red Light, Green Light

Kathy Fragnoli, Audrey Eide and Howell Lankford

Back by popular demand, this interactive session is always a crowd pleaser. Join us for one of the all-time favorite Conference Sessions! Test your knowledge as Arbitrators Kathy Fragnoli, Audrey Eide, and Howell Lankford discuss arbitration cases. You be the judge. Will you deny (Red Light) or agree (Green Light) with the Grievance? This is sure to be a fun session for all. Come prepared to discuss and ask questions!

Drugs, Sex & Rock N' Roll: Arbitrators' Views of Off-Duty Misconduct

Barbara Diamond and Shianne Scott

In this interactive session, participants will explore the traditional “nexus” test in light of emerging technologies, laws, and standards applied in arbitration. Topics include just cause and drug testing, modern social media use, and evolving social norms regarding gender and sexuality. Actual case decisions will be used to demonstrate how current arbitrators view off-duty misconduct under just cause today. This session is R rated. Be ready to explore mature themes and to leave with suggestions for how to present

off-duty misconduct allegations in arbitration.

Artificial Intelligence - Legislative Update
Quinlan O'Connor

Are you up to date on the latest in Montana's AI legislation? Ever wondered where other states are heading with their AI legislation? Don't miss this important session where the Department of Labor and Industry's Chief Legal Counsel, Quinlan O'Connor, will share updates on AI legislation for the state of Montana and discuss how other states have addressed Artificial Intelligence through legislation.

Copilot is my Copilot: The Promises and Perils of Artificial Intelligence in Labor Negotiations
Chris Casillas

AI is the "hot" topic in many conversations these days, and that certainly extends to the field of dispute resolution. But, while many speak of AI as either the wave of the future or the downfall of humanity, what is lost is a more objective conversation around how it can be both a valuable tool and source of caution as parties and practitioners navigate ways to resolve disputes. This talk will focus on how labor negotiators can thoughtfully utilize generative AI tools while being mindful of the risks and problems simultaneously presented by these same tools.

Montana Board of Personnel Appeals Discussion
DLI/BOPA Staff

Do you have questions about how to form a bargaining unit, change the composition of a bargaining unit, or file an unfair labor practice charge? Does the thought of filing a motion with BOPA fill you with confusion and dread? Join us as Department of Labor and Industry staff share everything you ever wanted to know (and more) about the Montana Board of Personal Appeals processes and procedures.