

Labor and Employment Law Specialist Recertification Application and Attachments

General Information

1. **Standards and Policies.** Before completing this Recertification Application, please read the Standards and Requirements for Certification and Recertification of Lawyers ("Standards") that govern the Certified Labor and Employment Law Specialist Program. (<http://www.mnbar.org/docs/default-source/certification/standards-le.pdf>)
2. **Professionalism and Ethics.** The Standards include consideration of character, ethics, and reputation for professionalism. The application requires disclosure of conduct. If there are any changes in the information you provided on your Recertification Application after you submit it, advise our office in writing.
3. **Application Processing and Review.** Processing applications can take several months, depending on receipt of information from third parties. Complete and return your application by January 1, 2019.
4. **Fees.** The application fee must accompany the Recertification Application. Check made payable to MSBA.

Private Attorney		Public Attorney <i>(Lawyer employed exclusively by a government agency full or part-time, includes faculty at public universities and colleges.)</i>	
MSBA Member	not a MSBA Member	MSBA Member	not a MSBA Member
<input type="checkbox"/> \$225	<input type="checkbox"/> \$240	<input type="checkbox"/> \$150	<input type="checkbox"/> \$165

Applicant Lawyer Full Name YES NO

Name as it should appear on Specialist Certificate *I would like a certificate mailed to me.*

Firm Name

Business Address

City State Zip

Business Phone Website eMail

My information has changed since submitting my last Annual Audit.

Recertification Applications received after January 1, 2019 will be subject to a \$15 late fee.

(Office Use Only)	Application No.	Payment	Date Filed	Date Notified

Mail this Recertification Application and fee to the following address, no later than January 1, 2019:

Minnesota State Bar Association
Certified ▲ Specialist

600 Nicollet Mall, Suite 380
 Minneapolis, MN 55402-1039
 612-278-6318 | www.mnbar.org

If you have questions, please contact Susan Koplin, Certified Legal Specialists Director, (612) 278-6318 or skoplin@mnbar.org.

Labor and Employment Law Specialist Recertification Application

CONFIDENTIAL

RETAIN A COPY FOR YOUR FILES

Every six (6) years MSBA Certified Legal Specialists must complete a Recertification application to maintain the specialist credential. The purpose of this is to assure the public that the expertise of a certified specialist is current and the credential is not merely historical.

Print or type information. Provide information for all blanks and check all boxes that apply.

Applicant Lawyer Full Name

Name as it should appear on Specialist Certificate

- I agree to abide by all Rules and Regulations established by the Minnesota State Board Legal Certification (MBLC) and the Certification Board and to furnish the MBLC and the Certification Board with the information required to determine my entitlement to Specialist Certification.

License Information

- I am admitted to practice law in the following state(s):

State Full Name	Admission Date	Attorney License Number	Status (Active/Inactive)
Minnesota			

Former or Pending Application(s)

- I have former/pending applications for certification:

State Full Name	Agency	Date certified	Pending	Specialty area
Minnesota			<input type="checkbox"/>	
			<input type="checkbox"/>	
			<input type="checkbox"/>	
			<input type="checkbox"/>	

Definition of Specialty Field

The Labor and Employment specialty field is the practice of law dealing with relationships among employers, employees, and labor organizations, except workers' compensation. It includes all aspects of labor relations and employment law, both public and private, employment-related statutes, employment-related torts and contracts, and employment discrimination. This definition includes all forms of labor and employment litigation, advice, counseling, negotiations, arbitration, mediation, and other forms of alternative dispute resolution before all tribunals.

Substantial Involvement Requirement

Please review Standard II.B. for a definition of this requirement.

1. Please check one of the following:
 - I have been admitted to practice at least six (6) years but less than 10 (ten) years.
 - I have been admitted to practice for at least ten (10) or more years.

Labor and Employment Law Specialist Recertification Application

2. Please indicate any matters on the following list that you have handled in your labor and employment law practice and that are part of the practice percentage indicated above:

Employment Law Experience		
Employment discrimination (Title VII, Americans with Disabilities Act, Age Discrimination in Employment Act, Equal Pay Act, MHRA, all state and federal employment discrimination statutes)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Employment contracts, non-compete/restrictive covenants, executive compensation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Family and Medical Leave Act and state law equivalents	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Wage and Hour (Fair Labor Standards Act, state wage and hour laws) and prevailing wage (federal and state)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Minn. Stat. §181.01 et seq.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Whistleblower/reprisal/retaliation, all federal and state reprisal/retaliation claims, (Reductions in Force, WARN Act, OWBPA)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Employment Torts (tortious interference, defamation and negligence)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Occupational Safety and Health (OSHA and state health and safety laws)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Unemployment compensation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Employment-related ERISA litigation	<input type="checkbox"/> YES	<input type="checkbox"/> NO
State and federal veterans rights	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Employment-related benefits claims	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Strategic employment advice, and counseling regarding employment and/or union issues	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOL/OFCCP (federal, state and local affirmative action and federal contract compliance)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
MLRDA, Immigration, I9	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Other: <i>(List and explain)</i>		
Labor Law Experience		
Federal and state labor laws, organizing, representation, and unfair labor practice	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Arbitration	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Public sector labor laws	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Collective bargaining	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Duty of Fair Representation claims	<input type="checkbox"/> YES	<input type="checkbox"/> NO
LMRDA	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Labor disputes	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Other <i>(List and explain)</i>		

Labor and Employment Law Specialist Recertification Application

Employment Information

The following is a complete statement of my employment since my admission to practice law:
List most recent employment first. Check here if additional sheets are attached.

Employer Name *Date employed from* *Date employed to*

Business Address

Nature of Employment (summarize nature of work performed)

Employer Name *Date employed from* *Date employed to*

Business Address

Nature of Employment (summarize nature of work performed)

Employer Name *Date employed from* *Date employed to*

Business Address

Nature of Employment (summarize nature of work performed)

Employer Name *Date employed from* *Date employed to*

Business Address

Nature of Employment (summarize nature of work performed)

Narrative

Check if additional comments are written on the reverse side or attached.

1. Since your last certification, has the nature of your practice changed in any significant way? If yes, explain. NO

2. Since your last certification, has your focus in the labor and employment law field changed? If yes, explain. NO

Labor and Employment Law Specialist Recertification Application

3. Please describe contributions you believe you have made to labor and employment law practice and to the legal profession since your last certification that have bearing on your reapplication for certification as a Labor & Employment Law Specialist. These contributions may have, but are not required to have, garnered outside recognition or acknowledgment. They may be internally motivated actions and values regarding your labor and employment law practice that you feel have contributed to the overall good of the profession.

4. Identify any honors or other recognition you have received in the labor and employment law area since your last certification.

5. Identify teaching/speaking/writing/other instruction you have offered in the field since your last certification.

Disclosure of Conduct

1. Were you convicted of a crime, excluding misdemeanor traffic offenses, since your last application, audit or recertification? YES NO
2. Has any malpractice claim against you or against your firm involving you been made since your last application, audit or recertification? YES NO
3. Has any public disciplinary sanction been imposed against you in any state of licensure since your last application, audit or recertification? YES NO

If you answer **YES** to any of the questions above, you must complete and attach the Disclosure of Conduct statement. (<http://www.mnbar.org/docs/default-source/certification/cert-le-107-conductac47ec356b9f476398d2a4452da25fc2.pdf>). A record of discipline or failure to disclose any of the information requested above may constitute grounds for denial of your application or subsequent decertification.

Notification Agreement

- I agree to notify the Director of the MSBA Certified Legal Specialist program, in writing, in the event of any change in my status that relates to Standards and Requirements for Certification and Recertification of Lawyers prior to my certification, including:
- Matters requiring disclosure
 - Change in my employment status

CLE Requirements

Board Certified Specialists must complete thirty (30) approved CLE credit hours in labor and employment law per three (3) year reporting period. Any ethics and bias credits counted toward the Certified Legal Specialists CLE requirements must be specifically related to labor and employment law or labor and employment trial skills.

- 2018 was NOT my CLE reporting year. My next reporting year is: _____
- 2018 was my CLE reporting year. I have attached my list of courses.

Download the CLE Requirements form, complete it and attach it or your OASIS CLE report.

Labor and Employment Law Specialist Recertification Application

VERIFICATION

I, _____, being duly sworn, certify that I have carefully read the foregoing application and that all information contained therein is true. I fully understand that failure to make a truthful disclosure of any required fact or item of information may result in the denial of my application, or revocation of my Specialist Certification if granted.

Date: _____
Signature of Applicant Lawyer

State of Minnesota, County of _____

Signed and sworn to before me on _____, by
(month/day/year)

(insert name of Applicant Lawyer)

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

Labor and Employment Law Specialist Recertification Application

RELEASE

I agree to abide by all rules and regulations adopted by the Labor and Employment Law Specialist Certification Board ("Certification Board") as amended from time to time and to pay all fees required by the Certification Board as due.

In making and filing this application for certification, I authorize all persons, firms, officers, corporations, associations, organizations, educational institutions, governmental agencies and instrumentalities (including bar associations, bar examiners, and boards of professional responsibility), employers, references, business and professional associates (past and present), to release to the Certification Board and assigned Minnesota State Bar Association staff, and to the Minnesota State Board of Legal Certification (MBLC), all relevant documents, records or other information that may be requested in the investigation of this application or in the investigation of my continuing satisfaction of the standards for certification.

I agree that all information received by the Certification Board may be treated confidentially by the Certification Board. I hereby waive that confidentiality with regard to any State agency with jurisdiction over legal specialization and also with regard to any organization or entity approved by the State to certify legal specialists to which I have applied or which I am certified.

I specifically waive any right to review any statements of Independent Reference and Peer Review or other evaluations and references made to the Certification Board, whether solicited by me or by the Certification Board. In addition, I agree not to seek discovery of such references and evaluations, formally or informally, in any legal proceeding or otherwise.

I release, discharge and exonerate the Certification Board, the Labor & Employment Law Section of the MSBA, the Minnesota State Bar Association and its officers, staff, agents, employees and representatives, and any person furnishing information or evaluations to the Certification Board, from any and all liability of every nature and kind arising from the investigation and evaluation of my application or my continuing satisfaction of the standards for certification.

I agree that in the event my certification is suspended or revoked or I am not recertified, I shall cease to hold myself out in any way as certified by the Labor & Employment Law Section of the MSBA, and will remove my certificate from public display.

I agree to defend or pay the costs of defense, at the discretion of the Certification Board, for any suit or claim initiated, and to indemnify the Certification Board, the Labor & Employment Law Section of the MSBA, and the Minnesota State Bar Association for any judgment or settlement ordered or paid as a result of any legal action arising from my application or from my certification by the Labor & Employment Law Section.

I hereby certify that I have reviewed each part of my Application and Attachments carefully and made each statement and representation therein, and answered each question therein, fully and frankly and without concealment or reservation. Such questions and answers are, within my personal knowledge, true and complete.

Date: _____

Signature of Applicant Lawyer

Printed Name of Applicant Lawyer

Disclosure of Conduct: Specialist Certification and Recertification

Lawyer Full Name

MN License No.

Disclosure Date

Board Certified Labor and Employment Law Specialists and Specialist Certification Applicants have an obligation to disclose and report the following matters at any time during the certification period or certification application process:

- any conviction of a crime, excluding misdemeanor traffic offenses, regardless of whether the conviction was the result of a plea of guilty or *nolo contendere*, or of a verdict after a trial, and whether such conviction resulted in imprisonment, probation, fine, or suspension of sentence.
- any concluded claim of malpractice brought against you at any time during a Certification period. If this disclosure is being filed with Initial Application, the disclosure period is in the ten (10) years before Application. Attach copies of any orders, judgments, or other pertinent documents you wish the Certification Board to consider.
- any proceeding which resulted in the Applicant or Specialist being disbarred, suspended, publicly reprimanded, sanctioned or otherwise subjected to public discipline by any disciplinary board in any jurisdiction in which you have an active license.

All such matters must be reported to the MSBA Certified Legal Specialists Manager within thirty (30) days after they are imposed or entered. Failure to do so may be grounds for denial of certification or recertification or decertification.

I am filing this Disclosure of Conduct form in conjunction with:

Initial Application Annual Audit Recertification Other: _____

INSTRUCTIONS

Complete the appropriate section(s). Provide any explanation that you wish to be considered in the review of the matter. Use additional sheets if necessary. **You must provide copies** of all relevant documents, including orders and pleadings, judgments, disciplinary findings, or other documents pertaining to this disclosure.

If you have questions, please contact Susan Koplín, Certified Legal Specialists Director, (612) 278-6318 or skoplin@mnbar.org.

Disclosure of Conduct: Labor and Employment Law Specialist Certification

CRIMINAL CONVICTION

Crime	Conviction Date	Judge/Court	Disposition

CONCLUDED MALPRACTICE CLAIM

Case	Date	Judge/Court	Description, including manner of resolution

PUBLIC DISCIPLINE AND SANCTIONS

Public Discipline/ Sanction Type	Date	State/Disciplinary Board	Description

Mail this form along with all requested documents to the following address:

Minnesota State Bar Association

Certified ▲ Specialist

600 Nicollet Mall, Suite 380
Minneapolis, MN 55402-1039
612-278-6318 | www.mnbar.org