

EMPLOYMENT & LABOR LAW COMMITTEE

COMMITTEE CHARTER

I. MISSION STATEMENT

The mission and purpose of the Employment Labor and Law Committee (hereinafter the “ELLC” and or “Committee”) shall be to act as a central resource vehicle for all ACC members with an expertise or interest in employment, labor and benefits law matters. The ELLC shall provide a network for its members to further keep current and consult on the latest case laws and legislative and regulatory actions affecting employment, labor and benefits law.

II. COMMITTEE LEADERSHIP STRUCTURE:

The Committee leadership shall consist of the Committee Officers, Immediate Past Chair of the Committee, and the appointed Chairs of the below referenced Subcommittees.

Committee Officers

The officers of the Committee shall be elected from the Committee’s membership and shall consist of a Chair, Vice Chair, and Secretary; however, any one or more of the offices may be jointly held as Co-Chairs or multiple Vice Chairs.

Executive Council

The Executive Council shall consist of the Committee Officers, Subcommittee Chairs, and Immediate Past Chair of the Committee, along with such other members of the Committee as invited by the Chair. The role of the Executive Council is to lead and coordinate the efforts and activities of the Subcommittees and the Committee at large, provide a central organizational and administrative function, and establish a common vision for the Committee. The Executive Council shall meet by teleconference at least once a month.

Coordinating Subcommittees

Each of the following coordinating subcommittees shall have a subcommittee chair or co-chairs appointed by the Chair of the Committee. The subcommittee chairs and or co-chairs are responsible for carrying out subcommittee tasks and functions, enlisting the assistance of other ELLC members and ACC professional staff.

- **Programs**

Responsible for organizing and producing presentation of a series of substantive programs on employment, labor and benefits related issues at the ACC Annual Meeting. In addition, the Program Subcommittee may provide guidance and assistance with respect to other substantive programs (e.g. ‘new to in house’) or publication of information of import to ELLC committee members and or ACC members at large.

- **Committee Sponsor**

Works with the ELLC sponsor with respect to guidance and assistance as needed on all committee activities, including but not limited to assistance with retaining substantive

program presenters and preparation, drafting and or review of Policy Subcommittee advocacy comments. Also responsible for nominating an ELLC sponsored ACC Member of the Year and providing input and support for ELLC's nomination of the Committee Sponsor as ACC Sponsor of the Year.

- **Communications**

Responsible for chapter e-newsletters and transmittals to ELLC members as well as assuring publication of at least one ELLC sponsored article in ACC Docket.

- **ERISA**

Responsible for addressing and bringing to the attention of the ELLC issues peculiar to in-house counsel who have a dominant focus on ERISA and related taxation and benefits laws and regulations.

- **Policy**

With the approval of the Executive Council and subject to the delegated authority given by ACC's Board of Directors, submits comments and or proposals on federal legislative and or regulatory actions having national impact on employment, labor and benefits law and corporate practices.

- **Webcasts**

Plans quarterly substantive presentations on employment, labor, and or benefits law issues which are of appeal to all ACC members

- **Membership**

Responsible for promoting the ELLC and its activities for the purpose of increasing ELLC membership and activity. With the assistance of ACC professional staff, maintaining current ELLC membership records, coordinating periodic member surveys to determine needs and interests, and organizing member networking opportunities.

III. LEADERSHIP RESPONSIBILITIES

The Chair of the Committee, the Vice-Chair, and the Secretary shall each serve a term of one year, with the eligibility to be elected to no more than two consecutive terms, The Chair is succeeded typically by the Vice Chair who shall be succeeded typically by the Secretary. In addition to the responsibilities he/she shares with other members of the Executive Council, the Chair acts as the principal contact between the Committee, ACC leadership, the ACC headquarters office and ACC local chapters; provided that the Chair shall have the right to delegate to such other ELLC member(s), as he/she shall determine, any of his/her responsibilities as Chair. The Vice Chair shall perform such duties as requested by the Chair and in the Chair's absence shall perform the responsibilities of the Chair. The Secretary shall be responsible for working with ACC staff to ensure timely notice of teleconference meetings of the Executive Council and any Committee meetings, as well as, preparing any minutes of such meetings. ACC staff will work with the Chair to develop and circulate the agenda for such teleconferences and meetings. The Chairs of the Subcommittees shall be appointed by the Chair of the Committee to serve for a term of one year, which may be renewed at the discretion of the Chair for additional one year terms without limitation. Subcommittee Chairs shall be responsible for coordinating the activities of the Subcommittees, and representing the Subcommittee at meetings of the Executive Council.

In the event of resignation of any officer prior to the completion of his/her term of office, the highest ranking officer shall have the authority to appoint a replacement from the ELLC membership to serve the remainder of the term. Should the Chair resign mid-term, the Vice Chair shall have the option of succeeding to the role of Chair, failing which a new Chair shall be appointed from the Committee membership by the Chair of the Council of Association Committees.

IV. MEMBERSHIP

Membership in the Committee is open to all members of ACC. Members of the Committee are encouraged to join and actively participate in at least one Subcommittee. The general membership of the committee will convene once per year for an annual meeting to be held in connection with ACC's Annual Meeting and this meeting shall be presided over by the Committee Chair and Executive Council for the purpose of conducting general committee business, electing officers (Chair, Vice Chair, and Secretary) and developing initiatives for the following year.

V. OPERATING OBJECTIVES

The ELLC shall work closely with ACC Staff to advance the goals of ACC and to comply with the minimum activity guidelines for the national committees. The ELLC will use its best efforts to accomplish the following:

- (1) Plan and conduct a substantive program series each year at ACC's Annual Meeting.
- (2) Plan and conduct a quarterly webcast on a substantive employment, ERISA or labor law topic or issue.
- (3) Submit at least one ELLC sponsored article every year for publication in the ACC Docket.
- (4) Consistent with ELLC advocacy objectives, periodically submit comments to federal regulatory agencies and other government entities as deemed appropriate by the Executive Council.
- (5) Periodically disseminate information and materials of general interest to ELLC members.
- (6) Encourage new membership and active participation in all ELLC events and in ACC.
- (7) Develop and maintain productive working relationships with chapter presidents, other national committees, the ACC's Board of Directors, and ACC staff.

VI. ADVOCACY OBJECTIVES

Consistent with the advocacy guidelines adopted by the Association's Board of Directors and its delegation to the ELLC of Authority to Engage in Advocacy Activities incorporated herein by reference, the ELLC may provide substantive input and comment on major legislative and regulatory initiatives, as well as *amicus* briefs in significant pending cases, having broad impact on ACC member employers. While the ELLC recognizes that not all such advocacy will represent the unanimous views of its membership, such input will be tailored to express the Executive Council's perception of the consensus views of ELLC members and member employers/clients.

The Executive Council will have final discretionary authority over the editorial content of any ELLC advocacy undertakings. At the sole discretion of the Executive Council, alternate input or views not inconsistent with the ELLC's adopted position may also be incorporated into any final advocacy statement. The Executive Council will post promptly on the Committee website any submitted and or published comments and other such formal written advocacy as may be undertaken by the ELLC.

