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Spencer Fane Team Speaks at Nonprofit Bootcamp

Spencer Fane attorneys Trace Blankenship and James A. Crumlin, Jr. recently presented at Blankenship CPA Group's 6th Annual Nonprofit Bootcamp.

The half-day annual event, which was co-sponsored by both the firm and Blankenship and the national fundraising consultancy Lighthouse Counsel, typically draws more than 200 nonprofit executives, nonprofit consultants, and board members, and features various experts to address a pressing issue for nonprofit organizations.

This year's event, *"Above & Beyond Retention,"* explored the operational, legal, and cultural impact of the severe retention problems currently being faced by nonprofit organizations of all sizes across the U.S.

Their presentation, "Do We Just Need Better Coffee in the Breakroom? Perspectives from the Lawyers About Staff Retention Woes Facing Nonprofit Management and Board Members," provided up-to-the-minute perspectives from Trace and James, who have both served as legal counsel for mid-size and institutional nonprofit organizations. They also drew from personal experiences in their own roles both as board chairs and board members over more than two decades of board service in Middle Tennessee.

Trace discussed several questions currently facing nonprofit boards worried about staff retention, including several recommendations for renewed board-level engagement with talent recruitment and retention strategies. He noted that in recent months, board members have begun realizing that the current workplace retention problem for nonprofits no longer is the same "red flag" signaling defective management leadership or a toxic office culture, and that strong external headwinds like inflation, the "great resignation," and "quiet quitting," have caused

boards to renew their engagement with the CEO or executive director to understand and promote a healthy, well-functioning workplace for the organization.

Likewise, James provided urgent guidance about key employment law and HR trends that nonprofit employers need to watch in 2022, such as how to address religious and medical accommodations being requested by staff; privacy and productivity concerns with remote working and work-from-home arrangements; the trending increased demand for more paid time off and a separate leave category for mental health days; how to manage unpaid internships and not run afoul of employee classification requirements. James noted that, as retention woes and hiring volatility continue in 2022 (with no expected end in sight), healthy nonprofits will actively call on legal counsel and nonprofit HR professionals (whether paid or volunteer) to closely monitor all updates and policy changes that pertain to any employment laws and workplace processes.

James and Trace both urged the attendees to create fluid operational and business plans so that nonprofit leaders can re-assure their boards that talent management is at the top (or near the top of the agenda) in 2022 and beyond.

At the firm, Trace regularly advises entrepreneurial founders, CEOs, boards, and senior management of public and private companies on strategy and execution of complex mergers and acquisitions, capitalization at all stages (including VC financings, securities offerings, leveraged buy-outs, and company re-caps), as well as tough governance issues. He's been called in as independent special counsel for boards and committees and often helps companies navigate difficult investor controversies, founder transitions, and board functionality. In addition to speaking engagements and training seminars for boards in numerous industries, he's a long-time faculty member of Nashville's Young Leaders Council and annually trains over 150 young professionals in best governance practices for boards of directors.

James helps clients navigate the corporate legal landscape and avoid costly mistakes, so employers can focus on running successful operations. He concentrates his practice in the areas of labor and employment law, business and corporate law, litigation and dispute resolution, and entertainment and media law. He is routinely featured in various print and media outlets and is frequently called on for speaking engagements and in-house training sessions for clients regarding compliance with the numerous federal and state laws affecting employers. In his

role as outside counsel for several small and midsize businesses, he is a long-time trusted advisor for entrepreneurs and startup venture founders in a variety of industries.