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**PROFESSIONAL AFFILIATIONS:**

NAA; AAA (Labor, Commercial); LERA (Airlines and Utilities); ABA (Dispute Resolution, Labor & Employment; Nat'l. Assn. of Railroad Referees; ACR (Workplace Leadership Council).

**EDUCATION:**

BA	History with Honors	Arizona State University
MPA	Labor Relations & Public Finance	Indiana University
Fellow	Post-Graduate Psychology	Johns Hopkins University
Law	CLEs	National Judicial College; ABA

**CERTIFICATIONS:**

Labor Arbitrator	National Academy of Arbitrators (NAA)
Mediator (Employment & Commercial)	District of Columbia Superior Court
Adv. Practitioner (Employment Arbitration)	Association for Conflict Resolution (ACR)

**SPECIALIZED TRAINING:**

Complex Public Education Issues: FMCS-NAA September 16, 2011  
City of Albuquerque (NM) Citizens' Police Academy 2009

**ARBITRATION/LABOR AND EMPLOYMENT RELATIONS EXPERIENCE:**

**1999-Present:** Arbitrator and mediator; grievance mediation, class-action grievance facilitation, interest arbitration, med-arb, factfinding, elections and card check recognition. Permanent panels in public and private sectors on economic, non-economic, Title VII, ADEA, ADA, EEO, FLSA, FMLA, HIPAA, OSHA, ULP, unit determination. presenter on labor and employment issues at NAA & ACR confs.; Adv. trng. AAA, FMCS, NAA, ABA, Nat'l. Judicial College (employment litigation skills, motions practice, discovery, whistleblowing, civil procedure, employment torts, evidence, police liability, statutory and equitable remedies); Adj. Prof., Univ. New Mexico (Labor & Employment Relations) **1993-1999:** Director, New Mexico PERB, investigated, mediated & adjudicated ULPs & unit representation cases; research fed/state laws for PERB decisions. **1986-1993:** advisor to LMR projects (human factors analysis and continuous improvement operations) at Goodyear\URW, NiSource Utility\USWA, FAA\PASS, General Dynamics\IAMA, LTV Steel\USWA, Ford\UAW. **1980-1986:** Staff Associate, Federal Service Impasses Panel\Foreign Service Impasse Disputes Panel: mediation, factfinding, med-arb, interest arbitration (300 interest arbitration awards) and field agent, OGC, investigation of ULPs.

**INDUSTRIES:**

Aerospace; aircraft mfg; airlines; agriculture; aluminum; automotive; banking; beverage; brewery; broadcasting; bldg. products; call centers; canning; casinos, cement; chemicals; clothing; coal; communications; construction; corrections; dairy; education; electric eqpmt/appliance; electronics; engg & research; entertainment/arts; financial institutions; fire; food; foundry; furniture; glass/pottery; health care; hospitals/nursing homes; insurance; iron; lodging (hotels/motels); lumber; maritime; meat processing; metal fabrication; mining; ofc support/clericals; pharmaceuticals; petroleum, petrochemicals; police, prison guard; pulp & paper; railroad; refrigeration/HVAC; regulatory agencies; resorts; restaurants;

retail stores; rubber/tire; svc industries; steel; supermarkets; telecommunications; transportation; trucking & storage; universities; utilities; warehousing.

#### **ISSUES:**

Absenteeism; agency fee; arbitrability; bargaining unit work; conduct (off-duty); civil rights; COLA; continuing violation; contract interpretation and application; demotion; disability benefits and plans (short, long term); discipline (non-discharge); discharge; discrimination (ADA, ADEA, Title VII, etc.); drug/alcohol; EEO, employment contracts; ethics and governance; FLSA; FMLA; holidays & holiday pay; human factors; incentive pay; insurance; job classification & rates; leave; grievance mediation; HIPAA, health and hospitalization; hiring practices; hours of work; Indian Preference Act; insubordination; job performance; job posting/bidding/assignments; just cause; LCA; layoff/bumping/recall; management rights; merit pay; official time; OSHA; overtime pay; past practice; pension and welfare plans; polygraphs; position description; promotion; public safety, reassignment; RIF; retaliation; retirement; safety/health conditions; schedule\hour of duty; seniority; settlement agreement; severance pay; sexual harassment; social media; subcontracting; tenure & reappointment; union rights & security; union discrimination; vacation\vacation pay; whistleblowing; workplace violence/threats.

#### **PERMANENT PANELS:**

Amtrak\BRS; BNSF\BT; Union Pacific\TCU\IAMAW; Postal Service\NALC; Tucson SD\NEA; Rocky Mtn. Steel\USWA; FAA\NATCA; Clark County SD (Las Vegas, NV)\NEA; White Pine County (NV) SD\NEA, WPACT, WSSO; Tinker AFB\AFGE; USDA\Nat'l. Food Inspections Locals; SSA\AFGE; IRS\NTEU; Koppers Industries\TCU; Chair, Albuquerque LMRB; Special Master, Nebraska Comm. Industrial Relations; ABA Employment Disputes Panel; FINRA Disputes Panel.

#### **ARBITRATION ROSTERS:**

AAA (Labor & Commercial); CA State Mediation & Conciliation Service; Montana Bd. of Personnel Appeals; Nat'l. Med. Bd. (Public Law Bds. Airlines, Railroads); Nat'l. Railroad Adjustment Bd. (3<sup>rd</sup> Div.); Kansas, Nevada, Oklahoma, Oregon, Washington PERBs.

**SAMPLE OF PUBLISHED CASES:** 108 LA 1006; 111 LA 1033; 111 LA 1078; 112 LA 673; 112 LA 907; 113 LA 240; 116 LA 1373; 118 LA 426; 118 LA 705; 119 LA 65; 119 LA 305; 121 LA 348; 121 LA 1368; 122 LA 259; 125 LA 541; 126 LA 594; 127 LA 1412; 129 LA 513; 129 LA 1089; 93-2 ARB 3542; 97-2 ARB 3270; 99-1 ARB 5499; 02-1 ARB 3044; 03-1 ARB 3447; 03-2 ARB 3534; 04-1 ARB 3679.

#### **PUBLICATIONS:**

*Labor and Employment Arbitration*, 2<sup>nd</sup> ed. (LEXIS) *How Arbitration Works*, 6<sup>th</sup> ed. (BNA)  
*Discharge and Discipline*, 2<sup>nd</sup> ed. (BNA) *2006, 2007, 2008 NAA Annual Proceedings* (BNA)  
*A Guide to Principles in Federal Sector Arbitration* (Dewey Publications)

**PER DIEM FEE:** \$1,200.00

**CANCELLATION FEE:** (See below)

**Grievance Arbitration, Factfinding:** Per Diem applies to case prep, prehearing, hearing, research and award. Hearing day is any portion of a day up to 8 hours; 1-day minimum.

**Employment Mediation\Arbitration, Interest Arbitration (Med-Arb), Labor Mediation:** \$350.00 per hour; 1/2-day minimum.

**Cancellation Policy:** If scheduled hearing is postponed or canceled with notice of less than 4 calendar weeks (28 days) the per diem or hourly fee for each day of scheduled hearing is charged unless another matter can be substituted. Applies where parties forego hearing and proceed with briefs.

**Travel time:** Pro-rated per diem for travel in excess of 2 hours; full per diem for weekend or holiday travel.

**Expenses:** Arbitrator charges actual expenses for transportation, lodging and meals. Mileage is the IRS rate. Other costs assessed are administrative/clerical support, LEXIS computer time, and taxes or service fees assessed by governmental entities.