

**Arbitrator, Hearing Officer, Impartial Factfinder
Member, National Academy of Arbitrators**

Business Contact:

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ARBITRATION ROSTERS

I have served on the following arbitration rosters:

National

Federal Mediation and Conciliation Service National Mediation Board
National Arbitration and Mediation National Arbitration Forum

State/City

Oregon Employment Relations Board DC Public Employee Relations Board
California Mediation & Conciliation Service Montana Board of Personnel Appeals
Los Angeles Employee Relations Board Alaska Labor Relations Agency
Nebraska Commission of Industrial Relations Kansas Public Employee Relations Board
Idaho Department of Commerce & Labor Rhode Island Dept. of Labor (arbitrator/mediator)

ARBITRATION PANELS: I have served on the following representative arbitration panels:
USPS/APWU; NPMHU/USPS; IRS/NTEU; AFGE/DOJ BOP; Army/AFGE; Safeway/UFCW; United
Steelworkers International Union/Flex-N-Gate Oklahome, LLC; United Mineworkers/Decker Coal
Co.; FAA/NATCA; IBEW/Central NM Electric Power Cooperative, Inc.; IAFF/City of Broken Arrow,
OK; Parks/TA Operating LLC; Bernalillo County, NM/AFSCME; USDOL/AFGE

PROFESSIONAL HISTORY:

Beginning August 2020 – Arbitrator, Hearing Officer, Impartial Factfinder.

2014-August 2020: Held various positions with the United States Postal Service, including Chief
Counsel, Labor Relations, Chief Counsel, Safety, Chief Counsel, Employment Law, Chief Counsel,
National Employment Litigation (Class Action) Unit, Managing Counsel, Capital Metro Area Law
Office, and Deputy Managing Counsel, Western Area Law Office. Also served as counsel for the
2018 USPS-APWU collective bargaining negotiations and co-counsel, 2015 USPS-APWU interest
arbitration litigation.

2002-2014: Arbitrator, mediator, fact finder. Arbitrate/mediate public (federal, state, city) and
private sector labor/employment grievance and employment disputes. Issued 225+ written
decisions.

1999 to 2002: Held various positions with the U.S. Postal Service, including attorney, senior
litigation counsel, and Deputy Managing Counsel providing counsel and litigation representation on
broad spectrum of labor and employment law issues before the EEOC, MSPB, OSHA, and federal
courts. Served temporary assignments as Managing Counsel, USPS Philadelphia Law Office;
Manager, national MSPB Task Force; Special Assistant U.S. Attorney. Member; Practice and
Procedure Committee, NLRB Region 27.

1986-1991, Associate in private sector New Jersey law firms responsible for counsel and
representation of individuals and employers in labor and employment law matters.

INDUSTRIES:

Arbitrated cases in federal sector; USPS, IRS, DOL, DOJ BOP, USDA, civilian military; construction; local government; police, fire, corrections; city services; health care; custodial; airport operations; zoo operations; clerical; transportation; automobile assembly; education; parks and recreation; senior services; retail supermarkets; utilities, manufacturing; mining; oil & gas, and commercial food industries.

ISSUES:

Absenteeism; Age Discrimination; Arbitrability; Bargaining Unit Work; Conduct (Off-Duty)/Personal; Contract disputes; Cross-Craft Issues; Demotion; Discipline (Non-Discharge); Discipline (Discharge); Age Discrimination; Disability/Reasonable Accommodation; Race Discrimination; National Origin Discrimination, Religious Discrimination; Sex Discrimination; Retaliation/Reprisal; Drug/Alcohol Offenses; Due Process; Ethics; Just Cause; Family and Medical Leave Issues; Leave; Vacation; Hiring Practices; Job Performance; Job Posting/Bidding; Jurisdictional Disputes; Management Rights; Official Time; Past Practices; Pay Issues; Promotion; Safety/Health Conditions; Schedule Changes; Seniority; Sexual Harassment; Subcontracting/Contracting Out; Union Security.

EDUCATION

LL.M. Labor Law	New York University	1990
	Recipient, Seymour Goldstein Memorial Prize for Academic Excellence in Labor Relations	
J.D. Law	Fordham University	1986
B.A. Political Science	Hobart College	1983

BAR ADMISSIONS & CERTIFICATES

Conflict Resolution	University of Utah	1999
Law	New York	1991
Law	New Jersey	1986

SIGNIFICANT PUBLICATIONS

- *Labor Arbitration Practice for the Federal Sector, 2d Ed.* (Dewey Publications, Inc. 2016)
- *A Federal Sector Guide to the Family and Medical Leave Act & Related Litigation 4th Ed.* (Dewey Publications, Inc. 2020)
- *FMLA Basics: A Federal Supervisors Guide to the Family and Medical Leave Act, 2d Ed.* (Dewey Pub. Inc. 2017)
- *A School Administrator's Guide to the Family and Medical Leave Act* (Rowman & Littlefield, 2007)
- *What You Don't Know Can Get You Sued*, Government Executive (April 1, 2004)
- "End Run" Bargaining, New Jersey Lawyer, No. 137 (Nov./Dec. 1990)

SIGNIFICANT TRAINING PROVIDED

2020: *Arbitrator Practices Do's and Don'ts*, 43rd Annual Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region

2019: *FMLA Update*, 46th Annual Symposium, Society of Federal Labor and Employee Relations Professionals

2017: *A Basic Guide to Successfully Making and Meeting Objections in Grievance Arbitration Hearings*, 40th Annual Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region

2016: *FMLA Update*, 43rd Annual Symposium, Society of Federal Labor and Employee Relations Professionals

2015: *Arbitrating Attendance: Developments in the Laws Protecting Absences from Work - The FMLA, ADA, TITLE VII, USERRA and Many More*, 38th Annual Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region

2013: *Best Practices for Advocates*, 36th Annual Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region

2011: *FMLA Update*, Chicago-Kent College of Law, Annual Federal Sector Labor Relations and Labor Law Conference

2010: *Postal Arbitration: Time for a Change*, Moderator, 33rd Annual Labor-Management Conference, National Academy of Arbitrators

2010: *FMLA Update*, LERA, Rocky Mountain Chapter

2009: *FMLA*, One-Day Workshop, Federal Employment Law Training Group

2009: *FMLA*, Colorado Human Resources Association

2008: *FMLA*, One-Day Workshop, Federal Employment Law Training Group

2008: *FMLA*, New Orleans Federal Executive Board

2007: *FMLA*, Annual Spring Conference, Florida Association of School Personnel Administrators

2007: *FMLA*, 54th Annual Spring Conference, Colorado Association of School Business Officials

2007: *Understanding Federal Employee FMLA Rights*, LRP Audio Conference

2006: *Arbitration and the Family and Medical Leave Act*, National Academy of Arbitrators, Southwest Region 29th Annual Labor-Management Conference

PROFESSIONAL AFFILIATIONS

Member, National Academy of Arbitrators

Labor and Employee Relations Association

American Bar Association

New York Bar Association

New Jersey Bar Association

Society of Federal Labor and Employee Relations Professionals; Past President, DC Chapter

FEES:

Per Diem: For all matters, \$ 2,000.00 per diem for a hearing day of up to 8 hours, and for the preparation of the opinion and award. Time spent in excess of an 8-hour hearing day, or expended pre- or post-hearing (e.g., conference calls, motions, evidentiary or other rulings, etc.) is charged at \$250 an hour, calculated in 15-minute increments.

Travel time: Travel time of 3 hours or less on the day of the hearing is not charged. Where travel time exceeds 3 hours, and for all travel on a non-hearing day, travel time is charged at \$250 per hour. Travel time is calculated door-to-door by the means of transportation (e.g., automobile, train, airplane) selected by the arbitrator.

Expenses: Reasonable expenses including, as appropriate, mileage (at the prevailing IRS rate), rental car, UBER/Lyft, Taxi, parking, tolls, train fare, coach airfare, lodging, and meals (meals are not charged where travel is on the same day as the hearing).

Cancellation: Cancellation/ rescheduling of a scheduled 1-day hearing with less than thirty (30) days notice will incur a per diem fee (\$2,000). Hearings scheduled for two or more consecutive days require 60 days' notice to avoid a cancellation fee. Cancellation of hearings scheduled for two or more consecutive days with less than 60 days' notice will incur a per diem fee for each cancelled hearing day. Cancellation charges also include any expenses incurred (e.g., cancelled flights and lodging charges).