

KENNETH M. FITZSIMON

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Present Occupation: Arbitrator / Factfinder

First Business Address:	Second Business Address:
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PROFESSIONAL AFFILIATIONS:

Former Member, Oregon State Bar – Labor & Employment Law Section, Former Chairperson
Former Member, Labor and Employment Relations Association (LERA), Oregon Chapter

EDUCATION:

Whittier College School of Law Los Angeles, California J.D. Cum Laude, 1972

CERTIFICATIONS:

Former Member of Oregon State Bar, Admitted 1981
Former Member of California State Bar, Admitted 1972

ARBITRATION/LABOR RELATIONS EXPERIENCE:

2006-2013 Commissioner, Portland Public School District Custodian Civil Service Board
1988-2004 Administrator for Labor Relations, Oregon Nurses Association, Portland Oregon
1982-1988 Labor Relations Representative, Oregon Nurses Association, Portland, Oregon
1974-1980 Partner, Richman & Garrett, a Professional Law Corporation, Los Angeles, California
1972-1974 Law Offices of Kenneth M. Fitzsimon, Los Angeles, California

INDUSTRIES: (AS AN ADVOCATE)

Aluminum, Bakery, Building Products, Broadcasting, Cement, Chemicals, Construction, Dairy, Education, Electrical Equipment/Appliances, Entertainment/Arts, Food, Furniture, Health Care, Hotels/Motels/Casinos/Resorts, Hospital/Nursing Home, Meat Packing, Metal Fabrication, Office Workers/Clerical, Organizations, Plumbing, Restaurants, Retail Stores, Rubber/Tire, Shipbuilding/Dry Dock, Steel, Stone/Quarry, Transportation, Trucking and Storage, Upholstering, Utilities, Warehousing.

ISSUES: (AS AN ADVOCATE)

Affirmative Action, Absenteeism, Arbitrability, Bargaining Unit Work, Conduct, Demotion, Discipline (Non-Discharge), Discipline (Discharge), Discrimination: Age, Disability, Race, Sex, Religion, National Origin, Drug/Alcohol Offenses, Fringe Benefits: Bonus, Holidays, Insurance, Leave, Vacation, Grievance Mediation, Health/Hospitalization, Hiring Practices, Job Performance, Job Posting/Bidding, Jurisdictional Disputes, Layoffs/Bumping/Recall, Management Rights, Official Time, Past Practices, Pension and Welfare Plans, Pension Claim (Fed. Statute), Promotion, Retirement, Safety/Health Conditions, Seniority, Sexual Harassment, Strikes, Lockouts, Work Stoppages, Slowdowns, Subcontracting/Contracting Out, Tenure/Reappointment, Union Security, Wages: Cost-of-Living Pay, Holiday Pay, Incentive Pay, Job Classification and Rates, Merit Pay, Overtime Pay, Severance Pay, Vacation Pay, Work Hours/Schedules/Assignments, Working Conditions/Work Orders, Violence or Threats.

ARBITRATION ROSTERS:

Federal Mediation and Conciliation Service

Montana Board of Personnel Appeals

State of Alaska and Public Employees Local 71

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FEES:

PER DIEM FEE: \$2200 **DOCKETING FEE: None** **CANCELLATION FEE: (See Below)**

Grievance Arbitration: \$2200 per day for hearing and for research and preparation of the opinion and award. A hearing day is any portion of a day up to eight hours. Time for research and preparation is prorated.

Cancellation Policy: If the scheduled hearing is postponed or cancelled with notice of less than twenty-one (21) working days, not including the hearing day, the per diem fee for each scheduled day of hearing shall be charged. For hearings scheduled for two days or more, a notice period of twenty-eight (28) working days will apply.

Travel Time: Arbitrator charges per diem fee for any portion of a travel day up to eight hours on non-hearing days. Fee is prorated.

Expenses: Arbitrator charges actual cost of reasonable expenses, including airfare, train, or car rental, food and lodging. Auto mileage expenses are charged at the prevailing rate permitted by the U. S. Government.

Joint Obligation: Fees and expenses are the obligation of both parties. The bill may be divided for the convenience of the parties, but such division does not release the parties' joint obligation for the entire bill.

Credit Card Payment: Any party paying fees and expenses by credit card shall additionally pay a transaction fee of three and one-half percent (3.5%).