

# PATRICK HALTER

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## PRESENT OCCUPATION

Arbitrator - Factfinder - Mediator

## PROFESSIONAL AFFILIATION

NAA, AAA (labor and commercial), FMCS, National Association of Railroad Referees, ACR Workplace Section Leadership Council, Institute of Chartered Arbitrators, LERA

## EDUCATION

1974 Arizona State University, Tempe, AZ BA w/Honors American History

1977 Indiana University, Bloomington, IN MPA Public Sector Labor Relations and Public Finance

1987 Johns Hopkins University, Baltimore, MD Post-Graduate Fellow Psychology

2009 Albuquerque Police Dept., Citizens Police Academy Law Enforcement

2012 International Inst. of Chartered Arbitrators, London, UK Commercial Arbitration

Various National Judicial College and State Bar Associations Evidence, Admin Law, Police Liability and Tort Law, Litigation Skills Training, Employment Motions Practice, Discovery, Civil Procedure, Employment Torts

## ARBITRATION EXPERIENCE

1999 - Present: grievance arbitration and interest arbitration; grievance mediation; class action; med-arb; factfinding; employment contracts; elections, card-check, neutrality agreement; panels in private and public sectors; issues involve economic and non-economic disputes including Title VII, ADEA, ADA, FLSA, FMLA, HIPAA, OSHA, ULPs, unit determinations; conduct risk mgmt. audits; motions in statutory employment disputes; presenter/trainer at ACR and regional NAA conferences; adjunct professor at U. of New Mexico (employment and labor relations); Director, Meadow Lake County Water and Sewer District; 2002-2006 and 2012-2015 Chair, City of Albuquerque Labor Management Relations Board; 1993 - 1999: Director, New Mexico Public Employment Relations Board; adjudicated over 400 ULPs and over 300 unit representations; research and wrote PERB decisions; technical training for 55 local labor boards. 1986 - 1993: Senior Advisor human factors-root cause analyses and continuous operations improvement at Ford\UAW, Goodyear\URW, LTV Steel\USWA, General Dynamics\IAMAW, NiSource Utility (Indiana)\USWA. 1980 - 1986: Staff Associate, U.S. Federal Service Impasses Panel & U.S. Foreign Service Impasse Disputes Panel: mediation, factfinding and interest arbitration (researched and wrote over 250 awards); 1980: Field Agent, General Counsel Office, Federal Labor Relations Authority..

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## **INDUSTRIES**

Aerospace, airlines, agriculture, aluminum, banking, beverage, brewery, bldg. products, canning, casinos, cement, chemicals, coal, communications, construction, corrections, culinary, dairy, education, electrical equipment\appliance, electronics, financial institutions, fire, food, foundry, furniture, health care, hospitals\nursing homes, insurance, iron, law enforcement, lodging, lumber, maritime, meat packing, metal fabrication, mining, office support, petrochemicals, pharmaceuticals, police, pulp and paper, railroad, refrigeration\HVAC, regulatory agencies, resorts, restaurants, rubber\tire, service industries, steel, supermarkets, transportation, trucking & storage, universities, utilities, warehousing, welfare\pensions, wireless phones.

## **ISSUES**

Absenteeism, agency fee, arbitrability, bargaining-unit work, conduct (off-duty), civil rights, COLA, continuing violation, demotion, disability, discipline, discharge\wrongful termination, discrimination (ADEA, ADA, Title VII, etc.), drug/alcohol offenses, employment agreements, ethics and governance, FLSA, FMLA, holidays & holiday pay, human factors analysis, incentive pay, insurance, job classification & rates, leave, grievance mediation, health and hospitalization, HIPAA, hiring practices, hours of work, insubordination, job performance, job posting/bidding/assignments, just cause, last chance agreement, layoffs/bumping/recall, management rights, merit pay, official time, OSHA, overtime, past practice, pension & welfare plans, polygraphs, position description, project labor agreement, promotion, reassignment, RIF, retaliation, retirement, safety & health, social mobility, schedules\tours of duty, seniority, settlement agreements, severance pay, sexual harassment, social media, subcontracting\contracting out, tenure & reappointment, union rights & security, union discrimination, vacation\vacation pay, whistleblowing, workplace violence/threats, working conditions.

## **PERMANENT PANELS**

Union Pacific\TCU; Public Law Boards (CSX, Canadian Pacific, Kansas City Southern RR); U.S. Postal Service \NALC, APWU; FAA\Air Traffic Controllers National Panel and Northwest Region,, FAA\Architects & Engineers; Clark County School District (Las Vegas, NV)\NEA; Tucson (AZ) Sch Dist\NEA; BART (CA)\Transit and Police; White Pine Co. (NV)\WPACT; Rocky Mountain Steel\USWA; Tinker AFB\AFGE; USDA\Food Safety Inspection Service\Nat'l. Food Inspection Locals, Social Security Administration\AFGE; U.S. Customs & Border Protection \NTEU and National Border Patrol Council; Koppers\TCU; IRS\NTEU, City of Albuquerque LMRB (Chair), Special Master, Nebraska Industrial Relations Commission; Metal Trades Council AFL-CIO Jurisdictional Disputes Panel; Safeway/UFCW; ABA Employment Panel.

## **ARBITRATION ROSTER(S)**

AAA (labor, commercial), ABA Employment Disputes Panel, CA State Mediation & Conciliation Service, Kansas PERB, National Mediation Board (Airlines, Railroads), Natl Railroad Adjustment Board 3rd Division, FINRA Employment\Commercial Disputes Panel, Kansas PERB, Nevada Employee-Mgmt. Relations Board, Oklahoma PERB, Oregon PERB, Virgin Islands PERB, Washington PERB.

## **PUBLISHED CASES**

108 LA 1006; 111 LA 1033, 1078; 112 LA 673, 907; 113 LA 240; 116 LA 1373; 118 LA 426, 705; 119 LA 65; 121 LA 348, 1368; 122 LA 259; 125 LA 541; 126 LA 594; 127 LA 1412; 129 LA 513; 129 LA 1089; 130 LA 395; 93-2 ARB 3542; 97-2 ARB 3270; 99-1 ARB 5499; 02-1 ABR 3044; 03-1 ARB 3447; 03-2 ARB 3534; 04-1 ARB 3679.

## **SIGNIFICANT PUBLICATIONS**

Co-editor, NAA Annual Proceedings 2006, 2007, 2008; Chapter Contributor, How Arbitration Works, 6th ed. Cases cited in Discipline & Discharge, 2nd ed. and Labor & Employment Arbitration, LEXIS; A Guide to Federal Sector Arbitration (Cases Cited) (Dewey Publications).

## **PER DIEM FEE**

\$1600 for case preparation, prehearing, hearing, research, study, writing award. Hearing day is up to 8 hours. Minimum 1-Day Assessment.

## **DOCKET FEE**

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## **CANCEL FEE**

Per Diem Fee for each scheduled day of hearing.

## **GRIEVANCE ARBITRATION**

\$1600 up to 8 hours in day.

## **CANCELLATION POLICY**

If hearing date is changed for any reason within 30 calendar days of the scheduled date, per diem is assessed for each scheduled date. Policy applies where parties schedule hearing then agree to submit briefs in lieu of proceeding to hearing.

## **INT ARBT, FACT FND & LABOR MED**

Grievance mediation and med-arb is \$250 hourly. Interest arbitration and factfinding are \$2,000 daily up to 8 hours.

## **TRAVEL TIME**

Per diem pro-rated for travel exceeding 4 hours. Travel on weekend, holiday is assessed per diem.

## **EXPENSES**

Transportation, lodging, mileage reimbursement and any lodging and transportation penalty payments incurred for changes in those arrangements due to change in scheduled date. Expenses that may be assessed are clerical support, dedicated computer legal research, copying, and any applicable taxes.