

CARL C. BOSLAND, ESQ.

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

Business Contact:

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AVAILABILITY

I am available to conduct in-person or remote grievance arbitrations, interest arbitrations, fact findings, civil service, and unfair labor practice hearings.

PROFESSIONAL EXPERIENCE

- **2002-2012; August 2020 – Present:** Independent Arbitrator, Hearing Officer, Factfinder. Arbitrate/fact-find public (federal, state, & city) and private sector labor/employment grievances, ULPs, civil service, and employment disputes. Issued 300+ written decisions.
- **1991-2001; 2012- August 2020:** Held various positions with the United States Postal Service Law Department, including:
 - **HQ Chief Counsel, Labor Relations & Safety**
 - Responsible for national labor relations law policy development, interest and rights arbitration advocacy, collective bargaining negotiations, labor relations counsel, and training.
 - Co-counsel, 2015 USPS-APWU interest arbitration litigation.
 - National OSHA health & safety policy development, counsel, and training.
 - **HQ Chief Counsel, Employment Law**
 - Responsible for national employment law policy development, implementation, counsel, and training covering the broad spectrum of federal labor and employment laws, including the ADA, ADEA, FMLA, FLSA, HIPPA, Rehabilitation Act, Privacy Act, Title VII, workers' compensation, unemployment compensation, cybersecurity, and executive compensation.
 - Established strategic alliances with federal regulatory agencies, including DOL, EEOC, OPM, MSPB, and NLRB.
 - **HQ Chief Counsel, National Employment Litigation (Class Action) Unit**
Senior Litigation Counsel
Attorney
 - Manager and lead attorney of employment class action unit defending agency in multiple class actions before the EEOC and federal courts addressing ADA/Rehabilitation Act, FLSA, and other claims.
 - **Field Managing Counsel, Capital Metro Area Law Office.**
 - Manager of field law offices in DC, Atlanta, and Charlotte providing labor and employment counsel and representation before the MSPB, EEOC, NLRB, DOL, and federal courts covering the broad spectrum of federal sector labor and employment law issues.
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- **Field Deputy Managing Counsel, Western Area Law Office, Denver**
 - Established and managed Denver Field Law Office providing counsel, training, and representation to agency clients in a 22-state area addressing the broad spectrum of federal sector labor and employment issues, including adverse actions, employment discrimination claims, unfair labor practice claims, and OSHA safety claims before federal regulatory and adjudicatory agencies including the EEOC, MSPB, OSHA, NLRB, DOL wage and hour and FMLA investigations, congressional inquiries, and media inquiries.
- **Field Attorney/Senior Litigation Attorney**
 - Provide counsel, training, and representation covering the broad spectrum of federal sector land and employment laws before federal regulatory and adjudicatory agencies and courts, including first chair representation before the EEOC, MSPB, NLRB, and federal courts.
- **Special Assignments:**
 - Lead counsel for the 2018 USPS-APWU collective bargaining negotiations
 - Acting Managing Counsel, Northeast Area Field Law Office
 - Acting Manager, MSPB Task Force
 - Special Assistant U.S. Attorney, Utah
 - Member, Practice and Procedure Committee, NLRB Region 27.
- **1986-1991**, Associate in private sector New Jersey law firms responsible for counseling and representation of individuals and employers in labor and employment law and general civil litigation matters.

PROFESSIONAL AFFILIATIONS

- Member, National Academy of Arbitrators, 2009- Present
- Member, Labor and Employee Relations Association, Southern California
- Member, American, New Jersey, and New York Bar Associations,
 - Labor and Employment and Alternative Dispute Resolution Sections
- Member and Past President, DC Chapter, Society of Federal Labor and Employee Relations Professionals

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

ARBITRATION ROSTERS

- **National**
Federal Mediation and Conciliation Service •National Mediation Board •National Arbitration and Mediation •National Arbitration Forum.
- **State/City**
Nevada Local Government Employee-Management Relations Board •Oregon Public Employment Relations Board •California Mediation & Conciliation Service •Washington Public Employment Relations Commission •Montana Board of Personnel Appeals •Phoenix Employment Relations Board •DC Public Employee Relations Board •Nebraska Commission of Industrial Relations •Kansas Public Employee Relations Board •Alaska Labor Relations Agency •Idaho Department of Commerce & Labor •Rhode Island Dept. of Labor.

REPRESENTATIVE ARBITRATION PANELS/CASES

TForce Western Region Freight Committee • Bernalillo County, NM • AFSCME Council 18 & New Mexico Corrections Department • UFCW & Safeway • UFCW & Giant • IBEW & Central New Mexico Electric Power Cooperative, Inc. • IBEW & Alaska Communications • IBEW & ASRC Federal Primus • Teamsters & Sysco • Teamsters & Pepsi • Teamsters & U.S. Foods • Teamsters & Ameripride Services • Teamsters District Council 2 & Georgia Pacific • Teamsters & Pasha Automotive Services • Steelworkers & International Paper • International Guards Union of America & Centerra Group • Steelworkers & Flex-N-Gate Oklahoma, LLC • UMW & Decker Coal Co. • UMW & Dicaperl Minerals, LLC • UAW & Monogram Aerospace Fasteners • Butte Police Protective Association & City and County of Butte/Silver Bow County, MT • FOP & City of Oklahoma City • IAFF & City of Broken Arrow, OK • IAFF & U.S. Navy • Beaumont Professional Firefighters & City of Beaumont, TX • National Union of Health Care Workers & Wellpath • National Union of Health Care Workers & Keck Hospital of USC • APWU & USPS • NALC & USPS • NPMHU & USPS • IRS & NTEU • AFGE & U.S. DOJ, BOP • AFGE & U.S. Army • AFGE & U.S. DOL • NATCA & FAA, National Committee & PARS, Western Region • State of Rhode Island & RI State Labor Unions (AFSCME Council 94, SEIU Local 580, LIUNA Local 1033, RIFTHP, UNAP, NAGE, RIBCO).

INDUSTRIES

Aerospace • agriculture • automotive assembly • bakery • beverage • building products • casinos • chemicals • communications • construction • counties • education • emergency services • energy • food (manufacturing, processing, service) • healthcare • hotels • hospitals • hospitality • lumber • manufacturing • meat packing • mining • office workers/clerical • packaging • petroleum/petrochemicals • plastics • police and fire • printing and publishing • pulp and paper • restaurants • retail stores • transportation, trucking and storage • utilities • and warehousing. Arbitrated public sector cases (local, state, federal) including USPS • IRS • DOL • DOJ BOP • DHS • USDA • airport operations • city services • civilian-military • clerical • corrections • custodial services • education • healthcare • fire • parks and recreation • police • railroads • senior services • zoo operations • and public sector contractor services.

ISSUES

Absenteeism • age discrimination • arbitrability • bargaining unit work • color discrimination • conduct (off-duty and on duty) • contract disputes • cross-craft issues • demotion • discipline (non-discharge & discharge) • disability/reasonable accommodation issues • race discrimination • national origin discrimination • religious discrimination • sex discrimination • sexual harassment • sexual orientation discrimination • retaliation/reprisal • drug/alcohol offenses • due process • ethics • just cause • Family and Medical Leave issues • layoffs/bumping/recall • leave • vacation • hiring practices • job performance • job posting/bidding • jurisdictional disputes • lockouts • management rights • overtime • union time • past practices • pay issues • promotion • nonselection • safety/health issues • health care issues • schedule changes • seniority • strikes • subcontracting/contracting out • theft • unfair labor practices • union security; wages, including cost of living pay, holiday pay, incentive pay, job classifications and rates • merit pay • overtime pay • severance pay • vacation pay • training • work hours/schedules/assignment • working conditions/work orders • work stoppages • workplace violence.

BAR ADMISSIONS, CERTIFICATES, AND OTHER EDUCATION

- Law New York 1991
- Law New Jersey 1986

- Conflict Resolution University of Utah 1999
 - Certificate with honors
 - Award, *Outstanding Mediator*.
 - Award, *Negotiari Cum Vis* (Power Negotiator).

- Health Care Arbitration

- 2023 American Health Law Association Health Care Arbitrator Training.
- Railroad and Airline Arbitration Training
 - 2008 – Union Pacific/United Transportation Union Railroad Arbitrators' Orientation. Omaha, NE. Drafted half a dozen RR decisions.
 - 2023 – Arbitrator Training for Airline Pilots, Flight Attendants, and Ground Crew Issues, National Academy of Arbitrators Annual Meeting & Education Conference, Denver, CO
 - 2023 – Amtrak Training, National Association of Railroad Referees, Washington, DC

SIGNIFICANT PUBLICATIONS

- *COVID-19 and Federal Sector Labor and Employment Law* (Dewey Pub., Inc. 2022)
- *Labor Arbitration Practice for the Federal Sector, 3d Ed.* (Dewey Pub., Inc. 2021)
- *A Federal Sector Guide to the Family and Medical Leave Act & Related Litigation 5th Ed.* (Dewey Pub., Inc. 2023)
- *FMLA Basics: A Federal Supervisor's 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)
- Contributor, ABA Labor and Employment Section Committee, Subcommittee on the FMLA, Midwinter Meeting Reports, 2020, 2021, 2024.
- *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)

SELECTED PRESENTATIONS

- **2023:** Co-Author, NAA Committee Reports, *Future of the Profession*; *Federal Sector* Conference Program Manager, 2023 Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region
- **2022:** Conference Program Manager, 2022 Labor-Management Conference, National Academy of Arbitrators, Southwest/Rockies Region; Presenter, *COVID-19 and Labor Arbitration Arbitrator Practices Do's and Don'ts*, National ZOOM, National Academy of Arbitrators, Continuing Education Committee.
- **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; *FMLA*, New Orleans Federal Executive Board
- **2007:** *FMLA*, Annual Spring Conference, Florida Association of School Personnel Administrators; *FMLA*, 54th Annual Spring Conference, Colorado Association of School Business Officials; *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

FEES

- **Per Diem:** For all matters, \$2,200.00 per diem for a hearing day of up to 8 hours, and for the preparation of the opinion and award. Time spent over an 8-hour hearing day, or expended pre- or post-hearing (e.g., conference calls, motions, evidentiary or other rulings, etc.) may be charged at \$275 an hour, calculated in 6-minute increments.
- **Travel time:** Travel time of 2 hours or less one way on the day of the hearing is not charged. Travel time that exceeds 2 hours one way on the day of the hearing will require travel the day before the hearing, and a half-day per diem for travel of 4 hours or less, and a full-day per diem for travel time over 4 hours. Travel time is calculated door-to-door by the means of transportation (e.g., automobile, train, airplane) selected by the arbitrator.
- **Expenses:** Reasonable out-of-pocket expenses including, as appropriate, coach airfare, lodging, rental car, mileage (at the prevailing IRS rate), UBER/Lyft, Taxi, parking, tolls, train fare, mailing exhibits, and meals (meals are not charged where travel is on the same day as the hearing). Travel is time and expenses are calculated from my closest address or, in the case of the FMCS, zip code.
- **Cancellation:** Cancellation/rescheduling of a scheduled 1-day hearing with less than thirty (30) days' notice may incur a per diem fee (\$2,200.00). Cancellation/rescheduling of a hearing scheduled for two or more consecutive days with less than 60 days' notice may incur a per diem fee for each cancelled/rescheduled hearing day. Cancellation charges also include any expenses incurred by the arbitrator (e.g., charges for canceled flights, lodging, etc.). Cancellation/rescheduling fees may be billed separately.