

JEFF J. MINCKLER, ARBITRATOR

E-MAIL: jeff@minckler.net *Please use e-mail for all communications*

LOCATION: All hearings are via a videoconference program, preferably Zoom which I will host.

RELATED EMPLOYMENT

Academic: University instructor on research and debate (1970-1972)

Labor: Representative and chief negotiator, AFL-CIO private sector locals (1972-1974)

Management: Montana State Labor Relations Bureau (1974-1977); Bureau Chief (1977-1979)

Labor: Regional Manager/Chief Negotiator, Montana Public Employees Association (1979-1982)

Management: Director of Labor Relations, Montana School Boards Association (1982-1986)

Labor & Management: Private practice representation in the public and private sectors (1986-2011)

Neutral: Arbitrator and factfinder (2011-present)

RELATED EDUCATION

American Arbitration Association University

Arizona Supreme Court & Attorney General's ADR course

Cornell Graduate School of Industrial & Labor Relations

Federal Mediation and Conciliation Service Institute

Labor Arbitration Institute

National Judicial College

University of Montana

AGENCY/INDUSTRY EXPERIENCE

Aerospace, airline, airport (operations, parking), ambulance, asphalt, carpentry, cemetery, chemical, clerical, communications, construction, corrections and detention (federal, state and regional prisons, jail), courier, education (K-12 and university, certified and classified), electrical (lineman, commercial), energy production, entertainment, fire (firefighting, EMT, paramedic), food (bakers, cooks, counter), law enforcement (federal, state police and highway patrol, sheriff, police, dispatch), legal, maritime, medical (nursing, laboratory, health care), metal, millwright, public works, railroad, road and bridge, security (private and public), solid waste (hauling, transfer stations, landfill), technology, theatrical, transportation (public, school), trucking (OTR, LTL, maintenance), U.S. Military civilian employment, U.S. Mint, utilities, water and wastewater, wood products (logging, lumber, plywood, particle board, chip and resin hauling)

ISSUE EXPERIENCE

Alcohol and drugs (on and off-duty, reasonable suspicion, test manipulation), application falsification, arbitrability, assignments, bidding, classification and pay, contracting, crew size, deferrals from the NLRB including those requiring a decision on statutory issues, discipline and discharge/termination/removal including Federal chapters 43 & 75, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, hours of work, insubordination, insurance, jurisdictional disputes, layoff, leave benefits and abuse, off-duty conduct, overtime and premium pay, past practice, performance deficiency, policy implementation, profanity, promotion and demotion, public speech, reduction in force, representation rights, safety, seniority, sleeping on duty, spoliation, training, wage/salary and benefit comparisons

PROFESSIONAL AFFILIATIONS

Association of Administrative Law Judiciary
California, Oregon and Washington Bar Associations (labor/management sections)
Labor and Employment Relations Association
National Association of Hearing Officials

ROSTERS & PANELS

AFGE & Social Security Administration
Alaska Labor Relations Agency
American Arbitration Association
California Employment Relations Board
Federal Mediation and Conciliation Service
International Organization of Masters, Mates and Pilots
Los Angeles City Employee Relations Board
Los Angeles County Employee Relations Commission
Montana Board of Personnel Appeals
National Mediation Board (arbitration of Board deadlocks)
Nebraska Commission of Industrial Relations
Nevada Employee-Management Relations Board
Oregon Employment Relations Board
Phoenix City Employment Relations Board
Washington Employment Relations Commission

ARTICLES & PRESENTATIONS

Keynote addresses for private and public sector union and employer conventions
Section and panel presentations for state and national labor relations organizations
Articles for labor relations journals Partial list of presentations and writings:
Affirmative Defenses in Arbitration
Attempting Crystal Clear Contracts
Dissecting "Cause" in the Private and Public Sectors
Living under At-will and Wrongful Discharge Statutes
Loudermill and Name-clearing Hearings
Management Rights: Fact or Fiction
Past Practice Application and Exceptions
Public Speech Protections and Exceptions
Standards of Contract Interpretation
Tenured and Nontenured Teacher Dismissal and Nonrenewal
The Law of the Collective Bargaining Hiatus
The Off-duty Nexus
The Requirements of Due Process
The Use of After-acquired Evidence in Arbitration
Weingarten, Garrity, Beckwith and Kalkines Protection and Warnings
Instructor of advanced discipline and discharge course for employers and unions
Instructor of university arbitration course

FEES & EXPENSES

Daily rate: \$1,500 for grievance arbitration; add 20% for factfinding and interest arbitration.

Time: Daily rate per hearing day used, prorated in quarter-hour increments after each 8-hour day and for study and writing.

Expenses: None.

Postponement or cancellation: No penalty when a hearing is vacated more than 15 calendar days in advance; \$150 for each calendar day less.

ADDITIONAL INFORMATION: www.minckler.net