

KENNETH J. PEDERSEN

OCCUPATION:

Arbitrator and Attorney
Commissioner, Washington Public Employment Relations Commission, 2019-2022

The arbitrator is available to host hearings and conduct mediations via the Zoom software platform.

ADDRESS:

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ken@pedersenadr.com

PROFESSIONAL AFFILIATIONS:

Washington State Bar Association (WSBA #11150)
Labor and Employment Relations Association (LERA)
American Bar Association, Labor and Employment Law Section

EDUCATION:

BA English Literature Gonzaga University, 1977
JD Law Seattle University, 1980

CERTIFICATIONS/BAR ADMISSIONS:

United States Supreme Court; United States Court of Appeals for the Ninth Circuit; Washington State Supreme Court (1980); United States District Court for the Eastern District of Washington; United States District Court for the Western District of Washington.

ARBITRATION/LABOR RELATIONS EXPERIENCE:

Professional Experience: 2012-Present Full-time Arbitrator-Mediator; **1985-2011** Partner, Reid, Pedersen, McCarthy & Ballew, LLP, Seattle, WA (formerly Davies, Roberts & Reid). Represented labor organizations and individuals in arbitration hearings, in state and federal courts, before the NLRB, the EEOC, the Washington Public Employment Relations Commission and other agencies. Handled class action wage and hour litigation, represented Taft-Hartley trusts in ERISA litigation and labor organizations in binding interest arbitration hearings. Drafted contract language and assisted in collective bargaining. Represented labor organizations in their capacity as employers in state and federal courts, and in arbitration. **1980-1985** Associate, Critchlow & Williams, Richland, WA.

INDUSTRIES:

Law Enforcement, Education, Public Utility, Emergency Services Dispatch, Financial Services, Chemical, Construction, Education, Food Processing, Government (State-County-Municipal), Health Care, Nuclear, Oil and Gas, Police and Fire, Printing, Prison Guard and Corrections, Shipbuilding and Repair, State Ferry System, Trucking, Warehouse

ISSUES:

Arbitrability, Bargaining Unit Work, Discipline, Job Posting/Bidding, Management Rights, Past

Practice, Union Security, Incentive Pay, Affirmative Action, Absenteeism, Arbitrability, Conduct, Discipline (Non-Discharge and Discharge), Discrimination, Drug/Alcohol Offenses, Job Classification and Rates, Job Performance, Layoffs/Bumping/Recall, Management Rights, Promotion, Seniority, Union Security, etc.

ARBITRATION ROSTERS:

Federal Mediation and Conciliation Service; American Arbitration Association; Washington Public Employment Relations Commission; Oregon Employment Relations Board; Montana Board of Personnel Appeals; Financial Industry Regulatory Authority (FINRA).

PUBLISHED CASES:

City of Mountlake Terrace, 134 LA 1736 (2015); *Jackson County School Dist. No. 91*, 135 LA 373 (2015); *Oregon Liquor Control Commission*, 137 LA 1809 (2017); *First Student, Inc. Colville*, 138 LA 57 (2017); *Valley Medical Ctr.*, 2020 BL 454172, 2020 BNA LA 1269 (2020); *WinCo Foods*, 2021 BL 275026, 2021 BNA LA 169 (2021); *Aleutians East Borough School Dist.*, 2021 BL 501819, 2021 BNA LA 406 (2021); *Shell Puget Sound Refinery*, 2022 BL 63224, 2022 BNA LA 9 (2022); *Powell's Books, Inc.*, 2023 BL 61759, 2023 BNA LA 7 (2023).

FEES:

Per diem rate: \$1,750 per day (8 hours or any portion thereof). Each scheduled day billed full per diem. Applies to study, research and drafting; time for study, research and drafting is prorated.

Travel Time: Arbitrator charges per diem for any portion of a travel day up to 8 hours; fee is prorated for hours over 8 in one day.

Cancellation fees: \$1,750 when scheduled hearing day(s) cancelled 14 days or fewer before hearing date. One-half daily per diem for matters cancelled more than 14 days before the start of scheduled hearing.

Travel charges: Hotel, meals, transportation costs, parking, and similar charges billed on the basis of cost incurred. Air fare charged at lowest fully refundable fare at time of booking. Mileage charged at current IRS rate.

Other fees charged: Customary administrative expenses billed on the basis of costs incurred.