

**PILAR VAILE, ESQ.  
ARBITRATOR BIO**

**OCCUPATION**

Attorney, Arbitrator, Mediator, ALJ – A full-time labor and employment neutral, currently available for both in-person and video hearings, as appropriate and agreed.

**CONTACT INFORMATION**

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**PRIMARY BUSINESS ADDRESS**

706 W. Apache Dr.  
Yuma, CO 80759  
Ph.: (970) 630-6796

**LABOR RELATIONS EXPERIENCE**

**2010 to Present:** full-time, private neutral. **2004-2010:** New Mexico Public Employee Labor Relations Board, Vice-Chair and then Deputy Director and Hearing Examiner. **2000-2004:** Youngdahl & Sadin, P.C. and successors in interest (including Youngdahl & Youtz), a plaintiff class action and labor/employment firm.

**PROFESSIONAL LICENSES & AFFILIATIONS**

California and New Mexico State Bars (inactive)

National Academy of Arbitrators (NAA), Member

- Board of. Governors (2023-2026)
- Chair, Southwest Rockies Region (2023-2025)

California State Bar (2004, now inactive); New Mexico State Bar (2000, now inactive)

Former Certified Administrative Law Judge, Nat'l Ass'n of Hearing Officials (NAHO, 2010-2023)

**EDUCATION**

Various NAA, FMCS, AAA, LERA, and NAHO trainings

National Judicial College (NJC) – Judic. Devel. Certificates in Admin. Law and ADR

J.D. with Thesis Honors, University of New Mexico School of Law (UNM)

B.A. *magna cum laude*, UNM

Ovey Comeaux High School, Lafayette, Louisiana

**INDUSTRIES**

Customs & Border Patrol; Bureau of Prisons; clerical; communications; construction/building trades; custodial trades; DOD (Air Force, Army, Coast Guard); education—public and charter, primary and secondary, college and university; engineering & skilled trades—mechanical, electrical, chemical, civil, industrial; food service; government sector—Federal, State, Municipal and County; grocer/retail; health care/hospitals—VA and private sector; IRS; law enforcement; manufacturing (light and heavy); meat and agricultural packing/productions; mining; oil/gas/petrochemical refining and production; U.S. Postal Service; prison/corrections; professional/paraprofessional personnel; public safety—police, fire, EMT; railroad; shipping; transportation; and VA.

## **ISSUES**

ADA and ADAA; Arbitrability; Back Pay Act; bargaining unit work; benefits (leave, insurance and pension); clothing/uniforms; conduct (off-duty/personal); conditions of employment; demotion; disability; discipline (discharge and non-discharge); discrimination (age, disability, race, nationality and gender); FLRA; hazardous duty pay and/or environmental hazard pay differentials; hiring and promotion practices and standards; interest or impasse arbitration; job posting, bidding and classification; jurisdictional disputes; management rights; MSPB; NLRA; official time; OSHA; pay (base, holiday, incentive/differential, overtime); past practices; performance appraisals; Rehabilitation Act; public sector taxation and budgeting; representation petitions; retirement (credit/contributions, defined contribution and defined benefit pension plans, and health and welfare funds); safety/health conditions; scheduling; seniority; subcontracting/contracting out; Title VII; Title IX; ULPs; violence or threats in the workplace; and vocational rehabilitation.

## **CURRENT ARBITRATION/NEUTRAL ROSTERS**

American Arbitration Association (AAA)  
Federal Mediation and Conciliation Service (FMCS)  
National Mediation Board (NMB)  
California Public Employment Relations Board  
California State Mediation and Conciliation Service  
D.C. Public Employee Relations Board  
Illinois Educational Labor Relations Board  
Michigan Employee Relations Commission  
Montana Board of Personnel Appeals  
Oregon Employment Relations Board  
Washington Public Employment Relations Commission  
Chicago Board of Educ. and Chicago Teachers Union Permanent Panel  
City and County of Denver Sheriff Impasse Panel  
Kirtland AFB and AFGE 214 Permanent Panel  
UFCW 1564 and Smith's & Albertson's Permanent Panel  
SSA/AFGE, Permanent Panel 14 Dallas/Ft. Worth  
Freeport McMoRan (AAA, Private Sector Employment Panel)

## **PUBLISHED AWARDS**

- *IRS and NTEU*, 114 LRP 41403 (Arb. Vaile, 2014), *aff'd* 115 LRP 41010 (FLRA).
- *US Dept. of VA, Boise VA Med. Center and AFGE 1273*, FMCS No. 16-56369-7 (2019), *aff'd* on liability 72 FLRA No. 24 (2021).
- *AFGE Local 709 and Bureau of Prisons, FCI Englewood*, FMCS No. 221027-00689 (2023), reversed in part 73 FLRA No. 146 (2013).

## **MILITARY EXPERIENCE**

Army, Active Duty 1987-1990 (Spec. E-5, MOS Legal Spec.)  
Louisiana National Guard, 1990-1993 (Sgt. E-5, MOS Legal Spec. and Personnel Spec.)

## **FEES AND FEE POLICIES**

**Per Diem:** \$2,000.00

**Late Cancellations & Other Fees/Expenses:** (See below)

A \$2,000 per diem fee is charged per day (up to 8-hours) for hearing, mediation, study, and writing days, with fee pro-rated for study and writing time, and for portions of a hearing or mediation day

that exceed 8 hours (\$250/hour). **Cancellation Fee/Policy: 30 days' notice** or the matter is subject to a full per diem charge for each setting date, along with any non-refundable travel fees already incurred. **Interim billing:** for out-of-pocket expenses and interim per diem fees prior to issuance of a final award, either after issuing any significant pre-hearing rulings; in cases for which the record cannot be closed at the conclusion of the setting; or for matters in which the Parties have declined to remain in communication with the Arbitrator. **Late fees: \$50.00/month** for invoices not paid within 30 days. **Travel Time & Expenses:** full per diem is charged for over 4 hours, half per diem for up to 4 hours, plus reasonable expenses (with receipt unless meals or mileage, then per GSA or IRS rates). Payment by credit card may result in a service charge of 2% of the transaction price, or the actual costs (as permitted by Colorado law).