

**PILAR VAILE, ESQ.
ARBITRATOR BIO**

EMAIL pilar@pilarvaileadr.com (She/Her)

OCCUATION

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

PRIMARY BUSINESS ADDRESS

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

PROFESSIONAL LICENSES & AFFILIATIONS

California and New Mexico State Bars (inactive)
National Academy of Arbitrators (NAA), Member; and Vice-Chair of the Southwest Rockies Region
National Association of Hearing Examiners (NAHO) – Certified ALJ
Labor and Employment Relations Association (LERA)

EDUCATION

Various NAA, FMCS, AAA, LERA, and NAHO trainings, including on video hearings
National Judicial College (NJC) – Judic. Devel. Certificates in Admin. Law and Dispute Resolution
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

LABOR RELATIONS EXPERIENCE

2010 to Present: Pilar Vaile, Arbitrator, Mediator and ALJ. Serve as full-time labor and employment arbitrator, mediator and hearing examiner for various permanent, state, and national arbitration panels. **2004- 2010:** New Mexico Public Employee Labor Relations Board, Board Member, 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.

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; health care/hospitals—VA and private sector; IRS; manufacturing (light and heavy); mining; oil/gas/petrochemical; Postal Service; prison/corrections; professional/paraprofessional personnel; public safety—police and fire; transportation; 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; hiring practices; interest or impasse arbitration; job posting, bidding and

classification; jurisdiction disputes; management rights; MSPB; NLRA; official time; OSHA; pay (base, holiday, incentive/differential, overtime); past practices; performance appraisals; probationary status; promotion; 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; 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 AWARD(S)

IRS and NTEU, 114 LRP 41403 (Arb. Vaile, 2014), *aff'd* 115 LRP 41010 (FLRA).
US Dept. of VA, Boise VA Med. Center, FMCS No. 16-56369-7 (2019), *aff'd* on liability 72 FLRA No. 24 (2021).

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.)

FEE POLICIES

Per Diem: \$1,700.00

Cancellation& Other Fees: (See below)

A \$1,700 per diem fee is charged per 8-hour day 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. **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 or in cases for which the record cannot be closed at the conclusion of the setting. **Late fees: \$35.00/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).