



AAA Mediation.org™

**FN-1263175 MN-1263175 LN-1263175,
Esq.**

White Plains, New York



Current Employer-Title Ruth D. Raisfeld, P.C.

Profession Full-time Mediator, Arbitrator, Attorney - Employment, Discrimination, Education Law, Commercial and Employment Contracts

Work History Full-time Mediator/Arbitrator/Attorney/Principal, Ruth D. Raisfeld P.C., 2002 – Present; Of Counsel/Associate, Orrick Herrington & Sutcliffe LLP, 1991 – 2002; Associate, Baer Marks & Upham, 1988 – 1991; Partner, Spagna & Raisfeld, 1987 – 1988; In-House Labor Attorney, New York Telephone, 1984 – 1987; Associate, Phillips Nizer Benjamin Krim & Ballon, 1981 – 1984; Judicial Law Clerk to Hon. Wm. Hughes Mulligan, U.S. Court of Appeals Second Circuit, 1980 – 1981.

Experience Has more than 40 years' experience in the prevention and resolution of employment disputes as mediator, arbitrator, counsel, investigator, and/or litigator. Has served as mediator/arbitrator of all forms of employment discrimination, employment-related claims and litigation, including claims of harassment, discrimination, wrongful termination, executive compensation, bonus and severance disputes, commissions, individual, class and collective wage and hour disputes, including misclassification, independent contractor status, exemptions from overtime, other state and federal FLSA labor law violations, employment contract interpretation disputes, partnership, small business, restrictive covenants, and employment related tort and contract common law claims. Served as neutral or advocate in cases in the following industries: financial services industry, apparel manufacturing, telecommunications, software and technology companies, restaurants and hotels, fitness centers, airlines, publishing, schools, higher education, spas, athletic teams, automobile dealerships, advertising, real estate, car washes, retail & department stores and not-for-profit organizations. Serve as Arbitrator and Hearing Officer, Rockland County Public Employee Arbitrations; Instructor, Cornell University School of Industrial & Labor Relations Scheinman Institute on Conflict Resolution, "Negotiation Skills and Strategies for Neutrals," 2006-2010. Frequent lecturer on discovery and hearing management for AAA Higginbotham Fellows Program. SuperLawyers Metro Area (2009-present); Best Lawyers in America 2012-present; AV-Preeminent Rating Martindale-Hubbell, Top Lawyers of Westchester (2019-2022).

Mediator Experience Served as mediator in over 1000 matters (including individual, class and collective actions) arising

out of employment relationships and/or termination of employment in such industries as: banking and financial services; hotels and restaurants; non-profit agencies, governmental entities, and charitable institutions; retail and department stores; schools, colleges, and universities; medical professions, health care, and hospital industry; professional sports, fitness, and health clubs; telecommunications, advertising, and marketing firms; real estate management; apparel manufacturing; sales, marketing, and advertising; and law firms. Certified and trained and experienced in conducting "virtual" mediations via zoom, teleconferencing, and other remote telecommunications methods.

Representative Issues Handled as a Mediator

Successfully mediated both threatened claims and pending cases involving all forms of employment discrimination: race, sex, sexual harassment, age, physical and mental disability, sexual orientation, pregnancy, religion, and accommodation of disability or religion. Also wrongful termination cases involving disputes around absenteeism, personality conflicts, job performance, use of drugs and alcohol; and breach of employment contract including disputes over severance pay, commissions, expense reimbursement, covenants not to compete, and partnership disputes; have mediated multi-party, class and collective action cases involving public and private employers and mediated dozens of wage and hour cases in restaurant, construction, software industries.

Mediator Style & Process Preferences

My practical approach to analyzing workplace disputes is the hallmark of my dispute resolution practice. Through my extensive experience and education in the field of employment relations I have found that a majority of workplace disputes stem from difficulties in interpersonal communication, divergent opinions as to expectations and responsibilities, failure to communicate and miscommunications, and at times, complex personality conflicts. While there are some disputes that will result in intractable litigation, I believe that parties should evaluate disputes early on with an eye toward settlement, given the statistical probability that more than 90% of employment related litigation settles before trial, but often at a very high economic and emotional cost. I am known for being a skilled and personable communicator and have been effective in moving both counsel and parties, including individuals ranging from those with little education to those with advanced degrees, toward resolving their disputes and moving forward with their working lives. I work with counsel prior to the mediation session to encourage them to prepare information, an oral presentation, and settlement options so that they and their clients are fully prepared to address the legal, economic, non-economic, and emotional issues that may arise at the mediation session. Mediation clients have commented that my many years of experience as an employment litigator contributed to my credibility with both sides to a dispute as well as an ability to communicate first-hand my awareness of the nature of decision-making processes involved in settlement and the potential risks of protracted litigation.

Education

Fordham University (JD-1980); Cornell University (BS-1977).

Professional Licenses

Admitted to the Bar: New York, 1981.

Professional Associations

Westchester County Bar Association (Alternative Dispute Resolution Committee, Co-Chair); New York State Bar Association (Labor and Employment Section; Alternative Dispute Resolution Section); Industrial Relations Research Association; Cornell/ILR Alumni Association (Vice-President; Secretary; Board of Directors to 2015); Fellow, College of Labor & Employment Lawyers; Superlawyers since 2009; Best Lawyers in America, since 2013.

Recent Publications & Speaking Engagements

PUBLICATIONS: "Making Arbitration Work: Tips for How to Save Time and Money from Arbitration Clauses to Appeals," NYC Bar Association, 2010; "Arbitration from the Arbitrator's Perspective," New York County Lawyers' Association, 2007; "What's New in Arbitration," Westchester County Bar Association, 2006; "How Mediation Works: A Guide to Effective Use of ADR," EMPLOYEE RELATIONS JOURNAL, August 2007; "Why Mediation Works," EMPLOYMENT LAW STRATEGIST, January 2005; "Mediators Can Best Help Those Who Help Themselves," NEW YORK LAW JOURNAL, December 1, 2003; "Resolving Employee Disputes Without Litigation," WESTCHESTER COUNTY BUSINESS JOURNAL, February 3, 2003; "Analysis of Supreme Court Rulings on Student Sexual Harassment Cases," NEW YORK LAW JOURNAL, July 7, 1999; co-author, "Litigation Over Corporate Diversity Programs," NEW YORK LAW JOURNAL, July 14, 1997; co-author, "Applying Title IX to Sex Harassment," NEW YORK LAW JOURNAL, October 8, 1988.

SPEAKING ENGAGEMENTS: "Arbitration from the Arbitrator's Perspective," AAA Higginbotham Fellows Program, 2009, 2010; "Discovery in Arbitration from the Arbitrator's

Perspective," AAA Higginbotham Scholars Program, 2009; "How to Settle Cases," Association of the Bar of the City of New York, July 2008; "Mediation," Pace Law School New Transitions Program, May 2008; panel chair, "How to Settle Cases," Westchester County Bar Association, April 2008; panelist, "Mediation Skills for Women & Minority Attorneys," Commercial & Federal Litigation Section of the New York State Bar Association, October 2007; "Arbitration from the Arbitrator's Perspective," New York County Lawyers Association, May 2007; "Arbitration Update: The Pre-Hearing Process," New York County Lawyers Association, May 2007, Westchester County Bar Association, September 2006; "Arbitration: What's New for Advocates from the Arbitrators' Perspective," Westchester County Bar Association, 2006; "Negotiation Skills for Women," New York City Bar Continuing Legal Education Program, 2006; numerous presentations on dispute resolution, employment law compliance, sex harassment avoidance, diversity, and litigation avoidance as fully described on website, www.rdradr.com.

Mediation Rate	\$7,500 Per Day
Languages	English
Citizenship	United States of America
Locale	White Plains, NY

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.