



AAA Mediation.org™

**FN-2261259 MN-2261259 LN-2261259,
Esq.**

Ithaca, New York

Current Employer-Title Full-Time Arbitrator and Mediator

Profession Arbitrator, Mediator, Educator

Work History Executive Director, Scheinman Institute on Conflict Resolution, Cornell University, 1999 – 2020; National Vice President, American Arbitration Association, 1974 – 1999; Labor Law Attorney, Finkle and Stroup, 1988 – 1989.

Professor, Cornell Law School and Cornell ILR School, 1999 – 2021; University of Baltimore, 2002 – 2009; California State University, 1992 – 1998; Loyola Law School of Los Angeles, 1990 – 1997.

Experience From 1999 through 2019, served as a faculty member of the Cornell University School of Industrial and Labor Relations and Cornell Law School. Taught graduate and law school level courses in employment law mediation and arbitration.

In addition, served as executive director of Cornell's Institute on Conflict Resolution. In that capacity designed and taught workshops (primarily for attorneys) in employment mediation and arbitration with an emphasis on Title VII issues as well as ADA, ADEA, FMLA, FLSA, and other federal and state statutes.

Experience also includes the design of Cornell University's mediation program for the U.S. Nuclear Regulatory Commission involving whistle-blower claims within the nuclear power industry.

Developed the Cornell mediation program for the U.S. Department of Labor involving disputes based on multiple statutes including but not limited to the Fair Labor Standards Act, Occupational Safety and Health Act, Federal Mine Safety and Health Act, Employee Retirement Income Security Act, Executive Order 11246 (employment discrimination).

Prior to joining Cornell, served as an adjunct professor at Loyola Law School, Los Angeles from 1990 through 1997 teaching arbitration & mediation. Other teaching assignments included serving as adjunct Professor, Behavioral Sciences Graduate Program, California State University, Dominguez Hills (1992-1998).

Mediator Experience Mediated a variety of cases arising under executive, commercial and employment contracts in such industries as energy, nuclear power, securities, health care, higher education, medical practice, law firms, aerospace, beverage, correctional institutions, utilities, transportation, police, fire, manufacturing, public sector agencies, construction, trucking, public, private and federal sector since 1999. Employment mediations have included rank and file as well as management personnel such issues as Title VII discrimination allegations.

In addition, Extensive labor mediation experience involving issues such as compensation; health care coverage and contributions; promotional ladders; sub-contracting; pensions; wage and hour claims; harassment (sexual and other protected categories).

Representative Issues Handled as a Mediator	Among the issues mediated were: Breach of executive employment and commercial contracts; Partnership dissolutions; Employer-Agency issues; Job performance and discharge; Insurance coverage; Absenteeism; Arbitrability; Off-duty conduct; Variety of discipline issues (non-discharge and discharge); Discrimination; Drug and alcohol offenses; Leave; Management rights; Fringe benefits; Attorney-Client Fee Disputes; Employment contracts; Disability.
Mediator Style & Process Preferences	The best settlement is one the parties believe they crafted. The mediator should help the parties assess the strengths and weaknesses of their case. The mediator should be committed to getting the parties to reach agreement and should never convey a sense of discouragement or create an impression that the dispute will not be resolved. The mediator should be positive at all times, energetic and never reluctant to suggest possible new approaches. Parties should come prepared to negotiate in good faith and work hard throughout the mediation process.
Technology Proficiency	Available for in-person and virtual hearings.
Education	Loyola of Los Angeles Law School (JD-1984); Queens College, City University of New York (BA-1973).
Professional Licenses	Admitted to the Bar: California (1986 - inactive).
Professional Associations	American Bar Association (Labor and Employment Law Section); Association of Conflict Resolution; New York State Bar Association (Labor and Employment Section); American Bar Association (Labor and Employment Law Section); Labor and Employment Relations Association (LERA). California Bar Association.
Recent Publications & Speaking Engagements	<p>PUBLICATIONS: Co-author, "Fundamentals of Labor Arbitration", 2010 Juris Press; 2nd Edition, 2023, AAA; "Negotiations, On and Off the Record"; 2019; Case Preparation and Presentation in Arbitration - A Guide for Advocates and Arbitrators" 2013 Juris Press; 2nd Edition forthcoming; Co-author, "Making the Case for the Non-Attorney Arbitrator," DISPUTE RESOLUTION JOURNAL, Fall 2009; co-author, "Preparing Arbitrators for Consumer-Based Cases," ACRESOLUTION MAGAZINE, Fall 2008.</p> <p>SPEAKING ENGAGEMENTS: AAA Program: Deciding Teacher Misconduct cases, Spring 2022; Spring, 2021; AAA Program: Negotiating and Mediating Employment Disputes, Spring 2021; Arbitration Advocacy AAA, Spring 2019; Spring 2018; 2017. AAA/Cornell 2012; ABA Conference 2011, "The Fall and Rise of Labor Arbitration," AAA/ILR Program on Arbitration, Buffalo, New York, Spring 2009; "Understanding Contract Language," New York State Education Association, Fall 2008; "Managing Workplace Conflict," College and University Personnel Association, Fall 2008. Also manages and conducts ADR training for Cornell University's School of Industrial and Labor Relations (ILR) since 1999. Programs include Labor Arbitration; Employment Law Arbitration; Evidence in Arbitration; Employment Law Mediation.</p>
Locations Where Parties Will Not be Charged for Travel Expenses	Willing to hear cases in Upstate New York, New York City Metro Area, Connecticut, New England, New Jersey. Also, cases in the Midwest including Chicago, Illinois, Indiana, Iowa, Missouri, Wisconsin.
Mediation Rate	\$400 Per Hour
Languages	English
Citizenship	United States of America
Locale	Ithaca, 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.