



AAA Mediation.org™

**FN-26689 MN-26689 LN-26689, Esq.**

**Washington, District of Columbia**



**Current Employer-Title** Arbitrator | Mediator | Facilitator-Trainer | Workplace Investigations (ad hoc Consultant)

**Profession** Attorney, Arbitrator, Mediator; Consultant

**Work History** Consultant, 1993 – Present; Director, Voting Empowerment and Restoration Project, Transformative Justice Coalition, 2022 – 2023; Senior Associate, Justice and Sustainability Associates, 2021 – 2022; General Counsel/Deputy General Counsel, various District of Columbia agencies (Department of Mental Health, Department of Disability Services, Department of Human Resources), 2005 – 2013; Director of Human Resources, American Federation of Teachers, 2002 – 2004; Assistant Corporation Counsel, Office of Corporation Counsel (District of Columbia), 1999 – 2002; Attorney, Fraternal Order of Police-Metropolitan Police Department Labor Committee, 1998 – 1999; Manager (Equal Employment Opportunity and Diversity Programs), Washington Metropolitan Area Transit Authority, 1996 – 1998; EEO Investigator and Diversity Specialist, Washington Metropolitan Area Transit Authority, 1996; EEO Investigator/Mediator and Arbitrator, Self-employed, 1992 – 1996; Contract Administrative Judge/Hearing Examiner, U.S. Equal Employment Opportunity Commission District of Columbia Office of Employee Appeals; San Diego City Attorney (Mediator), San Diego Center for Municipal Dispute Resolution and Baltimore Civil Service Commission (Arbitrator), 1992 – 1996; Public Member, District of Columbia Public Employee Relations Board, 1991 – 1993; General Counsel, American Foreign Service Association, 1990 – 1992; Assistant Counsel, National Treasury Employees Union, 1988 – 1990.

**Experience** Experienced attorney who has represented both employers and employees in public and private sectors. Extensive experience in advising District of Columbia agency directors and senior officials on compliance with District and Federal laws, including issues arising under anti-discrimination laws, Americans with Disabilities Act (Act), Health Insurance Portability and Accountability Act (HIPAA), Freedom of Information Act (FOIA), Fair Labor Standards Act (FLSA), Family and Medical Leave Act (FMLA), ethics laws and regulations, and labor and employment matters [hiring, disciplinary and adverse actions, allegations of discrimination, civil complaints) and agency statutory authority. Provide training on compliance with employment laws and regulations. Past experience includes representing both employers and unions in arbitrations, unfair labor practice charges, and before the Federal EEOC, Federal Labor Relations Authority (FLRA), Federal Mediation and Conciliation Services (FMCS), District of Columbia Public Employee Relations Board (PERB), and District of Columbia Office of Employee Appeals (OEA). As Manager of EEO and Diversity Programs for the Washington Metropolitan Area Transit Authority directed equal

employment opportunity and diversity programs for 8200-employee transit organization with employees represented by five unions. Experience supervising investigators and investigating discrimination complaints -- individual, group and class complaints involving single and multiple issues, allegations of continuing pattern and practice, reasonable accommodation, sexual harassment, gender discrimination (including same sex), race, national origin, age and retaliation. As Contract Investigator, conducted investigations of federal government employee complaints of discrimination and retaliation and wrote formal investigation reports and Recommended Decisions. Past teaching experience includes teaching as Adjunct Professor at various universities at undergraduate and graduate levels. Courses include Employee Relations, Organizational Communication, Business Law, Human Resource Management, Laws for Supervisors, Labor Relations and Collective Bargaining, Negotiation, Conflict Management, and ADR and The Law.

## **Mediator Experience**

Mediation experience in: large corporations and small businesses, federal government, local government, pharmaceutical, manufacturing, hospitality, and technology industries.

Arbitrator and Mediator, AAA Commercial/Employment Panel (1997-Present)

Mediator, U.S. Postal Redress Panel (2007-Present)

Mediator, U.S. District Court for the District of Columbia Circuit Court (2000-Present)

Mediator, District of Columbia Office of Human Rights (1997-2010).

Mediated over 500 matters. Experienced in transformative and facilitative styles of mediation. Representative issues in mediation: Privacy Act - allegations of unauthorized disclosure of personally identifiable information; Family and Medical leave Act(FMLA) allegations of wrongful denial of FMLA, employment termination in violation of FMLA, and retaliation for exercising rights pursuant to FMLA; Americans with Disabilities Act - allegations of discrimination in hiring and promotion, denial of services based on HIV status; Employment discrimination - allegations of discrimination in violation of federal and/or state anti-discrimination laws and regulation in hiring, pay, and promotion; Workers' Compensation complaints; Employment severance agreements; and contract law disputes.

## **Representative Issues Handled as a Mediator**

Mediated workplace disputes involving allegations of discrimination against private sector businesses and local/federal government. Mediated issues include allegations of: discrimination (race, sexual harassment, gender, age, disability, reasonable accommodation, national origin, sexual orientation, and religion), wrongful termination, non-selection for promotion, breach of severance agreements, unsatisfactory performance, breach of employment contract, retaliation, and whistleblower claims. Also mediated cases issues involving personal injury, public accommodations, including denial of treatment by a public institution based on HIV-AIDS status. Other issues mediated: termination of hospitality employees for alleged violation of employee code of conduct, allegations of municipal code violations involving public nuisance issues such as noise and improper use of private property, criminal misdemeanor cases such as assault and battery, private property trespassing, and theft; and family law disputes involving complex property division. Experience mediating claims alleging violations of Fair Labor Standards Act and Family and Medical Leave Act.

## **Mediator Style & Process Preferences**

Mediation is an effective, empowering dispute resolution method that provides an opportunity for the parties to craft creative settlements that go beyond the scope of traditional remedies. I am trained in the facilitative, evaluative, and transformative styles of mediation. I believe that an effective mediator must have the flexibility to mediate as requested by the parties and apply the appropriate mediation style or combination of mediation styles based on the parties' needs.

## **Education**

George Washington University Center for Excellence in Public Leadership (District of Columbia Government Executive Leadership Program - 2016); University of Denver (JD - 1984); Macalester College (BA, Political Science - 1977); University of Colorado (MPA - 1980).

## **Professional Licenses**

Admitted to the Bar: District of Columbia, 1990; U.S. District Court: District of Columbia; U.S. Supreme Court.

## **Professional Associations**

American Bar Association; District of Columbia Bar Association; National Bar Association; International Association of Privacy Professionals; Transformative Justice Coalition (a civil and voting rights nonpartisan organization); Association of Workplace Investigations; Institute for the Study of Conflict Transformation.

## **Recent Publications &**

PUBLICATIONS: Co-author, "Annual Overview of Case Law Developments in Federal

<b>Speaking Engagements</b>	Government Labor and Employment Law," THE LABOR LAWYER, Summer 1990, Summer 1991.  SPEAKING ENGAGEMENTS: American Bar Association, October 25, 2018 Facilitator/moderator, " Whistleblowers Rights and Update on Case Law," National Lawyers' Guild Mid-Atlantic Regional Conference, 2013; PanelPanelist, "Authority to Compel Appearance of Agency Witnesses in Federal Sector Arbitrations," Federal Service Labor and Employment Law, 2004 Midwinter Committee; speaker, "Conflict in Employment and Mediation," AAA Luncheon/Seminar, 1999.
<b>Locations Where Parties Will Not be Charged for Travel Expenses</b>	District of Columbia
<b>Mediation Rate</b>	\$2,500 Per Day
<b>Languages</b>	English
<b>Citizenship</b>	United States of America
<b>Locale</b>	Washington, DC

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.