



**Recommendation to the  
Board of Directors  
to Confirm Nine Members of the  
Employee Relations Council**

**December 2012**



## **Action Requested**

- The Business Administration Committee approved and recommends Board confirmation of eight incumbents of the Employee Relations Council (ERC) and one nominee for a two year term expiring January 31, 2015.



## Background

- The Airports Authority Labor Code established the Employee Relations Council.
- The ERC consists of nine members who are named for a two year term by the mutual agreement of the President and Chief Executive Officer and the labor organizations representing Airports Authority employees, and confirmed by the Board of Directors.
- The ERC has processed 34 cases since 1999.



- The ERC serves as the independent resource for addressing issues which arise between the Airports Authority and the labor organizations with respect to Impasse Disputes, Representation Matters and Unfair Labor Practices.

- ERC members are selected based on their experience and expertise in the area of Labor Relations. They are paid \$1,200 per diem for services they perform on an as-needed, typically infrequent basis.



- The Labor Code provides that members of the ERC are eligible for reappointment, with no limit on the number of terms a member may serve.



The ERC is composed of three panels:

- the Impasse Disputes Panel,
- the Representation Matters Panel,
- and the Unfair Labor Practices and Negotiability Disputes Panel.

Each panel is composed of three members and three alternates.



## **The Impasse Disputes Panel**

- invokes mediation when the Airports Authority and the exclusive representative have failed to reach a collective bargaining agreement despite good faith efforts to do so; and
- provides certain dispute resolution services.





## The Representation Matters Panel

- investigates petitions filed for exclusive representation in an appropriate unit or for decertification of a unit and provides for an appropriate hearing upon due notice;
- determines an appropriate unit; and
- certifies the results of the elections conducted in accordance with procedural rules and regulations.



## **The Unfair Labor Practices and Negotiability Disputes Panel**

- resolves negotiability disputes; and
- accepts, investigates, states its findings of fact, and issues orders regarding allegations that a person has engaged in an unfair labor practice.



## ERC Assignments

- In deciding who will serve on the ERC panels, the Labor and Employee Relations Department makes an effort to rotate assignments to ensure that the Airports Authority takes full advantage of the ERC members' expertise in all areas of labor relations.



## **ERC Members 2013 - 2014 Term**

### **Impasse Disputes Panel Members**

Leon B. Applwhaite

Gloria Johnson

Joseph M. Sharnoff

### **Representation Matters Panel Members**

Robert B. Lubic

Jerome H. Ross

M. David Vaughn

### **Unfair Labor Practices Panel Members**

Irwin Kaplan

Seymour Strongin

Donald Wasserman



## Recommendation

- The Business Administration Committee approved and recommends Board confirmation of eight incumbents of the Employee Relations Council (ERC) and one nominee for a two year term expiring January 31, 2015.

## **REPORT TO THE BOARD OF DIRECTORS**

### **RECOMMENDATION TO CONFIRM NINE MEMBERS OF THE EMPLOYEE RELATIONS COUNCIL**

**December 2012**

**Action Requested:** The Business Administration Committee approved and recommends Board confirmation of eight incumbents of the Employee Relations Council (ERC) and one nominee for a two-year term expiring January 31, 2015.

**Background:** As required by the Airports Authority's lease with the Federal Government, the Board of Directors adopted a Labor Code in November 1988 that became effective on February 1, 1989. This Labor Code established the Employee Relations Council consisting of nine members who are named for 2-year terms by the mutual agreement of the President and Chief Executive Officer and the labor organizations representing Airports Authority employees, and confirmed by the Board of Directors. The Labor Code also provides that members of the ERC are eligible for reappointment, with no limit on the number of terms a member may serve.

The ERC is composed of three panels: the Impasse Disputes Panel, the Representation Matters Panel, and the Unfair Labor Practices and Negotiability Disputes Panel. Each panel is composed of three members and three alternates. The Impasse Disputes Panel (a) invokes mediation when the Airports Authority and the exclusive representative have failed to reach a collective bargaining agreement despite good faith efforts to do so; and (b) provides certain dispute resolution services. The Representation Matters Panel (a) investigates petitions filed for exclusive representation in an appropriate unit or for decertification of a unit and provides for an appropriate hearing upon due notice; (b) determines an appropriate unit; and (c) certifies the results of the elections conducted in accordance with procedural rules and regulations. The Unfair Labor Practices and Negotiability Disputes Panel (a) resolves negotiability disputes; and (b) accepts, investigates, states its findings of fact, and issues orders regarding allegations that a person has engaged in an unfair labor practice. A summary of ERC activities for the 2011-2012 term is included in Attachment A.

In deciding who will serve on the ERC panels, the Labor and Employee Relations Department makes an effort to rotate assignments to ensure that the Airports

Authority takes full advantage of the ERC members' expertise in all areas of labor relations.

**Discussion:** Representatives for the Airports Authority's labor organizations were notified of the pending expiration of the current term for ERC members. They were also provided with the biographical information for Gloria Johnson, the new nominee to fill the vacancy left by Gail Smith, who resigned from the ERC during the 2011-2012 term due to medical issues. All eight incumbents were contacted and expressed an interest in being reappointed for another two-year term.

The President and the labor organization representatives have agreed on the reappointment of eight incumbents and one new nominee, who are listed in Attachment B. Biographies for all the recommended Council members are included in Attachment C.

**Recommendation:** The Business Administration Committee approved and recommends Board confirmation of eight incumbents of the Employee Relations Council (ERC) and one nominee for a two-year term expiring January 31, 2015.

Prepared by:  
Office of Human Resources  
November 2012

**AUTHORITY EMPLOYEE RELATIONS COUNCIL ACTIVITIES**  
**2011-2012 TERM**

**Unfair Labor Practices (ULP) Panel**

1. In August 2011, the American Federation of Government Employees, AFL-CIO, Local 2303, filed a ULP charge claiming that the Authority violated the Labor Code by refusing to bargain in good faith. The Union alleged that the Authority improperly implemented new safety flame resistant clothing for Utilities Section employees. The Parties met on October 14 and October 28 and informally resolved the issue.
2. In September 2012, the American Federation of Government Employees, AFL-CIO, Local 1118, filed a ULP charge claiming that the Authority violated the Labor Code by refusing to bargain in good faith. The Union alleged that the Authority was improperly preparing to institute a Trades Apprenticeship Program. The Authority agreed to cancel implementation of the Program, thereby informally resolving the issue.



**EMPLOYEE RELATIONS COUNCIL MEMBERS**  
**2013-2014 TERM**

Mr. Leon B. Applewhaite  
1110 Fidler Lane  
Silver Spring, MD 20910  
301-585-3439

Mr. Robert B. Lubic  
2813 McKinley Place, NW  
Washington, DC 20015  
202-966-1880

Mr. Irwin Kaplan  
9601 Alta Vista Terrace  
Bethesda, MD 20814  
301-530-2152

Mr. Joseph M. Sharnoff  
2800 Center Ridge Drive  
Oakton, VA 22124  
703-860-3167

Ms. Gloria Johnson  
1300 Mercantile Lane, Suite 139  
Largo, MD 20774  
301-390-2222

Mr. Jerome H. Ross  
6621 Weathford Court  
McLean, VA 22101  
703-356-1429

Mr. Donald S. Wasserman  
1612 K St. NW, Suite 505  
Washington, DC 20006  
202-223-1185

Mr. Seymour Strongin  
4000 Cathedral Ave., NW  
Suite 625B  
Washington, D.C. 20016  
202-332-8849

Mr. M. David Vaughn  
13732 Lakeside Drive  
Clarksville, MD 21029  
301-854-3200

**Impasse Disputes Panel Members**

Leon B. Applewhaite  
Gloria Johnson  
Joseph M. Sharnoff

**Alternates**

Robert B. Lubic  
Irwin Kaplan  
M. David Vaughn

**Representation Matters Panel Members**

Robert B. Lubic  
Jerome H. Ross  
M. David Vaughn

**Alternates**

Seymour Strongin  
Gloria Johnson  
Donald Wasserman

**Unfair Labor Practices Panel Members**

Irwin Kaplan  
Seymour Strongin  
Donald Wasserman

**Alternates**

Leon B. Applewhaite  
Jerome H. Ross  
Joseph M. Sharnoff

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**Jerome H. Ross**

McLean, VA

Occupation: Arbitrator – Mediator

Experience: Serves as arbitrator and mediator in public and private sectors. Experience in most issues including pay, fringe benefits, security, seniority and arbitrability.

Permanent  
Arbitrator:

Washington Metro Area Transit Authority/Washington Gas Light and OPEIU; BCOA and UMWA; Georgia-Pacific Corporation/Manville and UPIU; U.S. Senate Office of Fair Employment Practices; Eastalco and USA; Metro Washington Airports Authority and Various Unions; U.S. Postal Service and Postal Unions; Baltimore Area Clothing Mfg. and ACTWU; Illinois Bell Telephone Company/Potomac Electric Power Corp. and IBEW; Commonwealth of PA and AFSCME; GSA/ HUD/DOL and AFGE; IRS/U.S. Department of Energy and NTEU; Glass Mfg. Association and GMPP&AW; IPC Corinth and ICU; Salary Arbitrator, Major League Baseball.

Work History: Chairman, Federal Prevailing Rate Advisory Committee, U.S. Office of Personnel Management, 1977-81; Assistant Director of Mediation, FMCS, 1973-77; Director of Preventive Mediation, FMCS, 1971-73; Commissioner, FMCS, 1967-71; Employee Relations Representative, General Electric Company, 1964-67.

Education: University of Florida (BS-60; LLB-63); Xavier University (MBA-68)

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**Joseph M. Sharnoff, Esq.**

Oakton, VA

Occupation: Arbitrator

Experience: Full-time arbitrator. Associate umpire-arbitrator, Bethlehem Steel and United Steelworkers, since 1977. Permanent umpire, Reynolds Metals and USWA.

Industries: Aluminum, bakery, chemical, clerical, coal, communications, education, Federal sector, furniture, gas and electric power, health care and hospital, hotel, meat packaging, manufacturing, maritime, orchestra, packaging and containers, printing, publication, state and local government, pulp and paper, RR, retail and chain stores, shipbuilding, transportation, truck and storage. Member, National Academy of Arbitrators.

Permanent  
Arbitrator:

Hotel Association (DC) and here, Local 25; Social Security Administration and AFGE; HUD and AFGE; Newport News Shipbuilding and USWA. Arbitrated issues of discharge, discipline, seniority, layoff, job posting, safety, discrimination, classification, incentives, rates of pay, past practices, overtime, holiday and military pay, vacation, unemployment and health benefits, disability-pensions.

Work History: Attorney and Supervisory Attorney, NLRB, 1971-77.

Education: Queens College (BA-66); Cornell-Nyssilr (MS-69); Cornell University Law School (JD-71)

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**Leon B. Applewhaite, Esq.**

Silver Spring, MD

**Occupation:** Attorney – Arbitrator

**Experience:** Private practice attorney-arbitrator since 1983. Has served as arbitrator on issues of contract interpretation, discharge, discipline, incentive rates/standards, promotion, layoff, bumping, recall, transfer, overtime pay, unfair labor practices, vacations, subcontracting, work conditions including safety.

**Industries:** Airline, auto, bakery, beverage, retail and chain stores, chem., furniture, leather, lumber, manufacturing, meat packaging, paint, varnish, transportation, trucking and storage, health care, iron, food, public and federal sectors, education, police/fire, courts.

**Permanent Arbitrator:** League of Vol. Hosps. and Dist. 1199, National Union of Hospital and Health Care Employees; Lumber Yard Employers Association and Local 522, IBT. Member, National Academy of Arbitrators.

**Work History:** Member, Federal Labor Relations Authority, 1979-83; Ad Hoc Arbitrator, 1969-79; Association General Counsel, NYS Workmen's Compensation Board, 1967-68; Staff Arbitrator, NY State Mediation Board, 1964-67; Chief Regional Mediator, NYS Public Employment Relations Board, NYC Office, 1968-1979.

**Education:** NYU (BA-48); Brooklyn School of Law (JD-51; LLM-60)

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**Irwin Kaplan**

Bethesda, MD

Occupation: Arbitrator

Address: Business Address: Also  
 9601 Alta Vista Terrace 228 North Bent Road  
 Bethesda, MD 20814 Wyncote, PA 19095  
 301-530-2152; Fax 301-530-0385  
 e-mail: [IKAPARB@AOL.COM](mailto:IKAPARB@AOL.COM)

Professional Affiliations: AAA IRRA  
 SFLRP (President (DC) – 1999)

## General

Experience: Administrative Law Judge, National Labor Relations Board, 1977-92; Mediator, EEOC (Philadelphia, PA), Maryland Community Human Relations, 1994-Present; Mediator, American Arbitration Association.

Perm Panel: SSA/AFGE; BCOA/UMWA; FAA Appeals Procedure

## Arbitration Experience

Issues: Absenteeism, alcohol and drug abuse, arbitrability, work-assignment, bargaining unit work, discharge, discipline, discrimination, job evaluation, jurisdiction, layoff, bumping and recall, management rights, overtime/overtime pay, past practice, transfer, work performance, work condition, insubordination, performance appraisals, reassignment, wages, grievance mediation.

Industries: Broadcasting, coal, education, Federal sector grievance, hospital/nursing home, manufacturing miscellaneous, police and fire, printing and publication, public sector grievance, transportation, railroads.

**Irwin Kaplan** (continued)

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Public Sector Agency Rosters:

NMB; NJ Perc; PA Bur Mediator; NJ Board Mediator;  
Washington DC Perb; PA Labor Relations Board; NY/NJ Port  
Authority Labor Relations Panel.

Education: BA, Government/History, City College of New York – 1959  
JD, Law, New York Law School – 1962

Certification: Law, New York – 1963

Fees: Per Diem Fee: \$800  
Cancellation Fee: \$800

Per Diem cancellation fee within 14 days of scheduled hearing date charges from  
the nearest business address.

Work Experience: Tribunal Clerk, American Arbitration Association, 1962-63  
Investigative/Trial Attorney, NLRB, 1964-67  
Supervisory Attorney, NLRB, 1974-76

This biographical sketch was last updated on: 2002/09/11

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**Seymour Strongin**

Washington, DC

Occupation: Arbitrator

Business Address: 2141 Wyoming Avenue, NW, Suite 11  
Washington, DC 20008  
202-332-8854  
e-mail: [SYSTRONGIN@MINDSPRING.COM](mailto:SYSTRONGIN@MINDSPRING.COM)

Professional Affiliations: NAA AAA

General

Experience: Attorney, NLRB – 1960-63

Perm Panel: ARMCO, Inc/USWA; U.S. Foreign Service Grievance Board;  
P&G/Industrial Oil and Chemical Workers.

Arbitration Experience

Issues: Absenteeism, alcohol and drug abuse, arbitrability, work-assignment, bargaining unit work, demotion, discharge, discipline, discrimination, dress code, environmental pay, health and welfare, holidays and holiday pay, incentive rates/standards, job class, job evaluation, job posting and bidding, jurisdiction, layoff, bumping and recall, management rights, mergers, consol contract terms, overtime/overtime pay, past practice, pensions, rate of pay, RIF, reporting, callin/callback pay, safety, schedule of work, seniority, severance pay, strike or lockout, subcontractor, successor, training, transfer, union business, vacations and vacation pay, work performance, work conditions, other, grievance mediation.

Industries: Aerospace, agriculture, airlines, aluminum, auto, bakery, beverage, brass and copper, brewery, broadcasting, canning, cement, chemical, clothing, coal, communications,

**Seymour Strongin** (continued)

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construction, dairy, distillery, education, electronics, entertainment/arts, Federal sector grievance, feed and fertilizer, food processing/service, foundry, furniture, glass, hospital/nursing home, hotel/restaurant, iron, leather, local government, machinist, manufacturing miscellaneous, metal fabrication, mining, organ, petro, pharmaceutical, police and fire, print and publication, private sector int, public sector grievance, public sector int, pulp and paper, retail stores, rubber/tire, shipbuilding and drydock, shoe, steel, textile, tobacco, transportation, truck and storage, utilities.

Public Sector Agency Rosters:

DC, PRB

MD, PERB

Prince George's County PERB

U.S. Department of Navy

Metropolitan Washington Airports Authority Employee Relations

Education: BA, Political Science, Syracuse University, 1952  
MPA, Public Administration, Syracuse University, 1953  
JD, Law, Brooklyn Law School, 1959

Certification: Law, New York, 1960; Law, District of Columbia, 1971

Fees: Per Diem Fee: \$1,000

Mediation Fee - \$1,500 – Arbitrator has other scheduled fees.

Attended FLRA-FMCS Federal Sector Symposium, Washington, DC – 1/98

This biographical sketch was last updated on: 2000/04/04



**Donald S. Wasserman**

**Washington, DC**

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Occupation: Labor Relations Professional/Arbitrator

Business Address: 1000 Connecticut Ave, NW, Ste. 1106  
c/o AIL  
Washington, DC 20036  
202-833-2030; Fax 202-833-2286  
e-mail : [donwasserman@comcast.net](mailto:donwasserman@comcast.net)

Education :  
MBA—Labor/Industrial Relations, University of Pennsylvania, 1956  
BS—Business Administration, Temple University, 1952

Professional Affiliations:

Industrial Relations Research Association (National and Local chapter)  
National Academy of Social Insurance  
Society of Federal Labor Relations Professionals

General

Experience: 2002: Consultant to Maryland State Labor Relations Board.  
1996-2001: Member then chairman of Federal Labor Relations Authority. FLRA is Federal Government independent agency, patterned after NLRB, responsible for one million organized non-postal federal employees represented in 2,200 bargaining units. 1967-1995: Director of Research and Collective Bargaining for American Federation of State County and Municipal Employees. Served as chief negotiator in initial contract bargaining with states such as Illinois, Iowa, Indiana, Alaska, and major local governments. Also devised strategy, prepared and presented major interest arbitration and fact finding cases. Testified before Congress, state legislators and Blue Ribbon Commissions on collective bargaining legislation and major issues including impasse resolution and bargaining unit structure.

Industries: Airlines, communications, education, health care, office workers/clerical, organizations, police and fire, prison guard, public (non Federal and Federal)

**Donald S. Wasserman (continued)**

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## Arbitration Experience

Issues: Absenteeism, arbitrability, bargaining unit work, conduct (off-duty/personal), demotion, discipline (non discharge and discharge), discrimination (race and sex), drug and alcohol offenses, holidays, insurance, leave, vacation, job performance, job posting/bidding, jurisdictional dispute, layoffs/bumping/recall, management rights, official time, past practices, pension and welfare plans, promotion, retirement, safety/health conditions, seniority, subcontracting/contracting out, tenure/reappointment, wages, cost-of-living pay, holiday pay, job classification and rates, overtime pay, severance pay, vacation pay, work hours/schedules/assignments, working conditions/work orders, violence, or threats.

Industries: Airlines, communications, education, health care, office workers/clerical, organizations, police and fire, prison guard, public (non Federal and Federal).

## Arbitration Rosters:

Federal Mediations and Conciliation Service  
 American Arbitration Association  
 National Mediation Board  
 District of Columbia, PERB

Published Cases: Vol. 56 FLRA—All listed decisions are from the year 2000 except those noted as 2001. 56 FLRA 9, 14, 124, 216, 231, 280, 339, 388, 393, 414, 422, 434, 439, 477, 480, 483, 498, 518, 586, 588, 604, 624, 627, 632, 637, 644, 647, 679, 683, 733, 737, 776, 829, 843, 938, 943, 978, 981, 983, 985, 988, 990, 992, 1000, 1035. 56 FLRA 1052, 1055, 1057 (2001).

Fees: Per Diem Fee; Docketing Fee; Cancellation Fee  
Grievance Arbitration: Fee is \$800 per day for hearing, research and preparation of opinion and award. Hearing is any portion of day up to 8 hours. Time for research and preparation is prorated at \$100 per hour.

**Donald S. Wasserman (continued)**

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Interest Arbitration, Fact Finding & Mediation: Fee is \$1,000 per day for up to 8 hours. Time for research and preparation is prorated at \$125 per hour.

Cancellation Fee: If scheduled hearing/meeting is cancelled or postponed with notice of less than 2 weeks (14 days), per diem fee for each cancelled/postponed day charged if another matter cannot be set in its place.

Travel Time: Travel day prorated at 1/4, 1/2, 3/4 or full day as appropriate.

Expenses: Actual reasonable expenses if travel is required.

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**Robert B. Lubic**

Washington, DC

Occupation: Professor

Business Address: 2813 McKinley Place, NW  
Washington, DC 20015  
202-966-1880  
e-mail: [LUBIC@AMERICAN.EDU](mailto:LUBIC@AMERICAN.EDU)

Professional Affiliations: AAA ICSID

#### General

Experience: Associate Dean, American University Law School, 1970-71;  
Professor, American University Law School, 1965-Present;  
Assistant Professor, Duquesne University Law School, 1963-65;  
Attorney, private practice, 1959-71; Attorney Advisor, Federal Communications Commission, 1957-59.

Perm Panel: U.S. Virgin Islands W&P/WAPAEA  
U.S. Treasury Department/NTEU

#### Arbitration Experience

Issues: Alcohol and drug abuse, arbitrability, work-assignment, bargaining unit work, demotion, discharge, discipline, discrimination, holidays and holiday pay, incentive rates/standards, job posting and bidding, layoff, bumping and recall, management rights, overtime, schedule of work, subcontractor, work performance, work condition, AWOL, contracting out, insubordination, official time, promotions, sick leave, wages.

Industries: Airlines, chemical, construction, education, entertainment/arts, Federal sector grievance, food, hotel/restaurant, lumber, manufacturing miscellaneous, steel, transportation, nonferrous metals, railroads, warehousing.

#### Public Sector Agency Rosters:

National Medical Board, DC PERB, VI PERB

**Robert B. Lubic** (continued)

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Education: LLM Law, Georgetown University – 1959  
JD Law, University of Pittsburgh – 1953  
AB Political Science, University of Pittsburgh – 1950

Certification: Law, Pennsylvania – 1953  
Law, U.S. Supreme Court – 1958

Fees: Per Diem Fee: \$600  
Cancellation Fee: \$600  
\$900 Per Diem fee for interest arbitration

Work Experience: OF Counsel BARAFF, Koerner and Olender, Bethesda, MD.

Award Citations: 64 LA 584; 9 LA 4567; 77 LA 96; 77 FLRR 2-1915; 71 LA 1031; 79 FLRR 2-1213; 80 FLRR 2-167; 80 FLRR 2-2110; 81 FLRR 2-1382

This biographical sketch was last updated on: 1999/02/17

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**M. David Vaughn**

Clarksville, MD

Occupation: Arbitrator and Mediator, Attorney

Business Address: 13732 Lakeside Drive  
Clarksville, MD 21029  
301-854-3200  
301-854-3218 (fax)  
e-mail: vaughnarbr@aol.com

**Professional Affiliations:**

National Academy of Arbitrators, American Arbitration Association, American Bar Association, Association for Conflict Resolution, District of Columbia Bar Association, Industrial Relations Research Association, National Association of Railroad Referees, Ohio State Bar Assn., Society of Federal Labor Relations Professionals, State Bar Michigan

**Education:** JD Law, University of Michigan, 1973  
BA Pol Sci, University of Michigan 1966

**Certification:** Admitted to Practice Law: District of Columbia (1980); Michigan (1973); Ohio (1974)

**Arbitration/Labor Relations Experience:**

Arbitrator and Mediator, 83-present: full-time neutral in labor and employment disputes (see partial list of industries, issues and panels below); Adjunct Professor, Georgetown Univ. Law Center, 1983-1999 (Courses: Labor Arbitration, ADR in Employment, Railway Labor Act; Negns & Coll Bargaining); Member, Foreign Service Grievance Board, 1991-1996; Mbr, Presidential Emergency Bds 230, (96); 223 (93); 214 (88); Hearing Officer, Ofc Senate Fair Empl Practices, 1992-1997; Senior Counsel, Major League Baseball Players, 1983; Attorney, Skadden Arps et al. 1981-1983; General Counsel/ Assoc G C, FMCS, 1977-1981; Exec Sec'y, Atomic Energy L/M Relations Panel, 1979-1981; Attorney, private practice, 1973-1977; Ships Sup't, Philadelphia Naval Shipyard, 1969. Adj Prof Delaware School of Law, 1981-83 (Coll Barg/

**M. David Vaughn** (continued)

Arbitration); Professorial Instructor, American Univ School of Business, 1979-80 (Labor ReIns); Instr, AAA, George Meany Ctr, Contg Legal Ed.

- Industries:** Aerospace, airlines, advertising, agriculture, auto, bakery, beverage, building products, brewery, broadcasting, canning, cement, chemicals, clothing, coal, communications, construction, education, electrical equipment/applian., electronics, entertainment/arts, food (manfg/processing/service), foundry, furniture, glass/pottery, grain mill, health care, hotels/motels/ casinos/ resorts, hospitals/nursing home, iron, lumber, machinery, maritime, meat packing, metal fabrication, mining, nuclear energy, office workers/ clerical, organizations, packaging, paint and varnish, petroleum/ petrochemicals, pharmaceuticals, plastics, police and fire, printing and publishing, prison guard, pulp and paper, railroads, real estate, refrig/hvac, restaurants, retail stores, rubber/tire, shipbuilding/dry-dock, steel, stone/quarry, textile, tobacco, transportation, trucking and storage, union staff, upholstering, utilities, warehousing
- Issues:** Affirm action, absenteeism, arbitrability, barg unit work, conduct (off-duty/personal), demotion, discipline (non-discharge), discipline (discharge), discrimination: age, disab., race, sex, religion, national origin, drug/alcohol offenses; fringe benefits: bonus, holidays, insurance, leave, vacation; grievance mediation, health/hosp, hiring practices, job perf, job posting/bidding, jurisdictional dispute, layoffs/ bumping/recall, mgmt rights, official time, past practices, pension and welfare plans, pension deadlocks, claims (incl ERISA), promotion, retirement, safety/health conditions, seniority, sexual harassment, strikes, lockouts, work stoppages, slowdowns, subcontracting/contracting out, tenure/reappointment, union security, wages: cost-of-living pay, holiday pay, incentive pay, job class. & rates, merit pay, oft pay, severance pay, vacation pay; work hrs/scheds/assgnmts., working conditions/work orders, threats/violence

**M. David Vaughn** (continued)

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## Permanent Panels:

N/G Newport News-USW A; Alcoa-UA W; Ofc Compliance, US Congress; IRS-NTEU; USPS-APWU; USPTO-NTEU; WashMetroAreaTransitAuth-A TU; State New York-UUP; Owens-Corning Fiberglas-GMP; (Cleveland) Plain Dealer-IBT; L VMPD-L VPMSA; State New York-CSEA (Discipline and Patient Abuse Panels); US Customs-NTEU; American Safety Razor-IUE; FDIC-NTEU; FAA-NATCA; FAA-Guar. Fair Trtmt; US DOL-AFGE; Montgomery Cty-FOP; USPS-NPMHU, Mont. Cty-UFCW; Bridgestone/ Firestone-USWA; Washington Gas-IBT; UPS-IBT; UPS-IPA; LongshoreInd. App.Comm-ILA; Dept EnergyNTEU; HHS-NTEU; PLBs/SBAs: (Partial list)

## Arbitration

## Rosters:

American Arbitration Association, FMCS, National Mediation Board, New York City - Office of Collective Bargaining, Other State/Local appointing agencies

## Fees:

Grievance Arbitration \$1,100.00 is charged for each day of hearing and at the same rate, pro rata, for travel time, study, and drafting. In addition, a fee in the amount of \$1,100.00 is charged for each scheduled day of hearing for such cases canceled or postponed on notice received by me 30 calendar days or fewer in advance of the hearing. Selection constitutes acknowledgment and acceptance of the fee arrangements.

Interest Arbitration, Complex/Statutory Cases and Mediation \$1,800.00 is charged for each day of hearing and at the same rate, pro rata, for travel time, study, and drafting. In addition, a fee in the amount of \$1,800.00 is charged for each scheduled day of hearing for such cases canceled or postponed on notice received by me 30 calendar days or fewer in advance of the hearing. Selection constitutes acknowledgment and acceptance of the fee arrangements.



**M. David Vaughn** (continued)

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Expenses Arbitrator charges actual cost of reasonable expenses, including airfare, car rental and lodging. Automobile mileage and meals and incidental expenses are charged at the applicable IRS expense rate, or actual costs if IRS rates not applicable. Arbitrator charges actual cost for copying, phone, postage/express and other reasonable case-related expenses. Full deductions are taken.

Definitions/Calculations A hearing day is any portion of a day, up to eight hours. Time for preparation, travel, study and drafting is charged pro-rated on the basis of an eight-hour day at the applicable per diem rate. Time and expenses are charged constructively from nearest business address or actual costs, whichever is less.

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**Gloria Johnson, Esquire**

Largo, MD

Occupation: Arbitrator, Mediator and Attorney

Business Addresses:      1300 Mercantile Lane                      11541 Maple Court  
                                 Suite 139    Daphne, AL 36526  
                                 Largo, MD 20774  
                                 301-390-2222  
                                 301-249-6449 (fax)  
                                 e-mail: gilaw75@aol.com

Professional Affiliations:

American Arbitration Association, National Bar Association (Char, ADR Section), Labor and Employment Relations Association, Labor Law Section, D.C. Bar Association, ABA EEO Subcommittee (1976-1978), ABA Dispute Resolution Section

Education:                BS, Biology  
                                 Morgan State University  
                                 JD, University of Maryland

Certification:            Law: District of Columbia (1985), Law: Pennsylvania (1980)  
                                 FMCS Labor Arbitrator Training

Arbitration/Labor Relations Experience:

1983-Present: Labor Arbitrator on the FMCS and American Arbitration Association Labor Panels; Division Director, Delaware Department of Labor, 1977 – 1978; Attorney, EEOC 1978 – 1985; Attorney/Arbitrator, Private Practice, 1985 – Present; Director of Training, National Bar Association, Arbitration Section, 1996 – Present. Former EEOC attorney, Office of Policy Implementation and Appeals Section where I drafted federal sector guidelines and labor regulations, have also served as an adjunct professor at the University of the District of Columbia.

**Gloria Johnson, Esquire (continued)**

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**Industries:** Aerospace; agriculture; automotive; bakery; banking; beverage; building products; broadcasting; canning; cement; chemicals; clothing, communications; construction; distillery; education; electrical equipment/appliances; electronics; entertainment/arts; federal sector; food; furniture; health care; hotels/motels/casinos/resorts; hospital/nursing home; iron; lumber; machinery; meat packing; metal; metal fabrication; mining; nuclear energy; office workers/clerical; organizations; packing; paint & varnish; petroleum/petrochemicals; pharmaceuticals; plastics; plumbing pharmaceuticals; police and fire; printing and publishing; prison guard; pulp and paper; railroads; real estate; refrigeration/HVAC; restaurants; retail stores; securities; sports, steel; textile; transportation; trucking and storage; utilities; warehousing.

**Issues:** Affirmative action, absenteeism, arbitrability, bargaining unit work; conduct, demotion, discipline (non-discharge and discharge); discrimination: age, disability, race, sex, religion, national origin, drug/alcohol offenses, fringe benefits: bonus, holidays, insurance, leave vacation grievance mediation, health/hospitalization, hiring practices, job performance, job posting/bidding, jurisdiction disputes, layoffs/bumping/recall, management rights, official time, past practices, promotion, retirement, safety/health condition, seniority, sexual harassment, work stoppages, slowdowns, subcontracting/contracting out, tenure/reappointment, union security, wages: cost-of-living pay, holiday pay, incentive pay, job classification and rates, merit pay, overtime pay, severance pay, vacation pay, work hours/schedules/assignments, working conditions/work orders, violence or threats.

**Arbitration**

**Rosters:** American Arbitration Association (Labor Panel, and Commercial/Employment Panel), FMCS, D.C. Public Employee Relations Board, United States Postal Service REDRESS Panel.

**Gloria Johnson, Esquire** (continued)

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Fees:

Per Diem Fee: \$1,100; Cancellation Fee: \$550 (see below)

Cancellation Policy: If a hearing is canceled or postponed or rescheduled within 15 business days of the scheduled hearing date, a cancellation fee of \$550 will be charged.

Expenses: Expenses for travel and hotel for over seventy-five (75) miles, or more than 1 ½ hours from Washington metropolitan area; or Daphne Alabama.