

Public Employment Relations Board  
80 Wolf Road, Suite 500  
Albany, NY 12205-2656

**RESUME OF PANEL ARBITRATOR**

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KENNETH J TOOMEY

Occupation: ARBITRATOR

ALBANY, NY 12208

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**EDUCATION:**

L.L.B, ALBANY LAW SCHOOL (1966, JD 1968)  
B.S. IN FINANCE, SIENA COLLEGE (1963)

**PROFESSIONAL AFFILIATIONS:**

None

**ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:**

Served as arbitrator for four grievances against the Waterfront Commission of New York Harbor. The issues included: posting and bidding procedures; change of work shift; compensation for replaced employee; consulting with union on job reclassification. I have served for several years as an arbitrator on the PERB panel in cases involving varied issues. These include past practice, prescription drug coverage, salary schedule, disciplinary and dress code.

**MEDIATION & FACT FINDING EXPERIENCE:**

See below

**OTHER RELEVANT OR EQUIVALENT EXPERIENCE:**

Over 25 years as ALJ at PERB, conducting hearings and issuing decisions in improper practice proceedings that often included interpretations of contract provisions and mediation of the issues.

**PER DIEM FEE:** \$800

**ADJOURNMENT FEE:** \$800  
**Notice of Cancellation or  
postponement must be within  
7 days of scheduled hearing date.**

**SIGNED AND SUBMITTED BY ARBITRATOR TOOMEY ON SEPTEMBER 18, 2008**

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BILLING DISCLOSURE STATEMENT

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ARBITRATOR'S NAME: KENNETH J TOOMEY

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$800 for each day or any part thereof spent hearing a case.

(2) If a hearing day exceeds 8 hours, I charge:

       a second full per diem                      X a prorated per diem

       no additional charge                             other (describe)

(3) Additional comments:

B) STUDY TIME.

(1) I charge \$800 for each day spent in preparation of the opinion and award.

(2) This charge        will X will not be prorated for partial days devoted to such preparation.

(3) Additional comments:

C) TRAVEL TIME AND EXPENSES.

(1) When travel time plus hearing time exceeds 8 hours in a calendar day:

       Not applicable (no additional charge)

X I charge as follows (describe): PRORATED PER DIEM

(2) I charge for actual, travel-related expenses incurred in connection with the case X YES        NO.

Where appropriate, a mileage charge for auto travel will be billed at:

x Prevailing IRS rate                             Other (describe):

(3) When the scheduled hearing day(s) requires an overnight stay:

X There is no charge, other than for lodging and subsistence.

       I charge as follows (describe):

(4) Additional Comments:

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of **\$800** will be charged unless I receive notice of a postponement or cancellation:

Within 7 calendar days of the scheduled hearing date

Other (describe): \_\_\_\_\_

E) ADDITIONAL CHARGES. I charge separately for expenses incurred in connection with the following:

Docketing (describe): \_\_\_\_\_  Yes  No

Duplication .....  Yes  No

Fax .....  Yes  No

Finance or late payment charge (describe): \_\_\_\_\_  Yes  No

Postage .....  Yes  No

Secretarial .....  Yes  No

Telephone .....  Yes  No

Other (describe): \_\_\_\_\_

F) GENERAL TERMS.

(1) Billing for fees and expenses will be divided equally between the parties unless otherwise required by the collective bargaining agreement or the conditions of the appointment.

(2) Other conditions (describe): \_\_\_\_\_

G) OTHER INFORMATION/COMMENTS.

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**IMPORTANT**

**THIS FORM IS NOT INTENDED TO SUGGEST THE SERVICES FOR WHICH AN ARBITRATOR SHOULD OR SHOULD NOT CHARGE. IT PRESENTS THE MOST RECENT INFORMATION PROVIDED BY THE NAMED ARBITRATOR TO THE NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD, WHICH BEARS NO RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED ON THE FORM, OR FOR VARIANCES IN ACTUAL PRACTICE BY THE ARBITRATOR.**