

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

RESUME OF PANEL ARBITRATOR

MARGERY F GOOTNICK

Occupation: ATTY/ARB/MED

ROCHESTER, NY 14618-3513

EDUCATION:

B.A., HARVARD COLLEGE

J.D., CORNELL UNIVERSITY LAW SCHOOL

PROFESSIONAL AFFILIATIONS:

Member, Foreign Service Grievance Board 1998 -; Chair Foreign Service Impasse Disputes Panel 1983 - 1987; National Academy of Arbitrators (President 2005-2006); New York State Bar Association Labor and Employment Law Section (Section Chair 1995-1996); Society of Federal Labor Relations Professionals (Current Member of Board); ABA Labor Law Section Committee on Labor ADR and Employment Dispute Resolution Section; College of Labor and Employment Lawyers; AAA panels of Labor Arbitration, Employment Arbitration, Discrimination, Employment Mediation, Sports and Elections Panel – Member of Advisory Board of Scheinman Institute at Cornell ILR School.

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

Foreign Service Grievance Board (1997- 2001 & 2003 – 2009)
Chair, U.S. Foreign Service Impasse Disputes Panel (1986-1997)
FDIC-NTEU National Headquarters Arbitration Panel (2006- Present)
International Institute for Conflict Prevention & Resolution (CPR)
Library of Congress Copyright Panel 2001- Present
Panel of International Council of Arbitration for Sport (ICAS) – Lausanne Switzerland
AAA National Panel of Sports Neutrals 2001- Present
Internal Revenue Service and National Treasury Employees Union (National Panel and Regular Panel)-
Mid Atlantic Region
CWA-US Airways Passenger Service Employees Arbitration Panel
SBC & IBEW Local 21
Monroe County (N.Y.) *and* Civil Service Employees Association
New York State *and* Civil Service Employees Association Statewide Disciplinary Panel
New York State *and* NYSCOPBA
U.S. OPM Central Office *and* American Federation of Government Employees
Department of Homeland Security U.S. Customs and Border Protection and NTEU-(National Panel and Regular Panel)
Federal Aviation Administration and NACTA (Southern Regional Panel)
New York State Public Employment Relations Board [Mediation, Fact-Finding, Grievance and Interest Arbitration Panels]
New York State Employment Relations Board
Arbitration Panel of The Virgin Islands Public Employee Relations Board
New York City Office of Collective Bargaining
Lockheed *and* International Association of Machinists (Umpire 1994-1995)
United Airlines *and* International Association of Machinists (1985-1992)
Flying Tigers *and* International Association of Machinists (1987-1991)
Dalkon Shield Trust Arbitration Panel (1994-1997) – (Panel Disbanded)
Washington Gas and Office and Professional Employees International Union, Local 2
AAA Recognition and Related Representational Issues Panel 2000-

Department of Health and Human Services and National Treasury Employees Union 2000-
The State of New York and the NYS Correctional Officers and Police Benevolent Association, Inc.
City of Rochester and AFSCME
Amalgamated Transit Union, Local 282 and Rochester Regional Transit Service Inc.
Bituminous Coal Operators Association and United Mine Workers District 31
American Arbitration Association United States Anti-Doping Panel
American Arbitration Association 2008 Ladies Professional Golf Association Drug Testing Arbitration
Procedures
Rochester City School District and BENTE/AFSCME
Lift Line, Incorporated and the Amalgamated Transit Union, Local 282 (Union)

MEDIATION & FACT FINDING EXPERIENCE:

Member of PERB Panel of Fact Finders and Mediators since 1974. Mediator or fact finder in approximately 95 cases over that period. Presidential appointment under Railway Labor Act to two Presidential Emergency Boards: Long Island Railroad and various unions 1984 & 1986 Congressional Emergency Board for National Freight Railway Dispute 1991; AAA Employment Mediation Panel.

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

PER DIEM FEE:
\$1300 western NY (Syracuse - west)
\$1500 elsewhere
\$2000 All interest Arbitrations
½ day overnight stay is required

ADJOURNMENT FEE: One day if cancelled fewer than 21 business days before scheduled hearing;
Two days if two consecutive days are scheduled and cancelled 28 business days before scheduled hearing.

SIGNED AND SUBMITTED BY ARBITRATOR GOOTNICK ON APRIL 26, 2011

Public Employment Relations Board
80 Wolf Road, Suite 500
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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: **MARGERY F. GOOTNICK**

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is **\$1300*** for each day or any part thereof spent hearing a case in Western N.Y. (Syracuse & West).

***\$1,500 East of Syracuse**

****\$2000 All Interest Arbitration**

(2) If a hearing day exceeds 7 hours, I reserve the right to 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 my per diem for each day spent in preparation of the opinion and award.

(2) This charge X will _____ 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 7 hours in a calendar day:

_____ Not applicable (no additional charge)

 X I charge as follows (describe): I RESERVE THE RIGHT TO CHARGE ONE DAY FOR HEARING AND ACTUAL TRAVEL TIME OVER 7 HRS, 1/2 DAY FOR ACTUAL TRAVEL TIME OVER 4 HOURS.

(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:

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

 X I charge as follows (describe): **Lodging subsistence, meals and airfare if flying is required. 1/2 day if overnight stay is required.**

(4) Additional Comments:

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of **one day** will be charged unless I receive notice of a postponement or cancellation:

within 21 business days of the scheduled hearing date if one day in scheduled

other (describe): IF 2 CONSECUTIVE DAYS OR MORE ARE SCHEDULED FOR A HEARING MY CANCELLATION PERIOD IS 28 BUSINESS DAYS.

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): NA

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.

SIGNED AND SUBMITTED BY ARBITRATOR GOOTNICK ON APRIL 26, 2011

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.