

Public Employment Relations Board
PO BOX 2074, ESP, Agency Bldg. 2, Floor 20
Albany, NY 12220-0074

RESUME OF PANEL ARBITRATOR

MARVIN E JOHNSON

Occupation: ARBITRATOR

ROCHESTER, NY 14609

EDUCATION:

B.B.A., INDUSTRIAL RELATIONS, KENT STATE UNIVERSITY (1972)
M.S., INDUSTRIAL RELATIONS, UNIVERSITY OF WISCONSIN (1974)
J. D., LAW, CATHOLIC UNIVERSITY LAW SCHOOL (1980)

PROFESSIONAL AFFILIATIONS:

IRRA; ACR (formerly SPIDR); Society of Federal Labor Rel Profls; ABA- Section of Dispute Resolution; PA Bar Assn; National Bar Assn- Arbitration Section; American Business Law Assn; Internal Academy of Mediators; American College of Civil Trial Mediators.

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

ISSUES: Absenteeism; Alcohol & Drug Abuse; Arbitrability; Work-Assignment; Discharge; Discipline; Discrimination; Dress Code; Health & Welfare; Incentive Rates/Standards; Job Evaluation; Job Posting & Bidding; Layoff; Bumping & Recall; Management Rights; Contract Terms; Overtime; Past Practice; Reduction in Force; Safety; Training; Transfer; Union Business; Work Performance; and Working Conditions.

INDUSTRIES: Education; Electrical Equipment; Federal Sector Grievance; Federal Sector Interest; Local Government; Manufacturing; Non-Profit Organization; Packaging; Plastics; Police & Fire; Public Sector Grievance; Public Sector Interest; Service; Technology; and Transportation.

MEDIATION & FACT FINDING EXPERIENCE:

Served as mediator, a fact-finder or a facilitator in over 2,000 public and private disputes. **MEDIATION PANELS:** Grievance Mediation Program of D.C. Dept of Corrections & the Fraternal Order of Police, MPD; Mediation/Advisory Arbitration Panel for the Potomac Electric Power Company & IBEW, Local 1900; PA Bureau of Med; U.S. Postal Service REDRESS; NASD Med Program; National Centre for Dispute Settlement Panel of Mediators; CPR Institute for Dispute Resolution; Office of Compliance.

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

Served as an arbitrator in over 1,000 public and private arbitrations. **LABOR PANELS:** AAA; FMCS; NMB; Foreign Service Grievance Board; D.C. Publ Employee Rels. Bd; U.S. Senate Fair Employment Practices Hearing Board; IRS & National Treasury Employees Union; CVS Products & IUE, Local 342; AT&T and CWA, Dists 1, 2 & 13; Soc. Secur. Admin. & AFGE; Health Care Financing Admin. & AFGE; U.S. Dept of Labor & AFGE, Local 12; National Archives and Records Admin. & AFGE, Council 260; and Montgomery County Government & Montgomery County Government Employees Org., Local 1994; Virgin Islands Publ Empl Rels Bd; FTC; NASD Reg Arb Panel; CPR Institute for Dispute Resolution Fair Housing Panel; U.S. Customs Service/NTEU Arb Panel; Detroit Edison DR Panel.

OTHER RELEVANT ACTIVITIES: Wrote and field tested a training manual for the Connecticut Commission on Human Rights entitled *Settlement Techniques for Housing Discrimination Disputes* (1986); wrote and assisted in the directing and editing of the dispute resolution training film *The Cherry Tree Restaurant*, c.1984; wrote the article, *Reinventing the Government: The Development of a Model ADR Program* (1997); and co-authored *Emotionally Intelligent Mediation: Four Key Competencies* (2001), *Racial Profiling in America: The Problem and the Challenge* (2003), *Adjusting to Changing Priorities* (2002), and *ADR Techniques and Procedures Flowing Through Porous Boundaries: Flooding the ADR Landscape and Confusing the Public* (2010). Named by Mediate.com as one of the 31 "best known and most experienced mediators in the world" (The Mediators: Views from the Eye of the Storm, Volume 1, DVD-2005). Received the American College of Civil Trial Mediators' "2006 Lifetime Achievement Award" for his major contributions to the ADR field and the New York State Dispute Resolution Association's Andrew Thomas PeaceBuilder Award for advocating peaceful means for resolving conflict in October 2009. Provides dispute resolution training and lectures extensively on the subject of conflict management.

PER DIEM FEE: \$2,400*

**ADJOURNMENT FEE: \$2,400 per scheduled hearing
day within 30 days of scheduled hearing**

*(MINIMUM ½ DAY)

SUBMITTED BY MARVIN E. JOHNSON ON FEBRUARY 28, 2014

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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: MARVIN E JOHNSON

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$2,400 for each day or any part thereof spent hearing a case.

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

_____ a second full per diem _____ a prorated per diem

X no additional charge _____ other (describe)

(3) Additional comments:

B) STUDY TIME.

(1) I charge \$2,400 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 _____ hours in a calendar day:

X Not applicable (no additional charge)

_____ I charge as follows (describe):

(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 **\$2,400** will be charged unless I receive notice of a postponement or cancellation:

Within **30** 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.....\$30 PER PAGE..... Yes No

Fax Yes No

Finance or late payment charge (describe) 10% LATE FEE OF THE Yes No
INVOICED AMOUNT AFTER 30 DAYS

Postage Yes No

Secretarial Yes No

TelephoneLONG DISTANCE ONLY Yes No

Typing Fee.....\$5.00 PER PAGE..... Yes No

Other (describe): PARKING (LOCAL); PARKING, HOTEL & MEALS (OUT-OF-TOWN)

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.

SUBMITTED BY MARVIN E. JOHNSON ON FEBRUARY 28, 2014

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.