

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

RESUME OF PANEL ARBITRATOR

KIMBERLY B CHENEY

Occupation: LAWYER/ARBITRATOR

MONTPELIER, VT 05602

EDUCATION:

B.A., YALE COLLEGE (1957)
LL.B., YALE LAW SCHOOL (1964)

PROFESSIONAL AFFILIATIONS:

Vermont Bar Association, 1967-Present; Member Vermont Association for Justice; Vermont Bar Association

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

Chair, Vermont Labor Relations Board for 10 years 1988-1998 ; Arbitrator, AAA 1980 – 2010 , public and private; NY Public Employment Relations Board; 35 years General law practice with emphasis on litigation in court and administrative agencies. Personal injury, domestic, criminal, employment discrimination representing both plaintiffs and defendants. See web site for additional details. Vermont Supreme Court Advisory Committee on Rules of Criminal Procedure (1970). Hearing officer, Vermont Department of Labor (Worker's Comp.) (1975). Vermont Transportation Board (New Motor Vehicle Arbitration Board) (1985-87). Appointed neutral chair, Vermont Supreme Court classification panel for judicial branch employees (1987). Chair, Vermont Advisory Committee to United States Civil Rights Commission (1996-2002). Issues: Employment discrimination, discharge, discipline, college faculty tenure, seniority, call-in pay, reduction in force, contract interpretation. Industries: Public employees - Teachers, corrections, transportation, state employees. Private employees – Manufacturing. Issues include discharge, tenure denial, contract non-renewal and contract interpretation.

MEDIATION & FACT FINDING EXPERIENCE:

Several cases in Clinton and Essex County, New York.

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

Presently, since 1974, Attorney, civil and criminal trials, and labor relations for plaintiffs and defendants. Concentrations: Labor and Employment, Personal injury and Divorce, Criminal, Miscellaneous litigation. Publications: A Public Employees Board for State Employees Rights Grievances – Excluding Private Arbitration. Why Not? Association of Labor Relations Agencies Proceedings. 1980; Author: Labor and Employment Law in Vermont Butterworth Legal Publishers, 368 pages (1994); Vermont Legislative bills including State Education Law, State Access to Public Documents Law, Criminal Code, Divorce, Child Support, Adoption. Opinions, Vermont Labor Relations Board (Vols. 1 to 9) 1978-1986 see www.cbs-law.com

PER DIEM FEE: \$1,500

ADJOURNMENT FEE: \$900 if less than
4 business days' notice.

SIGNED AND SUBMITTED BY ARBITRATOR CHENEY ON January 22, 2019

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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: KIMBERLY B CHENEY

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$1,500 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 a prorated per diem

no additional charge other (describe)

(3) Additional comments:

B) STUDY TIME.

(1) I charge \$900 for each day spent in preparation of the opinion and award.

(2) This charge 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 8 hours in a calendar day:

Not applicable (no additional charge)

I charge as follows (describe): PRO RATA TIME

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

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

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.

I charge as follows (describe):

(4) Additional Comments:

\$1,300 per day plus travel (time charged for travel over 150 miles) and lodging.

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of **\$900** will be charged unless I receive notice of a postponement or cancellation:

_____ within ___ calendar days of the scheduled hearing date

X other (describe): If less than 4 business days' notice.

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
1 ½% PER MONTH

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.

SIGNED AND SUBMITTED BY ARBITRATOR CHENEY ON January 22, 2019

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.