

Resume

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Since 1980, Robert T. Simmelkjaer has been an Arbitrator, Mediator and Fact Finder. He is Professor Emeritus of Public Administration and former Vice Provost/Dean of the School of General Studies, City College of the City University of New York. His work experience includes; Adjunct Professor, Cornell Univ./NYSSILR; President/CEO, Institute for Mediation & Conflict Resolution; Deputy Chief Counsel, Joint Commission for Integrity in the Public Schools; Trial Board Hearing Officer (ALJ), New York City Transit Authority; Executive Director, Governor's Advisory Commission; Presiding Hearing Officer, Office of Senate Fair Employment Practices; Vice Chair, Personnel Appeals Board, U.S. Government Accountability Office ; Principal, Intermediate School, New York City Board of Education; Executive Assistant to President, Institute for Educational Development.

Professional Associations include: Fellow, College of Labor and Employment Lawyers; National Academy of Arbitrators, Chair, Law and Legislation Committee; Chair; International Studies Committee; New York State Bar Association, Labor & Employment Section, Executive Committee; Chair, Labor Arbitration Committee, Chair, Law School Liaison Committee, Chair; Finance Committee, Secretary; New Jersey State Bar Association, Labor & Employment Section, Executive Committee, Chair & ADR Coordinator; District of Columbia Bar Association, Labor Arbitration & ADR Committees.

He is a member of the AAA Labor, Employment and Commercial Arbitration Panels, Port Authority of New York and New Jersey, FMCS, OCB, PERC, PERB, NMB and FINRA. He is listed as a panel arbitrator in several public and private sector contracts. He has made numerous presentations and appeared on programs for Bar Associations, labor and employment arbitration organizations as well as the Labor Arbitration Institute

Industries: Airlines, Auto, Bakery, Beverage, Chemicals, Communications, Construction, Education (Higher), Entertainment, Grocery, Health Care, Hotel/Restaurant, Insurance, Leather, Manufacturing, Petroleum, Pharmaceutical, Retail, Securities, Shipping, Steel, Technology, Textile, Transportation and Utilities. Also, has issued awards in Police & Fire Interest Arbitration cases as well as Federal Sector Grievance & Interest Arbitration.

Issues: Absenteeism, Alcohol & Substance Abuse, Arbitrability, Computer Forensics, Contract Interpretation, Discipline & Discharge, Discrimination, FLRA FMLA, Fringe Benefits, Involuntary Transfers, Job Classification, Layoff, Bumping & Recall, Mgt. Rights, FLSA, Overtime Pay, Past Practice, Promotion, Pensions under ERISA (MEPPA), Plant Closings, Productivity, Seniority, Subcontracting, Sexual Harassment, Workers Compensation (including police/fire on-the-job injuries under GML 207c).

Alternative Dispute Resolution/Labor Relations Experience:

Over 30 years of experience as arbitrator, mediator, and fact-finder and Panel Arbitrator for AAA, PERB, PERC, FMCS, NMB, FINRA, OCB, and numerous other agencies. Public sector experience includes interest arbitration in police and fire cases as well disputes in education, corrections, health care, transportation, and municipal/county government.

- Serves on rotating panel for grievances with New York State and United University Professions (UUP), NYS/COPBA, CSEA & PEF. Also arbitrator on panel for Nassau County and CSEA; New York City School Construction Authority and D.C.37. Listed as permanent arbitrator in several school district contracts.

Also panel member for Washington Metropolitan Area Transit Authority (WMATA) and ATU; Maryland Transit Administration/ATU; SEIU and Local 617.

In federal sector, arbitrator for U.S. Dept. of Education and AFGE/Council 252; SSA/AFGE; U.S. Customs and Border Protection and NTEU (National Roster); and Internal Revenue Service and NTEU. On Regular Arbitration Panel for USPS/APWU, NALC and NPMHU.

Member, AAA/ MEPPAA liability panel.

In private sector, Panels include: National Arbitration Forum; FINRA Board of Arbitrators; District 1199 and Voluntary League of Hospitals; Verizon and CWA; SEIU Local 32 BJ and FJC Security Services; UFCW Local 888 and Plumbing & Heating Wholesalers Employers Association, Inc.; American Continental and National Can Cos. & United Steelworkers; Local 54 and Casino Group, etc. A Referee for National Railroad Adjustment Board and Public Law Boards.

Publications and Presentations:

Presentation: AAA, "How Private is Your Private Life? – Reconsidering Off-Duty Misconduct in a Workplace Changed Due to New Technologies"

Labor Arbitration Institute: Presentation on Off-Duty Misconduct, Theft & Absenteeism.

Guest Editor, "Resolving Employment Disputes in Selected Countries," Comparative Labor Law and Policy Journal, Summer 2013; Co-author, "Arbitration of Sexual Harassment," chapter, LABOR AND EMPLOYMENT ARBITRATION, Matthew Bender, 2000; Delivered paper at NYSBA entitled "First Amendment Constitutional Rights of Employee vis-à-vis Contractual Right of State to Discipline Off-Duty Conduct; Article in the NEW YORK LAW JOURNAL (Front Page), Kuhnel v. Dept. of Correctional Services, 114 LA 1535 (2001); on "Negotiation Impasses & Representation," FEDERAL CIVIL SERVICE LAW AND PROCEDURE, BNA 1990; "Finality of Arbitration Awards," ARBITRATION FORUM, AAA, 1989; AAA, Labor Arbitration in Government/Labor Arbitration in Schools/Summary of Labor Arbitration Awards; BNA, Labor Arbitration Reports, ten(10) cases; various other articles on labor relations, public finance, organizational behavior, and legal issues for AAA, FMCS and Bar Associations.

Education: Fordham University, School of Law (JD)
Columbia University, MBA, (Labor Relations/Labor Economics)
Columbia University, Ed.D. (Administrative Science)

City College of CUNY, B.S. (Political Science); M.A (Political Science)