

ROGER BRUCE JACOBS
103 Eisenhower Parkway
Roseland, NJ 07068
(973) 226-6663
roger.jacobs@jacobslawnj.com

EDUCATION:

NEW YORK UNIVERSITY SCHOOL OF LAW
Juris Doctor, 1976; Arthur T. Valderbilt Medal
Masters of Law in Labor Law, June 1979;
Elias Lieberman Fellow in Labor Law (1978-79)

CORNELL UNIVERSITY

Bachelor of Science, 1973; Clem Miller Scholarship for outstanding public service; Phi Kappa Phi national honor society; Quill and Dagger Senior Honor Society.

BAR ADMISSIONS:

New York (1980), New Jersey (1977), District of Columbia Court of Appeals (1978); Southern District of New York, Eastern District of New York, District of New Jersey, Second, Third, Sixth & Ninth Circuit Courts of Appeals

PUBLIC BOARDS:

New Jersey Educational Facilities Authority (2003-2016), Chairman (2009-2016), Reappointed 2014 to three-year term. The Authority is charged with bonding/funding for all institutions of higher education in the State of New Jersey. The Board serves by nomination of the Governor and with the advice and consent of the State Senate. Annual bond issues are usually between \$400 million to \$1 billion. There is a staff of approximately 15 under the direction of a full-time Executive Director.

I was proactive in discussing issues of social responsibility and creative financing. I have also visited most of the campuses and University Presidents in New Jersey in an effort to discuss campus needs.

NJTV Community Advisory Board, Chairman (2015-present).
Daughters of Israel Board of Governors (2013-present).
Greater Newark Conservancy Board of Directors (2010-2011).
Commissioner, New Jersey Public Broadcasting Authority (2008-2009).

TEACHING AND
FACULTY
APPOINTMENTS:

Fordham University Law School, New York, New York (1989-2003). Adjunct Professor of Law teaching collective bargaining and negotiations.

New York Law School, New York, New York (1979-1986).
Adjunct Professor of Law teaching sex-based discrimination and
employment discrimination.

Rutgers University School of Management and Labor Relations
and Rutgers Graduate School (1985-2011). Adjunct Professor
teaching “Realities of the ADR.” Also taught in the Masters
Program.

Faculty, NYU Conference on Labor Law (1987).

Instructor, American Management Association (1983-1988).

Instructor, Cornell University School of Industrial and Labor
Relations.

SPEAKING

Rutgers Law Review Symposium on Dispute Resolution; Panel Member,
Spring 2017

AND PANELS:

Presented at the New Jersey Institute for Continuing Legal
Education (NJICLE), January 30, 2013

The Association of Independent Colleges and Universities in New Jersey
(AICUNJ) General Counsel, Update on Fair Labor Standards Act
and Higher Education August 2012

NJ Institute of Social Justice Workshop on Social Covenant Bonds (April
2012)

The Association of Independent Colleges and Universities in New Jersey
(AICUNJ) Board of Directors Retreat June 2011

Moderator, Benefits of Higher Education, National Association of Health
and Educational Facilities Finance Authorities (NAHEFFA) Fall
2010 Conference

PROFESSIONAL
EXPERIENCE:

Jacobs Center for Justice and Alternative Dispute Resolution.
(See www.jacobsjustice.com)

Arbitration, mediation, investigations and fact finding. Handling
disputes in commercial, employment, construction, contracts,
business, international, securities, and intellectual property.

Panel Member for American Arbitration Association; Financial
Industry Regulatory Authority; International Institute for Conflict
Prevention & Resolution; Federal Mediation and Conciliation

Service; New York Public Employment Relations Board; New Jersey Public Employment Relations Commission.

Cases referred from Southern District of New York; Eastern District of New York; District of New Jersey; Superior Court of New Jersey; New York Supreme Court Commercial Division.

Fellow, Chartered Institute of Arbitrators; National Academy of Distinguished Neutrals; Judge and Mediator, International Mediation Competition, International Chamber of Commerce, Paris, France. (2016,2017)

Jacobs Law Offices, LLC, 103 Eisenhower Parkway, Suite 103, Roseland, NJ (973) 226-6663 and 777 Third Avenue, 24th Floor, New York, NY 10017 (212) 644-0500 (previously at Jacobs Rosenberg, LLC) March 1983-December 2011

Practice was primarily related to representation of public and private employers in all aspects of business and Labor and Employment Law. Practice included collective bargaining; litigation in state and federal court as well as administrative agencies; development and implementation of policy; development of employment manuals; and wage and hour issues.

Jacobs Rosenberg, LLC, Newark, NJ - 2001-2011 (predecessor firms included Jacobs & Koch and Jacobs and Associates, 1985-2001). Managing Partner of law firm focusing on representation of public and private institutions. Practice included litigation in all courts, administrative agencies, and appeals. Handled litigation, general business advice, employee policies, labor and employment issues. Supervised all attorneys and personnel.

Representative clients included New Jersey Turnpike Authority; Newark Board of Education; Newark Housing Authority; County of Morris; County of Essex; R&R Construction; Fette America; New Jersey Physicians; Mulberry Metal Products; Sovereign Bank

Guggenheimer and Untermeyer, New York, NY - 1979-1984. Associate in Labor department handling National Labor Relations Board, litigation, discrimination claims, and general client advice and counseling.

Hudson County Prosecutor's Office - 1977-1979.

Bronx District Attorney's Office - 1976-1977.

ARTICLES AND
PUBLICATIONS:

Available upon request. These have included four treatises in Labor Labor and Employment practice areas as well as law review and other writings on all aspects of arbitration, collective bargaining, and settling of business disputes. Recent articles include: Compared and Contrasted: Skepticism and Promise in the Major Providers' Appellate Arbitration Procedures, 33 Alternatives to the High Cost of Litigation 2 (February 2015); Examining the Elusiveness of Finality in Arbitration, and the New Avenues of Appeal, 33 Alternatives to the High Cost of Litigation 1 (January 2015).

AWARDS:

New Jersey Super Lawyers 2010/2011/2012/2013/2014/2015, 2016.2017

Essex County Bar Association Kuttner Pro Bono Legal Award (2000)

Essex County Jewish Heritage Award (2011)

Northern New Jersey Council Boy Scouts of America Silver Beaver Award (2000)

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EMPLOYMENT:

Jacobs Center for Justice and Alternative Dispute Resolution
2011-Present

- Arbitration
- Mediation
- Fact Finding
- Investigation

Serve by panel appointment and private selection of parties
Panels include:

- American Arbitration Association Labor Arbitration Panel (New York; New Jersey (1982-2002; 2012-) , Commercial Arbitration Panel (2011-)
- New Jersey State Board of Mediation
 - Arbitrator and Mediator, FINRA Dispute Resolution
 - Federal Mediation and Conciliation Service Roster of Arbitrators (FMCS)
 - Mediator, New York Supreme Court Commercial Division and United States District Court, Southern District of New York
- New York State Public Employment Relations Board (PERB)
- New Jersey Public Employment Relations Commission (PERC)
- International Institute for Conflict Resolution and Prevention (CPR), panel of arbitrators and mediators
- National Academy of Distinguished Neutrals

Jacobs Rosenberg, LLC, Managing Partner
2002-2011

Represented public and private employers in all aspects of business and Labor and Employment Law for more than thirty years including:

- Collective Bargaining;
- Litigation in State and Federal Courts, and Administrative Agencies;
- Development and implementation of policy;
- Development of employment manuals;
- Resolution of wage and hour issues, including hearings;
- Conducted workplace investigations regarding discrimination and all EEO issues; and
- Advised General Counsel regarding issues including FLSA, overtime, ADA.

Representative clients included:

- New Jersey Turnpike Authority (served as Employment Counsel);
- Newark Housing Authority;
- County of Morris;
- South Jersey Transportation Authority;
- Private construction clients; and
- Medical practice groups.

At Jacobs Rosenberg, LLC and predecessor firms I supervised six attorneys and all other staff including paralegals, law clerks, and administrative staff in direction of work, client relationships, and litigation management.

Rosen, Gelman & Weiss, Newark, NJ (1982-1983, Associate)
Guggenheimer & Untermeyer, New York, NY (1979-1982, Associate)

Hudson County Prosecutor's Office, Jersey City, NJ
(1977-1979, Assistant Prosecutor)

Bronx District Attorney's Office (1976-1977)

BAR
ADMISSIONS:

New York (1980), New Jersey (1977), District of Columbia Court of Appeals (1978); Southern District of New York, Eastern District of New York, District of New Jersey, Second, Third, Sixth & Ninth Circuit Courts of Appeals

PUBLIC
BOARDS:

New Jersey Educational Facilities Authority (2003-present),
Chairman (2009-present)

The Authority is charged with bonding and funding for all institutions of higher education in the State of New Jersey. Annual bond issues are between \$400 million and \$1 billion; there is a staff of approximately 15.

As Chairman, I have focused on issues of social responsibility and creative financing in my discussions with the university presidents in New Jersey. I am regularly involved in all policy decisions at the Authority.

Greater Newark Conservancy (2010-2011)

Commissioner, New Jersey Public Broadcasting Authority
(2008-2009)

EDUCATION:

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Masters of Law in Labor Law (1979)

Elias Lieberman Fellow in Labor Law (1978-79)

Juris Doctor (1976)

Arthur T. Vanderbilt Medal

CORNELL UNIVERSITY, Ithaca, NY

Bachelor of Science (1973)

Clem Miller Scholarship for outstanding public service;
Phi Kappa Phi national honor society; Quill and Dagger Senior
Honor Society

TEACHING:

Adjunct Professor of Law, Fordham Law School
New York, New York (1989-2003)

Adjunct Professor, Rutgers University Institute of
Management and Labor Relations (1985-2013)

Adjunct Professor of Law, New York Law School, New York,
New York (1979-1986)

SPEAKING
AND PANELS:

Presented before 100 lawyers on mediation of
workplace disputes at the New Jersey Institute
for Continuing Legal Education (NJICLE),
January 30, 2013

The Association of Independent Colleges and Universities in
New Jersey (AICUNJ) General Counsel, Update on Fair Labor
Standards Act and Higher Education August 2012

NJ Institute of Social Justice Workshop on Social Covenant
Bonds April 2012

The Association of Independent Colleges and Universities in
New Jersey (AICUNJ) Board of Directors Retreat June 2011

Moderator, Benefits of Higher Education, National Association
of Health and Educational Facilities Finance Authorities
(NAHEFFA) Fall 2010 Conference

AWARDS:

New Jersey Super Lawyers 2010/2011/2012/2013/2014

Essex County Bar Association Kuttner Pro Bono Legal Award
(2000)

Essex County Jewish Heritage Award (2011)

Northern New Jersey Council Boy Scouts of America Silver
Beaver Award (2000)

ROGER B. JACOBS

Publications & Articles

COMPARED AND CONTRASTED: SKEPTICISM AND PROMISE IN THE MAJOR PROVIDERS' APPELLATE ARBITRATION PROCEDURES, 33 Alternatives to the High Cost of Litigation 2 (February 2015)

EXAMINING THE ELUSIVENESS OF FINALITY IN ARBITRATION, AND THE NEW AVENUES OF APPEAL, 33 Alternatives to the High Cost of Litigation 1 (January 2015)

NEW JERSEY LABOR AND EMPLOYMENT LAW QUARTERLY, Does *Airstream* Thread the VW Needle?, Vol. 34/No. 4 (October 2014)

MANDATORY ARBITRATION, Dispute Resolution Journal, Vol. 67/No. 4 (2013)

NOTES ON *D.R. HORTON*: NLRB LIMITED ARBITRATION RIGHTS, 63 Lab. L.J. 143 (Summer 2012)

FITS AND STARTS FOR MANDATORY ARBITRATION, 29 Hof. Lab. & Emp. L.J. 547 (Spring 2012)

REALITIES OF THE AMERICANS WITH DISABILITIES ACT, 37 Employee Rel. L.J. 35 (Summer 2011)

DISABILITY DISCRIMINATION, REASONABLE ACCOMMODATION, AND THE MODIFIED COMMUTE, 36 Employee Rel. L.J. 59 (Spring 2011)

SAY WHEN: AN ANALYSIS OF POST-LEDBETTER CONTINUING VIOLATIONS, 36 Employee Rel. L.J. 19 (Autumn 2010)

JOHNNIE'S POULTRY - STILL KOSHER, 61 Lab. L.J. 96 (Summer 2010)

SUPREME COURT TIPS AGAINST INDIVIDUAL RIGHTS - AGAIN, 27 Hofstra Lab & Emp. L.J. 267 (2010).

SUPREME COURT CONTINUES EXPANSION OF FAVORING EMPLOYMENT ARBITRAL RIGHTS, New Jersey Law Journal, January 11, 2010

THE FUNDAMENTALS OF UNEMPLOYMENT COMPENSATION BENEFITS: A PRIMER FOR EMPLOYERS, New Jersey Law Journal, April 20, 2009

VERIFYING EMPLOYMENT STATUS, New Jersey Law Journal Employment & Immigration Law Supplement, April 9, 2007

START-UPS MUST NAVIGATE DOT-COM DANGERS, New York Law Journal, July

10, 2001

MEDIATION IN LABOR AND EMPLOYMENT DISPUTES, Bender's Labor and Employment Law Bulletin, Volume I, No. 5, May 1, 2001

RESOLVING WORKPLACE DISPUTES THROUGH MEDIATION, New Jersey Law Journal, April 16, 2001

THE CASE AGAINST INDIVIDUAL LIABILITY UNDER THE LAD, New Jersey Law Journal, January 5, 1998

USING SUMMARY JUDGMENT IN EMPLOYMENT CASES, New Jersey Law Journal, May 12, 1997

DISCERNING THE OUTER LIMITS ON HOSTILE ENVIRONMENT CLAIMS, Supplement to the N.J. Law Journal, April 15, 1996

COURT RULINGS' RESULT: MANUALS ARE CONTRACTS, New Jersey Law Journal, November 7, 1994 and November 14, 1994

COURT RULINGS CLARIFY HARASSMENT CONFUSION, New Jersey Law Journal, April 12, 1993

RECENT CHANGES UNDER THE CIVIL RIGHTS ACT OF 1991, New Jersey Lawyer Magazine, May/June, 1992

YOUR COMPANY: OPENING THE DOOR TO THE DISABLED, Spring 1991

SUPREME COURT CLARIFIES CIVIL RIGHTS ATTORNEY'S FEES, Labor Law Journal, December 1990

LITIGATORS LIE IN WAIT FOR HANDICAP - BIAS LAW, New Jersey Law Journal, September 27, 1990

INTERVIEW IN CCH IDEAS & TRENDS: The Americans With Disabilities Act, What Should Employers Do Now? August 22, 1990

THE DANGER OF BEING SUED FOR DEFAMATION, Supervisory Management published by American Management Association, February 1990.

IT'S TIME TO CLARIFY LAD STATUTE OF LIMITATIONS, New Jersey Law Journal, October 19, 1989

DEFAMATION AND NEGLIGENCE IN THE WORK PLACE, Labor Law Journal,

September, 1989

AN END TO DUAL FILING IN NEW YORK?, New York Law Journal, August 14, 1989

TRUTH OR CONSEQUENCES FROM POLYGRAPH TESTING, New Jersey Lawyer, November 1988

POLYGRAPH TESTING: WEIGHING THE RISKS, Employee Relations Law Journal, Vol. 14, Autumn 1988

DURING UNION ELECTION CAMPAIGNS, WHAT ARE THE RULES ON PAY RAISES?, The National Law Journal, October 1988

POLYGRAPH TESTING: SOME NEW CONCERNS FOR EMPLOYERS, New York State Bar Journal, October 1988

NLRB REJECTS BLANKET DISCOVERY, PROTECTS STRIKER'S TO RETURN TO WORK, The National Law Journal, July 11, 1988

ORAL REPRESENTATIONS: AN EMPLOYMENT LAW PRIMER, New Jersey Municipalities Magazine, June 1988

COURTS EXPAND PROTECTIONS FOR AT-WILL EMPLOYEES, New Jersey Law Journal, March 24, 1988.

SUPREME COURT REINFORCES SANCTITY OF ARBITRATION PROCESS, New Jersey Success Magazine, February 1988, p. 65

IRCA/NLRA CONFLICTS FOR THE EMPLOYER, Industrial Relations Guide, Prentice Hall, 1987.

EMPLOYER DOMINATION, INTERFERENCE WITH, OR SUPPORT OF LABOR ORGANIZATIONS, Business Organizations Labor Law, Matthew Bender, 1987.

UNFORESEEN OBLIGATIONS OF SUCCESSOR EMPLOYERS, Fortieth NYU Conference on Labor Law, 1987.

WHAT EMPLOYERS NEED TO KNOW ABOUT SUCCESSORS, New Jersey Success, p. 84, September 8, 1987.

SEVERANCE PAY AND SUCCESSORS -- COMMENTARY ON COURT RULING, New York Law Journal, August 27, 1987.

PRE-EMPTION, ACCARDI, AND ACQUISITION CONCERNS, New Jersey Law Journal,

August 6, 1987.

DEALING WITH NEW TRENDS ON SUCCESSOR OBLIGATIONS FOR SEVERANCE PAY, New Jersey Law Journal, July 30, 1987.

LABOR, IMMIGRATION ACTS IN CONFLICT, NEW JERSEY SUCCESS, July 1987, Page 12.

COURT RULES LAW PROTECTS AIDS VICTIMS, New Jersey Success Magazine, June 1987, p. 14.

ARLINE, AIDS AND EMPLOYMENT, New Jersey Law Journal, April 16, 1987

GREATER OBSTACLES TO UNIONS IN DOUBLE BREASTING, New Jersey Law Journal, February 12, 1987. Reprinted in Construction News, May 1987, and reprinted in Labor Law Journal, July 1987.

"PATTERN MAKERS" DECISION DEALS SEVERE BLOW TO UNION SOLIDARITY, National Law Journal, November 24, 1986.

ACCOMMODATING THE HANDICAPPED, Prentice-Hall Equal Employment Opportunity Compliance Manual, May, 1986.

WORKER COMMITTEES AND THE NLRA: "DOMINATION" OR SOUND MANAGEMENT? National Law Journal, March 17, 1986.

CLEAR SIGNALS FROM CLEAR PINE: EMPLOYER HAS RIGHT TO OPERATE, National Law Journal, October 14, 1985.

BOOK REVIEW: OCCUPATIONAL SAFETY AND HEALTH LAW, Industrial & Labor Relations Review, (October 1985).

DISCRIMINATION FOR AGE IN NEW YORK - A NEW TWIST, New York Law Journal, September 17, 1985; reprinted in Labor & Employment Law Section Newsletter (Fall 1985), Page 7.

NLRB DEVELOPMENT: A WITHERING OF WEINGARTEN, Labor & Employment Law Section Newsletter (Spring 1985) Pages 8 - 10.

COMPARABLE WORTH, Case & Comment, (March - April 1985).

COMPARABLE WORTH: AN ISSUE FOR THE EIGHTIES, New Jersey League of Municipalities Magazine, (February 1985).

WRONGFUL DISCHARGE IN NEW YORK: CONFUSING SIGNALS FROM THE COURTS, New

York State Bar Journal, February 1984.

WEINGARTEN EXTENDED: PROTECTION FOR NON-UNION AND UNREPRESENTED EMPLOYEES, National Law Journal, February 1984.

ABUSIVE DISCHARGE IN NEW JERSEY: A NEED FOR MORE DIRECTION, New Jersey Law Journal, November 3, 1983.

NLRB STAND ON SUPERSENIORITY: THE BUSINESS - ORIENTED APPROACH, National Law Journal, September 12, 1983; reprinted in Lawyers Brief, September 30, 1983.

SIGNALS MIXED IN RULINGS ON WRONGFUL DISCHARGE, New York Law Journal, August 30, 1983.

TIME LIMITATIONS AND SECTION 301: A NEW DIRECTION FROM THE SUPREME COURT, 34 Lab. L.J. (January 1983).

WEINGARTEN RIGHTS IN PUBLIC SECTOR, New Jersey Law Journal (December 9, 1982).

SOME PRACTICAL TIPS FOR DEFENSE OF SEXUAL HARASSMENT CLAIMS, Business Laws (November 30, 1982); also reprinted in Case & Comment (May - June 1983).

EMPLOYMENT DISCRIMINATION AND CONTINUING VIOLATIONS: AN UPDATE OF RICKS AND RECENT DECISION, 33 Lab. L.J. 684 (October 1982); also reprinted in Barrister (Fall 1982).

RICKS v. DELAWARE STATE COLLEGE: AN END TO CONTINUING VIOLATIONS, 7 Employee Rel. L.J. (Summer 1981).

JURISDICTION OVER SAFETY ON OFF-SHORE OIL RIGS: OSHA OR THE COAST GUARD, 5 Employee Rel. L.J. 430 (Winter 1980).

THE "CHILLING EFFECT" OF DISCOVERY IN LABOR PROCEEDINGS - EMPLOYEE INTERROGATION AND THE RIGHT TO REPRESENTATION, 6 Employee Rel. L.J. 62 (Summer 1980).

WARRANTLESS OSHA INSPECTION, Case & Comment (May - June 1980).

EMPLOYMENT DISCRIMINATION AND THE HANDICAPPED: SOME NEW TEETH FOR A PAPER TIGER. THE REHABILITATION ACT OF 1973, 23 Howard L.J. 481 (May

1980).

CITY OF LOS ANGELES, DEPARTMENT OF WATER & POWER v. MANHART: SEX BASED DIFFERENTIALS AND THE APPLICATION OF TITLE VII TO PENSIONS, 31 Lab. L.J. 232 (April 1980).

THE PRACTICAL LABOR LAWYER - OSHA INSPECTION QUESTIONNAIRE, 6 Employee Rel. L.J. 438 (Winter 1979-80).

THE DUTY OF FAIR REPRESENTATION: MINORITIES, DISSIDENTS AND EXCLUSIVE REPRESENTATION, 59 Boston U.L. Rev. 857 (1979).

EMPLOYMENT DISCRIMINATION AND THE HANDICAPPED, 103 New Jersey L.J. 483 (May 24, 1979).

EMPLOYEE RESISTANCE TO OSHA STANDARDS: TOWARDS A MORE REASONABLE APPROACH, 30 Lab. L.J. 219 (April 1979).

NEW RIGHTS FOR THE HANDICAPPED: THE REHABILITATION ACT AND THE 1978 AMENDMENTS, 11 Civil Rights Digest 22 (Spring 1979).

REASONABLE ACCOMMODATION IN PUBLIC EMPLOYMENT, 19 Lab. L.J. 712 (November 1978).

DEWEY V. REYNOLDS METALS COMPANY, ARBITRATION AND JUDICIAL REVIEW UNDER THE 1964 CIVIL RIGHTS ACT, 24 Lab. L.J. (February 1973).

BOOKS :

LABOR AND EMPLOYMENT IN NEW JERSEY, 2nd Edition Lexis 2000.

LEGAL COMPLIANCE GUIDE TO PERSONNEL MANAGEMENT, Prentice Hall, Englewood Cliffs, New Jersey, 1993.

THE EMPLOYEE HANDBOOK KIT, 2nd Edition Lexis 1998.

DEFENDING A HANDICAP/DISABILITY DISCRIMINATION CASE, Dealing with Issues of Accommodation, American Jurisprudence Trials, Lawyers Cooperative Publishing, Rochester, New York, 1994.

EMPLOYMENT LAW FOR TODAY'S ACCOUNTANT, Solutions for 2000 and Beyond, AICPA PDI, 1999