

SAMUEL J. NICHOLAS, JR.

Present Occupation: Arbitrator/Mediator
Business Address: (Primary Office/Mailing Address)
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ARBITRATION ROSTERS:

National Mediation Board (NMB)
National Railway Adjustment Board (NRAB)

Federal Mediation & Conciliation Service (FMCS)
American Arbitration Association (AAA)

PROFESSIONAL AFFILIATIONS:

American Bar Association
Bar Association Ethics Committee
College of Employment & Labor Lawyers (Fellow)
Industrial Relations Research Association
Mississippi Arbitration Advisory Council
National Association of Railway Referees

American Business Law Association
Christian Conciliation Serv. of Central MS, Inc.
Federal Bar Association
International Labor Law Society
National Academy of Arbitrators
The Supreme Court Historical Society

EDUCATION

	Finance	University of Notre Dame	
BA	Finance	University of Mississippi	1959
MBA	Business	University of Mississippi	1962
JD	Law	Mississippi College	1966
LL.M	Law	Mississippi College	2014

CERTIFICATIONS:

Law	Mississippi Bar, 1966	Federal Bar, 1967
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ARBITRATOR/LABOR RELATIONS EXPERIENCE:

1968-Present: Arbitrator. Currently engaged in full-time arbitration and mediation. Over 45 years of collective bargaining experience including both public (federal and non-federal) & private sector disputes involving all phases of employer/employee relations ranging from Discipline, Discharge, Contract Terms, and numerous Contract Interpretations. Has authored opinions covering all facets of labor law, such as for state and local police and fire personnel; municipal, county and state personnel-Some of which include U.S. Dept. of Homeland Security: Federal Police and Border Patrol; Coal Arbitration Service; Social Security Administration; every branch of military base; Georgia Pacific; Federal Bureau of Prisons; U.S. Dept. of Labor; and many more. Has served as Special Labor Relations consultant to corporations and international unions & government; Adjunct Professor of Law; Served as consultant for Office of Governor of Mississippi & S W Mississippi Economic Development District; Has spoken at numerous conferences, law schools, classes, etc. including teaching Workshops for the National Academy of Arbitrators, presenting Labor-Management Seminars for AAA & FMCS, & speaking at the University of Mississippi and MC Law School.

INDUSTRIES:

Advertising, Aerospace, Agriculture, Airlines, Aluminum, Auto, Bakery, Banking, Beverages, Brass & Copper, Brewery, Broadcasting, Building Products, Canning, Cement, Chemical, Clothing, Coal, Communications, Construction, Dairy, Distillery, Education, Electrical Appliances & Equipment, Electronics, Entertainment/Arts, Grain Feed & Fertilizer, Food Manufacturing/Processing/Service, Foundry, Furniture, Glass, Grain Mill, Health Care, Heat & Vent, Hospital/ Nursing Home, Hotel/Motel/Restaurant/Casino/Resort, Insurance, Iron, Leather, Lumber, Machinery, Maritime, Meat Packing, Metal Fabrication, Mining, Nonferrous Metals, Nuclear Energy, Office Workers/ Clerical, Organizations, Packaging, Paint & Varnish, Petroleum, Pharmaceuticals, Plastics, Plumbing, Police & Fire, Print & Publishing, Prison Guard, Public Sector Grievance, Public Sector Interest, Pulp & Paper, Refrigeration/AC, Real Estate, Retail Stores, RR, Rubber/Tire, Scientific Instruments, Service, Ship Building & Dry-Dock, Shoe, Sports, Steel, Stone, Symphony Orchestra, Textile, Tobacco, Transportation, Truck & Storage, Upholstery, Utilities, & Warehousing

ISSUES:

Absenteeism; Affirmative Action; Alcohol & Drug Abuse; Arbitrability; AWOL; Bargaining Unit Work; Benefit Denials; COBRA; Conduct (off-duty/personal); Consolidation; Contracting Out; Contract Terms; Demotion; Disability; Discipline (Discharge & Non-Discharge); Discrimination: Age, Disability, Race, Sex, Religion, & National Origin; Dress Code; Evaluation; Fact-Finding; Fringe Benefits: Bonus, Holidays, Insurance, Leave, & Vacation; Grievance Mediation; Health & Welfare; Hiring Practices; Holidays; Hospitalization; Insubordination; Insurance; Interest Arbitration; Job Class; Job Evaluation; Job Performance; Job Posting/Bidding; Jurisdictional Disputes; Layoff/Bumping/Recall; Leave of Absence; Mgmt. Rights; Mergers; Official Time; Other Fringe Benefits; Past Practice; Pay: Call-Back, Cost-of-Living,

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Environmental, Holidays & Holiday Pay, Incentive, Merit, Overtime/OT, Rate of Pay, Severance, Vacations & Vacation Pay; Pensions; Pension Claims In Federal Law; Performance Appraisals; Promotion; Reassignment; Retirement; Safety; Seniority; Sexual Harassment; Shift Hours/Assignment; Sick Leave; Strike or Lockout; Subcontracting; Successor; Tenure; Training; Transfer; Trustee Deadlocks; Union Business; Union Security; Violence or Threats; Wages; Work: Assignments, Conditions, Guaranteed Week, Orders, Schedule, Work Stoppages/Slowdowns, & Work Week Change

PERMANENT PANELS: (member of over 115 permanent panels during course of career, and below are some on which he serves)

AT&T/CWA	AT&T Mobility/CWA	Border Guards/NBPC
Century Link	Chevron Phillips/USW	Coal Arbitration Service
CNS Y-12/IBT	Dept. of VA/AFGE	EPA/AFGE
Exxon/USW	FAA/PASS/PATCO	Federal Bureau of Prisons
Firestone/URW	Fort Bragg, Dept. of Army/AFGE	GA. Pacific/UPIU & IWA
Huntington Ingalls/IAMAW	Kroger Co./UFCW	Proctor & Gamble/IBEW
Sherwin Alumina/USW	Siemens/UAW	Soc. Sec. Adm./AFGE
Southwestern Bell/CWA	Tinker AFB/AFGE	USPS/Rural Carriers
Verizon /CWA	Warner Robins AFB/AFGE	Yale University/FUE

PUBLISHED CASES: (Published over 120 times in CCH Incorporated and has over 275 cases reported in BNA; some of which include the following)

98 LA 941 (1992); 92 LA 592 (1989); 76 LA 315 (1981); 101 LA 1073 (1993); 84 LA 169 (1984); 97 LA 1045 (1991); 91 LA 816 (1988); 86 LA 1026 (1986); 87 LA 473 (1986); 87 LA 473 (1986); 92 LA 592 (1989); 94 LA 399 (1990); 94 LA 399 (1990); 100 LA 896 (1993); 100 LA 896, 899 (1993); 97 LA 30 (1991); 102 LA 104

AWARDS/SIGNIFICANT PUBLICATIONS/SPEAKING ENGAGEMENTS:

(Has participated as a member and/or leader in numerous local and state civic, educational, and religious projects and has led and/or served on several statewide boards and commissions)

- 1) MC Law School published a video featuring Mr. Nicholas entitled *A Conversation with Sam Nicholas, Jr. '66. Dec 1, 2015: <http://lawalumni.mc.edu> - MC Law Alumni Home Page/Oral History's Project*
- 2) Honored as a 50 year member of American Arbitration Association
- 3) Honored as a 50 year member of The National Academy of Arbitrators
- 4) *Arbitration Cases*. Columbus, Ohio: United Glass and Ceramic Workers of North America, AFL-CIO-CLC, Dept. of Research and Education, 1980. Print.
- 5) Program Speaker for Council on Education in Management Conference: Personnel Law Update 1992
- 6) U.S. Customs and Border Protection, Border Patrol (Laredo, Texas Sector)& AFGE 2455/FMCS Case No. 111004-00015-3/ October 5, 2011
- 7) Homeland Security (DHS): Federal Protective Service (FPS) & AFGE 918/Cameron Oplinger Grievance/ Removal Issue/April 3, 2014: 135 LA 23 (2016)
- 8) Environmental Protection Agency (EPA) & AFGE, National Council 238/Gene Keeper Arbitration/FMCS Case No. 11-03641-8/October 11, 2013 (▶ 100.0735)129 LA 1260
- 9) Huntsville City Board of Education and Individual Grievant (▶ 100.68) 130 LA 25
- 10) Kelly-Springfield Tire Co. & Rubber Workers, Local 746 (▶ 118.815) 108 LA 984
- 11) Orange, Texas City of and Fire Fighters, Local 1432 (▶ 100.08) 103 LA 1121
- 12) Orleans Parish School Bd. & United Teachers of New Orleans (▶ 100.08) 123 LA 831
- 13) Panama Canal Comm. & Maritime/Metal Trades Council (▶ 114.159) 99 LA 496
and the following as they appeared in BNA or CCH: 111 LA 887 (1998); CCH 99-1 5392 (1998); CCH 99-1 5471 (1998); CCH 99-1 5470 (1998); 115 LA 1028 (2001); CCH 99-2 3025 (1999); 113 LA 630 (2000); 112 LA 577 (1999); 113 LA 1101 (2000); 116 LA 1269 (2002); CCH 99-1 2305 (1999)116 LA 1339 (2002); 68 LA 1170 (1977); 80 LA 891 (1983)

PER DIEM FEE: \$600 or NMB Allowable (Please see below) **CANCELLATION FEE:** Per Diem (Please see below)

Grievance Arbitration: The fee is \$600.00 per day for hearing, for research, and for preparation of the opinion and award. A hearing day is any portion of a day up to eight hours. Time for research and preparation is prorated.

Cancellation Policy: If the scheduled hearing is postponed or canceled with notice of less than two calendar weeks (14 days), the per diem fee for each day of hearing shall be charged if another matter cannot be set in its place.

Interest Arbitration, Fact-Finding and Labor Mediation: Arbitrator charges \$600.00 per day (for up to 8 hours). Time for research and preparation is prorated at \$115.00/hour. **Travel Time:** Arbitrator charges per diem fee for any portion of a travel day up to eight hours. Fee is prorated for travel time over eight hours for one day. **Expenses:** Arbitrator charges actual cost of reasonable expenses, including airfare, car rental, meals, and lodging. Automobile mileage is charged at the current applicable IRS expense rate (.58).

THIS BIOGRAPHICAL SKETCH WAS LAST UPDATED ON 2/12/2019