

JOAN PARKER

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EDUCATION:

Cornell University, N.Y.S. School of Industrial & Labor Relations, Ithaca, NY
Ph.D. (1973); M.S. (1972); B.S., summa cum laude (1970)
Areas: Major - Collective Bargaining and Dispute Settlement
Minors - Law; Organizational Behavior

EMPLOYMENT EXPERIENCE:

Arbitrator and Mediator, 1976 - present. In private practice as a labor-management and employment arbitrator with a strong client base in both the private and public sectors. Has adjudicated a broad range of labor disputes in such industries as printing, trucking, transportation, pharmaceutical, steel, casino, paper, broadcasting, manufacturing, communications, petroleum, hotel, utilities, and professional sports. Currently serves as permanent umpire under national collective bargaining agreements between:

National Broadcasting Co. and NABET-CWA
The Boeing Company and United Automobile Workers
Sikorsky Aircraft Company and International Brotherhood of Teamsters
Pratt and Whitney & International Assn. of Machinists & Aerospace Workers
Verizon (New Jersey) & International Brotherhood of Electrical Workers
Kaiser Aluminum and United Steelworkers of America
Hamilton Sundstrand (United Technologies) & I.A.M.A.W.
General Electric Co. and International Union of Electrical Workers
Liz Claiborne and U.N.I.T.E.
State of Connecticut and Connecticut State Police Union
National Hockey League and NHL Players Association (2000-2004)

Employment Arbitrator and Mediator. Is actively involved in mediation and arbitration of employment disputes in the non-union sector. Has handled cases involving statutory issues, wrongful termination, and breach of contract. Member, AAA National Panel of Employment Arbitrators. Co-Founder and Principal, *Dispute Resolution Associates*, which conducts fact-finding investigations and provides mediation services in disputes involving statutory claims. Permanent arbitrator under the ADR Procedure adopted by the CIGNA Insurance Corp., and Kraft Foods.

Member, Federal Reserve System Labor Relations Panel, 1991 - present. By appointment of the Board of Governors of the Federal Reserve System, serves on a three-member panel that adjudicates unfair practice complaints and other employment claims that are filed against the individual Federal Reserve Banks or the Board.

Professor - Industrial Relations & Human Resources Department, Institute of Management and Labor Relations, Rutgers University. 1976 - 1990. As a tenured professor, between 1976 and 1990, taught graduate courses and conducted research in labor and employment law, dispute settlement and human resource management. Adjunct Professor, Institute of Management and Labor Relations, Management Development Center, Rutgers University. Since 1990, on a part-time basis, teaches graduate courses and non-credit seminars in labor and employment law and industrial relations.

Director of the Graduate Program - Industrial Relations and Human Resources, 1983 - 1987. Was responsible for the operation and staffing of the Rutgers Master of Science degree program in Industrial Relations and Human Resources.

Special Hearing Officer, Port Authority of New York and New Jersey Employment Relations Panel (neutral agency charged with enforcing the Port Authority Labor Relations Instruction). 1976 - 1980. Served as hearing officer in formal proceedings involving unfair labor practices, scope of bargaining, and unit determinations.

Trial Examiner and Executive Assistant to the Chairman, New York City Office of Collective Bargaining, New York, New York (impartial government labor relations agency), 1973 - 1976. Served as hearing officer in proceedings involving unfair labor practices, arbitrability, scope of bargaining, and representation. Conducted informal meetings among parties to resolve disputes. Assisted Chairman Arvid Anderson in all aspects of the agency's operations. Researched and wrote reports, recommendations, and speeches on legal issues, legislative bills, and O.C.B. policy matters.

Special Labor Relations Consultant to the Governor of the United States Virgin Islands, 1975 - 1976 (on partial leave from the O.C.B.) Advised Virgin Islands' government on the conduct of public sector labor relations. Represented several government departments in collective negotiations. Trained supervisory employees in human resource management.

Adjunct Professor of Labor-Management Relations, 1973 - 1976. Graduate School of Public Administration, New York University. N.Y.S. School of Industrial and Labor Relations, Cornell University. (NYC Credit Program). Taught basic and advanced courses in private and public sector labor law and conflict resolution.

ORGANIZATIONAL ACTIVITIES:

Professional Memberships

Member, National Academy of Arbitrators
Fellow, International Academy of Mediators
Member, National Association of Railroad Referees
Member, Industrial Relations Research Association
Vice Chair, Labor Management Task Force, American Arbitration Association
Chair, Employment Arbitration Advisory Council, American Arbitration Association

Community Activities

Member, Executive Committee, Anti-Defamation League (PA)
Vice-President, Chamber Orchestra of Philadelphia
Member, Board of Governors, Erivan Haub School of Business, St. Joseph's University
Co-Chair, Mayor's Small Business Advisory Council (1992-2000)
Member, Board of Directors, American Arbitration Association, 1998-2004.

NEUTRAL PANEL AFFILIATIONS:

National Labor Panel, American Arbitration Association
Commercial Arbitration Panel, American Arbitration Association
Employment Arbitration Panel, American Arbitration Association
National Mediation Panel, American Arbitration Association
Arbitration and Mediation Panels, NJ Public Employment Relations Commission
Arbitration Panel, National Mediation Board

PUBLICATIONS:

Books:

City Workers and Fiscal Crisis: Cutbacks, Givebacks and Survival, (A Study of the New York City Experience), Institute of Management and Labor Relations, Rutgers University, 1979, (17 pages).

The Scope of Bargaining in Public Employment, Praeger, Inc., 1975 (386 pages).

Articles, Monographs and Book Chapters:

"The Enforceability of Employment Arbitration Agreements: Where the Courts Are Going," The Metropolitan Corporate Counsel, Vol. 10, No. 11, Nov. 2002, at 40.

"Judicial Review and Legislative Response: The New Jersey Public Sector Collective Bargaining Experience," Collective Bargaining in the Public Sector, Joyce M. Najita and James L. Stern, eds. M.E. Sharpe, 2001, pp. 21-45.

"Grievance and Interest Arbitration in Pennsylvania's Public Sector," Collective Bargaining in the Public Sector, Joyce M. Najita and James L. Stern, Eds. M.E. Sharpe, pp. 46-48.

"Arbitration of Statutory Employment Discrimination Claims: What Hath Gilmer Wrought?," Journal of Individual Employment Rights, Volume VIII, No. 3, 1999-2000, pp. 231-257.

"The Scope of Bargaining," Labor-Management Relations in the Public Sector: Redefining Collective Bargaining, John L. Bonner, Ed., LRP Publications, 1999, pp. 130-158.

"The Bargaining Climate: A Period of Industrial Peace?" The Arbitration Forum, American Arbitration Association, Vol. IV, Nos. 1 and 2, April and June 1990 (2-part article).

"Judicial Review of Labor Arbitration Awards: Misco and Its Impact on the Public Policy Exception", 4 The Labor Lawyer 683 (1988).

"Supervisory Participation in Professional Associations: Implications of North Shore University Hospital", The Industrial and Labor Relations Review, 40 (April 1987) pp. 364-381 (with Barbara Lee).

"The Morris County College Decision: An Arbitrator's View." Labor and Employment Law Section Quarterly, New Jersey State Bar Association, Volume IX, No. 2, November 1985.

"Mediation and Final Offer Arbitration. A Neutral's View." Interest Arbitration, proceedings of an IMLR Conference, March 26, 1980, New Brunswick, NJ.

"Attitudes of Arbitrators Toward Final-Offer Arbitration in New Jersey", (with John Stochaj), The Arbitration Journal, American Arbitration Association, Vol. 35, No. 1, March 1980, pp. 25-35.

"The Scope of Bargaining in the Public Sector", (with Arvid Anderson) Portrait of a Process-Collective Negotiations in Public Employment, PERS, Labor Relations Press, Fort Washington, PA, 1979, pp. 173-196.

"Statutory Impasse Procedures: A Survey of the States", Public Personnel Administration, Report Bulletin 2, Prentice-Hall, Englewood Cliffs, NJ, January 15, 1990, pp. 3225-3232.

"The Development of Women as Neutrals", Dispute Resolution Training Selected Proceedings of the Second Wingspread Conference, American Arbitration Association, 1978, pp. 71-77.

"Significant Developments in Public Employment Disputes Settlement During 1977", (with Walter Gershenfeld), Truth, Lie Detectors, and Other Problems in Labor Arbitration, Proceedings of the 31st Annual Meeting of the National Academy of Arbitrators, Bureau of National Affairs, Washington, D.C., 1978.

"The Effects of Economic Restraints on Public Sector Collective Bargaining: The Lessons of New York City", Employee Relations Law Journal, Vol. 2, No. 3, Winter 1977. Also reprinted in Government Labor Relations: Trends and Information for the Future, High Jascourt, ed., PERRI, Moore Publishing Co., 1979.

"Significant Developments in Public Employment Disputes Settlement During 1976", (with Arvid Anderson), Arbitration - 1977, Proceedings of the 30th Annual Meeting of the National Academy of Arbitrators, Bureau of National Affairs, Washington, D.C., 1977.

"Current Trends in Public Sector Labor Relations Legislation," Journal of Collective Negotiations in the Public Sector, Vol. 5, No. 3, Fall 1976.

Significant Developments in Public Sector Labor Relations (monograph) published as an Occasional Paper, Institute of Public Employment, Cornell University, Ithaca, NY, 1975.

Papers Presented

"Employee Defenses in Disciplinary Arbitrations," Labor Arbitration Institute, Philadelphia, PA, November 3, 2006.

"Employment Arbitration: Enhancing Your Knowledge and Skills," National Academy of Arbitrators, Fall Conference, New Orleans, LA, October 13, 2006.

"Mediation-Arbitration of Police/Fire Disputes," New Jersey State League of Municipalities, Atlantic City, NJ, November 17, 2005.

"The Business Side of an Arbitration Practice Under the New Ethics Code," National Academy of Arbitrators (with Daniel Brent and Susan Meredith), Fall Education Conference, Savannah, GA, October 28, 2005.

"Using Arbitration Effectively," Keynote Address to the 26th Arbitration Symposium, Federal Mediation and Conciliation Service, Atlantic City, NJ, May 6, 2005.

"Arbitration in Professional Sports," New York State School of Industrial Relations, Cornell University, New York City, February 27, 2003.

"Resolving Statutory Employment Disputes," (with Judith Meyer), Neutrals Conference, American Arbitration Association, Scottsdale, AZ, January 23-25, 2003.

“Evaluating Grievants and Employers,” Labor Arbitration Institute, Philadelphia, PA, November 26, 2002.

“Mediators and the Corporate Client in Dialogue,” International Academy of Mediators, Spring Conference, Boulder, CO, May 3, 2002.

“Drafting Effective and Fair Employment Dispute Resolution Programs,” American Arbitration Association, CLE Program, Philadelphia, PA, May 15, 2002.

“What Makes Witnesses Believable?” Labor Arbitration Institute, Philadelphia, PA, November 9, 2001.

"Update on Judicial Deference to Arbitration Awards," Industrial Relations Research Association, Philadelphia, PA, May 9, 2000.

"Judicial Review: *Misco and the Public Policy Exception*," Labor Arbitration Institute, Chicago, IL, April 30, 1999.

"Public Sector Collective Bargaining in New Jersey and Pennsylvania: "The First Thirty Years," presented at a conference on State Experiences in Public Sector Collective Bargaining, Industrial Relations Center, University of Hawaii, Honolulu, February 8, 1999.

"Federal Courts and Arbitrators," Labor Arbitration Institute, Philadelphia, PA, November 19, 1998.

"Police and Fire Interest Arbitration in New Jersey: A Neutral's View," Public Sector Collective Negotiations in New Jersey: A Conference to Celebrate Thirty Years of Public Sector Employer-Employee Relations, Rutgers University and New Jersey State Bar Association, Camden, NJ, November 6, 1998.

"Appealing to the Arbitrator for a Grant of Mercy," Labor Arbitration Institute, Chicago, Illinois, March 27, 1998.

"Absenteeism and the Troubled Employee," Labor Arbitration Institute, Philadelphia, PA, November 20, 1997.

"Ethical Issues and Personal Responsibility," Labor-Management and Employment Law, Continuing Legal Education Program, American Arbitration Association and Pennsylvania State Bar Association, Philadelphia, PA, September 24, 1997.

"Effective Advocacy in Arbitration," Edison Electrical Institute, Portland, ME, June 16, 1997.

"Preparing a Successful Arbitration Case," American Arbitration Association, Atlantic City, NJ, November 7, 1996.

"Arbitration of Absenteeism Cases: Sure Losers For Labor and Management," Labor Arbitration Institute, Philadelphia, PA, October 20, 1995.

"Labor Arbitration Forecast: New Issues and Recent Trends," The Labor & Employment Law Symposium, Philadelphia, PA, May 31, 1995.

"Judicial Review: How the Courts Are Deciding the Law in Labor Arbitration," Labor Arbitration Institute, Philadelphia, PA, October 14, 1994.

"New Directions in Employment Disputes: *Gilmer* and Its Impact on the Arbitration of Statutory Employment Discrimination Claims," Industrial Relations Research Association, 1994 Spring Meeting, Philadelphia, PA, April 22, 1994.

"Employee Off-Duty Misconduct: Arbitral and Judicial Views," Labor Arbitration Institute, Philadelphia, PA, November 12, 1993.

"Interest Arbitration in New Jersey: The Impact of Recent Court Decisions," New Jersey Conference of Mayors, Atlantic City, New Jersey, April 3, 1993.

"Evidentiary Issues in Arbitration," Labor Arbitration Institute, Philadelphia, PA, November 13, 1992.

"Judicial Review of Arbitration Awards: Developments Since *United Paperworkers v. Misco*", American Arbitration Association, Philadelphia, PA, April 1, 1992.

"Controlling Health Care Costs: An Arbitrator's View", New Jersey State League of Municipalities, Freehold, NJ, October 4, 1991.

"Designing Dispute Resolution Systems", Society of Professionals in Dispute Resolution, Dearborn, MI, October 27, 1990.

"Performance Evaluation in Industry: New Directions and Objectives", American Arbitration Association, Lancaster, PA, July 21, 1989.

"Changing Judicial Standards in the Review of Arbitrators' Awards", American Arbitration Association, Lancaster, PA, July 29, 1989.

"Alcohol and Drugs in the Workplace: The Arbitral Response", Institute for Applied Management and Law, Washington, D.C., November 16, 1988.

"Arbitration of the Withholding of Increments", New Jersey School Boards Association, Somerset, NJ, May 26, 1988.

"Grievance Arbitration and Public Policy: Judicial Developments at the Federal Level and in the State of New Jersey." Eighth Annual Conference on Public Sector Labor Relations Law, sponsored by New Jersey Public Employment Relations Commission and the New Jersey Bar Association, Princeton, NJ, on March 15, 1988.

"Effective Advocacy in Arbitration", American Society of Hospital Administrators, King of Prussia, PA, on February 16, 1988.

"Final Offer Arbitration in New Jersey: Reflections on Ten Years of Experience", New Jersey League of Municipalities, Atlantic City, NJ, November 19, 1987.

"Arbitrating Disciplinary Disputes in the Public Sector: The Arbitrator's Remedial Authority", New Jersey School Boards Association, Somerset, NJ, May 17, 1987.

"New Challenges to Grievance Arbitration", American Society for Personnel Administration, Hanover, PA, October 17, 1986.

"Arbitrating Absenteeism Disputes", American Society for Personnel Administration, Harrisburg, PA, June 9, 1986.

"The Proposed Wagner Bill: Public Opinion and the Response of the Press", Conference on the National Labor Relations Act and American Labor Policy, sponsored by the National Labor Relations Board and Industrial Relations Research Association, Cherry Hill, NJ, May 5, 1986.

"The Fundamentals of Mediation and Arbitration", Society of Professionals in Dispute Resolution Annual Conference, Boston, MA, October 28, 1985.

"Past Practice in Arbitration", National Academy of Arbitrators, Regional Workshop, Philadelphia, PA, April 1985.

"The Limits of Arbitrator Expertise-Challenges to the Omnipotence of the Arbitrator", Industrial Relations Update Workshop, Continuing Business Studies, Rutgers University, Camden, NJ, April 24, 1984.

"Criteria Used by Arbitrators in Deciding Cases", AAA-PERC Third Annual Labor-Management Briefing Conference, Tampa, FL, May 16, 1984.

"How Arbitration Works", American Society of Personnel Administrators, New Jersey Chapter, Somerville, NJ, April 10, 1984.

"Arbitration Procedures and Techniques: Some Practical Considerations", Institute on Labor Dispute Resolution in the Eighties, Lehigh University, Bethlehem, PA, March 16, 1984.

"Should the Employee be Terminated? (Recognizing and Dealing with the Troubled Employee)", American Arbitration Association, New York, NY, November 16, 1983.

"Mediation-Arbitration in Interest Disputes", National Academy of Arbitrators, Chicago, IL, November 14, 1983.

"Strategic Issues in Grievance Arbitration", American Society of Personnel Administrators, Sheraton Center, New York, NY, June 3, 1983.

"Police and Fire Interest Arbitration in New Jersey: A Neutral's View of the Process", Public Administration Institute, Fairleigh Dickinson University, Fort Monmouth, NJ, November 18, 1982.

"Arbitration of Grievances Involving the Chronically Excused' Employee", Society of Professionals in Dispute Resolution, Detroit, MI, October 19, 1982.

"Interest Arbitration in New Jersey", paper presented to Industrial Relations Research Association, NYC Chapter, New York, NY, March 1981.

"Arbitration and Fact-Finding", Seminar on Public Sector Labor Relations, Practicing Law Institute, New York, NY, January 1981.

"Issues in Teacher Arbitration", Middlesex County Teachers Association, East Brunswick, NJ, April 1981.

"Proving Past Practice and Just Cause in Grievance Arbitrations" presented at Law-Education Institute VIII, Lehigh University, Bethlehem, PA, October 15, 1981.

"Interest Arbitration in New Jersey", Industrial Relations Research Association, New York City Chapter, New York, NY, March 1981.

"Teacher Evaluation and Arbitration", presented at Second Annual "Arbitration Day" Conference, New Jersey School Boards Association, January 29, 1980.

"Interest Arbitration in the 1980's", Annual Conference of the New Jersey League of Municipalities, Atlantic City, NJ, November 14, 1979.

"Mediation and the Public Interest", Annual Conference of the New Jersey School Boards Association, Atlantic City, NJ, October 24, 1979.

"Issues in Arbitration Involving Seniority and Ability", Labor-Management Seminar, American Arbitration Association, Philadelphia, PA, November 8, 1979.

"How School Boards Can Improve Arbitration Efforts", presented to Union County School Boards Association, Springfield, NJ, June 4, 1979.

"Grievance Arbitration in the Public Sector: Are We Killing a Good Thing?", American Society for Public Administration, Baltimore, MD, April 3, 1979.

"Rules of Evidence in Arbitration", New Jersey School Boards Association, Highstown, NJ, February 10, 1978.

"New York City's Fiscal Crisis and Its Impact on Municipal Labor Relations", Practicing Law Institute, New York, NY, December 3, 1978.

"Recent New Jersey Supreme Court Decisions: Their Implications for Arbitration", Annual Conference, New Jersey School Boards Association, Atlantic City, NJ, October 24, 1978.

"Problems of Acceptability in New Neutrals", Fifth Annual Conference of the Society of Professionals in Dispute Resolution, New York, NY, October 25, 1977.

"Management Rights and Arbitration", Arbitration Seminar for Labor and Management, American Arbitration Association, Atlantic City, NJ, September 20-21, 1977.

"The Arbitration of Discipline and Discharge Cases", American Arbitration Association, NJ, June 1, 1977.

"Fiscal Crisis and Public Sector Labor Relations", Ninth Annual Workshop on the Realities of Labor Relations in Government Service (Conference jointly sponsored by the National Civil Service League and the Public Employment Relations Research Institute), New Orleans, LA, January 13-14, 1977.

"Fiscal Restraints and Collective Bargaining", Twenty-Fifth Annual Conference of the Association of Labor Mediation Agencies, Ottawa, Canada, August 15-20, 1976.