

# Keith D. Greenberg, Esq.

Impartial Arbitrator and Mediator

MEMBER, NATIONAL ACADEMY OF ARBITRATORS

6117 Calwood Way, North Bethesda, Maryland 20852

Telephone: (301) 500-2149 Facsimile: (240) 254-3535

[kdgreenberg@laborarbitration.com](mailto:kdgreenberg@laborarbitration.com)

PRACTICE LIMITED TO ARBITRATION AND MEDIATION

Keith D. Greenberg is an arbitrator and mediator of private, public, and federal sector labor and employment disputes. He is a member of the National Academy of Arbitrators. He serves on a number of labor arbitration panels and rosters, including those maintained by the American Arbitration Association, the Federal Mediation and Conciliation Service, and the National Mediation Board. Mr. Greenberg also serves on permanent labor arbitration panels, including in the federal and public sectors, and has adjudicated disputes involving EEO and unfair labor practice complaints.

Mr. Greenberg is an experienced mediator, serving as a member of the AAA's panel of labor mediators as well as the rosters of employment mediators for the United States Office of Congressional Workplace Rights; the United States Equal Employment Opportunity Commission's RESOLVE internal ADR program; the United States Nuclear Regulatory Commission Early ADR Mediation Panel; the Cornell University Roster of Dispute Resolution Neutrals; and as a mediator for labor and employment cases in the Circuit Courts for Baltimore, Montgomery, and Howard Counties, Maryland. He is a member of the Maryland Program for Mediator Excellence.

Mr. Greenberg serves as Neutral Co-Chair of the Webinar Committee of the American Bar Association's Section of Labor and Employment Law and was a member of the Section's 2014 Leadership Development Program. He is a Fellow of the American Bar Foundation and is a Co-Chair of the Employment Committee of the ABA's Section of Dispute Resolution. Mr. Greenberg is a member of the Philadelphia and Maryland Chapters of the Labor and Employment Relations Association (LERA), and currently serves as Second Vice President of Maryland LERA. He served as Co-Chair of the Steering Committee of the District of Columbia Bar's Labor and Employment Law Community from 2016 to 2018 and was elected to the Community's steering committee in 2015 and again in 2016. In 2017, he served as President of the D.C. Chapter of the Society of Federal Labor and Employee Relations Professionals (SFLERP) following two years of service on the Chapter's Board. Mr. Greenberg is an active member of the National Association of Railroad Referees, and the Cornell ILR Alumni Association; he is a member of the Cuban American Bar Association and is fluent in Spanish.

Mr. Greenberg has spoken and presented on numerous topics, including arbitrator ethics, attorney fees in federal sector labor arbitration, the intersection of arbitrator disclosure and social media, current developments in labor and employment arbitration, advanced topics related to the Family and Medical Leave Act and the Fair Labor Standards Act, workplace gaming, issues in private sector labor relations, and advocate preparation for labor arbitration hearings. He is a contributor to a number of publications produced by Bloomberg BNA and the ABA's Section of Labor and Employment Law, and writes frequently on labor and employment topics as well as issues related to alternative dispute resolution. Mr. Greenberg co-taught a seminar on labor and employment arbitration and mediation in the fall of 2013 at the George Washington University Law School, and has served as a guest lecturer in courses on labor relations.

Mr. Greenberg spent several years in practice as an attorney in New York City in the labor and employment practice group of Duane Morris LLP prior to establishing his practice as a full-time neutral in the Washington, D.C. area. He is a graduate of the Cornell University School of Industrial and Labor Relations and of the University of Michigan Law School.

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Mr. Greenberg's work as a neutral has focused on the resolution of labor and employment disputes, with experience in a variety of private sector industries, as well as in federal and public sector labor relations disputes, including grievance arbitration, interest arbitration, and grievance and employment mediation.

**PROFESSIONAL AFFILIATIONS**

- Member, National Academy of Arbitrators
- D.C. Bar Labor and Employment Law Community  
(Co-Chair, 2016-2018; Elected Steering Committee Member, 2015-2019)
- Neutral Co-Chair, Webinar Committee, ABA Section of Labor and Employment Law
- Society of Federal Labor and Employee Relations Professionals (SFLERP)  
(D.C. Chapter President, 2017 – 2018)
- Fellow, American Bar Foundation
- Co-Chair, Employment Committee, ABA Section of Dispute Resolution
- National Association of Railroad Referees
- Labor and Employment Relations Association (Maryland and Philadelphia Chapters)  
(Second Vice President, Maryland Chapter)
- Maryland Program for Mediator Excellence
- Cornell ILR Alumni Association
- Cuban American Bar Association

**PANELS AND ROSTERS**

- Roster of Arbitrators, Federal Mediation and Conciliation Service
- Labor Arbitration Panel and Labor Mediation Panel, American Arbitration Association
- Roster of Labor Arbitrators, National Mediation Board
- Roster of Labor Arbitrators, District of Columbia Public Employee Relations Board
- Roster of Hearing Examiners, District of Columbia Public Employee Relations Board
- Roster of Labor Arbitrators, Pennsylvania Bureau of Mediation
- Grievance Arbitration Panel, New Jersey Public Employment Relations Commission
- Voluntary Grievance Arbitration Panels, New York State Public Employment Relations Board
- Register of Neutrals, New York City Office of Collective Bargaining
- Labor Arbitration Panel, New Jersey State Board of Mediation
- Labor Arbitration Panel, Public Employees Relations Board, U.S. Virgin Islands
- New York City Department of Education – United Federation of Teachers 3020-a Panel
- United States Postal Service – American Postal Workers Union Regular Arbitration Panels
- United States Postal Service – National Postal Mail Handlers Union Regular and Expedited Arbitration Panel
- National Archives and Records Administration – AFGE Council 260, Local 2578 Panel
- Maryland Transit Administration – Amalgamated Transit Union Local 1300 Panel
- United States Environmental Protection Agency – National Treasury Employees Union Panel
- NSWC Indian Head Explosive Ordnance Disposal Technology Division – AFGE Local 1923 Panel
- Prince George's County Public Schools and ACE-AFSCME, Local 2250 Panel
- Roster of Mediators, United States Office of Congressional Workplace Rights
- Roster of Mediators, U.S. Equal Employment Opportunity Commission RESOLVE Internal ADR Program
- Roster of Neutrals, Scheinman Institute on Conflict Resolution, Cornell University ILR School
- United States Nuclear Regulatory Commission Early ADR Mediation Panel
- Roster of Court-Approved Mediators (Baltimore, Montgomery, and Howard Counties, Maryland Circuit Courts)
- Roster of Public Arbitrators, Financial Industry Regulatory Authority

**LANGUAGES**

- Fluent in Spanish

## **SELECTED TRAININGS AND PRESENTATIONS**

- Panelist, “Problem Witnesses, Problem Advocates, Problem Arbitrators,” *Successful Labor Arbitration Techniques 2019*, American Arbitration Association, November 15, 2019
- Panelist, “How the Arbitrators Rule,” 40th FMCS Arbitration Symposium, May 10, 2019
- Moderator, “FLSA Exemptions after Encino Motorcars,” ABA Section of Labor and Employment Law CLE Webinar, April 10, 2019
- Moderator, “A Practical Guide to Arbitration,” ABA Section of Labor and Employment Law CLE Webinar, July 23, 2018
- Speaker, “Preparing for Labor Arbitration in the Federal Sector, with a Focus on the Hearing and Beyond,” Society of Federal Labor and Employee Relations Professionals (SFLERP) 45th Annual Symposium, May 17, 2018
- Speaker, “Ethical Obligations Regarding Social Media: The Next Legal Frontier,” ADR in Labor & Employment Law Committee Mid-Winter Meeting, ABA Section of Labor and Employment Law, February 11, 2018
- Panelist, “Meet the Arbitrators,” American Arbitration Association, Philadelphia, November 20, 2017
- Speaker, “Preparing for Labor Arbitration in the Federal Sector,” Society of Federal Labor and Employee Relations Professionals (SFLERP) 44th Annual Symposium, May 18, 2017
- Moderator, “Online Dispute Resolution in Labor and Employment: No Longer a Novelty – Ever the Norm?,” National Symposium on Technology in Labor and Employment Law, ABA Section of Labor and Employment Law, April 6, 2017
- Speaker, “Traditional Labor Law Issues Impacting Employment Practitioners,” Fairfax Bar Association Employment Law Section, November 2, 2016
- Panelist, “Preparing for Your First (or Hundredth) Labor Arbitration,” District of Columbia Bar Labor and Employment Law Section, September 29, 2016
- Panelist, “Ask the Arbitrators: Feedback on Referee Training,” National Association of Railroad Referees Annual Meeting, September 23, 2016
- Guest Lecturer, Labor Relations (HRMN 362), University of Maryland University College, May 4, 2016
- Speaker, “Attorney Fees in Federal Sector Arbitration,” Society of Federal Labor and Employee Relations Professionals (SFLERP) 43rd Annual Symposium, April 29, 2016
- Panelist, “Meet the Arbitrators,” Labor and Employment Relations Association – Maryland Chapter, February 24, 2016
- Moderator, “Beyond the Basics: Advanced Issues in FMLA Law,” ABA Section of Labor and Employment Law CLE Webinar, February 24, 2016
- Moderator, “D.C. Workers Compensation: What Labor and Employment Lawyers Need to Know,” District of Columbia Bar Labor and Employment Law Section, February 23, 2016
- Moderator, “Workplace Gambling: High Stakes Ethical Dilemmas,” ABA – Center for Professional Development CLE Webinar, October 20, 2015
- Panelist, “Current Developments in Labor and Employment Arbitration,” ADR in Labor & Employment Law Committee Mid-Winter Meeting, ABA Section of Labor and Employment Law, February 15, 2015
- Speaker, “ADR Professionals and Social Media – Considerations Regarding Disclosure,” Teleseminar, Association for Conflict Resolution – Workplace Section, January 23, 2015
- Speaker, “The Intersection of Arbitrator Disclosure and Social Media,” Labor and Employment Relations Association – Maryland Chapter, October 22, 2014
- Presenter, ADR Roundtable, 2014 ABA Annual Meeting
- Moderator, “Bargaining Without Budgets,” Federal Sector Labor and Employment Law Committee Mid-Winter Meeting, ABA Section of Labor and Employment Law, February 11, 2014
- Presenter, “Preparing for a Hearing,” District of Columbia Government Labor-Management Relations Conference, September 30, 2013
- Co-Instructor, Labor and Employment Arbitration and Mediation, The George Washington University Law School, Fall 2013

## **SELECTED PUBLICATIONS**

- Contributing Editor, *The Developing Labor Law*, Bloomberg BNA and Committee on Development of the Law Under the National Labor Relations Act, ABA Section of Labor and Employment Law (7th Edition; 2013 – 2019 Supplements to 6th and 7th Editions)
- Contributor, *The Fair Labor Standards Act*, Bloomberg BNA and Federal Labor Standards Legislation Committee, ABA Section of Labor and Employment Law (2014 Supplement)
- Contributor, *The Family and Medical Leave Act*, Bloomberg BNA and Federal Labor Standards Legislation Committee, ABA Section of Labor and Employment Law (2014 Supplement)
- Contributing Author, *FMLA Midwinter Meeting Report*, ABA Section of Labor and Employment Law, Federal Labor Standards Legislation Committee, Subcommittee on the Family and Medical Leave Act (2012 – 2019)

- Contributing Author, *FLSA Midwinter Meeting Report*, ABA Section of Labor and Employment Law, Federal Labor Standards Legislation Committee, Subcommittee on the Fair Labor Standards Act (2013 – 2018)
- Author, *Ethical Approaches to Dealing with Difficult People*, Labor and Employment Law Newsletter, ABA Section of Labor and Employment Law, Winter 2019 (Volume 47, No. 2)
- Author, *Clash of the Generations—Panel Discusses Managing Millennials in the Workforce*, Labor and Employment Law Newsletter, ABA Section of Labor and Employment Law, Winter 2017 (Volume 45, No. 2)
- Author, *Steven Greenhouse Plenary*, Labor and Employment Law Newsletter, ABA Section of Labor and Employment Law, Winter 2016 (Volume 44, No. 2)
- Author, *NLRB Outlines New Arbitration Deferral Standards*, Labor and Employment Law Newsletter, ABA Section of Labor and Employment Law, Summer 2015 (Volume 43, No. 4)
- Author, *Battle Over Definitions Marks 2013–14 Court Term*, Labor and Employment Law Newsletter, ABA Section of Labor and Employment Law, Winter 2015 (Volume 43, No. 2)
- Co-author, *The Young Lawyer’s Guide to Preparing for Mediation, New Issues Regarding Neutral Disclosure and the Use of Technology in ADR, and ADR Rule Changes*, ADR Roundtable, 2014 ABA Annual Meeting
- Co-author, *Navigating the Murky Waters of Employment Waivers and Releases*, New York State Bar Association Journal, February 2010

## **EDUCATION**

### **University of Michigan Law School, Ann Arbor, Michigan**

Juris Doctor, May 2010

#### **SELECTED ACTIVITIES AND LEADERSHIP**

**Article Editor**, *University of Michigan Journal of Law Reform*

Spring 2009 – Spring 2010

**Treasurer**, University of Michigan Latino Law Students Association

Spring 2008 – Spring 2009

### **Cornell University, School of Industrial and Labor Relations, Ithaca, New York**

Bachelor of Science in Industrial and Labor Relations, May 2007

Concentrations in Hispanic Studies & Law and Society

Semester Abroad Program at the University of Seville, Spring 2006

## **HONORS/AWARDS**

- 2014 Leadership Development Program, ABA Section of Labor and Employment Law
- 2014 Fellow, American Arbitration Association Higginbotham Fellows Program
- Dean’s Scholarship, University of Michigan Law School
- Dean’s List, three semesters, Cornell University
- Edgar A. Whiting Award, Cornell University
- Distinguished Student Volunteer Award, Cornell University

## **PRIOR EMPLOYMENT**

**Duane Morris LLP**, *Associate Attorney*

- Represented management and labor in labor and employment matters.

New York, NY

2010 – 2012

**Duane Morris LLP**, *Summer Associate*

Summer 2008

Summer 2009

**Scheinman Institute for Conflict Resolution, Cornell University**, *Research Assistant*

- Conducted research on alternative dispute resolution techniques in British employment disputes and on union wage effects in the American automobile industry.

Ithaca, NY

7/2006 – 5/2007

**Nassau County Office of Labor Relations**, *Intern*

- Conducted legal research and writing and provided assistance to labor relations attorneys.

Mineola, NY

Summer 2005

## **BAR ADMISSIONS**

- State of New Jersey
- State of New York
- District of Columbia (inactive)
- United States District Courts for the Southern and Eastern Districts of New York and the District of New Jersey