

MICHAEL G. WHELAN

Email: MWHELAN@ITHACA.EDU (Preferred Contact Method)

Present Occupation: Arbitrator/Mediator/Fact-Finder

Mailing Address:

Post Office Box 163 Brooktondale, NY
14817
(305)490-0329

Additional Addresses:

Miami, FL 33183
Fernandina Beach, FL 32034

PROFESSIONAL STATEMENT: I have been involved in labor relations for over four decades. I recently retired from Ithaca College as an Assistant Professor, where my academic focus was on negotiation, mediation, arbitration and trial advocacy. For over 25 years prior to that, I served as a labor and employment attorney and labor relations professional, handling a broad range of matters for public and private employers. I Also represented a union pension fund and individual employees in wage and hour and contract matters.

PROFESSIONAL AFFILIATIONS: The Florida Bar, American Arbitration Association, National Association of Railroad Referees.

EDUCATION: SUNY Buffalo Law School, JD (1986); Cornell University, MILR (1979); SUNY College at Brockport, BS (1977).

CERTIFICATIONS: Attorney Video Arbitration Capable; In Person Ready; Law - State Of Florida 1986; Elementary and Secondary Education - New York State 1979.

ARBITRATION/LABOR RELATIONS EXPERIENCE Ogletree Deakins - Shareholder, 2004 – 2007; Whelan, DeMaio & Kiszkiel, PA - Shareholder, 1994 – 2004; Morgan Lewis & Bockius - Associate Attorney, 1986 – 1994; Moog Inc - Division Personnel Administrator, 1981 – 1983; Arcata Corporation - Labor Relations Manager, 1980 – 1981; Ford Motor Company - Labor Relations Representative, 1979 – 1980.

INDUSTRIES: Aerospace, Agriculture, Airlines, Automotive, Bakery, Banking, Beverage, Brewery, Broadcasting, Building products, Cement, Chemicals, Communications, Construction, Dairy, Education, Electrical Equipment/Appliances, Electronics, Entertainment/arts, Food manu/proc/service, Health care, Hospital/nursing home, Hotels/motels/casinos/resorts, Machinery, Maritime, Metal fabrication, Nuclear energy, Office workers/clerical, Organizations, Packaging, Petroleum/petrochemicals, Pharmaceuticals, Plastics, Police & fire, Printing & publishing, Prison guard, Public sector grievance, Public sector interest, Railroads, Restaurants, Retail stores, Sports, Steel, Textile, Transportation, Trucking & storage, Utilities, Warehousing.

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ISSUES: Absenteeism, Affirmative action, Age, Arbitrability, Bargaining unit work, Bonus fringe benefits, Conduct (off-duty/ personal), Cost-of-living pay, Demotion, Disability, Discipline (discharge), Discipline (non-discharge), Discrimination, Drug/alcohol offenses, Fact finding, Fringe benefits, Gender, Health/hospitalization, Hiring practices, Holiday pay, Holidays, Incentive pay, Insurance, Job classification & rates, Job performance, Job posting/bidding, Jurisdictional dispute, Layoffs/bumping/recall, Leave, Management rights, Merit pay, National origin, Official time, Overtime Pay, Past practices, Pension and welfare plans, Pension claim (fed. statute), Promotion, Race, Religion, Retirement, Safety/health conditions, Seniority, Severance pay, Sexual harassment, Strikes/lockouts/work stoppages/slowdowns, Subcontracting/contracting out, Tenure/reappointment, Unilateral, Union security, Vacation, Vacation pay, Violence or threats, Wages, Work Hours/Schedules/Assignments, Working conditions/work orders.

ARBITRATION ROSTERS: FMCS Arbitration Roster; AAA (Employment); AAA (Labor); FL PERC (Special Magistrate); NMB; NY PERB.

OTHER PANELS: AFGE and SSA; American Airlines and TWU; Rochester Teachers Assn and Rochester City Schools; Wegmans Food Markets and Teamsters.

RATES/POLICIES: Per Diem: \$2,000.00 Fees: \$2,000 per hearing day (any part of a day up to 7 hours) and research and preparation of the opinion and award. Research and preparation may be prorated at the rate of \$350 per hour. Cancellation: \$2,000.00 Cancellation: per diem fee for each day of hearing scheduled if hearing is postponed or cancelled with notice of less than 21 days. Expenses: prorated per diem for travel of more than 60 miles (one-way) if not occurring on a hearing day, and costs for mileage (IRS), airfare, vehicle, lodging, and meals.