

DANIEL M. KININMONTH

FMCS-4092

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Present Occupation Attorney, Mediator and Arbitrator

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211 Old Towne Road
Louisville, KY 40214

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Clarksville, TN 37043
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(502)367-6808

PROFESSIONAL STATEMENT

2007-Present: Arbitrator in private sector, federal sector and local government cases. 2007-2011: Private attorney for federal employees and federal sector union in arbitration, EEOC, MSPB and security clearance cases before 14 federal agencies. 1989-2007: Attorney/Labor Counselor for U.S. Army, Fort Knox, KY in labor arbitration, contract negotiations, EEOC, MSPB and ULP cases in the federal sector. 1978-1979: Staff Attorney for KY Dept. for Human Resources before the KY Personnel Board.

PROFESSIONAL AFFILIATIONS

American Bar Association, Section of Labor & Employment Law
Federal Dispute Resolution Committee
Kentucky Bar Association
Society of Federal Labor & Employee Relations Professionals

EDUCATION

MS Community Development University of Louisville 1979
AAS Accounting University of Louisville 1976
MBA Business University Of Louisville 1976
JD Law University Of Louisville 1974
BA Political Science University Of Louisville 1969

CERTIFICATIONS

Attorney
Video Arbitration Capable
In Person Ready
Law - Indiana Supreme Court (Retired) 1981
Law - Kentucky Supreme Court 1974

ARBITRATION/LABOR RELATIONS EXPERIENCE

Law Offices of Daniel M. Kininmonth - Attorney, 2007 - 2011
Law Offices of Daniel M. Kininmonth - Arbitrator, 2007 - 2022
US Army, Office of The Staff Judge Advocate - Attorney/Labor Counselor, 1989 - 2007
KY Department for Human Resources - Staff Attorney (Asst. Attorney-General), 1978 - 1979

INDUSTRIES

Automotive, Bakery, Building products, Chemicals, Clothing, Dairy, Distillery, Education, Food manu/proc/service, Hospital/nursing home, Machinery, Paint & varnish, Petroleum/petrochemicals, Printing & publishing, Prison guard, Public sector grievance, Transportation, Utilities, Warehousing

ISSUES

Absenteeism, Age, Arbitrability, Conduct (off-duty/ personal), Disability, Discipline (discharge), Discipline (non-discharge), Discrimination, Drug/alcohol offenses, Grievance mediation, Hiring practices, Holiday

pay, Holidays, Incentive pay, Job classification & rates, Job performance, Job posting/bidding, Jurisdictional dispute, Leave, Management rights, Official time, Overtime Pay, Past practices, Promotion, Seniority, Subcontracting/contracting out, Union security, Vacation, Vacation pay, Wages, Work Hours/Schedules/Assignments, Working conditions/work orders

ARBITRATION ROSTERS

FMCS Arbitration Roster; Kentucky Labor Cabinet; Louisville Labor-Management Committee ; National Mediation Board

PUBLISHED CASES

Barton 1792 Distillery, Bardstown, Kentucky, 133 LA 404, 14-1 ARB ¶6155 (2014); Sysco Indianapolis, Inc., 133 LA 705, 14-2 ARB ¶6206 (2014); City of Cincinnati, Ohio 133 LA 1629, 14-2 ARB ¶6294 (2014); Department of The Army, Fort Knox, Kentucky, 133 LA 1476, 14-2 ARB ¶6274, 114 LRP 41211 (2014); Envelope Products Group, 134 LA 145, 15-1 ARB ¶6336 (2014); Big Rivers Electric Corp., 135 LA 1053, 15-2 ARB ¶6536 (2015); Department of The Army, Fort Knox, Kentucky, 137 LA 1480, 17-2 ARB ¶6972, 117 LRP 34603 (2017); Roudebush VA Medical Center, Indianapolis, 139 LA 244, 18-1 ARB ¶7141, 118 LRP 19649, 47 LAIS 48, 2018 WL 3913272 (2018); DynCorp International LLC, Fort Campbell, Kentucky, 2019 BNA LA 57, 19-2 ARB ¶7408, 2019 WL 2617033 (2019); Dana, Inc., Danville, Kentucky, 2019 BNA LA 137, 20-1 ARB ¶7525, 48 LAIS 151, 2019 WL 8227395 (2019)(affirmed: C.A. 5:19-cv-445, U.S. Dist. Ct., E.D.KY); Louisville Water Company, Louisville, Kentucky, 2020 BL 250725, 2020 BNA LA 1163, 20-2 ARB ¶7644, 2020 WL 4437373 (2020); Federal Bureau of Prisons, Federal Correctional Institution, Memphis, Tennessee, 2020 BL 299707, 2020 BNA LA 1187, 20-2 ARB ¶7654, 2020 WL 5801310, 120 LRP 23449 (2020) (affirmed by Federal Labor Relations Authority, 73 FLRA 26 (2022) and U.S. Department of Homeland Security, U.S. Customs and Border Protection, U.S. Border Patrol, Rio Grande Valley Sector, Edinburg, Texas, 2022 BL 358673, 2022 BNA LA 353, 22-2 ARB ¶8049, 122 LRP 39134, 2022 WL 17176767 (2022) and Department of The Army, Ft. Campbell, KY, 123 LRP 13523 (2023).

RATES/POLICIES

Per Diem: \$1,350.00

The fee is \$1,350.00 per day for each day of the hearing and for research and preparation of the opinion and award. A hearing day is any portion of a day up to 8 hours. Time for research and preparation is prorated.

Cancellation: \$1,350.00

A cancellation fee of \$1,350.00 is charged for cancellations with less than a twenty-one calendar days' notice.

Expenses: \$1,350.00

Ground transportation for arbitration hearings will be charged at the current IRS rate per mile. When ground transportation is not used, the Arbitrator will charge for coach air flights and car rental. Reasonable lodging fees will be charged where there is over night travel. No travel expenses will be charged for hearings held in Indianapolis, IN, Louisville, KY, Minneapolis, MN, Cincinnati, OH, Clarksville, TN, Nashville, TN and San Antonio, TX metropolitan areas. No charges for meals,

Travel Time: \$1,350.00

Travel time is based on the per diem rate of \$1,350.00 for each day of travel up to 8 hours. The charge is prorated if the actual time is less than 8 hours. No charge for travel time that exceeds 8 hours in one travel day. Travel time is not charged for any arbitration hearings in Indianapolis, IN, Louisville, KY, Minneapolis, MN, Cincinnati, OH, Clarksville, TN, Nashville, TN and San Antonio, TX metropolitan areas.

Other: No charge for docketing or postponement of the hearing. No charge for telephone calls or photocopying.