



PHILIP K. KIENAST

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Present Occupation: Professor of Labor and Employment Relations

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PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
American Arbitration Association
Industrial Relations Research Association

EDUCATION:

Ph.D.	Labor and Industrial Relations	Michigan State University (1972)
M.A.	Labor and Industrial Relations	Michigan State University (1967)
B.A.	Liberal Arts	University of Notre Dame (1963)

CERTIFICATIONS:

2000 Mediation Research and Education Project, Northwestern University Law School

ARBITRATION/LABOR RELATIONS EXPERIENCE:

Served as arbitrator/mediator in private and public sector since 1972. Appointed first chairman of Washington PERC in 1975. Served as instructor in dispute resolutions workshops for clients such as IAFF, United Airlines and the NEA. Served as an interest arbitrator on police/fire/prison guards over thirty times in Washington and Oregon. Also served as a grievance mediator in the airline and education sectors.

INDUSTRIES:

Aerospace; airlines; aluminum; automotive; bakery; banking; beverage; building products; broadcasting; canning; chemicals; coal; communications; construction; education; electrical equipment/appliances; entertainment/arts; food (manufacturing/production/service); furniture; glass/pottery; health care; hotels/motels/casinos/resorts; hospitals/nursing home; iron; lumber; machinery; maritime; metal fabrication; mining; nuclear energy; office workers/clerical; organizations; packaging; petroleum/petrochemicals; plastics; police and fire; printing and publishing; prison guard; pulp and paper; railroads; restaurants; retail stores; shipbuilding/dry-dock; steel; transportation; trucking and storage; utilities; warehousing.

ISSUES:

Affirmative action; absenteeism; arbitrability; bargaining unit work; conduct (off-duty/personal); discipline (non-discharge); discipline (discharge); race discrimination; sex discrimination; drug/alcohol offenses; holidays; insurance; leave; vacation; grievance mediation; health/hospitalization; job performance; job posting/bidding; jurisdictional dispute; layoffs/bumping/recall; management rights; past practice; pension and welfare plans; pension claim (federal statute); promotion; safety/health condition; seniority; sexual harassment; strikes, lockouts, work stoppages, slowdowns; subcontracting/contracting out; union security; cost-of-living pay; holiday pay; incentive pay; job classification and rates; merit pay; overtime pay; work hours/schedules/assignments; working conditions/work orders; violence or threats.

PERMANENT PANELS:

Social Security and AFGE	Flour Hanford and Hanford Atomic Metal Trades Council
Crowley Maritime & IBU of the Pacific	Timber Operators and AWPPW; Albertsons & UFCW Local 555
State of Alaska and IBU	U.S. Department of Interior and Indian Educators Association

ARBITRATION ROSTERS:

FMCS	NMB
AAA	State of Oregon
State of Washington	State of California

PUBLISHED CASES:

See www.lawmemo.com/arb

SIGNIFICANT PUBLICATIONS:

The Practice of Collective Bargaining (with Ed Beal), Irwin, 1976.
“Reinstatement Without Back Pay and Back Pay Without Reinstatement: A Question of Appropriateness,”
Issue 16, Monograph Series of the LERC, University of Oregon, 2000. Edited by Marcus Widenor and
published by the University of Oregon (2000), pp. 117-124

FEES:

PER DIEM FEE: \$980 **DOCKETING FEE:** None **CANCELLATION FEE:** (see below)

Cancellation Policy: Fee is \$800 per scheduled day if notice is less than 30 days; \$600 per scheduled day if notice is less than 60 days but more than 30 days. A hearing day is any portion of an 8 hour day. Analysis of record and preparation of opinion and award is prorated based on an 8 hour day

Expenses: Arbitrator charges actual cost of reasonable expenses, including airfare, care rental, food, and lodging. Automobile mileage is charged at the applicable IRS expense rate.