

JAMES A. LUNDBERG, ESQ.

ACCS NR-3167

E-mail: jimlundberg@comcast.net

Present Occupation: Labor Arbitrator

First Business Address:

2925 Dean Parkway, Suite 300
Minneapolis, MN 55416
Phone: (612) 925-0836
Fax: (612) 928-9864

Second Business Address:

2636 11th Avenue East
Seattle, WA 98102-3903
Phone: (612) 925-0836
Fax: (612) 928-9864

PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
Industrial Relations Research Association (Oregon Chapter)
Minnesota Bar Association
Hennepin County Bar Association

EDUCATION:

J.D. William Mitchell College of Law – 1982
M.A. University of St. Thomas – Special Ed. – 1976
M.A. University of St. Thomas – Social Studies Ed. – 1973
B.A. University of Minnesota – Magna Cum Laude (Pol. Sci.) – 1972

CERTIFICATIONS: Licensed to Practice Law in Minnesota, 1982 – Certified District Court Mediator & Arbitrator in MN, 1990 – Previously Licensed in MN as teacher '73, in Real Estate '75 & in Securities '78.

ARBITRATION/LABOR RELATIONS EXPERIENCE:

Engaged in full time practice as a Labor Arbitrator, since 1995. I have conducted more than 600 labor arbitrations. Practice was divided between Labor Arbitration, ADR and civil litigation from 1984 through 1995. Interned as Labor Arbitrator and engaged in the General Practice of Law, primarily civil litigation 1982-1984. I have served as grievance arbitrator, interest arbitrator and fact-finder. I have conducted expedited arbitrations. In addition to my experience as a Labor Arbitrator I have conducted over 150 arbitrations for the securities industry, more than 100 commercial arbitrations, more than 100 arbitrations referred from District Court and more than 300 No-Fault Arbitrations. I serve the private sector, public sector and Federal Sector. I have conducted hearings in 17 states: Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming.

INDUSTRIES:

Aero-space, agriculture, Air Force contracts, aluminum smelting, asphalt shingle production, automotive, baking, beverage (soft drink industry and alcoholic beverages), broadcasting, building products, canning, cement, charitable hospitals, chemical production, coal fired electrical, communications, community hospitals and health care centers, computer and electronic components, concrete distribution, correctional facilities (Federal, State, Local), corrugated paper, electric utilities, entertainment, Federal Sector, food distribution, food processing, food vendors serving public transportation, foundry, grain mills, grocery, health care, hospitality, hotels, just in time job shops, laboratory research units, law enforcement (State and Local), machining, maritime, meat and poultry slaughter and packing, mining, mental health facilities, metal fabrication, newspaper distribution, nuclear power production, nuclear storage, nursing homes, office staff, organizations, packaging, paint and varnish, paper, petroleum refining, printing, public transportation, pulp, restaurant, road construction, school districts and teachers, administrators and support staff, security services, state and local government, stud production, transportation lines, trucking, upholstering, vending, weather service, wood particulate.

ISSUES:

Absenteeism, ADA issues, alcohol and drug testing, alter-ego corporation, arbitrability, assignments, bargaining unit work, bumping, conduct off duty, contracting out, demotion, discipline (non-discharge), discipline (discharge), discrimination (age, disability, national origin, race, sex), fringe benefits (FMLA issues, funeral leave, holidays, insurance, leave of absence, vacation), health and hospitalization, job performance, job posting and bidding, jurisdiction, language interpretation, layoff, lockouts, managements rights, official time, past practice, pension, promotion, reappointment, recall, safety and health, schedules, seniority, sexual harassment, slow downs, strikes, subcontracting, tenure, theft, union security, violence and threats of violence , wages (compensatory time off, cost of living, holiday pay, incentive pay, merit pay, out of classification, overtime pay, severance, vacation pay), workhouse, working conditions, work orders.

PERMANENT PANELS:

Hormel and UFCW – Austin, MN Plant
Minneapolis, MN Police Department and Police Federation
Alaska Railroad and UTP
US Customs and Border Patrol and National Treasury Employees
State of Oregon and SEIU Local 503, OPEU

ARBITRATION ROSTERS:

FMCS Region #3 – Minneapolis, MN
FMCS Region #1 – Seattle, WA
Minnesota BMS
Wisconsin WERC
Iowa PERB
Oregon ERB
Washington PERC
Kansas Public Employment Roster
Montana Public Employment Roster

PUBLISHED CASES:

96-2 ARB 6357, 104 LA 289, 104 LA 281, 105 LA 1152, 11 LA 94

PER DIEM FEE: \$1,000.00 The per diem fee of \$1,000.00 (for up to 8 hours) is charged for grievance arbitration, interest arbitration and fact finding hearings, research and study, review of record, deliberations and drafting.

CANCELLATION: \$1,000.00 for each canceled/continued hearing date.

Cancellation Fee of \$1,000.00 is charged for each hearing day canceled. Out of pocket expenses, including non refundable airfare or re-booking fees are also charged.

EXPENSES: are billed for the cost of reasonable expenses, including airfare, rental car, food and lodging. Actual cost of copying, phone, clerical assistance and secretarial assistance. Automobile mileage is charged at applicable IRS expenses rate.

Travel time: at \$1,000.00 per day for up to 8 hours.

OTHER QUALIFYING EXPERIENCE: Prior to 1984, to obtain admission to the Minnesota PERB Roster, I interned with three experienced arbitrators and wrote 20 mock awards, while operating my law practice.

I have conducted approximately 150 securities arbitrations for the NYSE (begin 1983) and the NASD (begin 1984) – now FINRA. My experience includes presiding over a \$5 million dollar RICO claim and a 30 Million dollar dispute. I have conduct more than 100 AAA and court referred arbitrations involving civil claims.

I was of pilot projects in Hennepin County courts (Minneapolis) and Ramsey County courts (St. Paul) in ADR, during the mid 1980's and was part of NASD's initial attempt to mediate securities claims. All three programs have been successful.

Taught learning disabled and emotionally disturbed children from 1973-1980. Worked as a stock broker from 1980 to 1982, when I started a solo law practice. I was employed full time, when I earned both Master's degrees and my law degree.