

Pilar Vaile, JD, CALJ

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OCCUPATION

Attorney, arbitrator, mediator and Certified Administrative Law Judge (CALJ).

LABOR AND EMPLOYMENT EXPERIENCE

2005-2010. Deputy Director and hearing examiner, New Mexico Public Employee Labor Relations Board (PELRB).

2004-2005. Vice-Chair of the PELRB.

2000-2004. Labor, employment and class action litigation associate with Youngdahl & Sadin, P.C. and its successor firms.

PANELS AND ROSTERS

N.M. State Court Mediation Panels—1st, 2nd & 13th Judic. Districts

California Public Employment Relations Board (arbitration)

California State Mediation and Conciliation Service (grievance arbitration)

Financial Industry Regulatory Authority (FINRA) (arbitrator)

Kansas Public Employee Relations Board (mediator, arbitrator and fact-finding)

Illinois Educational Labor Relations Board (mediator, arbitrator and fact-finding)

Michigan Employee Relations Board (grievance arbitration)

Montana Board of Personnel Appeals (labor and personnel)

Nebraska Commission of Industrial Relations (fact finding)

Nevada Local Government Employee-Management Relations Board (arbitration)

Oregon Employment Relations Board (factfinding, and interest and grievance arbitration)

USPS/APWU Permanent Panels (regular contract and discipline, and expedited arbitration)

Washington Public Employment Relations Commission (arbitration)

ISSUES

Labor: Arbitrability; conduct (off-duty/personal); clothing/uniforms; constructive discharge; demotion; discipline (discharge and non-discharge); discrimination (Title VII and union-related); fair share fees; harassment and retaliation; leave, benefits and pay; interest arbitration; internal affairs investigations; last, best, final offer; just cause (definition of); job classifications, rates, posting, and bidding; management rights; official time; past practices; performance appraisals; probationary status; promotion; safety/health conditions; public sector budgetary restraints and deadlines as relate to the duty to bargain in good faith; work hours/schedules and/or assignments; working conditions/work order; Other: bankruptcy; foreclosure; commercial, construction and financial contracts; and lending practices.

INDUSTRIES

State government; municipal government; county government; public and charter education; universities and colleges; clerical, paraprofessional and professional; food service; hospitals; postal; prison/corrections personnel; police, fire, public safety; construction; electrical

equipment/appliances; manufacturing/machinery; utilities; finance; railway; grocery/retail; and stagehands and movie technicians.

TRAINING/EDUCATION

Workplace Mediation Training, October 2011 (Common Ground Mediation, Santa Fe, NM)
FMCS Arbitrator Training Institute, Oct. 2010.

National Judicial College, Reno Nevada. Dispute Resolution Skills Certificate (2009);
Administrative Law Adjudication Skills Certificate (2008); two-week Fair Hearing
course (2006); two 40-hour mediation courses (Mediation for ALJs, 2007, and Civil
Mediation, 2009).

J.D., University of New Mexico School of Law 2000, with Thesis Honors.
Bachelor, UNM 1996, *magna cum laude* (liberal arts concentrations).

RELEVANT PUBLICATIONS

New Mexico Public Employee Labor Relations Board (PELRB) Practice Manual,
<http://www.pelrb.state.nm.us/pdf/peba/pelrbpracticemanual.pdf>;

New Mexico Public Employee Bargaining Act (PEBA) Keyword & Phrase Digest, at
<http://www.pelrb.state.nm.us/pdf/peba/keywordphrasedigest.pdf>; and

Blogs:

“On Being a Neutral,” at <http://albuquerqueadr.blogspot.com/>

“On New Mexico Labor and Employment Law,” <http://albuquerqueadr2.blogspot.com/>

CERTIFICATIONS AND LICENSES

New Mexico State Bar

U.S. District Court, District of New Mexico

California State Bar

Certified Administrative Law Judge, National Association of Hearing Officials (NAHO)

PROFESSIONAL AFFILIATIONS

American Bar Association (ABA)— National Conference of the Administrative Law Judiciary;
Labor and Employment Section; and General Practice, Solo and Small Firm Division

Association for Conflict Resolution (ACR)

Labor and Employment Relations Association (LERA)

National Association of Administrative Law Judiciary (NAALJ)

National Association of Hearing Officials (NAHO)

N.M. State Bar—Labor and Employment, Trial Practice, and Solo and Small Firm Sections

MILITARY SERVICE

Louisiana National Guard, Sergeant E-5, Legal and Personnel Specialist, 1990-1993

U.S. Army (active), Specialist E-4, Legal Specialist, 1987-1990

FEES

Docketing Fee: \$100 plus New Mexico gross receipt taxes (NM GRT).

Per Diem: \$750.00—plus separately receiptable expenses and NM GRT—per eight (8) hour day for arbitrations, hearings and mediations. Time for preparation, research, writing, and pre-hearing conferences shall be pro-rated with a minimum charge of one hour. Time for travel will be pro-rated and charged at half-rate. **Cancellation Fees and Policy:** Cancellation/continuation of a scheduled hearing with less than thirty (30) days notice will result in assessment of a \$750.00 per diem cancellation fee for each day that has been reserved for hearing. Cancellation fees may also include any fees incurred for canceled flights or hotel rooms.