

PATRICK HALTER

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315 Meadow Lake Drive

Columbia Falls, MT 59912

505-980-4654

Arbitrator-Factfinder-Mediator

PROFESSIONAL AFFILIATIONS:

NAA, AAA (Labor & Commercial), National Assn. Railroad Referees, ABA (ADR, Labor & Employment)

EDUCATION:

BA	American History	Arizona State University
MPA	Labor Relations & Budgeting, Finance	Indiana University
Fellow	Post-Graduate Psychology	Johns Hopkins University
Legal	CLEs	National Judicial College; ABA
Law	Graduate	Albuquerque Citizens Police Academy

CERTIFICATIONS:

Mediator (Employment & Commercial)	District of Columbia Superior Court
Adv. Practitioner (Employment Arbitration)	Association for Conflict Resolution (ACR)

SPECIALIZED TRAINING:

Complex Public Education Issues: FMCS-NAA September 2011; NAA SW Region Texas Local Government Code Chapter 143 Training for Hearing Examiners February 2014.

ARBITRATION/LABOR AND EMPLOYMENT RELATIONS EXPERIENCE:

1999-Present: Grievance arbitration, interest arbitration, med-arb, advisory arbitration, fact finding, card-check elections, neutrality agreements, economic & non-economic issues, Title VII, ADEA, ADA, EEO, ERISA, FLSA, FMLA, HIPAA, OSHA, ULP, unit determination. Presenter at best practices training w\AAA, FMCS, NAA, Nat'l. Judicial College (employment litigation, motions, discovery, whistleblowing, civil procedure, employment torts, evidence, police liability, statutory and equitable remedies); Chair, City of Albuquerque Labor-Management Relations Board 2004-2016.

1993-1999: Director, New Mexico PERB, investigated & adjudicated ULPs & unit representation cases; research law and write PERB decisions.

1986-1993: technical advisor to LMR projects (human factors, root cause analyses, continuous improvement) at Goodyear\URW, General Dynamics\IAMA, LTV Steel\USWA, Ford\UAW.

1980-1986: Staff Associate, Federal Service Impasses Panel\Foreign Service Impasse Disputes Panel: mediation, factfinding, med-arb, interest arbitration; Field Agent (ULP investigations), General Counsel\FLRA.

INDUSTRIES:

Aerospace; aircraft mfg; airlines; agriculture; automotive; banking; beverage; brewery; bldg. products; call centers; canning; casinos, cement; chemicals; clothing; communications; construction; corrections; dairy; education (all levels); electric equipment/appliance; electronics; entertainment/arts; financial institutions; fire; food; foundry; health care (hospitals/nursing homes); hospitality; insurance; iron; logistics, lumber; maritime; meat processing; metal fabrication; mining; musicians\orchestras; ofc support/clericals; pharmaceuticals; petroleum, petrochemicals; police, pulp & paper; railroad; refrigeration/HVAC; regulatory agencies; rubber/tire; security; steel; supermarkets; transportation; telecommunications; trucking & storage; universities; utilities; warehousing.

ISSUES:

Absenteeism; agency fee; arbitrability; bargaining unit work; conduct (off-duty); COLA; continuing violation; contract interpretation and application; demotion; disability benefits and plans (short, long term); discipline; discharge; discrimination (ADA, ADEA, Title VII, etc.); drug/alcohol; EEO; FLSA; FMLA; holidays & holiday pay; human factors; incentive pay; insurance; job classification & rates; leave; grievance mediation; HIPAA, health and hospitalization; hiring practices; hours of work; Indian Preference Act; insubordination; job performance; job posting/bidding/assignments; just cause; LCA; layoff/bumping/recall; management rights; merit pay; official time; OSHA; overtime pay; past practice; pension and welfare plans; polygraphs; position description; promotion; public safety, reassignment; RIF; retaliation; retirement; safety/health conditions; schedule/tour of duty; seniority; settlement agreement; severance pay; sexual harassment; social media; subcontracting; tenure & reappointment; union rights & security; wages, whistleblowing; workplace violence/threats.

PERMANENT PANELS: NRAB 3rd Div; CSX\BMWE; Canadian Pacific\BMWE; BART\Police & Transit; Union Pacific\TCU\IAMAW; Tucson SD\NEA; Rocky Mtn. Steel\USWA; FAA\NATCA (National Panel); Clark County SD (Las Vegas, NV)\NEA; White Pine County (NV) SD\NEA, WPACT, WPSO; Tinker AFB\AFGE; IRS\NTEU; CBP\NTEU\AFGE; TSA\AFGE; USPS\NALC\APWU; Chair, Albuquerque LMRB; Special Master, Nebraska Comm. Industrial Relations; ABA Employment Disputes Panel.

ARBITRATION ROSTERS: AAA (Labor & Commercial); CA State Mediation & Conciliation Service; Montana Bd. of Personnel Appeals; Nat'l. Med. Bd. (Airlines/Railroads); Nat'l. Railroad Adjustment Bd. (3rd Div.); Kansas, Nevada, Oklahoma, Oregon, Virgin Islands, Washington PERBs.

SAMPLING OF PUBLISHED CASES: 108 LA 1006; 111 LA 1033; 111 LA 1078; 112 LA 673; 112 LA 907; 113 LA 240; 116 LA 1373; 118 LA 426; 118 LA 705; 119 LA 65; 119 LA 305; 121 LA 348; 121 LA 1368; 122 LA 259; 125 LA 541; 126 LA 594; 127 LA 1412; 129 LA 513; 129 LA 1089; 130 LA 395; 132 LA 348; 133 LA 1377, 133 LA 1469 93-2 ARB 3542; 97-2 ARB 3270; 99-1 ARB 5499; 02-1 ARB 3044; 03-1 ARB 3447; 03-2 ARB 3534; 04-1 ARB 3679.

SIGNIFICANT PUBLICATIONS:

Labor and Employment Arbitration, 2nd ed. (LEXIS); *How Arbitration Works*, 6th ed. (BNA); *Discharge and Discipline*, 2nd ed. (BNA); *2006, 2007, 2008 NAA Annual Proceedings* (BNA); *A Guide to Principles in Federal Sector Arbitration* (Dewey Publications)

PER DIEM FEE: \$1,600

CANCELLATION FEE: (See below)

Grievance Arbitration, Fact-finding: Per Diem applies to prehearing preparation\conferences, hearing, study (research, writing) and award. Hearing day is any portion of a day up to 8 hours.

Employment Mediation\Arbitration, Interest Arbitration & Med-Arb, Labor Mediation: \$300.00 per hour; 1-day minimum.

Cancellation Policy: If hearing date is changed for any reason with notice of less than 30 calendar days the per diem or hourly fee is assessed for each scheduled hearing day unless another matter can be substituted. This applies where parties forego scheduled hearing and proceed with briefs. Invoices not paid within 30 days of invoice date may be assessed an additional one day per diem.

Travel time: Pro-rated per diem for travel exceeding 3 hours; full per diem for weekend or holiday travel.

Expenses: Actual expenses for transportation, lodging and meals.