

JEFF J. MINCKLER

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BUSINESS ADDRESS

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INDUSTRY/AGENCY EXPERIENCE

Aerospace, airline, airport (operations, parking), ambulance, asphalt, cemetery, chemical, clerical, communications, construction, corrections and detention (federal, state and regional prisons, jail), education (K-12 and university, certified and classified), electrical (lineman, commercial), fire (firefighting, EMT, paramedic), food preparation and handling, law enforcement (federal, state, sheriff, police, dispatch), legal, maritime, medical (nursing, health care, laboratory), metal, public works, railroad, road and bridge, security, solid waste (hauling, transfer stations, landfill), technology, transportation (transit, school), trucking (dispatch, OTR, LTL, maintenance), utilities, water and wastewater, wood products (logging, lumber, plywood, particle board, chip and resin hauling)

ISSUE EXPERIENCE

Alcohol and drugs (on and off duty, reasonable suspicion, test falsification), arbitrability, assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, insubordination, insurance, layoff, leave benefits and abuse, NLRB deferrals (including those requiring a decision on statutory issues), off duty conduct, overtime and premium pay, past practice, performance deficiency, public speech, reduction in force, representation rights, safety, seniority, sleeping on duty, training, wage/salary and benefit comparisons

ROSTERS & PANELS

Alaska Labor Relations Agency
American Arbitration Association
California Employment Relations Board
Federal Mediation and Conciliation Service
International Organization of Masters, Mates and Pilots
Los Angeles City Employee Relations Board
Montana Board of Personnel Appeals
National Mediation Board (including arbitrating Board deadlocks)
Nebraska Commission of Industrial Relations
Nevada Employee-Management Relations Board
Oregon Employment Relations Board
Phoenix City Employment Relations Board
Washington Employment Relations Commission

EMPLOYMENT HISTORY

Labor: Representative and chief negotiator, AFL-CIO private sector locals (1973-1974)
Management: Specialist, Montana State Labor Relations Bureau (1974-1977); Bureau Chief (1977-1979)
Labor: Regional Manager and chief negotiator, Montana Public Employees Association (1979-1982)
Management: Director of Labor Relations, Montana School Boards Association (1982-1986)
Labor & Management: Private practice representation in the private and public sectors (1986-2011)
Neutral: Arbitrator and Factfinder (2011-current)

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RELATED EDUCATION

University of Montana
Cornell University Graduate School of Industrial and Labor Relations
American Arbitration Association University
Arizona Supreme Court & Attorney General ADR course
Federal Mediation and Conciliation Service Institute
Labor Arbitration Institute
National Judicial College

AFFILIATIONS

Association of Administrative Law Judiciary
Association for Conflict Resolution
Labor and Employment Relations Association
National Association of Hearing Officials
Oregon State Bar, Administrative Law Section

PRESENTATIONS & WRITINGS

Keynote addresses for public and private sector employers and unions
Section and panel presentations at state and national conventions
Articles for national labor relations journals
Sample list of topics:

- Standards of Contract Interpretation
- Living under At-Will and Wrongful Discharge Statutes
- Affirmative Defenses in Arbitration
- The Use of After-acquired Evidence in Arbitration
- Dissecting Just Cause
- Past Practice Application and Exceptions
- Public Speech Protections and Exceptions
- The Requirements of Due Process
- Weingarten, Garrity* and *Beckwith* Protection
- The Off Duty Nexus
- The Law of the Collective Bargaining Hiatus
- Tenured and Nontenured Teacher Dismissal and Nonrenewal
- Satisfying the Requirements of Due Diligence
- Fair Labor Standards Act in the Private and Public Sectors
- Brady List Impact on Continuing Employment
- Management Rights: Fact or Fiction
- Attempting Crystal Clear Contracts

University instructor on labor relations
Advanced discipline and discharge course for unions and employers
Guest instructor on arbitration practice and award updates

FEES & EXPENSES

Daily rate: Grievance arbitration: \$1,000. Interest arbitration, factfinding: add 20%.
Fee: Daily rate prorated on an 8-hour day for time spent including travel, study and writing.
Expenses: Transportation, lodging and meals at actual cost. Personal auto at IRS rate.
Cancellation: One day short notice fee if hearing date is vacated with less than two weeks notice.

ADDITIONAL & UPDATED INFORMATION: www.minckler.net