



ERB ARBITRATOR NEWS

Spring 2023

A semiannual newsletter brought to you by the Oregon Employment Relations Board

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ERB WEBSITE LINKS

www.oregon.gov/erb

[Board Orders](#)

[Arbitrator Awards](#)

[Join the Arbitrator Panel](#)

[Arbitrator Resumes](#)

[Subpoena Duces Tecum](#)

[Arbitration Witness Subpoena](#)

[Oregon Statutes and Rules](#)

Our Office Has Moved

ERB is now located at the **General Services Building – DAS East, 1225 Ferry St. SE, Salem, OR 97301**. The General Services Building is a secure facility, located centrally in downtown Salem. Moving to this new building allowed the agency to reduce our rent expenses, while simultaneously offering improved group spaces for agency business, including more available conference rooms, greater room capacity for personal space, and built-in technological features.

Specifically, the new building has eight conference rooms available to conduct in-person hearings and oral argument, host mediations and trainings, and accommodate staff meetings. Conference room capacity ranges from 6 to 25 individuals, and rooms are outfitted with modern video equipment to connect with constituents wherever they may be located.



ERB continues to conduct business between 8:00am – 5:00pm, Monday through Friday, but in-person visits to our office require an appointment. If you wish to make an in-person appointment, please email EmpRel.Board@ERB.oregon.gov or contact the [specific agency division](#).

New Office Open House and Technology Forum

May 11, 2023 10:00am - Noon
In Person: Salem, OR

May 17, 2023 Noon
Virtual

ERB is hosting an open house and technology forum in its new building in Salem (1225 Ferry St. S.E.). Please join us May 11, 10:00am – 12:00pm, to view the new space, including conference rooms that we use for hearings, oral arguments, mediations, trainings, and more. During this event, you will have a chance to view and interact with our conference room technology, as well as ask questions regarding our Case Management System (CMS). Additionally, this is an opportunity for you to share with us what technological enhancements or features you would like ERB to offer. We will be circulating a questionnaire in the coming weeks to gather information and solicit questions regarding ERB technology so that the open house and forum can best address areas of importance to our constituents. For those of you who cannot join us in person on May 11, we will be offering an online forum on May 17, at noon. We hope to see you at one of these events. [Register for ERB Event](#)

EVENTS

Annual NAA Meeting

In Person: May 3 - May 6, 2023
Denver, CO
<https://naarb.org/meetings/>

Oregon LERA Presents

ERB: The Board Presents Leading Cases

Virtual: May 9, 2023 at 9:00am
<https://lerachapter.org/oregon/events/leading-cases-of-the-erb/>

NW LERA Presents

Annual Collective Bargaining and Arbitration Conference

In Person: April 20 - April 21, 2023
Tacoma, WA
<https://lerachapter.org/northwest/>

75th Annual National LERA Conference

In Person: June 1 - June 4, 2023
Detroit, MI
<https://lera.memberclicks.net/lera-75th-am>

Annual ALRA Conference

In Person: July 15 - 18, 2023
Vancouver, BC
<https://alra.org/registration/>

Montana Arbitration & Labor Relations Conference

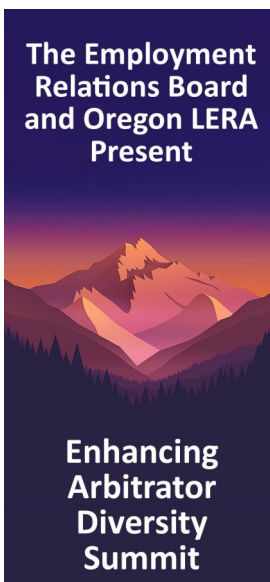
In Person: August 29 - August 31, 2023
Billings, MT
<https://erd.dli.mt.gov/labor-standards/annual-labor-relations-conference/>

Welcome Board Member Shirin Khosravi

Shirin Khosravi is a Labor Appointee to the Oregon Employment Relations Board, first appointed by Governor Brown as a Board Member effective February 15, 2022. Before joining the Board, she was the Supervising Attorney for SEIU Local 503, a union representing public service workers and care providers across Oregon. Shirin received her B.A. from Bard College and her J.D. from Lewis and Clark Law School. Prior to moving to Oregon, she worked as a field organizer on various marriage equality campaigns in Maine and New York. Great to have you on the Board, Shirin!



Summary of Proceedings at the 2022 Summit on Enhancing Arbitrator Diversity



On September 14, 2022, the Oregon Employment Relations Board and the Oregon Chapter of the Labor and Employment Relations Association (Oregon LERA) convened the Summit on Enhancing Arbitrator Diversity. The Summit was a follow-up to an earlier conference sponsored by Oregon LERA in June 2021 on arbitrator diversity, which sparked a broad conversation in the Oregon labor relations community about the pressing need to increase the diversity of the labor arbitrator pool available to parties in Oregon. After that 2021 Oregon LERA conference, the Oregon Employment Relations Board held two well-attended public meetings in July 2021 with its constituents (public sector labor organizations and employers) to explore further how the Oregon arbitration profession can diversify to include arbitrators from traditionally underrepresented groups. Based on those discussions, Oregon LERA and Oregon ERB convened the 2022 Summit with a goal to generate ideas about how to increase the diversity of labor arbitrators available to parties in Oregon.

At the Summit, 51 people—including arbitrators, labor union representatives, and employer representatives—gathered to consider the current situation and brainstorm ideas for new initiatives. After hearing presentations, Summit participants were divided into four breakout groups. Each breakout group was asked to generate ideas about one of the following topics: (1) ideas to increase the pipeline of diverse arbitrators; (2) ideas to increase the selection rate of diverse arbitrators; (3) ideas to increase diversity, equity, and inclusion awareness in new and established arbitrators; and (4) suggestions for arbitrator roster keepers and professional organizations about how to increase arbitrator diversity.

Thank you to all who participated. If you have additional ideas or are aware of other initiatives in this area, please send those to Sabrina Dunsworth. We will continue to share information and update you as our efforts continue. A copy of the [full report can be found here](#).

Thank You for Your Service on the Panel and Best Wishes

Fredric Dichter
Jerry Hetrick
Richard Miller
Jeff Minckler



Arbitrator Reminders

- ERB maintains a list of arbitrators who are offering their services virtually. The list is for interested parties and is published on our website. If you are currently practicing virtually and not marked as such, please let us know. We maintain the list with new information as received.
- Keep your contact information, fees, experience, and methods of service fresh on your resume with us! Please email updated PDF resumes to Sabrina Dunsworth and we will upload to our website accordingly.
- Thank you for emailing us your decisions and notice of selection for Oregon public cases ([OAR 115-040-0035](mailto:OAR_115-040-0035)). Please send these to ERB.Filings@erb.oregon.gov. This is the formal method by which to notify us, and we do publish your Interest Awards and Grievance decisions on our website.

Thank You for Continuing to Use the CMS Platform

All arbitrator annual dues are submitted electronically via CMS. Thank you for participating as we fully transitioned.

CMS is also a place where we maintain a virtual portfolio of your information and work. Please consider uploading your Awards to your case file. We ask that you redact identifying individual information in your Grievance decisions so that we may publish them separately on the ERB website.

Welcome to the ERB Panel

In this section, we introduce arbitrators new to the ERB panel, as they join. The description for each arbitrator was submitted to ERB by that individual. We hope that you enjoy learning more about who's new to the ERB roster.



Michael Loconto

- Resides in Boston, Massachusetts
- Practiced as an attorney in government and higher education for 21 years, including four years as an adjunct lecturer in legal writing and research at Northeastern University School of Law and four years as an Instructor on contracts and bargaining at The Labor Guild's School of Labor-Management Relations
- Time active as an arbitrator: 2 years
- Eligible to hear grievances and practices with a virtual format option

Arbitrator Loconto is a trusted neutral with two decades of experience in labor relations, having previously negotiated labor contracts and litigated arbitrations and administrative disputes across the full spectrum of CBA issues as general counsel for a small college and a labor and employment relations leader for Harvard University and the City of Boston.

Arbitrator Loconto established his private practice in 2021 after training with the Federal Mediation and Conciliation Service Institute. Arbitrator Loconto has apprenticed with National Academy of Arbitrators members David Gaba and Mark Irvings on labor, employment and pension fund matters (trustee deadlocks and MPPAA withdrawal liability). In addition to dispute resolution, Arbitrator Loconto also offers training on interest-based bargaining and conducts card check processes.

In service to the labor-management community, Arbitrator Loconto currently leads the Boston chapter of the Labor and Employment Relations Association and has previously worked with union representatives and neutrals to establish and co-lead LERA's Higher Education Industry Council and the District Capacity Project of the Massachusetts Education Partnership.

Arbitrator Mentor Directory

To further opportunities for individuals early in exploring a career in arbitration work, following is a list of experienced arbitrators who have expressed a willingness to participate in mentorship. You can find each individual's complete resume on the ERB website. Please see each listing below for details on the mentorship that is offered and reach out directly to begin a conversation. For experienced arbitrators who would like to be included in the Mentor Directory, please submit your request with a brief description of the type of mentorship you are willing to provide to Sabrina Dunsworth.

Sue Bauman

- With party agreement, can offer opportunities for new arbitrators to observe virtual hearings
- Willing to serve as a sounding board for new arbitrators as they think about how to decide a case and to review drafts of awards

Contact: sjmbauman@gmail.com

Stephen Biersmith

- Willing to help mentor new and aspiring arbitrators over the phone regarding running hearings, draft awards, and resources used over the years

Contact: [\(805\) 648-7242](tel:8056487242)

Michael Cavanaugh

- Could add one or two mentees, dependent on calendar and commitments, welcoming especially women and minorities

Contact: mec@cavanaugh-adr.com

Joseph Daly

- Has been mentoring and teaching, and would be happy to continue doing so

Contact: jdaly@hamline.edu

David Gaba

- Happy to mentor one newer arbitrator at a time under the National Academy's mentorship program

Contact: davegaba@compasslegal.com

Dennis Isenberg

- Happy to mentor one newer arbitrator at a time to include observation at hearings, experience reviewing the record and drafting documents, and collaborative dialogue

Contact: dennis.isenberg.arbitrator@gmail.com

Jeff Jacobs

- Has been mentoring and willing to discuss the practice with a newer arbitrator

Contact: jjacobs@wilkersonhegna.com

Frederick Kessler

- Happy to participate

Contact: rep.frederick.kessler@gmail.com

[continued...]

Arbitrator Mentor Directory Continued

Howell Lankford

-Happy to talk to any newer arbitrator, with mentorship detail dependent on experience

Contact: hll@iname.com

(503) 349-3842

Michael Marr

-Available to be a mentor

Contact: mmarradr@aol.com

Renée Mayne

-Available to be a mentor

Contact: mayne.adr@gmail.com

Bob Oberstein

-Open to a number of mentoring approaches, including having a newer arbitrator shadow observe at a hearing and shadow draft a decision for comparison and discussion

Contact: boberstein@aol.com

(602) 859-5522

Pilar Vaile

-Happy to speak to any newer arbitrator about the practice and marketing

-Available to review work

-With party permission, can seek hearing observation opportunities

Contact: pilar@pilarvaileadr.com

Elizabeth Wesman

-Willing to be a resource for newer arbitrators including occasional conversation

Contact: ecwesman@gmail.com

Timothy Williams

-Willing to be a sounding board on mentee cases, and share insight on mentor cases

-Can provide insight into the labor arbitration profession including organizing and exposure

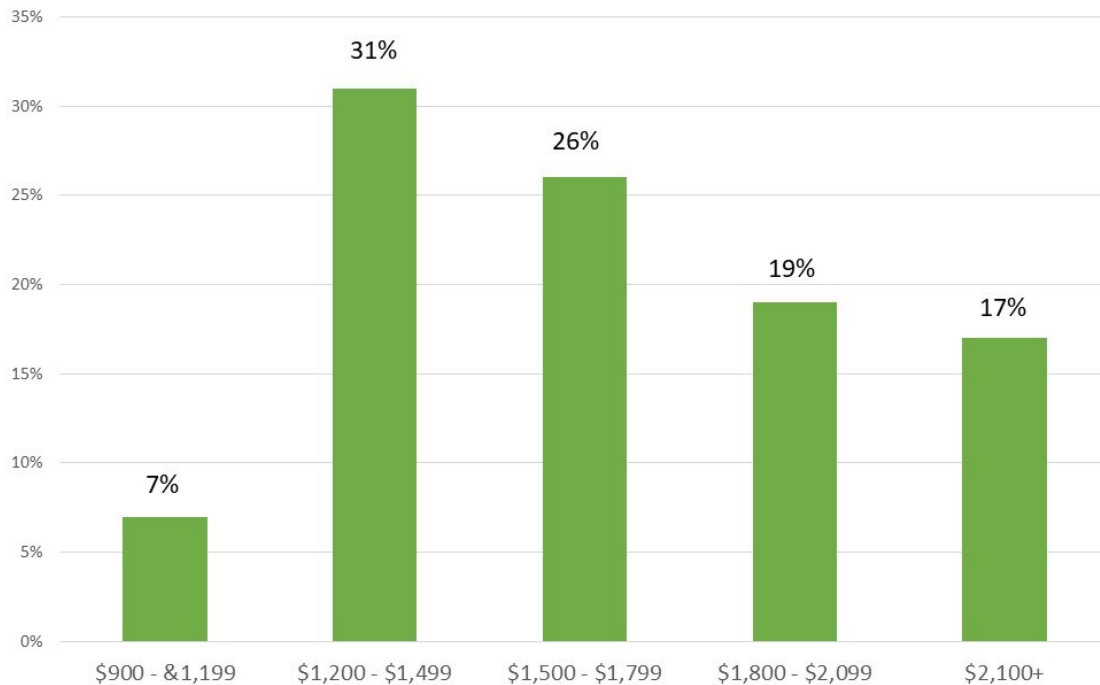
Contact: tim@arbitratorwilliams.com

(503) 490-7474

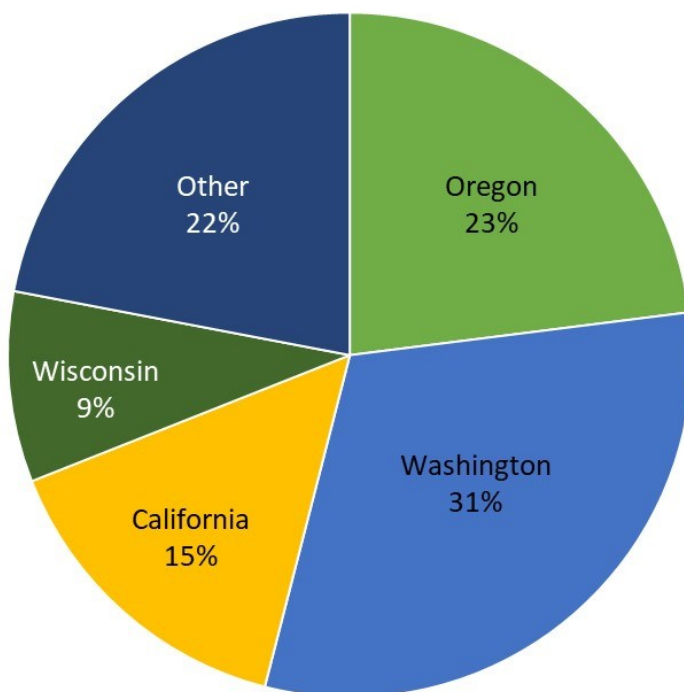


Panel Statistics

Per Diem Charged By ERB Arbitrators



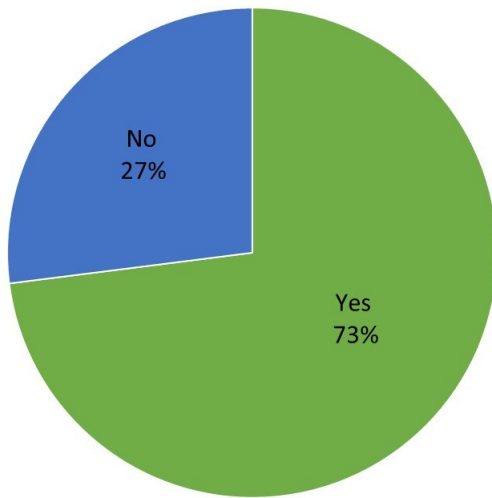
Where Do ERB Arbitrators Live?



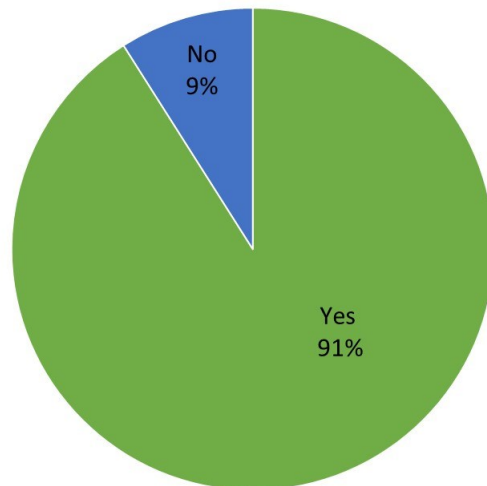
There are currently 55 members on ERB's arbitrator panel. In addition to Oregon, Washington, California, and Wisconsin, arbitrators reside in Arizona, Colorado, Hawaii, Maryland, Massachusetts, Minnesota, Missouri, Montana, North Carolina, and Ohio.

Panel Statistics

Practicing Interest Arbitration



Practicing Virtually



Police Misconduct Panel Participation

