

**Public Employment Relations Board
PO BOX 2074, ESP Agency Bldg. 2, Floor 20
Albany, NY 12220-0074**

RESUME OF PANEL ARBITRATOR

FULL NAME: David J. Reilly, Esq.
CITY, STATE, ZIP: New York, NY 10128
OCCUPATION: Arbitrator - Mediator

EDUCATION:

New York University School of Law, J.D., Cum Laude, 1982
Order of the Coif, Arthur Vanderbilt Medal
Siena College, B.A., Summa Cum Laude, 1979

PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators, Member
ABA, NYBA, NJBA & NYCBA (Labor & Employment Law and Dispute Resolution Sections)
Association for Conflict Resolution (Workplace, Ombuds, Commercial and Court Sections)
Labor & Employment Relations Association (National and New York City Chapter)
New Jersey Association of Professional Mediators
New York Dispute Resolution Association
New York University School of Law Center for Labor and Employment Law, Advisory Board Member

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

An attorney for more thirty-five years with extensive experience, first as an advocate and later as a full-time neutral, in labor and employment law and commercial disputes. As an arbitrator and mediator since 2006, have heard and/or mediated thousands of cases involving a wide range of issues. In labor and employment law matters subjects addressed have included, among others: absenteeism; arbitrability; bargaining unit; breach of contract; demotions; disability; discipline/discharge; discrimination/harassment/retaliation; ERISA; FLSA; health/safety; incentive compensation; independent contractor status; job classifications; job performance; leaves of absence; management rights; MPPAA; overtime pay/distribution; past practice; pay rates, production standards; reductions-in-force; retirement benefit payouts; seniority; severance; sexual harassment; subcontracting; transfers/reassignments; vacation; work assignments, whistleblower; work assignments; work stoppages; and wrongful termination.

MEDIATION & FACT-FINDING EXPERIENCE:

Served as a mediator in more than a thousand cases, primarily involving employment matters. Issues presented have included: statutory claims under federal and state anti-discrimination, whistleblower and wage and hour laws; breach of contract and non-competition covenants; and tort claims. In my prior role as an advocate, I negotiated more than a hundred collective bargaining agreements, a substantial number of which were accomplished by working with federal and state mediators.

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

Training:

Cornell University, ILR School, Advanced Certificate in Workplace ADR & Conflict Management
New York State Bar Association, Labor & Employment Law Section, Arbitrator Mentoring Program
(Mentors: Robert L. Douglas, Arthur A. Riegel, Elliott D. Shriftman, and David N. Stein)
Labor Arbitration Salon of Richard Adelman and Carol Wittenberg
FMCS, Arbitrating in the Federal Sector (16 Hours)
Various American Arbitration Association Arbitrator Training Programs
Federal Executive Board – Shared Neutral Mediation Training (16 Hours)
Hofstra University School of Law, Certificate 24-Hour Basic Mediation Skills Training

Nuclear Regulatory Commission, Mediation Training Program
New York Supreme Court, Commercial Division, Certificate 24-Hour Basic and 8-Hour Advanced Skills Training
NYC Bar Association, Advanced Commercial Arbitration Training (20 Hours)
FINRA Basic Arbitrator and Chairperson Training

Panels:

American Arbitration Association (Labor Arbitration, Employment Arbitration & Mediation)
Federal Mediation & Conciliation Service (Labor Arbitration)
National Mediation Board (Arbitration)
New Jersey Public Employment Relations Commission (Labor Arbitration and Police/Fire Special Disciplinary Arbitration)
New Jersey Department of Education (Tenure Arbitration)
New Jersey State Board of Mediation (Labor Arbitration)
New York City Office of Collective Bargaining (Labor Arbitration)
New Jersey Superior Court (Mediation)
Cornell University Institute on Conflict Resolution (Arbitration, Mediation & Fact-Finding)
Equal Employment Opportunity Commission (Mediation)
FINRA (Arbitration & Mediation)
New York Supreme Court, Commercial Division, Bronx, Queens & Suffolk Counties (Mediation)
United States District Court, Eastern District of New York (Mediation)
Nuclear Regulatory Commission (Mediation)

Permanent Arbitrator: SEIU Local 32BJ/The Realty Advisory Board on Labor Relations, Inc.; SEIU Local 32BJ/Allied Universal Security Services, Inc., Harvard Protection Services LLC & Securitas Security Services USA, Inc.,

PER DIEM FEE: \$ 1,800.00

ADJOURNMENT FEE: \$ 1,800 for each hearing day cancelled or adjourned on less than 21 calendar days notice.

SUBMITTED BY ARBITRATOR David J. Reilly, Esq. ON JUNE 15, 2021

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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: **David J. Reilly, Esq.**

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$1,800.00 for each day or any part thereof spent hearing a case.

(2) If a hearing day exceeds _____ hours, I charge:

a second full per diem

a prorated per diem

no additional charge

other (describe) :

(3) Additional comments:

B) STUDY TIME.

(1) I charge \$ 1,800.00 for each day spent in preparation of the opinion and award.

(2) This charge will will not be prorated for partial days devoted to such preparation.

(3) Additional comments:

C) TRAVEL TIME AND EXPENSES.

(1) When travel time plus hearing time exceeds _____ hours in a calendar day:

Not applicable (no additional charge)

I charge as follows (describe):

(2) I charge for actual, travel-related expenses incurred in connection with the case YES NO.

Where appropriate, a mileage charge for auto travel will be billed at:

Prevailing IRS rate

Other (describe):

(3) When the scheduled hearing day(s) requires an overnight stay:

There is no charge, other than for lodging and subsistence.

I charge as follows (describe):

(4) Additional Comments:

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of \$ 1,800.00 will be charged unless I receive notice of a postponement or cancellation:

Within 21 calendar days of the scheduled hearing date

Other (describe):

E) ADDITIONAL CHARGES. I charge separately for expenses incurred in connection with the following:

Docketing (describe): Yes No

Duplication Yes No

Fax Yes No

Finance or late payment charge (describe): Yes No

Postage Yes No

Secretarial Yes No

Telephone Yes No

Other (describe):

F) GENERAL TERMS.

(1) Billing for fees and expenses will be divided equally between the parties unless otherwise required by the collective bargaining agreement or the conditions of the appointment.

(2) Other conditions (describe):

G) OTHER INFORMATION/COMMENTS:

SUBMITTED BY ARBITRATOR David J. Reilly, Esq. ON June 15, 2021

IMPORTANT

THIS FORM IS NOT INTENDED TO SUGGEST THE SERVICES FOR WHICH AN ARBITRATOR SHOULD OR SHOULD NOT CHARGE. IT PRESENTS THE MOST RECENT INFORMATION PROVIDED BY THE NAMED ARBITRATOR TO THE NEW YORK STATE PUBLIC EMPLOYMENT RELATIONS BOARD, WHICH BEARS NO RESPONSIBILITY FOR ERRORS OR OMISSIONS CONTAINED ON THE FORM, OR FOR VARIANCES IN ACTUAL PRACTICE BY THE ARBITRATOR.