

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

RESUME OF PANEL ARBITRATOR

FULL NAME: Janet Maleson Spencer, Esq.

CITY, STATE, ZIP: New York, NY 10128

OCCUPATION: arbitrator and mediator

EDUCATION:

LLB, Harvard Law School; BA, Cornell University

PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators(former member Board of Governors), former member, Committee on Professional Responsibility and Grievances); Fellow, College of Labor and Employment Lawyers; New York City Bar Association, New York State Bar Association (Labor and Employment section); American Bar Association (employment and labor, adr, individual rights sections); LERA

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

over 40 years experience arbitrating disputes in public and private enterprises involving a wide range of issues; since 1984 have arbitrated employment cases involving a variety of substantive and procedural issues, including alleged violations of federal, state, city and common laws.

Industries in which I have arbitrated include Airline, Aluminum, Automotive, Bakery, Banking, Beverage, Building Products, Broadcasting, Canning, Cement, Chemicals, Clothing, Communications, Construction, Dairy, Distillery, Education, Electrical Equipment/Appliances, Electronics, Entertainment/Arts, Food (Manufacturing/Processing/Service), Financial, Foundry, Furniture, Glass/Pottery, Health Care, Hotel, Hospitals/Nursing Home, Iron, Lumber, Machinery , Maritime, Meat Packing, Nuclear Energy, Office Workers/Clerical, Organizations, Packaging , Paint and Varnish, Petroleum/Petrochemicals, Pharmaceuticals, Plastics , Plumbing, Police and Fire, Printing and Publishing, Prison Guard, Pulp and Paper, Real Estate, Refrigeration/HVAC, Restaurants, Retail Stores, Rubber/tire, Shipbuilding, Sports, Transportation, Trucking and Storage, Utilities, Warehousing and others. I have also arbitrated widely in the public sector.

Issues arbitrated include: Affirmative Action, Arbitrability, Bargaining Unit Work, Conduct (Off-Duty/Personal), Discipline and Discharge, Discrimination, Drug/Alcohol Offenses, Fringe Benefits (Bonus, Holidays, Insurance, Leave, Vacation), Job Performance, Job Posting/Bidding, Layoffs/Bumping/Recall, Management Rights, Contract Interpretation, Past Practices , Pension and Welfare Plans, Promotions, Retirement, Safety, Seniority, Sexual Harassment, Work stoppages, Subcontracting, Tenure/reappointment, Due process, Wages, Job classification, Work hours,schedules, assignments,

MEDIATION & FACT-FINDING EXPERIENCE:

Have mediated disputes in various industries, including financial publications, communications, drug, insurance, retail and restaurant. Mediator, Verizon-CWA grievance mediation panel (NJ)

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

taught labor law, employment discrimination law, employment law, arbitration, constitutional law during my 24 years as a professor at St. Johns University Law School; before teaching, worked as attorney for 3 years at the NLRB, Region 2, for Simpson Thacher and Bartlett and NYC Corporation Counsel, representing management and for Surrey, Karasik, Morse & Seham, representing unions and management. Contract arbitrator under various contracts include or have included GE-IUE; Electric Boat Corp. - Marine Draftsmen Assoc.; Sullivan West School District - NYSUT; Yale University - Federation of University Employees; Presbyterian Hospital - NYS Nurses Association; Pepsi-Cola - IBT; Queens Borough Public Library - D.C. 37; New York Post-NMDU; Liberty Lines – TWU Local 100; Writers Guild-Freelance TV/Movie Agreement; U.S. Dept. of Defense- Overseas Federation of Teachers; FAA/NATCA (air traffic controllers); Maimonides Hospital - NYSNA, and others.

PER DIEM FEE: \$ 2800

ADJOURNMENT FEE: \$ 2800 if cancellation with fewer than 21 calendar days' notice

SUBMITTED BY ARBITRATOR Janet M. Spencer ON December 2, 2020

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

BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME:

Janet Maleson Spencer, Esq.

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$2800 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 \$ 2800 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 0 hours in a calendar day:

Not applicable (no additional charge)

I charge as follows (describe): may charge pro-rated per diem when required travel cannot reasonably be completed on day of hearing

(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): reasonable actual expenses

(4) Additional Comments:

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of \$ 2800 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 Janet M. Spencer, Esq. ON December 2, 2020

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.