

Public Employment Relations Board
PO BOX 2074, ESP AGENCY BLDG 2, FLS 18 & 20
Albany, NY 12220-0074

RESUME OF PANEL ARBITRATOR

FULL NAME: Carol M. Hoffman, Esq.
CITY, STATE, ZIP: Mineola, New York 11501
OCCUPATION: Arbitrator/ Mediator/ Fact Finder

EDUCATION:

Cornell ILR School, Scheinman Institute- Labor Arbitrator Certificate 2011
Albany Law School of Union University – Juris Doctor Degree 1976
University at Albany, New York - Bachelor of Science – Cum Laude 1973

CERTIFICATIONS:

Admitted to New York Bar 1977
Commercial Mediator New York 2011
Labor Arbitrator Certificate Cornell ILR 2011
Part 36 Receivership Training Suffolk County Bar Association September 16, 2015

PROFESSIONAL AFFILIATIONS AND PANEL MEMBERSHIPS:

American Arbitration Association Labor Arbitrator Roster
Eastern District New York Storm Sandy Mediator and Arbitrator Panels
NYS Public Employment Relations Board Mediator/ Fact Finder Panel
NYS PERB Labor Arbitrator Panel
Federal Mediation and Conciliation Services Labor Arbitrator Roster
Long Island LERA Board of Directors 2012 - present. President 2019-2021
New Jersey State Board of Mediation Labor Arbitrator Roster
Cornell Roster of Mediators
Nassau County Bar Association Mediator and Arbitrator Panels
Nassau County Supreme Court Commercial Division Mediator Panel/ Special Discovery Master
Nassau County District Court Arbitration Panel
NYS Office of Court Administration Part 137 Fee Arbitration Panel
Nassau County Bar Association Conciliation Committee
Nassau County Bar Association Vice Chair Alternate Dispute Resolution Committee 2012-2014
National Mediation Board
Association for Conflict Resolution
USDC Northern District, Arbitrator, Mediator and Neutral Evaluator

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

Full time neutral since 2008, as Mediator, Arbitrator, Special Master, Investigator and Trainer.
with over 30 years prior experience as an advocate and labor negotiator.

2008-Present: AAA Labor Arbitrator Roster, FMCS Labor Arbitrations; New Jersey Transit/ NJSBM, Arbitrator Nassau County District Court; NYSOCA Part 137 Fee Arbitrations; Mediator in Commercial Division, Special Discovery Master, Commercial Division, Nassau County Supreme Court, National Mediation Board Labor Arbitrator Roster, NYC Transit Authority Labor Arbitrator Panel 2012-13, and workplace independent investigator.

2009-11: Adjunct Faculty, Human Resources Management and Business Law, Molloy College, Division of Business.

1981-2008: General, Labor and Special Counsel to municipalities, serving as Chief Negotiator for public school districts and other municipalities in negotiations with New York State United Teachers, Civil Service Employees Association, UPSEU, Teamsters, Police Benevolent Association and other unions which

represented public employees including police officers, teachers, administrators, bus drivers, paraprofessionals, nursing staff, security guards, office staff, custodial staff and public safety officers. Handled contract administration, grievances, arbitrations, mediations, fact findings and unfair labor practice cases, EEOC complaints, workplace investigations, unit composition, recognition and certification issues. Handled Human Rights cases involving ethnicity, religion and age discrimination. 1979-1981: Served as Assistant Counsel in Governor's Office of Employee Relations, handling contract administration, grievances, arbitrations, mediations and fact findings with NYS Police Bureau of Criminal Investigation and unfair labor practice cases with Correction Officers Union, Council 82. 1976-1979: Assistant Attorney in New York State Education Department's Office of Counsel, handling teachers' rights cases, students' rights cases and special education matters.

ISSUES:

Affirmative Action; Arbitrability; Absenteeism; Age Discrimination; Bargaining Unit Work; Clinical Practice Plans; Conduct(On and Off Duty); Discipline and Discharge; Contract Interpretation; Disability Discrimination; Drug and Alcohol Offenses; EAP issues; Employee Evaluation Plans; Faculty Issues; Holidays; Increments/ Steps; Insurance; Grievance administration; Health and Safety; Hiring Practices; Holiday Pay; Hospital Staff; Incentive Pay; Insubordination; Job Classification; Job performance; Job posting/Bidding; Just Cause; Layoffs/Bumping/Recall; Leaves; Managements Rights; Past Practices; Promotion; Professional Development Plans; Race, Sex and National Origin Discrimination; Recruitment and Retention; Religious Discrimination; Salary; Seniority; Sexual Harassment; Slowdowns; Subcontracting; Tenure /Reappointment; Time and Attendance; Transportation; Union Recognition and Certification; Union security; Union Time Off ; Vacation Pay; Work Stoppages.

MEDIATION & FACT-FINDING EXPERIENCE:

Mediated labor disputes in towns, villages, school districts and library systems with staff, teachers, administrators, clerical, custodial, library staff, police and security personnel. Conducted fact finding hearings and wrote reports and recommendations in disputes in school districts, towns and library systems. Mediated community, insurance and commercial disputes including real estate and partnership cases. Mediated internal board governance issues as counsel to municipalities and handled mediation for Governor's Office of Employee Relations with the NYS Police Bureau of Criminal Investigation.

PUBLICATIONS and PRESENTATIONS:

Contributing Editor in Discipline and Discharge in Arbitration, Third Edition, edited by Biren and Brand (BNA Books 2015), Chapter on Discipline and Discharge.

New York Law Journal Outside Counsel Column, May 17, 2002: Speaker and Trainer at numerous legal conferences, including Hofstra University's Annual School Law Clinic for over 15 years. Presented numerous times at School law Conferences, New York State Bar Association Seminars, Nassau County Bar Association Seminars and as Member and Past President of the NYS School Attorneys Association.

PER DIEM FEE: \$ 2,000.00

ADJOURNMENT FEE: Full fee due if cancellation is within 14 calendar days of scheduled hearing.

SUBMITTED BY ARBITRATOR Carol M. Hoffman, Esq. on OCTOBER 21, 2022

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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: Carol M. Hoffman, Esq.

The following is a description of my fees and expenses:

A) HEARING TIME.

- (1) My per diem is \$2,000.00 for each day or any part thereof spent hearing a case.
- (2) If a hearing day exceeds seven hours, I charge a prorated per diem.

B) STUDY TIME.

- (1) I charge \$2,000.00 for each day spent in preparation of the opinion and award.
- (2) This charge will be prorated for partial days devoted to such preparation.

C) TRAVEL TIME AND EXPENSES.

- (1) When travel time plus hearing time exceeds 10 hours in a calendar day, I may charge a prorated fee.
- (2) I charge for actual, travel-related expenses incurred in connection with the case.

Where appropriate, a mileage charge for auto travel will be billed at the prevailing IRS rate.
- (3) When the scheduled hearing day(s) requires an overnight stay, there is no additional charge other than for lodging and subsistence.

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of \$ 2,000.00 will be charged unless I receive notice of a postponement or cancellation:

Before 14 calendar days of the scheduled hearing date

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

- Docketing (describe): No
- Duplication No
- Fax No
- Finance or late payment charge (describe): No
- Postage No
- Secretarial No

Telephone

No

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.

G) OTHER INFORMATION/COMMENTS:

SUBMITTED BY ARBITRATOR Carol M. Hoffman, Esq. on OCTOBER 21, 2022

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.