

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

RESUME OF PANEL ARBITRATOR

FULL NAME: William E. McCarthy, Esq., JSC (Ret.)

CITY, STATE, ZIP: Selkirk, NY

OCCUPATION: Attorney

EDUCATION:

Albany Law School of Union University, J.D. (1988)

State University of New York College at Potsdam, B.A., *magna cum laude* (1985)

PROFESSIONAL AFFILIATIONS:

Member, Albany County Bar Association (2004 to present)

Member, Association of Justices of the Supreme Court of the State of New York ((2005 to 2018)

ARBITRATION EXPERIENCE & TYPES OF ISSUES OR GRIEVANCES DISPOSED OF:

Member, State of New York/NYSCOPBA Statewide Disciplinary Arbitration Panel (2019 to present) – rendered numerous binding decisions involving various types of grievances resolving a wide variety of issues

Hearing Officer for the New York State and Local Retirement System (NYSLRS) (2020 to present) – conduct hearings with respect to members and other interested parties in connection with their applications for various types of benefits, including disability retirement benefits and perform the duties of the Comptroller outlined in RSSL sections 74 and 374 under a written designation

AAA Consumer Panel Arbitrator (2020 to present) – serve as arbitrator in cases involving disagreements between consumers and businesses

Principal, McCarthy ADR Services, LLC (2019 to present) - Privately retained to render binding arbitration decisions to resolve civil lawsuits and legal disputes

Issues: Discipline and discharge, arbitrability, General Municipal Law, contract interpretation, drug and alcohol usage, N.Y. Education Law section 3020-a, NY Civil Service Section 75, past practice, statutory interpretation, work assignments, workers compensation, job performance and evaluations, leave usage, management rights, out of title work, jurisdictional disputes

MEDIATION & FACT-FINDING EXPERIENCE:

Negotiated collective bargaining agreements in public sector on behalf of BOCES and component school districts.

Court approved mediator, US District Court, Northern District of New York (2019 to present)

Court approved Mediator, NY State Supreme Court, Third and Fourth Judicial Districts (2020 to present)

Privately retained to mediate various civil lawsuits and legal disputes (2019 to present)

OTHER RELEVANT OR EQUIVALENT EXPERIENCE:

Principal, McCarthy ADR Services, LLC (mccarthyadr.com) (1/2019 to present)

Associate Justice, Appellate Division, Third Judicial Department (1/2009 to 12/2018)

Associate Justice, Appellate Division, Second Judicial Department (12/2006 to 1/2009)

Justice, New York State Supreme Court, Third Judicial District (6/2004 to 12/2006)

Senior Assistant Counsel to the Governor, (02/1998 to 6/2004)

Principal Law Clerk to NYS Supreme Court Justice (10/1990 to 2/1998)

Specialist, Legal and Labor Relations, Questar III BOCES (8/1988 to 10/1990)

Law Clerk, Office of the General Counsel, NYSUT (5/1986 to 6/1988)

PER DIEM FEE: \$ 1,600

ADJOURNMENT FEE: \$ 1,600 if matter is cancelled or postponed with fewer than 14 calendar days notice

SUBMITTED BY ARBITRATOR WILLIAM E. MCCARTHY, ESQ., JSC (Ret.) ON JULY 1, 2024

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BILLING DISCLOSURE STATEMENT

ARBITRATOR'S NAME: **WILLIAM E. MCCARTHY, ESQ., JSC (Ret.)**

The following is a description of my fees and expenses:

A) HEARING TIME.

(1) My per diem is \$1,600 for each day or any part thereof spent hearing a case.

(2) If a hearing day exceeds 7 hours, I charge:

a second full per diem

X a prorated per diem

no additional charge

other (describe) :

(3) Additional comments:

B) STUDY TIME.

(1) I charge \$ 1,600 for each day spent in preparation of the opinion and award.

(2) This charge will 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 9 hours in a calendar day:

Not applicable (no additional charge)

X I charge as follows (describe): pro rata per diem for travel time

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

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

X Prevailing IRS rate X Other (describe): REIMBURSEMENT OF ALL REASONABLE AND NECESSARY TRAVEL EXPENSES INCURRED

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

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

X I charge as follows (describe): **TRAVEL ON DAY OTHER THAN HEARING WILL BE CHARGED PRO RATA**

(4) Additional Comments:

D) POSTPONEMENT OR CANCELLATION FEES.

A fee of \$ 1,600 will be charged unless I receive notice of a postponement or cancellation:

Within calendar days of the scheduled hearing date

Other (describe): More than 14 days prior to the scheduled hearing date

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 WILLIAM E. MCCARTHY, ESQ. ON JULY 1, 2024

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.