

E-mail Address: davegaba@compasslegal.com

Present Occupation: Attorney, Arbitrator, Mediator

First Business Address:

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PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
LERA (past president NW chapter)
King County Superior Court Arbitrator

AAA Arbitrator & Mediator
Inter-local Mediation Consortium
Faculty Member, FMCS Institute

EDUCATION:

University of Nebraska, J.D. / M.B.A.

CERTIFICATIONS:

Law Washington 1989;
Law Nebraska 1985;
Law Idaho 2010.

ARBITRATION/LABOR RELATIONS EXPERIENCE:

1997 – Present: Arbitrator. Arbitrate labor and employment cases (see industries and issues below) for FMCS, State PERB's and AAA. Hearing Officer for numerous political subdivisions including Seattle Public Schools, City of Bellevue, and many others.

1992 to 1997, 2002 to 2003: Labor Relations Manager Metropolitan King County (eleventh largest county in the United States).

1990 to 1992: Washington State Nurses Association General Counsel (UFCW). General Counsel to one of the largest labor unions in Washington.

1989 to 1990: Washington Attorney General: Assistant Attorney General. Litigated cases and advising on labor and employment law issues.

1986 to 1989: Nebraska Appeal Tribunal: Chief Administrative Law Judge. As Chief Administrative Law Judge, I heard and decided employment related cases with millions of dollars in potential damages.

1985 to 1986: Attorney, NE Department of Labor.

INDUSTRIES:

Aerospace, Airlines, Agriculture, Aluminum, Automotive, Bakery, Beverage, Building Products, Brewery, Canning, Cement, Chemicals, Communications, Construction, Dairy, Education, Electrical Equipment/Appliances, Electronics, Entertainment/Arts, Federal Government (Corp of Engineers, HUD, DOD, VA, BOP, HHS, ect.), Federal Sector Interest, Feed & Fertilizer, Food, Foundry, Furniture, Fruit Packing, Garbage, Local Government (police, fire, transit, schools, jail, local, state), Grain Mill, Grocery, Health Care, Hotels/Motels/Casinos/Resorts, Hospital/Nursing Home, Iron, Machinery, Mining, Maritime, Meat Packing, Metal Fabrication, Mining, Nuclear Energy, Office Workers/Clerical, Organizations, Packaging, Petroleum/Petrochemicals, Plastics, Plumbing, Police and Fire, Printing and Publishing, Pulp and Paper, Retail, Recycling, Refrigeration/HVAC, Restaurants, Retail Stores, Transportation, Trucking.

ISSUES:

Have heard cases involving public sector School Districts, States, Water Districts, Cities, Counties, Transit Districts, Jails, Prisons, Police, Fire, Probation, Sewage Treatment, Parks, Juvenile Corrections, Health Districts, Hospitals, Public Power Districts, on issues of; Affirmative Action, Absenteeism, Arbitrability, Bargaining Unit Work, Off Duty Conduct, , Demotion, Discrimination: Age, Disability, Race, Sex, Religion, National Origin, Drug/Alcohol Offenses, FLSA, FMLA, Fringe Benefits: Bonus, Holidays, Insurance, Leave, Vacation, Interest Arbitration, Job Performance, Job Posting/Bidding, Jurisdictional Disputes, Layoffs/Bumping/Recall, Management Rights, Official Time, Pension and Welfare Plans, Pension Claim, Safety/Health Conditions, Seniority, Sexual Harassment, Strikes, Lockouts, Work Stoppages, Slowdowns, Subcontracting/Contracting Out, Tenure/Reappointment, Trustee Deadlocks, Union Security, Wages: Cost-of-Living Pay, Holiday Pay, Incentive Pay, Job Classification and Rates, Merit Pay, Overtime Pay, Severance Pay, Vacation Pay, Work Hours/Schedules/Assignments, Working Conditions/Work Orders.

PERMANENT PANELS:

State of Alaska/Alaska Patrol Offic. Assc.	City of Tukwila/USW
City of Federal Way/FWPOG	Kimberly Clark/AWPPW
State of Oregon/AFSCME 75	FAA/National Air Traffic Controllers Assc.
Port of Seattle/Teamsters 117	AFGE 1406/Air Force Material Command
State of Alaska/ASEA	

ARBITRATION ROSTERS:

American Arbitration Association (including employment), CA CMS, WA PERC, OR PERB, MT PERB, IA PERB, NE CIR, King County Superior Court, FMCS, FINRA

PUBLISHED CASES:

Published cases include: Electrolux Home Products, 132 LA 1559 (2014), Clearwater Paper Corp., 132 LA 465 (2013), Holly Frontier Refining Co., 130 LA 1669 (2012), Crown Cork and Seal USA, 130 LA 1015 (2012), Medford School District, 130 LA 856 (2012), Kansas City Board of Public Utilities, 130 LA 724 (2012); Kimberly-Clark Corp., 130 LA 305 (2011), City of Oakland, 128 LA 1217 (2011), Oregon Department of Corrections, 127 LA 641 (2010), County of Monterey, 127 LA 207 (2009), Grandview School District, 126 LA 1263 (2009), City of Montclair, 127 LA 32 (2009), U.S. Department of the Army, 125 LA 1287 (2008), Lincoln Electric System, 125 LA 1185 (2008), United Parcel Service, 124 LA 1032 (2008), The Canyons Inc. 123 LA 1271 (2007), St. Peter Hospital, 123 LA 473 (2007), Klamath County, 122 LA 1745 (2006), Lehigh Cement Co., 122 LA 643 (2006), Fluor Hanford, 122 LA 65 (2005), Denver School District, 120 LA 816 (2004), West Valley City School District, 120 LA 756 (2004), Basin Electric Power Cooperative, 120 LA 210 (2004), Graphic Packaging International, 120 LA 140 (2004), Kitsap County, 119 LA 1753 (2004), Seattle School District, 119 LA 481 (2004), Mission Foods, 118 LA 1608 (2004), Rabanco Recycling, 118 LA 1411 (2003), City of Mill Creek, 116 LA 101 (2001).

SIGNIFICANT PUBLICATIONS: *Equitable Defenses Under State Blue-Sky Law*, PIABA B. J., Vol. 16, No. 3 (2009); *Disregarding the Manifest Disregard of the Law Standard Under the Federal Arbitration Act*, 17 PIABA B. J. 179 (2010).

FEES:

PER DIEM FEE: \$1500. ½ per diem for travel of more than 3 hours. Hourly rate after 5:30 PM.

DOCKETING FEE: May apply (waived for clients who use email). **EXPENSES:** Charge for reasonable actual expenses.

CANCELLATION FEE: Require 30-business days notice of cancellation or continuance or charge for days set.