

RESUME OF MICHAEL ANTHONY MARR

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FMCS 3932

Email: MmarrADR@aol.com

Present Occupation: Attorney, Arbitrator, Mediator & Fact Finder (1979 to Present)

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LEGAL EXPERIENCE:

February 16, 1979 to Present - Law Offices of Michael Anthony Marr

Although I have placed special emphasis on providing arbitration, mediation, and other neutral services in the area of labor and employment law, I continue to accept select cases in the areas of family law, immigration law, welfare law, elder law, and constitutional law while also providing substantial pro bono assistance to indigent immigrants in these areas of law. I am also outside counsel to the Bank of Hawaii, the largest bank in Hawaii. I have written over 60 arbitration decisions and mediated several hundreds of cases. While maintaining my private law office, I have served as Special Counsel to the State of Hawaii Crime Commission, as Independent Grand Jury Counsel to the Circuit Court of the First Circuit, State of Hawaii, as a Bankruptcy Trustee to the United States Bankruptcy Court for the District of Hawaii, and as a law instructor to the University of Hawaii, West Oahu College and Chaminade University. In 2013 I was appointed by the State of Hawaii Supreme as a Trustee for the Hawaii State Client Protection Fund.

INDUSTRIES:

Federal, public and private sectors, architecture, airlines, aerospace, medical/hospital, advertising, automotive, bakery, banking, broadcasting, communications, construction, education, engineering, food (manu./proc./service), entertainment/arts, hotels/motels/casinos/resorts, machinery, oil, gas, and petrochemicals, police and fire, office workers/clerical, organizations, public utilities, printing and publishing, police, sheriffs, prison guards, railroads, real estate, shipbuilding/dry docks, transportation, trucking and storage, warehousing, restaurants, and public utilities (water, gas, electricity), and nuclear energy.

ISSUES:

Jurisdiction, arbitrability (procedural and substantive), employee discipline (termination and suspension), absenteeism, conduct (work and off duty), work performance, demotion, age, race, disability and sex discrimination, grievance procedures, drug/alcohol offenses, collective bargaining agreement interpretation, lay-offs/bumping/recall, past practices, subcontracting/contracting out, privatization of public services, hiring practices, work conditions and safety, work orders, job performance seniority/tenure/reappointment, harassment, violence/threats, insubordination, management and union rights, independent contractor status, pre-arbitration discovery matters, i.e., motions for summary disposition, unique legal issues such as res judicata, collateral estoppel, nonmutual offensive issue preclusion, and National Labor Relations Board Deferrals.

PROFESSIONAL AFFILIATIONS:

Washington State Bar Association (1979)

State of Washington Supreme Court

Supreme Court of the United States

United States District Court of Hawaii

Labor and Employment Relations Association

Hawaii State Bar Association (1980)

State of Hawaii Supreme Court

United States 9th Circuit Court of Appeals

United States District Court of Western Washington

Society of Federal Labor Relations Professionals

EDUCATION:

BA Political Science University of Washington, 1975 (Magna Cum Laude and Phi Beta Kappa)
JD Law University of San Francisco, 1978 (Two Scholarships)

ARBITRATION/MEDIATION ROSTERS:

United States District Court of Hawaii Mediation Panel	Federal Mediation and Conciliation Service
Dispute Prevention & Resolution, Inc. (DPR-Hawaii)	Hawaii Labor Relations Board
National Association of Securities Dealers	National Arbitration Forum
California State Mediation & Conciliation Service	Oregon State Employment Relations Board
Los Angeles City Employee Relations Board	Maine Labor Relations Commission
Michigan Employment Relations Commission	Montana Board of Personnel Appeals
Nevada Employee Relations Board	Nebraska Employee Relations Board
Virgin Islands Public Employee Relations Board	Washington State Labor Relations Commission

PUBLICATIONS:

Former Editor and primary writer for the Hawaii Labor and Employment Law Alert (“HLELA”). The HLELA was a pro bono community service project that was published 4 times per year, once for each season that alerted attorneys and neutral service providers of recent opinions issued by the United States Supreme Court, the United States 9th Circuit Court of Appeals, the State of Hawaii Supreme Court, the Hawaii Intermediate Court of Appeals, the Hawaii Labor Relations Board, the National Labor Relations Board, and the Federal Labor Relations Authority.

PERMANENT PANELS AND/OR CONSISTENT SELECTION:

State of Hawaii/United Public Workers;
State of Hawaii/Hawaii Government Employees Association;
All County Governments of Hawaii/United Public Workers;
All County Governments of Hawaii/ Hawaii/Hawaii Government Employees Association;
Kuakini Hospital/Hawaii Nurses Association;
Oahu Transit Services/Hawaii Teamsters & Allied Workers, Local 996, AFL-CIO;
Aloha United Way/United Public Workers;
State of Alaska/Masters, Mates, and Pilots Union;
State of Washington/Various Public Sector Unions

FEDERAL SECTOR:

Central Contractor Registration Approved with DUNS and CAGE numbers available upon request.

COMMUNITY SERVICE/PUBLIC SERVICE WORK:

Trustee, State of Hawaii Supreme Court, Lawyer’s Fund for Client Protection;
Volunteer appellate court judge for the University of Hawaii law school’s moot court program;
Volunteer trial judge for the annual Hawaii High School Mock Trial Tournament;
Member, National Client Protection Organization;
Pro bono mediator for the Mediation Center of the Pacific;
Pro bono attorney for Volunteer Legal Service of Hawaii; and
Pro Bono legal work for individual indigent clients in the areas of family law, welfare law, immigration law, elder law, and constitutional law.

ALTERNATIVE DISPUTE RESOLUTION STATEMENT: I have been selected to act as an arbitrator and mediator in the federal, state, and private sectors in Hawaii and on the mainland United States. I pride myself on providing arbitration and mediation services based upon independence, integrity, fairness, impartiality, compassion, and common sense intelligence. In regard to arbitration decisions I do my very best to make my arbitration orders and decisions as well-reasoned as possible so that irrespective of how I

may rule, the parties will hopefully feel that they have been treated impartially and fairly by an attentive, courteous, patient, and compassionate ADR provider and they have had their “day in court.”

PER DIEM FEE: \$1,200
below)

DOCKETING FEE: \$0

CANCELLATION FEE: (See

Grievance Arbitration: The per diem fee is \$1,200 per day for hearing, research and preparation of the opinion and award. A hearing day constitutes any portion up to eight hours. Time for review, research and preparation is prorated.

Cancellation Policy: If the scheduled hearing is canceled or postponed with at least 30 calendar days notice there shall be no cancellation fee. If the scheduled hearing is postponed or canceled with notice of less than 21 days, one-half of the per diem fee for each day of hearing shall be charged. Despite the fact that a cancellation fee may be owed as set forth above, using equity as a guide, the Arbitrator retains the sole discretion to waive a cancellation fee and on several occasions has done so.

Interest Arbitration, Fact-finding and Labor Mediation: Arbitrator charges \$2,000 per day (for up to 8 hours). Time for research and preparation is prorated at \$250.00/hour.

Travel Time: Arbitrator charges the per diem fee for any portion of a travel day up to eight hours. Fee is prorated for travel time.

Expenses: Arbitrator charges actual cost of reasonable expenses, including airfare, car rental, taxi, food, and lodging.