

JEFF J. MINCKLER

E-MAIL: jeff@minckler.net *please use e-mail for all communications*

PRESENT OCCUPATION: Arbitrator

INDUSTRY/AGENCY EXPERIENCE

Aerospace, airline, airport, ambulance, asphalt, cemetery, chemical, clerical, communications, construction, custodial, education (K-12 and university, certified and classified), electrical (lineman and commercial), entertainment, fire (firefighting, EMT, paramedic), food preparation and handling, law enforcement (federal, state police/highway patrol, sheriff, police, dispatch), legal, maritime, medical (nursing, health care, laboratory), metal, prison and jail, public works, railroad, road and bridge, security, solid waste (hauling, transfer stations and landfill), technology, theatrical, transportation (public, school), trucking (OTR, LTL, maintenance), U.S. Military civilian employment, utilities, water and wastewater, wood products (logging, lumber, plywood, particle board, chip and resin hauling)

ISSUE EXPERIENCE

Alcohol and drugs (on and off duty, test falsification), application falsification, arbitrability, assignments and reassignments, bidding, classification and pay, crew size, discipline and discharge/termination, dishonesty, due process, evaluations, factfinding (advisory and binding), harassment and violence, insubordination, insurance, layoff, leave benefits and abuse, NLRB deferrals including those requiring a decision on statutory issues, off duty conduct, overtime and premium pay, past practice, performance deficiency, public speech, reduction in force, safety, seniority, sleeping on duty, training, wage and benefit comparisons

ROSTERS & PANELS

Alaska Labor Relations Agency
American Arbitration Association
California Employment Relations Board
Federal Mediation and Conciliation Service
International Organization of Masters, Mates and Pilots
Los Angeles City Employee Relations Board
Los Angeles County Employee Relations Commission
Montana Board of Personnel Appeals
National Mediation Board (arbitration of Board deadlocks)
Nebraska Commission of Industrial Relations
Nevada Employee-Management Relations Board
Oregon Employment Relations Board
Phoenix City Employment Relations Board
Washington Employment Relations Commission

RELATED EMPLOYMENT

Labor: Representative and chief negotiator, AFL-CIO private sector locals (1973-1974)
Management: Specialist, Montana State Labor Relations Bureau (1974-1977; Bureau Chief (1977-1979)
Labor: Regional Manager and Chief Negotiator, Montana Public Employees Association (1979-1982)
Management: Director of Labor Relations, Montana School Boards Association (1982-1986)
Labor & Management: Private practice representation in the private and public sectors (1986-2011)
Neutral: Arbitrator and Factfinder (2011-present)

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RELATED EDUCATION

University of Montana
Cornell University Graduate School of Industrial and Labor Relations
American Arbitration Association University
Arizona Supreme Court & Attorney General ADR course
Federal Mediation and Conciliation Service Institute
Labor Arbitration Institute
National Judicial College

PROFESSIONAL AFFILIATIONS

Association of Administrative Law Judiciary
Association for Conflict Resolution
State Bar of California, Labor and Employment Law section
Labor and Employment Relations Association
National Association of Hearing Officials
Oregon State Bar, Administrative Law section
Washington State Bar Association, ADR section

ARTICLES & PRESENTATIONS

Keynote addresses for public and private sector employers and unions
Section and panel presenter at state and national conventions

Partial list of topics:

- Affirmative Defenses in Arbitration
- Standards of Contract Interpretation
- The Use of After-acquired Evidence in Arbitration
- Dissecting Just Cause
- Past Practice Application and Exceptions
- Public Speech Protections and Exceptions
- Living Under At-Will and Wrongful Discharge Statutes
- The Requirements of Due Process
- Garrity, Beckwith, Kalkines* and *Weingarten* Warnings and Protection
- The Off Duty Nexus
- The Law of the Collective Bargaining Hiatus
- Tenured and Nontenured Teacher Dismissal and Nonrenewal
- Fair Labor Standards Act in the Private and Public Sectors
- A Dozen Variations of Seniority
- Attempting Crystal Clear Contracts

Advanced discipline and discharge course for unions and employers
Instructor of graduate school labor relations and arbitration advocacy course

FEES & EXPENSES

Daily rate: \$1,500 for grievance arbitration. Add 20% for interest arbitration.

Hearing: Daily rate, prorated in quarter-hour increments after each all-inclusive 8-hour day.

Time spent including study and writing: Daily rate prorated.

Postponement or cancellation: No short notice fee for a hearing vacated more than 15 calendar days in advance; \$150 for each day less.

ADDITIONAL INFORMATION: www.minckler.net