Labor Arbitrator Best Practices:  
What You Can Do to Raise Your Game  

March 26, 2015 – 2:00 p.m. to 3:30 p.m. ET

PROGRAM SUMMARY

Moderator: Randi E. Lowitt  Speakers: Kevin Camden, and Jennifer A. Dunn

Two experienced Advocates will address the topic of what an Arbitrator should do, during the course of a case, from start to finish, as moderated by an experienced Arbitrator. They will be engaging in discussion of prehearing issues, evidentiary rulings, conduct during the hearings, evidence and witnesses, forming of issues, bifurcation, concluding the hearing, closings and, finally, rendering the award. Each of these issues may affect Employer or Union counsel differently, and the Advocates will distinguish between each other’s perspectives, as well as offering a “real world” analysis of how the Arbitrator can best serve the parties as well as the process.

AGENDA

2:00 p.m. Welcome and Introduction of Speakers (5 minutes)

2:05 p.m. Issues in Arbitration: From the Advocates (75 minutes)
   - Choosing the Arbitrator
   - Scheduling
   - Prehearing conferences and motions
   - Subpoenas
   - Evidence and document production
   - Evidentiary rulings
   - Mediation
   - Arbitrator Involvement
   - Briefs vs written closings vs oral closings
   - The Award

3:20 p.m. Conclusion and Questions (10 minutes)

3:30 p.m. Evaluation (5 minutes)

3:35 p.m. Adjourn
Kevin P. Camden is General Counsel of Teamsters Local 700 in Chicago, representing over 11,000 public sector employees. As the lead attorney for Local 700, Kevin manages three attorneys, as well as the legal affairs of the local.

Kevin’s responsibilities include day-to-day representation of the Cook County Corrections bargaining unit, composed of 3,300 correctional officers. In that capacity, he bargains the contract, handles grievances and arbitrations, unfair labor practice charges and other matters arising at the largest single-site jail in the country.

Kevin also represents police officers, court deputies and firefighters, as well as public works employees and government clerks in and around the Chicago area. Additionally, in his practice with the Teamsters, Kevin works with the Illinois State Police master sergeant bargaining unit.

Prior to becoming an in-house attorney with the Teamsters, Kevin was a successful solo (Camden Law Office, LLC) representing employers in labor and employment matters. His solo practice also included representing landlords, property developers and homeowners associations.

Kevin has litigated cases on behalf of management during his career as well, including boards of education, governmental units and municipalities. He has litigated in excess of 200 grievances, scores of unfair labor practice cases before the Illinois Labor Relations Board, as well as routinely appearing in court.

Graduating from the John Marshall Law School in Chicago, Kevin has worked for several law firms, practicing in the area of governmental affairs, labor relations and collective bargaining. An honors graduate of Northern Illinois University, Kevin has a BA in Economics.

Kevin also teaches for Northwestern University Center for Public Safety on labor relations, discipline and discharge and federal statutory regulation as it affects law enforcement, as well as economics classes for Benedictine University’s online executive MBA program.
Jennifer A. Dunn
Partner

Jennifer represents private and public sector management clients in all areas of labor and employment law. She has extensive experience advising clients in traditional labor matters, including representation and unfair labor practice proceedings, grievance arbitrations, collective bargaining negotiations, and mediation. She regularly appears before state and federal courts and administrative agencies, including the National Labor Relations Board, Illinois Labor Relations Board, Illinois Educational Labor Relations Board, Equal Employment Opportunity Commission, and Illinois Department of Human Rights.

She was recently named to the annual “40 Under 40” published by Law Bulletin Publishing which selects and recognizes 40 attorneys under the age of 40 based on nominations by their clients, peers and the legal community.

Prior to joining the firm, Jennifer was an administrative law judge with the Illinois Labor Relations Board. In that capacity, she investigated and presided over unfair labor practice and representation proceedings, issued recommended decisions and orders and advised the Board on pending court litigation. She also worked as an assistant general counsel for the International Union of Operating Engineers, Local 150, where she represented the union in grievance arbitration hearings and in matters pending before the National Labor Relations Board, as well as state and federal courts.

Jennifer is a member of the American (Labor & Employment Section), Illinois State (Labor & Employment Section) and the Chicago Bar Associations.

Publications

Village of Posen’s Rough Day in Court: The Perils of Challenging an Arbitration Award

Illinois Appellate Court: School District’s Subcontracting of Transportation Services is “Part of Bargaining Process” and an “Important Weapon in Negotiations”

Supreme Court Issues Decision In Harris V. Quinn: Abood Survives, But For How Long?
Events

Arbitrator Best Practices: From the Advocates' Perspective

IPLRA Developments

The Anti-Social Network: Facebook, Smart Phones and Other Social Media in the Workplace

The Intersection of Labor & Employment: Practicing Before the Illinois Educational Labor Relations Board

Multi-Employer Bargaining: Has Its Time Come?

View All »
Meeting of the Minds

Imagine management and labor, one group and the other as giants, naturally adversarial, often butting their heads against each other, each wanting to be the more powerful. Enter the Arbitrator or the Mediator, a person whose purpose is to help those giants establish territory amicably and fairly.

As an old proverb says:

“A dwarf standing on the shoulders of a giant may see farther than the giant itself.”

Randi Lowitt has been a full time labor and employment arbitrator since 1992. She has been a member of the National Academy of Arbitrators since 2005 and has been the Chair of the New York Region. Additionally, Ms. Lowitt has been active as a labor mediator and a fact finder, in areas involving sexual harassment, discrimination, and myriad other workplace issues.

Ms. Lowitt is on the Labor Panel of the American Arbitration Association, the Federal Mediation and Conciliation Service, the New York State Public Employment Relations Board, the New Jersey Public Employment Relations Commission, the National Mediation Board, the New Jersey Board of Mediation and the New York City Office of Collective Bargaining. She also serves as the permanent arbitrator on a number of permanent labor management panels in a variety of industries, including: education, engineering, food industries, security, telecommunications, health care, manufacturing, transportation, and service industries. Ms. Lowitt is named and serves on permanent panels in both the public and private sectors.

Ms. Lowitt received an AB from Hamilton College and a JD from Fordham Law School. She is admitted to the New York State Bar and the District of Columbia Bar. She is a member of the Labor and Employment Section of the New York Bar Association and a member of the Labor and Employment Relations Association (formerly IRRA).

Ms. Lowitt’s practice is limited to service as a Neutral. Ms. Lowitt works exclusively as a Neutral. She does not represent parties and does not provide legal advice.
PROFESSIONAL AFFILIATIONS:
- National Academy of Arbitrators
- American Arbitration Association
- New York State Bar Association
- Association for Conflict Resolution
- LERA (formerly IRRA)

EDUCATION:
- Fordham Law School, J.D., 1987
- Hamilton College, B.A. Philosophy, 1984

BAR ADMISSIONS:
- Law State of New York 1988
- Law District of Columbia 1990

ARBITRATION/MEDIATION & LABOR RELATIONS EXPERIENCE:
1996-Present: Part-time Instructor, Labor Relations Studies Certificate Program, Cornell University, New York State School of Industrial Labor Relations

INDUSTRIES:
- Building Services; Chemicals; Communications; Construction; Education; Emergency Services; Energy; Federal Sector; Food (Manufacturing / Processing / Service); Governmental; Health Care; Hospitals / Nursing Home; Machinery; Manufacturing, Office Workers / Clerical; Organizations; Paper; Police & Fire; Real Estate; Refrigeration / HVAC; Sanitation; Transportation; Trucking; Storage; Utilities; Warehousing

ISSUES:
- Alcohol Abuse; Absenteeism; Arbitrability; Bargaining Unit Work; Benefits; Bumping; Conduct (Off-Duty/Personal); Demotion; Disability; Discipline (Non-Discharge); Discipline (Discharge); Discrimination – Age, Disability, Race, Sex, Religion, National Origin, Drug/Alcohol Offenses; Fringe Benefits – Bonus, Holidays, Insurance, Leave, Vacation; Health/Hospitalization; Hiring Practices Performance; Job Posting/Bidding; Layoffs/Bumping/Recall; Management Rights; Past Practices; Promotion; Retirement; R & Health Conditions; Seniority; Sexual Harassment; Subcontracting/Contracting Out; Union Security; Vacation; Wages – (Holiday Pay Classification & Rates, Overtime Pay, Vacation Pay); Work Hours / Schedules / Assignments; Working Conditions / Work Or Violence or Threats

PERMANENT ARBITRATOR:
- UFT, Local 2, AFT, AFL-CIO/New York City Department of Education
- Local 94 IUOE and various Employers
- New York City Exterminating Industry / SEIU Local 32BJ
- US Security and FCGOA
- Axelrod Management / Local 1 Special Patrolmens Benevolent Assn.
- Trump Village Section 4 / Local 804, IBT
- Local 670, RWDSU and various Employers
- Local 355, USWU, IUJAT and various Employers
- Parkchester North Condominium and Local 808, Teamsters
- Parkchester South Condominium and Local 808, Teamsters
- Parkchester Preservation Corporation and Local 808, Teamsters
- Eastco / SEIU Local 32BJ
- Nebraskaland / Local 202, IBT
- Phoenix Labs / Local 202, IBT

PANEL ARBITRATOR:
- Federal Mediation Conciliation Services
- American Arbitration Association
- New Jersey Public Employment Relations Commission
- National Mediation Board
- New York State Public Employment Relations Board
- New York City Office of Collective Bargaining
- New Jersey State Board of Mediation
- FINRA

PUBLISHED CASES:
- 117 LA 1382

FEES: Effective January 2012

PER DIEM FEE: $1,700
DOCKETING FEE: None
CANCELLATION FEE: (See below)

Per Diem Fee: $1,700 for each day of hearing and each day of study
Cancellation Fee: of $1,700 if less than three weeks’ notice.

Travel Expenses: Actual out-of-pocket expenses and car mileage. Per diem fee for any portion of travel day up to eight (8) hours NYCT.

http://www.lowittlaborarb.com/curriculum-vitae
Click here to go to the Commercial Arbitration Rules

Effective 10/1/13

Click here to go to the Construction Arbitration Rules

Click here to go to the Employment Arbitration Rules

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