



PERB
California Public Employment
Relations Board

Los Angeles Regional Office
425 W. Broadway, Suite 400
Glendale, CA, 91204-1269
Telephone: (818) 696-6348
Fax: (818) 551-2820



October 4, 2021

Cheryl Parkman, Assistant to the City Manager
City of San Jose
200 E. Santa Clara Street
San Jose, CA 95113

Christopher E. Platten, Attorney
Wylie, McBride, Platten & Renner
2025 Gateway Place, Suite 430
San Jose, CA 95110

Re: *City of San Jose and International Brotherhood of Electrical Workers Local 332*
Case No. SF-IM-241-M

Dear Interested Parties:

On October 1, 2021, the International Brotherhood of Electrical Workers Local 332 (IBEW) filed a request for factfinding with the Public Employment Relations Board (PERB or Board) pursuant to section 3505.4 of the Meyers-Milias-Brown Act (MMBA) and PERB Regulation 32802.¹ IBEW asserts that the City of San Jose (City) and IBEW have been unable to effect a settlement in their current negotiations.

On October 4, 2021, the City's representative, Cheryl Parkman, Assistant to the City Manager, confirmed that the City does not dispute that the instant factfinding request meets the requirements of PERB Regulation 32802.

Each party must select its factfinding panel member and notify this office in writing of his/her name, title, address and telephone number no later than October 11, 2021.² Service and proof of service are required.

¹ The MMBA is codified at Government Code section 3500 et seq. PERB Regulations are codified at California Code of Regulations, title 8, section 31001 et seq. The text of the MMBA and PERB Regulations may be found at www.perb.ca.gov.

² This deadline, and any other referenced, may be extended by mutual agreement of the parties.

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The résumés of seven factfinders, drawn from the PERB Panel of Neutrals, are being provided to the parties via electronic mail.³ The parties may mutually agree upon one of the seven, or may select any person they choose, whether included on the PERB Panel of Neutrals or not. In no case, however, will the Board be responsible for the costs of the chairperson.

If the parties select a chair, the parties should confirm the availability of the neutral, prior to informing PERB of the selection.

Unless the parties notify PERB, on or before October 11, 2021, that they have mutually agreed upon a person to chair their factfinding panel, PERB will appoint one of these seven individuals to serve as chairperson.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Weiss", with a long horizontal stroke extending to the right.

Mary Weiss
Supervising Regional Attorney

MW

³ The seven neutrals whose résumés are being provided are Claude Dawson Ames, Andrea Dooley, William Benjamin Gould, Martin Gran, Nancy Hutt, Renee Mayne, and Yuval Miller.

Email Address:

Present Occupation: Arbitrator, Mediator, Attorney

First Business Address:

3776 Shafter Avenue
P. O. Box 11199
Oakland, CA 94610
Phone: (510) 652-1300
Fax: (510) 652-1227
Email: claudeames@aol.com

PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
California Dispute Resolution Panel

National Bar Association
American Bar Association

EDUCATION:

JD University of California, Hastings College of Law, 1977
BS University of California, Berkeley, California, 1974

CERTIFICATIONS:

Law – Florida 1980; U.S. District Court-Northern District of California 1980; U.S. Bankruptcy Appellant Panel-Ninth Circuit; U.S. Court of Appeals-Ninth Circuit; U.S. Tax Court; U.S. Supreme Court; American Arbitration Association – Arbitration/ Mediation.

SPECIALIZED TRAINING:

Complex Public Education Issues: FMCS-NAA September 16, 2011

ARBITRATION-Mediation/LABOR RELATIONS EXPERIENCE:

Over 27 years of Dispute Resolution experience in the areas of arbitration, mediation and fact-finding involving Labor, Employment, Commercial and Interest disputes in both the Private and Public Sectors. Extensive background as an Arbitrator-Trainer, Lecturer and Discussion Panelist. Adjunct Professor of Labor Arbitration at Labor Education and Research Center; George Meany Labor Center Program-University of Oregon (1980-1988). Bankruptcy Dispute Resolution Panel, United States Bankruptcy Court-Northern District of California. Issues include Discipline/Discharge, Contract Disputes, Wages, Seniority, ADA, FMLA and Sexual Harassment-Discrimination.

INDUSTRIES:

Aerospace; Airlines, Agriculture; Aluminum, Bakery; Beverage, Canning, Chemical, Communication, Construction, Distillery/winery; Federal Sector-Grievance; Federal Sector-Interest; Education; Food, and Food Processing, Health Care, Hospital/Nursing Home, Hotels/ Resorts, Lumber, Office Workers/Clerical Packaging, Paper, Petrochemical, Public Safety (Police/Fire);Prison Guard, Manufacturing; Restaurant, Retail Store, Steel, Transportation, Trucking and Warehouse.

ISSUES:

Affirmative Action; Absenteeism; Arbitrability, Bargaining Unit Work, Contract Dispute, Demotion, Discipline, Discharge, Discrimination: Age, Disability, Race, Sex, Religion, National Origin; Drug/Alcohol Offenses, FLSA, FMLA, Fringe Benefits, Bonus/Holiday Pay, Insurance Premiums, Interest Arbitration

(Private/Public Sector), Job Classification, Job Performance, Job Bidding/Posting, Impasse Disputes, Jurisdictional Disputes among Bargaining Units, Layoffs/Bumping Rights, Management Rights, Pension-Welfare Plans (ERISA), Seniority; Sub-Contracting Out Work, Vacation/Holiday Pay; Job Bidding and Postings; Sexual Harassment; Union Security, Violence in Workplace.

PERMANENT PANELS:

U.S. Postal Service/APWU; U.S. Postal Service/NALC
City of Los Angeles Public Employment Panel
City of Los Angeles Civil Service Commission
Teamster-Employers Trust Fund of Northern California
Fluor Constructors International/IBEW

Federal Aviation Administration/National Air
Traffic Controllers Association (Western)
Clark County Nevada School District/ Clark
County Education Association

ARBITRATION ROSTERS:

American Arbitration Association (Labor, Employment and Commercial); California State Mediation and Conciliation Service; California Public Employment Relations Panel; City of Los Angeles Public Employment Panel; City of Los Angeles Civil Service Commission, and City and County of San Francisco Civil Service Board.

PUBLISHED CASES:

Cases furnished upon request.

FEES:

PER DIEM FEE: \$2,200.00 **DOCKETING FEE:** 0 **CANCELLATION FEE:** (See below)

Cancellation Policy: Full per diem rate if canceled within thirty (30) calendar days of scheduled hearing.

Expenses: Travel expenses for air (coach), ground transportation, hotel and meals, if travel is required.

Andrea L. Dooley, Arbitrator
953 W. MacArthur Blvd, Unit 8
Oakland, CA 94608
andreadooley@gmail.com (510) 719-3089
www.andreadooleyarbitration.com

I conduct arbitrations, fact-finding hearings, civil service hearings and mediations in California. I have experience with labor-management partnerships and interest-based bargaining. Private sector industries: transportation, freight, healthcare, entertainment, professional and technical, building trades, and service industries. Public sector: healthcare, education, higher education, cities and counties, law enforcement, postal and service.

PROFESSIONAL EXPERIENCE

2014-present: Arbitrator
2011-2014: Safety Leader, Kaiser Permanente, Oakland, California
2009-2011: National Coordinator, Coalition of Kaiser Permanente Unions, Oakland, California
2005-2008: Partner, Weinberg, Roger & Rosenfeld, Alameda, California
2000-2005: Associate, Van Bourg, Weinberg, Roger & Rosenfeld, Oakland, California

EDUCATIONAL BACKGROUND

JD, Chicago-Kent College of Law, Illinois Institute of Technology, 2000
MA, University of Chicago, Divinity School, 1996
BA, University of Chicago, 1996

ADMISSION TO PRACTICE LAW

State of California, 2000; United States District Courts, California, 2000; United States Court of Appeals, Ninth Circuit, 2000 (SBN: 208742)

PUBLIC SERVICE

2017-2018: Alternate commissioner, Oakland Police Commission, Oakland, California

PANELS

American Arbitration Association, AAA Tribal Labor Panel, California State Mediation and Conciliation Service, California Public Employment Relations Board, Panel of Neutrals, California State University and California Faculty Association, County of Los Angeles Civil Service Commission, County of Los Angeles Employment Relations Commission, Equal Employment Opportunity Commission Federal Mediation Program, Federal Mediation and Conciliation Service, Los Angeles Employee Relations Board, National Mediation Board, United States Postal Service and American Postal Workers Union, AFL-CIO Arbitration Panel, Washington Public Employment Relations Commission

MEMBERSHIPS

California State Bar Labor and Employment Section, Bar Association of San Francisco, ADR and Labor & Employment Sections, Orange County Labor and Employment Relations and Research Association

PUBLICATIONS AND OTHER ACTIVITIES

"Technology and Ethics: A Guide for Neutrals," ABA *Just Resolutions* Newsletter, March 2015.
DHL Express and Teamsters, 135 LA 1858 (2016)
YRC Freight and Teamsters, 136 LA 50 (2016)
Faculty, Labor Arbitration Institute
Faculty, Labor Relations Information Systems
Program Chair, "Meet the Arbitrator" Conference, National Academy of Arbitrators, Northern California Region

William B. Gould, IV
559 Nathan Abbott Way
Stanford, CA 94305
(650) 723-2111
wbgould@stanford.edu

William Benjamin Gould IV
Biographical Data
(Born in Boston, Massachusetts, July 16, 1936)

Per diem: \$2000.00

William B. Gould IV is the Charles A. Beardsley Professor of Law, Emeritus at Stanford Law School. He has been Professor of Law at Stanford since July 1972. A 1961 graduate of Cornell Law School, he studied comparative labor law at the London School of Economics (1962-1963) with Professor Otto Kahn Freund.

Mr. Gould was Chairman of the National Labor Relations Board from 1994-1998. About Chairman Gould, the Rutgers University President, in awarding him his fifth honorary doctorate, said: "perhaps more than any other living American . . . [you have] contributed to the analysis, the practice, and the transformation of labor law and labor relations."

Prior to Stanford, he was Assistant General Counsel of the United Auto Workers in Detroit (1961-1962); Attorney for the National Labor Relations Board in Washington, D.C. (1963-1965); represented management in labor law matters with Battle, Fowler, Stokes & Kheel in New York, New York (1965-1968); Professor of Law at Wayne State Law School in Detroit (1968-1971); and Visiting Professor of Law at Harvard Law School, Cambridge, Massachusetts (1971-1972). Since Stanford, he was Visiting Professor of Law at Howard Law School in Washington, D.C. (1989). Since Stanford, he was Visiting Professor of Law at Howard Law School in Washington, D.C. (1989), Visiting Fellow and Lecturer: Churchill College, Cambridge (1975); University of Tokyo Law Faculty (1975, 1978); East-West Center, Honolulu (1982-1983); Australian National University, Canberra, Australia (1985); European University Institute, Florence, Italy (1988); University of Witwatersrand, South Africa (1991). Professor Gould was Visiting Professor of Law at the University of Hawaii Law School in 2005. He has served as Professor of Law at the 2005 University of San Diego Summer Law Study Abroad Program: Institute of International and Comparative Law in London.

Author of more than 60 law journal articles and numerous newspaper contributions to the New York Times (author of 9 op-ed articles for that paper), Los Angeles Times, London Economist, Boston Globe, San Francisco Chronicle, San Jose Mercury-News and other papers and journals. Gould is also the author of 10 books: Black Workers in White Unions: Job Discrimination in the United States (Cornell University Press 1977); A Primer on American Labor Law, (MIT Press 1982, 2nd edit. 1986, 3rd edit. 1993, 4th edit, 2004); Japan's Reshaping of American Labor Law (MIT Press 1984); Strikes, Disputes Procedures, and Arbitration Essays on Labor Law (Greenwood Press 1985); Labor Relations in Professional Sports (Auburn House 1986); Agenda for Reform: The Future of Employment Relationships and the Law (MIT Press 1993); Labored Relations: Law, Politics and the NLRB – A Memoir (MIT Press 2000); Diary of a Contraband: The Civil War Passage of a Black Sailor, (Stanford University Press, 2002); International Labor Standards: Globalization, Trade and Public Policy (Stanford University Press, 2003); Bargaining with Baseball: Labor Relations in an Age of Prosperous Turmoil (McFarland 2011). Recipient of the Certificate of Merit from American Bar Association

William B. Gould, IV
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Award Committee, 1983 for A Primer on American Labor Law, a book which has been translated into Spanish, German, Japanese, and Chinese and Korean.

Honorary degrees include: LL.D.: 1998, Rutgers University; L.L.D.: 1997, Capital University; LL.D.: 1996, Stetson University; LL.D.: 1996, The District of Columbia School of Law; and LL.D.: 1986, University of Rhode Island.

A member of the National Academy of Arbitrators since 1970, Gould arbitrated the 1989 wage and economic dispute between the Detroit Board of Education and the Detroit Federation of Teachers and in 1992 and 1993 arbitrated salary disputes between Major League Baseball Players Association and the Major League Baseball Player Relations Committee. Gould's public service and appointments include Consultant to the U.S. Equal Employment Opportunity Commission (1966-67); Member of First Fact-Finding Board established under New York Taylor Law in 1967; Co-Chairman of the California State Bar Ad Hoc Committee on Wrongful Dismissal (1983-84); Secretary, Labor and Employment, Law Section, ABA, (1980-81); Chair of Mayor of San Francisco's Task Force on Collective Bargaining (1990-91); Member of On the Future of Worker/Management Relations Commission, U.S. Department of Labor and U.S. Department of Commerce (1993-94); Impartial Investigator and Consultant for Writers Guild of America, West, in Election Protest Dispute (2003-04); Expert Witness for National Hockey League in proceedings before the British Columbia Labor Relations Board involving the extraterritoriality of American labor law (2005); Expert Witness for County of Santa Clara (2006-07). He served as Independent Monitor for First Group America for Freedom of Association complaints, (2008-2010). Gould serves (2011-__) as Consultant and Special Advisor to the U.S. Department of Housing and Urban Development (HUD) on project labor agreements. In the 1970s he was lead counsel for black and Latino plaintiffs in employment discrimination cases, including Stamps v Detroit Edison in which his clients received the largest per capita employment discrimination judgment at that time.

MARTIN GRAN

ARBITRATOR | MEDIATOR

5627 Telegraph Ave. #399 martin@martingran.com
Oakland, CA 94609 510. 858. 9333

PANELS

- California State Mediation and Conciliation Service (CSMCS)
- California Public Employment Relations Board (PERB) Panel of Neutrals (Arbitrations & Fact-finding)
- SEIU 1021, City & County of San Francisco Citywide CBA Panel
- SF Municipal Executives Association, Citywide CBA Panel
- Federal Mediation and Conciliation Service (FMCS)
- San Francisco Controller's Office, Hearing Officer Panel (Office of Labor Standards Enforcement appeals)
- Los Angeles County Civil Service Commission, Hearing Officer Panel
- Los Angeles County Employee Relations Commission (ERCOM), Hearing Officer Panel

EXPERIENCE

2017 - 2019

Chief Labor Relations Officer
Bay Area Rapid Transit

- Negotiated BART's Police Officers Association CBA
- Represented BART in numerous negotiations over working conditions, premiums pays and pension and health benefits
- Co-chaired Joint Administrative Committees for two BART Project Labor Agreements

2008 - 2016

Director of Employee Relations
City and County of San Francisco, Department of Human Resources

- Negotiated numerous Police, Fire, Misc. Safety and Craft MOUs
- Directed bargaining program whereby teams of City representatives negotiated over 30 MOUs simultaneously
- Co-negotiated major pension and retiree health Charter reform measures
- Advised City departments on labor contracts and labor laws
- Oversaw numerous grievance and binding interest arbitrations

MARTIN GRAN

ARBITRATOR | MEDIATOR

1997 - 2007

Deputy City Attorney

San Francisco City Attorney's Office, Labor Team

- Conducted scores of grievance and binding interest arbitrations
- Negotiated Project Labor Agreement for S.F. Unified School Dist.
- Helped negotiate Project Labor Agreement for City's \$6B Water System Improvement Program
- Acted as Chief Negotiator in scores of MOU and meet and confer negotiations

1991 - 1997

Associate Lawyer, Labor Team

Carroll, Burdick and McDonough LLP, San Francisco, CA

- Represented Unions and employees in numerous grievance arbitrations
- Litigated "home rule" and other municipal powers disputes in both trial and appellate courts
- Litigated "duty to bargain" cases in Superior Court

1990 - 1991

Judicial Clerk

United States District Court, Southern District, Los Angeles, CA

EDUCATION

University of California, Davis, King Hall School of Law: J.D.

Order of the Coif
Editor, Law Review

University of California, San Diego: B.A. History

AFFILIATIONS

Active Member of the California Bar

Member, Labor and Employment Law Section, California Bar

MARTIN GRAN

ARBITRATOR | MEDIATOR

5627 Telegraph Ave. #399 martin@martingran.com
Oakland, CA 94609 510. 858. 9333

FEES AND POLICIES

05/25/2021

Below is a description of my service fees, expenses, and payment and cancellation policies.

PER DIEM RATE

Effective July 1, 2021, the per diem rate is \$2,000 per day for each day of hearing. (For matters in which the parties notified me of my selection prior to 7/1/2021, the previous per diem rate shall apply.)

A hearing day is any portion of a day up to eight hours. The per diem rate is applied on a pro-rata hourly basis for time researching and preparing the award, opinion or report, as well as for any pre- or post-hearing motions or conference calls.

CANCELLATIONS

Scheduled hearings that are cancelled or postponed with less than 21 calendar days' notice will be charged the per diem rate.

EXPENSES

The parties will be charged for the actual cost of reasonable travel expenses including airfare, other forms of ground transportation (e.g., car rental, taxi), parking, as well as necessary lodging and meals. Automobile mileage will be charged at the applicable IRS rate for use of my personal vehicle. There are no charges for routine expenses such as copying, phone usage, clerical, or incidental office expenses.

TRAVEL TIME

For the Northern California region, no charge for travel time unless more than 3 hours are needed for round-trip travel (i.e., from downtown Oakland to the hearing location and back). Travel time in excess of that will be billed at \$150 per hour.

For the Central and Southern regions, the above shall apply, but shall be measured from either the Sacramento or Los Angeles State Building, respectively, instead of downtown Oakland. All SMCS travel time rules apply.

Travel time to any location in California shall not exceed \$900 per round-trip.

Travel time for locations outside of California will be billed at \$150 per hour, not to exceed \$1,800 per round trip.

PAYMENT POLICY

All charges are to be borne equally by the parties unless the parties agree to a different allocation of charges. All charges are due within 30 days, as will be reflected as the due date on my invoices. In the event a grievant is not represented by a union and the employer has not agreed to pay all fees and expenses, grievant is required to pay an advance deposit to ensure payment. The amount of the advance deposit will be based on an estimate of per diem, travel, travel time, lodging and meal expenses. The deposit is subject to the above cancellation provision.

Nancy Hutt, Esq.

National Academy of Arbitrators

35 Alma Street
San Francisco, CA 94117
Office (415) 665-4341
nancyhutt@naarb.org

ARBITRATOR – MEDIATOR – FACT FINDER

EXPERIENCE: My practice has focused on labor-management, employment, securities and medical malpractice disputes. Arbitration and mediation experience in public and private sectors in a wide range of industries: education, health care, securities, government, manufacturing, law enforcement, firefighting, Postal Service, construction, agriculture, hotels, furniture, utilities and transportation. Labor Counsel, United States Postal Service: Washington, D.C. & California.

LABOR-MANAGEMENT/EMPLOYMENT ROSTERS: Federal Mediation and Conciliation Service; Los Angeles City Employee Relations Board Arbitration Panel; California Mediation and Conciliation Service; Stanford University and Service Employees International Union; San Francisco Office of Citizens Complaints (police conduct); Public Employment Relations Board; Los Angeles Civil Service Commission; National Association of Letter Carriers and the United States Postal Service; Indian Health Service and Laborer's International Union of North America; National Arbitration and Mediation Panel; Southern California Edison and IBEW; American Arbitration Association, Labor Panel.

ISSUES: Discipline and discharge, bargaining unit work, safety, wage and hours, off-duty conduct, overtime, job classification, seniority, health and welfare, retaliation, falsification, dishonesty, transfer, moonlighting, arbitrability, benefits, probation, contract interpretation, sexual harassment, management rights, substance abuse, jurisdictional disputes, seniority, work scheduling, theft, ADA discrimination, resignation, dress code, fitness for duty, leave, bidding, past practice, retirement, incentive pay, overtime, work place violence, work order, information technology, employment discrimination, wrongful termination and Interest arbitration.

ROSTERS: Financial Industry National Regulatory Authority; American Arbitration Association, Duke University Law School Private Adjudication Center (Heard and decided 300 individual claims in major product liability class action); Office of the Independent Association: Kaiser Permanente Arbitrations.

ISSUES: Employment discrimination, breach of employment contract, sexual orientation, retaliation and age claims. Securities: Breach of contract, account related dividends, margin calls, transfer, execution price, limit /market order, trading disputes, stock loans, mark-ups, common stock, commodities futures.

EDUCATION: North Carolina Central University Law School, Juris Doctor; Syracuse University, Bachelor of Arts, Maxwell School of Political Science, International Relations

MEMBERSHIP: National Academy of Arbitrators; Chair of Northern California National Academy of Arbitrators, Bar Association of San Francisco, Labor & Employment Law Section; State Bar of California, Labor & Employment Law Section; American Arbitration Association; Labor and Employment Relations Association of Northern California.

Per Diem: \$2,000.00

RENÉE MAYNE
ARBITRATOR, MEDIATOR
RÉSUMÉ AND FEE SCHEDULE

PROFESSIONAL PROFILE

Arbitrator Renée Mayne is an independent, neutral arbitrator and mediator, exclusively for labor and employment arbitration, factfinding, mediation, and labor-management facilitation.

A hearing officer since 1995, Arbitrator Mayne has adjudicated discipline, dismissal, and contract interpretation grievances, and ethics, harassment, and discrimination complaints, for:

Police Officers, Firefighters, Public Safety Dispatchers, Park Rangers, University Faculty, Teachers, Librarians, Attorneys, Investigators, Social Workers, Physicians, Nurses, Paramedics, Emergency Medical Technicians, Engineers, Analysts, Technology Professionals, Accountants, Skilled Crafts, Human Resource Personnel, Planning and Building Officials, Water and Wastewater Professionals, Transportation and Bus Drivers, Heavy Equipment Operators, Maintenance Workers, Food Service Workers, Custodians, Administrative Professionals, and Managers and Supervisors.

VIDEO CONFERENCE HEARINGS

Available to the parties upon request: If Arbitrator Mayne is asked to host the virtual hearing, she will use the Zoom platform.

LABOR-MANAGEMENT RELATIONS EXPERIENCE

Arbitrator Mayne has worked in labor-management relations since 1986. As adjunct faculty, Professor Mayne teaches conflict resolution, negotiation, labor relations, and human resources.

Arbitrator, Mediator: Labor-ADR (8/16–Present)

Adjunct Faculty: Golden Gate University and UC Davis (8/16–Present)

Director of Employee Relations: City of Oakland (8/14–8/16) 5,000 FTE

Senior Manager, Employee and Labor Relations: UC Santa Cruz (3/11–8/14) 6,000 FTE

Associate Director, Labor Relations: University of California, OP (3/09–3/11) 180,000 FTE

President and Founder: Labor Management Success, Inc. (1/99–2/09)

Deputy County Administrative Officer - HR: County of Monterey (12/95–1/99) 4,500 FTE

Director of Labor Relations: County of Monterey (4/95–12/95) 4,500 FTE

Union General Manager: SEIU Local 817 (1/91–1/95) 2,000 members

Staff Union Representative: SEIU Local 620 (7/89–1/91) 1,500 members

Union Organizer/Representative: AFSCME District Council 1707 (12/86–7/89) 75,000 members

NEUTRAL PANELS

American Arbitration Association National Roster of Labor Arbitrators
California Public Employment Relations Board Panel of Neutrals
California State Mediation and Conciliation Service Panel of Arbitrators
Federal Mediation and Conciliation Service Roster of Arbitrators
Nevada Employee-Management Relations Board Roster of Arbitrators, Factfinders & Mediators
Oregon Employment Relations Board Panel of Arbitrators

EDUCATION AND CREDENTIALS

M.A. Negotiation, Conflict Resolution and Peacebuilding – CSU Dominguez Hills
B.S. Business, Management and Economics in Labor Relations – SUNY Empire State College
P.I. California Investigator License No. 24938
Employment Arbitration Certificate – Cornell University ILR
Labor Negotiation Certificate – Harvard University
Union Administration Certificate – Cornell University ILR

PROFESSIONAL MEMBERSHIPS

American Bar Association – Dispute Resolution and Labor and Employment Law Sections
Association for Conflict Resolution
California Lawyers Association – Labor and Employment Law Section
Labor and Employment Relations Association
Northern California Labor and Employment Relations Association – Chapter Treasurer

FEE SCHEDULE

Per Diem Rate: \$1,750 per scheduled date for arbitration, factfinding, mediation, or facilitation, either in-person or by video conference.

Per Hour Rate: \$250 for case preparation, correspondence, research, writing, video or phone conference, and beyond seven hours in a hearing. Per hour rate charged in 15-minute increments.

No Charge to the Parties: Travel time up to two hours one-way from Sacramento, California. Meals, incidental, or office costs.

Travel Costs: Travel time after two hours one-way from Sacramento, California, at \$125 per hour in 15-minute increments. Refundable airfare, hotel, and car rental. Mileage at the IRS rate.

Cancellation Fee: \$1,750 per diem when canceled within 20 working days of scheduled date.

RENÉE MAYNE, LABOR-ADR
POST OFFICE BOX 1827, SACRAMENTO, CALIFORNIA 95812
(916) 245-0625 ♦ MAYNE.ADR@GMAIL.COM ♦ RENEEMAYNE.COM

YUVAL MILLER | Arbitrator & Mediator

Law Offices of Yuval Miller · PO Box 190097 · San Francisco, CA 94119 · (415) 484-2282 · ymm@calarb.com

EXPERIENCE

Neutral Dispute Resolution (2019-present); McCracken, Stemerman & Holsberry, LLP (2011-2019); Munger, Tolles & Olson LLP (2008-2010); Judge Sloviter, U.S. Court of Appeals for the Third Circuit (2005-2006).

ARBITRATION/MEDIATION ROSTERS

- FMCS Arbitration Roster
- CSMCS Panel of Private Arbitrators
- ERB (LA) List of Neutral Professional Arbitrators
- ERCOM (LA) Register of Arbitrators
- OLSE (SF) Hearing Officer
- PERC Washington Law Enforcement Arbitrator Roster
- PERB California Panel of Neutrals (Fact Finding)
- EMRB Nevada Mediators/Arbitrators/Fact Finders
- BOPA Montana Roster of Arbitrators
- ALRA Alaska Arbitration Roster

PERMANENT ARBITRATION PANELS

- Producers Alliance of California/Teamsters California State Council (PAC/TCC).
- Alameda-Contra Costa Transit District/Amalgamated Transit Union, Local 192 (ACT/ATU).
- United States Postal Service/American Postal Workers Union (USPS/APWU).
- United States Postal Service/National Postal Mail Handlers Union (USPS/NPMHU).

EDUCATION

Yale Law School (JD, 2005); Fulbright Scholarship (2000-2001); UC Berkeley (BA, Highest Distinction, 1999).

PUBLICATIONS

Editor in Chief, W. Aitchison, D. Gaba & J. Downes, INTEREST ARBITRATION (Y. Miller & P. Vannoy eds., 3d ed., LRIS Books, *forthcoming* 2021); Author, *California law extends COVID-19 workers' compensation benefits through 2022*, 30 CAL. EMPLOYMENT LAW LETTER 24 (2020); Co-Author, *Opening Up to Int'l Arbitration*, THE DAILY JOURNAL 116.6 at 7 (2010); Executive Editor, WORLD ARB. & MED. REVIEW (2009-2010); Co-Author, *Intel Calls into Question Circuit Rulings on the Inapplicability of 22 U.S.C. § 1782 to Int'l Arbitration*, 19-8 MEALEY'S INT'L ARB. REP. 17 (2004).

MEDIATION CERTIFICATES

UC Hastings (2019); Institute for International Mediation and Conflict Resolution (1999).

PROFESSIONAL AFFILIATIONS

Executive Committee, BASF Labor & Employment Law (L&E) Section; L&E Section, ABA; Judicial Division, ABA; *Negotiation Coach*, UC Hastings College of the Law; *Guest Arbitrator*, SoCal LERA Annual Conference; *Panel Moderator*, CLA Annual L&E Public Sector Conference; *Panel Moderator*, BASF Annual L&E Conference; *Panel Moderator*, Northwest LERA Annual Collective Bargaining & Arbitration Conference; Oregon LERA; *Panelist*, CalPELRA Annual Training Conference; Business Law Section, CLA; ADR Section, Nevada Bar.

Admissions to Practice Law: CA & NV Bars (*active*); US Dist Cts, CA & NV; US Cts of Appeals, 3d, 9th & 11th Cir.

2021 FEE SCHEDULE

Arbitration Per Diem: \$2,100. Mediation/Interest/Expedited Per Diem: \$2,800. PD charged for any portion of a day up to seven hours. PD charged pro rata after seven hours and for conference, study, and writing. If a matter is canceled or postponed with notice of fewer than 30 calendar days, a PD is charged for each day set unless a like matter can be set in its place. Reasonable actual expenses charged. Half per diem charged for one-way actual travel time exceeding two hours. No charge for one-way travel time under two hours. Mileage charged at the IRS rate.

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Los Angeles, California. I am over the age of 18 years and not a party to the within entitled cause. The name and address of my residence or business is Public Employment Relations Board, Los Angeles Regional Office, 425 W. Broadway, Suite 400, Glendale, CA, 91204-1269.

On October 4, 2021, I served the Factfinding Letter regarding Case No. SF-IM-241-M on the parties listed below by

I am personally and readily familiar with the business practice of the Public Employment Relations Board for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Los Angeles, California.

Personal delivery.

Electronic service (e-mail).

Cheryl Parkman, Assistant to the City Manager
City of San Jose
200 E. Santa Clara Street
San Jose, CA 95113
Email: cheryl.parkman@sanjoseca.gov

Christopher E. Platten, Attorney
Wylie, McBride, Platten & Renner
2025 Gateway Place, Suite 430
San Jose, CA 95110
Email: cplatten@wmpirlaw.com

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 4, 2021, at Glendale, California.

J. Carter
(Type or print name)


(Signature)