

BRIAN CLAUSS

Arbitrator - Mediator -Attorney

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RELEVANT EXPERIENCE

Arbitrator and Mediator

June 2004 – present

Professional neutral concentrating in the arbitration and mediation of labor and employment disputes. Alternative dispute resolution including grievance arbitration, employment arbitration, mediation, facilitation and fact-finding.

Assistant State's Attorney

November 1990 – April 2004

Labor and Employment Unit: Preparation and presentation of labor arbitration cases involving sworn and non-sworn unionized personnel; preparation and presentation of cases before the Cook County Employee Appeals Board and the Cook County Sheriff's Merit Board and defense of those cases in Administrative Review in the Circuit Court; preparation and presentation of cases before the Equal Employment Opportunity Commission, the Illinois Department of Human Rights, the Illinois Labor Board and the Cook County Commission on Human Rights. Defended Cook County in the United States District Court in employment discrimination cases brought pursuant to Title VII, Section 1983, the Family Medical Leave Act and the Americans with Disabilities Act. Defense included mediation of claims, drafting summary judgment motions and conducting federal jury trials.

Criminal Division: Prosecuted felonies in the Felony Trial Division. Drafted and argued briefs in the Illinois Appellate Courts and the Illinois Supreme Court in the Criminal Appeals Division. Advised the police on legal issues, interviewed witnesses, interrogated suspects and obtained confessions in the Felony Review Unit. Coordinated investigations of the sexual exploitation of children and child pornography while assigned to the Child Sexual Exploitation Unit.

ADMITTED TO PRACTICE

Illinois Supreme Court

United States District Court for the Northern District of Illinois

Federal Trial Bar

PANELS AND ROSTERS

Federal Mediation and Conciliation Service

American Arbitration Association

National Mediation Board (Public Law Boards)

Illinois Labor Relations Board

Illinois Educational Labor Relations Board
Illinois Department of Labor
City of Chicago and Fraternal Order of Police Lodge 7
East St. Louis Police Department and Fraternal Order of Police Labor Council
State Universities Civil Service System – Hearing Officer
Illinois State Board of Education – Hearing Officer
Equal Employment Opportunity Commission – Contract Mediator
Court-Annexed Major Case Civil Mediation Program, Cook County,
Illinois - Court-Certified Mediator (Complex Civil Cases)

INDUSTRIES

Police and fire, prison guards, education, transportation, construction, custodial, health care, administrative, railroads, public sector.

ISSUES

Arbitrability (substantive and procedural); Bidding, Conduct (off duty/personal); Contract Interpretation; Discipline (discharge); Discipline (non-discharge); Discrimination (disability); Discrimination (national origin); Hiring, Job Performance; Minimum Staffing; Past Practices; Promotion; Violence or threats; Wages and Hours

PUBLISHED AWARDS

Fraternal Order of Police Labor Council and Macoupin County, 120 LA 1308 (2005)

Fraternal Order of Police Labor Council and Calumet City Police Department, 122 LA 434 (2006)

PUBLICATIONS

Chapters

Public Employees, in The Labor Law Handbook, Illinois Institute for Continuing Legal Education, 2006 Supplement (with Steven M. Bierig and Michelle Camden)

Off-Duty Misconduct, in Workplace Violence in the Public Sector, American Bar Association (forthcoming 2007) (with Steven M. Bierig and Michelle Camden)

The Uniformed Services Employment and Reemployment Rights Act – an Overview in Employing the Military, Illinois Institute for Continuing Legal Education, (CLE Seminar Book 2006)

Articles

The Employee Who is Called to Duty – Advising the Employer and Employee on the Uniformed Services Employment and Reemployment Rights Act, in The Young Lawyer, American Bar Association (forthcoming 2007)

Privatization of Public Educational Services: The Application of the Doctrine of Successorship in the No Child Left Behind Era, Illinois Public Employee Relations Report, Vol. 22 No. 4 (2005)(with Rochelle Gordon)

Employees Called to Duty in the National Guard and Reserve – an Overview of the Applicable Federal and Illinois Laws, State Universities Civil Service System Quarterly, Summer 2006

**Res Judicata Implications of Police and Fire Commission Hearings, Illinois State Bar Association Labor and Employment Law Newsletter, Vol . 44 No. 3 (September 2006)
(with Michelle Camden)**

Employees Called to Military Duty – an Overview of Military Leave and the Service Member’s Rights, Illinois State Bar Association Labor and Employment Law Newsletter (forthcoming 2007)(with James Capparelli and Lyndsey Kimber)

EDUCATION

The John Marshall Law School, Juris Doctorate, 1990
Herzog Moot Court Competition
Lake Forest College, Bachelor of Arts, 1986

PROFESSIONAL ORGANIZATIONS

Labor and Employment Relations Association, Chicago Chapter
Board of Directors
Education Sub-Committee
Illinois State Bar Association
Military Affairs Standing Committee
Northwest Suburban Bar Association
Labor and Employment Law Committee
Employment Litigation Seminar Planning Committee
Military Veterans Seminar Planning Committee, Chair

CIVIC ORGANIZATIONS

Hephzibah Children’s Organization, Oak Park, Illinois 1997-1999
Board of Directors
Park Ridge Police and Fire Commission, Park Ridge, Illinois 2004 to current
Commissioner
Illinois ESGR, Springfield, Illinois 2006 to present
Executive Committee
Chair - Ombudsman Committee
Ombudsman Coordinator

TEACHING

Adjunct faculty - Triton College, River Grove, Illinois

FOREIGN LANGUAGE

German