

JOHN P. DiFALCO

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Present Occupation: Arbitrator

First Business Address:

Centerstone Business Park
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PROFESSIONAL AFFILIATIONS:

Association for Conflict Resolution

American Arbitration Association

Colorado Bar Assn. (Labor Law Section)

American Bar Assn. (Alternate Dispute Resolution Section)

Industrial Relations Research Association

National Academy of Arbitrators

Federal Bar Assn. (Arbitration Committee)

EDUCATION:

JD Law

Ohio State University, 1968

MA Public Administration

University of Northern Colorado, 1986

BA Economics

Ohio State University, 1965

CERTIFICATIONS:

Law Ohio, 1968

Law Colorado, 1972

Law District of Columbia, 1986

ARBITRATION LABOR RELATIONS EXPERIENCE:

Arbitrator/Mediator/Fact Finder, **1987-Present**. Arbitrate labor and employment cases (see Industries and Issues below) for FMCS and AAA, as well as serving on several permanent panels (see listing below). Private practice of law (**since 1968**) Adjunct faculty in Labor Economics, Alternate Dispute Resolution, Labor Relations at Regis University, Colorado State University, and University of Northern Colorado, Assistant Professor (Business Law, Economics and Labor Law). Tri-State College in Angola, Indiana (**1968-70**). Attorney/Hearing Officer/Labor Relations Executive, U.S. Postal Service (**1970-1977**). Chief Labor Negotiator, City and County of Denver (**1977-80**). City Attorney, Greeley, Colorado (**1980-87**).

INDUSTRIES:

Aerospace; Airlines; Advertising; Agriculture; Aluminum; Automotive; Bakery; Beverage; Building Products; Brewery; Broadcasting; Canning; Cement; Chemicals; Clothing; Coal; Communications; Construction; Education; Electrical Equipment/appliance; Electronics; Entertainment/arts; Federal Sector Grievance; Feed and Fertilizer; Food; Foundry; Furniture; Grain Mill; Health Care; Hotels/motels/casinos; Resorts; Hospital/Nursing Home; Iron; Local Government; Lumber; Machinery; Manufacturing Misc.; Meatpacking; Metal Fabrication; Mining; Nuclear Energy; Office Workers/clerical; Organizations; Packaging; Petroleum/petrochemicals; Pharmaceuticals; Plastics; Plumbing; Police and Fire; Public Sector Grievance; Public Sector Int.; Steel; Transportation; Utilities Clerical, Nonferrous Metals; Sports; Warehousing.

ISSUES:

Absenteeism; Affirmative Action; Age Discrimination; Arbitrability: AWOL, Bargaining Unit Work; Bonus; COLA; Conduct (Off-Duty)/Personal; Cost-of-Living Pay; Demotion; Disability Discrimination; Discharge and Discipline; Drug/alcohol Offenses; Fair Share Fee Guaranteed Work Week; Grievance Mediation; Health/Hospitalization; Hiring Practices; Holidays; Holiday Pay; Incentive Pay; Insubordination; Insurance; Job Classification; Job Evaluation; Job Performance; Job Posting/Bidding; Jurisdictional Dispute; Layoffs/Bumping/Recall; Leave; Lockouts; Management Rights; National Origin Discrimination; Official Time; Other Fringe Benefits; Past Practices; Pension and Welfare Plans; Promotion; Race Discrimination; Rate of Pay; Red Circle Rate; Retirement; Safety/Health Conditions; Seniority; Sex Discrimination; Sexual Harassment; Sick Leave; Slowdowns; Strikes; Subcontracting - Contracting Out; Tenure/Reappointment; Union Business; Union Security; Vacation; Wages; Work Stoppages; Work Week Change.

PERMANENT PANELS:

Social Security/AFGE	USAF/AFGE
King Soopers/UFCW	IFAA/Denver
IBPO/Denver/Pueblo/Greeley	IRS/NTEU
Interior/AFGE	

ARBITRATION ROSTERS:

Denver Public Schools/School Unions	City of Littleton
Jefferson County Schools/Classified Unions	City & County of Denver
City of Loveland	

PUBLISHED CASES:

102 LA 910(1993); 103 LA 417 (1994); 106 LA 166 (1996); 103 LA 824 (1994); 109 LA 768 (1997); 114 LA 1551 (2000); 109 LA 944 (1997); 116 LA 647 (2001); 116 LA 826 (2001); 117 LA 1165 (2002); 117 LA 1705 (2002); 118 LA 491 (2003); 119 LA 1313 (2004); 120 LA 809 (2004)

PUBLICATIONS:

"Supervisors Guide to Discipline," 1979, Revised 1985; "Law and Policy on Sexual Harassment," 1984; "Negotiations & Conflicts Resolution," 1996; numerous magazine and journal articles, 1987-present

FEES:

PER DIEM FEE: \$1,250 **DOCKETING FEE:** \$250 **CANCELLATION FEE:** (See Below)

Grievance Arbitration: The fee is \$1,250 per day for hearing, and for research and preparation of the opinion and award. A hearing day is any portion of the day up to eight hours.

Cancellation Policy: If the scheduled hearing is postponed or cancelled with notice of less than fourteen (14) days, the per diem fee for each day of hearing shall be charged if another matter cannot be set in its place. For hearings scheduled for three days or more, a notice period of four (4) calendar weeks (28 days) will apply.

Interest Arbitration, Fact-Finding and Labor Mediation: Arbitrator charges \$1,650 per day for up to 8 hours). Time for research and preparation is prorated at \$350/hour.

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

Expenses: Arbitrator charges actual cost of reasonable expenses, including airfare, car rental, food, and lodging. Automobile mileage is charged at the applicable IRS expense rate. Arbitrator charges actual expenses for copying, phone and clerical assistance.

Detailed fee information will be forwarded to parties immediately upon selection.