

Matthew M. Franckiewicz

Curriculum Vitae

Pennsylvania Office

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Ohio Office

125 Antoinette Dr.
Elyria OH 44035
Fax: (412) 242-2200

Education

Massachusetts Institute of Technology
Cambridge, MA 02139
S.B. Economics 1969

University of Chicago Law School
Chicago, IL 60637
J.D. 1973

Professional Organizations

National Academy of Arbitrators (Region 8 Chair, 2005-2007)
Three Rivers Area Labor Management Committee
American Bar Association, Labor Law Section
Allegheny County Bar Association, Labor Law Section

Issues Arbitrated

absenteeism, alcohol & drug abuse, arbitrability, assignment of work, backpay computation, bargaining unit inclusion, bereavement, contracting out, crew rotation, demotion, discharge, discipline, discrimination, disqualification, dress code, drug testing, dues, effect of prior award, effect of prior settlement, external law, fair share fees, fighting, full time employment, funeral leave, grievance mediation, guaranteed workday, handicap discrimination, health & welfare, hiring, holiday compensation, hours, independent contractor status, injury pay, insubordination, interest arbitration, job classification, job evaluation, job posting & bidding, jurisdiction, last chance agreement, layoff, leaves of absence, longevity pay, management rights, mergers, out-of-classification pay, overtime pay, past practice, pensions, performance appraisals, personnel record contents, promotions, rate of pay, reassignments, red circle rate, reduction in hours, relocation, report pay, safety, seniority, severance pay, sexual harassment, shift preference, short term disability, sick leave, sickness & accident benefits, strike misconduct, subcontracting, super seniority, timeliness, training, transfers, Union business time, Union representation, vacations, wages, work performance, work stoppages, working conditions

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Industries Served

aerospace, aluminum, autos & trucks, bakery, banking, beverages, brass & copper, broadcasting, canning, cement, chemicals, clerical, clothing, coal, colleges, communications, construction, defense, education, electrical equipment, engineering, entertainment, federal government, fire fighting, food, foundry, gaming, glass, health care, heating & ventilation, hotels, law enforcement, leather, local government, machinery, metal fabrication, mining, miscellaneous manufacturing, music, munitions, non-ferrous metals, nuclear energy, oil & gas, packaging, pharmaceuticals, plastics, plumbing, printing, public safety, public transit, pulp & paper; retail sales, rubber, service, state government, steel, telephone, textiles, transportation, trucking & storage, utilities, warehousing, waste management

Arbitration Panels

American Arbitration Association
Federal Mediation and Conciliation Service
Illinois Educational Labor Relations Board
Maine Labor Relations Board
National Mediation Board
New Jersey Public Employment Relations Commission
New Jersey State Board of Mediation
New York City Office of Collective Bargaining
New York State Employment Relations Board
Pennsylvania Bureau of Mediation

Permanent Arbitration Panels

AK Steel-UAW #3303
Akron General Medical Ctr.-USWA #1014L
Allegheny Energy-IBEW #2357
Allegheny Energy-UWUA #102
Bituminous Coal Operators Association-UMWA District 6
Bituminous Coal Operators Association-UMWA District 17
Century Aluminum-USWA #9423
Cleveland Electric Illuminating Co.-UWUA #270
Cleveland Municipal School District-Cleveland Teachers Union
Commercial Vehicle Group- USWA #9419
Commonwealth of Pennsylvania-AFSCME
Community College of Allegheny County - SEIU #668
Dept. of Health & Human Services-NTEU
Duquesne Light Company-IBEW System Council U-10
Handy & Harman Automotive Group-IUE Local 465
Latrobe Specialty Steel Co.-USWA #1537

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Permanent Arbitration Panels (continued)

MECO International (coal mining equipment)-UMWA District 5
National Forge Co.-IUNFE
Neville Chemical Co.-USWA #5032
Ormet Aluminum Mill Products Corp.-USWA
Oxford Automotive-USWA
Pittsburgh Board of Public Education-Pittsburgh Federation of Teachers
Rescue Mental Health Services-SEIU Dist. 1199
Roemer Industries-USWA
Southwest Airlines-TWU #555
US Dept. Of HHS-NTEU
US Postal Service-APWU
Western Reserve Care System-ONA

Fact-finding Panels

Ohio State Employment Relations Board
Pennsylvania Labor Relations Board

Books

Winning at the NLRB, BNA Books, 1995
Winning at the NLRB Second Edition, BNA Books, 2009 (with co-author Daniel Silverman)

Articles

The Arbitrator and the Personal Computer, in *The Arbitration Journal*, June 1992, p. 49
How to Win NLRB Cases: Tips from a Former Insider, in *Labor Law Journal*, January 1993, p. 40
Arbitrators' Administrative Practices, in *Pittsburgh Legal Journal*, August 1993, p. 5
Back Pay Awards - Current Arbitral Patterns, in *Dispute Resolution Journal*, January 1997, p. 28
An Arbitrator's View of Writing Briefs, in *Dispute Resolution Journal*, February 1999, p. 59
Look at the Supply Side, in *National Academy of Arbitrators Chronicle*, Spring 2000, p. 30
The Rules of Evidence and Labor Arbitration, in *Dispute Resolution Journal*, August 2002, p. 42
How to Win Your Arbitration Case Before the Hearing Even Starts, in *Labor Law Journal*, Fall 2009, p. 115
Interest Arbitration in Pennsylvania, in *Proceedings of the 62nd Annual Meeting, National Academy of Arbitrators*, 2009, p. 145
Also computer programs and related articles in *I.B. Magazine*; *Uptime*; and *Turbo Tech Report*

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Prior Labor Relations Experience

National Labor Relations Board

Attorney 1973-1978, Trial Specialist 1978-1987

"Quality" commendations 1981, 1986 for success as a litigator and for performance as a hearing officer and decision writer

Commercial and Court Appointed Panels

American Arbitration Association National Panel of Commercial Arbitrators

Better Business Bureau Panel of Consumer Arbitrators

National Futures Association (securities industry disputes)

Federal Deposit Insurance Corp./Resolution Trust Corp.

Certified Arbitrator for U.S. District Court (W.D. Pa. pursuant to local rule 43)

Arbitrator appointed by the Court of Common Pleas (Allegheny County Pa.) to hear/decide all types of civil disputes

Published Decisions

Accuride Erie & UAW # 1186, 125 LA 1061

Aerospace Center Support & AEMTC, 120 LA 45

AHF/Central States, Inc. d/b/a McMurray Hills Manor & SEIU Dist. 1199P, 126 LA 1165

Allegheny County & AC Prison Employees Independent Union, 123 LA 1038

Allegheny County & AC Prison Employees Independent Union, 124 LA 1013

Allegheny County & AC Prison Employees Independent Union, 126 LA 1435

Alliance & IAFF #480, 121 LA 1352

Ambridge Water Auth. & USWA #1211, 124 LA 891

American Standard & USWA #1538, 124 LA 1537

Anchor Hocking & USWA #36, 128 LA 1206

Armstrong County Mem. Hosp. & USWA #8500, 116 LA 188

Armstrong World Industries, Inc. & URW #256, 109 LA 65

Associated Press & Wire Service Guild #222, 94-1 A R B ¶4132

Bay Valley Foods & UFCW #325, 123 LA 1333

Bay Valley Foods & UFCW #325, 126 LA 161

Bay Valley Foods & UFCW #325, 127 LA 1463

Beaver County & SEIU #585, 114 LA 1819

Beaver County & SEIU #668, 127 LA 961

Berlin Brothersvalley School Dist. & BBEA, 121 LA 866

Blairsville-Saltsburg School Dist. & B-S EA, 115 LA 1114

Brookville Hosp. & SEIU Dist. 1199P, 121 LA 953

Butler County & SEIU #668, 122 LA 1480

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Published Decisions (continued)

C.A. Curtze Co. & Teamsters #397, 128 LA 1793
Cape May County & AFSCME #3596, 127 LA 734
Cargill, Inc. & Teamsters #436, 113 LA 823
Carlisle Engineered Prods., Inc. & USWA #563-L, 118 LA 97
Chambersburg Area School Dist. & CAEA, 120 LA 393
Chesapeake Union Exempted Vill. Bd. of Educ. & OEA, 121 LA 409
Cleveland Electric Illuminating Co. & UWUA #270, 105 LA 817, 96-1 A R B ¶6206
Cleveland Electric Illuminating Co. & UWUA #270, 108 LA 120
Cleveland Electric Illuminating Co. & UWUA #270, 115 LA 1646
Cleveland Electric Illuminating Co. & UWUA #270, 117 LA 165
Clorox Co. & ICWU #418, 103 LA 932, 95-1 A R B ¶5195
CNG Transmission Corp. & SEIU #999, 115 LA 1322
Columbus Equipment Co. & IUOE #18, 117 LA 1787
Columbus Southern Power Co. & IBEW #1466, 126 LA 97
Commercial Vehicle Group & USWA, 126 LA 364
Community College of Allegheny County & SEIU #668, 124 LA 316
Community College of Allegheny County & SEIU #668, 124 LA 1398
Consolidation Coal Co. & UMWA #1785, 104 LA 751, 96-1 A R B ¶6011
Consolidation Coal Co. & UMWA #1638, 106 LA 328
Consulate Healthcare of Cheswick & SEIU Dist. 1199P, 127 LA 1337
Corrections Comm. of NW Ohio & IUPA #64, 113 LA 908
Cranberry Area School Dist. & Cranberry EA, 107 LA 168, 97-1 A R B ¶3021
Crawford County & SEIU #668, 128 LA 987
CVS & UFCW #1099, 120 LA 1292
Daniels Co. & USWA #9281, 102 LA 1064
Dawson Metal Co. & SMPW Local 112, 126 LA 545
Dominion East Ohio & SEIU #555, 122 LA 1647
Duraloy & USWA #2810, 100 LA 1166
Eaglebudd Enterprises, Inc. & UFCW #23, 106 LA 659, 96-2 A R B ¶6260
East Conemaugh Borough & Teamsters #110, 121 LA 1693
Eaton Cutler-Hammer Corp. & Beaver Salaried Employees Ass'n, 110 LA 467
Elliott Turbo Machinery Co. & USWA, 119 LA 727
Equitable Gas Co. & USWA #12050, 127 LA 865
Eramet Marietta Inc. & USWA #1-00639-01, 128 LA 1073
Erie & AFSCME #2206, 107 LA 677
Erie County & SEIU #668, 126 LA 1693
Erie County & SEIU #668, 126 LA 1757
Erie County Vo-Tech School & ECTSFT, 114 LA 999
Erie School Dist. & EEA, 125 LA 1460

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Published Decisions (continued)

Fairmont Gen. Hosp. & RWDSU #550, 119 LA 1529
Fansteel Hydro Carbide & UAW #204, 93-1 A R B ¶3003
Federal Bureau of Prisons & AFGE, 119 LA 1812
Ferry Indus., Inc. & UPIU #7607, 110 LA 114
FMC Technologies Measurement Solutions, Inc. & USWA #714, 125 LA 1576
Ford Motor Co. & IUOE #18S, 115 LA 385
Forest/Warren Dept. of Human Servs. & PSSU #668, 117 LA 423
Foster Twp. & Police Wage and Policy Union, 120 LA 1016
Fremont Plastic Prods., Inc. & USWA #1915, 122 LA 149
Friendship Ridge & SEIU Dist. 1199P, 121 LA 1760
Friendship Ridge & SEIU Dist. 1199P, 128 LA 116
GAF Premium Prods., Inc. & Boilermaker's Local D-282, 121 LA 282
Georgia Pacific Corp. & GMP #235, 93-2 A R B ¶3317, 412 AAA 12
Girard School Dist. & Girard FT, 119 LA 1476
Graphic Arts Color Corp. & GCIU #24, 410 AAA 2
Green Tree Borough & Green Tree Police Ass'n, 126 LA 1053
Guernsey County Public Library & OAPSE #4, 116 LA 1212
Harbor Creek School Bd. & Harbor Creek EA, 122 LA 956
Heritage Valley Health Sys. & SEIU Dist. 1199P, 124 LA 481
Highlands School Dist. & Highlands EA, 122 LA 593
Homewood Cemetery & Laborers Dist. Council, 98 LA 333, 92-2 A R B ¶8419
Hugo Bosca Co. & RWDSU #379, 109 LA 533
Huntleigh USA Corp. & HERE #57, 115 LA 929
Hussey Copper Ltd. & USWA #1211, 126 LA 1461
Jefferson Comm. College & Jefferson Technical College EA, 107 LA 1166
Johnstown & AFSCME #630, 127 LA 954
Johnstown America Corp. & USWA #2635, 116 LA 868
Johnstown Housing Auth. & AFSCME Council 83, 119 LA 116
Johnstown Wire Technologies, Inc. & USWA #2635, 111 LA 216
Joseph Badger Bd. of Ed. & OAPSE #4, 127 LA 257
Kane Manufacturing Corp. & USWA #14659, 97 LA 1197, 91-2 A R B ¶8559
Kittanning Care Ctr. & Teamsters #538, 125 LA 1562
Laidlaw Transit Servs., Inc. & ATU #697, 116 LA 967
Lee Middleton Original Dolls, Inc. & USWA #14976, 120 LA 119
Lincolnview Local Bd. of Ed. & Lincolnview EA, 103 LA 854
Linderme Tube Co. & Boilermakers #1704, 116 LA 837
Linett Co./Tri-Arc Mfg. & USWA #9445-19, 124 LA 1336
Lithonia Hi Tek - Vermillion & IBEW #998, 109 LA 775
Lucas County & AFSCME #3794, 124 LA 922

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Published Decisions (continued)

Marcegaglia USA & USWA #5852-22, 125 LA 789
Margaretta Local School Dist. & OAPSE #379, 114 LA 1057
Marlington Bd. of Educ. & Marlinton EA, 122 LA 279
Marmon/Keystone Corp. & USWA #2384, 106 LA 519
Marriott Educ. Servs. & SEIU #29, 112 LA 998
Mayflower Vehicle Sys. & USWA # 9419, 114 LA 1249
McCauley Accessory Div. Cessna Aircraft Co. & MPBP #5, 110 LA 600
McKeesport Housing Auth. & Teamsters #205, 98 LA 134, 92-1 A R B ¶8146, LAIG ¶4567
Mead Corp. & UPIU #731, 113 LA 1169
MECO International, Inc. & UMWA Dist. 5, 91-1 A R B ¶8042
MetroHealth Med. Ctr. & OPBA, 108 LA 974, 98-1 A R B ¶5037
Millcreek Twp. & AFSCME Dist. Council 85, 128 LA 221
Millcreek Twp. School Dist. & Millcreek EA, 122 LA 1085
Mills Co. & PACE #5-0332, 120 LA 1723
Mosebach Mfg. Co. & IAMAW Lodge 52, 124 LA 181
Murrysville & Murrysville Police, 126 LA 1618
Napco, Inc. & USWA #13640, 111 LA 77
Nat'l Linen & Uniform Serv. & Teamsters #175, 97-1 A R B ¶3130
Neshannock Twp. School Dist. & NTEA, 125 LA 1089
Neville Chem. Co. & USWA #5032, 120 LA 382
Nordson Corp. & IAMAW #1802, 104 LA 1206
North Coast Container Corp. & USWA #7132, 114 LA 795
Northstar Television of Erie, Inc. & NABET, 93-2 A R B ¶3357
Ottawa County [Ohio] & Teamsters #20, 111 LA 833
Owens-Corning Corp. & GMP #244, 114 LA 1628
Paladin Packaging & Display, Inc. & UPIU #373, 109 LA 285
Penn Hills & Penn Hills MEO, 118 LA 1806
Penn Window Co. & SEIU #16, 112 LA 922
Pennsylvania Am. Water CO. & UWUA #537, 127 LA 485
Pennsylvania Suburban Water Co. & UWUA #285, 124 LA 750
PHB, Inc. & USWA #3199-18, 123 LA 146
PHB, Inc. & USWA #3199-18, 125 LA 249
Pittsburgh Bd. of Public Educ. & AFSCME #297
Pittsburgh Water & Sewer Auth. & IUOE #66, 127 LA 1000
Pleasant Ridge Manor & AFSCME #2666, 112 LA 517
Plum Borough & Police Dept. of Plum, 123 LA 641
Providence Health Care Ctr. & USWA #8183-15, 114 LA 136
Purchase Line School Dist. & Purchase Line EA, 124 LA 440

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Published Decisions (continued)

Ravenswood Village Health Care Center & USWA, 94-2 A R B ¶4531
Rexnord Corp. & IAMAW #2304, 116 LA 924
Rexroth Corp. & UAW #1239, 110 LA 1192
Riverside Div. Of Penn Traffic, Inc. & UFCW #23, 125 LA 321
Rochester Area Bd. Of Educ. & RAEA, 124 LA 114
R.W. Sidley Co. & Teamsters #377, 126 LA 897
Rockwood Area School Dist. & Rockwood EA, 114 LA 197
Ryder Student Transp. Servs., Inc. & USWA, 108 LA 743, 108 LA 1124, 97-2 A R B ¶3268
Sauer, Inc. & Carpenters' Dist. Council, 100 LA 191
Sears, Roebuck and Co. & UFCW #880, 111 LA 378
Sena-Kean Manor & AFSCME Dist. Council 85, 104 LA 369
Snap-Tite, Inc. & USWA #14661, 110 LA 513
Somerset Area School Dist. & PSEA, 119 LA 581
State College Borough & S.C. Police Ass'n, 110 LA 718
Sterling Packaging Corp. & USWA #175G, 115 LA 304
Summit County Children Services & CWA #4546, 116 LA 1281
Summit County MR/DD Bd. & Weaver Workshop & Support Ass'n, LAIG ¶5272
Superior Beverage Group & Teamsters Local 377, 127 LA 1710
Supervalu & Teamsters #30, 120 LA 570
Tenneco Packaging Corp. & UPIU #296, 106 LA 607
Time Warner Cable of Jamestown & IBEW #106, 119 LA 261
Titanium Metals Corp. & USWA #5644, 121 LA 1441
Toledo Bd. of Educ. & TAAP, 117 LA 1409
Tube City L.L.C. & LIUNA #534, 124 LA 1212
Turbine Engine Components Tech. Corp. & UAW #2562, 123 LA 1198
United Refining Co. & IUOE #95, 123 LA 271
Universal Stainless & Alloy Prods. & USWA, 116 LA 90
U.S. Tsubaki & IAMAW #1329, 123 LA 423
Warren County School Dist. & Warren County EA, 121 LA 506
Washington Communities MH/MR Ctr., Inc. & SEIU #668, 119 LA 500
Washington County & SEIU #668, 121 LA 541
Washington East Washington Joint Auth. & UWUA #537, 120 LA 826
Washington Hosp. & SEIU Dist. 1199P, 110 LA 158
Waste Mgmt. of Ohio, Inc. & Teamsters #284, 113 LA 353
Wayne County Children Servs. Bd. & Teamsters #436, 120 LA 289
Weirton Medical Ctr. & SEIU Dist. 1199 WV/KY/OH, 123 LA 380
Western Reserve Care Sys. & ONA, 119 LA 1394
Western Reserve Transit Auth. & ATU #272, 101 LA 1085, 420 AAA 10
Wheatland Tube Co. & USWA, 119 LA 897
Wheatland Tube Co., & USWA #1660-01, 125 LA 129
Wheeling Corrugating Co. & USWA, 108 LA 1033, 97-2 A R B ¶3286
WTRF-TV, LLC & NABET-CWA #212, 119 LA 92

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Miscellaneous

Award will be issued within 30 days of close of record (latest of end of hearing, receipt of all briefs, receipt of all post-hearing exhibits)

Computer experience with many software applications; programming experience in Assembler, BASIC, C, FORTRAN, and Pascal

Fee Schedule

Arbitration fee: \$1200/day in ½ day increments for time spent on hearing, consideration, writing and travel

No docketing fee

Scheduling & cancellation/postponement fee: One day unless notified more than 30 days before scheduled date. Unless parties agree to a different allocation, a postponement fee will be invoiced to the party requesting the postponement, and a cancellation fee will be split between the parties

A 10 percent late fee and interest compounded at 2 percent monthly may be added to any invoice unpaid after 60 days