

James C. McBrearty

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Present Occupation: Economics Professor

Business Address:

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PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators	Arizona Industrial Relations Association
American Economic Association	Montana Arbitrators Association
Labor and Employment Relations Association	

EDUCATION:

PhD	Economics	University of Illinois, 1968
MA	Economics	University of Illinois, 1965
BA	Economics	La Salle University, 1963

CERTIFICATIONS:

N/A

ARBITRATION/LABOR RELATIONS EXPERIENCE:

First admitted to the AAA Arbitration Panel (Phoenix) 1972; FMCS-1973. Served on Arbitration panels in railroads, coal (expedited) and postal (expedited) industries. Have taught courses in arbitration, collective bargaining, labor & employment law, introductory and intermediate-level economics courses since 1968. Conference Director, University of Arizona's Annual Labor-Management Conference, 1970-2000. Dean, College of Business & Management, University of Sharjah, Sharjah, United Arab Emirates, 2000-2004. (On special assignment from Arizona pursuant to a partnership program)

INDUSTRIES:

Aerospace; airlines; agriculture, aluminum; bakery; beverage; building projects; cement; chemicals; clothing; coal; communications; construction; education; electrical equipment/appliance; electronics; food (manufacturing/processing/service) foundry; furniture; health care; hospital/nursing home; iron; lumber; machinery; meatpacking; metal fabrication; mining; nuclear energy; office workers/clerical; organizations; packaging; petroleum/petrochemicals; plastics; plumbing; *RAILROAD.*

ISSUES

Absenteeism; arbitrability, bargaining unit work, conduct, demotion, discipline (non-discharge), discipline (discharge); drug/alcohol offenses, fringe benefits: bonus, holidays, insurance, leave, vacation, grievance mediation, health/hospitalization, hiring practices, job performance, job posting/bidding, jurisdictional disputes, layoff/bumping/recall, management rights, official time, past practices, pension and welfare plans, harassment, subcontracting/contracting out, union security, wages: cost of-living pay, holiday pay, incentive pay, job classification and rates, merit pay, overtime pay, severance pay, vacation pay, work hours/schedules/assignments, working conditions/work orders, violence or threats.

PERMANENT PANELS:

None since I went overseas.

ARBITRATION ROSTERS:

Federal Mediation and Conciliation Service
American Arbitration Association

National Mediation Board
State of Montana

PUBLISHED CASES:

89-2 ARB ¶8542	78LA101 (1982)	77-2 ARB ¶8499	62LA 37 (1973)
87-1 ARB ¶8070	78-1 ARB ¶816	64 LA 486 (1974)	
82-2 ARB ¶8494	70 LA 458 (1978)	63 LA 1157 (1974)	

SIGNIFICANT PUBLICATIONS:

A System for Negotiations at Colleges/Universities
Grievances: From Prevention to Arbitration
Writing a Job Resume
Careers in Industrial Relations
Handling Grievances: A Positive Approach
American Labor History & Comparative Labor Movements: A Bibliography
The Art of Job Hunting

PER DIEM FEE: \$800 **DOCKETING FEE:** None **CANCELLATION FEE:** (See below)

Grievance Arbitration: The fee is \$800 per day for hearing, and for research and preparation of the opinion and award. The hearing day is any portion of a day up to eight hours. Time for research and preparation is prorated.

Cancellation Policy: If the scheduled hearing is postponed or canceled with notice of less than two calendar weeks (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 calendar weeks (28 days) will apply.

Interest Arbitration, Fact-finding and Labor Mediation: Arbitrator charges \$1,000 per day (for up to 8 hours). Time for research and preparation is prorated at \$125.00/hour.

Travel Time: Arbitrator charges a prorated per diem fee for travel time of fewer than 8 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.