

Resume of Donald J. Petersen

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Business: Professor Emeritus Loyola University Chicago
820 N. Michigan Ave.
Chicago, IL 60611

Education: Illinois Institute of Technology, Ph.D., 1970
Major: Industrial Relations
Minor: Industrial Engineering

Loyola University Chicago, M.S.I.R., 1964
Major: Industrial Relations

Loyola University Chicago, B.B.A., 1962
Major: Management

Academic Experience:

1968- 2004 Loyola University Chicago

Rank: Professor of Management

Started at Loyola at the rank of Instructor of Management. Have taught statistics, personnel relations, labor law, collective bargaining and labor-management relations at the undergraduate level; and the entire personnel management sequence at the graduate level (five different courses). In addition, I taught a special seminar on O.S.H.A., wage and salary administration, and government and business.

1966-1968: North Park College

Rank: Instructor in Economics

Taught part-time between 1966 and 1968 while working on Ph.D. Instructed introductory and advanced macro and microeconomics courses, and such business courses as human resources and managerial economics.

Publications: See attached sheets.

Business Experience:

1965-1968: Profexray Division of Litton Industries
Personnel Director

Reported to Executive Vice President. Heavy employment responsibilities at all levels in the organization. Because I was their first personnel director, I was responsible for setting up all systems, procedures and personnel policies. In addition, there was heavy grievance, arbitration and collective bargaining responsibility with C.W.A.

1963-1965: Webcor, Inc.
Personnel Director

Reported to the Industrial Relations Director. Responsible for recruiting and selection at all levels in the organization as well as administration of the wage and salary and benefits program. Handled all second step grievance with three unions, IBEW, IBT, and IAMAW. Participated in collective bargaining negotiations and in preparation for arbitration hearings.

Professional Experience:

Arbitrator (1970) listed on the panels of the American Arbitration Association. Federal Mediation and Conciliation Service, Public Employee Panels of the State of Iowa, Board of Governors for State Colleges and Universities (Illinois), and the Wisconsin Employment Relations Commission, Caterpillar Tractor, etc.

Honors: Illinois Institute of Technology Fellow 1966-67
National Science Foundation Fellow 1967-68
Sigma Iota Epsilon National Honorary Management Fraternity
Pi Gamma Mu – National Social Science Honor Society
Silver Key – Highest G.P.A. in Management as an Undergraduate

Affiliations: National Academy of Arbitrators
Industrial Relations Research Association
Academy of Legal Studies in Business
American Arbitration Association
Federal Mediation & Conciliation Services

PUBLICATIONS

Books:

The Effective Manager's Desk Book Improving Results Through People. Parker Publishing Co., 1974, (with Dr. Malone).

Arbitration in Health Care. Aspen Systems, Inc., 1981, (with J. Rezler & K. Reed).

Articles:

1. "Consequences of the Arbitration Award for Unions", Labor Law Journal, September, 1970, pp. 613-617.
2. "Union Prediction in Arbitration", Labor Law Journal, December, 1970, pp 787-793.
3. "Why Unions Go to Arbitration: Politics and Strategy vs. Merit", Personnel, July-August, 1971, pp. 44-49.
4. "Union Decision Makers in Arbitration Screening", Personnel Journal, October, 1971, pp. 749-754.
5. "Grass Roots Problem Solving", Personnel Administration, May-June, 1972, pp 20-23.
6. "White Collar Unionization and the Pay Board", Personnel, July-August, 1972, pp 34-39.

7. "The Impact of OSHA on Management", Conference Board Record, October, 1972, pp 22-25.
8. "Management Perceptions of Changes in Union-Management Relations Due to OSHA", Industrial Management, November, 1973, pp. 11-14.
9. "The Impact of Duke Power on Testing", Personnel, March-April, 1974, pp 30-37.
10. "The Effects of the Energy Crisis on Business", Industrial Management, October, 1974, pp 11-17 (with Dr. George Gentry).
11. "The Personnel Effectiveness Grid (PEG): A New Tool for Estimating Personnel Department Effectiveness", Human Resource Management, Winter, 1975, pp 10-21, (with Dr. Malone).
12. "OSHA Compliance Training: Its Impact on Your Company", Personnel Administrator, May, 1976, pp 33-35.
13. "The Arbitration of Cases Involving Improper Professional Conduct in the Health Care Industry", AANA Journal, April, 1977, pp 189-193 (with Ed Halstead).
14. "Fee Setting and Other Administrative Practices of Labor Arbitrators", BNA Daily Labor Report, August 2, 1977, pp D1-D10 (with Dr. Rezler).
15. "Personnel Effectiveness: Its Dimensions and Development", Personnel Journal, October, 1977, pp 498-501, (with Dr. Malone).
16. "Which Personnel Department is the Right One for You?" Personnel Administrator, April, 1978, pp 58-66, (with R. Harschnek and R. Malone).
17. "Strategies of Arbitrator Selection", BNA Daily Labor Report, June 26, 1978, pp D1-D10, (with Dr. Rezler).
18. "Views on Arbitrator Advertising", Arbitration Journal, September, 1979, pp 9-13, (with Dr. Rezler).
19. "Flextime in the United States: The Lessons of Experience", Personnel, January-February, 1980, pp 21-31.
20. "Top Management Support and Ratings of the Personnel Functions", in The New World of Managing Human Resources, ed. By Victory Veysey and Gils S. Hall, Jr., Industrial Relations Center, California Institute of Technology, Pasadena, 1979, pp 1:4-01-10, (with Dr. Malone).
21. "Paving the Way for Hiring the Handicapped", Personnel, March-April, 1981, pp 43-52.
22. "Sexual Harassment – A Growing Problem in the Workplace", Personnel Administrator, October, 1982, pp 79-89, (with Dr. Massengill).
23. "Criteria of Good Arbitration Decision Writing", Arbitration Journal, June, 1983, pp 18-29, (with Dr. Rezler).

24. "The ABCs of Effective Time Management", Topics in Hospital Pharmacy, August, 1983, pp 47-56, (with Ed Halstead).
25. "From Grievance Through Arbitration: A Supervisor's Perspective", The Health Care Supervisor, July, 1984, pp 48-67.
26. "Smokers vs. Nonsmokers in the Work Place: Clearing the Air", Employee Relations Law Journal, Vol. 10, Winter 1984-85, pp 505-523, (with Dr. Massengill).
27. "The Arbitration of Shortened Work Week Schedules", Personnel, March, 1985, pp 8-10.
28. Employer and Union Attitudes Toward Publication of Awards, Arbitration Journal, June, 1985, Vol. 40, No. 2, pp 38-44 (with Dr. Rezler).
29. "Smoking Regulations in the Work Place: An Update", Personnel, May, 1986, pp 27-31 (with Dr. Massengill).
30. "The Impact of Opinion 11 on the Publication of Arbitration Awards", The Missouri Journal of Dispute Resolution, Vol. 1986, pp 73-85 (with Dr. Rezler).
31. "The Ins and Outs of Implementing a Successful Drug-Testing Program", Personnel, Vol. 64, No. 10, October, 1987, pp 52-55
32. "Male and Female Arbitrator Perceptions of the Arbitration Process", Labor Law Journal, February, 1988, pp 110-119, (with Dr. Katz).
33. "Childcare Programs Benefit Employers, Too", Personnel, May, 1988, pp 58-62, (with Dr. Massengill).
34. "Job Requirements and Religious Practices: Conflict and Accommodations", Labor Law Journal, July, 1988, pp 402-410, (with Dr. Massengill).
35. "Whistle Blowing: Protected Activity or Not?" Employee Relations Law Journal, Vol. 25, No. 1, Summer 1989, (with Dr. Massengill).
36. "The Negligent Hiring Doctrine: A Growing Dilemma for Employers", Employee Relations Law Journal, Vol. 15, No. 3, Winter 1989-90, pp 419-432, (with Dr. Massengill).
37. "Quits, Recision of Quits, and Constructive Discharge in Arbitration", Employee Responsibilities and Rights Journal, Vol. 3 No. 2, 1990, pp 125-137.
38. "Employer Response to the Drug-Free Workplace Act of 1988", Labor Law Journal, Vol. 42, No. 3, March, 1991, pp 144-151.
39. "The Arbitration of Fighting Cases", The International Journal of Conflict Management, Vol. 2, No. 3, July, 1991, pp 201-215.
40. "Trends in Arbitrating Falsification of Employment Application Forms", Arbitration Journal, Vol. 47, No. 3, September, 1992, pp 31-37.

41. "The Arbitration of Insubordination Case", Journal of Individual Employment Rights, Vol. 1, No. 2, 1992-93, pp 145-169.
42. "Taking It Easy: The Arbitration of Sleeping-on-the-Job Cases", Journal of Individual Employment Rights, Vol. 3, No. 1, 1994-95, pp 35-48.
43. "English Only Rules: Valid Business Policy or Discrimination?", Labor Law Journal, Vol. 45, June, 1994, pp 367-373.
44. "The Arbitration of Smoking Restriction Policies", Dispute Resolution Journal, Vol. 49, December, 1994, pp 44-50.
45. Above article reprinted in Employment Law Counselor, November 15, 1995, pp 12-18.
46. "Legal Challenges to 'No Fraternization' Rules", Labor Law Journal, Vol. 46, No. 7, July, 1995, pp 429-435 (with Dr. Massengill).
47. "The Arbitration of Employee Disloyalty Cases", Journal of Individual Employment Rights, Vol. 4, No. 3, 1995-96, pp 245-256.
48. "Individual Liability of Supervisors for Acts of Sexual Harassment", Labor Law Journal, Vol. 47, No. 1, January 1996, pp 25-31.
49. "The Arbitration of Discipline and Discharge Cases Involving Criminal Activity", Journal of Individual Employment Rights, Vol. 5, No. 1, 1996-1997, pp 39-52.
50. "Same Sex Sexual Harassment: Is It Actionable Under the Civil Rights Act?", Journal of Individual Employment Rights, Vol. 5 (2), 1996, pp 91-99 (with Dr. Massengill).
51. "The Arbitration of Cases Dealing with Employee Refusals to Work Overtime", Dispute Resolution Journal, January 1997, Vol. 52, No. 1, pp 21-27.
52. "The Arbitration of Cases Involving Customer Complaints", Journal of Individual Employment Rights, Vol. 52, No. 1, pp 21-27.
53. "Gone But Not Forgotten: Is Post Employment Retaliation Actionable?", Journal of Individual Employment Rights, Vol. 6, No. 2, 1997, pp 119-126 (with Dr. Massengill).
54. "Last Chance Agreements", Dispute Resolution Journal, Vol. 52, No. 3, Summer, 1997, pp 37-43.
55. "Dress Codes and Arbitration", Journal of Individual Employment Rights, Vol. 6, No. 2, 1997-98, pp 103-117.
56. "The Arbitration of Cases Involving Employee Misconduct in Strikes, Wildcat Strikes and Slowdowns", Dispute Resolution Journal, Vol. 53, No. 1, February, 1998, pp 44-52.

57. "Issues and Standards in Arbitral Approaches to Sexual Harassment Cases", Journal of Individual Employment Rights, Vol. 7, No. 2, 1998, pp 127-147.
58. "Job Discrimination Claims Under Collective Bargaining", Dispute Resolution Journal, Vol. 53, No. 3, August 1998, pp 38-47, 81-86 (with Dr. Boller).
59. "Arbitral Responses to the Changing External Law of Discrimination", 49 Labor Law Journal, December, 1998 1241-54, (with Dr. Boller).
60. "Non-Disciplinary Terminations and Demotions in Arbitration", Journal of Individual Employment Rights, Vol. 7, No. 4, 1998-99, pp 285-302.
61. "Mandatory Arbitration Clauses: An Analysis of the Supreme Court Decision in *Wright v. Universal Maritime Service Corp.*" Dispute Resolution Journal, Vol. 53, No. 1, February 1999, pp. 56-58 (with Dr. Boller) . [Article reprinted by the Employment Law Counselor.] & the November, 1999 supplement to Corporate Counsel's Guide to Alternative Dispute Resolution in the Employment Context.
62. "Judicial Treatment of Same-Actor Evidence in Discrimination Cases", Labor Law Journal, Summer 1999, pp 138-145 (with Dr. Boller)
63. "Arbitral Issues and Standards in Theft and Dishonesty Cases", Journal of Collective Negotiations in the Public Sector, Vol. 28, No. 4, 1999, pp 311-336.
64. "Passive Inhalation of Marijuana Smoke Defense: Creating a Workable Standard", Labor Law Journal, Vol. 51, Fall 2000, pp. 70-77 (with Dr. Boller).
65. "Arbitral Perspectives in Supervisor Work Restriction Cases", Dispute Resolution Journal, Vol. 55, No. 4, Nov. 2000, January, 2001, pp 62-71.
66. "The Arbitration of Tardiness Cases", Journal of Collective Negotiations in the Public Sector, Vol. 29(2), 2000, pp 167-174.
67. "Arbitration of Alcohol Cases," Journal of Collective Negotiations in the Public Sector, Vol. 29, No. 3, 2000, pp. 175-193.
68. "Recent Developments in Federal Court Application of the EEOC Guidelines to English-Only Rules," Journal of Collective Negotiations in the Public Sector, Vol. 29, No. 4, 2000, pp 283-295 (with Dr. Boller).
69. "Employee Residency Requirements in Arbitration," Dispute Resolution Journal, Vol. 56, No. 3 August-October, 2001, pp 61-66.
70. "Legal Analysis of Breast-feeding Accommodations Requirements in the Workplace," Public Personnel Management Vol. 32, No. 3 Fall 2003, pp. 383-395 (with Dr. Boller).
71. "Public Policy Exceptions to Labor Arbitration Awards," Dispute Resolution Journal [forthcoming] (with Dr. Boller).

72. "An Analysis of State Laws Dealing with Employers' Duty to Accommodate Breastfeeding Working Mothers," Employee Relations Law Journal [forthcoming] (with Dr. Boller).
73. "Accent Cases in Civil Rights Law," Employee Relations Law Journal [forthcoming] (with Dr. Boller).

Published Cases:

"The Discharge of Mrs. Ash", a case written for Harvard University Intercollegiate Case Clearing House, 1974.

"The Day the Machine Department Has a New Supervisor", a case written for Harvard University Intercollegiate Case Clearing House, 1978.

Wendell L. French, John E. Dittrich & Robert A. Zawacki, The Personnel Management Process: Cases on Human Resources Administration, Boston, Houghton Mifflin Co., 1978. "The Discharge of Mrs. Ash: A Case of Stealing Time."

John E. Dittrich & Robert A. Zawacki, People and Organization Cases in Management and Organization Behavior.

Plano TX, Business Publications, Inc. 1981

"Why Was Production Sticky on the Glue Line?"

"Is Anyone Irreplaceable?"

"Problems on the Night-Shift Clearing Crews"

John Slocum, Organization Behavior, 4th Ed., West Publishing Co., 1986

"West Virginia Cap Company"

Presentations at Professional Meetings:

"The Arbitration of Job Elimination and Job Combination Grievances", Industrial Management Society, Proceedings, 1975, pp 163-168

"Caveats for MBA Program Directors: An Investigation of What Employers Want from the Schools", 1978, Proceedings of the Southwest Division of the Academy of Management, pp 36-40, (with Dr. R. Roderick).

"The Arbitration of Discipline and Discharge Cases: Industrial Management Society", Proceedings, 1980, pp 185-88.

"The Problem Employees: Managing Challenges for the 1980s", in the 59th Annual B & CMA Technical Conference, Atlanta, Georgia, 1984.

"Correlates of the PEG Survey with Personnel Effectiveness/Ineffectiveness", presented at the 1984 Southern Division of the Academy of Management, November, 1984, New Orleans, Louisiana (with Dr. Malone).

"Smoking Issues in the Workplace", Southern Management Association, Proceedings, November, 1985, Orlando, Florida (with Dr. Massengill).

“Sexual Harassment Cases in Arbitration and the Courts”, presented at the Southwest Academy of Management Meeting, New Orleans, LA, March, 1993.

“Vacating Arbitration Awards Dealing with Sexual Harassment in the Aftermath of Misco”, presented at the National Meeting of the Industrial Relations Research Association in Boston, January, 1994.

“Individual Liability of Supervisors for Acts of Sexual Harassment”, presented at the National Meeting of the Industrial Relations Research Association in San Francisco, January, 1996.

“Are Same Sex Sexual Harassment Cases Actionable in Federal Courts?” presented at the Southwest Academy of Management Meeting, March, 1996, San Antonio, TX.

“Last Chance Agreements”, presented at the Association on Employment Practices and Principles Conference, Oct. 3-5, 1996, San Diego, CA.

“Contractual Provisions Requiring the Mandatory Arbitration of Employment Rights”, American Business Law Association Meeting, Atlanta, GA, August 13-16, 1997 (with Dr. Boller).

“Arbitration of Workplace Violence Cases”, Labor Arbitration Institute, Chicago, IL May 1-2, 1997.

“Issues and Standards in Arbitral Approaches to Sexual Harassment Cases”, American Society of Business and Behavioral Sciences, February 20-26, 1998, Las Vegas, NV.

“Does the Same Hirer and Firer Establish an Employer’s Non-Discriminatory Motive in Federal Courts?”, American Society of Business and Behavioral Sciences, February 19-21, 1999, Las Vegas, NV (with Dr. Boller).

“Must English-Only Rules Comply with EEOC Guidelines? Recent Lessons from the Federal Courts”, Pacific Southwest Academy of Legal Studies in Business, Palm Springs, CA, February 24-27, 2000 (with Dr. Boller).

“The Passive Inhalation of Marijuana Smoke Defense: Toward Creating a Workable Standard”, presented to the Southwest Academy of Management Meeting, March, 2000, San Antonio, TX (with Dr. Boller).

“Current Arbitral Perspectives Regarding Supervisor Work Restriction Cases”, Rocky Mountain Academy of Legal Studies in Business (ALSB), Sept 29-30, 2000, Vail, CO.

“Recent Developments Concerning the Enforceability of Mandatory Arbitration Clauses in Industrial Employment Contracts”, American Society of Business and Behavioral Sciences, Las Vegas, NV, February, 2001 (with Dr. Boller).

“The Extent of Utilization of English-Only Rules by U.S. Employers”, presented at the National Conference of the Academy of Legal Studies in Business, Aug. 9-11, 2001, Albuquerque, NM (with Dr. Boller).

“Recent Developments Concerning Contractual Mandatory Arbitration Provisions: The Supreme Court Speaks in Green Tree Financial”, presented at the National Conference of the Academy of Legal Studies in Business, Aug. 9-11, 2001, Albuquerque, NM (with Dr. Boller).

"The Extension of the 'Hostile Work Environment' Principle to Claims Under the Americans with Disabilities Act", Annual Meeting of the Academy of Legal Studies in Business, in Las Vegas, Nevada, July, 2002 (with Dr. Boller).

"Prohibitive Cost as a Defense to Contractual Provisions Requiring the Mandatory Arbitration of Statutory Claims", Annual Meeting of the American Society of Business and Behavioral Sciences, in Las Vegas, Nevada, February, 2002 (with Dr. Boller).

"A Legal Analysis of Breast-Feeding Accommodation Requirements in the Workplace", Pacific Southwest Academy of Legal Studies in Business, Palm Springs, California, February, 2002 (with Dr. Boller).

"An Analysis of State Laws Dealing with Employers' Duty to Accommodate Breast-Feeding Working Mothers", Rocky Mountain Academy of Legal Studies in Business, Vail, Colorado, September, 2002 (with Dr. Boller).

"Public Policy Exceptions to Labor Arbitration Awards", Pacific Southwest Academy of Legal Studies in Business, Palm Springs, California, February, 2003 (with Dr. Boller).

"The Family and Medical Leave Act and Arbitration," presented at the Rocky Mountain Academy of Legal Studies in Business, Vail, Colorado, September, 2003.

"Accent Cases in Civil Rights Law," presented at the Pacific Southwest Academy of Legal Studies in Business, Palm Springs, California, February, 2004 (with Dr. Boller).

"Seeking a Definition of 'Supervisor' – A Critical Issue in Sexual Harassment Cases," Southern Academy of Legal Studies in Business, San Antonio, Texas, March, 2004.

"Contract Interpretation Principles," Arbitration Institute, Chicago, Illinois, April 29-30, 2004.

Other Research Activity

"In Re Coles County 911 Board and the Illinois Fraternal Order of Police Labor Council", cite at 117 LA 462, June 10, 2002.

"Fee Setting and Other Administrative Practices of Labor Arbitrators", cited in *Arbitration 2000 Workplace Justice and Efficiency in the Twenty-first Century*, BNA Books (with Dr. Rezler).