

BARRY E. SIMON, ESQ.

Email: simonarb@earthlink.net

Present Occupation: Arbitrator and Attorney

Business Address:

1320 East Eton Drive
Arlington Heights, IL 60004-2181
Phone: (847) 394-0749
Fax: (847) 394-4033

PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators (Board of Governors, 2011-2013)
American Bar Association (Committees on State and Local Collective Bargaining and Railroad and Airline Labor Law)
Chicago Bar Association (Chair, Labor & Employment Law Committee, 1991-1992)
Northwest Suburban Bar Association
National Association of Railroad Referees (President, 2006-2010)
Labor and Employment Relations Association
National Mediation Board Arbitration Forum

EDUCATION:

JD Law Loyola University of Chicago, 1975
BS Management University of Illinois at Chicago, 1970

CERTIFICATIONS:

Law Illinois 1976

ARBITRATION/LABOR RELATIONS EXPERIENCE:

1989 to Present: Arbitrator. Arbitrate labor and employment cases (see industries and issues below) for FMCS, AAA, NMB and Permanent Panels. **1990 to 2004:** Adjunct Professor, Lake Forest Graduate School of Management. Taught courses in Executive MBA program on Human Resources Management and Negotiations. **1976 to 1988:** Labor Counsel for Chicago and North Western Transportation Company. Handled final step grievances and prepared and presented arbitration cases involving thirteen craft unions under the Railway Labor Act. Participated in various contract negotiations and represented the railroad in judicial proceedings related to labor relations and employment matters. **1972 to 1976:** Personnel Specialist, American Library Association Office for Library Personnel Resources. Advised the library profession in various areas of personnel administration through correspondence, publications, speeches, seminars and program development.

INDUSTRIES:

Aerospace, airlines, bakery, beverage, building products, broadcasting, cement, communications, construction, education, electrical equipment/appliances, federal sector grievance, food, foundry, health care, hospitals/nursing home, iron, machinery, meat packing, metal fabrication, office workers/clerical, organizations, petroleum/petrochemicals, police and fire, printing and publishing, public sector grievance, public sector interest, pulp and paper, railroads, restaurants, retail stores, steel, transportation, trucking and storage, utilities.

ISSUES:

Absenteeism, arbitrability, bargaining unit work, conduct, demotion, discipline (non-discharge), discipline (discharge), drug/alcohol offenses, Fringe benefits: bonus, holidays, insurance, interest arbitration leave,

vacation; grievance mediation, health/hospitalization, hiring practices, job performance, job posting/bidding, jurisdictional disputes, layoffs/bumping/recall, management rights, official time, past practices, pension and welfare plans, promotion, safety/health conditions, seniority, sexual harassment, subcontracting/contracting out, tenure/reappointment, Wages: holiday pay, incentive pay, job classification & rates, merit pay, overtime pay, vacation pay, work hours/schedules/assignments, working conditions/work orders, violence or threats.

PERMANENT PANELS:

American Airlines/Allied Pilots Association
Continental Airlines/IBT
U.S. Postal Service/APWU and NALC
Chicago Board of Education/Chicago Teachers Union
State of Wisconsin/AFSCME
Conrail/UTU
Norfolk Southern/UTU and BLET
Burlington Northern Santa Fe/UTU and BLET
Massachusetts Bay Commuter Rail Corporation/UTU and TWU

ARBITRATION ROSTERS:

Federal Mediation and Conciliation Service
American Arbitration Association
National Mediation Board
State of Illinois (State, Local and Educational)
State of Nebraska

PUBLISHED CASES:

120 LA 1095 (2005); 110 LA 335 (1998); 102 LA 777 (1994)

SIGNIFICANT PUBLICATIONS:

Last Chance Agreements: Shape Up or Ship Out, Illinois Public Employee Relations Report, Summer 2006

FEES:

PER DIEM FEE: \$1,300/\$1,500 **DOCKETING FEE:** None **CANCELLATION FEE:** (See below)

Grievance and Interest Arbitration: The fee is \$1,300 for grievance arbitration and \$1,500 for interest arbitration per day for hearing, and for research and preparation of the opinion and award. A hearing day is any portion of a day up to six hours. Time for research and preparation is prorated.

Cancellation/Postponement Policy: If the scheduled hearing is postponed or canceled with notice of 30 days or less, the applicable per diem fee for each day of hearing shall be charged.

Administrative Fee: In cases involving unusual amounts of time relative to the pre-hearing and/or post-hearing administration of a particular case, an administrative charge based upon an hourly fee of \$200 may be charged at the Arbitrator's discretion.

Travel Time: Arbitrator charges the applicable per diem fee for any portion of a travel day.

Expenses: Actual expenses for public transportation, car rental, hotels and meals will be billed. Personal automobile mileage is billed at \$.55 per mile plus tolls and parking.

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