

Pilar Vaile, JD, CALJ

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OCCUPATION

2010-Present. Pilar Vaile, P.C., Pres./CEO. Attorney, arbitrator, mediator and hearing examiner/certified administrative law judge (CALJ). Firm's emphasis is providing neutral services in labor and employment matters, and other areas of the law.

PRIOR LEGAL EXPERIENCE

2005-2010. Deputy Director and hearing examiner, New Mexico Public Employee Labor Relations Board (PELRB); 2004-2005. Vice-Chair of the PELRB

2000-2004. Litigation associate with Youngdahl & Sadin, P.C. and its successor firms

REPRESENTATIVE PANELS AND ROSTERS

Federal Mediation and Conciliation Service (FMCS)

Financial Industry Regulatory Authority (FINRA) (arbitration and mediation)

USPS/APWU Permanent Panels (regular contract and discipline, and expedited arbitration)

USPS/NMHPU Permanent Panels (regular contract and discipline, and expedited arbitration)

IRS/Nat'l Treasury Employees Union (grievance arbitration)

Albuq. NM ADR Div., Workplace and Community Mediation, and Land Use Facilitation panels

Bernalillo County, NM (Personnel Hearing Examiner and labor Arbitrator),

NM State Court Mediation Panels—1st, 2nd & 13th Judic. Districts

NM Dept. of Vocational Rehabilitation (Independent Hearing Officer)

California Public Employment Relations Board (arbitration)

California State Mediation and Conciliation Service (grievance arbitration)

Kansas Public Employee Relations Board (mediation, arbitration and fact-finding)

Illinois Educational Labor Relations Board (mediation, arbitration and fact-finding)

Michigan Employee Relations Commission (grievance arbitration)

Montana Board of Personnel Appeals (labor and personnel arbitration)

Nebraska Commission of Industrial Relations (fact finding and Resolution Officer)

Nevada Local Government Employee-Management Relations Board (arbitration)

Oregon Employment Relations Board (factfinding, and interest and grievance arbitration)

Washington Public Employment Relations Commission (arbitration)

ISSUES & INDUSTRIES

Labor: Arbitrability; bargaining unit work; conduct (off-duty/personal); demotion; discipline (discharge and non-discharge); leave and vacation benefits; job bidding/posting/reversion/abolishment; jurisdiction disputes; management rights; official time; past practices; promotion; safety/health conditions; subcontracting/contracting out; holiday pay; vacation pay; incentive pay; job classifications and rates; work hours/schedules and/or assignments; working conditions/work orders; violence or threats in the work place; definition of just cause; performance appraisals; probationary status; clothing/uniforms; prohibited practice complaints; representation and unit clarification petitions; representation petitions; public sector budgetary constraints and deadlines; and jurisdictional disputes between personnel boards and labor-management boards; vocational rehabilitation.

Miscellaneous: bankruptcy; foreclosure; commercial, construction and financial contracts; lending practices, disability, and financial regulation.

Industries: Banking; communications; construction; government—state, municipal; county; education—public and charter, primary and secondary, college and university; electrical equipment/appliances; finance; food service; health care/hospitals; IRS; manufacturing/ machinery; office workers/; clerical; postal; prison/corrections; professional/ paraprofessional; public safety—police and fire; railway; transportation; utilities.

TRAINING & EDUCATION

Facilitation Training, New Mexico First, 2013

Advanced Mediation, Olsen & Assoc., 2012

Workplace Mediation, 27 hours, Common Ground Mediation, 2011

Labor Arbitrator Training Institute, Federal Mediation and Conciliation Service (FMCS), 2010

National Judicial College, Reno Nevada

- 2009 Dispute Resolution Skills Certificate, from the Judicial Development Program
- 2008, Administrative Law Adjudication Skills Certificate, Judicial Devel. Program
- 2006, two-week Fair Hearing course
- two 40-hour mediation courses (Mediation for ALJs, 2007, and Civil Mediation, 2009)

School of Law, University of New Mexico, Juris Doctorate with Thesis Honors, 2000

University of New Mexico, Bachelor of University Studies *magna cum laude*, 1996

LICENSES, CERTIFICATIONS & HONORS

Advanced Practitioner Designation—Labor & Emp. Arbitrator, Ass'n for Conflict Resol., 2012

Certified Administrative Law Judge, National Ass'n of Hearing Officials (NAHO), 2010

California State Bar (2004); New Mexico State Bar (2000), U.S. Dist. Court, District of New Mexico (2000)

PROFESSIONAL AFFILIATIONS

American Bar Ass'n (ABA)—Labor/ Employment, Family Law, and Dispute Resolution Sections

Association for Conflict Resolution (ACR)

National Association of Hearing Officials (NAHO)

N.M. State Bar—Labor and Employment, Trial Practice (Board Member) Sections

N.M. Disciplinary Board, Member

New Mexico Mediation Association

RELEVANT PUBLICATIONS

New Mexico Public Employee Labor Relations Board (PELRB) Practice Manual, <http://www.pelrb.state.nm.us/pdf/peba/pelrbpracticemanual.pdf>.

Blog, On Being a Neutral, <http://albuquerqueadr.blogspot.com/>

Blog, On New Mexico Labor and Employment Law, <http://albuquerqueadr2.blogspot.com/>

MILITARY SERVICE

Louisiana National Guard, Sergeant E-5, Legal and Personnel Specialist, 1990-1993

U.S. Army (active), Specialist E-4, Legal Specialist, 1987-1990

FEES Per Diem: \$1000.00 per eight (8) hour day for arbitration hearings, plus travel expenses and GSA rate for M&I. Time for preparation, research, writing, and pre-hearing conferences shall be assessed at \$125/hour. Arbitrator charges a full per diem fee for any portion of a travel day of four or more hours, and a half per diem fee for any portion of a travel day less than four hours. **Docketing Fee:** \$100.00 (no charge if hearing held). **Cancellation Fees and Policy:** 30 days notice, or \$1000.00 per scheduled day plus any travel costs already incurred. **Interim Billing Policy:** Arbitrator reserves the right to invoice for out-of-pocket expenses prior to issuance of the award; cancellation fees; and interim fees in the event arbitration is continued to a subsequent, additional day.