

## **David L. Gregory**

Arbitrator, and Professor of Law  
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**EDUCATION:** Yale University Law School (LL.M., 1982; J.S.D., 1987); University of Detroit School of Law (J.D., magna cum laude, 1980); Wayne State University (M.B.A., in labor relations, 1977); The Catholic University of America (B.A., cum laude, 1973)

**PROFESSIONAL AFFILIATIONS:** National Academy of Arbitrators; Chairperson, Labor and Employment Law Section (1996), and Chairperson, Employment Discrimination Section (2000), Association of American Law Schools; Chairperson, Law School Liaison, Executive Committee, Labor and Employment Law Section of the New York State Bar Association (1994-2002); Member, Arbitration (2000-2003), Civil Rights (1997-2000), Employee Benefits (1993-1996), and Labor Law (1986-1989, 2003-2006) Committees of the Association of the Bar of the City of New York; American Law Institute; American Bar Association; Labor and Employment Relations Research Association (formerly IRRA).

**ARBITRATION EXPERIENCE:** Arbitrator since 1983, and listed on AAA, FMCS, NMB, ADR Center, and New York City (OCB), Nassau County, NY and CSEA and NY State (PERB) agency panels, and designated on many contract panels (including, for example, Civil Service Employees Association and Nassau County and Nassau University Medical Center, New York; Local 282, Teamsters and Plumbing Suppliers; Jamaica, New York Hospital and 1199 SEIU; Local 241, Transport Workers and Columbia University; ConocoPhillips and Local 877, Teamsters; Local 814, Teamsters; University of Minnesota and Faculty, Professional, and Administrative Staff). I have extensive experience in all discipline and discharge matters and in the entire range of contract interpretation issues (e.g., arbitrability, subcontracting, reductions in force, management rights, discrimination);

### **Published Labor Arbitration Decisions include:**

Adelphi University and the American Association of University Professors, 122 LA 1065 (2006); Brookhaven Science Associates/Brookhaven National Laboratory and IBEW, Local 2230, 122 LA 882 (2006); Adelphi University and Adelphi Physical Plant Workers' Labor Union, 121 LA 1010 (2005); New York University and UCATS United Staff Association of NYU, Local 3882, New York State United Teachers, AFT, 121 LA 522 (2005); Long Island College Hospital and New York State Nurses Association, 121 LA 489 (2005); Garden City School District and Civil Service Employees Association,

Local 1000, 120 LA 1797 (2005); Interstate Brands Companies, Jamaica, New York and Bakery Drivers, Local 550, 120 LA 356 (2004); St. Vincent de Paul Residence and 1199 SEIU, 119 LA 1133 (2004); City of Toledo, Ohio and Toledo Police Command Officers' Association, 119 LA 14 (2003); Garden City School District, New York and Civil Service Employees Association, Local 1000, 118 LA 1470 (2003); Nextra and Local 1109, Communications Workers of America, 116 LA 1780 (2002); Advantage Logistics, Livonia, Michigan and Teamsters, Local 337, 116 LA 785 (2002); Town of North Castle, New York and Civil Service Employees Association, Local 1000, 116 LA 153 (2001); Triborough Bridge and Tunnel Authority and Local 1931, DC 37, AFSCME, 114 LA 229 (2000); Eaton Corporation and United Autoworkers Union, Local 220, 112 LA 705 (1999); BMW of Manhattan and Local 259, United Autoworkers Union, 111 LA 525 (1998); Macy's, New York City and Local 1, Retail Wholesale Department Store Workers Union, 108 LA 489 (1997); Interfaith Medical Center and New York State Federation of Physicians and Dentists, 106 LA 544 (1996)

**MEDIATION AND/OR FACT FINDING EXPERIENCE:** In addition to frequently mediating labor disputes, I also have significant experience in executive employment and recruiting and termination issues, including severance, bonus and deferred compensation, and interpretation of restrictive covenants and noncompetition agreements involving investment banks in New York and in London and in Germany.

**OTHER RELEVANT/EQUIVALENT EXPERIENCE & AREAS OR INDUSTRIES OF SPECIAL INTEREST**

Before arbitrating (since 1983) and teaching law (since 1982), I was a labor union member (UAW) and auto assembly line worker (Cadillac, General Motors, Detroit, Michigan) (summers, 1971, 1973); a clerk and APWU member, an equal employment opportunity counselor, and labor relations assistant with the U.S. Postal Service, Royal Oak, Michigan SCF (1974-1977); a labor relations representative with Ford Motor Company (1977-1980); and, a labor and employment lawyer in Detroit (1980-1982).

I am frequently interviewed by major media regarding labor and employment issues. For example, I have appeared on ABC and NBC national evening news, and I am quoted often in the New York Times. For example, on August 22, 2005, I was interviewed and quoted on page 1 of the NY Times and I appeared on the NBC national evening news, regarding the mechanics' strike at Northwest airlines. I have presented academic lectures at many leading law schools, including programs at the Harvard and Yale Law Schools, the University College Dublin Law School, the European University Institute in Florence, Italy, Queen Mary University of London, and at the Jesuit Curia and the Pontifical University of the Holy Cross in Rome. I co-chaired an international labor and employment law conference at the University College Dublin Law School in July, 2000, and I co-chaired an international ADR conference at Queen Mary University of London, July 26-28, 2006.

**PUBLICATIONS:** I am a contributing author to the leading arbitration treatise, "How Arbitration Works" (to the 6<sup>th</sup> Edition, 2003, the 2007 Supplement, and to prior

supplements), and a chapter editor to the treatise “Discipline and Discharge in Arbitration” (1998). I am a primary co-author to the second edition (1999) of the treatise, “Labor Management Relations and the Law” (Foundation Press). I have published more than one hundred law review articles and essays in leading law reviews, and I have presented lectures at many leading law schools, including Yale and Harvard. I frequently lecture at bar association programs, including, on May 25, 2005 presenting, “The Long View of the National Labor Relations Act at 70,” at the Association of the Bar of the City of New York Conference on the 70<sup>th</sup> anniversary of the NLRA (cosponsored by the NY City and NY State and American Bar Associations’ Labor and Employment Law Sections, and published in 56 Labor Law Journal 172-175 (2005). On June 21, 2006, I was featured speaker/panelist on “Ethical Issues in Labor and Employment Arbitration” at the Association of the Bar of the City of New York. On July 26-28, 2006, I co-chaired the “Transatlantic Perspectives on Alternative Dispute Resolution” Symposium Conference at Queen Mary University of London at Charterhouse Square; there were more than fifty speakers on a dozen different panels. The Right Honorable Lord Harry Wolff, immediate past Lord Chief Justice of England, was the keynote speaker. The Symposium Papers will be published in the forthcoming Symposium double issue of Volume 81 of the St. John’s Law Review (2006-2007).

**PER DIEM FEES:** \$1,600 (Labor Cases); \$2,400 (Employment Cases)

For Employment Cases and for Expert Witness Matters: I charge \$400 per hour for research, study, and writing time in Employment Cases. I charge \$400 per hour for any administrative matters (e.g., correspondence, telephone calls, document review, travel) requiring less than a per diem (5 hours). I charge a flat rate of \$400 per hour for all work as an expert witness. I do NOT charge any hourly rate for labor cases; for labor cases, I prorate my per diem for work taking less than five hours (e.g., If I need only one-half day for study and writing time on an award, or for travel to/from the arbitration hearing that requires an overnight stay, I will charge one-half (\$800) of the full day per diem on those occasions).

**ADJOURNMENT FEE:** Per Diem, within 15 business days/3 calendar weeks of scheduled hearing

(As of November 22, 2006)

