



State of New Jersey
Board of Mediation

Resume of Panel Arbitrator

Name Michael Capone

Business Email caponeassociates@gmail.com

City Seaford

State NY

ZIP 11783

Arbitration Experience

Arbitrator and Mediator (December 2010 – present). Professional neutral concentrating in the arbitration and mediation of labor and employment disputes. Alternative dispute resolution including grievance arbitration, employment arbitration, mediation, facilitation, and fact-finding. Have issued hundreds of awards in various industries and sit on numerous arbitration panels and rosters. (See below)

Mediation Experience

Essential Mediation Skills Training with the American Arbitration Association, 2016; Mediated scores of labor disputes where parties have sought settlement instead of arbitration.

Labor Relations or Labor Management Experience

MTA Long Island Rail Road and Long Island Bus (1987- 2011), directed and managed grievance arbitration and contract negotiations at all levels for both agencies; Transport Workers Union (Local 252) Representative (Bus Operator) (1981-1987), held shop steward, executive board, and trustee positions, regularly represented bus operators in grievance/disciplinary hearings, conferences, and arbitrations, advised the president on all matters, including collective bargaining and contract interpretation.

Other Relevant or Equivalent Experience

Labor Counsel and liaison between the New York State Metropolitan Transportation Authority's (MTA) Police Department and the MTA Police Benevolent Association (2000-2003)

Area or Industries of Special Interest

Automobile Production; Education; Transportation; Airlines; Railroads; Hospitals/Health Care; Police; Fire; Private Security; Federal Government Sector; Corrections/Prisons; Energy/Refineries; Mining; Utilities; Aerospace Manufacturing; Airport Maintenance; Private Sector Manufacturing; Municipalities; Office Workers/Clerical; Communications; Television News Media; Food Services. Issues: Absenteeism; Arbitrability; Bargaining Unit Work; Conduct (off-duty/personal); Seniority; Demotion; Discipline (Discharge/Non-Discharge); Differentials; Race, Sex, Drug/Alcohol Offenses; Fringe Benefits; Medical Benefits; Disability Pensions, Bonus; Vacation; Holidays; Leaves; Grievance Mediation; Job Performance; Jurisdictional Disputes; Management Rights; Past Practice; Benefits; Promotions; Retirement; Safety/Health; Sexual Harassment; Subcontracting/Contracting Out, Overtime Pay; Scheduling, Working Conditions; Job Classification; Workplace Violence, Social Media Policy.

Education

Touro College Jacob D. Fuchsberg Law Center, Huntington, NY, JD: May 1995. Honors: Academic Excellence Award. Activities: Alternative Dispute Resolution Club
State University of New York, Old Westbury, NY, B.A. Economics 1980. Honors: Academic Achievement Award Dean's List

Professional Affiliation/Association (Include Any Panel Membership)

Member, National Academy of Arbitrators; Member, New York State Bar Association: Law and Employment Section; Labor Arbitration Committee, and Dispute Resolution Section; Member, Labor and Employment Relations Association (LERA) – New York City and Nassau County Chapters; American Arbitration Association; Bombardier Transportation (USA) and International Brotherhood of Electrical Workers (IBEW); Federal Mediation and Conciliation Service; Liberty Lines (Westchester County) and Transport Workers Union, Local 100; Metropolitan Transportation Authority Defined Pension Plan – Disability Applications (includes Police); National Mediation Board; National Railroad Adjustment Board (First, Third and Fourth Divisions); New Jersey State Board of Mediation; New York State (NYS) Education Department §3020-a Panel; New York City's Office of Collective Bargaining - Register of Neutrals; New York City Transit and Transport Workers Union, Local 100 - Expedited Arbitration Panel; NYS Public Employment Relations Board ("PERB") Voluntary Grievance Arbitration Panel

Notes

Currently conducting in-person and video conference hearings.

Per Diem Fees: \$ 1650

Cancellation Notice

14 Calendar Days or Parties are Liable for Full Fee for the Cancelled or Postponed Day