

## **BARRY E. SIMON, ESQ.**

**Email:** simonarb@earthlink.net

**Present Occupation:** Arbitrator and Attorney

### **First Business Address:**

1320 East Eton Drive  
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### **PROFESSIONAL AFFILIATIONS:**

National Academy of Arbitrators (Board of Governors, 2011-13)  
College of Labor and Employment Lawyers  
National Association of Railroad Referees (President, 2006-10)

American Bar Association  
Chicago Bar Association  
LERA

### **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, leave, vacation; grievance mediation, job performance, job posting/bidding, jurisdictional dispute, 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.

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**PERMANENT PANELS (Past and Current):**

State of Illinois/AFSCME  
U.S. Postal Service/APWU  
U.S. Postal Service/NALC  
Chicago Board of Education/Chicago Teachers Union  
CSX/BMWE  
Conrail/UTU  
Norfolk Southern/UTU  
Norfolk Southern/BLET  
Burlington Northern Santa Fe/UTU  
Burlington Northern Santa Fe/BLET  
American Airlines/Allied Pilots Association  
UPS/Teamsters Local 705

**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:**

137 LA 161 (2016); 137 LA 206 (2016); 137 LA 260 (2016); 132 LA 191 (2013); 123 LA 198 (2006); 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:** \$1,500    **DOCKETING FEE:** None    **CANCELLATION FEE:** (See below)

**Grievance and Interest Arbitration:** The fee is \$1,500 for grievance and 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 \$300 may be charged at the Arbitrator's discretion.

**Travel Time:** Arbitrator charges the applicable per diem fee for any portion of a travel day, *i.e.*, not a hearing day.

**Expenses:** Actual expenses for public transportation, car rental, hotels and meals will be billed. Personal automobile mileage is billed at IRS allowable rate per mile plus tolls and parking.

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