

NAME

**JOHN E. SANDS**

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**Present Occupation:** Arbitrator and Mediator

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**PROFESSIONAL AFFILIATIONS:**

National Academy of Arbitrators (Past Governor; Region 2, Past Chair); American College of Employee Benefit Counsel; College of Labor and Employment Lawyers (Past President, Past Governor); New York State Bar Association (Labor and Employment Law Section, Past Chair; Executive Committee Member); New Jersey State Bar Association (Labor and Employment Law Section, Executive Committee; Alternative Dispute Resolution Section); Association of the Bar of the City of New York (Past Chair, Labor and Employment Law Committee); American Bar Association (Section on Labor and Employment Law; Past Neutral Co-Chair, Committee on Alternative Dispute Resolution; Employee Rights and Responsibilities Committee); Association of American Law Schools (Labor Law Section, Past Chair); Labor and Employment Relations Association (f/k/a IRRRA) (Capital District Chapter, Past President); Sidney Reitman Labor and Employment Law Inn of Court (Master of the Bench); International Foundation of Employee Benefit Plans (American Arbitration Committee, Past Chair).

**EDUCATION:** Princeton University (AB-1962); Yale University (JD-1965).

**CERTIFICATIONS:**

Admitted to the Bar, New York, 1965; Accredited Mediator of Business and Commercial Disputes, New Jersey Association of Professional Mediators, 2005; Arbitrator and Mediator of the International Court of Arbitration for Sport, 2002; Association for Conflict Resolution Workplace Labor and Employment Arbitrator Advanced Practitioner Designation, 2005.

**ARBITRATION/LABOR RELATIONS EXPERIENCE:**

Arbitrated and mediated more than 4,000 cases since 1972 covering the full range of contract, statutory, disciplinary, ERISA, MPPAA, and interest arbitration issues in several hundred private sector industries and public sector operations. On the public agency rosters of the New York State Employment Relations Board, New Jersey Mediation Board, New York Public Employee Relations Board, New Jersey Public Employee Relations

Commission, New York City Office of Collective Bargaining, and others. Past Chair, American Arbitration Committee of International Foundation of Employee Benefit Plans.

**INDUSTRIES:**

Airlines, automobile, bakery, banking, beverage, brass and copper, brewery, broadcasting, chemical, clerical clothing, coal, communications, construction, dairy, education, electrical appliances, electric communications, entertainment/arts, food, foundry, glass, government (federal, local), health care, hotel/restaurant, insurance, iron, longshore, lumber, machinery, manufacturing (miscellaneous), maritime, metal fabrication, mining, non-ferrous metals, nuclear energy, organizations, petroleum, pharmaceutical, plastics, private sector interest, public sector interest and grievance, pulp and paper, railroads, real estate, retail stores, scientific instruments, service, sports, steel, textile, transportation, trucking and storage, utilities, warehousing, public sector (police and fire).

**ISSUES:**

Absenteeism, alcohol and drug abuse, arbitrability, assignments, AWOL, bargaining unit work, benefit denials, bumping/recall, COLA, consolidation, contract terms, contracting out, demotion, discharge, discipline, discrimination, grievance mediation, guaranteed work week, health and welfare, holidays, holiday pay incentive rates/standards, insubordination, job classification/evaluation/bidding/posting, jurisdiction layoffs, leave of absence, leave, management rights, mergers, official time, other fringe benefits, overtime, past practice, pay (merit/rate of/reporting and callback/severance), pension claims in Federal law, pension and welfare, performance appraisals, promotions/reassignments, red circle rate, retirement, RIF, sexual harassment, shift hours, sick leave, strikes/lockouts/work, subcontracting, successor, training, transfer, trustee deadlocks, union business, vacations/vacation pay, wages, work performance/conditions/change, violence or threats, wages, withdrawal liability, work hours, working conditions/work orders.

**PERMANENT PANELS:**

Permanent arbitrator designations have included: Southwest Airlines with TWU Local 555; Verizon with CWA and IBEW; National Football League with NFL Players Association; National, International, and American Hockey Leagues with NHL and Professional Hockey Players Associations; Major League Baseball (salary disputes); U.S. Olympic Committee; Metro North with UTU; DGA and SAG with Entertainment Industry; NYTU and NY Post; SIU and MEBA with Maritime Industry; ILA with Longshore Industry; Elevator Constructors with National Elevator Industry; various school districts with AFT and NEA unions; State of New York with various unions; and others.

**ARBITRATION ROSTERS:**

American Arbitration Association, Federal Mediation and Conciliation Service, New York State Employment Relations Board, New Jersey Mediation Board, New York Public

Employee Relations Board, New Jersey Public Employee Relations Commission, New York City Office of Collective Bargaining, and others.

**PUBLISHED CASES:**

Because I believe my arbitration awards are the parties' confidential property, I do not submit them for publication. Notwithstanding that fact, parties themselves have submitted a number of my awards for publication. These can be found in the case indexes of BNA Labor Arbitration Reports, BNA Employee Benefit Cases, CCH Labor Cases, and the American Arbitration Association's Case Reports.

**SIGNIFICANT PUBLICATIONS:** Has lectured at scores of Labor and Employment Law, ADR, MPPAA and Continuing Legal Education programs sponsored by AAA, American and State Bar Associations, International Foundation of Employee Benefit Plans, and other organizations. Publications include the following: "Alternative to What?: Primary Conflict Management - The New Face Of ADR," 10 St. John's Journal Of Legal Commentary, 603-11, 1995; "Alternative Dispute Resolution: Tools To Control The Cost Of Conflict" And "Labor-Management And Employment Disputes: Arbitration Versus Litigation," How To Handle Arbitrations In New York State And Federal Courts, Practising Law Institute, 1993; Co-Author, "ADR In Employment Law: The Concept Of Zero Litigation," New Jersey Lawyer, No. 155, 1993; Co-Author, "New Dispute Resolution Rules," 133 New Jersey Law Journal, No. 5, 1993; "Private Case Management And Mediation In Employment Litigation," 15 New Jersey Labor And Employment Law Quarterly, Winter 1991-92; "ADR: A New Tool For Employment Relationships," 34 Risk Management 22-30, December 1987; "Designing And Drafting ADR Systems For Risk Management Purposes," Alternative Dispute Resolution And Risk Management: Controlling Conflict And Its Costs, 1987; Primary Editor, Alternative Dispute Resolution And Risk Management: Controlling Conflict And Its Costs, Practising Law Institute, 1987, and others.

**FEES:** \$2,200 per diem applies to all or any part of hearing day. Study Time: \$2,200 per diem charge applies pro rata to actual time spent reviewing testimony, exhibits, arguments, and citations, as well as preparing and processing opinion and award. Travel Time and Expenses: \$2,200 per diem charge applies only when actual travel time exceeds 4 hours; parties will reimburse all expenses for travel and subsistence incurred in connection with case. Postponements and Cancellation: \$2,200 per diem charge applies for all postponed or cancelled hearing dates unless more than 3 weeks' notice given (more than 6 weeks for multiple dates) or unless replacement hearings are scheduled.

**PER DIEM FEE:** \$2,200

**CANCELLATION FEE:** \$2,200