

RICHARD M. GABA, ESQ.

Email: rmgaba@rcn.com

Present Occupation: Arbitrator/Mediator

Business Address:

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PROFESSIONAL AFFILIATIONS:

National Academy of Arbitrators
New York State Bar Association
Nassau County (NY) Bar Association
Labor and Employment Association – Long Island and New York City Chapters
Society of Federal Labor and Employment Relations Professionals

EDUCATION:

LLM Labor Law	New York University Law School
JD Law	New York University Law School
BS Economics	University of Pennsylvania – Wharton School

CERTIFICATIONS:

Law – Admitted to practice in New York State, US Supreme Court, US Court of Appeals 2nd Circuit, US District Courts for the Eastern and Southern Districts of NY.
Arbitrator and Mediator in US District Court for the Eastern District of New York

ARBITRATION/LABOR RELATIONS EXPERIENCE:

1997 – Present: Listed on several arbitration panels **and** also serve as contract arbitrator under collective bargaining agreements. Arbitrated and mediated cases for the U.S. District Court for the Eastern District of New York and the New York State Division of Human Rights.

1956 – 1997: Engaged in private law practice specializing in labor and employment law representing labor, management and individuals in the public and private sectors. In the capacity of advocate, represented clients before State and Federal courts, the National Labor Relations Board, New York State Public Employment Relations Board and numerous other Federal and State employment related agencies.

INDUSTRIES:

Public service, building maintenance, retail furniture, light manufacturing, professional sports, hospitals and nursing homes, automobile sales and service, warehousing and distribution, airlines, furniture moving and storage, bakery, education, housing.

ISSUES:

Absenteeism, arbitrability, bargaining unit work, discipline and discharge, off duty conduct, disability, sex and age discrimination, contract interpretation, seniority, layoffs, rehiring, transfers, assignments, health/safety, fringe benefits, ERISA

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PERMANENT PANELS:

State of New York and Civil Service Employees Association
State of New York and Public Employees Federation
League of Voluntary Hospitals and Local 1199
New York City Housing Authority and Local 237 IBT
National Lacrosse League and the Professional Lacrosse Players Association
East Coast Hockey League and the Professional Hockey Players Association

ARBITRATION ROSTERS:

American Arbitration Association
New York State Public Employment Relations Board
New York State Employment Relations Board
New Jersey State Mediation Board
New Jersey Public Employment Relations Commission
New York City Office of Collective Bargaining
Waterfront Commission of New York Harbor. (Administrative Law Judge)
New York State Civil Service Department. (Hearing Officer)
U.S. District Court for the Eastern District of New York (arbitration and mediation).
Nassau County Bar Association EDR Panel.

SIGNIFICANT PUBLICATIONS:

Jurisdictional Disputes in the Building Trades. University of Texas Law Review. (1957)
Public Policy in Public Sector Labor Arbitration. AAA Disputes Resolution Journal. (2002)

FEES:

Per Diem Fee for grievance arbitration, interest arbitration, fact-finding or mediation: \$1,000 for any portion of a day not to exceed eight (8) hours. Research and study in preparation of an award is charged at the rate of \$125 per hour. (NMB Rate if applicable)

Cancellation Policy: If a scheduled hearing or mediation session is cancelled or postponed with less than fourteen (14) days actual notice, the per diem hearing fee will be charged.

Travel time: Charged at the rate of \$125 per hour not to exceed \$500 per day.

Expenses: Actual cost of reasonable expenses including air and/or rail fare, car rental, tolls, meals, lodging, copying, phone, fax and clerical assistance. Private automobile travel is charged at IRS rates.

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