

**SUSAN T. MACKENZIE**  
Arbitrator · Mediator · Attorney at Law

845 West End Avenue  
New York, New York 10025

Phone: (212) 749-9585  
Fax: (212) 749-5350  
E-mail: stmackenzie2@verizon.net

**Professional Experience:**

Labor-Management Mediation, Fact-Finding and Interest Arbitration

1974-Present. Served as mediator, fact-finder and interest arbitrator in hundreds of disputes involving, clerical and office staff, maintenance workers, public safety officers, police and firefighters, attorneys, corporate executives, teachers, professors, school administrators, physicians, nurses, health care workers, utility workers. Mediator/arbitrator of first collective bargaining agreement between IRS and its regional attorneys, recently served as Panel Chair in the interest arbitration between the PBA of New York City and the City of New York.

Labor-Management Arbitration

1975-Present. Served as arbitrator in thousands of matters under collective bargaining agreements in private, public and federal sectors. Industries include: aerospace, airlines, brewery, chemical, communications, education, electrical, energy, entertainment/arts, food service, government, health care, maritime, manufacturing, metal fabrication, nuclear energy, plastics, public safety, pulp & paper, retail, service, steel, textile, transportation, utilities.

Employment and Commercial Mediation, Neutral Fact-Finding and Arbitration

1985-Present. Served as neutral in class action, individual, multiparty and institutional disputes. Issues include FLSA, Sarbanes-Oxley, ERISA, ADA, ADEA EPA and Title VII claims, wrongful terminations, dissolution of partnerships, internal organization conflicts and separation packages.

Court, Administrative Agency or Other Designations

Mediator/Arbitrator, Merrill Lynch Claims Resolution Process, 1999-2007  
Arbitrator, Smith-Barney Dispute Resolution Process, 2001-2005  
Arbitrator/Mediator, Huntington Dispute Resolution Procedure, 2000-  
Member, Federal Aviation Authority Appeals Panel, 1999-  
Facilitator, Breast Implant Litigation, 1996-1999  
Arbitrator/Referee, Dalkon Shield Litigation, 1995-2000  
Panel Chair, NYS Education Law Section 3020-a, 1990-2004  
Arbitrator, Suffolk Employees Health Plan, 1990-  
Arbitrator, East End Health Plan, 1985-  
Hearing Officer, NYC Health & Hospital Corporation Regulations, 1982-85

**Mediation/Arbitration Faculty/Trainer:**

"Legal Update"; Fall Educational Conference, NAA 2011  
Labor Arbitration II Training, AAA, 2011  
Mediation Skills Training, NYCBA, 2010  
"Managing the Dynamics of Large, Complex Mediations", Advanced Mediation Training, AAA, 2009  
Basic Mediation Training, NYC Bar Association, 2009  
"Nuts and Bolts of Arbitrating Individual Employment Claims," NYSBA CLE Program, 2008  
"Employment Arbitration Workshop for Advocates," ABA Annual CLE Conference, 2007  
"Beyond the Protocol: The Future of Due Process in Workplace Dispute Resolution", NAA Conference, 2007  
Mediation Training, New York State Supreme Court - Commercial Division, 2005  
Advocacy Training Program, NAA 2005  
Mediation Training Program, ABCNY 2005  
Mediation Advocacy Program, Cardozo School of Law, 2005  
Labor Arbitrator II Training: Advanced Case Management Issues, AAA, 2003  
National Mediator Conference, AAA, 2000  
Staff Mediator Training, EEOC (NY Region), 1997  
Staff Mediator Training, NYC Human Rights Commission, 1997

**Permanent/Contract/Labor-Management Designations:**

Arbitration

American Eagle/Association of Flight Attendants  
Anheuser-Busch/ International Brotherhood of Teamsters  
Association of NYC Concrete Producers/Building Materials Teamsters  
Brookhaven Memorial Medical Center/Federation of Nurses and Health Professionals  
CBS/Directors Guild of America; Writers Guild of America  
City of Ithaca/Police Benevolent Association  
City University of New York/United Federation of Teachers  
Consolidated Edison/Utility Workers Union of America  
Customs Service and IRS/National Treasury Employees Union  
Department of Defense/Overseas Federation of Teachers  
Dow Jones/Independent Association of Press Employees  
Evening Journal News Association/Mail Handlers  
Federal Election Commission/National Treasury Employees Union  
General Electric/International Brotherhood of Electrical Workers  
Guild for Exceptional Children/CSEA  
Hoechst-Celanese/Amalgamated Clothing and Textile Workers Union  
Inhilco/Hotel & Restaurant Workers Union  
League of Voluntary Hospitals of New York/1199  
Merck/United Steel Workers  
Nassau County/Civil Service Employees Association  
NBC/Writers Guild of America  
Neighborhood Housing Associates/SEIU  
The New School/SEIU 32BJ

New York & New Jersey Port Authority/LBA; PAMSA  
New York Power Authority/Utility Workers Union of America  
New York State/Civil Service Employees Association and Council 82, AFSCME  
Philips Components Co./International Brotherhood of Electrical Workers  
Triboro Bridge & Tunnel Authority/District Council 37, AFSCME  
United Parcel Service/International Brotherhood of Teamsters  
US Airways/CWA-IBT Association  
State University of New York/United University Professionals  
Suffolk County Water Authority/Utility Workers Union of America  
Vassar College/Communications Workers of America

Mediation/Arbitration

AT&T/Communications Workers of America and Grievance Mediation Arbitration Panel  
Verizon/Communications Workers of America Dispute Resolution Panel  
Rutgers University Faculty Grievance Mediation & Arbitration Panel  
School Construction Authority/District Council 37 Dispute Resolution Panel  
United Airlines/Association of Flight Attendants Grievance Mediation Panel

**Designating Agency Memberships:**

American Arbitration Association (Labor-Management, Employment, Commercial)  
CPR Institute for Dispute Resolution  
Federal Mediation and Conciliation Service  
National Mediation Board  
New York State Public Employment Relations Board  
New York City Office of Collective Bargaining  
Private Adjudication Center, Duke University Law School  
Mediation Research & Education Project, Inc., Northwestern University Law School

**Teaching and Research:**

1975-Present: Instructor, Cornell University ILR; various courses on arbitration, ADR and labor and employment law.

1995-2006: Professor (Adjunct), Cardozo School of Law (Mediation and Arbitration of Employment Disputes; Employment Discrimination Law ); 1980: Professor (Adjunct), Graduate Program in Labor-Management Relations, Rutgers University.

1978-79: Program Director, "Implementation of Executive Order No.40" (Co-sponsored by NYS Division of Human Rights and Cornell/NYSSILR), "Working Women and the Law" (Sponsored by Cornell/NYSSILR).

1977-78: Member, Task Force on Labor Relations in the Performing Arts, Institute of Collective Bargaining Group Relations.

1976-77: Senior Research Associate, NYS Commission on Productivity in the Public Sector and Special Assistant to Director, NYS Assembly Office of Legislative Oversight and Analysis.

**Publications:**

- “Legal Issues in Pre-Hearing and Hearing Phases of Arbitration,” Employment Arbitration, (co-author) (ABA/BNA Books) [forthcoming].
- 2008 “Mediating Employment Disputes,” Mediating Commercial Disputes, (co-author) (ABA, 2008, Dwight Golann, editor)
- 2005 “Acts of Discrimination Constituting Misconduct or a Mitigating Circumstance,” Common Law of the Workplace, 2<sup>nd</sup> Ed. (2005, BNA, Inc.).
- 2002 “How Mediators View Their Role,” How ADR Works (Norman Brand, Ed., BNA).
- 2002 “Effective Mediation Advocacy,” ALI-ABA’s Practice Checklist Manual on Dispute Resolution (American Law Institute, January 2002).
- 2000 “Mediation - Civil Rights Law in Transition,” Fordham Urban Law Journal (Vol.27, April, 2000).
- 1999 “Employment Arbitration,” Arbitration Now (ABA Section of Dispute Resolution) (co-author).
- 1998 “Flexibility in Resolving Wrongful Termination Disputes,” Wrongful Termination Claims: What Plaintiffs and Defendants Need to Know (Practicing Law Institute, January 1998).
- 1997 "Internal Investigations from the Perspective of an Outside Neutral," 82 Employment Law Counselor 15 (June 1997).
- 1996 "Employment Disputes," Mediating Legal Disputes: Effective Strategies for Lawyers and Mediators (Dwight Golann, Ed., Little, Brown & Co.) (co-author).
- 1994 "Resolving Sexual Harassment Claims through ADR," Proceedings of the 46th NYU National Conference on Labor (Little, Brown & Co.).
- "Arbitration and the ADA," presented at the 1993 ABA Annual Meeting, Labor and Employment Law Section and excerpted in Labor and Employment Law Section Newsletter (NYSBA), vol. 19, No. 1 (March 1994).
- 1988 "Arbitration in the Health Care Field," Labor and Employment Arbitration (Matthew Bender, Co.) (co-author).

**Professional Affiliations and Awards:**

Member, Advisory Board, Cornell University ILR Institute on Dispute Resolution and Program on Labor and Employment Law, 2006-  
Fellow, College of Labor and Employment Lawyers, 2005-  
Fellow, American Bar Foundation, 2004-  
Member, National Academy of Arbitrators (Board of Governors, 1999-2002), 1986-  
Public Member, NASD NAMC Employment Task Force Subcommittee, 2004  
Public Member, National Arbitration and Mediation Committee, NASD, 1996-1999  
Member (and past Chair), Committee on Labor and Employment Law, Association of the Bar of the City of New York, 1995-2001  
Member, Committee on Labor and Employment Law and Subcommittee on ADR, New York State Bar Association, 1985-  
Member, Committees on Labor & Employment Law and on ADR, American Bar Association, 1985-  
Member, Advisory Board, NY Chapter, Industrial Relations Research Association, 1998-  
Chair, Task Force on Education and Training, American Arbitration Association, 1993-96  
Chair, Advisory Board, Institute for Women and Work, Cornell University, 1983-96  
Vice President, Board of Directors, Hudson Valley Shakespeare Festival, 1996-00  
Member, Board of Directors, NAA Research and Education Foundation, 1995-01

Recipient, American Arbitration Association Distinguished Service Award, 1993

Admitted to practice in the State of New York (1980) and before the U.S. Supreme Court (2006)

**Education:** J.D., Columbia University School of Law, 1979  
M.S., Industrial Relations, Cornell University, 1975  
B.A., Smith College, 1969

**Compensation:** \$2,000.00 Per Diem for labor-management arbitration (other fees apply for other cases). Per-diem cancellation fee if notice is not received 21 days prior to confirmed hearing date and one-half per diem charged for travel over four hours in any one day. An additional seven days' notice is required for each consecutive day scheduled. Reserves the right to adjust fees if acceptance of the case so requires.