

RACHEL GOEDKEN, J.D.
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EDUCATION

J.D., William Mitchell College of Law, St. Paul, Minnesota
M.S. Industrial Relations, University of Wisconsin-Madison
B.S. Psychology, Iowa State University, Ames, Iowa

WORK EXPERIENCE

Creighton University School of Law, Omaha, Nebraska **2010-present**

Director, Werner Institute for Negotiation & Conflict Resolution, 2020-present

- Responsible for developing and overseeing J.D. and Master of Legal Studies programming for dispute resolution, including negotiation, mediation, and arbitration
- Courses taught: Alternative Dispute Resolution, Arbitration Advocacy, Mediation Process (state-approved trainer for basic mediation training)

Senior Associate Dean for Academic Affairs, 2017-2019

Assistant Professor of Law, 2011-present

- Academic coach for Mediation, ABA Arbitration, Baseball Salary Arbitration, and Client Counseling teams

Adjunct Instructor, 2010-2011

Independent Professional Services

Labor and Employment Arbitrator and Mediator **2012-present**

- Available for virtual hearings and in-person hearings

Rosters

- Iowa PERB Ad Hoc Arbitrator and Mediator, 2012-present
- National Mediation Board Roster of Arbitrators, 2021-present
- Federal Mediation and Conciliation Services Roster of Arbitrators, 2021-present
- American Arbitration Association Roster of Employment Arbitrators, 2020-present
- CPR's Employment Dispute Panel-Midwest and Mass Claims Employment Panel, 2020-present
- Dakota County Personnel Board of Appeals, Apple Valley, Minnesota, 2000-2001
Member of three-person panel responsible for hearing appeals filed by non-union Dakota County employees (contesting discipline or discharge) and providing County Board with impartial analysis of the facts presented during the hearing

Issues

- Issued grievance arbitration awards on cases involving discipline and discharge, contract interpretation, management rights, past practice, paid time off, overtime, wages, attendance incentives, and wage and hour issues arising in private and public sector contracts
- Drafted interest arbitration awards on wages, health insurance, tuition reimbursement, and vacation issues in police and sheriff contracts when interning with experienced labor arbitrator in 2012, following placement on Iowa PERB roster
- Sole mediator for collective bargaining impasse mediations involving wages, insurance, seniority, travel time, performance, hours, responsibilities, and other work rules in teacher contracts

Provided appellate arbitration services for Union Pacific Railroad, Omaha, NE **2008-2012**

- Drafted briefs for submission to Public Law Board in arbitrations arising from discipline, discharge, attendance, fitness for duty, sexual harassment, age discrimination, job performance, leave, and work assignment disputes.

MidAmerican Energy Company, Des Moines, Iowa **2002-2006**

Director, Employee, Labor Relations & HR Compliance

- Managed team of employee and labor relations representatives for utility with 3,500 employees, approximately half represented by unions
- Oversaw handling of all grievances, contract negotiation and administration; provided advice to management on discipline and termination, investigations of EEO, wage and hour, and other employee complaints
- Chief negotiator for contract negotiations with IBEW (multi-party CBA with two locals)
- Managed outside counsel handling arbitrations
- Introduced and implemented HR Self Audit, investigated internal EEO complaints, responded to agency complaints, and conducted employee training

Lawyer (self-employed), St. Paul, Minnesota **2000-2002**

Conducted EEO investigations, consulted on arbitrations, and developed and delivered EEO/ diversity training for Northwest Airlines and MidAmerican Energy Company

Northwest Airlines, St. Paul, Minnesota **1991-2000**

Labor Counsel, 1994-2000

- Arbitrated 100+ contract, discipline and discharge cases before System Board of Adjustment
- Investigated complaints of employee conduct, including drug and alcohol use and testing, attendance, theft, work performance, discrimination and harassment
- Advised and trained management on collective bargaining agreements as well as labor and employment issues, including Title VII, ADEA, ADA, Section 503 of the Rehabilitation Act, FMLA and USERRA
- Chief negotiator for company's contract negotiations with TWU
- Negotiated and drafted grievance settlements

Staff Counsel – Consent Decree, 1994

- Represented Northwest in consent decree claims process, resolving through trial or settlement claims of race discrimination in hiring, promotion and termination
- Responded to and resolved employment discrimination complaints (race, age, sex, disability, and veteran status) filed with state and federal agencies

Law Clerk, 1991-1994

- Provided research, arbitration, and investigation support for 14 attorneys and managers

Personnel Manager, Sinclair & Valentine, St. Paul, Minnesota **1988-1991**

Corporate position responsible for administration of personnel function for ink manufacturer with 37 union and non-union plants in 28 states; second chaired labor negotiations

Personnel Supervisor, Yellow Freight System, Burnsville, Minnesota **1986-1988**

Generalist position responsible for developing personnel function at facility with 300 Teamster and 200 nonunion employees

BAR ADMISSIONS

Minnesota, U.S. District Court for the District of Minnesota, Iowa –in good standing, voluntarily inactive

RECENT PRESENTATIONS

Arbitration Conversation #58: Labor Arbitration, January 2021; interview available at

<https://www.youtube.com/watch?app=desktop&v=XwTHtasUu0c&feature=youtu.be>

The Future of Workplace ADR, LERA Virtual Conference, February 2021

Getting the Best Negotiation Results and Arbitration Law Update, Creighton Law Review Symposium, February 2021