THE PEÑA ARBITRATION
& MEDIATION GROUP

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Diego J. Peña

Arbitrator – Mediator – Attorney

ARBITRATOR & MEDIATOR **2019 - PRESENT**

Professional neutral who arbitrates and mediates labor & employment disputes. Alternative dispute resolution including grievance arbitrations, employment arbitration, mediation, facilitation and fact finding.

ASSISTANT VICE PRESIDENT – SENIOR GENERAL COUNSEL
AT&T/SOUTHWESTERN BELL TELEPHONE COMPANY **1989 – 2019**

Represented AT&T and Southwestern Bell Telephone Company in labor arbitrations and employment matters before federal and state boards and agencies in Texas, Oklahoma, Missouri, Kansas and Arkansas. Participated in collective bargaining. Defended Title VII, Section 1983 and ADA discrimination cases in state and federal court. Provided advice and counsel on labor & employment matters, corporate governance and compliance. Also managed outside counsel on labor & employment, personal injury, wrongful death and other commercial and business litigation matters and claims.

ATTORNEY
PRIVATE PRACTICE **1983 – 1989**

Worked for Martin & Drought and Green & McReynolds law firms in San Antonio, Texas. Personally tried personal injury and business litigation cases in state and federal courts, predominantly in Texas.

PERMANENT PANELS & ROSTERS

National Mediation Board

Federal Mediation & Conciliation Service

American Arbitration Association (Labor, Employment, Commercial and Consumer Panels)

Dallas Area Rapid Transit Authority Trial Board Hearing Official

Southwest Airlines and Transport Workers Union Local 555

City of Houston and Houston Police Officers' Union Independent Hearing Examiner Panel

Texas Education Agency – Independent Hearing Examiner

Texas Department of Insurance – Arbitrator & Mediator

ALLIED PRINTING SERVICES
AFL-CIO

INDUSTRIES

Agriculture, airlines, automotive, bakery, banking, beverage, brewery, broadcasting, building products, cement, chemicals, clothing, communications, construction, distillery, education, electrical equipment/appliances, electronics, entertainment/arts, feed and fertilizer, food manufacturing/products/service, foundry, furniture, health care, hospital/nursing home, hotels/motels/casinos/resorts, iron, lumber, machinery, metal fabrication, mining, office workers/clerical, organizations, packaging, petroleum/petrochemicals, pharmaceuticals, plastics, plumbing, police and fire, printing and publishing, prison and security guards, public sector grievance, public sector interest, railroads, real estate, refrigeration/HVAC, restaurants, retail stores, sports, steel, symphony orchestra, textile, tobacco, transportation, trucking and storage, utilities, warehouses

ISSUES

Absenteeism, affirmative action, age, arbitrability, bargaining unit work, bonus, conduct (off-duty/personal), contracting out bargained work, cost of living pay, demotion, disability, discipline (discharge and non-discharge), discrimination, driving qualification, drug/alcohol offenses, fact finding, fringe benefits, gender, hiring practices, holiday pay, holidays, incentive pay, insurance, job classifications and rates, job performance, job posting/bidding, jurisdictional dispute, layoffs/bumping/recall, leave, management rights, merit pay, official time, overtime pay, past practices, pension and welfare plans, promotion, race, religion, retirement, safety/health conditions, seniority, severance pay, sexual harassment, strikes/lockouts/work stoppages/slowdowns, subcontracting/contracting out, tenure/reappointment, union security, vacation, vacation pay, violence or threats, wages, work hours/schedules/assignments, working conditions/work orders.

PUBLISHED AWARDS

City of Brownsville, 2021 BNA LA 335 (2021)

City of Webster Groves & IAFF Local 2665, 2022 BNA LA 20, 2022 BL 132091 (2022)

See website for other published awards (www.thepenalawgroup.com)

EDUCATION

University of Texas at San Antonio	**Master of Arts (History)**	**2005**
University of Texas at Austin School of Law	**Juris Doctorate**	**1982**
University of Notre Dame	**Bachelor of Arts**	**1980**

ADMITTED TO PRACTICE

Texas Supreme Court

United States Supreme Court, United States Fifth Circuit Court of Appeals, and United States District Courts for the Western, Southern, Northern and Eastern Districts of Texas

PROFESSIONAL ORGANIZATIONS

Labor and Employment Relations Association – Houston Chapter

State Bar of Texas

Texas Bar Foundation (Sustaining Life Fellow)

Dallas Bar Association

Denton County Bar Association

Tarrant County Bar Association

San Antonio Bar Association (Former Director)

San Antonio Bar Foundation (Former Trustee)

TRAINING

National Association of Railroad Referees – September 2022 Training

FOREIGN LANGUAGE

Spanish

FEES

Per Diem Fee: $1,350.00

Grievance, Arbitration, Public Sector Interest Arbitration, Mediation, Factfinding: $1,250.00/day for hearing, research and writing of the award.

Cancellation Policy: Cancellation 30 days or less prior to the hearing are charged the per diem.

Travel: Hotel may be charged depending on circumstances. Outside the Dallas/Fort Worth metropolitan area: expenses as incurred and travel time at a prorated per diem. Mileage at the IRS rate.